

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

JULY 24, 2007

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

COMMISSION CHAMBERS

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

WORKSHOP SESSION

- 3. 9:30 A.M. Retail Concession RFP at PBIA**

4. REGULAR AGENDA

JULY 24, 2007

4. REGULAR AGENDA

A. CLERK AND COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** a Resolution authorizing the issuance of Public Improvement Revenue Bonds in the principal amount of not-to-exceed \$170,000,000 for the purpose of financing the costs of the acquisition, renovation, construction and equipping of Criminal Justice and public improvement facilities and all other costs necessary or incidental thereto; providing for the terms and payment of such bonds; authorizing the issuance of bond anticipation notes; providing for the rights, security and remedies of the holders thereof; making certain covenants and agreements in connection therewith; authorizing the proper officials of the County to do all other things deemed necessary or advisable in connection with the issuance of such bonds; and providing for an effective date. **SUMMARY:** This Resolution authorizes bonds for two different public building development programs previously approved by the Board. The first is \$22,000,000 for the final phases of the Public Facilities Development Program (PFDP) providing for several general government buildings as well as for the design of a new Evidence Storage/Impound Facility. The second is \$143,000,000 for the Jail Expansion Program 2 (JEP2) which was approved by the Board on April 24, 2007. The Board has subsequently awarded program management and design contracts to allow the JEP2 to proceed. Funding in the amount of \$133,000,000 for the completion of design and construction of Phase 2A as well as \$10,000,000 for the design of Phase 2B is now required. Together, the Resolution authorizes up to \$170,000,000 for the final phases of the PFDP and JEP2, including costs of issuance. Facilities Development & Operations has requested \$20,000,000 to fund the two programs until the bonds are issued in February, 2008. The County's Financial Advisor will request bids from local banks for \$20,000,000 Bond Anticipation Notes and we will present the winning bid to the Board for approval at its meeting on September 11, 2007. Countywide (PFK)

4. REGULAR AGENDA

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

2. Staff recommends motion to:

A) authorize staff to submit proposed millage rates for the FY 2008 budget to the Property Appraiser as follows:

	Proposed		Over/(Under) <u>Rollback</u>	
	<u>Millage</u>	<u>Taxes</u>	<u>Amount</u>	<u>Percent</u>
Countywide Non-Voted	3.7835	\$642,571,947	(\$34,037,939)	(9.00%)
Library	0.4970	46,822,629	(4,625,736)	(9.00%)
Fire-Rescue				
Fire-Rescue MSTU	2.7794	188,225,964	(4,860,067)	(3.00%)
Glades Regional MSTU	1.8240	1,460,736	49,572	3.51%
Jupiter Fire-Rescue MSTU	1.4809	13,575,921	47,670	0.35%
Aggregate-Excluding Voted Debt	<u>5.2560</u>	<u>\$892,657,197</u>	<u>(\$43,426,500)</u>	<u>(8.58%)</u>
Countywide Voted Debt	0.2002	\$34,019,748	N/A	N/A
County Library Voted Debt	0.0471	\$4,437,316	N/A	N/A

B) authorize staff to submit to the Property Appraiser public hearing dates of Thursday, September 6 at 6 p.m. and Thursday, September 20 at 6 p.m. in the Commission Chambers, 6th floor of the Governmental Center for FY 2008;

C) authorize administrative adjustments to establish funding in the FY 2008 budget for capital projects approved and established in the current fiscal year. These projects were approved in the current fiscal year (FY 2007) after the preparation of the proposed budget and are therefore not currently included in the FY 2008 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing;

D) authorize administrative adjustments to establish funding in the FY 2008 budget for designated fund balances for contingency and other projects and carryover for encumbrances. These balances and encumbrances were approved in the current fiscal year (FY 2007) after the preparation of the proposed budget and are therefore not currently included in the FY 2008 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing; and

E) approve the designation of \$16,901,010 of the FY 2007 General Fund ending fund balance for appropriation in the FY 2009 budget.

SUMMARY: Proposed millage rates are above roll-back for Countywide purposes, County Library, Fire-Rescue MSTU, Jupiter Fire-Rescue MSTU and Glades Regional Fire-Rescue MSTU. Board decisions made during the July 11th workshop are also reflected in the proposed budget. The proposed millage rates for the Jupiter MSTU and the Glades MSTU will require unanimous (7-0) approval of the Board at the September 20, 2007 Public Hearing. The remaining operating millage rates are the maximum rates established by the Legislature. Countywide (PFK)

4. REGULAR AGENDA

C. ENGINEERING AND PUBLIC WORKS

1. Staff recommends motion to approve:

A) the Second Amendment to the Financial Assistance Agreement (R2004-0303) with the Village of North Palm Beach (Village) for an extension of the completion date for improvements on Prosperity Farms Road from Northlake Boulevard to Burns Road; and

B) a Budget Transfer of \$175,000 in the Transportation Improvement Fund from Reserve for District 1 to Prosperity Farms Road Improvements – District 1.

SUMMARY: This Second Amendment will increase the County's funding (from District 1 Gas Tax Reserves) to the Village by \$175,000. The County's maximum reimbursement amount will then be \$1,222,500. When added to the prior County contribution of \$82,500, this brings the total County funding to \$1,305,000 in financial assistance to the Village for this Prosperity Farms Road project. This Second Amendment also extends the completion date from December 31, 2006 to December 31, 2007. The completion date of the improvements has been delayed due to contractor performance problems. District 1 (ME)

2. Staff recommends motion to approve:

A) a Budget Transfer of \$241,055 in the Unincorporated Fund from Reserves to 60th Street Crossing over the "M" Canal (Project);

B) a \$129,211 Task Agreement with Keshavarz & Associates (KAI), to provide engineering surveying, permitting, and geotechnical services for the Project; and

C) a \$48,546 Task Agreement with Bridge Design Associates, Inc. (BDA) for structural engineering services for a bridge over the 'M' Canal.

SUMMARY: The Budget Transfer will provide funds for the engineering services required for the preparation of plans and specifications for the Project. The Project is a Municipal Service Taxing Unit (MSTU) Street Improvement Project, and the benefiting property owners to the west of the Project will be assessed 50% of the project design and future construction costs, currently estimated at \$1.84 million dollars. District 6 (PFK)

4. REGULAR AGENDA

D. COMMUNITY SERVICES

1. Staff requests Board direction: On increasing the FY 2008 budget allocation for the Financially Assisted Agencies Program above the FY 2007 funding level and the method of distribution of additional funding if provided. **SUMMARY:** At the July 11, 2007, Budget Workshop, the Board of County Commissioners reviewed the County Administrator's budget recommendation and agency allocations from staff for the Financially Assisted Agencies Program. The recommended funding amount of \$13,348,836 was unchanged from FY 2007. At the workshop, staff was directed to review impacts to County-funded agencies from State budget cuts and return to the Board with options for distribution of additional funds if available. Staff has identified various options including an option for an across-the-board increase of 5% to all currently funded agencies that are performing in accordance with contract terms, and options that consider impacts to agency budgets associated with reduced State funding and staff-identified priority areas. A 5% increase in funding will increase the total FAA allocation by \$667,442. The options are presented in Attachment 1. Countywide (TKF)

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JULY 24, 2007

PAGE ITEM

1 3 **ADD-ON & TIME CERTAIN 9:30 A.M.:**

Special Presentation: Announcement by Frontier Airlines of Denver Service from PBIA. (Cty. Adm.)

5 4E-1 **ADD-ON & REVISED TITLE:**

Staff recommends motion to approve:

A) Allocation of funds for the hiring of expert witnesses and consultants including appraisers, certified public accountants, land planners and other experts reasonably necessary in defense of the pending inverse condemnation lawsuit styled Mizner Trail Golf Club, Ltd., a Florida limited partnership, Plaintiff v. Palm Beach County, Florida, Defendant, Fifteenth Judicial Circuit, Case No. 2006CA004094XXXXMBAO. The payment for expert witnesses and consultants includes litigation support services, reimbursement of reasonable expenses and litigation costs. The cumulative amount of these costs and services shall not exceed the total sum of \$350,000; and

B) a Budget Transfer of \$350,000 in the General Fund – from Contingency Reserves to the General Government – Expert Witness Fees line.

SUMMARY: The funding for expert witnesses, consulting, and litigation support services are reasonable and necessary for the County to properly and competently defend itself in the Mizner litigation. To the extent any portion of the allocated funds are unused during the pendency of the litigation, the remaining funds will be carried over to fiscal year 2008 or returned to general fund upon conclusion of the litigation. District 4 (AMP) (PM) (County Attorney)

5 *4F-1 **ADD-ON:**

Staff requests Board concurrence: with compensation package for CVB President/CEO. Countywide (County Administration)

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(*).