

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

NOVEMBER 18, 2003

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

**COMMISSION
CHAMBERS**

**CHARMAINE CRAIG
DEPUTY CLERK**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Page 7 - 26)**
***SPECIAL PRESENTATION - Commissioner Greene - Youthfest**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **APPROVED** **R-2003-1839**
Staff recommends motion to receive and file: Amendment No. 1 to Standard Agreement with Robert Smith, D.V.M. (R2002- 2213) for veterinary services increasing the total amount not-to-exceed \$20,000 for the Public Safety Department.

2. **APPROVED**
Staff recommends motion to receive and file: Six (6) original contracts/agreements/grants for the Department of Airports.

A) APPROVED R-2003-1840
North County Hangar Lease Agreement for Hangar 11720-2, signed by Mitch Kelly and dated October 22, 2003;

B) APPROVED R-2003-1841
North County Hangar Lease Agreement for Hangar 11240-12, signed by Gerald T. Sutterfield and dated November 1, 2003;

C) APPROVED R-2003-1842
North County Hangar Lease Agreement for Hangar 11230-4, signed by Dr. Hillard C. Gersten and dated November 1, 2003;

D) APPROVED R-2003-1843
North County Hangar Lease Agreement for Hangar 11240-1, signed by Richard S. Halsell and dated November 1, 2003.

E) APPROVED R-2003-1844
North County Hangar Lease Agreement for Hangar 11230-10, signed by Andre Lambert and dated November 1, 2003.

F) APPROVED R-2003-1845
North County Hangar Lease Agreement for Hangar 11240-2, signed by Thomas D. Tillman and dated November 1, 2003.

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

Standard Development Agreement

A) APPROVED R-2003-1846
CD 74 Contractors Business Park 01-01122-000

B) APPROVED R-2003-1847
Plant Factory Garden Center, LLC 02-01077-000

C) APPROVED R-2003-1848
George T. Elmore, Trustee 02-01078-000

D) APPROVED R-2003-1849
W2PR, LLC 01-01121-000

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cond't)

4. **APPROVED** **R-2003-1850**
Staff recommends motion to approve: Memorandum of Agreement with the United Way of Palm Beach County to support the Palm Beach County Prosperity Campaign in the amount not-to-exceed \$50,000. **SUMMARY:** On November 4, 2003, the Board agreed to participate with the United Way, Quantum Foundation, Internal Revenue Service and other community agencies in implementing the Palm Beach County Prosperity Campaign. The United Way is taking the lead in working with other community agencies in establishing over 30 locations throughout the County to assist families in obtaining earned income tax credits. Countywide (DN)

B. CLERK

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

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

3. **APPROVED** **R-2003-1851 THROUGH R-2003-1852**
Staff recommends motion to approve: Contracts and claims settlements list.

4. **APPROVED** **R-2003-1853**
Staff recommends motion to receive and file: Change orders, work task orders, minor contracts, and final payments approved by the Contract Review Committee and by the department heads for the Engineering; Facilities Development and Operations; Water Utilities; and Environmental Resources Departments; and the Department of Airports during the months of August and September 2003.

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to:**
B) DELETED
adopt a Resolution declaring a parcel of land known as the Lake Park Scrub Surplus Parcel (LPSSP), containing 5.825 acres, as land required for the construction of improvements for the Old Dixie Highway from Park Avenue to Northlake Boulevard project;

C) DELETED
approve a Budget Transfer of \$450,000 in the Transportation Improvement Fund from Road Program Reserves – FY 98 (Right-of-Way Acquisition Reserve) to Old Dixie Highway/Park Avenue to Northlake Boulevard; and

D) DELETED
approve the payment of \$450,000, which is the appraised value for the subject parcel, to Property and Real Estate Management (PREM).
SUMMARY: This action transfers a parcel of surplus land from PREM to the Engineering and Public Works Department to be utilized as right-of-way and water retention required for the Old Dixie Highway from Park Avenue to Northlake Boulevard project, and initiates a Budget Transfer which will compensate PREM the appraised value of said parcel. Districts 1 & 7 (PFK)

2. **DELETED**

3. **APPROVED** **R-2003-1854**
Staff recommends motion to approve: a County Deed conveying to the Town of Lake Park the right-of-way for Water Tower Road from the existing East right-of-way line of Congress Avenue easterly to the East line of the Southeast ¼ of Section 19, Township 42 South, Range 43 East. **SUMMARY:** This item will convey the County's interest, including any and all maintenance responsibilities, in the existing right-of-way for Water Tower Road within the limits previously mentioned to the Town of Lake Park. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cond't)

4. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$116,300 in the Transportation Improvement Fund from Reserves Road Program Sweeps (Contingency Reserves) to Loxahatchee River Road Clear Zone. **SUMMARY:** The Budget Transfer will fund the construction of curbing along the west side of Loxahatchee River Road from Whitetail Lane to 197th Place North. The curbing will be installed to meet the clear zone vehicle recovery requirements for the area. Construction of the curbing will be performed under the Annual Pathway and Minor Construction Contract. District 1 (MRE)

5. **APPROVED**

R-2003-1855

Staff recommends motion to approve: an Amendment to the Reimbursement Grant Agreement (R2002-1315) with the Westgate/Belvedere Homes Community Redevelopment Agency (CRA). **SUMMARY:** The original August 20, 2002 Agreement provides funding up to fifty percent (50%) of the costs, not-to-exceed a maximum of \$11,400, to the Westgate/Belvedere Homes Community Redevelopment Agency for the installation of beautification improvements on the County's Congress Avenue in the first median south of Cherry Road (generally describes as 1200 feet north of Belvedere Road continuing north 622 feet. The C.R.A. has requested an extension of the completion date from September 30, 2003, to June 30, 2004, for the following reason: Because of delays due to problems with obtaining electrical permits for the subject project, the C.R.A. was unable to complete the contract by the September 30, 2003 deadline. District 2 (MRE)

6. **ADOPTED**

R-2003-1856

Staff recommends motion to adopt: a Resolution declaring the acquisition of properties designated as Parcels 121.1, 12.1B, 13.5, 20.4, 20.5, 28.1, 28.3, 29.1, 29.3, 52.1, 52.3, 61.2, 61.3 and 61.4 as Fee Simple acquisitions and Parcels T.C.E. 12.1, T.C.E. 12.1B, T.C.E. 20.4, T.C.E. 28.1, T.C.E. 52.3, T.C.E. 61.2, T.C.E. 61.3 and T.C.E. 61.4 as Temporary Construction Easements to be utilized as necessary for the construction of Lyons Road from north of Forest Hill Boulevard to south of SR 80. **SUMMARY:** This action initiates Eminent Domain proceedings against twenty-two (22) parcels whose estimated values total \$1,405,387. District 6 (PFK)

7. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$6,000 in the Transportation Improvement Fund from Reserves for District 5 Improvements to the Street Lighting Program. **SUMMARY:** The District 5 Commissioner has authorized a \$6,000 contribution to help fund the operational costs of fifteen (15) existing street lights, located on the south side of Pipers Glen Boulevard between Jog Road and El Clair Ranch Road, for a period of two years. Thereafter, the area residents will be responsible for the funding of these lights. District 5 (MRE)

8. **DELETED**

9. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$23,705 in the MSTU District A Fund from Reserves to West Edgewater Drive - Water Main. **SUMMARY:** The Budget Transfer will provide funds for the design services necessary for construction plans for the West Edgewater Drive (from Prosperity Farms Road west to the dead end) Water Main Project. District 1 (MRE)

10. **APPROVED**

Staff recommends motion to approve: Budget Transfer of \$15,000 in the Transportation Improvement Fund from Reserve for District 5 to the West Atlantic Traffic Diverter – District 5. **SUMMARY:** This Budget Transfer will fund the construction of a traffic diverter and realignment of traffic signal heads at the intersection of West Atlantic Avenue and the Lakes of Delray Development. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

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

11. **APPROVED** **R-2003-1857**

Staff recommends motion to approve: Supplemental Agreement No. 3 (CSA) of \$33,513.22 with Wantman Group, Inc. (WGI) for Congress Avenue, Hypoluxo Road to Lantana Road (Project). **SUMMARY:** This CSA will provide the necessary professional services required to design signalization at two (2) Intersections, design mast arms for the signals, and obtain geotechnical data to design the foundations of the mast arms. The Minority/Women Business Enterprise (M/WBE) participation achieved on this supplement is 24.1% Hispanic (Tierra, Inc.) District 3 (PFK)

12. **APPROVED** **R-2003-1858**

Staff recommends motion to approve: a Restrictive Covenant Agreement related to a detention pond lying North of Island Way, adjacent to Limestone Creek Road, as needed for the Island Way from Indiantown Road to the County Line project. **SUMMARY:** This item will place ongoing maintenance requirements on Palm Beach County for a detention pond being constructed as part of the current Island Way from Indiantown Road to the County Line project. District 1 (PFK)

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

A) APPROVED **R-2003-1859**

a Financial Assistance Agreement not-to-exceed \$226,400 with the Town of Jupiter to provide funding for the installation of beautification improvements which include aesthetic and safety improvements, and landscaping and irrigation in and along Center Street from Indiantown Road to SR 811; and

B) APPROVED

Budget Transfer of \$226,400 in the Transportation Improvement Fund from Reserve for District 1 to Center Street, Indiantown Road to SR 811.

SUMMARY: This item provides funding in the amount of \$226,400 for the installation of

beautification improvements including aesthetic and safety improvements and landscaping and irrigation in and along Center Street from Indiantown Road to SR 811. Funding comes from the District 1 Gas Tax Reserves. After the installation, the Town will be responsible for perpetual maintenance of the improvements. District 1 (MRE)

14. **APPROVED A) R-2003-1860 THROUGH B) R-2003-1861**

Staff recommends motion to approve: Contract Amendments of \$1,000,000 to the Primary Annual Roadway Landscaping Contract (Contract) dated December 4, 2001, with **A)** Vila & Son Landscaping Corporation (R2001-2133) and the Secondary Annual Roadway Landscaping Contract with **B)** Sunnyland Irrigation (R2001-2134). **SUMMARY:** The Amendments to the Annual Roadway Landscaping Contract extend expiration dates of the existing Contracts to December 3, 2004. The Contracts include furnishing and installing plant material and irrigation systems within Palm Beach County. The maximum value of work orders issued under the existing Contracts, together with these Amendments shall not, in any case exceed \$8,735,000. Minority/Women Business Enterprise (M/WBE) goals were established by the Goal Setting Committee at 15% overall participation. Vila & Son Landscaping Corporation reached 15.2% overall Black participation and Sunnyland Irrigation reached 45.3% overall Black participation. Countywide (MRE)

15. **APPROVED** **R-2003-1862**

Staff recommends motion to approve: Change Order No.15 for a 29-day time extension to Contract No. R2001-1567 with Ric-Man International, Inc., for construction of Hagen Ranch Road from West Atlantic Avenue to Boynton Beach Boulevard. **SUMMARY:** Change Order No. 15 approves a 29-day time extension in accordance with Florida Department of Transportation Specifications due to rain days during the contract period which prevented the contractor from working. While there is no monetary increase in the value of the contract, this 29-day time extension equates to \$65,540 which exceeds the monetary value authorized for approval by the Contract Review Committee in accordance with PPM No. CW-F-050. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to approve:

A) **DELETED**

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

B) **DELETED**

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

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

D. COUNTY ATTORNEY

1. **DELETED**

Staff recommends motion to approve: Settlement in the Eminent Domain action styled Palm Beach County v. Chevron U.S.A., Inc., et al., Case No. CL-02-1835-AB, for the improvement of the intersection of Hagen Ranch Road and West Atlantic Avenue as to Project No. 1996506A.1, Parcels 101 and 301. **SUMMARY:** The County acquired fee simple title to Parcel 101 and a temporary construction easement on Parcel 301 for the improvement of the intersection of Hagen Ranch Road and West Atlantic Avenue by virtue of an Agreed Order of Taking entered May 1, 2002. The County previously deposited Sixty-Six Thousand, Two Hundred Dollars (\$66,200) into the Registry of the Court as its good faith estimate of value. A proposed settlement in the amount of Eighty-Eight Thousand, Six Hundred, Seventy-Seven Dollars (\$88,677) was reached subject to approval of the Board of County Commissioners. The County will receive a credit of Sixty-Six Thousand, Two Hundred Dollars (\$66,200) towards the full amount of the proposed settlement. The proposed settlement is broken down as follows: Eighty-Three Thousand, One Hundred Dollars (\$83,100) as compensation to the property owner for all damages of any type whatsoever; and Five Thousand, Five Hundred, Seventy-Seven Dollars (\$5,577) as attorneys fees. As such, this proposed settlement will conclude all matters relating to these Parcels with the exception of costs, which will be sent for independent review. District 5 (PM)

E. COMMUNITY SERVICES

1. **APPROVED** **R-2003-1863**

Staff recommends motion to approve: Amendment No.1 to Contract (R2003-0604; dated May 6, 2003) with Haitian Center for Family Services, Inc. to change the method of reimbursement, effective November 1, 2003 through February 29, 2004. **SUMMARY:** This amendment will change the method of reimbursement from unit cost reimbursement to direct cost reimbursement. Technical assistance is being provided to this agency to assist with the reimbursement process. The overall total contract amount has not changed. All other conditions of the original contract will still apply. No County funds are required. (Ryan White) Countywide (TKF)

2. **APPROVED** **R-2003-1864**

Staff recommends motion to approve: a Delegate Agency Contract with The School Board of Palm Beach County (Royal Palm School) to provide Head Start services in an amount not-to-exceed \$126,854 for the period October 1, 2003 through September 30, 2004. **SUMMARY:** Through the use of Delegate Agency contracts, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. The School Board of Palm Beach County (Royal Palm School, located in Lantana, FL) will provide Head Start services to 20 children for 221 days at a rate of \$28.70 per child/per day. Funding consists of \$101,483 (80%) in Federal funds and \$25,371 (20%) in County funds. The County's portion is included in the FY 2004 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **APPROVED** **R-2003-1865**
Staff recommends motion to approve: Use of Facility Agreement with the Jewish Community Center of the Greater Palm Beaches, Inc., for the period January 2, 2004 through December 31, 2004 at a not-to-exceed amount of \$11,335. **SUMMARY:** This agreement will provide a part-time meal site manager at the Jewish Community Center of the Greater Palm Beaches, Inc. located at 3151 N. Military Trail, West Palm Beach. This site consists of Jewish participants who require kosher meals. The \$11,335 will provide for the salary and fringe benefits for a site manager for 25 hours per week. The program is funded by \$10,202 (90%) in Federal funds and \$1,133 (10%) in County match. The County's portion is included in the FY 2004 budget. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

4. **APPROVED**
Staff recommends motion to approve: Contracts totaling \$3,273,074 for the Financially Assisted Agency Program (FAA) with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2003 through September 30, 2004:

A) **APPROVED** **R-2003-1866**
Adopt-A-Family of the Palm Beaches, Inc. - \$284,703 for homeless prevention services, transitional housing & support, and self-sufficiency services.

B) **APPROVED** **R-2003-1867**
Big Brothers/Big Sisters - \$110,000 for Parenting Partners, mentoring to young parents by qualified adult volunteers.

C) **APPROVED** **R-2003-1868**
Deaf Service Center of Palm Beach County, Inc. - \$143,650 for client assistance and communication, resources and education.

D) **APPROVED** **R-2003-1869**
Communities in Schools of Palm Beach County Inc. - \$107,481 for comprehensive social, educational and career-related support.

E) **APPROVED** **R-2003-1870**
Comprehensive AIDS Program – \$137,000 for HIV antibody counseling and testing.

F) **APPROVED** **R-2003-1871**
Epilepsy Foundation of Eastern Florida, Inc. - \$46,921 for the seizure control clinic.

G) **APPROVED** **R-2003-1872**
Farmworker Coordinating Council of Palm Beach County Inc. - \$86,775 for emergency services and transportation/translation services.

H) **APPROVED** **R-2003-1873**
Florida Resource Center for Women & Children - \$123,300 for short-term emergency shelter for women and children who are victims of domestic violence.

I) **APPROVED** **R-2003-1874**
Gratitude Guild, Inc. - \$111,241 for day/night treatment, prevention and aftercare (relapse prevention), intervention program, residential treatment and transitional housing.

J) **APPROVED** **R-2003-1875**
Homeless Coalition - \$33,000 for homeless services, assessment and coordination.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

K) APPROVED R-2003-1876
Legal Aid Society of Palm Beach County, Inc. - \$125,000 for the domestic violence program.

L) APPROVED R-2003-1877
Palm Beach Habilitation Center, Inc. - \$167,974 for the Senior in Transition and Retirement Services (STARS) Program.

M) APPROVED R-2003-1878
Seagull Industries for the Disabled, Inc. - \$176,768 for adult day habilitation programs and residential assisted living facilities.

N) APPROVED R-2003-1879
South County Mental Health Center, Inc. - \$964,716 for behavioral health - mental health (crisis stabilization) and psychiatric and medical services (medical outpatient).

O) APPROVED R-2003-1880
The Lord's Place - \$253,387 for Joshua House and family shelter programs.

P) APPROVED R-2003-1881
Urban Youth Impact, Inc. - \$125,000 for after school education/ social programs.

Q) APPROVED R-2003-1882
YWCA of Palm Beach County, Inc.-\$86,158 for homeless services (Harmony House)

R) APPROVED R-2003-1883
Glades Initiative Management Board - \$190,000 for coordination of health and human services in the Glades community.

SUMMARY: On August 19, 2003, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency Program process. In addition to the regular FAA funds (\$7,832,759), the Board approved an additional \$2.6 million dollars to qualified agencies. The total approved funding for FY 2004 is \$10,432,759. The information submitted in this item reflects part of the total funds approved by the Board of County Commissioners for FY2004. Other contracts will be forthcoming upon receipt of all the required information. (Financially Assisted Agency Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **APPROVED**

Staff recommends motion to approve: Contracts totaling \$1,156,473 for the County Sponsored Programs with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2003 through September 30, 2004:

A) APPROVED R-2003-1884

Center for Family Services of PBC - \$95,473 for the Home Instruction Program for Preschool Youngsters (HIPPY) program;

B) APPROVED R-2003-1885

Mae Volen Senior Center, Inc. - \$761,000 for transportation and Older American's Act (OAA) services including in-home services, congregate meals, home-delivered meals, nutrition education, screening and assessment; and

C) APPROVED R-2003-1886

School Readiness Coalition - \$300,000 for the provision of a comprehensive integrated system of early child care and education for children and their families.

SUMMARY: Contracts with these non-profit agencies are funded under County-Sponsored Programs and are separate from the Financially Assisted Agency (FAA) funding, but are managed by the same program monitoring staff. Countywide (TKF)

6. REVISED MOTION & SUMMARY:

APPROVED

R-2003-1887

Staff recommends motion to approve: **A)** a Contract with The Center for Information and Crisis Services, a non-profit agency, in an amount not-to-exceed \$227,940 for the period October 1, 2003 through September 30, 2004 **B) Budget Transfer of \$24, 000 in the Financially Assisted Agency (FAA Operating Reserves).** **SUMMARY:** On August 19, 2003, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency (FAA) Program process, including the Center for Information and Crisis Services. This Contract consists of funding from FAA (\$117,298) and County Sponsored Programs (\$107,042). County Sponsored Programs funds are separate from FAA funding, but are managed by the same program monitoring staff. This agency will provide services for both the elder crisis outreach program as well as comprehensive information and referral, telephone counseling, crisis intervention, suicide intervention and post intervention, linkage to referral services and client advocacy through the 211 service. Countywide (TKF)

F. AIRPORTS

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

A) APPROVED R-2003-1888

Contract with Carolina Consulting Corp., d/b/a Barrier Wall of So. Florida, in the amount of \$505,118.10 for the Taxilanes - Phase 2 Project at North County General Aviation Airport (NCO); and

B) APPROVED

Budget Amendment of \$400,000 in the Airports Improvement and Development Fund (Fund 4111) to recognize Federal Aviation Administration (FAA) grants and to establish budget for the project, including a \$105,119 transfer from airport reserves.

SUMMARY: This project was advertised utilizing the competitive bid process. On August 15, 2003 three (3) bids were received; of these three (3) bids, Carolina Consulting Corp., d/b/a Barrier Wall of So. Florida was identified as the lowest responsible/responsive bidder in the amount of \$505,118.10. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 18%. Carolina Consulting Corp., d/b/a Barrier Wall of So. Florida bid contained 18.96% DBE participation. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2 **APPROVED** **R-2003-1889**

Staff recommends motion to approve: an Agreement to Purchase the following property at a total cost of \$147,000. Said property is located West of Runway 9L at Palm Beach International Airport:

Kenneth W. Scarborough

4707 Wallis Road

West Palm Beach, FL 33415

Sales Price

Replacement Housing

Parcel W-50

\$147,000

\$ N/A

SUMMARY: The above property is being acquired in accordance with Palm Beach International Airport's approved Part 150 Noise Compatibility Study, which recommended the acquisition of property. Countywide (AH)

3. **APPROVED** **R-2003-1890**

Staff recommends motion to approve: Amendment No. 2 to the Contract with MEA Group, Inc., to provide as needed consulting services related to the implementation of noise abatement and related measures for the Department of Airports (DOA) from December 4, 2003 to December 3, 2004 in an annual amount \$75,000. **SUMMARY:** On December 4, 2000 the County entered into a Professional Consulting Agreement (R2000-2123) with MEA Group, Inc., to provide on-call consulting services for implementation of noise abatement and related measures for the DOA. The current contract is for 2 years with 3 one-year options. Amendment No. 2 is a one-year extension within the original term of the contract for professional services effective December 4, 2003 to December 3, 2004 for an annual amount \$75,000. Countywide (LMB)

4. **Staff recommends motion to:**

A) **APPROVED** **R-2003-1891**

approve a Letter of Release from the Federal Aviation Administration (FAA) dated September 10, 2003 for 0.108 acres in the Country Club Road Right-of-Way;

B) **ADOPTED** **R-2003-1892**

adopt a Resolution determining that the property is no longer needed for Airport purposes;

C) **APPROVED** **R-2003-1893**

approve a Declaration of Easement and Restrictive Covenants; and

D) **ADOPTED** **R-2003-1894**

adopt a Resolution declaring 0.108 acres, as Right-of-Way required for the widening of Country Club at Belvedere Road for roadway improvements by the Engineering Department.

SUMMARY: Palm Beach County imposed a condition on the Belvedere Military Corporation (BMC) development approval that it donates land for the widening of Country Club Road. When the condition of approval was imposed, Palm Beach County Department of Airports controlled the subject property, not BMC. On February 25, 2003 (R2003-0313), the BCC approved an Agreement for Purchase and Sale with the Belvedere Military Corporation (BMC) for 8.525 acres of airport property. Under Section 12 of that Agreement the BMC was required to pay Palm Beach County Department of Airports for the land needed for the Country Club Road Right-of-Way, which the Department of Airports would then dedicate to County Engineering as Right-of Way for the widening of County Club Road. The FAA, by its Letter of Release dated September 10, 2003, has agreed to release the Airport Owner from the obligations, terms and conditions of the existing grant agreements as they may relate to the 0.108-acre property. In acceptance of the Letter of Release the County is agreeing to conditions restricting the future use of the property and agreeing to expend the proceeds from the sale of the property for the construction of the Security Check Point Facilities at Palm Beach International Airport. Countywide (LMB)

NOVEMBER 18, 2003

3. **CONSENT AGENDA APPROVAL**

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

5. **Staff recommends motion to:**

A) ADOPTED R-2003-1895
adopt a Resolution accepting funding assistance and approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$144,500 to Construct Apron and Taxilane at North Palm Beach County General Aviation Airport; and

B) APPROVED
approve a Budget Amendment for \$144,500 in the Airports Improvement and Development Fund (Fund 4111) to establish budget for the receipt of funding from the Florida Department of Transportation.

SUMMARY: The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$144,500 or 21.00% of the eligible project costs, whichever is less. Countywide (AH).

6. **Staff recommends motion to:**

A) ADOPTED R-2003-1896
adopt a Resolution accepting funding assistance and approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$128,605 to Strengthen Runway 9/27 and Rehab Lighting and Markings at Palm Beach County Park (Lantana) Airport; and

B) APPROVED
approve a Budget Amendment for \$128,605 in the Airports Improvement and Development Fund (Fund 4111) to establish budget for the receipt of funding from the Florida Department of Transportation.

SUMMARY: The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$128,605 or 5.00% of the eligible project costs, whichever is less. Countywide (AH).

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **APPROVED** **R-2003-1897**
Staff recommends motion to approve: JOC Work Order No. 03-231 with M.A.C. Construction, Inc., (R2002-1049) in the amount of \$214,386.75 for build-out improvements to shell space in the SA/PPD for the Public Defender's Office. **SUMMARY:** The work consists of build-out of 3,500 sf of shell space on the 6th Floor of the SA/PPD to create additional office space for the Public Defender. The M/WBE participation in this work order is 37.1% Overall, of which 19.9% is Black, 10.2% is Woman, 4.7% is Hispanic, and 2.3% is Other. When the participation for this work order is added to M.A.C.'s total participation-to-date, the resulting values are 57.4% Overall, of which 13.4% is Black, 7.5% is Hispanic, 35.6% is Woman, and 0.9% is Other. The total construction duration is 220 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) District 2 (JM)

2. **APPROVED** **R-2003-1898**
Staff recommends motion to approve: Contract with LBFH, Inc., to provide engineering/architectural services on a continuing contract basis for Parks and Recreation Department capital improvements projects. **SUMMARY:** The purpose of this Contract is to have a consultant pre-selected and under contract to provide design services on capital improvements projects generally with a construction value less than \$2,000,000 for the Parks and Recreation Department. Consultant fees will be negotiated on an individual basis for the identified projects. This contract will be for one (1) year with three (3) one year optional extensions. This firm will have a minimum 15% SBE participation. (Capital Improvements Division) Countywide (JM)

3. **APPROVED** **R-2003-1899**
Staff recommends motion to approve: Contract with Miller, Legg & Associates, Inc., to provide engineering/architectural services on a continuing contract basis for Parks and Recreation Department capital improvements projects. **SUMMARY:** The purpose of this Contract is to have a consultant pre-selected and under contract to provide design services on capital improvements projects generally with a construction value less than \$2,000,000 for the Parks and Recreation Department. Consultant fees will be negotiated on an individual basis for the identified projects. This contract will be for one (1) year with three (3) one year optional extensions. This firm will have a minimum 15% SBE participation. (Capital Improvements Division) Countywide (JM)

4. **APPROVED** **R-2003-1900**
Staff recommends motion to approve: Contract with CH2M Hill, to provide engineering/architectural services on a continuing contract basis for Parks and Recreation Department capital improvements projects. **SUMMARY:** The purpose of this Contract is to have a consultant pre-selected and under contract to provide design services on capital improvements projects generally with a construction value less than \$2,000,000 for the Parks and Recreation Department. Consultant fees will be negotiated on an individual basis for the identified projects. This contract will be for one (1) year with three (3) one year optional extensions. This firm will have a minimum 15% SBE participation. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to:

ADOPTED

R-2003- 1901

adopt a Resolution authorizing the conveyance of the County's interest in a Tax Deed property consisting of 12.27 acres of canal right-of-way to the South Indian River Water Control District (SIRWCD) without charge and with reservation of mineral right, but without rights of entry and exploration; and **approved** a County Deed in favor of the South Indian River Water Control District.

SUMMARY: The South Indian River Water Control District (SIRWCD) has requested the conveyance of a 12.27 acre parcel of surplus County property which includes canal right-of-way, located in Jupiter Farms along the south side of 155 Place North in unincorporated Palm Beach County. This property was acquired by Tax Deed on May 8, 2003. This property is 100' by 5,344.81' (12.27 acres), and is currently in use as a SIRWCD drainage canal and embankment and has no development potential. Deeding this property to SIRWCD will reduce the County's liability and maintenance responsibilities. The property will be included in SIRWCD's maintenance program of their canal system within their District. The assessed value of this property is \$1,836. The County will retain mineral rights in accordance with Florida Statutes Section 270.11, but without rights of entry and exploration. (PREM) District 1 (HJF)

6.

APPROVED

R-2003-1902

Staff recommends motion to approve: a Utility Easement in favor of Florida Power & Light (FPL) to provide underground electric service to the Westgate Gymnasium project.

SUMMARY: This FPL easement is required to provide and maintain underground electric service to the new gymnasium constructed on the County's Westgate Park property located on the East side of Tallahassee Drive, South of Westgate Avenue. The easement is 10 feet in width and 153.46 feet long. The easement is being granted to FPL at no charge, as this will provide electrical service to County facilities. (PREM) District 2 (HJF)

7.

APPROVED

R-2003-1903

Staff recommends motion to approve: a Temporary Construction Easement in favor of Garney Companies, Inc. **SUMMARY:** On August 19, 2003, the County contracted with Garney Companies, Inc., for the construction of a large diameter water main line along Lyons Road and Pinehurst Drive in unincorporated Boynton Beach, Lantana, Lake Worth and West Palm Beach (R2003-1221). The contractor requires a Temporary Construction Easement on a 2.09 acre County-owned civic site on Lyons Road South of Lake Worth Road to be utilized as a staging area. The contractor will use the easement to maintain a construction trailer, lock boxes, construction equipment, construction and employee vehicles, storage of pipe, valves, fittings and hydrants. The contractor will restore the site affected by the construction to the previous condition upon completion of construction. The easement area is 289.46 feet by 315 feet. The easement is being granted to the contractor at no charge to allow a staging area for the contractor to construct the County's wastewater and water mains. The obligation to allow this use was provided in the Water Utilities Department's construction contract. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to:

A) **ADOPTED** **R-2003-1904**

adopt a Resolution authorizing the conveyance of the County's interest in twelve (12) properties totaling 2.31 acres of vacant land to the City of Riviera Beach without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and **approve** twelve (12) County Deeds in favor of the City of Riviera Beach.

SUMMARY: The City of Riviera Beach has requested the conveyance of twelve (12) parcels of surplus County property within their jurisdiction which the County acquired by tax deeds between March 2003 and September 2003. The total assessed value of these properties is \$178,274. Staff believes that these properties will be more appropriately developed, managed and maintained by the City of Riviera Beach. The conveyance of surplus property to the municipality in which it is located is a major element of PREM's disposition program adopted by the Board upon the recommendation of the Real Estate Assets Task Force. This conveyance will relieve the County of potential liability for occurrences on these properties and also the cost of continued maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. (PREM) District 1 (HJF)

9. **APPROVED** **R-2003-1905**

Staff recommends motion to approve: the Plat of King's Academy and Palm Beach County Park Site. **SUMMARY:** As a condition of approval for the development of the King's Academy and Palm Beach County Park Site, the property is required to be platted. The King's Academy, Inc. owns 63.76 acres of the 205.952 acre plat with the County owning the remaining 142.192 acres. The site is located on the east side of Sansbury's Way between Belvedere Road and Okeechobee Boulevard. (PREM) District 6 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **APPROVED** **R-2003-1906**

Staff recommends motion to approve: an Agreement with the City of Greenacres for street improvements in the amount of \$100,000 in Community Development Block Grant (CDBG) funds for the period of November 18, 2003, through September 30, 2004. **SUMMARY:** CDBG funds will be used for street improvements on Jackson Avenue between 10th Avenue North and the L-10 Canal, in the City of Greenacres. The project includes paving, storm water drainage and sidewalks. The total cost of the project is estimated at \$134,200. The City will contribute \$34,200 towards the shortfall. **This agreement will provide \$100,000 in Federal CDBG funds which do not require local matching funds.** District 2 (TKF)

K. WATER UTILITIES

1. **APPROVED** **R-2003-1907**

Staff recommends motion to approve: a Partial Release of Utility Easement on land owned by PLIX BB, LLC. **SUMMARY:** This document will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County in Book 10538, Page 1007 and as described in Exhibit "E" on pages 1051 and 1052. The Water Utilities Department has determined that this easement is no longer needed, and therefore recommends the release. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

 K. WATER UTILITIES (Cont'd)

2. **ADOPTED** **R-2003-1908**

Staff recommends motion to adopt: a Resolution amending Resolution No. R2003-0405 for the Laguna Park Area Water Main Extension Improvement Project, deleting one (1) property from the assessment roll, reducing the assessment for one (1) parcel owned by the First Free Methodist Church by \$10,000, reducing the assessable frontage from 5,560 feet to 5,557 feet, and reducing the individual assessments from \$51.91 per foot to \$47.90 per foot. **SUMMARY:** On March 11, 2003, the Board adopted Resolution No. R2003-0405 confirming the Laguna Park Area Water Main Special Assessment Project. On May 8, 2003, one of the parcels to be assessed (PCN 00-43-44-07-06-000-0041) was acquired by the County by tax deed. The assessment roll must therefore be amended to delete this parcel, reducing the assessable frontage from 5,560 feet to 5,557 feet. On July 15, 2003, the Board approved a funds transfer of \$10,000 to reduce the water main special assessment for the First Free Methodist Church of the Palm Beaches (PCN 00-43-44-07-03-003-0091), and hence the assessment roll must be amended to reflect this change. Pursuant to Section 9 of Ordinance No. 2001-0010, property owners are entitled to a reduction in their individual assessment if the final cost of the project falls below the original estimate. The assessment adopted by the Board was based upon an estimated cost of \$288,619.60, while the final assessable cost after construction completion is \$266,180.30. The individual cost to the property owners is decreased from \$51.91 per foot to \$47.90 per foot. All other portions of Resolution No. R-2003-0405, remain in full force and effect. (WUD Project No. 01-202) District 2 (MJ)

3. **APPROVED** **R-2003-1909**

Staff recommends motion to approve: Work Authorization No. 14 to the Water Utilities Continuing Construction Contract with Foster Marine Contractors, Inc., for the construction of the Congress Avenue Area Commercial Wastewater Force Main Extension Special Assessment Project in the amount of \$220,123.15. **SUMMARY:** On July 15, 2003, the Board approved a resolution confirming the special assessment process for the Congress Avenue Area Commercial Wastewater Force Main Extension Special Assessment Project (R2003-1104). This Work Authorization provides for construction of wastewater force mains and service lines for the 18 commercial properties on Congress Avenue that are included in this project. The construction cost is \$220,123.15, and will be funded using special assessments imposed upon the benefitting properties. The contract with Foster Marine Contractors, Inc., provides for 8% M/WBE participation overall (3% B and 5% O). This authorization includes 8.49% overall participation (3.37% B and 5.12% W). The cumulative M/WBE participation, including this authorization, is 9.38% overall (4.00% B and 5.38% W). (WUD Project No. 03-028) District 3 (MJ)

3. CONSENT AGENDA APPROVAL

 K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve:

A) **APPROVED** **R-2003-1910**
a Contract with R.J. Sullivan, Corp. to construct the Pump Station 5229 Upgrade and Southern Region Water Reclamation Facility 5-MGD Upgrade Project in the amount of \$14,870,020;

B) **APPROVED** **R-2003-1911**
Change Order No. 1 to this contract in the deductive amount of \$5,546,980, deleting materials and equipment for the purpose of sales tax recovery and designating R.J. Sullivan, Corp., as the County's agent for the inspection and receipt of the materials and equipment; and

C) **APPROVED**
Purchase Orders with vendors of the materials and equipment in the amount of \$5,233,000.

SUMMARY: On September 18, 2003, four (4) construction bids were received for the construction of the Pump Station 5229 Upgrade and Southern Region Water Reclamation Facility 5-MGD Upgrade Project, with R.J. Sullivan Corp., being the low bidder in the amount of \$14,870,020. This project involves up-rating both facilities, and also includes relocation of underground pipelines in the vicinity of Pump Station 5229 needed by the Florida Department of Transportation (FDOT). 100% of the \$662,621.36 in pipeline relocation costs will be reimbursed by the FDOT pursuant to the Utility Work Agreement (R2001-2038) approved by the Board on November 20, 2001. In addition, 41.86% of the \$4,587,378.64 cost of upgrading Pump Station 5229 will be reimbursed by the City of Lake Worth pursuant to the Interlocal Agreement for Joint Wastewater Transmission Facilities (R2001-0315) approved by the Board on February 27, 2001. By approving Change Order No. 1 to this contract, and purchasing the associated materials and equipment directly from the vendors listed in Attachment 3, total sales tax savings of \$313,980 can be achieved. \$273,392.54 of these savings will accrue to the County, with \$40,587.46 allocated to the City of Lake Worth and zero (0) to the FDOT. R.J. Sullivan, Corp. has agreed to serve as the County's agent for the inspection and receipt of the equipment and materials at no additional cost. In accordance with these agreements, the resulting cost of this project will be allocated to the County in the amount of \$12,013,729.40, to the FDOT in the amount of \$662,621.36, and to the City of Lake Worth in the amount of \$1,879,689.24. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This contract with R.J. Sullivan, Corp. provides for SBE-M/WBE participation of 15.4% overall (15.4% H). (WUD Project No. 01-028R) Districts 5 & 6 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

 1. **APPROVED** **R-2003-1912 THROUGH R-2003-1913**
Staff recommends motion to approve: Two (2) Agreements for Purchase and Sale involving two (2) parcels (2.30 acres) of land in Unit 11 to be purchased using mitigation funds. The cost of purchasing the property is \$16,532 (land cost), plus \$805 (closing and miscellaneous costs), for a total of \$17,337. **SUMMARY:** The Agreements presented in this item are for one (1) parcel in Zone 5 and one (1) parcel in Zone 6 and are at a purchase price which is twenty-five (25) percent above the average of recent appraisal values obtained by the County. If these, and other pending Agreements for Purchase and Sale are successfully closed, the County will have acquired, through purchase, tax deed, donation, settlement agreement, and eminent domain, a total of 1,520.86 acres. District 1 (HJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) APPROVED R-2003-1914
approve Easement Agreement for Dune Restoration with the Town of Lantana for dune and beach access for the South Palm Beach Dune Restoration Project effective upon execution and terminating May 1, 2004; and

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

SUMMARY: A temporary easement in front of the Lantana Municipal Beach is necessary for construction access to the South Palm Beach Dune Restoration Project area. The Easement Agreement allows dune access for exotic plant removal and planting, as well as beach access for heavy equipment to reach the north Project area to place fill. Construction will begin no sooner than November 19, 2003. District 4 (ND)

3. APPROVED

Staff recommends motion to approve: Budget Amendment of \$116,050 in the General Fund (001) to establish a FY03 budget for the Aquatic Vegetation Control Program for State FY2003-2004. **SUMMARY:** Task Assignment AP2 to Contract SL977 (R2001-1748) for \$116,050 has been received from the Florida Department of Environmental Protection, effective July 1, 2003 through June 30, 2004, to control Vegetation in Lake Clark, Lake Ida, Lake Osborne and Pine Lake. This item will establish budget for the amount of the Task Assignment. Countywide (AH)

M. PARKS & RECREATION

1. AUTHORIZED R-2003-1915

Staff recommends motion to authorize: County Administrator or his designee to execute a new month-to-month boat slip rental agreement with the City of Riviera Beach Marina for \$534.34 per month and to sign all future amendments for time extensions and necessary minor amendments that do not change the scope of work or terms and conditions of this Agreement. **SUMMARY:** The County requires a land side dock for the Peanut Island work boat until proper facilities can be constructed at a nearby County park. The Riviera Beach Marina represents the best temporary dockage based on location and cost. The current agreement (R99-1192D) is for a rate of \$325 per month. Although the dockage rates are normally increased annually, our monthly rental charge was not increased. The City of Riviera Beach has cited the increasing cost of doing business as the reason for the current price increase to \$534.34 per month, which is a standard rate based upon the size of the boat. District 1 (ND)

2. Staff recommends motion to:

A) APPROVED R-2003-1916
receive and file fully executed South Florida Water Management District (SFWMD) Indian River Lagoon License Plate Funding Program Agreement for the Coral Cove Park Shoreline Restoration Project in Coral Cove Park; and

B) APPROVED
approve Budget Amendment of \$75,150 within the Park Improvement Fund to establish approved grant.

SUMMARY: On August 19, 2003, the Board authorized submission of a SFWMD Indian River Lagoon License Plate Funding Program Application for the Coral Cove Park Shoreline Restoration Project (R2003-1231) and also authorized the County Administrator or his designee to execute the grant Project Agreement if the grant was approved. This grant was approved, the Project Agreement has been fully executed, and it is being submitted to the Board to receive and file. District 1 (ND)

3. CONSENT AGENDA APPROVAL

M. **PARKS & RECREATION (Cont'd)**

3. **APPROVED** **R-2003-1917**
Staff recommends motion to approve: First Amendment to Agreement (R2003-0480) with Ann Norton Sculpture Gardens, Inc., for the period April 1, 2003 through September 30, 2004, changing the scope of services. **SUMMARY:** Ann Norton Sculpture Gardens, Inc. is renovating its historic buildings, and was approved for RAP funding up to \$15,000 to help offset costs to replace the roof of the Ann Norton Home, which was estimated to cost approximately \$50,000. Although this project will be completed in the near future, other immediate renovations were deemed more critical at the present time. The amendment changes the scope of the Agreement to eliminate the roof repair of the Ann Norton Home and to instead allow for roof repair/renovations of the two story garage/apartment building at the Sculpture Gardens. The amendment also allows for renovations to the Ann Norton Home to include termite fumigation and damage repair, door frame replacement, bathroom renovations, ceiling repair, painting, electrical repairs, and other miscellaneous renovations and/or repairs. Previously budgeted funding is from the Recreation Assistance Program (RAP). District 2 (ND)
4. **APPROVED** **R-2003-1918**
Staff recommends motion to approve: Agreement with Vetsville Cease Fire House, Inc., in an amount not-to-exceed \$5,000 for purchase of a vehicle for the period November 18, 2003 through December 31, 2003. **SUMMARY:** This funding is to offset costs paid by Vetsville Cease Fire House, Inc., for the purchase of a 15-passenger Ford van for recreational and other purposes for veterans. The Agreement allows for the reimbursement of retroactive expenses subsequent to October 21, 2003. Funding is from the Recreation Assistance Program (RAP). District 2 (ND)
5. **APPROVED** **R-2003-1919**
Staff recommends motion to approve: First Amendment to Agreement (R2003-0641) with the Town of Hypoluxo to increase the amount of project funding for the Hypoluxo Scrub Natural Area Entranceway - Phase I from \$25,000 to \$50,000, and to expand the project reimbursement time frame to allow for the reimbursement of eligible pre-Agreement costs beginning on March 1, 2002. **SUMMARY:** The Town of Hypoluxo recently completed Phase I of the Hypoluxo Scrub Natural Area Entranceway, which included land clearing, fencing, a well and pump, and landscaping. An initial amount of \$25,000 was previously approved for this project (R2003-0641) from the Recreation Assistance Program (RAP) - District 4. The additional \$25,000 was requested by Hypoluxo to help offset initial start up costs for this project which were incurred prior to the previously approved reimbursement start date of February 1, 2003. The new total allocation is \$50,000 and the new project reimbursement date is March 1, 2002. Funding is from the Recreation Assistance Program (RAP). District 4 (ND)
6. **APPROVED** **R-2003-1920**
Staff recommends motion to approve: Agreement with Acreage Athletic League, Inc., in an amount not-to-exceed \$20,000 for football uniforms and equipment for the period November 18, 2003 through May 31, 2004. **SUMMARY:** This funding will assist the Acreage Athletic League with the purchase of football uniforms and equipment for its programs, including helmets, shoulder pads, pad sets, footballs, and football tees. The Agreement allows for the reimbursement of retroactive expenses subsequent to June 1, 2003. Funding is from the Recreation Assistance Program (RAP). District 6 (ND)

3. CONSENT AGENDA APPROVAL

 M. **PARKS & RECREATION (Cont'd)**

7. **APPROVED** **R-2003-1921**
Staff recommends motion to approve: Agreement with Artists Showcase of the Palm Beaches for the Summer Arts Camp, in an amount not-to-exceed \$1,500 for the period November 18, 2003 through February 17, 2004. **SUMMARY:** Artists Showcase of the Palm Beaches, Inc. offered a summer arts camp for forty (40) children from June 9, 2003, through July 31, 2003, which cost \$20,000. This Agreement provides \$1,500 to help offset costs for the summer arts camp. The Agreement allows for the reimbursement of eligible pre-Agreement expenses subsequent to May 1, 2003. Funding is from the Recreation Assistance Program (RAP). District 7 (ND)

8. **APPROVED** **R-2003-1922**
Staff recommends motion to approve: Agreement with M.A.D. DADS of Greater Delray Beach, Inc., in an amount not-to-exceed \$1,500 for the Fifth Annual Multi-Cultural Festival for the period November 18, 2003 through February 17, 2004. **SUMMARY:** This funding is to help offset costs previously incurred by M.A.D. DADS for the Fifth Annual Multi-Cultural Festival, which was held in the summer of 2002. Expenses eligible for reimbursement include music, sound equipment, bounce houses, pony rides, beverages, port-o-lets, volunteer stipends, arts and craft supplies, t-shirts, security, decorations, and miscellaneous supplies associated with the Event. The Agreement allows for the reimbursement of expenses subsequent to June 1, 2002. Funding is from the Recreation Assistance Program (RAP). District 7 (ND)

P. **COOPERATIVE EXTENSION SERVICE**

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

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) APPROVED R-2003-1923
Contract with Comprehensive Alcoholism Rehabilitation Program, Inc. (CARP), a not-for profit agency (per County Purchasing Ordinance 96-17), in the amount of \$45,000 for the period of October 1, 2003 through September 30, 2004 for the provision of substance abuse treatment services;

B) APPROVED
Budget Transfer of \$45,000 in the Drug Abuse Trust Fund (Fund 1470); and

C) APPROVED
Budget Amendment of \$45,000 in the General Fund (Fund 0001).

SUMMARY: The Criminal Justice Commission (CJC) met on October 27, 2003 and approved \$45,000 in Drug Abuse Trust Fund (DATF) monies to contract for residential and outpatient substance abuse services for indigent clients court ordered treatment through the Civil Drug Court Program located in the City of Riviera Beach.

Since its inception in 1991, the Civil Drug Court has assisted the recovery efforts of clients with substance abuse problems by ordering them into treatment programs through the Marchman Act (FSS Chapter 397). The Marchman Act allows family members to commit their significant others into treatment programs on a voluntary or involuntary basis by filing a Marchman Act petition. However, due to limited resources and the unavailability of treatment beds, the Civil Drug Court has only been able to refer clients for a short assessment and detoxification. Therefore, these funds will assist clients to fully recover through more intensive treatment services. Countywide (DW)

S. FIRE RESCUE

1. **APPROVED**
Staff recommends motion to receive and file: the Strategic Plan (2003 - 2009) for Palm Beach County Fire-Rescue. **SUMMARY:** Palm Beach County Fire-Rescue is in the process of becoming Accredited by the Commission on Fire Accreditation International. While there has been an Accreditation process for law enforcement for many years, it is a relatively new concept in the fire service. An integral part of the Accreditation process is the development of a Strategic Plan that identifies the framework from which services are provided and guides the organization toward the future. This Strategic Plan includes goals, objectives and projects for the period 2003 - 2009. Countywide (SB)

Z. RISK MANAGEMENT

1. **APPROVED R-2003-1924**
Staff recommends a motion to approve: Amendment No. 1 to the Contract with Monica S. Walker, M.D. (R2002-1597) for Occupational Health Clinic physician services, increasing the hourly rate and hours of work and extending the contract expiration date from September 30, 2004 to November 30, 2005, with a new total not-to-exceed amount of \$350,971. **SUMMARY:** This contract provides for medical management of the County's Occupational Health Clinic. This amendment increases the hourly rate from \$96.04 to \$125 per hour and the hours of work from 16 to 20 per week, effective December 1, 2003. The notice provisions in the termination clause are amended to 60 days without cause by either party. The change in hours is necessary in order to meet increased demand for clinic services and retain more County control over Workers' Compensation injury costs. The hourly rate increase was requested by Dr. Walker due to increased insurance costs. Sufficient funds are budgeted for these costs. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. **APPROVED** **R-2003-1925**

Staff recommends motion to adopt: a Resolution approving Amendment No. 1 to Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 412996/1/84/01 (R2002-1451) to add "marketing and administrative" expenses to the existing allowable expense of "operating costs of buses per hour of service." **SUMMARY:** Palm Tran has extended the service on Route 1 from 30 to 20 minutes. FDOT provided an operating grant to help with this improvement in service. In order to have FDOT approve expenses incurred in marketing efforts to promote the extended service, and charge them to this grant, the current JPA needs to be amended to include the additional description. Countywide (DR)

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

A) **APPROVED**

Budget Amendment of \$3,262 in the Palm Tran operating budget ; and

B) **APPROVED**

R-2003-1926

Contract Amendment No. 1 for Standard Contract No. A003-21 with the Area Agency on Aging of Palm Beach/Treasure Coast Inc. (AAA) (R2003-0744) to recognize additional funding in the amount of \$3,262.

SUMMARY: The AAA has acquired additional funding for transportation and is willing to provide Palm Beach County with \$3,262 in order to fund 242 one way Palm Tran CONNECTION paratransit trips. The required County match is \$326 and is already budgeted. Countywide (DR)

BB. SHERIFF

1. **APPROVED**

Staff recommends motion to approve: Budget Amendment of \$545,197 in the General Fund (0001) for additional law enforcement services provided by the Palm Beach County Sheriff's Office to the Village of Wellington. **SUMMARY:** The budget amendment is for the addition of six (6) Deputies and one (1) Administrative Secretary as set forth within the existing contract between the Palm Beach County Sheriff's Office and the Village of Wellington, effective October 1, 2003. District 6 (DW)

CC. HOUSING FINANCE AUTHORITY

1. **Staff recommends motion to ratify:** Contracts with

A) **APPROVED**

R-2003-1927

Hoch, Frey and Zugman, CPA; and

B) **APPROVED**

R-2003-1928

Caler, Donten, Levine, Druker, Porter and Veil, PA for the period September 30, 2003 through September 30, 2008.

SUMMARY: Ordinance No. 2002-022, Section 9 provides in part that all contracts of the HFA for the purchase of goods and services in excess of \$10,000 shall be submitted to and approved in each instance, by the Board of County Commissioners. These contracts were approved at the HFA's regular meeting held October 9, 2003. Hoch, Frey and Zugman, CPA, will provide accounting services to the Housing Finance Authority (HFA) at the rates of \$5,005 per Single Family Issue; \$1,430 per Multi Family Issue; \$5,720 General Fund and any additional engagements at \$110 per hour. Caler, Donten, Levine, Druker, Porter and Veil, PA, will provide auditing services at the rates of \$6,650 for the Authority; \$7,990 for each Single Family Issue and \$1,390 for each Multi-Family Issue. Funds are provided through the HFA. There is no fiscal impact to the County. (Housing Finance Authority) Countywide (TKF)

***SPECIAL PRESENTATION - Commissioner Greene - Youthfest**

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

- A. **ADOPTED** **R-2003-1929**
Staff recommends motion to adopt: a Resolution confirming the special assessment process for the 121st Terrace North Paving Improvement project (Orange Grove Boulevard to 40th Street North), Section 10, Township 43 South, Range 41 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) "B" Street Improvement Program. **SUMMARY:** Adoption of the Resolution provides for the collection of fifty percent (50%) of the MSTU Funds expended on this project. Assessments will be payable in ten (10) equal annual installments. The project consists of the construction of paving improvements on 121st Terrace North from Orange Grove Boulevard to 40th Street North. Construction of the road improvements will be accomplished through the Indian Trail Improvement District (ITID). Palm Beach County (County) will reimburse ITID an amount not-to-exceed \$50,000 for the improvements. Fifty percent (50%) of the County's cost will be recovered from assessments levied on properties benefitting from the improvements. District 6 (ME)
- B. **ADOPTED** **R-2003-1930**
Staff recommends motion to adopt: a Resolution confirming the special assessment process for the 87th Lane North Paving Improvement project (Mandarin Boulevard east to the "L" Canal), Section 23, Township 42 South, Range 40 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) "A" Street Improvement Program. **SUMMARY:** Adoption of the Resolution provides for the collection of fifty percent (50%) of the MSTU Funds expended on this project. Assessments will be payable in ten (10) equal annual installments. The project consists of the construction of paving improvements on 87th Lane North from Mandarin Boulevard east to the "L" Canal. Construction of the road improvements will be accomplished through the Indian Trail Improvement District (ITID). Palm Beach County (County) will reimburse ITID an amount not-to-exceed \$50,000 for the improvements. Fifty percent (50%) of the County's cost will be recovered from assessments levied on properties benefitting from the improvements. District 6 (ME)
- C. **ADOPTED** **R-2003-1931**
Staff recommends motion to adopt: a Resolution confirming the special assessment process for the Hall Boulevard Paving Improvement project (Orange Boulevard to 60th Street North), Sections 31 and 32, Township 42 South, Range 41 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) "A" Street Improvement Program. **SUMMARY:** Adoption of the Resolution provides for the collection of fifty percent (50%) of the MSTU Funds expended on this project. Assessments will be payable in ten (10) equal annual installments. The project consists of the construction of paving improvements on Hall Boulevard from Orange Boulevard to 60th Street North. Construction of the road improvements will be accomplished through the Indian Trail Improvement District (ITID) Palm Beach County (County) will reimburse ITID an amount not-to-exceed \$135,000 for the improvements. Fifty percent (50%) of the County's cost will be recovered from assessments levied on properties benefitting from the improvements. District 6 (ME)
- D. **ADOPTED** **R-2003-1932**
Staff recommends motion to adopt: a Resolution confirming the special assessment process for the 82nd Lane North Paving Improvement project (west of Hall Boulevard), Section 19, Township 42 South, Range 44 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) "A" Street Improvement Program. **SUMMARY:** Adoption of the Resolution provides for the collection of fifty percent (50%) of the MSTU Funds expended on this project. Assessments will be payable in ten (10) equal annual installments. The project consists of the construction of paving improvements on 82nd Lane North from west of Hall Boulevard. Construction of the road improvements will be accomplished through the Indian Trail Improvement District (ITID). Palm Beach County (County) will reimburse ITID an amount not-to-exceed \$35,000 for the improvements. Fifty percent (50%) of the County's cost will be recovered from assessments levied on properties benefitting from the improvements. District 6 (ME)

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

E. **ADOPTED** **R-2003-055**

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

F. **ADOPTED** **R-2003-056**

Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing an additional homestead exemption for persons sixty-five and older who meet the constitutional and statutory requirements relating to such additional homestead exemption; providing for title; providing for definitions; providing for annual adjustment of the income limitation; providing for an annual submittal of sworn income statement; providing for notice to Property Appraiser; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** Florida Statutes allow the adoption of an additional homestead exemption of up to \$25,000 for senior citizens whose household income does not exceed a statutorily-defined limit. The current maximum household income to be eligible for the senior homestead exemption is \$21,599. Forty-one counties have adopted an additional exemption. Countywide (PK)

G. **APPROVED AS AMENDED**

Staff recommends a motion to approve first reading and advertise for second reading on December 4, 2003 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing the Unified Land Development Code, Ordinance No. 92-20, as amended, except for Articles 10 and 16; adopting a new Unified Land Development Code. Article 1 - general provisions; Chapter A - authority; Chapter B - interpretation of the Code; Chapter C - rules of construction & measurement; Chapter D - implementation; Chapter E - prior approvals; Chapter F - nonconformities; Chapter G - eminent domain; Chapter H - lot of record; Article 2 - development review procedures; Chapter A - general; Chapter B - public hearing procedures; Chapter C - future land use atlas plan amendments; Chapter D - administrative processes; Chapter E - monitoring; Chapter F - concurrency (adequate public facility standards); Article 3 - overlays and zoning districts; Chapter A - general; Chapter B - overlays; Chapter C - standard districts; Chapter D - property development regulations; Chapter E - planned development districts; Chapter F - traditional development districts; Article 4 - use regulations; Chapter A - use classification; Chapter B - supplementary use standards; Chapter C - communication tower, commercial; Chapter D - excavation; Article 5 - supplementary standards; Chapter A - general; Chapter B - accessory & temporary uses; Chapter C - design standards; Chapter D - parks and recreation rules and recreation standards; Chapter E - performance standards; Chapter F - legal documents; Chapter G - density bonus programs; Article 6 - parking; Chapter A - parking; Chapter B - loading standards; Chapter C - driveways and access; Article 7 - landscaping; Chapter A - general; Chapter B - types of plans; Chapter C - managed growth tier system tier compliance; Chapter D - general standards; Chapter E - installation, maintenance, pruning and irrigation; Chapter F - perimeter buffer landscape requirements; Chapter G - off-street parking requirements; Chapter H - enforcement; Article 8 - signage; Chapter A - general; Chapter B - exemptions; Chapter C - prohibitions; Chapter D - temporary signs requiring special permit; Chapter E - procedures for signage; Chapter F - general provisions for all sign types; Chapter G - standards for specific sign types; Chapter H - off-site signs; Chapter I - administration and enforcement; **CONTINUED**

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

G. APPROVED AS AMENDED

CONTINUED Article 9 - archeological and historical preservation; Chapter A - archeological resources protection; Chapter B - historic preservation procedures; Article 10 - code enforcement; Chapter A - general; Chapter B - enforcement by code enforcement special masters; Chapter C - groundwater and natural resources protection board; Chapter D - environmental control hearing board; Chapter E - remedies; Article 11 - subdivision; chapter a - general requirements; Chapter B - subdivision requirements; Chapter C - rural subdivisions; Chapter D - platting; Chapter E - required improvements; Chapter F - variances; Article 12 - traffic performance standards; Chapter A - general; Chapter B - standard; Chapter C - traffic impact studies; Chapter D - modeling of trips; Chapter E - procedure; Chapter F - entitlement; Chapter G - appeals; Chapter H - affordable housing; Chapter I - constrained facilities; Chapter J - coastal residential exception; Chapter K - transportation concurrency management areas; Chapter L - transportation concurrency exceptions areas; Chapter M - transportation concurrency exemption for projects that promote public transportation; Chapter N - five-year road program; Chapter O - method of prioritizing thoroughfare improvements; Chapter P - project aggregation; Article 14 environmental standards; Chapter A - sea turtle protection and sand preservation; Chapter B - wellfield protection; Chapter C - vegetation preservation and protection; Chapter D - prohibited invasive non-native vegetation removal ordinance; Article 16 - airport regulations; Chapter A - general; Chapter B - airspace height regulations; Chapter C - airport land use regulations; Article 17 - decision making bodies; Chapter A - Board of County Commissioners; Chapter B - general provisions; Chapter C - appointed bodies; Chapter D - staff officials; and Article 18 - definitions; Chapter A - zoning definitions and acronyms; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for captions; and providing for an effective date.

SUMMARY: This ordinance will repeal the existing Unified Land Development Code (ULDC) adopted in June 1992 and adopt the proposed ULDC. The proposed ordinance incorporates changes to the land development regulations required by the Comprehensive Plan and Board of County Commission direction to specific code amendments.

The County adopted the Managed Growth Tier System (MGTS) in August 1999 to address the future framework for managing growth in Palm Beach County. The Tier System recognizes the County's diversity by delineating five (5) distinct geographic regions: Urban/Suburban, Exurban, Rural, Agricultural Reserve and Glades. Each Tier has common characteristics such as development patterns, densities/intensities, and public service availability. The MGTS is described in the Future Land Use, Transportation, Conservation, and Utilities Elements of the Comprehensive Plan.

The BCC directed staff to accomplish several goals as part of the MGTS Code Revision Project:

- A)**
Implement MGTS as required by the Comprehensive Plan;
- B)**
Update and streamline the ULDC based on input and comments from interested parties, peer review, industry, and CTF; and
- C)**
Develop a user-friendly interactive code
Countywide (LB)

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

NOVEMBER 18, 2003

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

SITTING AS THE ENVIRONMENTAL CONTROL BOARD

H. APPROVED

Staff recommends a motion to approve first reading and advertise for second reading on December 4, 2003 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Environmental Control Board; repealing Article 16 of the Unified Land Development Code, Ordinance No. 92-20, as amended; adopting in its place a new Article 15 - health regulations; Chapter A - onsite sewage treatment and disposal systems (environmental control rule I); Chapter B - drinking water supply systems (environmental control rule II); Chapter C - general threshold review; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for captions; and providing for an effective date. **SUMMARY:** The proposed ordinance accounts for minor changes required by the Florida Administrative Code. This is a separate Agenda from the rest of the ULDC rewrite item since the Board of County Commissioners must sit as the Environmental Control Board pursuant to Special Act establishing the Board and authorizing it to create rules and regulations regarding onsite sewage treatment disposal systems and drinking water supply systems. Countywide (LB)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

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

1. APPROVED R-2003-1933

Staff recommends motion to approve: an Amendment to Agreement (R99-1405) authorizing an Optional Sector Plan in Palm Beach County, Florida by amending Exhibit A to modify the boundaries of the Optional Sector Plan for the Central Western Communities to remove Mecca Farms and portions of the area known as Hungryland Slough. **SUMMARY:** In accordance with Chapter 163.3245, F.S., the County is required to hold a Public Hearing prior to executing a modification to the existing agreement with the DCA. This amendment will modify the boundaries of the Optional Sector Plan for the Central Western Communities by removing Mecca Farms and portions of the County-owned natural areas known as Hungryland Slough (which is directly located to the north of Mecca Farms and is composed of Unit 11 and the area formerly known as Royal Palm Beach Colony) from the Sector Plan boundaries. By removing Mecca Farms from the Sector Plan boundaries, the County can proceed with the expedited permitting process needed to accommodate the new facilities of the Scripps Research Institute prior to the adoption of the Sector Plans Conceptual Plan and associated policies. Portions of Hungryland Slough are also being removed from the Sector Plan boundaries because, with the removal of Mecca Farms, these areas would be segregated from the rest of the Sector Plan area. Additionally, the uses for these County-owned environmental areas are not expected to be modified as a result of the Sector Plan effort. Districts 1 & 6 (BB)

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

J. A) WORKSHOP - Scripps Biomedical Research Institute and Campus Expedited Permitting Process and Memorandum of Agreement; and

B) APPROVED R-2003-1934
PUBLIC HEARING - Staff recommends motion to approve: a Memorandum of Agreement between The Office of Tourism, Trade and Economic Development and Palm Beach County.

SUMMARY:

A) APPROVED
Pursuant to 403.973 F.S., the Board of County Commissioners must hold a duly noticed workshop to review and explain to the public the expedited permitting process and the terms and conditions of the Memorandum of Agreement (MOA); and

B) APPROVED
In accordance with 403.973 F.S. the MOA is to establish procedures that will streamline, consolidate, and expedite the review process for the Scripps Biomedical Research Institute and Campus (Scripps Project) and those projects designated part of the institution and campus. Countywide (RB)

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5. REGULAR AGENDA

A. ENGINEERING

1. APPROVED

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

2. APPROVED

Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 16, 2003, at 9:30 a.m.: an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five-Year Road Program; Providing for Title; Purpose; Adoption of revised Five-Year Road Plan and revised list of projects contained in Exhibit "A"; Implementation of the Plan; Modification of Plan; Funding of other roadway improvements, Interpretation of Exhibit; Repeal of Laws in Conflict; Severability; Inclusion in the Code of Laws and Ordinances; and Effective Date. **SUMMARY:** This is the annual update of the County's Five-Year Road Plan which is required to be considered each year by the Five-Year Road Program Ordinance. Exhibit "A" to the Ordinance is a list of proposed projects for the next five years which contains certain changes and modifications, including a new fifth year. This list is submitted for Board consideration on preliminary reading today with the final list to be approved with the Ordinance at public hearing on December 16, 2003. Countywide (MRE)

5. REGULAR AGENDA

A. ENGINEERING (Cont'd)

3. Staff requests Board:

A) APPROVED R-2003-1935
rescind Resolution No. 98-520 adopted by the Board on April 21, 1998, relating to the dissemination of Geographic Information System (GIS) data and direct staff to determine if a new resolution is required to manage and distribute the data

B) APPROVED
rescind Countywide PPM CW-R-007 and the associated fee structure for GIS data; and

C) AUTHORIZED
authorize staff to bring back for Board consideration the placing of GIS data discussion as a legislative priority for the 2004 Legislative Session. This would place this date outside the Public Records Law

SUMMARY: At the direction of the County Administrator, Staff's recommendation supersedes the position taken by the GIS Policy Advisory Committee (GISPAC) during its October meeting. There is much background associated with this issue and the Board is encouraged to review the associated material and potential legal issues.

The County and other Constitutional Officers adopted a policy to copyright and license GIS Data several years ago. The policy also sets forth a fee structure which has been administered by staff. The County's ability to copyright and license the use of GIS materials has never been explicitly authorized by statute or case law in Florida. In response to a protest concerning our policy, however, the Attorney General recently opined (attachment 2) that Palm Beach County cannot copyright GIS data or require licenses for use of its GIS data in light of the Public Records Law. At almost the same time, the Circuit Court in Collier County was faced with a similar issue and ruled in favor of the Collier County Appraiser. While not perfectly explicit, the Circuit Court's decision suggests, at least, that local governments are indeed authorized to copyright and license GIS data. That case is on appeal before the Second District Court of Appeal. At the request of the Collier County Appraiser, the County Attorney's Office may participate in some fashion in the preparation of an amicus brief in this case. The appellate court's decision will likely settle the issue, but it will be months before the court renders its ruling.

In the meantime, the Circuit Court in our jurisdiction is not bound by the Collier County Circuit Court order or by the Attorney General's opinion. Since its inception, the County's GIS Policy has not been challenged in court but, given recent events here and in Collier County, the possibility of such a challenge is more likely now than it has been in the past. While the Collier County Property Appraiser raises valid legal issues in support of our copyright and licensing policy, Florida courts have traditionally ruled against governments seeking to limit application of the Public Records Law. The County Attorney's Office is not optimistic about a favorable outcome in the event this issue is litigated here. Should a court determine that our GIS Policy violates the Public Records Law, the County would be liable for attorney's fees and costs, at trial and appellate levels, incurred by the person(s) who sponsored the challenge.

At a meeting on October 30, 2003, the GIS Policy Advisory Committee (GISPAC) reviewed the proposed PPM and heard extensive presentations from the County Attorney's Office and other interested parties. After lengthy discussion, the recommendation from the Committee was to continue the copyright and licensing of the data while reducing the fees associated with the distribution of the data. This decision was based on the Committee's belief that the County complies with the public records act by making a copy of the requested records available upon request with the only charge relating to copy costs. The issue of copyright licensing pertains to the rights of any individual to subsequently duplicate and distribute this information to third parties. Countywide (LB)

5. REGULAR AGENDA

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. DELETED

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

C. TOURIST DEVELOPMENT COUNCIL

1. APPROVED R-2003-1936

Staff recommends motion to approve: Agreement between Discover Palm Beach County, Inc. d/b/a Palm Beach County Convention & Visitors Bureau ("DPBC") and Beber Silverstein Partners, Inc., a Florida Corporation ("Contractor") for the provision of advertising services under the County's Tourist Development Plan. **SUMMARY:** The contract is for provision of advertising services for one year, during Fiscal Year 2003-2004. Services consist of developing a creative and media plan, creating the advertisements, and media placement. Compensation is in the form of a 15% commission on commissionable and non-commissionable media placed. The contract eliminates commissions on creative work for standard media, and on outside services and supplies, at an estimated savings of \$60,000 compared to the current contract. The total contract expenditures budgeted total \$1,400,000 however; DPBC administration may amend contract \$2,150,000 upon receipt of additional funding. The DPBC receives 53.60% of the initial 3 cents of the Tourist Development bed taxes. Countywide

5. REGULAR AGENDA

D. COMMUNITY SERVICES

1. DELETED

E. COURT ADMINISTRATION

1. Staff requests Board direction regarding:

A) DELETED

the Continuation of Funding for the Guardian Ad Litem program for the period of January 1, 2004 through September 30, 2004; and

B) DELETED

Budget Transfer of \$68,761 from the General Fund Contingency Reserves (Fund 0001).

SUMMARY: The mission of the Guardian Ad Litem program is to advocate for the best interest(s) of abused and neglected children in judicial proceedings pursuant to F.S. 39. All State funded Guardian Ad Litem (GAL) Programs will be transferred to the Statewide Guardian Ad Litem Office within the Justice Administrative Commission (JAC) on January 1, 2004. There are currently 27 employees in the GAL in the 15th Judicial Circuit, eighteen (18) are State employees, four (4) are County employees funded 100% by the Children's Services Council, and five (5) are County employees which are 100% Ad Valorem funded. The 18 State employees are the only ones being transferred to the JAC. The four (4) County employees that are grant funded by Children's Services Council will continue to supplement the GAL Program as County employees. **The remaining five (5) County employees would have to be terminated if there is no funding after December 31, 2003.** In order to maintain the existing level of service for the GAL program, the 15th Judicial Circuit is requesting funding for these 5 positions for the period January 1, 2004 through September 30, 2004. No other funding alternatives are known at this time. The fiscal impact of funding the program through September 30, 2004 is \$137,522, of which \$68,761 is being requested from contingency reserves and the remainder is available and will be transferred from the Court Administration budget. If the Board chooses not to provide this funding, we will proceed with the lay-off process for the five (5) unfunded positions. Countywide (TKF)

F. COOPERATIVE EXTENSION SERVICE

1. APPROVED

Staff recommends motion to approve: Creation of three (3) Program Assistant positions, two (2) full time and one (1) part time) for the 4-H Youth Development Program, with no increase in the Department's budget, by eliminating one (1) 4-H Extension Agent position and reallocating those funds and other funds made available as a result of the State assuming partial funding of two (2) vacant 4-H Extension Agent positions. **SUMMARY:** The recommended changes to reallocate budgeted resources will provide better service and programming to over 10,000 youth and volunteer leaders involved in the 4-H Youth Development Program at no additional cost. The elimination of one (1) 4-H Extension Agent position and creation of two (2) full time and one (1) part time 4-H Program Assistant positions will make it possible to expand programming and provide better service. The University of Florida, through the State's budget, has taken steps to provide partial funding, as they have done traditionally, of two (2) 4-H Extension Agent positions to be filled for Palm Beach County allowing the leveraging of County funds to create the 4-H Program Assistant positions. Countywide (AH)

5. REGULAR AGENDA

G. ADMINISTRATION

1. REVISED TITLE:

ADOPTED

R-2003-1937

Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, ~~establishing its support for the continued inclusion of a local sources first policy in chapter 373 F.S. and its opposition to any amendment to Florida's water resource policy which allows, encourages or promotes water transfers. opposing modification to chapter 373 F. S. that removes, weakens or undermines current local sources first policy concerning water transfer.~~ (Admin) **SUMMARY:** Staff was directed at the November 4, 2003, meeting to draft this resolution. Countywide (DN)

2. REVISED TITLE & SUMMARY:

DISCUSSED WITH DIRECTIONS

Staff requests direction regarding: The Convention Center Hotel.

A) Overall Circumstances;

B) Terms with West Palm Beach; and

C) Terms with Marriott/Prism

SUMMARY: With the realization that CityPlace would not implement a hotel prior to April 2004, and prior to considering the contractual option with CityPlace for the County to acquire the hotel site by that date, the Board asked the City to try to produce an acceptable hotel proposal. Two (2) viable proposals were received and Marriott/Prism was selected by the City. The mostly separate negotiations between the parties are incomplete. Outstanding issues include parking, ballroom use, funding/revenue sharing with City and other financial terms that appeared in the original Marriott proposal but the status of which is uncertain to the County. In general, the proposal and the financial arrangements, to the extent they are finalized, are less than desirable but potentially acceptable. Negotiations could still fail on outstanding issues. The condominiums that are part of the proposal help to underwrite the hotel costs but also generate substantial tax dollars for the City CRA. The second proposal that was received by the City proposed 400 rooms, did not include condominiums and required greater contributions of CRA tax dollars. Also, the County has now obtained a competitive hotel site appraisal of \$6M which suggests, but definitely doesn't assure, that the option exercise price with CityPlace might be less than their number of \$11.5M. Countywide (JM)

TIME CERTAIN 2:00 P.M.

2. Status of Convention Center Hotel negotiations.

5. REGULAR AGENDA

G. ADMINISTRATION (Cond't)

3. Staff requests board direction regarding:

A) DISCUSSED WITH DIRECTIONS

Proposed \$12 million dollar advance funding to Florida Atlantic University (FAU) for the location of Scripps temporary facility at the Jupiter campus. and;

B) DISCUSSED WITH DIRECTIONS

the amount of repayment of advanced funds and the length of time to be allowed for repayment.

SUMMARY: Florida Atlantic University has proposed a partnership with Scripps and Scripps has agreed to be housed on a temporary basis on FAU's Jupiter Campus if terms and conditions can be worked out between the University and the County. Florida Atlantic University is requesting that a 40,000 square foot permanent lab/office building be built on FAU Jupiter campus and be utilized as Scripps temporary facility for two years. The facility is estimated to cost a total of \$12,000,000 which includes construction, furnishings and basic equipment for laboratories. Of the estimated \$12 million dollars only \$4.5 million was included in the \$200 million allocated by the BCC for this project. FAU promised delivery of the project within 12 months from the date Scripps approves the building plan. After the facility is vacated by Scripps, the facility will become a permanent facility of FAU. The County has agreed to fund a temporary facility for Scripps at a cost of \$4.5 million. It was staffs intent to structure a lease to recoup a portion of our investment in a privately owned building. FAU has proposed to reimburse the County \$7.5 million of the \$12 million over a two-year period in installments of \$3.75 million per year. FAU proposes to begin repayment of the loan the year the building becomes the property of FAU. It is the intent of the President of FAU to recommend to the Board of Trustees that this funding become the number one priority of the capital budget. Countywide (DN)

* * * * *

6. BOARD APPOINTMENTS

A. **ADMINISTRATION**
(Treasure Coast Regional Planning Council)

1. **APPROVED**

Staff recommends motion to approve: reappointment of the following members to the Treasure Coast Regional Planning Council.

<u>Regular Reappointments</u>	<u>Seat No.</u>	<u>Requirement</u>
Commissioner Karen T. Marcus	1	Palm Beach County Official
Commissioner Jeff Koons	2	Palm Beach County Official
Commissioner Warren H. Newell	3	Palm Beach County Official
Alternate Reappointments:		
Commissioner Mary McCarty	1A	Palm Beach County Official
Commissioner Addie L. Greene	2A	Palm Beach County Official
Commissioner Tony Masilotti	3A	Palm Beach County Official

SUMMARY: The Treasure Coast Regional Planning Council has requested that Palm Beach County Board of County Commissioners submit its 2004 appointments before the Council's Annual meeting scheduled for December. Palm Beach County is represented by three (3) regular members and three (3) alternates. Currently, the County's regular members are Commissioners Karen T. Marcus, Jeff Koons and Warren Newell. The current alternates are Commissioners Mary McCarty, Addie Greene and Tony Masilotti. Countywide (DN)

B. **CRIMINAL JUSTICE COMMISSION**
(Criminal Justice Commission)

1. **APPROVED**

Staff recommends motion to approve: reappointment of four (4) private sector nominees to the Criminal Justice Commission.

<u>Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Jorge A. Dominicis	33	12/31/06
Randolph K. Johnson, Sr.	31	12/31/06
Wendy Sartory Link	29	12/31/06
Gerald F. Richman	28	12/31/06

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. Twelve of the 33 members are from the private sector and are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. Countywide (DW)

6. BOARD APPOINTMENTS

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **APPROVED**

Staff recommends motion to approve: Reappointment of three (3) at-large members to the Natural Areas Management Advisory Committee (NAMAC) for a term of three (3) years, beginning October 31, 2003 through October 31, 2006.

Reappoint:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated by</u>
Stephen C. Bass	Professional Educator	3	Commissioner Marcus Commissioner Koons
Dennis Eshleman	PBC Parks & Recreation	5	Commissioner Marcus Commissioner Koons
Herbert Zebuth	CLASC representative	6	Commissioner Marcus Commissioner Koons

SUMMARY: Resolution No. 94-1051 provides for a seven (7) member NAMAC. A memorandum was sent to the Board of County Commissioners on October 15, 2003 that advised the term of Seats No. 3, 5, and 6 on NAMAC would expire on October 31, 2003. Commissioners Marcus and Koons nominated the three (3) current members for another three (3) year term: Stephen C. Bass, Seat No. 3 (professional educator), Dennis Eshleman, Seat No. 5 (Palm Beach County Parks & Recreation Department staff), and Herbert Zebuth, Seat No. 6 (current Conservation Land Acquisition Selection Committee member). These NAMAC members wish to continue their service to the County. Countywide (HJ)

6. BOARD APPOINTMENTS

D. **COMMUNITY SERVICES**
(Head Start/Early Head Start Policy Council)

1. **APPROVED**

Staff recommends motion to ratify: Appointment of the following Parent Representatives and Alternates to the Head Start/Early Head Start Policy Council, effective November 18, 2003:

PARENT REPRESENTATIVE AND ALTERNATE(S) BY CENTER

(R) = Representative

(A) = Alternate

<p><u>Seat No.</u> <u>BOYNTON</u> 10A Esta Funderbunk, (A)</p>	<p><u>Seat No.</u> <u>JUPITER</u> 11A Isabel Nysten, (A) 11B Enilda Garcia (A)</p>
<p><u>Seat No.</u> <u>SOUTH BAY</u> 12A Maria Lopez (A) 12B Irene Rodriguez (A)</p>	<p><u>Seat No.</u> <u>PALM GLADES</u> 13 Brandi McConniel (R) 13 A Zoila Cardenas (A)</p>
<p><u>Seat No.</u> <u>DELRAY BEACH</u> 14 Serena Thomas (R) 14A Jacqueline Harden (A)</p>	<p><u>Seat No.</u> <u>PAHOKEE</u> 15 Carolyn Bens (R) 15A Malinda Thomas (A) 15B Annie Coore (A)</p>
<p><u>Seat No.</u> <u>WESTGATE</u> 16 Ann M. Campbell (R)</p>	<p><u>Seat No.</u> <u>LAKE WORTH</u> 17 Mildred Ramos (R) 17A Richard Oakley (A) 17B Norma Medina (A)</p>
<p><u>Seat No.</u> <u>RIVIERA BEACH</u> 18 Adrienne Bess (R) 18A Sabrina Owens (A)</p>	<p><u>Seat No.</u> <u>WEST PALM BEACH</u> 19 Charles T. Hill Jr. (R) 19A Nicole Dicoco (A) 19B Jennifer Ward (A)</p>
<p><u>Seat No.</u> <u>UNION BAPTIST HEAD START</u> 20 Teri Wright (R) 20A Estere Morival (A)</p>	<p><u>Seat No.</u> <u>EARLY HEAD START</u> 21 Iserna Narcisse (R)</p>
<p><u>Seat No.</u> <u>EASTER SEALS</u> 22 Alisa Rolle (R) 22A Audrey James (A) 22B Samuel Jean (A)</p>	

SUMMARY: The term of appointment for parent representatives and alternates to the Head Start/Early Head Start Policy Council is a maximum of two (2) years, and requires that the parent representative/alternate be a parent of a child enrolled in the Head Start program. Parents Charles Hill and Alisa Rolle have previously served one year on the council but at different centers; therefore their term of appointment is one year. The Policy Council approved the nominations at its September 24, 2003 meeting. (Head Start) Countywide (TKF)

6. BOARD APPOINTMENTS

D. COMMUNITY SERVICES (Cont'd)
(Head Start/Early Head Start Policy Council)

2. **APPROVED**

Staff recommends motion to approve: Appointment of the following Community Representatives to the Head Start/Early Head Start Policy Council.

<u>Name</u>	<u>Term</u>	<u>Seat No.</u>	<u>Recommended By</u>
Alan J. Collins	12/17/03 through 9/30/06	7	Commissioner Koons
Donald E. Gibson II	12/17/03 through 9/30/06	8	Commissioner Koons

SUMMARY: The Head Start Performance Standards require that community representation be included in the makeup of the Head Start/Early Head Start Policy Council. Of the nine (9) seats that exist for Community Representatives, three (3) are currently vacant. While the BCC approves the appointments, Federal Head Start regulations state the Policy Council must ratify the appointment; therefore, the term will be effective upon the Policy Council's ratification. Ratification is scheduled for their December 17, 2003 meeting. (Head Start) Countywide (TKF)

E. PLANNING, ZONING & BUILDING
(Nuisance Abatement Board)

1. **APPROVED**

Staff recommends motion to appoint: One (1) member to the Nuisance Abatement Board (NAB).

<u>Name</u>	<u>Membership Requirement (NAB)</u>
Michael J. Walsh	PBC Resident

SUMMARY: The NAB is composed of five (5) members. All members must be residents of Palm Beach County. Mr. Walsh meets the residency requirement provided for in the Nuisance Abatement Ordinance and his appointment will fill the vacancy created with the resignation of Peter Feaman. Countywide (DW)

F. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 18, 2003

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

ADDITIONS, DELETIONS, & SUBSTITUTIONS
NOVEMBER 18, 2003

PAGE **ITEM**

- 8 3C-1 **DELETED:** **A) adopt** a Resolution declaring a parcel of land known as the Lake Park Scrub Surplus Parcel (LPSSP), containing 5.825 acres, as land required for the construction of improvements for the Old Dixie Highway from Park Avenue to Northlake Boulevard project;
- B) approve** a Budget Transfer of \$450,000 in the Transportation Improvement Fund from Road Program Reserves – FY 98 (Right-of-Way Acquisition Reserve) to Old Dixie Highway/Park Avenue to Northlake Boulevard; and
- C) approve** the payment of \$450,000, which is the appraised value for the subject parcel, to Property and Real Estate Management (PREM). (Eng) (Further staff review)
- 11 3C-16 **DELETED:** **Staff recommends motion to approve:**
- A)** an Agreement for Acquisition with Schickendanz Capital Group, L.L.C. (Developer), for the acquisition of right-of-way as needed for Island Way from Indiantown Road to the County Line, known as the North Fork Parcel; and
- B)** Budget Amendment of \$3,000 in the Road Impact Fee Zone 1 Fund to recognize a Developer contribution for acquisition of Island Way – North Fork Parcel. (Eng) (Moved to 12/02)
- 11 3D-1 **DELETED:** Settlement in the Eminent Domain action styled Palm Beach County v. Chevron U.S.A., Inc., et al., Case No. CL-02-1835-AB, for the improvement of the intersection of Hagen Ranch Road and West Atlantic Avenue as to Project No. 1996506A.1, Parcels 101 and 301. (CoAtty) (Further staff review)
- 13 3E-6 **REVISED MOTION & SUMMARY:**
- Staff recommends motion to approve:**
- A)** a Contract with The Center for Information and Crisis Services, a non-profit agency, in an amount not-to-exceed \$227,940 for the period October 1, 2003 through September 30, 2004; and
- B) Budget Transfer of \$24, 000 in the Financially Assisted Agency (FAA) Operating Reserves.**
- SUMMARY:** On August 19, 2003, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency (FAA) Program process, including the Center for Information and Crisis Services. This Contract consists of funding from FAA (\$117,298) and County Sponsored Programs (\$107,042) and the Department of Public Safety (\$3,600). Although the County Sponsored Programs, Public Safety and FAA funding are all funds are separate from FAA funding, but they are managed by the same program monitoring staff. This agency will provide services for both the elder crisis outreach program as well as comprehensive information and referral, telephone counseling, crisis intervention, suicide intervention and post intervention, linkage to referral services and client advocacy through the 211 service. Countywide (TKF)
- 23 3P-1 **DELETED:** Agreement with the Village of Wellington providing start-up funds in the amount of \$8,000 and cooperative administrative assistance for the establishment of a new farmers market within the municipal boundaries of Wellington. (Coop Ext) (Waiting on signatures/Moved to 12/02)

- 34 5B-1 **DELETED:** a Report on the Status of the Environmentally Sensitive Lands Acquisition Program. (ERM)(Moved to 12/02)
- 35 5E-1 **DELETED: A)** the Continuation of Funding for the Guardian Ad Litem program for the period of January 1, 2004 through September 30, 2004; and
B) Budget Transfer of \$68,761 from the General Fund Contingency Reserves (Fund 0001). (CtAdm) (Moved to 11/25Workshop)
- 36 5G-1 **REVISED TITLE:** Resolution of the Board of County Commissioners of Palm Beach County, Florida, ~~establishing its support for the continued inclusion of a local sources first policy in chapter 373 F.S. and its opposition to any amendment to Florida's water resource policy which allows, encourages or promotes water transfers~~ opposing modification to chapter 373 F.S. that removes, weakens or undermines current local sources first policy concerning water transfers. (Admin)
- 36 5G-2 **REVISED TITLE & SUMMARY:**
-
- Staff requests direction regarding:** The Convention Center Hotel.
-
- A) Overall Circumstances;**
-
- B) Terms with West Palm Beach; and**
-
- C) Terms with Marriott/Prism**
-
- SUMMARY:** With the realization that CityPlace would not implement a hotel prior to April 2004, and prior to considering the contractual option with CityPlace for the County to acquire the hotel site by that date, the Board asked the City to try to produce an acceptable hotel proposal. Two (2) viable proposals were received and Marriott/Prism was selected by the City. The mostly separate negotiations between the parties are incomplete. Outstanding issues include parking, ballroom use, funding/revenue sharing with City and other financial terms that appeared in the original Marriott proposal but the status of which is uncertain to the County. In general, the proposal and the financial arrangements, to the extent they are finalized, are less than desirable but potentially acceptable. Negotiations could still fail on outstanding issues. The condominiums that are part of the proposal help to underwrite the hotel costs but also generate substantial tax dollars for the City CRA. The second proposal that was received by the City proposed 400 rooms, did not include condominiums and required greater contributions of CRA tax dollars. Also, the County has now obtained a competitive hotel site appraisal of \$6M which suggests, but definitely doesn't assure, that the option exercise price with CityPlace might be less than their number of \$11.5M. Countywide (JM)

ADD-ON:**Staff requests board direction regarding:**

A) Proposed \$12 million dollar advance funding to Florida Atlantic University (FAU) for the location of Scripps temporary facility at the Jupiter campus. and;

B) the amount of repayment of advanced funds and the length of time to be allowed for repayment.

SUMMARY: Florida Atlantic University has proposed a partnership with Scripps and Scripps has agreed to be housed on a temporary basis on FAU's Jupiter Campus if terms and conditions can be worked out between the University and the County. Florida Atlantic University is requesting that a 40,000 square foot permanent lab/office building be built on FAU Jupiter campus and be utilized as Scripps temporary facility for two years. The facility is estimated to cost a total of \$12,000,000 which includes construction, furnishings and basic equipment for laboratories. Of the estimated \$12 million dollars only \$4.5 million was included in the \$200 million allocated by the BCC for this project. FAU promised delivery of the project within 12 months from the date Scripps approves the building plan. After the facility is vacated by Scripps, the facility will become a permanent facility of FAU.

The County has agreed to fund a temporary facility for Scripps at a cost of \$4.5 million. It was staffs intent to structure a lease to recoup a portion of our investment in a privately owned building. FAU has proposed to reimburse the County \$7.5 million of the \$12 million over a two-year period in installments of \$3.75 million per year. FAU proposes to begin repayment of the loan the year the building becomes the property of FAU. It is the intent of the President of FAU to recommend to the Board of Trustees that this funding become the number one priority of the capital budget. Countywide (DN)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).