

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

**FEBRUARY 27, 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
  
- 3. CONSENT AGENDA (Pages 7 - 33)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 34)**
  
- 5. REGULAR AGENDA (Pages 35 - 44)**  
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**BOARD OF COUNTY COMMISSIONERS SITTING AS THE SOLID WASTE AUTHORITY**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

- A) Resolution No. R07-013 by the City Commission of the City of Boynton Beach, supporting and endorsing the principals of the Municipal Home Rule Powers Act;
- B) Resolution No. 2007-01 by the City Council of the City of Greenacres, supporting and endorsing the principals of the Municipal Home Rule Powers Act;
- C) Resolution No. 006-04 by the Town Commission of the Town of Gulf Stream, supporting and endorsing the principals of the Municipal Home Rule Powers Act; and
- D) Resolution No. 2007-02 by the Village Council of the Village of North Palm Beach, supporting and endorsing the principals of the Municipal Home Rule Powers Act;

2. Staff recommends motion to receive and file:

- A) Resolution No. R1-07 by the Town Council of the Town of Palm Beach, supporting the conversion of overhead electric distribution facilities to underground facilities and encouraging the Florida Public Service Commission to implement all reasonable measures to encourage the conversion of electric distribution facilities to underground facilities; and
- B) Resolution No. R-4-07 by the Town Commission of the Town of Palm Beach Shores, supporting the conversion of overhead electric distribution facilities to underground facilities and encouraging the Florida Public Service Commission to implement all reasonable measures to encourage the conversion of electric distribution facilities to underground facilities.

3. Staff recommends motion to receive and file:

- A) Resolution No. 06-212 by the City Commission of the City of Fort Lauderdale, Florida, in support of the Florida Department of Transportation and its affiliated regional transportation agencies to recommend strategic investment in the Florida East Coast Corridor Area, to expand local and regional passenger service in that Area to meet the growing transit needs and complement freight industry growth in the Southeast Florida area; and
- B) Resolution No. 2006-875 by the Board of County Commissioners of Broward County, Florida, opposing actions by the Florida Legislature or agencies of the State of Florida to amend the Designated Uses and Classification of Surface Water Bodies in a manner which lowers water quality standards or allows degradation of the quality or retention of the waters of Broward County.

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Child Care Facilities	October 3, 2006
Regular	October 3, 2006
Budget Public Hearing	September 21, 2006
Child Care Facilities	November 21, 2006
Regular	November 21, 2006
Zoning	November 27, 2006
Workshop	December 12, 2006

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Department; and the Department of Airports during December 2006. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **DELETED**
2. **Staff recommends motion to approve:** a Second Amendment to the Financial Assistance Agreement (R2005-0033) with Northtree Community Association (Association) for an extension of the completion date for improvements in and along the County's Hagen Ranch Road. **SUMMARY:** The original Agreement provides for a reimbursement, in an amount not-to-exceed a maximum of \$25,000, to the Association for the planned improvements in and along the County's Hagen Ranch Road from the L-20 Canal to the Association's north property line. This Second Amendment with the Association will extend the completion date from December 31, 2006 to December 31, 2007. The completion of the improvements has been delayed due to Hurricane Wilma and unforeseen difficulty in obtaining a water use permit from the South Florida Water Management District. District 3 (MRE)
3. **Staff recommends motion to approve:** an Agreement with Corzo, Castella, Carballo, Thompson & Salmon, P.A. (C3TS), to provide the necessary professional services for civil engineering services on a task order basis, for Countywide projects, as required. **SUMMARY:** This Agreement will provide the necessary professional services for civil engineering services throughout the County for all user departments. At the option of the County, this Agreement will be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve: the renewal of the Intelligent Transportation System Annual Agreement with the following firm:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>
Kimley-Horn and Associates, Inc.	February 28, 2006	R2006-0310

**SUMMARY:** This Agreement is being considered for renewal for required professional services, on a task order basis. Countywide (PFK)

5. Staff recommends motion to approve: an Amendment to the Financial Assistance Agreement (R2006-1233) with Ocean Parks Jupiter Condominium Association (Association) for an extension of the completion date for the installation of improvements. **SUMMARY:** The original Agreement provides for a reimbursement, in an amount not-to-exceed \$25,000, to the Association for the Association's effort to install improvements on Association property along A1A from 725 feet north of Indiantown Road to 1,875 feet north of Indiantown Road. This Amendment with the Association will extend the completion date from March 31, 2007 to March 31, 2008, as requested by the Association, and establishes that the improvements are to be located in the road right-of-way and not on Association property. The completion of the improvements has been slowed due to a Town of Jupiter project occurring at this location. District1 (MRE)

6. Staff recommends motion to approve:

**A)** a Financial Assistance Agreement with Ocean Parks Jupiter Condominium Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$125,000; and

**B)** a Budget Transfer of \$125,000 in the Transportation Improvement Fund from Reserve for District 1 to County A1A from 725 feet north of Indiantown Road to 1,875 feet north of Indiantown Road.

**SUMMARY:** This Agreement provides funding to reimburse the Association up to a maximum of \$125,000 of the cost to install beautification along the County's right-of-way for County A1A from 725 feet north of Indiantown Road to 1,875 feet north of Indiantown Road. The Association will be responsible for the perpetual maintenance of these improvements. District 1 (MRE)

7. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to:

**A) approve** a Joint Participation Agreement (JPA) with the State of Florida Department of Transportation (FDOT) concerning the construction and funding of the 45<sup>th</sup> Street bridge replacement over the Florida Turnpike; and

**B) adopt** a Resolution authorizing this JPA with the FDOT.

**SUMMARY:** Through this Agreement, FDOT will provide the County a lump sum of \$3,700,000 as its share of the cost for design, construction and inspection of the replacement bridge, including, but not limited to the additional span length required to accommodate an eight-lane future Turnpike facility. In addition, this Agreement addresses the necessary cooperation, coordination and responsibilities for FDOT and the County to design and construct the 45<sup>th</sup> Street Bridge. Districts 6 & 7 (MRE)

9. Staff recommends motion to approve: a Contract with Custom Built Marine Construction, Inc., the lowest responsive, responsible bidder, in the amount of \$131,592.97, for Point Chosen Fender system repair. **SUMMARY:** The construction plans consist of all work necessary to replace piles, whalers and decking for a portion of the fender system for the Point Chosen Swing Bridge located over the Rim Canal on the eastern side of Lake Okeechobee. The Small Business Enterprise (SBE) goal for the project is 15%. The low bidder, Custom Built Marine Construction, Inc., failed to meet the SBE goal for this project. The second low bidder, Coastal Marine Construction, Inc., also failed to meet the SBE goal. The third low bidder, Abhe & Svoboda, Inc., met the SBE goal, but their bid falls outside the limit for ranking of responsive bidders' consideration. District 6 (MRE)

10. Staff recommends motion to approve: Amendment No. Two to the Joint Participation Agreement (R2006-0818), dated June 9, 2006, with the Florida Department of Transportation (FDOT), to reimburse Palm Beach County (County) for damage to Federal Highway Administration (FHWA) Federal Aid System roads caused by Hurricane Wilma. **SUMMARY:** This Second Amendment disburses to the County an additional amount of \$752,627, bringing the total County claim to \$3,747,034. Countywide (MRE)

11. Staff recommends motion to:

**A) approve** a County Incentive Grant Program (CIGP) Agreement with the State of Florida Department of Transportation (FDOT), in the amount of \$2,850,000 (\$350,000 for design and \$2,500,000 for right-of-way acquisition), for the new construction of Lyons Road from north of SR-806/Atlantic Avenue to south of SR-804/Boynton Beach Boulevard;

**B) adopt** a Resolution concerning this Agreement; and

**C) approve** a Budget Amendment of \$2,850,000 in the Road Impact Fee Fund - Zone 5 to recognize a County Incentive Grant Agreement with the Florida Department of Transportation and appropriate it to Lyons Road from north of Atlantic Avenue to south of Boynton Beach Boulevard.

**SUMMARY:** Through this Agreement, the County will receive a grant of \$2,850,000 (\$350,000 for design and \$2,500,000 for right-of-way acquisition) from the CIGP to design and acquire right-of-way for the new construction of Lyons Road from north of SR-806/Atlantic Avenue to south of SR-804/Boynton Beach Boulevard. The County will be responsible for all costs above this grant. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. DELETED

13. Staff recommends motion to:

**A) approve** an Agreement with the State of Florida Office of Tourism, Trade, and Economic Development (OTTED) to receive \$2,000,000 for off-site roadway improvements associated with the new Office Depot headquarters;

**B) adopt** a Resolution accepting future maintenance of the roadway improvements that are within the County right-of-way; and

**C) approve** a Budget Amendment of \$2,000,000 in the Transportation Improvement Fund to recognize a grant of Economic Development Transportation Funds from OTTED and appropriate it to Office Depot Headquarters - Off Site Roadway Improvements.

**SUMMARY:** This Agreement will allow Palm Beach County to receive Economic Development Transportation Funds (EDTF) from OTTED for off-site roadway improvements required for the Office Depot headquarters. At a later date, there will be an Agreement with the developer of the Office Depot headquarters for payment of funds to the developer for the improvements. The Resolution accepting maintenance responsibility for the improvements is a requirement of the OTTED Agreement. District 4 (MRE)

14. Staff recommends motion to:

**A) approve** Amendment Number Two to an Advance/Reimbursement Agreement previously approved under Resolution No. 2003-0312, with the Florida Department of Transportation (FDOT), which provided funding towards design, construction and construction administration associated with the Intelligent Transportation System (ITS) Operations Facility, at the County's Vista Center Facility; and

**B) adopt** a Resolution authorizing Amendment Number Two to the Advance/Reimbursement Agreement.

**SUMMARY:** This Amendment will allow FDOT to reimburse the County for the costs to furnish the offices at the ITS Operations Facility by reallocating funds within the previously approved Advance/Reimbursement Agreement in the amount of \$150,000. The current Advance/Reimbursement Agreement allows FDOT to reimburse the County for the costs of design, construction and construction administration associated with the ITS Operation Facility in the newly constructed County building located at the Vista Center, Parcel 22, District 2 (MRE)

15. Staff recommends motion to approve: an Assignment of Right to Purchase and Waiver of Claims for Loss of Access. **SUMMARY:** This action will provide for the settlement of all claims arising out of the County's denial of access to Lot 8, as designated in the Franklin Park Subdivision, by the County's construction of a pedestrian crossing bridge over the Florida East Coast (FEC) Railroad tracks. The settlement will release the County from damages while assigning the right to purchase the property to a third party. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to adopt: a Resolution transferring jurisdictional control, maintenance responsibilities, and ownership of Water Tower Road, from North Congress Avenue to Old Dixie Highway, to the Town of Lake Park. **SUMMARY:** This action will adopt a Resolution giving the Town of Lake Park control over, responsibility for, and ownership of Water Tower Road, being wholly within the Town limits, to reflect proper jurisdiction. District 1 (MRE)
  
17. Staff recommends motion to approve:
  - A) a Maintenance Agreement with Cocoa Pine Estates Homeowners Association, Inc. (Association), which provides for the Association to maintain improvements installed by the County using funding addressed in "B" below; and
  
  - B) a Budget Transfer of \$232,000 in the Transportation Improvement Fund from Reserve for District 4 to Coconut Lane for Palm Beach County to install beautification, pedestrian lighting and sidewalk improvements within the County's right of way for Coconut Lane between Military Trail and Barwick Road. The County's construction administration costs are to be funded from this amount.

**SUMMARY:** This Agreement requires the Association to maintain the County installed improvements in the County's right-of-way for Coconut Lane between Military Trail and Barwick Road. Prior to the County's installation of any of the improvements, the Association will contract with Florida Power and Light Company (FPL) for the Association to fund FPL's perpetual maintenance and operation of any pedestrian lighting components of the improvements. The Association will be responsible for the perpetual maintenance of all of the improvements. District 4 (MRE)
  
18. Staff recommends motion to approve: a Financial Assistance Agreement with the Cocoa Pine Estates Homeowners Association, Inc. (Association) to provide funding not-to-exceed \$18,000, to design right-of-way beautification, sidewalks, and pedestrian lighting in the County's right-of-way for Coconut Lane between Military Trail and Barwick Road. **SUMMARY:** This item provides funding in the amount of \$18,000 to design right-of-way beautification, sidewalks, and pedestrian lighting in the County's right-of-way for Coconut Lane between Military Trail and Barwick Road. The Board approved an \$18,000 Agreement with funding from District 4 to the Association on May 18, 2004, to do substantially the same design work as this Agreement provides. That agreement expired; however, the funding for that original Agreement is still in place and will now be supporting this Agreement. District 4 (MRE)
  
19. Staff recommends motion to approve: an Agreement with Mizner's Preserve Homeowners Association Incorporated (Community) for traffic control jurisdiction to be performed by the Sheriff's Office. **SUMMARY:** This Agreement authorizes the Palm Beach County Sheriff's Office to provide traffic control enforcement services within the above-referenced private residential community. District 5 (MRE)
  
20. Staff recommends motion to adopt: a Resolution vacating a portion of a 10-foot wide utility easement within Lot 47, Windrift at Jonathan's Landing, a Planned Unit Development, as recorded in Plat Book 58, Pages 127-129, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located within the Jonathan's Landing Planned Unit Development, east of State Road 811. The owners/petitioners are requesting the vacation because the pool and pool patio encroach into the utility easement and the owners want to clear the conflict. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement in the amount of Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000), inclusive of attorney's fees and costs in the eminent domain action styled Palm Beach County v. Chester Archer, et al., Case No. 502006CA010884XXXXMB. **SUMMARY:** This is an eminent domain action in which the County is seeking to acquire seven (7) parcels (Parcel A (PCN 00414036010120020), Parcel B (PCN 00414036010120030), Parcel C (PCN 00414036010120040), Parcel D (PCN 00414036010120050), Parcel E (PCN 00414036010120140), Parcel F (PCN 00414036010120150), Parcel G (PCN 00414036010140020), for incorporation into the Cypress Creek Natural Area. The County has negotiated a proposed settlement in the amount of Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000), subject to the approval of the Board of County Commissioners. This settlement is inclusive of attorney's fees and costs. District 1 (PGE)

E. COMMUNITY SERVICES

1. DELETED

2. Staff recommends motion to receive and file:

A) Contract with Children's Case Management Organization, Inc. for the period of November 1, 2006, to June 30, 2007, for the maximum amount of \$10,000;

B) Contract with Salvation Army, for the period of November 1, 2006, to June 30, 2007, for the maximum amount of \$25,000; and

C) Contract with Operation Hope, Inc. for the period of November 1, 2006, to June 30, 2007, for the maximum amount of \$25,000.

**SUMMARY:** On August 15, 2006 (Agenda Item 3.E.4), the Board of County Commissioners delegated authority to the County Administrator or his designee to sign contracts with Children's Case Management Organization, Inc., Salvation Army, and Operation Hope, Inc. This authorization and designation were necessary to expedite the agreements and thereby avoid gaps in service delivery to homeless individuals and families. (Human Services) Countywide (TKF)

3. Staff recommends motion to approve: Contract No. 07EA-6J10-01-023 Low-Income Home Energy Assistance (LIHEAP) with the State of Florida Department of Community Affairs (DCA) for the period March 1, 2007, through March 31, 2008, in an amount not to exceed \$1,099,378 for energy assistance. **SUMMARY:** LIHEAP funds of \$1,099,378 will enable Palm Beach County Community Action Program (CAP) to provide assistance to 3,417 low-income households with energy bills and crisis assistance to prevent service disconnection or restore utility assistance. No County funds are required. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve:

**A)** Change Order No. 3 to the contract with AFCO Constructors, Inc., in the amount of \$98,494 and an additional 2 calendar days for the Concourse "C" Gate Expansion Project at Palm Beach International Airport (PBI); and

**B)** Change Order No. 4 to the contract with AFCO Constructors, Inc., in the amount of \$84,300 and an additional 43 calendar days for the Concourse "C" Gate Expansion Project at PBI.

**SUMMARY:** On February 28, 2006, the BCC approved the construction contract (R2006-0338) with AFCO Constructors, Inc., for construction services for the Concourse "C" Gate Expansion at PBI in the amount of \$17,433,942. On June 19, 2006, the Department of Airports approved Change Order No. 1 approving a time extension of 7 calendar days. There was no change in the contract amount. On August 29, 2006, the Department of Airports approved Change Order No. 2 in the amount of \$10,484 to relocate 2 Passenger Boarding Bridges off airport property. Approval of Change Order No. 3 includes the resolution of four (4) Contract Change Proposals (CCP's). It was originally thought that Change Order No. 3 would be within the Contract Review Committee approval authority when negotiations began with the Contractor for Change Order No. 4. Clarification on PPM CW-F-050 from the Committee resulted in the determination that the value of Change Order No. 3 exceeded the Committee's authority when added to the value for the time extension. Since both Change Orders were packaged and signed by the Contractor, they are being brought to the Board simultaneously. Approval of Change Orders No. 3 and No. 4 will allow AFCO Constructors, Inc., to complete the necessary work as described in the Summary Reports. In addition, these Change Orders increase the contract time by a total of 45 calendar days. The Contractor reserves the right to request additional non-compensable time if necessary related to the CCP's noted in each Change Order. The Small Business Enterprise (SBE) participation for these change orders is 31.44%. The total SBE contract goal including all change orders is 15.18%. Countywide (JCM)

2. Staff recommends motion to approve: Change Order No. 5 to the contract with James A. Cummings, Inc., in the amount of \$412,524 for the Long Term Parking Garage No. 2 Project at Palm Beach International Airport (PBI). **SUMMARY:** On May 16, 2006, the BCC approved the construction contract (R2006-0842) with James A. Cummings, Inc., for construction services for the Long Term Parking Garage No. 2 at PBI in the amount of \$61,666,000. On August 28, 2006, the Department of Airports approved Change Order No. 1 in the amount of \$15,750 for additional dewatering. On November 21, 2006, the BCC approved Change Order No. 2 in the amount of \$263,493 to provide funds to complete the following items: replacement of high voltage primary electric feeders to the terminal and existing parking garage and associated work; and revenue control and high mast duct bank relocation and associated work. On November 20, 2006, the Department of Airports approved Change Order No. 3 in the amount of \$42,264 for over-excavation and backfill require for the removal of unsuitable materials encountered during the installation of footings. On January 3, 2007, the Department of Airports approved Change Order No. 4 in the amount of \$7,542 for site work, including potholing, to determine location of underground utilities and the removal of underground abandoned fuel storage tanks. Approval of Change Order No. 5 will provide funds to replace the remaining run of high voltage primary electric feeders to the terminal and existing parking garage. There is no additional contract time associated with this work. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The total SBE contract goal including all change orders is 16.28%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to approve: Change Order No. 1 to the contract with ThyssenKrupp Airport Systems, Inc., in the amount of \$218,571 and an additional 26 calendar days for the replacements of passenger loading bridges at Palm Beach International Airport (PBI). **SUMMARY:** On October 17, 2006, the BCC approved a contract (R2006-2205) with ThyssenKrupp Airport Systems, Inc., to replace the existing passenger loading bridges at PBI in the amount of \$15,360,608. Approval of Change Order No. 1 will provide funds to complete the following items: passenger loading bridge carpeting, anchor bolt template, modification of passenger loading bridge length, furnish roof ladder and cage access to passenger loading bridge roofs; and extend the contract time by 26 calendar days. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The total SBE contract goal, including this Change Order is 6.92%. Countywide (JCM)
  
4. Staff recommends motion to receive and file: one (1) original Agreement for the Department of Airports: Airline-Airport Use and Lease Agreement with jetBlue Airways Corporation, effective December 29, 2006. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2006-1906 pursuant to PPM CW-O-51. Countywide (LMB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a Contract with Cedars Electro-Mechanical, Inc., in the amount of \$819,375 to provide and install air conditioning at the Water Utilities Department (WUD) Waste Treatment South Regional Plant in Boynton Beach. **SUMMARY:** The work consists of the installation of new air conditioning systems and associated electrical for nine (9) existing buildings using reclaimed water as the cooling medium. There is 100% SBE participation in this Contract. This work will comply with all applicable local, state, and federal codes and regulations. The schedule is 180 days. (FD&O Admin) District 5 (JM)
  
2. Staff recommends motion to approve: JOC Work Order No. 07-049 with Engineered Environments, Inc. (R2005-0539) in the amount of \$12,683.85 to provide additional renovations at the Mosquito Control complex in Lake Worth. **SUMMARY:** The work consists of additional work required to complete post-hurricane renovations which includes demolition of an unsafe building and damaged fencing; repairs needed to stabilize and secure other buildings; exterior repairs and painting of all buildings; new fencing to secure the site; construct a covered mechanic's work area; replacement landscaping; etc. The SBE participation in this Work Order is 0%. When the participation for this Work Order is added to the total participation-to-date, the resulting values are 21.8%. The SBE goals are 15%. This Work Order requires Board approval since the total project cost exceeds \$200,000. The original Work Order for \$192,857.84 was approved by the Contract Review Committee (CRC) on June 21, 2006. The total construction duration is 60 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: JOC Work Order No. 07-039 with H.A. Contracting Corp., (R2005-0541) in the amount of \$299,345.23 to provide replacement bus wash equipment for the Palm Tran facility in West Palm Beach. **SUMMARY:** The work consists of the replacement of the existing automatic bus wash equipment with new equipment. The existing equipment for washing the exterior of the buses is approaching the end of its serviceable life and requires extensive maintenance. Replacement will eliminate the maintenance issues, increase in-service time and be more energy efficient. The SBE participation in this Work Order is 15.03%. When the participation for this Work Order is added to H.A.'s total participation-to-date, the resulting values are 15.1%. The SBE goals are 15%. The total construction duration is 180 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide/District 7 (JM)
  
4. Staff recommends motion to approve: JOC Work Order No. 07-036 with M.A.C. Construction, Inc., (R2005-0537) in the amount of \$295,773.70 to provide replacement bus wash equipment for the Palm Tran South facility in Delray Beach. **SUMMARY:** The work consists of the replacement of the existing automatic bus wash equipment with new equipment. The existing equipment for washing the exterior of the buses is approaching the end of its serviceable life and requires extensive maintenance. Replacement will eliminate the maintenance issues, increase in-service time and be more energy efficient. The SBE participation in this Work Order is 7.61%. When the participation for this Work Order is added to M.A.C.'s total participation-to-date, the resulting values are 25.3%. The SBE goals are 15%. The total construction duration is 180 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide/District 7 (JM)
  
5. Staff recommends motion to approve:
  - A) Contract with Construction Technology, Inc. in the amount of \$188,000 for construction of boat staging docks at Burt Reynolds Park; and
  
  - B) Budget Transfer of \$50,000 from Florida Boating Improvement Program reserves to Burt Reynolds Park - Park Improvements.

**SUMMARY:** This Contract will provide for the construction of 100 linear feet of staging dock on the park's west side, 196 linear feet of staging dock extension on the park's east side and the replacement of the existing ramp piers' decking on the west side. The SBE goal for this project is 15%. The Construction Technology, Inc. bid includes participation of 80.1%. The contract time is 120 calendar days to substantial completion. This Budget Transfer is possible using reserves from the Florida Boating Improvement Program, and will provide the necessary funding to award this Contract. (Capital Improvements Division) District 1 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: a First Amendment to the Agreement (R2004-0458) with Jupiter Medical Center, Inc. (Hospital), allowing for interoperable communications through the countywide and EMS common groups of the County's 800 MHz Radio System to extend the term of the Agreement until March 16, 2010. **SUMMARY:** The Agreement with the Hospital, which provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications, will expire on March 16, 2007. The Agreement provides for three (3) - three (3) year renewals, but renewals require approval by both parties. The Hospital has approved a renewal to extend the term of the Agreement until March 16, 2010. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to other hospitals and EMS providers. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. (FDO/ESS) Countywide (JM)

7. Staff recommends motion to approve:

A) Mutual Assignment of FCC Licenses/Reconfiguration Certifications with Nextel South Corp. (R2006-1421); and

B) Closing Certificate with Nextel South Corp. (Nextel) that provides for Nextel to pay for the reconfiguration of the County's frequencies on the 800 MHz radio band.

**SUMMARY:** The County entered into a Frequency Reconfiguration Agreement (FRA) with Nextel South Corp., on August 15, 2006, under which Nextel was to reconfigure the County's frequencies on the 800 MHz radio band. The Federal Communications Commission issued an Order that modified its rules governing the 800 MHz band. The purpose of the Order was to reconfigure the 800 MHz band to minimize harmful interference to public safety radio communication systems in the band. The County and Nextel are both licensed on frequency allocations subject to reconfiguration. Pursuant to the Order, Nextel will pay the County the total amount to effect a reconfiguration of the County's affected frequency allocations. Under the terms of the FRA, the County relinquishes its current frequencies and relocates its system to newly assigned replacement frequencies and Nextel pays the County for the costs incurred. The Mutual Assignment and Closing Certificate confirm the transfer of the County's frequencies to Nextel and the assignment of new frequencies to the County as a replacement in accordance with the terms of the FRA. (FDO/ESS) Countywide (SF)

8. Staff recommends motion to approve: License Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) that provides for the CRA to use and occupy office space at the County's Airport Center. **SUMMARY:** The CRA shall occupy office space within the County's Department of Housing and Community Development (HCD) at Airport Center for use as staff office space and file storage. Originally, the CRA shall occupy approximately 748 square feet of space on the fifth floor of Building 2 until renovations are completed in Building 1. Upon completion of the renovations in Building 1, the CRA shall vacate Building 2 and instead occupy approximately 1,143.7 square feet of space on the fourth floor of Building 1. The License Agreement includes the non-exclusive use by the CRA of the common areas (support areas, conference rooms, copy/work rooms) assigned to HCD subject to the scheduling approval of HCD. The CRA shall fund the purchase and installation of all furniture, non-fixed fixtures, and other equipment necessary to operate within HCD. The CRA shall also purchase and install all of its own communications equipment using the existing infrastructure, wiring, and cabling subject to the County's approval. The County shall be responsible for the maintenance of the office space and for all the utilities consumed other than long distance telephone service. There is no fee associated with this License Agreement. The term of the Agreement is two (2) years. (FDO Admin) District 3 (JB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: Amendment No. 1 to Contract with Knight Electric Company, Inc. (R2006-0206) to implement the first renewal of the annual contract. **SUMMARY:** This agenda item is a renewal to the Annual Contract -Electrical which was awarded to Knight Electric Company, Inc. as one (1) of four (4) approved participants. The contractor will continue to perform on projects for various facilities. This annual electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$600,000. The renewal term is twelve (12) months or until \$600,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The SBE goals for the annual electrical contracts are 15%. Knight Electric's participation for work orders issued-to-date is 100%. Work orders issued-to-date for all four (4) annual contracts, include a combined SBE participation of 80.5%. (FD&O Admin) Countywide (JM)
10. Staff recommends motion to approve: Amendment No. 1 to Contract with B.K. Electric, Inc. (R2006-0205) to implement the first renewal of the annual contract. **SUMMARY:** This agenda item is a renewal to the Annual Contract - Electrical which was awarded to B.K. Electric, Inc. as one (1) of four (4) approved participants. The contractor will continue to perform on projects for various facilities. This annual electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$600,000. The renewal term is twelve (12) months or until \$600,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. The SBE goals for the annual electrical contracts are 15%. B.K. Electric's participation for work orders issued-to-date is 100%. Work orders issued-to-date for all four (4) annual contracts, include a combined SBE participation of 80.5%. (FD&O Admin) Countywide (JM)
11. Staff recommends motion to approve:
- A)** Amendment No. 2 to Contract with H.A. Contracting Corp.(R2005-0540) to increase the total dollar value limit by \$250,000 to \$1,750,000; and
- B)** JOC Work Order No. 07-062 with H.A. Contracting Corp. (R2005-0540) in the amount of \$809,873.19 to provide replacement of the existing Uninterrupted Power Supply (UPS) system for PBSO Administration, CJC Building A.
- SUMMARY:** Amendment No. 2 will provide sufficient contract capacity to allow Work Order No. 07-062 to be authorized. This increase in capacity will cover the amount of this Work Order, any changes to this work, as well as change orders to other open work orders. Work Order No. 07-602 consists of the replacement of the existing UPS system including remodeling of a room to house the system, with associated electrical and HVAC upgrades. The SBE goals are 15%. SBE participation in this Work Order is 68.10%. When the participation for this Work Order is added to H.A.'s total participation-to-date, the resulting values are 33.1%. The total construction duration is 180 days. This Work Order will comply with all applicable local, state and federal codes and regulations. (FD&O Admin) Countywide/District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to approve:

**A)** JOC Work Order No. 07-050 with H.A. Contracting Corp., (R2005-0540) in the amount of \$230,877.50 to provide a replacement screen enclosure for the cafeteria patio for the Judicial Center in West Palm Beach; and

**B)** a Budget Transfer of \$268,482 from reserves to the Hurricane Wilma Repair project budget line within the Public Building Improvement Fund.

**SUMMARY:** Due to damage by Hurricane Wilma, the security screen enclosure must be replaced. The scope of the work consists of design and installation to meet current building code requirements. Federal Emergency Management Agency (FEMA) has determined that these costs are reimbursable and have approved via FEMA PW No. 8159. The SBE participation in this Work Order is 4.56%. When the participation for this Work Order is added to H.A.'s total participation-to-date, the resulting values are 16.6%. The SBE goals are 15%. The total construction duration is 180 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide/District 7 (JM)

13. Staff recommends motion to approve: a Contract with Musco Sports Lighting LLC., in the amount of \$225,067 to furnish and install new outdoor lighting for two (2) ball fields at the Glades Pioneer Park in Belle Glade. **SUMMARY:** The work consists of furnishing and installing sixty-two (62) light fixtures on sixteen (16) new 60' & 70' tall concrete poles. Includes all new electrical wiring and electrical disconnect switches. This procurement is "piggybacking" on the existing annual contract between the City of Jacksonville (SC-0511-06) and Musco Sports Lighting. The existing City of Jacksonville contract has 0% SBE participation. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) District 6 (JM)

14. Staff recommends motion to approve: Amendment No. 3 to Contract with H.A. Contracting Corp. (R2005-0540) to implement the final renewal of Job Order Contract-Central. **SUMMARY:** This agenda item is a renewal to the Job Order Contract-Central which was awarded to H.A. Contracting Corp. The contractor will continue to perform as an "annual general contractor" for implementation of maintenance and capital projects. This Job Order Contract (JOC) is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the contract. All terms of the original contract remain in effect. This is the final extension allowed by the Contract. The SBE goals for the JOC program are 15%. H.A. Contracting Corp.'s participation for work orders issued-to-date is 18.1%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve:

**A)** an Interlocal Agreement with the City of Lake Worth (City) for the construction and operation of wells and a transmission pipeline at John Prince Memorial Park (Park);

**B)** a Temporary Construction Easement in favor of the City across a portion of the Park;

**C)** Modification of Restrictions in Deed No. 18537-C from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (BOT), to allow municipal wells and public utilities; and

**D)** Modification of Restrictions in Deed No. 18516-G from the BOT, to allow municipal wells and public utilities, and to provide that no portion of the property be used for a performing educational arts center.

**SUMMARY:** Pursuant to this Interlocal Agreement, the County will grant necessary easements to the City for the construction, operation and maintenance of up to four (4) Floridan Aquifer wells and one (1) surficial well at John Prince Memorial Park. This Interlocal Agreement will provide the City up to 20 years to request the easements from the County. Upon approval of the Interlocal Agreement and in exchange for the County's granting the easements, the City shall provide a \$200,000 credit for the benefit of the Parks and Recreation Department to use toward future water and sewer connection fees. This Temporary Construction Easement (TCE) will encumber several areas on the west side of Lake Osborne Drive between Lake Worth Road and Griswold Drive. The TCE will automatically terminate upon the earlier of the City's completion of the project or one (1) year after the effective date. Upon completion of the well and pipeline installation, the City will provide the County with as-built drawings so the County can grant the City a permanent easement. The land for John Prince Memorial Park was conveyed to the County, by the BOT, with a deed restriction that the property be used for park and forest purposes. Both Modifications of Restrictions will modify the restrictions to include public utilities. Additionally, one (1) Modification will provide that no portion of the property may be used for a performing educational arts center. The Parks and Recreation Department has reviewed and approved the location of the easement areas. The City's approval of the Interlocal Agreement and TCE is scheduled for consideration on February 6, 2007, and BOT's approval of the Modifications is scheduled for consideration on March 13, 2007. The Interlocal Agreement and TCE are contingent upon the BOT's approval of the Modifications of Restrictions. The Interlocal Agreement may be terminated by either party with 90 days prior written notice. (PREM) District 3 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. Staff recommends motion to approve: a Lease with Boynton Beach Property Holdings, LLC, a Florida limited liability company, for 967 square feet of office space located at 410 East Boynton Beach Boulevard in unincorporated Boynton Beach at an annual rate of \$20,307. **SUMMARY:** The County's Community Services Department previously operated a Community Action Program (CAP) at the Boynton Beach Child Care Center, but a conflict of usage at that site caused CAP to cease operating at such location. Staff located an alternate site at 410 East Boynton Beach Boulevard, in eastern Boynton Beach near public transportation routes. This Lease provides for the use of 967 square feet of office space and the non-exclusive use of the parking spaces and common areas. The initial term of the Lease is for three (3) years, ending February 26, 2010, with two (2) options to renew, each for one (1) year. The annual rental rate for the initial Lease term is \$20,307 (\$21/sf) with an annual three percent (3%) increase. The annual rental rate includes common area maintenance and charges for sewer, water and trash removal. The County is responsible for the payment of all other utilities. The County has the right to terminate the Lease upon ninety (90) days written notice. The County's Facilities Management Division will provide general maintenance for the premises, as well as janitorial and pest control services, estimated at \$8,547.33, until this site is added to the annual contract for such services in FY '08. Additionally, the County is responsible to ensure the leasehold is in compliance with ADA regulations. Such renovations are not expected to exceed \$10,805 and will be funded by CAP. (PREM) District 7 (JMB)
  
17. Staff recommends motion to approve: a First Amendment to Internal Ground Lease (R2000-1870) dated November 21, 2000 with the Department of Airports for land located at 1166 Marine Drive in West Palm Beach. **SUMMARY:** The Community Service Department's Division of Head Start and Children's Services currently leases 11,200 square feet (140' by 80') of land from the Department of Airports. The property is located at 1166 Marine Drive on the west side of 6<sup>th</sup> Street, north of Belvedere Road in West Palm Beach. In order to create office space for its administrative staff, the Division placed a 1,700 square foot office modular on this property. The Division's staff will be relocating less than 1/4 mile to 3323 Belvedere Road, Building 502, in West Palm Beach. This First Amendment will provide for the termination of the Internal Ground Lease, effective February 28, 2007, and a 60-day period for the Division to remove the modular building and restore the land. (PREM) District 2 (JMB)
  
18. Staff recommends motion to approve: Amendment Number Three to Lease Agreement (R2000-2059) dated December 19, 2000, with Oscar Rojas and Catalina Rojas for 12,625 square feet in the Palm Coast Plaza at 3040-3044 South Military Trail in Lake Worth at an annual rate of \$233,562.50/yr. **SUMMARY:** Palm Tran currently leases 12,625 square feet of office space within the Palm Coast Plaza at 3040-3044 South Military Trail in Lake Worth for the operation of the Palm Tran Connection (PTC). The Lease term expires March 31, 2007. This Amendment will: i) extend the term for three (3) years, from April 1, 2007 through March 31, 2010, with two (2) renewal options each for two (2) years; ii) require Landlord to repair any current roof leaks by June 1, 2007 and retain a roofing company with a 48-hour response time; iii) require Landlord to install hurricane shutters by November 1, 2007; iv) decrease the Landlord's maintenance obligation response time from 30 to 15 days and if Landlord is unable to make such repairs, to allow PTC to arrange repair and deduct costs from rent due Landlord; and v) update the Notice provision. The annual rental rate will increase as of April 1, 2007, by \$2.72/sf, with an annual rate of \$233,562.50 (\$18.50/sf), with four percent (4%) annual increases. The County has the right to terminate the Lease upon ninety (90) days written notice with a termination penalty equal to three (3) months rent. All other terms of the Lease remain unchanged. (PREM) District 3 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

19. Staff recommends motion to approve:

A) reallocation of \$125,000 from the Fire Rescue Station 23 Public Art Project to the PBC Convention Center thus increasing the Convention Center's public art allocation from \$500,000 to \$625,000; and

B) change in scope of PBC Convention Center Public Art Project from an enhanced landscape project to a lighting project.

**SUMMARY:** On January 13, 2004, the Board of County Commissioners approved the following eight (8) public art projects funded by the 2002 Recreational and Cultural Bond Issue, which included \$1,000,000 for public art projects; 1) Convention Center (\$500,000 = \$250,000 from 2002 Recreational and Cultural Bond Issue and \$250,000 from Convention Center Capital Project budget for landscape); 2) Grant Program (\$100,000); 3) South County Civic Center (\$75,000); 4) Lake Region Communities Art Trail (\$125,000); 5) Black Heritage Trail (\$150,000); 6) Fire Rescue Training Facility at Cross State Land Fill (\$25,000); 7) South County Administrative Complex (\$150,000); and 8) Fire Rescue Station No. 23 (\$125,000). After construction completion of Fire Station 23, the Committee felt the site's setback from the road would result in low visibility of the public art and that the site would not provide the aesthetic impact and broad community access it sought to deliver for the first projects funded with the 2002 Bond. Therefore, it is recommended that Fire Station 23 public art project be eliminated and the \$125,000 reallocated to the Convention Center which is currently under-funded to meet the objectives of that project. The Committee believes that a signature artistic lighting project at the Convention Center will establish a striking presence by day and night and will enhance the Convention Center's visibility as a gateway to Palm Beach County. A lighting project will transform the existing architecture of the Convention Center façade to create an inviting and welcoming environment that conveys "The Best of Everything". (FDO Admin) Countywide (MJ)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: an Agreement with the Town of Jupiter for street improvements on Hepburn and Orange Avenues, in the amount of \$70,846 in Community Development Block Grant (CDBG) funds for the period of February 27, 2007, through February 28, 2008. **SUMMARY:** These improvements are part of the Town of Jupiter's Pine Gardens North Street Scape Project. Brick paved crosswalks are planned at the intersection of Hepburn Avenue with Jupiter, Juno, and Venus Streets, and at the intersection of Orange Avenue with Evernia, Fern, and Hibiscus Streets. Additionally, white picket fencing will be installed along the sidewalks on Orange Avenue between Evernia and Hibiscus Streets. **This Agreement will provide \$70,846 in Federal CDBG funds which do not require local matching funds.** District 1 (TKF)

2. Staff recommends motion to approve: an Agreement with the City of Riviera Beach for street improvements on West 32<sup>nd</sup> Street in the amount of \$238,115, in Community Development Block Grant (CDBG) funds for the period of February 27, 2007, through February 28, 2008. **SUMMARY:** CDBG funds will be used for street improvements in the N.W. section of the City. The work will be undertaken on the 1300 and 1400 blocks of West 32nd Street. The street improvements will include storm water drainage, curbs, gutters, sidewalks, paving, landscaping, relocation of water and sewer lines, adjustment of sewer laterals/water meters/valves, retaining walls, resetting of chain link fences and other incidental work associated with these improvements. **This Agreement will provide \$238,115 in Federal CDBG funds which do not require local matching funds.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2006-2235) with The Juvenile Transition Center, Inc., to change the eligibility requirements for reimbursable units. **SUMMARY:** The Juvenile Transition Center, Inc. administers a college exam preparatory program and community service program for at-risk youth. Amendment No. 001 redefines the attendance requirement for reimbursable units as 100% with up to one (1) excused absence per week rather than 80% with unlimited excused absences. **These are federal CDBG funds that require no local match.** Countywide (TKF)
  
4. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2006-2234) with Redlands Christian Migrant Association, Inc. to revise attendance requirements for reimbursement under the Agreement. **SUMMARY:** Redlands Christian Migrant Association, Inc. (RCMA) has an Agreement with the County (R2006-2234) for \$30,000 of FY 2006-2007 Community Development Block Grant (CDBG) funds to provide child care services to children of low-income families at the RCMA Child Development Center in Belle Glade; and at the RCMA Farmworker Child Development Center in Delray Beach on an ongoing basis, throughout the term of the Agreement. Amendment No. 001 will revise the attendance requirements for reimbursement to require that a child must attend the child care facility for a minimum of three (3) days per week to qualify the week for reimbursement. Only days of actual attendance and legal holidays which occur Monday through Friday for which the child care facility is closed will be counted toward the three (3) days attendance required to qualify the week for reimbursement. **These are federal funds and no match from County General Fund is required.** Countywide (TKF)
  
5. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2006- 2458) with Children's Coalition, Inc. to change the method of calculation for reimbursable units. **SUMMARY:** The Children's Coalition, Inc., administers its Believe and Achieve Project, which provides daily instruction and after school programs for at-risk youths. Amendment No. 001 redefines the method of calculation for reimbursable units. The Children's Coalition, Inc. initially was to be reimbursed per unit of service on a weekly basis. However, based on the current operation of the agency's Believe and Achieve Project, the agency and Palm Beach County determined that the reimbursement should be calculated on a daily basis for each unit of service. As a result, both parties decided that the Agreement (R2006-2458) be amended to provide that the calculation for reimbursement of each unit of service be based upon daily attendance of students instead of weekly attendance. The Children's Coalition, Inc. proposes to operate the Believe and Achieve Program twenty-two (22) days a month and serve approximately thirty-five (35) students per day. HCD proposes to provide reimbursement in the amount of \$3.79 per day for each student assisted. **These are federal CDBG funds that require no local match.** Countywide (TKF)
  
6. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2006-2232) with Aid to Victims of Domestic Abuse, Inc. to: a) revise the number of individuals to be assisted from thirty (30) individuals monthly to twenty (20) individuals monthly; and b) to change the per unit amount of assistance from \$4.57 per person to \$6.85 per person. **SUMMARY:** Aid to Victims of Domestic Abuse, Inc. (AVDA) has an agreement with the County (R2006-2232) for \$50,000 of FY 2006-2007 Community Development Block Grant (CDBG) funds to provide transitional housing and support services for up to 30 homeless victims of domestic abuse monthly at Casa Vegso, during the period October 1, 2006 to September 30, 2007. Approval of Amendment No. 001 will revise the number of persons served monthly to twenty (20), based on the realized occupancy rate. This Amendment also changes the reimbursement rate from \$4.70 to \$6.85 per person, per day, based upon the revised number of persons served. **These are federal funds and no match from County General Fund is required.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

7. Staff recommends a motion to receive and file:

**A)** the Interlocal Cooperation Agreement with the City of Boynton Beach for the Florida Community Development Block Grant Disaster Recovery Initiative;

**B)** the Interlocal Cooperation Agreement with the City of Delray Beach for the Florida Community Development Block Grant Disaster Recovery Initiative; and

**C)** the Interlocal Cooperation Agreement with the City of West Palm Beach for the Florida Community Development Block Grant Disaster Recovery Initiative.

**SUMMARY:** On July 18, 2006, the Palm Beach County Board of County Commissioners (BCC) approved Resolution (R2006-1351) to: a) authorize the County Administrator to execute an application for funding to the State under the CDBG Disaster Recovery Initiative, and to execute certifications and all other documents related to the application and the implementation of projects; b) authorize Palm Beach County Housing and Community Development to be the lead agency in the preparation and submission of the application to the State; c) authorize the County Administrator to execute interlocal agreements with municipalities who submit eligible projects that are recommended for funding; and d) authorize the County Administrator to sign grant agreements with organizations selected to receive funding. In order to meet the application deadline of a very brief application period, the County Administrator exercised his signatory authority granted under Resolution No. R2006-1351 and copies of those executed Interlocal Agreements were forwarded as part of the Joint Application to the Department of Community Affairs. Countywide (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

**A) adopt** Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for one (1) historic property located within the City of Delray Beach; and

**B) approve** restrictive covenant for the historic property, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

**SUMMARY:** The Resolution will authorize a County tax exemption for the following historic property located within the City of Delray Beach:

Address: 118 ½ Southeast 7th Avenue

If granted the tax exemption shall take effect January 1, 2007, and shall remain in effect for ten (10) years, or until December 31, 2016. The exemption shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2006 millage rate, it is estimated that approximately \$1,056 (tax dollars) will be exempted annually. Accompanying the Resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 4 (RB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING (Cont'd)

2. Staff recommends motion to:

**A) adopt** Resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting County tax exemptions for a total of ten (10) historic properties located within the City of West Palm Beach; and

**B) approve** restrictive covenants for each historic property, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

**SUMMARY:** The Resolutions will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach:

- Address: 221 Greenwood Drive
- Address: 209 Wenonah Place
- Address: 731&735 Palm Street
- Address: 738 Newark Street
- Address: 125 East Lakewood Rd
- Address: 214 East Lakewood Rd
- Address: 340 Greymon Drive
- Address: 290 Flamingo Drive
- Address: 428 37th Street
- Address: 533 Clematis Street

If granted the tax exemption shall take effect January 1, 2007, and shall remain in effect for ten (10) years, or until December 31, 2016. The exemption shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2007 millage rate, it is estimated that approximately \$18,823.77 tax dollars will be exempted annually. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 2 & 7 (RB)

K. WATER UTILITIES

1. Staff recommends motion to approve: a partial Release of utility easement on land owned by Lantana Square Outparcel, 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 13935, Page 1526. During development of the new Walgreens on the southwest corner of Lantana Road and Jog Road, it was determined that the alignment of the building would encroach on a portion of the utility easement. The property owner now requests release of the portion of the original easement. The Water Utilities Department concurs with this request and, therefore, recommends the partial release. There is no cost to the property owner for this partial release of easement. District 3 (MJ)
  
2. Staff recommends motion to approve: an Amendment to Irrevocable Standby Letter of Credit, No. SM220399W, decreasing the amount from \$438,000 to \$196,000 for The BG Group, LLC. **SUMMARY:** On June 6, 2006, the Board approved a contract with The BG Group, LLC for demolition of Water Treatment Plant Nos. 1 and 3, and Wastewater Treatment Plant 9N (R2006-1001) in the amount of \$438,000. The contract was approved subject to receipt of an acceptable public construction bond or letter of credit. The Clean Irrevocable Standby Letter of Credit, No. SM220399W was issued by Wachovia Bank, National Association and received and filed by the Board on September 12, 2006 (R2006-1930). The Contractor has completed more than half of the work covered under this contract and has requested his Letter of Credit be reduced accordingly. This agenda item recommends the Board approve the Amendment to the Clean Irrevocable Standby Letter of Credit, No. SM220399W issued by Wachovia Bank, National Association. Districts 2 & 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** a Reclaimed Water Agreement with Temple Medical, LLC. **SUMMARY:** Reclaimed water agreements are required for those property owners seeking to obtain reclaimed water service from the County in order to comply with the requirements of the Florida Department of Environmental Protection and the Water Utilities Department. While the Department normally utilizes standard Agreements that are executed at the Department level, non-standard Agreements are sometimes required to handle special circumstances such as this where reclaimed water is not presently available. Temple Medical, LLC has agreed to install a reclaimed water pipeline along its entire east property line at its sole cost. This line will remain dry until reclaimed water mains are later extended to the property by the County. Temple Medical, LLC has also agreed to pay the County \$50,000 as a contribution toward construction of the future off-site reclaimed water main. Within 60 days of notification that reclaimed water is available, Temple Medical, LLC will use the reclaimed water for landscape irrigation. Until that time, Temple Medical, LLC will obtain necessary approvals to use non-reclaimed water for irrigation. District 5 (MJ)
  
4. **Staff recommends motion to approve:** a Potable Water and Wastewater Development Agreement with the Florida Department of Transportation, Florida's Turnpike Enterprise (FDOT) for construction of improvements at the Turnpike's West Palm Beach Service Plaza. **SUMMARY:** The FDOT is constructing a new law enforcement and dispatch center for the Florida Highway Patrol's Troop "L" at the Turnpike's West Palm Beach Service Plaza. Under the terms of this Agreement, FDOT will construct new and upgrade existing infrastructure to comply with Department standards; transfer ownership of all infrastructure to the Palm Beach County Water Utilities Department; provide the Department with utility easements for access to the newly acquired infrastructure; and pay all standard utility rates and fees as outlined in the Department's Uniform Policies and Procedures Manual (UPAP). The Department agrees to own, operate, and maintain all potable water and wastewater facilities up to identified points of service. While the Department Director has been delegated the authority to enter into standard development agreements, Board approval is being sought in this case due to the specialized nature of this request. District 6 (MJ)
  
5. **Staff recommends motion to receive and file:** one (1) Standard Development Agreement and one (1) Standard Development Renewal Agreement complete with executed documents received during the months of November and December 2006:

**Standard Development Agreement**

A) Vini Management Company 02-01115-000

**Standard Development Renewal Agreement**

B) The William Chinnick Charitable Foundation, Inc 05-01044-R00

**SUMMARY:** The terms and conditions for Standard Development Agreements are outlined in the Water Utilities Department's Uniform Policies and Procedures Manual. The Board of County Commissioners delegated the authority to execute various types of Standard Development Agreements to the Department Director including potable water and wastewater agreements (R93-1619); reclaimed water agreements (R96-0228); and additional conditions for potable water, wastewater, and reclaimed water agreements (R2003-0539). After these agreements are executed by the developer and the Department, they must be recorded by the County Clerk's Office. This agenda item recommends the Board receive and file the agreements so they may be properly recorded. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: one (1) Agreement for Purchase and Sale involving one (1) parcel (1.30 acres) of land in the Palm Beach Heights subdivision to be purchased using the Natural Area Fund. The cost of purchasing the property is \$2,300 (land cost), plus \$700 (closing and miscellaneous costs) for a total of \$3,000. **SUMMARY:** The Palm Beach Heights subdivision is north of Indiantown Road and northeast of the Bee Line Highway and includes lots in both Palm Beach and Martin Counties. The Palm Beach County portion of the subdivision contains 432 lots which range in size from 1 to 16.55 acres. Pursuant to the Palm Beach County (the County) White Paper dated July 18, 2005, lots in the Palm Beach Heights subdivision are considered unbuildable. Over the years, 107 of the 432 lots in Palm Beach Heights have escheated to the County because the former owners stopped paying taxes on the property. In November 2006, Mr. William G. and Mrs. Betsy W. Guthrie sent a letter to the County's Department of Environmental Resources Management (ERM) asking if the County would be interested in purchasing their property for conservation purposes. The agreed purchase price is slightly more than the 2005 assessed value as determined by the Property Appraiser's Office. A pre-acquisition environmental assessment will be performed by ERM. The survey requirement has been waived by ERM due to the low value and remote location of the property. Acquisition of the property is subject to a satisfactory pre-acquisition environmental assessment and confirmation that there are no objectionable title defects. District 1 (JB)

2. Staff recommends motion to approve:

A) Budget Transfer of \$190,000 from Reserves to the Cypress Creek Natural Area account within the 1999 Conservation Bond Fund; and

B) Budget Transfers of \$1,298,003 from Reserves and \$707,599 from various projects to the Cypress Creek Natural Area account within the 2001 Conservation Bond Fund.

**SUMMARY:** The Board approved Resolution No. R2006-0269 on February 7, 2006. The Resolution authorized the start of eminent domain proceedings to purchase twelve (12) parcels in the Cypress Creek Natural Area. The purchase of five (5) parcels is complete. The remaining seven (7) owners have settled pending Board approval via an item scheduled on today's agenda submitted by the County Attorney's Office. These Budget Transfers establish funding for this settlement in the Cypress Creek Tract project account from Reserves for property acquisitions totaling \$1,238,003: Reserve Future Arbitrage (\$250,000), Hungryland Slough (\$375,000), Pond Cypress (\$100,000), Delaware Scrub (\$36), Pondhawk (\$1,055), Lake O Connector (\$7,480), Lake Park Scrub (\$200,000) and the Ag Reserve (\$24,028) to provide for acquisition. District 1 (PGG)

M. PARKS & RECREATION

1. Staff recommends motion to adopt: a Resolution repealing Resolution No. R77-1170 as amended by Resolutions R91-1626 and R98-1903, which will dissolve the Okeeheelee Park Citizens Advisory Committee. **SUMMARY:** The Okeeheelee Park Citizens Advisory Committee was established in 1977 and charged with the duty of providing input regarding planning and development of Okeeheelee Park and Okeeheelee Park South, formerly known as Cholee Park, and to relay the recommendations to the Board of County Commissioners. The Advisory Committee has not conducted official business since July 2, 2003, and there are currently no active members. With the completion of the Jim Brandon Equestrian Center in Okeeheelee Park South, the purpose of this Advisory Committee has been accomplished. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. DELETED

3. **Staff recommends motion to approve:** Agreement with Place of Hope, Inc. for the period February 27, 2007, through April 30, 2007, in an amount not-to-exceed \$5,000 for the Voices of Hope community event. **SUMMARY:** This funding is to help offset costs for the Voices of Hope community event held on December 13, 2006. The Agreement allows for the reimbursement of eligible project costs incurred by Place of Hope, Inc. subsequent to October 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 4 (AH)

4. **Staff recommends motion to approve:** Agreement with the Boynton Regional Symphony Orchestra, Inc. for the period February 27, 2007, through July 30, 2007, in an amount not-to-exceed \$2,500 for public concerts. **SUMMARY:** This funding is to help offset the cost of public concerts to be held in various locations in the spring of 2007. The Agreement allows for the reimbursement of eligible project costs incurred by the Boynton Regional Symphony Orchestra, Inc. subsequent to May 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 3 (AH)

5. **Staff recommends motion to receive and file:** the following original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project: Gold Coast School of Choice, in an amount not-to-exceed \$10,000 for the Intergenerational Bonding Program and soup kitchen. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. District 2 (AH)

6. **Staff recommends motion to receive and file:** the following original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project: Atlantic Community High School, in an amount not-to-exceed \$10,000 for their girl's basketball program. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. District 7 (AH)

7. **Staff recommends motion to receive and file:** the executed Independent Contractor Agreements received during the month of January:

**A)** East Coast School of Self Defense, Martial Arts Program, Coconut Cove Recreation Center (EAST1090390107525400A);

**B)** Gordon Andrews, USA Head Swim Coach, Lake Lytal Pool (ANDR00200207530200I); and

**C)** Andres & Catherine Gonzalez, Martial Arts Instructors, West Jupiter Recreation Center (GONZ1093100207523300A).

**SUMMARY:** In accordance with County PPM No. CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreement(s) have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director of the Parks and Recreation Department in accordance with Resolution No. 94-422, amended by Resolution No. 02-2103, and are now being submitted to the Board to receive and file. Countywide (AH)

### 3. CONSENT AGENDA APPROVAL

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

8. Staff recommends motion to:

**A) ratify** the signature of the Chairperson of the Board of County Commissioners on a Community Development Block Grant (CDBG) application, submitted to Palm Beach County Housing and Community Development (HCD) on January 5, 2007, requesting \$75,000 for Westgate Park and Recreation Center Splash Playground to be matched with \$125,000 from the Park Improvement Fund and \$75,000 in CCRT funding;

**B) authorize** the County Administrator or his designee to execute the grant project agreement and all future time extensions, task assignments, necessary minor amendments, and any other necessary forms and certifications during the term of the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and

**C) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with HCD for this project.

**SUMMARY:** The application requests \$75,000 from CDBG toward the construction of the Westgate Park and Recreation Center Splash Playground. District 2 (AH)

9. Staff recommends motion to approve:

**A)** Interlocal Agreement with the City of Delray Beach for the period February 27, 2007, through February 26, 2010, in an amount not-to-exceed \$1,000,000 for funding of the Old School Square Parking Garage;

**B)** Budget Transfer of \$500,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2005 to Delray Beach Old School Square Parking Garage; and

**C)** Budget Transfer of \$500,000 within the Transportation Improvement Fund from District 4 Reserves to Delray Beach Old School Square Parking Garage.

**SUMMARY:** This Agreement provides funding for construction of a parking garage at the intersection of Northeast 1st Street and Northeast 2<sup>nd</sup> Avenue in Delray Beach adjacent to the Old School Square Cultural Arts Center. Project elements include the construction of a four (4) story, five (5) level parking structure with restrooms. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum and the Transportation Improvement Fund. Districts 4 & 7 (PFK)

#### Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

**A)** a Budget Transfer of \$9,000 in Criminal Justice Reserve Fund to provide funds for Information System Services (ISS) contract services; and

**B)** a Budget Amendment of \$9,000 in the General Fund to recognize the transfer of funds.

**SUMMARY:** The funds will be used for ISS contract services for the Criminal Justice Commission (CJC) technology project that will include the planning and implementation of video conferencing and web casting. Countywide (DW)

### 3. CONSENT AGENDA APPROVAL

#### Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. **Staff recommends motion to approve:** the return of \$22,145.52 in unexpended Local Law Enforcement Block Grant (LLEBG) funds and accrued interest to the U.S. Department of Justice, Bureau of Justice Assistance. **SUMMARY:** On July 12, 2004, the Board of County Commissioners (BCC) was awarded a FY 2004 LLEBG grant by the Bureau of Justice Assistance for the period October 15, 2004, through October 14, 2006. The BCC approved the expenditure of \$113,252 of these funds in FY 2006 for the Community Justice Service Center (CJSC) in West Palm Beach. Of this amount, \$91,106 was expended and \$22,146 was not expended, due to staff turnover and salary lapse. The Bureau of Justice Assistance disburses LLEBG funding in advance and requires the return of unexpended grant funds, including any interest earned, at the end of the grant period. Countywide (DW)

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

**A)** an Interlocal Agreement in the amount of \$300,000 with the City of Boynton Beach as a partner to implement the Youth Violence Prevention Project in the targeted area, and

**B)** a Budget Transfer of \$300,000 to establish budget for the project.

**SUMMARY:** The City of Boynton Beach proposes establishing a Youth Violence Prevention Project for FY 2007. The Implementation Plan involves establishment of a Youth Empowerment Center, law enforcement strategies, and identification of a Justice Service Center. The City has committed \$500,000 to this project for FY 2007. It is intended that the funding for this project be maintained for three (3) years. The Youth Empowerment Center in Boynton Beach will be located at the Ezell Hester Center, 1901 N. Seacrest Blvd. with teen-specific programs operated at both the Hester Center, and the Carolyn Sims Community Center. A Teen Council will define the needs and services including employment, educational opportunities, tutoring, and mentoring, as described in the Youth Violence Prevention Plan. Law Enforcement strategies include Community Policing, participation in multi-agency task forces, gun safety programs and training on positive police/youth relationships. District 7 (DW)

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

**A)** an Interlocal Agreement in the amount of \$100,000 with Florida State University as a partner to perform an evaluation of the Youth Violence Prevention Project, and

**B)** a Budget Transfer of \$100,000 in the General Fund to establish a budget for reimbursement of services.

**SUMMARY:** On December 5, 2006, the BCC provided direction to the Criminal Justice Commission to develop a comprehensive evaluation of the Youth Violence Prevention Project, including the commitment from Florida State University's Center for Criminology and Public Policy Research. As a partner in the evaluation process, Florida State University will collect and analyze data, provide program development assistance and produce an evaluation report by creating deliverables in the form of written reports, statistics, charts, graphs, maps, and presentations. The Youth Violence Prevention Project Steering Committee will aid Florida State University in gaining access to key individuals, offices, and groups in both the criminal justice system and in the municipalities within Palm Beach County. It is intended that the funding for this project be maintained for three (3) years. Countywide (DW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) ratify** the signature of the Public Safety Director on the grant contract with the State Department of Health (DOH) to receive \$10,500 in grant funds from November 1, 2006, through October 31, 2009 to promote Sexual Violence Prevention in the County;

**B) authorize** the County Administrator or his designee to sign future grant contracts with the State to receive grant funds to promote sexual violence prevention; and

**C) approve** a Budget Amendment of \$3,500 in the Public Safety Grant Fund to recognize grant funds.

**SUMMARY:** The Division of Victim Services is Palm Beach County's certified Rape Crisis provider and monies are awarded to promote the awareness and prevention of rape during Sexual Violence Awareness Month and Sexual Violence Awareness Day, which occur each year in April. The Director of Public Safety signed the agreement to comply with the quick turnaround required by the DOH to accept the grant. No County match is required. Countywide (DW)

2. Staff recommends motion to receive and file: three (3) standard agreements for veterinary services with the following veterinarians, each in an amount not-to-exceed \$10,000 for the period October 1, 2006, through September 30, 2007, for the Public Safety Department:

**A)** Byron Reid, D.V.M.

**B)** Diana L. Alexander-Burke, D.V.M.

**C)** Michael E. Gerahty, D.V.M. d/b/a Pet Emergency of Palm Beach County

**SUMMARY:** Resolution R97-583 authorizes the County Administrator or his designee to execute standard contracts with various Florida licensed veterinarians to provide needed part-time relief and emergency "on-call" professional medical services for shelter animals. Countywide (DW)

3. Staff recommends motion to receive and file: the following two (2) original executed standard grant agreements with the State of Florida Department of Community Affairs:

**A)** Agreement No. 07BG-04-10-60-01-354, 2006-07 Emergency Management Preparedness and Assistance Program Base Grant Agreement for \$102,670, for the period October 1, 2006, through September 30, 2007; and

**B)** Agreement No. 07DS-5N-10-60-01-300, 2006-07 State Homeland Security Grant Program to receive \$179,659 in planning grant for the period July 1, 2006, through January 31, 2008.

**SUMMARY:** Resolution R2006-0401 authorizes the County Administrator or his designee to execute certain operational agreements with the Florida Department of Community Affairs. No County match is required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. MEDICAL EXAMINER

1. Staff recommends motion to receive and file: five (5) original standard Interim Associate Medical Examiner Agreements for the Medical Examiner's Office with the following pathologists:

- A) Mark Shuman, M.D. for the period December 29, 2006, through June 29, 2007;
- B) Eric Mont, M.D. for the period January 1, 2007, through June 30, 2007;
- C) Gertrude Juste, M.D. for the period January 1, 2007, through June 30, 2007;
- D) Lance Davis, M.D. for the period January 1, 2007, through June 30, 2007; and
- E) Rita Reik, M.D. for the period January 15, 2007, through March 31, 2007.

**SUMMARY:** Pursuant to Resolution R2001-0118, the Medical Examiner may enter into Interim Associate agreements for a term of no more than six (6) consecutive months and the County Administrator has the authority to approve these agreements on behalf of the Board of County Commissioners. Countywide (DW)

CC. SHERIFF

1. Staff recommends motion to approve: a Budget Transfer of \$5,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office for donations to support crime prevention. **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug abuse education, drug prevention, crime prevention, and safe neighborhood initiatives. The PBSO's FY 2007 estimated donation requirement is \$173,914.93. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETf balance is \$218,240. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$213,240. The Sheriff's Office certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a spreadsheet indicating the organization the PBSO seeks to fund and the corresponding amount of funding proposed. Countywide (DW)

Florida FBI National Academy Conference	<u>\$5,000</u>
Total	\$5,000

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. **Staff recommends motion to approve:** an Amendment to the National Institute of Justice "DNA Backlog Reduction Program" Cooperative Agreement to extend the grant period from February 28, 2007 to August 31, 2007. **SUMMARY:** On August 16, 2005, the Board approved an award to the Palm Beach County Sheriff's Office (PBSO) from the National Institute of Justice (NIJ) for the "Forensic Casework DNA Backlog Reduction Program" (R2005-1593) in the amount of \$191,807. Improvement in the sensitivity of Short Tandem Repeat (STR) technology has resulted in more cases being submitted for DNA analysis than would otherwise have been submitted. This has dramatically increased the total number of cases requiring DNA analysis. Florida's crime laboratories have not been able to keep pace with the demand for forensic DNA analysis, creating a significant backlog that is predominantly comprised of "no-suspect" cases. The primary objective of this program is to reduce the backlog of no-suspect cases requiring DNA analysis in State and County crime laboratories. Another goal is to increase Florida's DNA analysis production capability and capacity. DNA testing supports criminal investigations involving the identification or exclusion of putative suspects through the analysis of biological evidence recovered from crime scenes. There is no grant match required, nor are any County funds required. Countywide (DW)

DD. SUPERVISOR OF ELECTIONS

1. **Staff recommends motion to approve:** Precinct boundary changes submitted by Dr. Arthur Anderson, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** Precinct boundary changes as indicated. Countywide (LSJ)

\* \* \* \* \*

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

- A. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida entitled "All Terrain Vehicle (ATV) Operation on Unpaved Roadways"; providing for the inapplicability of Section 316.2123, Florida Statutes in Palm Beach County; providing for ATV operation; prohibition; providing for applicability; providing for enforcement; providing for penalty; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the Code of Laws and Ordinances; providing for captions; and providing for an effective date. **SUMMARY:** Section 316.2123, Florida Statutes, related to Highway Safety, became effective October 1, 2006 and allows an ATV to be operated during the daytime on an unpaved roadway where the posted speed limit is less than 35 miles per hour by a licensed driver, or by a minor under the supervision of a licensed driver. The law also allows for the governing body of the county, following a public hearing by majority vote to exempt the county from this section. Passage of this Ordinance will exempt Palm Beach County from Section 316.2123, Florida Statutes. Staff was directed at the January 9, 2007 meeting to prepare this Ordinance. Countywide (DW)

\* \* \* \* \*

5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff requests Board direction: on the matter of the transfer of Gardiner Lane. **SUMMARY:** This action will direct staff on how to proceed in the matter of Gardiner Lane, and the requested transfer of Gardiner Lane to the Gardiner Lane Association, Inc. District 1 (PFK)
  
2. Staff requests Board direction: on draft FY '08 Federal Legislative Program. **SUMMARY:** Staff requests the Board's review of the draft FY '08 Federal Legislative Program, which includes priority appropriations and legislative issues, general appropriation and general issues to monitor. The Federal Program outlines the issues that the County's Legislative Affairs Department in conjunction with the County's federal lobbyist will be working on for the Board in the upcoming Legislative Session. Countywide (DSW)
  
3. Staff recommends motion to approve: Budget Transfer of \$10,000 from the General Fund Contingency Reserve to provide additional funding for extraordinary expenses associated with two (2) Grand Jury investigations. **SUMMARY:** The State Attorney has requested additional funds in the amount of \$10,000 to cover unexpected expenses associated with Grand Jury investigations pertaining specifically to cases involving the City of West Palm Beach and the Child Abuse Protocol Review. Countywide (DN)
  
4. Staff recommends motion to approve:
  - A) Contract with L&M J Consulting, Inc. (Michael Jackson) to provide consulting services for general administration in the Glades area in an amount not-to-exceed \$64,800;
  - B) Budget Transfer of \$64,800 from District 6 personal services accounts to Economic Development Office to provide funding for the Contract;
  - C) Budget Amendment of \$64,800 in the Economic Development Office budget to establish budget for the Contract; and
  - D) waiving the purchasing requirements for the competitive selection as professional and consulting services.

**SUMMARY:** In December 2006, at Commissioner Santamaria's request, the BCC directed staff to move forward with the intent to contract with L&M J Consulting, Inc. to provide services in the Glades area. The Contract will provide for coordination of work effort between county/municipal governments and community organizations within the Glades area. The scope of work includes, but is not limited to, job training, redevelopment/revitalization projects, housing and economic development initiatives. If the BCC approves the Contract, a total of \$64,800 will be transferred from District 6 personal services accounts to the Economic Development Office budget. Funds are available in District 6 personal services accounts due to vacancies. The Contract amount of \$64,800 is approximately the amount that would be budgeted for a permanent, full-time employee. Purchasing Ordinance No. 05-062, gives the BCC authority to waive the requirements for competitive selection and approve professional or consulting services upon recommendation of the County Administrator. District 6 (DW)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

5. Staff requests Board direction regarding: the recommendation of the Budget Advisory Committee that the Board set a spending limit for the entire 2008 fiscal year budget equal to the spending approved for the 2007 fiscal year budget. **SUMMARY:** The FY 2008 budget year begins October 1, 2007. While the Board charged the Committee with addressing tax supported expenditures, this recommendation is for the entire budget. This recommended spending would be less than the level that could be funded at the rollback tax rate and less than the level defined by the TABOR (Taxpayer Bill Of Rights) concept that taxes should increase no more than the combination of inflation rate plus percentage growth in population. Balancing at this level for one (1) year is possible, but has effects that public interests, the Board, and Sheriff might find objectionable. Among concepts are: approving no new funding initiatives or additional positions, reduce or eliminate funding for some existing and new capital projects, reduce reserves and not provide inflationary increases to third party providers of County authorized services. The basic problem is that for every dollar of increase such as for salaries in accordance with union contracts, you must cut a dollar from something else. This would put us in a very weak condition upon which to balance the budget for the 2009 and subsequent fiscal years. The Board has never set a spending limit, but rather has historically stabilized or reduced the tax rate based on revenues received. In the absence of other direction, in anticipation of a small increase in property tax revenue, we were going to prepare a conservative budget proposal which would prioritize spending options, and which would be provided to the Board in June after actual property tax valuation is received. Countywide (PFK)

B. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution authorizing the issuance of up to \$8,500,000 of Variable Rate Demand Revenue Bonds (Comprehensive Community Care Network, Inc. Project) Series 2007 (the "Bonds"). **SUMMARY:** On August 15, 2006, the Board approved the application of Comprehensive Community Care Network, Inc. (the "Company") for the issuance of the Bonds and held the TEFRA public hearing required by the Internal Revenue Code of 1986, as amended. Bond proceeds will be used to renovate, construct, furnish and equip a 29,000 square foot medical office and community health center in the Village of Palm Springs, and a portion may be used to repay an outstanding \$1,500,000 mortgage on the property. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 3 (PFK)

C. COMMUNITY SERVICES

1. Staff recommends motion to approve: Contract with Haitian American Community Council for the period October 1, 2006, through September 30, 2007, in the amount of \$137,200 for services designed to ensure that early entrants, asylees, refugees and new immigrants transition to their new home in South Florida. **SUMMARY:** Continued County funding for this agency was not initially recommended by staff due to administrative and fiscal concerns documented over the previous contract period. The same concerns recently caused The Children's Services Council to withdraw their funding from the agency. The County contract is now being presented per Board direction provided during the FY 2007 budget process. Staff will provide additional performance reviews, fiscal monitoring and technical assistance as needed to ensure that contract terms are met. The information submitted in this item reflects part of the total funding approved by the Board of County Commissioners for FY 2007, which is \$13,373,836. (Financially Assisted Agency Program) Countywide (TKF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) an Interlocal Agreement with the City of Riviera Beach providing funding in an amount not-to-exceed \$5,000,000 for improvements to the City Marina;

B) Budget Transfer of \$1,500,000 in the \$50M GO '05 Waterfront Access Bond from Currie Park Boat Ramp Expansion to Riviera Beach Marina; and

C) Budget Transfer of \$25,000 in the \$50M GO '05 Waterfront Access Bond from Reserves to Riviera Beach Marina.

**SUMMARY:** This Interlocal Agreement provides funding for construction of Phase I of the Riviera Beach Marina Expansion and reconfiguration project. Project elements include adding 45 new wet slips, expansion of the public parking, public rest rooms improvements, replacing mechanical/electrical/plumbing systems to the docks and fuel tank replacement with high-speed pump/dispenser. Funding is from the 2005 \$50 Million Waterfront Access Bond issue. The Board previously allocated \$4 Million to this project. However, Bond issuance costs of \$525,000 were deducted from the budget for this project, leaving a balance of \$3,475,000. Increasing the funding allocation to \$5 Million will enable the City to construct the 45 new boat slips. Staff has prepared a status report on the Waterfront Bond projects which the Board previously allocated funding. Staff recommends the Board not pursue the Currie Park Boat Ramp project which is not proceeding and does not appear to be supported by West Palm Beach, and to allocate those funds to this project. The total budget transfer of \$1,525,000 represents an increase of \$1,000,000 in the Board allocation to the Riviera Beach project and the refunding of \$525,000 borrowed from the Riviera Beach account to cover initial bond issuance costs. As a condition of this Agreement, the City shall be required to operate and maintain the City Marina as a public marina for 30 years. In the event the City transfers ownership of the Marina to a third party, the City will be required to repay the full \$5 Million grant. (PREM) District 7 (PFK)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

**A) approve** a Tri-Party Agreement with the City of Riviera Beach and Lockheed Martin Corporation to provide public access to the Intracoastal Waterway through construction of a fishing pier and water taxi facility; and

**B) adopt** a Resolution authorizing expenditure of up to \$400,000 for construction contingencies and mitigation costs in connection with the construction of the Project.

**SUMMARY:** Lockheed Martin Corporation operates Lockheed Martin Undersea Systems at 100 East 17<sup>th</sup> Street, in Riviera Beach. Lockheed has proposed an expansion to its work dock which was destroyed by Hurricanes Frances and Jeanne, and related dredging to facilitate the expansion of its facility. Staff was directed to pursue accommodating the development of a fishing pier/water taxi facility in conjunction with the development of Lockheed's project and Moroso Park (a/k/a Light Harbor). This Tri-Party Agreement is for the development of a 500 foot dock/public fishing pier/water taxi facility to be used by Lockheed and the County and the dredging of the submerged land east of Lockheed's facility to a depth of 15 feet. The total cost of the project is currently estimated to be \$2.06 million, not including mitigation. The City has obtained a grant for \$1.6 million from the Office of Tourism, Trade, and Economic Development (OTTED) and Lockheed will contribute \$400,000 toward the cost of the project. The County will fund up to \$400,000 to be used for construction contingencies and mitigation costs. The Agreement leverages Lockheed's expansion to provide increased public access to the waterfront and to provide a wider channel to access Moroso Park. The 500 foot x 16 foot dock will serve two purposes: 1) to allow Lockheed to dock its work boats on the south side of the dock; and 2) to provide public access on the north side of the dock. In addition to the public access, the terminus of the dock will serve as a water taxi staging dock. A security fence will divide the dock/pier equally and will run the entire length. General public pedestrian access will be provided through Moroso Park which is north of and adjacent to Lockheed's facility. (PREM) District 7 (JMB)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to:

- A) **approve** an Agreement for Purchase and Sale with the Solid Waste Authority (SWA) for the sale of 40.88 acres of land in the Ag Reserve for \$5,110,000;
- B) **approve** an Amendment to Lease with Bowman Growers, Inc. (R2001-517);
- C) **approve** an Amendment to Lease with Bowman Growers, Inc. (R2001-518);
- D) **approve** an Amendment to Lease with Bowman Growers, Inc. (R2001-519);
- E) **adopt** a Resolution approving the sale of 40.88 acres to SWA; and
- F) **adopt** a Resolution approving the foregoing Lease Amendments.

**SUMMARY:** The County acquired the 938 acre Bowman property in 2001 for \$38,461,000 (\$41,000/acre) as part of the Ag Reserve program for preservation of farmland. As part of the acquisition, Bowman Growers, Inc. (BGI) reserved the right to continue farming the property pursuant to three (3) different Leases. The leases extend until June 30, 2013 and rent is currently \$551/acre. The SWA has been attempting to acquire a site for a transfer facility in the vicinity of U.S. 441/SR-7 between Atlantic Avenue and Boynton Beach Boulevard for the last 10 years. The SWA identified the Bowman property and negotiated the acquisition of 40 acres from the County and a release of BGI's Lease of this 40 acres. SWA initiated a land use change which was approved in late 2005. Pursuant to the Agreement for Purchase and Sale with SWA, the County will sell SWA 40 acres of the Bowman property along U.S. 441/SR-7. The purchase price is \$5,110,000 (\$125,000/acre), which was based upon an estimate by the Conservation Fund of the then current market value at the time the land use changes were implemented. This value estimate is based upon prices for land with development rights, whereas the Bowman property has had all development rights removed. Staff is in the process of obtaining two (2) current appraisals of the property and will provide that information to the Board prior to the Board meeting. SWA is also paying BGI \$430,800 (\$1,795/acre/year) as compensation for BGI's loss of the ability to farm the 40 acres for the six (6) years remaining under its leases. In addition, in exchange for releasing its Lease on the 40 acres being sold to SWA, the Lease Amendment will grant BGI the option to extend its leases for an additional 12 years, with rent during the extended term being increased to fair market value as determined by appraisal. BGI has agreed to also release from its leases without charge the additional right-of-way required for Lyons Road and the Rural Parkway. BGI will also have the right to Lease a 16.41 acre out parcel within the Bowman property which is currently leased to James Crystal Enterprises, should the James Crystal Lease be terminated prior to expiration of the Leases with BGI. (PREM) District 5 (HJF)

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**RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

**CONVENE AS THE SOLID WASTE AUTHORITY**

FEBRUARY 27, 2007

5. REGULAR AGENDA

**BOARD OF COUNTY COMMISSIONERS SITTING AS THE SOLID WASTE AUTHORITY**

1. **Staff recommends motion to approve:** an Agreement for Purchase and Sale with the Board of County Commissioners (BCC) for the sale of 40.88 acres of land in the Ag Reserve for \$5,110,000.

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**RECESS AS THE SOLID WASTE AUTHORITY**

**RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**

5. REGULAR AGENDA

E. PALM TRAN

1. **Staff recommends motion to approve:** the Palm Tran Ten Year 2006 - 2016 Transit Development Plan (TDP) prepared by the University of South Florida Center for Urban Transportation Research (CUTR). **SUMMARY:** The Florida Department of Transportation (FDOT) requires a TDP in order to maintain eligibility for State Block grant funding. The current FDOT funding is approximately \$3.5 million annually. The TDP shall be the applicant's planning, development and operational guidance document to be used in developing the Transportation Improvement Program and the Department's Work Program. CUTR, under an interlocal agreement with Palm Beach County, has conducted an aggressive public involvement program to develop this 10-year TDP, working in conjunction with the TDP Steering Committee, which includes representatives from the Metropolitan Planning Organization, FDOT, Palm Beach County, several local jurisdictions and regional transportation operators. Countywide (DR)

F. HOUSING & COMMUNITY DEVELOPMENT

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

**A)** the creation of one (1) full-time Principal Housing Planner position within the Department of Housing and Community Development (HCD) to be funded with SHIP and HOME Investment Partnership program funds; and

**B)** a Budget Transfer of \$90,690 from the Affordable Housing Reserves to cover the cost of new position.

**SUMMARY:** The Principal Housing Planner position will be required to carry out administrative, supervisory and research work within the Commission on Affordable Housing (CAH). Due to the significant increase in the CAH's responsibilities including the newly created State funded Hurricane Housing Recovery Program (HHRP), and the additional responsibilities created by the County's recent inclusionary zoning/workforce housing ordinance, the volume of work has become unmanageable for the current administrative staff. The duties and responsibilities of the Principal Housing Planner will involve, among others, the supervision of current staff; monitoring and updating the various Housing Assistance Plans (HAP); preparation and administration of program procedures and guidelines to ensure compliance with State, Federal and County statutes/regulations; enforcement of inclusionary zoning/workforce housing restrictive agreements, and assisting in the implementation of the Comprehensive Plan Housing Element. This position will be funded with State and Federal funds and will be eliminated when grant funding is discontinued. Countywide (TKF)

5. REGULAR AGENDA

G. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** a Budget Transfer of \$150,000 from the General Fund Contingency Reserve to supplement the 2007 Value Adjustment Board Budget. **SUMMARY:** During the planning stages of the 2006 Value Adjustment Board Season, projections for the number of petitions to be received were greatly underestimated. Preparations were made for 8,000 petitions. In actuality, the Value Adjustment Board received 10,753 petitions and as such, the VAB budget is insufficient to cover the necessary costs of operation. Instead of requiring four temps as was projected, eight had to be hired. Additionally, with the new review process which was implemented in December of 2006, Special Magistrate hours, postage costs, printing costs, legal costs, meeting costs, advertising costs, staff hours and overtime costs were all greatly underestimated as well. Part of the requested Budget Transfer is to cover these costs. The other part pertains to 2007 VAB Season preparations. The Value Adjustment Board must make preparations now for another increase in filed petitions. Estimates range from 12,000 all the way up to 20,000 filed petitions for the 2007 VAB season which begins March 1, 2007. The Budget Transfer includes the salary costs for two (2) new full-time positions; a VAB Supervisor and a second VAB clerk. These new positions will impact the effectiveness and efficiency of the Value Adjustment Board as more petitions are filed and the VAB season is extended for a longer period of time. Countywide (PFK)

H. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** Agreement for Inter-Agency Cooperation in establishing a Wide Area Wireless Communications System. **SUMMARY:** This Cooperative Agreement formally organizes a group to function as a Steering Committee under the umbrella name of *Palm Beach Wireless*. This group will be comprised of the Chief Executive Officers and Chief Information (Technology) Officers, or their designees, from Palm Beach County, Palm Beach Community College, Florida Atlantic University, the School District of Palm Beach County, the South Florida Water Management District, and the Palm Beach County Education Council. With the Board of County Commissioners' concurrence, Commissioner Mary McCarty established a task force to pursue and promote wireless technology in Palm Beach County. The Task Force and its subcommittees have been meeting since June 2006 and are now poised to expand membership and continue researching best practices and approaches for initiating a public/private partnership to implement a wireless network capable of providing high speed bandwidth for data, voice and video applications. After the formation of the Steering Committee, a Request for Information (RFI) will be issued to assist in determining the economic feasibility of a wireless network in Palm Beach County. The County's Information Systems Services Department (ISS) provides the majority of the staff support for the task force and subcommittee activities. The proposed Cooperative Agreement will establish a formal structure to support the wireless initiatives. Countywide (PFK)
2. **Staff recommends motion to approve:** an Interlocal Agreement with the School District of Palm Beach County for the shared use of Palm Beach County's Wide Area Network. **SUMMARY:** This Interlocal Agreement establishes a framework for connecting School Board facilities to the County's fiber optic network (i.e., Wide Area Network) and sets forth the roles and responsibilities of both agencies as well as the methodology to be used for billing for network services. Joint utilization of a common network infrastructure will avoid duplication of facilities and lessen the cost burden borne by County taxpayers. This business arrangement will bring immediate and tangible benefits to both parties: the School Board's facilities will receive substantially greater network bandwidth and Palm Beach County will realize revenues from the School Board that would otherwise be paid to a commercial provider (BellSouth). The school facilities will be phased in over time with the initial connection of five (5) schools which are located near the County's fiber run. Additional schools will be integrated into the network. These first five (5) connections will generate annual revenues of \$46,321 to the County while reducing the School District's cost by more than 50%. Countywide (PFK)

5. REGULAR AGENDA

I. PARKS & RECREATION

1. **Staff recommends motion to approve:** reallocation of \$4,000,000 in project funding within the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum from Boca Raton Cultural Center (\$3,000,000), Old School Square Expansion (\$500,000), and Little Palm Family Theater (\$500,000) to the following projects:

<b>A)</b> City of Boca Raton/Mizner Park Cultural Association, Inc. for black box theater/community room;	\$1,200,000
<b>B)</b> City of Boca Raton for Channel 19 and 20 equipment;	\$350,000
<b>C)</b> Boca Raton Museum of Art, Inc. for gallery space;	\$435,000
<b>D)</b> Boca Raton Children’s Museum, Inc. for moving historic home to Children’s Museum campus;	\$330,000
<b>E)</b> Delray Beach Historical Society, Inc. for moving historic home to Cason Cottage Campus;	\$200,000
<b>F)</b> City of Delray Beach for Miracle Field (baseball field for children with physical disabilities);	\$250,000
<b>G)</b> Palm Beach County for Lake Ida Park Boundless Playground;	\$700,000
<b>H)</b> Pineapple Grove Artwalk, Inc. for Public Art;	\$75,000
<b>I)</b> City of Boynton Beach for Boat Club Park restroom/pavilion/playground;	\$355,000
<b>J)</b> Boynton Woman’s Club for floor and roof improvements; and	\$75,000
<b>K)</b> Florida Stage, Inc. for capital equipment	<u>\$30,000</u>
Total	\$4,000,000

**SUMMARY:** The District 4 Commissioner has identified \$4,000,000 from the \$50 Million Recreational and Cultural Facilities Bond, which she has requested that the Board reallocate to various municipal and not-for-profit agency projects as listed above in the motion and title. District 4 (PFK)

5. REGULAR AGENDA

J. TOURIST DEVELOPMENT COUNCIL

**TIME CERTAIN - 10:30 A.M.**

1. Staff request Board direction regarding:

**A)** the role of the PBC Tourist Development Council in the oversight of contracts for the Film & Television Commission, Palm Beach County Sports Commission, Palm Beach County Cultural Council and the Convention and Visitors Bureau (CVB);

**B)** whether to maintain contracts with the Film & Television Commission, Palm Beach County Sports Commission, Palm Beach County Cultural Council and the Convention and Visitors Bureau; and

**C)** whether County Administration should manage the convention center and short-term bookings.

**SUMMARY:** On December 19, 2006, the BCC directed the TDC and Agencies to develop plans and recommendations on the structure and governance of their various organizations within sixty (60) days. During this period, the various agencies have been meeting and developing plans on the structure and governance of their organizations. The following are some of the major modifications recommended by the various agencies:

**TDC**

- TDC to create a TDC Audit Committee and Finance Committee;
- All Agencies remain private entities with the appropriate revised governance and structures;
- The BCC assume management of the Convention Center with CVB keeping long terms sales 18 months and out;
- Require all agencies to replace their audit firm every 7 years with a recommended 3,2,2 contract;
- Require agencies legal council to be re-bid every 7 years with recommended 3,2,2 contract;
- Require agencies to create a comprehensive conflict of interest policy for staff and board members;
- Require travel policies that include prior approval of trips by the authorities;
- Allow flight upgrade option from tourist class to business class tickets on inter-continental flights only; and
- Require all individual agencies fidelity (loss) bond levels increased, as appropriate.

**CVB**

- Maintain contractual relationship with the County as a 501-C-6 non-profit;
- Adoption of new board structure including appointments by the BCC;
- Establishment of Finance and Audit Committees;
- Adoption of new finance controls;
- Adoption of strategic and marketing plans;
- Oversight of management of the convention center; and
- Accreditation and Certification of the CVB at the national and local levels.

**Cultural**

- Assigning audit responsibility to newly created audit committee, formerly handled by the Finance Committee.

**Sports and Film Commissions** have already implemented Finance and Audit committees. Countywide (MC)

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6. BOARD APPOINTMENTS

A. **ADMINISTRATATION**  
**(Health Facilities Authority)**

1. **Staff recommends motion to approve:** appointment of two (2) individuals to the Health Facilities Authority, effective February 27, 2007:

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Term Expiration</u></b>	<b><u>Nominated by:</u></b> _____
Peter Baronoff	2	Resident of PBC	April 30, 2009	Comm. McCarty
Timothy Monaghan	3	Resident of PBC	April 30, 2008	Comm. Koons

**SUMMARY:** Per Chapter 154.207, Florida Statutes and Resolution Nos. R77-379, R77-398 and R92-563, the Health Facilities Authority is composed of five (5) members appointed at-large by the Board of County Commissioners (BCC). A memo dated January 10, 2007, was circulated to the BCC notifying the BCC that there are currently three (3) vacancies on the Health Facilities Authority. Mr. Baronoff has been nominated to replace Elliott Guttman, who resigned, effective January 1, 2007. Mr. Monaghan has been nominated to replace Carla Bryan, who resigned, effective February 27, 2007. Countywide (TKF)

B. **PLANNING, ZONING & BUILDING**  
**(Land Development Regulation Advisory Board)**

1. **Staff recommends motion to approve:** appointment of two (2) individuals for the term, from February 27, 2007 to February 6, 2010, to the Land Development Regulation Advisory Board (LDRAB):

<b><u>Appoint</u></b>	<b><u>Seat No.</u></b>	<b><u>Requirement</u></b>
Raymond J. Puzzitiello	8	Residential Builder
Steven M. Dewhurst	16	Commercial Builder

**SUMMARY:** Mr. Raymond J. Puzzitiello has been recommended by the Gold Coast Builders Association as a new appointee to replace Mr. Scott Worley, Seat No. 8, whose term came to a close on February 6, 2007. The Associated General Contractors of America recommends Mr. Steven M. Dewhurst to replace Mr. Chuck Congdon, Seat No. 16, whose term also came to a close on February 6, 2007. These appointments are consistent with the Unified Land Development Code (ULDC) requirements. Countywide (LB)

6. BOARD APPOINTMENTS

C. **ENVIRONMENTAL RESOURCES MANAGEMENT**  
**(South Lake Worth Inlet Advisory Committee)**

1. **Staff recommends motion to approve:** one (1) appointment of alternate member to the South Lake Worth Inlet Advisory Committee (SLWIAC) to complete the term of D. Bill Mathis which expires on June 16, 2009:

**Appoint:**

<b><u>Nominee</u></b>	<b><u>Representing</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated By</u></b>
Kenneth N. Schenck, Jr.	Town of Ocean Ridge Ridge	2 Alt.	Town of Ocean Ridge

**SUMMARY:** The SLWIAC was established under the provisions of Chapter 96-466, Laws of Florida, Resolution Nos. R96-807 and R2000-0631. Mr. Mathis resigned as Town Manager of Ocean Ridge and was replaced by Mr. Schenck. The Board consists of one (1) regular member and one (1) alternate member nominated by the Town of Manalapan, one (1) regular member and one (1) alternate member nominated by the Town of Ocean Ridge, one (1) member in a boating-related industry, one (1) member from an environmental organization, one (1) member with expertise in coastal-related matters, one (1) member with experience in parks and recreation administration and one (1) member of the general public. Following approval by the Board of County Commissioners, the Palm Beach County Legislative Delegation must confirm the appointment. District 4 (SF)

**(Groundwater and Natural Resources Protection Board)**

2. **Staff recommends motion to approve:** the reappointment of one (1) at-large member to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning February 27, 2007, through February 24, 2010.

<b><u>Nominee</u></b>	<b><u>Representing</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated By</u></b>
Frank Deering	Citizen	5	Commissioner Marcus Commissioner Koons Commissioner McCarty Commissioner Greene

**SUMMARY:** Ordinance 92-20 and Article 17.C.7 of the Unified Land Development Code (ULDC) provides for a seven (7) member GNRPB. The membership consists of one (1) professional engineer, one (1) attorney, one (1) hydrologist, one (1) business person, one (1) biologist or chemist, one (1) citizen of PBC and one (1) member of an environmental organization. A memorandum was sent to the Board of County Commissioners on January 5, 2007 advising that the term of Seat No. 5 would expire on February 25, 2007. Ordinance 92-20 and Article 17.C.7 of the ULDC require Seat No. 5 to be filled by a citizen of Palm Beach County. No other nominations were received. Countywide (SF)

6. BOARD APPOINTMENTS

D. **COMMUNITY SERVICES**  
**(Treasure Coast Health Council, Inc. Advisory Board)**

1. **Staff recommends motion to approve:** reappointment of the following individuals to the Treasure Coast Health Council, Inc. Advisory Board for a term of two (2) years, effective February 6, 2007:

<b><u>Seat No.</u></b>	<b><u>Reappointment</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Nominated By</u></b>
2	Dr. Edward Fischman	Health Care Provider	Comm. Greene Comm. Koons
3	Emmy Rayne	Health Care Consumer	Comm. Greene Comm. Koons
4	Norman Schattner	Health Care Consumer	Comm. Greene Comm. Koons
5	Lillian DeCicco	Health Care Provider	Comm. Greene Comm. Koons
7	Robert D. Hays, PhD	Health Care Purchaser	Comm. Greene Comm. Koons
9	Marnie Ritchie Poncy	Health Care Consumer	Comm. Greene Comm. Koons

**SUMMARY:** Local health councils are established under Section 408.033, Florida Statutes. This section and the Council Bylaws define the membership composition. On January 24, 2007, written notice was sent to each Commissioner to request nominations in accordance with PPM CW-O-023. The Council consists of twelve (12) members: seven (7) representatives for Palm Beach County; one (1) member appointed by Indian River County, one (1) member appointed by Martin County, one (1) member appointed by Okeechobee County, and two (2) members appointed by St. Lucie County. The appointees shall be representatives of health care providers, health care purchasers, and non-governmental health care consumers, but not excluding elected government officials. A majority of the Council members must be health care purchasers and health care consumers and the Council must include a representative number of persons over 60 years of age. Appointments are for a term of two (2) years and members are eligible for reappointment. Countywide (TKF)

6. BOARD APPOINTMENTS

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

2. **Staff recommends motion to approve:** appointment of the following Parent Representatives to the Head Start/Early Head Start Policy Council for a term of three (3) years or less, as indicated on the Board Appointment Information Form, effective February 27, 2007:

**PARENT REPRESENTATIVE AND ALTERNATE(S) BY CENTER**

(R) Representative

(A) Alternate

<b><u>Seat ID</u></b> 10	<b><u>Boynton Beach</u></b> Stephanie Taylor (R) Tracy Saunders (A) Yves Oscar (A)	<b><u>Seat ID</u></b> 11	<b><u>Jupiter</u></b> Cristina Martinez (R) Dina Albizures (A) Benett Barrios (A)
<b><u>Seat ID</u></b> 12	<b><u>South Bay</u></b> Nancy Ramos (R) Albert Dowdell (A)	<b><u>Seat ID</u></b> 13	<b><u>Palm Glades</u></b> Yolanda Warren (R)
<b><u>Seat ID</u></b> 14	<b><u>Delray Beach HS</u></b> Nadleen Seraphin (R) Gloria Bostwick (A)	<b><u>Seat ID</u></b> 15	<b><u>Pahokee</u></b> Sirleana Nobles (R) Tina Vann (A) Orde Brown (A)
<b><u>Seat ID</u></b> 16	<b><u>Westgate</u></b> Clairasena Myrick (R) Blondsha Harris (A)	<b><u>Seat ID</u></b> 17	<b><u>Lake Worth</u></b> Andrea Poitier (R) Nakia Harp (A)
<b><u>Seat ID</u></b> 18	<b><u>Riviera Beach</u></b> Kenneth Higgins (R) Tenisha Easter (A) James Mims, Sr. (A)	<b><u>Seat ID</u></b> 19	<b><u>West Palm Beach</u></b> Sharon Watson Grant (R) Katherine King (A)
<b><u>Seat ID</u></b> 20	<b><u>Union Baptist</u></b> Jovonne White (R) Annamaria Persad Ali (A)	<b><u>Seat ID</u></b> 21	<b><u>Delray Beach EHS</u></b> Danielle Clay (R) James Stewart (A)
<b><u>Seat ID</u></b> 22	<b><u>Easter Seals</u></b> Lesley Ann Henry (R) Marshella King (A)	<b><u>Seat ID</u></b> 23	<b><u>Family Child Care Home</u></b> Venita Mills (R)
<b><u>Seat ID</u></b> 24	<b><u>Home Base, EHS</u></b> None (R)	<b><u>Seat ID</u></b> 25	<b><u>Apostolic CAGE</u></b> Michael Paul Smith (R) Chris Lambert (A) Cicely Hines (A)
<b><u>Seat ID</u></b> 26	<b><u>Apostolic CDC, Inc.</u></b> Tracy Davis (R)	<b><u>Seat ID</u></b> 27	<b><u>A Step Above</u></b> Marie Jose Padovany (R) Danielle S. Herbert (A)
<b><u>Seat ID</u></b> 28	<b><u>Emmanuel</u></b> Charlene Alonso (R)	<b><u>Seat ID</u></b> 29	<b><u>King's Kids</u></b> Crystal Dalrymple (R)
<b><u>Seat ID</u></b> 30	<b><u>My First Steps</u></b> Kerline Salomon (R) Carmen Torres (A)	<b><u>Seat ID</u></b> 31	<b><u>San Castle</u></b> Juliet Murdock (R) Elda Molina (A)
<b><u>Seat ID</u></b> 32	<b><u>South Bay, EHS</u></b> Nedia Ramos (R) Dionne Tolbert (A)		

**SUMMARY:** The term of appointment for parent representatives and alternates to the Head Start Policy Council is three (3) years, and requires that the parent representative/alternate be a parent of a child enrolled in the Head Start program. The Head Start Policy Council approved the members at its September 27, 2006 meeting. There was a delay in presenting this item to the BCC due to members leaving the council for various reasons and to allow newly incorporated contracted agencies to seek parent representation for the council. (Head Start) Countywide (TKF)

6. BOARD APPOINTMENTS

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

3. **Staff recommends motion to approve:** appointment of the following Community Representatives to the Head Start/Early Head Start (HS/EHS) Policy Council for a term of three (3) years, effective March 28, 2007:

<b><u>Seat No.</u></b>	<b><u>Name</u></b>	<b><u>Term</u></b>	<b><u>Nominated By</u></b>
1	Judith Dryer	03/28/07 to 03/27/10	Comm. Jeff Koons Comm. Addie Greene
3	James Leger	03/28/07 to 03/27/10	Comm. Jeff Koons Comm. Addie Greene
4	Diane Walker	03/28/07 to 03/27/10	Comm. Jeff Koons Comm. Addie Greene
5	Rosanna Zamora	03/28/07 to 03/27/10	Comm. Jeff Koons Comm. Addie Greene
7	Maxine Schoolfield	03/28/07 to 03/27/10	Comm. Jeff Koons Comm. Addie Greene

**SUMMARY:** The HS/EHS Performance Standards require that community representation be included in the makeup of the HS/EHS Policy Council. The Council responsibilities include, but are not limited to: criteria selection of children within applicable laws and Health and Human Services guidelines, determining the areas in the community in which programs will operate; determining what services should be provided, personnel issues, and budgetary issues. Of the nine (9) Community Representative's seats on the Council, six (6) are currently vacant. The nominees above meet all applicable guidelines and requirements as outlined in the Performance Standards and Resolution R2000-1866. The parent members of the Council endorsed the nominee recommendations at their January 24, 2007 meeting. On January 26, 2007, written notice was sent to each Commissioner to request nominations in accordance with PPM CW-O-023. The terms of service would begin upon the Council's ratification of the BCC appointments. (Head Start) Countywide (TKF)

6. BOARD APPOINTMENTS

E. PUBLIC AFFAIRS  
(Education and Government Programming Advisory Board)

1. Staff recommends motion to approve: appointment of one (1) new member to the Education and Government Programming Advisory Board to complete a term of three (3) years, beginning on February 27, 2007, through April 17, 2009:

<u>Nominee</u>	<u>Requirement</u>	<u>Seat</u>	<u>Nominated By</u>	<u>Term Expires</u>
Marta Casas-Celaya	Cable TV Employee	4	Comm. Greene Comm. Koons Comm. McCarty	4/17/09

**SUMMARY:** Per Resolution No. R91-1489, amended by Resolution No. R92-388, the Education and Government Programming Advisory Board consists of ten (10) members with a representative from each of the following categories, and shall serve for the designated term: Broadcast General Manager (2 years); Engineer with experience in telecommunication systems (3 years); Marketing Director (2 years); cable industry (3 years); Adult Education (2 years); PBC Public School System (3 years); Member of the BCC (2 years); Municipal government representative (3 years) and two citizens-at-large ( 2 years). There is one (1) vacant position that needs to be filled on the Education and Government Programming Advisory Board. The following member, Ms. Kathryn Hutton no longer works in the required field for the board position. Ms. Marta Casas-Celaya was recommended by the Department of Public Affairs for this position. Countywide (MJ)

F. COMMISSION DISTRICT APPOINTMENTS

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**FEBRUARY 27, 2007**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**FEBRUARY 27, 2007**

**9. COMMISSIONER COMMENTS**

**A. District 1 - COMMISSIONER KAREN T. MARCUS**

**B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR**

**C. District 3 - COMMISSIONER WARREN H. NEWELL**

**D. District 4 - COMMISSIONER MARY MCCARTY**

**E. District 5 - COMMISSIONER BURT AARONSON**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER ADDIE L. GREENE, CHAIRPERSON**

**10. ADJOURNMENT**

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

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**FEBRUARY 27, 2007**

<u>PAGE</u>	<u>ITEM</u>	
19	3H-13	<b>REVISED SUMMARY:</b> The work consists of furnishing and installing sixty-two (62) <u>energy efficient replacement</u> light fixtures on sixteen (16) <del>new</del> <u>existing</u> 60' & 70' tall concrete poles. Includes all new electrical wiring and electrical disconnect switches. This procurement is "piggybacking" on the existing annual contract between the City of Jacksonville (SC-0511-06) and Musco Sports Lighting. The existing City of Jacksonville contract has 0% SBE participation. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) <u>District 6</u> (JM)
35	5A-1	<b>DELETED: Staff requests Board direction:</b> on the matter of the transfer of Gardiner Lane. (Further staff review) (Admin)
36	5C-1	<b>REVISED TITLE &amp; SUMMARY: Staff recommends motion to approve:</b>  <b>A)</b> <u>Contract with Haitian American Community Council for the period October 1, 2006, through September 30, 2007, in the amount of \$137,200 for services designed to ensure that early entrants, asylees, refugees and new immigrants transition to their new home in South Florida, and</u>  <b>B)</b> <u>Waiver of Section 305.07 of the Palm Beach County Administrative Code which states that County assistance shall not exceed 25% of a delegated agency's total operating budget.</u>  <b>SUMMARY:</b> Continued County funding for this agency was not initially recommended by staff due to administrative and fiscal concerns documented over the previous contract period. The same concerns recently caused The Children's Services Council to withdraw their funding from the agency. The County contract is now being presented per Board direction provided during the FY 2007 budget process. <u>With approval of this item, the County will be the principal funder of this agency.</u> Staff will provide additional performance reviews, fiscal monitoring and technical assistance as needed to ensure that contract terms are met. The information submitted in this item reflects part of the total funding approved by the Board of County Commissioners for FY 2007, which is \$13,373,836. (Financially Assisted Agency Program) <u>Countywide</u> (TKF)
44	5K-1	<b>ADD-ON: Staff recommends motion to approve:</b> Change Order No. 3 in the amount of \$87,993.96, together with a 68-day time extension, to Contract No. R2006-0298 with Ranger Construction Industries, Inc. for construction of Melaleuca Lane from Jog Road to Haverhill Road. <b>SUMMARY:</b> Change Order No. 3 is compensation for additional costs and delays encountered due to maintenance of temporary traffic control at the Lake Worth Drainage District (LWDD) E-3 canal. <u>District 2</u> (MRE) (Engineering)
52	9G	<b>ADD-ON:</b> Proclamation declaring Friday, March 2, 2007 as "Reunion with Nature Day" in Palm Beach County. (Sponsored by Commissioner Greene)

**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 (\*).