

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

JUNE 5, 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
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ADJOURNMENT (Page 33)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution No. 2007-20 of the City Commission of the City of Coconut Creek, Florida, supporting Alternative “C”, University Drive, as the Western Broward/Palm Beach Connector; and

B) Resolution No. 40-07 of the Town Council of the Town of Jupiter, Florida, related to potential future growth in the Mid-Western area of Palm Beach County to request that the Board of County Commissioners comprehensively address the Land Use and Transportation issues in the Mid-Western area.

2. Staff recommends motion to approve: a Modification to an award/contract (R2006-0747) (Charge Resolution Contract No. 6FPSLP0103) with the U.S. Equal Employment Opportunity Commission (EEOC) allowing the Office of Equal Opportunity (OEO) to receive revenue in the total amount of \$75,700 as payment for processing and resolving employment discrimination complaints. **SUMMARY:** Execution of this modified contract is required so that OEO can receive payment for processing and resolving complaints of employment discrimination pursuant to the Worksharing Agreement with the EEOC. This Modification to the Charge Resolution Contract is for FY 2006-2007 and is in the amount of \$75,700 (\$74,250 - charge processing; \$250 Intake Services, and \$1,200 - attendance at EEOC sponsored annual training). EEOC Charge Resolution Contracts for all Fair Employment Practices Agencies nationwide provide payment at a rate of \$550 per charge. OEO’s contract is for a total of 135 charges. Countywide (TKF)

3. Staff recommends motion to adopt: a Resolution to rename a designated portion of the U.S. Highway 1 Bridge in Jupiter as “Carlin White Bridge” in honor of William Carlin White. **SUMMARY:** At the May 15, 2007 Board of County Commissioners meeting, Commissioner Marcus, under her comments asked staff to prepare a Resolution naming the U.S. Highway 1 Bridge in Jupiter after one of Palm Beach County’s pioneers, William Carlin White. The Legislature passed Senate Bill 138 designating the U.S. Highway 1 Bridge that crosses the Loxahatchee River at the inlet in the City of Jupiter/Tequesta as “Carlin White Bridge”, but in order for FDOT to put up signs the County must pass a resolution. FDOT has confirmed that they will be paying for the signs. District 1 (DSW)

4. Staff recommends motion to adopt: a Resolution to support South Florida Water Management District’s request to the United States Congress to appropriate funds necessary to bring the Herbert Hoover Dike into compliance with current levee protection safety standards and to expedite funding for the improvements through prompt enactment of the energy and water appropriations bill or some other mechanism. **SUMMARY:** At the request of local community leaders, the Governing Board of the South Florida Water Management District commissioned an independent, expert review panel to evaluate all U.S. Army Corps of Engineers documents concerning the structural integrity of the 140 mile-long Herbert Hoover Dike surrounding Lake Okeechobee. The report found that the dike does not meet current levee protection safety standards and therefore needs expedited Congressional appropriations to be brought into compliance with such standards. District 6 (DSW)

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>
Workshop	March 27, 2007
Workshop	April 4, 2007
Zoning	April 26, 2007

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

C. ENGINEERING & PUBLIC WORKS

1. **DELETED**

2. **Staff recommends motion to:**

A) approve a Transportation Regional Incentive Program (TRIP) Agreement with the State of Florida Department of Transportation (FDOT), in the amount of \$6,286,595, for the construction of the SR-806/Atlantic Avenue from west of Lyons Road to Starkey Road improvements (Project);

B) adopt a Resolution concerning this Agreement; and

C) approve a Budget Amendment of \$6,286,595 in the Road Impact Fee Fund – Zone 5 to recognize a TRIP Agreement with the FDOT and appropriate it to the Project.

SUMMARY: Through this Agreement, the County will receive a grant of \$6,286,595 from the TRIP Agreement for construction of the Project. District 5 (MRE)

3. **Staff recommends motion to approve:** Finalization of the assessment roll for the 78th Place North Paving Improvement Project (Project) and authorize the Tax Collector's Office to process and collect the assessment payments. **SUMMARY:** Finalization of the assessment roll for the 78th Place North Paving Improvement Project (Project), from Coconut Boulevard to canal ¼ mile west, Section 27, Township 42 South, Range 41 East is needed so the assessment payments can be processed and collected by the Tax Collector's Office. Final Project costs of \$42,403 were originally approved by the Board of County Commissioners on January 10, 2006 (R2006-0116), providing for the collection of 50% of the total projects costs of \$21,201.50. Assessments will be payable in ten (10) equal annual installments of \$1,373.15 per acre. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to:

A) adopt a Resolution amending the special assessment roll for the 41st Court North, from Royal Palm Beach Boulevard to 110th Avenue North, Paving Improvement Project; and

B) approve finalization of the Assessment Roll for the Project and authorize the Tax Collector's Office to process and collect the assessment payments.

SUMMARY: The adoption of the amended Resolution (R2006-0112) to the special assessment roll for the 41st Court North, from Royal Palm Beach Boulevard to 110th Avenue North, Paving Improvement Project will reduce the costs to the residents. This reflects a decrease in the total project costs from \$144,114 to \$138,507.52. Adoption of the amended Resolution provides for the collection of 50% of the total projects costs or \$69,253.76. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs are \$1,204.41 per acre. District 6 (MRE)

5. Staff recommends motion to receive and file: a Report of plat recordations from January 1, through March 31, 2007. **SUMMARY:** This is a quarterly summary of subdivision plats recorded during the past fiscal quarter as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. ED-0-11, governing administrative approval of plats by the County Engineer. Countywide (MRE)

6. Staff recommends motion to approve: an Amendment to the Financial Assistance Agreement (R2006-0038) with Square Lake North Development Company, Inc. (SLNDC) for an extension of the completion date for beautification on the County's property at the access point to Square Lake Drive from Military Trail. **SUMMARY:** The original Agreement provides for a reimbursement, in an amount not-to-exceed a maximum of \$40,000, to the SLNDC for beautification on the County's property at the access point to Square Lake Drive from Military Trail. This Amendment between the SLNDC and County will extend the completion date from December 31, 2006 to December 31, 2007. The completion of the beautification has been delayed due to problems acquiring materials needed to complete the project. District 1 (MRE)

7. Staff recommends motion to approve:

A) an Intergovernmental Agreement with the Town of Lake Park (Town) to provide traffic engineering services; and

B) Rescinding Intergovernmental Agreement with the Town to provide traffic engineering services entered into on March 7, 1978 (R78-248).

SUMMARY: The County entered into many of these agreements with municipalities almost 30 years ago. The agreements allowed the County to have traffic control over certain (mostly thoroughfare) roads within the City limits. We also took control over traffic signals that existed at the time. The new agreement primarily updates the list of roads and traffic signals that will be the responsibility of the County. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to adopt: a Resolution to designate County-owned land as a Drainage Easement, as required per conditions for the new library on Lawrence Road, in hiatus Section 37, Township 44 South, Range 42 East. **SUMMARY:** This item will declare certain County property as an Easement for drainage of Lawrence Road. District 3 (PFK)

9. Staff recommends motion to approve: Removing the Akron Road pathway project from the approved Fiscal Year 2005/2006 Pathway Program. **SUMMARY:** A majority of the affected property owners were not in favor of a pathway in the right-of-way in front of their property and signed a petition to cancel the project. District 6 (MRE)

10. **DELETED**

11. Staff recommends motion to approve: an Agreement in the amount of \$363,963.38 with Wantman Group, Inc. (WGI) for professional services. **SUMMARY:** This Agreement will provide the professional services necessary for the preparation of a study for Australian Avenue from Banyan Boulevard to 45th Street (Project). District 7 (PFK)

12. Staff recommends motion to approve:
 - A) a Financial Assistance Agreement with Lucerne Lake Homeowners Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$37,000; and
 - B) a Budget Transfer of \$37,000 in the Transportation Improvement Fund from Reserve for District 2 to Lucerne Lakes Boulevard in the Lake Worth Drainage District (LWDD) Canal L-12 adjacent to Lake Worth Road.

SUMMARY: This Agreement provides funding to reimburse the Association up to a maximum of \$37,000 of the cost to install improvements in the LWDD Canal L-12 adjacent to Lake Worth Road. LWDD will be responsible for the perpetual maintenance of these improvements. District 2 (MRE)

13. Staff recommends motion to:
 - A) **adopt** a Resolution to enter into an agreement with the Florida Department of Transportation for the County's portion of the design and installation of landscaping along S.R. 882/Forest Hill Boulevard from Florida Mango Road to I-95;
 - B) **approve** an Agreement with Florida Department of Transportation; and
 - C) **approve** a Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserve for District 3 to Forest Hill Boulevard/Lake Clarke Shores Improvements, by the Florida Department of Transportation Project No. 229817-2-52-01.

SUMMARY: The County by Resolution shall authorize officials to enter into an agreement with the Florida Department of Transportation. The Agreement and Budget Transfer will fund the County's portion for the design and installation of landscaping improvements along S.R. 822/Forest Hill Boulevard from Florida Mango Road to I-95. District 3 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

14. Staff recommends motion to approve:

A) a Reimbursement Agreement with the City of Delray Beach not-to-exceed \$46,500 for the installation of trombone style mast arms at S.R. A-I-A and East Atlantic Avenue; and

B) a Budget Transfer of \$46,500 in the Transportation Improvement Fund from Reserve for District 4 to trombone style mast arms at S.R. A-I-A and East Atlantic Avenue – District 4.

SUMMARY: This Agreement and Budget Transfer will fund the installation of trombone style mast arms at the intersection of S.R. A-I-A and East Atlantic Avenue. District 4 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Third Amendment to Contract for legal services with de la Parte & Gilbert, P.A. The original contract began on March 1, 2005. The amount to be paid for appellate work is amended to an amount not-to-exceed \$25,000, including reimbursable costs. **SUMMARY:** The contract provides for compensation to the law firm of de la Parte & Gilbert, P.A., for representing Palm Beach County in appeals filed in the Fourth District Court of Appeals from the following administrative hearings: i.) Indian Trail Improvement District, an Independent Special District and Public Corporation of the State of Florida, Petitioner, v. State of Florida, Department of Community Affairs, and Palm Beach County, Florida, DOAH Case No. 04-4337-GM, in the Division of Administrative Hearings (Administrative Law Judge D. R. Alexander); ii.) Village of Wellington, Florida v. Department of Community Affairs and Palm Beach County, Florida, DOAH Case No. 04-4650, in the Division of Administrative Hearings (Administrative Law Judge D. R. Alexander); iii.) City of West Palm Beach, Seminole Improvement District, Callery-Judge Grove, LLP, Nathaniel Roberts and Indian Trail Improvement District v. Department of Community Affairs and Palm Beach County, DOAH Case Nos. 04-4336-GM, in the Division of Administrative Hearings (Administrative Law Judge D. R. Alexander). Countywide (ATP)

2. Staff recommends motion to receive and file:

A) a Mortgage Subordination Agreement with Bank of America and MerryPlace at Pleasant City Associates, Ltd., dated March 30, 2007, for the MerryPlace at Pleasant City Associates, Ltd., project;

B) a Mortgage Subordination Agreement with West Palm Beach Housing Authority and MerryPlace at Pleasant City Associates, Ltd., dated March 30, 2007; and

C) a Mortgage Subordination Agreement with Florida Housing Finance Authority and MerryPlace at Pleasant City Associates, Ltd., dated May 17, 2007

SUMMARY: The Board of County Commissioners authorized the Chairperson to execute these Subordination Agreements pursuant to the Loan Agreement approved on March 27, 2007 (R2007-0442). District 7 (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) Amendment No. 001 to Standard Agreement No. IC006-1 (R2006-1246; dated July 11, 2006) with the Area Agency on Aging of the Palm Beach/Treasure Coast, Inc. (AAA) for the period July 1, 2006, through June 30, 2007, decreasing the Agreement amount by \$14,000 for a total not-to-exceed amount of \$1,055,638 for the Community Care for the Elderly (CCE): and

B) Amendment No. 001 to Standard Agreement No. IH006-1 (R2006-1248; dated July 11, 2006) with AAA for the period July 1, 2006, through June 30, 2007, increasing the Agreement amount by \$14,000 for a total not-to-exceed amount of \$190,375 for the Home Care for the Elderly (HCE).

SUMMARY: These amendments are needed to transfer \$14,000 from CCE Adult Day Care (ADC) Service to HCE Subsidy fund. The amendments are the result of current spending level projections indicating a deficit in HCE subsidy funds and a surplus in CCE ADC Service. No County funding and no additional funding are required. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides CCE, ADI and HCE services under similar grants from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

2. Staff recommends motion to approve: Revisions made to Contract (R2006-1350; dated July 18, 2006) with the Palm Beach County Health Department (PBCHD).

SUMMARY: The PBCHD has agreed to provide \$250,000 in assistance to the Ryan White program and the contract referencing the terms and conditions was submitted for BCC approval on July 18, 2006 (R2006-1350). Since BCC approval, PBCHD has made two (2) changes. One (1) change is that the contract ending date is now February 28, 2007, instead of March 31, 2007, and the other involves the name Board of County Commissioners of Palm Beach County, Florida being changed to Palm Beach County Board of County Commissioners. (Ryan White Title I) Countywide (TKF)

3. **DELETED**

4. Staff recommends motion to approve:

A) Project Application with the Florida Department of Education; and

B) Memorandum of Understanding with Palm Beach County Workforce Alliance, Inc. for the period July 1, 2007, through June 30, 2008, in the amount not-to-exceed \$334,654 for the Farmworker Jobs & Education Program under Title I of the Workforce Investment Act.

SUMMARY: The Farmworker Jobs & Education Program (formerly Adult Migrant Program) is funded by the State Department of Education to provide academic education and vocational training to farmworkers and their dependents to get permanent employment outside of farmwork. The FY 2007-2008 program provides enrollment and training services for 149 participants. No County funds are required. (Adult Migrant) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **Staff recommends motion to approve:** Amendment No. 005 to Standard Agreement No. IA006-1 (R2006-0181; dated February 7, 2006) for the Older Americans Act (OAA) Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the period January 1, 2006, through December 31, 2006, decreasing the agreement amount by \$31,077 for a new total not-to-exceed amount of \$2,052,975 for various supportive services to seniors. **SUMMARY:** This Amendment will decrease OAA IIIB In-Home Services by \$54,822, increase C2 Home Delivered Meals by \$19,662 and increase IIIE Medical Supplies by \$4,083. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** a Terminal Building Lease Agreement with the General Services Administration (GSA), an Executive Agency of the United States of America for an initial annual rental of \$255,706. **SUMMARY:** The Terminal Building Lease Agreement provides for the GSA to lease 4925 square feet of Type 4 space located in the terminal building of Palm Beach International Airport (PBIA). The space will be used as administration and support by the Transportation Security Administration (TSA). The term of the Agreement is five (5) years and will be automatically extended on a year-to-year basis with a 90-day cancellation clause by either party. Current annual rental for Type 4 space is \$51.92 per square foot. The term of the Agreement will commence upon issuance of a certificate of occupancy for the initial improvements for the space or December 1, 2007, whichever occurs first. The Agreement provides for the Director of the Department of Airports to approve amendments that increase or decrease leased space. Countywide (JMB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve:

A) Amendment No. 1 to the Contract with James A. Cummings, Inc. for the Long Term Parking Garage No. 2 at Palm Beach International Airport (PBIA);

B) Change Order No. 8 to decrease the James A. Cummings, Inc. Contract by \$27,534,855 including a deduction for \$27,641,295 in materials and an increase in administration fees for \$106,440 for the Long Term Parking Garage No. 2 at PBIA. There is no change in contract time in Change Order No. 8; and

C) Change Order No. 9 to the Contract with James A. Cummings, Inc. increasing the contract in the amount of \$73,872 for the Long Term Parking Garage Structure No. 2 Project at PBIA. There is no change in contract time in Change Order No. 9.

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 at PBIA in the amount of \$61,666,000. Change Orders 1-7 were approved for a net increase to the contract in the amount of \$827,216 and no adjustment to the contract time. Amendment No. 1 to the Contract will provide for additional contract language relating to provisions for State of Florida sales and use tax exemption for County-furnished materials, which will allow for substantial cost savings for the County due to direct owner purchase of materials while still holding the Contractor responsible for all matters relating to the receipt of materials and equipment furnished by the County in accordance with the Special Provisions contained in the Amendment. This Amendment will allow for more than \$26,000,000 in direct owner-purchased supplies and equipment, resulting in a sales tax savings of approximately \$1,425,200. Change Order No. 8 deducting the amount of \$27,534,855 will adjust the contract to delete the owner purchased materials and includes payment of additional fees to administer the tax savings program. Approval of Change Order No. 9 in the amount of \$73,872 includes repairs to several columns on the existing parking garage and modification to grade level wind frame sections. It is being brought to the BCC due to exceeding the cumulative limit of the Lead Department/Contract Review Committee. The Small Business Enterprise (SBE) participation for Change Orders 8 and 9 is 0%. The total SBE contract goal including all change orders is 16.26%. Countywide (JCM)

3. Staff recommends motion to receive and file: Airline-Airport Use and Lease Agreement with Northwest Airlines, Inc., effective April 23, 2007. One (1) original Agreement for the Department of Airports. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2006-1906 pursuant to PPM No. CW-0-051. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: JOC Work Order No. 07-085 with H.A. Contracting Corp. (R2005-0541) in the amount of \$214,219.53 to provide replacement of the stucco on the Administration Building at Eagle Academy in Belle Glade. **SUMMARY:** The work consists of the replacement of the existing stucco finish, including subsurface repairs, painting, and installing hurricane shutters. The stucco finish is badly deteriorated and beyond repair with numerous cracks which sustained further damage from the hurricanes. This work is required to protect this residential building from the elements. The SBE participation in this Work Order is 3.03%. When the participation for this Work Order is added to H.A.'s total participation-to-date, the resulting values are 16.1%. 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 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Change Order No. 7 to the Contract with West Construction, Inc. (R2006-0981) in the amount of \$5,758 for the Mid-County Senior Center. **SUMMARY:** Change Order No. 7 provides for performing a 'wet tap' installation on the existing water main on Coconut Road for the water service line to the Senior Center. Change Order No. 7 must be approved by the Board of County Commissioners because this Change Order, when combined with previous approvals, would exceed the combined fiscal authority of the Contract Review Committee and the Department Director. There is no SBE participation for this Change Order. The goal for this project is 15% and when combined with previous change orders, the total participation is 33%. (Capital Improvements Division) District 3 (JM)

3. **Staff recommends motion to approve:** Amendment No. 2 to the annual Contract with Anna Cottrell & Associates, Inc. (R2004-1552) to provide for property development evaluation services on a continuing contract basis. **SUMMARY:** Anna Cottrell & Associates, Inc., was selected to provide professional consulting services for property development evaluations. The Board approved an annual contract on July 13, 2004 for an initial two (2) year term with two (2) - one (1) year renewal options. This Amendment would provide for services during the second and final renewal period. Anna Cottrell & Associates has an SBE participation goal of 15%. During the first three (3) years of the Contract, Anna Cottrell & Associates has achieved 91.6% participation. (Capital Improvements Division) Countywide (JM)

4. **Staff recommends motion to approve:** Amendment No. 2 to the annual Contract with Kilday & Associates, Inc. (R2004-1551) to provide for property development evaluation services on a continuing contract basis. **SUMMARY:** Kilday & Associates, Inc., was selected to provide professional consulting services for property development evaluations. The Board approved an annual contract on July 13, 2004 for an initial two (2) year term with two (2) - one (1) year renewal options. This Amendment would provide for services during the second and final renewal period. Kilday & Associates has an SBE participation goal of 15%. During the first three (3) years of the Contract, Kilday & Associates has achieved 24.8% participation. (Capital Improvements Division) Countywide (JM)

5. **Staff recommends motion to approve:**
 - A) Budget Transfer of \$235,000 from the Fire Rescue Improvement Fund reserves to increase the total funding for Fire Station No. 36 project from \$3,048,122 to \$3,283,122; and
 - B) Change Order No. 4 to the Contract with McTeague Construction, Inc. (R2006-0208) in the amount of \$93,786 for Fire Station No. 36.**SUMMARY:** The Budget Transfer is necessary to fund this Change Order and a future mitigation expense. Change Order No. 4 provides for the 140 foot extension of pavement on Major Road to the adjacent property owner, Land Trust Holdings' north property line. The overall SBE goal for this project is 15%. The participation for this Change Order is 0%. (Capital Improvements Division) District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** a Restrictive Covenant for maintenance of a littoral planting area covering approximately .519 acres at the County's Herman W. Brice Fire Rescue Complex in unincorporated West Palm Beach. **SUMMARY:** On July 20, 2004, the Board approved an Interlocal Agreement with the Solid Waste Authority (R2004-1624) providing for the exchange and lease of property on Pike Road between Southern Boulevard and Belvedere Road. The County is currently constructing the Herman W. Brice Fire Rescue Complex on this property. The County is creating a water management tract to handle stormwater runoff. The Restrictive Covenant identifies the .519 acre littoral area within the water management tract and provides for the maintenance thereof. The Solid Waste Authority will be responsible for its 38% proportionate share of costs associated with the water management tract. (PREM) District 6 (HJF)

7. **Staff recommends motion to approve:** a Utility Easement Agreement in favor of BellSouth Telecommunications, Inc. d/b/a AT&T Florida (BellSouth) for underground communication lines for the County's Operations & Support Center at Vista Center. **SUMMARY:** The County is constructing the Operations & Support Center on a 51.857 acre County-owned parcel in the Vista Center. BellSouth requires easements for installation of underground communication lines for this new facility. The easement affects four (4) separate areas covering a total of 11,534 square feet (0.26 acres). Three (3) of the easement areas are for communication services that directly serve the newly constructed County facilities and are required as a condition of service. The fourth easement area is a relocation of an existing platted easement to accommodate construction of the County's facilities. Staff recommends granting this non-exclusive easement to BellSouth without charge as it is required to service County facilities and to enable construction of said facilities. (PREM) District 2 (JMB)

8. **Staff recommends motion to approve:** a Grant of Easement in favor of the Village of Wellington and the Acme Improvement District for a water main and fire hydrant to serve the County's Wellington Library. **SUMMARY:** On February 24, 2004, the Board approved an Agreement for Purchase and Sale with the Village of Wellington (R2004-0325) to acquire 1.36 acres for the Wellington Library expansion located at the northwest corner of Forest Hill Boulevard and Royal Fern Drive. As the water main and fire hydrant have been installed, this Grant of Easement will provide for a perpetual and exclusive easement. The easement area is 12' x 281' (3,372 square feet/0.077 acres) and is located along the northern portion of the property along Forest Hill Boulevard. This easement is being granted at no charge, as it will provide water main service to a fire hydrant benefiting County facilities. (PREM) District 6 (HJF)

9. **Staff recommends motion to approve:** a Declaration of Conservation Easement across a portion of the Lawrence Road County Library. **SUMMARY:** On September 23, 2003, the County approved an Agreement for Purchase and Sale (R2003-1544) to acquire 5.09 acres at the southwest corner of Lantana Road and Lawrence Road for the County to construct a new library. The property has a substantial number of pine trees that must be relocated and preserved. The vegetative removal permit requires the County to establish a preserve area and mitigate for the removal of trees outside of the preserve area and grant a conservation easement to identify the preserve area. The easement area is approximately 131.61 feet by 200.39 feet for a total area of 25,933 square feet (0.595 acres) and is located along the southeast portion of the property abutting the L-16 canal. The approval and recording of this Declaration of Conservation Easement will satisfy the permit requirement. (PREM) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of 1.729 acres to the Lake Worth Drainage District (LWDD) at no charge and without reservation of mineral rights; and

B) approve a County Deed in favor of the LWDD conveying 1.729 acres lying within the L-42 Canal right-of-way south of Yamato Road and east of State Road 7.

SUMMARY: In 1979, the County received a Special Warranty Deed from Boca Hamptons Management, Inc., that conveyed land at the S.E. corner of Yamato Road and US 441 for American Homes Park and lessed-out the adjacent L-42 Canal right-of-way, but did not specify its dimensions. This created ambiguity as to the dimensions of the right-of-way owned by the LWDD. On March 12, 2007, the County conveyed a portion of American Homes Park to Yamato Court LLC pursuant to an Exchange Agreement approved by the Board on February 15, 2005 (R2005-0371), and amended on January 9, 2007 (R2007-0072). As LWDD is currently selling a portion of the L-42 canal right-of-way to Yamato Court, LWDD has requested the County disclaim any interest the County may have in the lessed-out L-42 Canal right-of-way (1.729 acres) to satisfy Yamato Court's title agent as to the canal right-of-way limits. Right-of-way maps and other documentation indicate that the right-of-way was 100' wide, and staff believes the County never held any interest in the subject 100' strip. The County Deed will be granted to LWDD at no charge as it simply disclaims any land interest the County may have held. (PREM) District 5 (HJF)

11. Staff recommends motion to approve: the Boynton-Lyons plat. **SUMMARY:** On May 18, 2004, the Board approved an Exchange and Civic Site Dedication Agreement (Agreement) with Boynton Beach Associates X, LLLP (a development entity controlled by G.L. Homes) (R2004-0936) pursuant to which the County assembled 62.96 acres of land on Acme Dairy Road south of Boynton Beach Boulevard, for park and civic purposes. The total area to be platted is 125.816 acres and encompasses property owned by the County (52.165 acres), the School Board (33 acres), Boynton Beach Associates X, LLLP and Boynton Beach Associates XVIII, LLLP (40.651 acres). The Agreement with Boynton Beach Associates required them to plat the property and the County to join in the plat. The County is signing the Plat as a property owner within the platted area. Parks and Recreation is planning to develop a District Park on the County's property. (PREM) District 5 (HJF)

12. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of .7579 acres of vacant land to the State of Florida Department of Transportation (FDOT) at no charge and without reservation of mineral rights; and

B) approve a County Deed in favor of FDOT.

SUMMARY: The County is planning to begin construction of a new library on the west side of State Road 7 between Clint Moore Road and Yamato Road in western Boca Raton in July 2007. As a condition of site plan approval, the County is required to provide FDOT with a 40' strip of land to meet FDOT's requirement for a 240' right-of-way for State Road 7. The total area to be conveyed is .7579 acre (33,014 sf) and is located along the eastern boundary of the County's property (State Road 7). FDOT has requested that the County convey the land without reservation of mineral and petroleum rights. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 1 to the Contract with Hanson Professional Services, Inc. in the amount of \$714,900 for professional architectural and engineering services for the Governmental Center Central Chiller Plant. **SUMMARY:** The scope of services for this CSA is design, permitting, and construction services to expand the Judicial Center Central Energy Plant (CEP) to additionally serve the Governmental Center and the Historic Courthouse. The purpose of this project is to replace the Government Center roof mounted chiller plant which has reached its operational life expectancy. Additionally, the chillers employ a refrigerant whose future use has been banned. The SBE participation goal for this project is 15%. Pursuant to this contract, Hanson Professional Services, Inc. agrees to meet an overall minimum small business participation of 12%. Several of Hanson's proposed SBE subconsultants were not required or had reduced services due to the project changing from a new, stand alone building (which is what the Request for Proposals envisioned) to a replacement of the chiller equipment within the existing CEP. (Capital Improvements Division) District 7 (JM)

14. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 1 to the Contract with Hellmuth, Obata + Kassabaum, Inc., (HOK) (R2007-0033) in the amount of \$3,368,567 for design services associated with the Jail Expansion Program. **SUMMARY:** CSA No. 1 will provide for the initial architectural and engineering services for the Jail Expansion project, specifically construction documents and permitting for early site work packages and ancillary buildings as well as 20% construction documents for the jail expansion at the West County Detention Center. Program planning and site master planning have been completed under the original contract Authorization. A future Authorization will provide for the completion of the construction documents and construction administration services for the West County facility and design and construction services for the Stockade and Main Detention Center work. A portion of the work has been completed prior to Board consideration of this item. STH Architectural Group is the local architect working in conjunction with HOK. The SBE goal for this project is 15%. CSA No. 1 includes 19.79% participation. (Capital Improvements Division) Countywide (JM)

15. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 1 to Contract with Colome & Associates, Inc. (R2007-0392) in the amount of \$199,554 for professional services related to an addition at West Palm Beach Head Start Center. **SUMMARY:** This CSA provides for professional services for design development, construction documents, bidding, and construction services for the proposed addition to the West Palm Beach Head Start Child Care Center located on Chillingworth Road. The construction cost estimate is \$2.0M. The SBE goal for this project is 15%. Colome will be providing 74% SBE participation in this CSA. (Capital Improvements Division) District 7 (JM)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** Amendment No. 004 to an Agreement (R2002-1178) with Everglades Venture Company, LLC, to: A) extend the expiration date of the agreement from May 30, 2007 to August 31, 2007; and B) increase the funding amount from \$224,596 to \$394,596 in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Amendment provides an extension of three (3) months to the term of the Agreement for this economic development project located in the Pahokee City Marina adjacent to Lake Okeechobee. County CDBG funds provided under this agreement will be used to construct a building to house a restaurant, a children's game area, and a camping and marine store. The other components of the project include a bar, a covered dining pavilion, and a pool. The project is under construction for a total cost of \$1,001,460. The original contract amount was \$856,720. Additions to the project have increased the cost resulting in this request. The time extension will provide an additional three (3) months to allow the completion of the project. **These are Federal CDBG funds which do not require local matching funds.** District 6 (TKF)

2. **Staff recommends motion to approve:**
 - A) the Commission on Affordable Housing's 2007-2008 budget of \$8,775,479; and
 - B) the following program allocations: 1) Purchase Assistance Program \$5,870,000; 2) Homeownership Development \$500,000; 3) HOME Program Match \$700,000; 4) Foreclosure Prevention \$100,000; 5) Utility Connection/Impact Fee \$150,000; 6) Multifamily Rental Development \$500,000; 7) Special Needs/Barrier Free \$77,931; and 8) Program Administration \$877,548.**SUMMARY:** Palm Beach County receives an annual allocation from the State of Florida through the SHIP Program to implement various affordable housing programs and other related activities. For Fiscal Year 2007-2008 Palm Beach County will receive \$8,775,479. **These are State SHIP funds that require no local match.** Countywide (TKF)

3. **Staff recommends motion to approve:** a Reimbursement to the Town of Lake Park in the amount of \$7,131. **SUMMARY:** Approval of this agenda item will reimburse the Town of Lake Park for expenses already incurred by them in connection with the completion of storm water drainage improvements on Bayberry Drive between 7th and 8th Streets. The Town of Lake Park entered into a funding Agreement with Palm Beach County for this project on October 5, 2004. The Agreement, as amended, expired on June 30, 2006. This reimbursement will pay for work that would have been funded under the Agreement. Their \$7,131 reimbursement was delayed while the contractor completed his compliance with the federally mandated Davis-Bacon Act relating to the payment of wages to workers on the project. **This approval will provide \$7,131 in Federal Community Service Block Grant funds which do not require local matching funds.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Consultant Services Authorization No. 20 to the Contract with Camp Dresser & McKee, Inc. (CDM) (R2005-0774) for engineering services for the Water Treatment Plant No. 2 Backwash Recovery System and Lime Sludge Handling Facility in the amount of \$391,198. **SUMMARY:** This Consultant Services Authorization includes design, permitting, and bidding services for the Water Treatment Plant No. 2 Backwash Recovery System and Lime Sludge Handling Facility. Filter backwash recovery will save approximately 300,000 gallons of water per day and reduce wellfield pumpage. Lime sludge handling facilities will reduce dust and provide for more efficient handling of lime sludge. The contract with CDM includes the 15.0% overall Small Business Enterprise (SBE) participation goal established by the Palm Beach County SBE Ordinance (No. 2002-064). This Consultant Services Authorization includes 22.75% overall participation. The consultant's cumulative SBE participation, including this Authorization, is 24.68% overall. (WUD Project No. 07-134) District 2 (MJ)

2. **Staff recommends motion to approve:** a Memorandum of Agreement with Lake Worth Drainage District and the South Florida Water Management District addressing diversion and impoundment of water for Riverbridge and Okeeheelee Park South. **SUMMARY:** This Memorandum of Agreement authorizes the Department to divert excess surface water from the canal system into the Riverbridge and Okeeheelee Park South lakes bordering the Department's System 2 wellfield which have experienced low lake levels over the past few years. Working with the South Florida Water Management District (SFWMD) and Lake Worth Drainage District (LWDD), the Department developed a strategy to address the lake levels. Water will be diverted from the SFWMD C-51 Canal via the LWDD E-2W Canal and the Pines State Park Canal and then stored within the existing lakes. All parties agree the Department's use of this water is consistent with LWDD's Diversion and Impoundment Permit No. 50-00793-W issued by SFWMD. (WUD Project No. 05-072) Districts 2 & 6 (MJ)

3. **DELETED**

4. **Staff recommends motion to receive and file:** one (1) Standard Development Renewal Agreement and one (1) Utility Concurrency Reservation Agreement complete with executed documents received during the months of April and May 2007:

Standard Development Renewal Agreement

A) Wellington Commons, LLC

02-01053-R01

Utility Concurrency Reservation Agreement

B) 6620 Lakeside Road, LLC

01-01191-000

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 receive and file:** Declaration of Restrictive Covenants No. 06-017-FF6 and Grant Award Calculation statement (GAC) awarding a net of \$3,524,048 from the Florida Communities Trust (FCT) reimbursing a portion of the Delaware Scrub Natural Area acquisition costs. **SUMMARY:** A delegation of authority for execution of the standard County contract(s), agreement(s) or grant(s) above was approved by the BCC in Board item No. 3L-10 on November 21, 2006 (R2006-2485), pursuant to PPM No. CW-O-05. District 1 (JB)

2. **Staff recommends motion to approve:** Amendment No. 6 to Florida Department of Environmental Protection (DEP) Contract No. GC510 for activities in the Pollutant Storage Tank Compliance Verification Program (PSTCVP). **SUMMARY:** On September 2, 1997, the Board of County Commissioners (BCC) approved the current ten (10) year contract (R97-1136D) with the DEP for PSTCVP activities. The Contract expires September 30, 2007. Amendment No. 6 changes the completion date of the Contract to June 30, 2007. Countywide (SF)

3. **Staff recommends motion to:**
 - A) **approve** Contract No. GC680 with the Florida Department of Environmental Protection (DEP) for activities in the Pollutant Storage Tank Compliance Verification Program (PSTCVP); and

 - B) **authorize** the County Administrator or his designee to sign Task Assignments provided by the DEP on a yearly basis.

SUMMARY: Contract No. GC680 is a new ten (10) year contract with the DEP, beginning on July 1, 2007, through June 30, 2017. There are only minor differences between this Contract and the previous Contract No. GC510. Those differences include performing compliance inspections at County-owned facilities, setting performance levels through the Annual Task Assignments and providing the DEP with quarterly enforcement summaries. Funding is through the Florida Inland Protection Trust Fund payable through Annual Task Assignments issued by the DEP. This is a non-ad valorem program and no fiscal impact is anticipated until the first Task Assignment is issued. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve:

A) Budget Amendment of \$3,524,049 in the \$75M Conservation 1999 Bond Fund to recognize the receipt of a reimbursement grant from the Florida Communities Trust (FCT) for property purchased as part of the Delaware Scrub Natural Area;

B) Budget Transfer of \$1,797,404 within the \$75M Conservation 1999 Bond Fund from Property Acquisition Reserves to Transfer to the Sunshine, Debt Service Environmentally Sensitive Land Fund;

C) Budget Transfer of \$1,000,000 within the Ag Reserve Land Management Fund from Reserves for Ag Reserve Management Fees to Transfer to the Sunshine, Debt Service Environmentally Sensitive Land Fund; and

D) Budget Amendment of \$2,797,404 in the Sunshine, Debt Service Environmentally Sensitive Land Fund to recognize the Transfers from the \$75M Conservation 1999 Bond Fund and the Ag Reserve Land Management Fund.

SUMMARY: The Budget Amendment of \$3,524,049 will recognize grant proceeds from FCT for property originally purchased in 2005 through an Interlocal Agreement with the Town of Jupiter as partial owner (49%) of a 15.88-acre tract (R2005-0927). The County will distribute 49% of the grant proceeds, or \$1,726,783.89, to the Town for their share. The Budget Transfer within the \$75M Conservation 1999 Bond fund will spend down the remaining fund balance of \$140 and the balance of the grant to provide a payment of \$1,797,404 toward Environmental Resources Management's Sunshine Loan (\$7.8M) taken to acquire the RV Holding, Inc. property as part of the Cypress Creek Natural Area. The Budget Transfer in the Ag Reserve Land Management Fund provides an additional loan payment of \$1M. Countywide (SF)

5. Staff recommends motion to:

A) approve Contract with the Palm Beach County Boat Show, Inc. for exhibit space June 21 through June 24, 2007 at the South Florida Fairgrounds at no cost to the County; and

B) authorize the County Administrator or his designee to sign all future no-cost exhibit contracts for the Department of Environmental Resources Management (ERM).

SUMMARY: The Palm Beach County Boat Show, Inc. has agreed to allow ERM to participate in the 2007 Boat Show at the South Florida Fairgrounds with an exhibit of Palm Beach County's Environmental Programs. There is no charge to the County. Countywide (SF)

6. Staff recommends motion to approve: Budget Transfer of \$1,267,102 within the Capital Outlay Fund from various projects to the Loxahatchee Slough Project.

SUMMARY: The transfer within the Capital Outlay Fund removes funding for the Hungryland Slough (\$110,722), Frenchman's Forest (\$126,380) and North Jupiter Flatwoods (\$50,000), which are capital complete, and reduces funding for Winding Waters (\$400,000) and Limestone Creek (\$580,000), in order to increase funding of \$1,267,102 for increased restoration activities on the Loxahatchee Slough Project. Countywide (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Agreement with the City of Delray Beach for the period June 5, 2007, through September 30, 2007, in an amount not-to-exceed \$5,000 for the 2007 Invitational Friendship Tournament. **SUMMARY:** This funding is to help offset the cost of a youth baseball and softball tournament being held at Pompey Park in Delray Beach on May 25 through May 27, 2007. The event attracted approximately 800 participants and 1,500 spectators. The Agreement allows for the reimbursement of eligible project costs incurred by Delray Beach subsequent to May 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
2. **Staff recommends motion to approve:** Agreement with Adolph and Rose Levis Jewish Community Center, Inc. for the period June 5, 2007, through December 1, 2007, in an amount not-to-exceed \$20,000 for funding of Camp Kavod. **SUMMARY:** This funding is to help offset the cost of the Adolph and Rose Levis Jewish Community Center (Jewish Community Center) for its Camp Kavod summer camp program for special needs children. Camp Kavod serves approximately 40 children. The Agreement allows for the reimbursement of eligible project costs incurred by the Jewish Community Center subsequent to June 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)
3. **Staff recommends motion to approve:** Agreement with Centro Cultural Latinoamericano, Inc. for the period June 5, 2007, through April 30, 2008, in an amount not-to-exceed \$10,000 for funding of expanded programs and rental costs. **SUMMARY:** This funding is to assist with operational costs for Centro Cultural Latinoamericano, Inc. (Centro Latinoamericano) for expanded cultural and recreational programming and facility rental costs. Centro Latinoamericano serves over 100 people through its regular programs, and over 10,000 people through its newspaper and radio programs. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to May 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 2 Funds. District 3 (AH)
4. **Staff recommends motion to approve:** Agreement with the City of Delray Beach for the period June 5, 2007, through August 25, 2007, in an amount not-to-exceed \$4,000 for the Delray Beach Divas Step Team competition. **SUMMARY:** This funding is to help offset the cost of a step team competition for local high schools and the community hosted by the City of Delray Beach and held on February 2, 2007 at Atlantic Community High School. The event attracted approximately 192 participants and 300 spectators. The Agreement allows for the reimbursement of eligible project costs incurred by Delray Beach subsequent to January 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
5. **Staff recommends motion to approve:** Agreement with Young Singers of the Palm Beaches, Inc. for the period June 5, 2007, through October 31, 2007, in an amount not-to-exceed \$8,000 for funding of the Performance Tour at the National Festival of the States. **SUMMARY:** This funding is to help offset the travel costs for the Children's Community Choir's performance at a national festival in New York City in the summer of 2007. Sixty-three of the children and youth from Young Singers of the Palm Beaches, Inc. (YSPB) will represent Palm Beach County at this event. The Agreement allows for reimbursement of eligible project costs incurred subsequent to March 1, 2007. Funding is from Recreation Assistance Program (RAP) District 1 (\$6,000) and District 2 (\$2,000) Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. **Staff recommends motion to approve:** Agreement with South Florida Opera Company, Inc. for the period June 5, 2007, through September 30, 2007, in an amount not-to-exceed \$10,000 for the performance of "Norma". **SUMMARY:** This funding is to help offset costs of South Florida Opera Company, Inc.'s (South Florida Opera) production of "Norma" on March 28 and 30, 2007, at Wellington Community High School. The performance was viewed by approximately 250 people. The Agreement allows for the reimbursement of eligible project costs incurred by South Florida Opera subsequent to March 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

7. **Staff recommends motion to approve:** Agreement with the City of Belle Glade for the period June 5, 2007, through August 31, 2007, in an amount not-to-exceed \$5,000 for funding of the 2007 Black Gold Jubilee fireworks display. **SUMMARY:** This funding is to offset the cost of the fireworks display at the 29th Annual Black Gold Jubilee (the Event), which was held at the Belle Glade Marina on April 21, 2007. The Event was attended by approximately 2,500 residents and tourists. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to April 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

8. **Staff recommends motion to approve:** Agreement with the City of Pahokee for the period June 5, 2007, through July 1, 2007, in an amount not-to-exceed \$12,000 for funding of the Muck City Champions celebration. **SUMMARY:** This funding is to offset the cost of an event to commemorate the athletic achievements of three (3) area high schools in the Glades (Glades Day School, Pahokee High School, and Glades Central High School). The event was attended by approximately 5,000 people. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to January 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

9. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Olympic Heights Community High School (\$5,000), West Boca Community High School (\$5,000), and Spanish River Community High School (\$2,500) in an amount not-to-exceed \$12,500 for Project Graduation 2007. **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. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

10. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Glades Central Community High School, in an amount not-to-exceed \$3,000 for Project Graduation 2007. **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. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

11. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Loxahatchee Groves Elementary School, in an amount not-to-exceed \$3,000 for the annual school carnival. **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. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
12. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the months of April and May.
- A)** Caroline Karolinko, Synchronized Swimming, Aqua Crest Pool. (KARO1073000407530300B);
- B)** Pamela Romero, Summer Camp Soccer Coach, West Boynton Recreation Center. (ROM176650607524382A);
- C)** Pamela Romero, Summer Camp Volleyball Coach, West Boynton Recreation Center. (ROM176650707524382B);
- D)** Susan Allshouse, Summer Camp Tennis Coach, West Boynton Recreation Center. (ALLS1074100707524382A);
- E)** Keith Mackrey, Summer Camp Basketball Coach, West Boynton Recreation Center. (MACK1110740607524382A).
- SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The attached Independent Contractor Agreement(s) have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Countywide (AH)
13. **Staff recommends motion to approve:** Agreement with West Boca Youth Baseball, Inc. for the period June 5, 2007, through August 28, 2007, in an amount not-to-exceed \$8,000 for uniform expenses. **SUMMARY:** This funding is to help offset the cost of uniforms for participants in the baseball program sponsored by West Boca Youth Baseball, Inc. The programs are operated year-round and serve approximately 650 youth. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to February 20, 2007. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

14. Staff recommends motion to approve:

A) an increase in the change fund for the Park Ridge Golf Course from \$1,000 to \$2,000; and

B) an increase in the change fund for the John Prince Golf Learning Center from \$1,000 to \$2,000.

SUMMARY: The Park Ridge Golf Course and the John Prince Golf Learning Center currently have \$1,000 in each of their change funds. These amounts are not sufficient to run the golf courses smoothly on a day to day basis. The increase for each change fund will result in more efficient golf course operations by reducing the frequency of exchanging coins and currency for lower denominations. Districts 3 & 6 (AH)

15. Staff recommends motion to approve: First Amendment to the Contract with The

ICEE Company, for the provision of frozen carbonated beverage drinks and dispensing equipment to County Waterparks for the period June 8, 2007, through June 7, 2008.

SUMMARY: On June 8, 2004, the Board of County Commissioners approved a Contract with The ICEE Company (R2004-1360) to provide frozen carbonated beverage drinks and dispensing equipment to County Waterparks. The original Contract provided for an initial three (3) year term which will expire on June 7, 2007, with two (2) one (1) year renewal options. This Amendment renews the Contract for the first option period June 8, 2007, through June 7, 2008, and increases the per item amount the County will pay to The ICEE Company for frozen carbonated beverages for the period June 8, 2007, through February 29, 2008, by replacing Exhibit A of the original Contract with Exhibit A-1. All other terms of the Contract remain the same. Districts 5 & 6 (AH)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one (1) original standard Interlocal

Agreement for Swimming Lessons with the Village of Wellington. **SUMMARY:** On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, one (1) standard County agreement that has been executed by the Fire Rescue Administrator is submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to:

A) ratify the Chairperson's signature on a Grant Application to the U.S. Department of Homeland Security's 2007 Assistance to Firefighters Grant Program in the amount of \$380,000, including a local match of \$76,000; and

B) authorize the County Administrator or his designee (Division Chief of Training) to act as the County's representative for the purpose of electronically signing and submitting the Grant Application via the Department of Homeland Security's website.

SUMMARY: The 2007 Assistance to Firefighters Grant (AFG) Program is a competitive grant program designed to assist local fire departments in protecting citizens and firefighters against the effects of fire and fire-related incidents. This grant program funds activities such as purchasing firefighting equipment, personal protection equipment, training, firefighting vehicles, and firefighter/first responder safety projects. If awarded this grant, funds would be used to purchase forty thermal imaging cameras (TIC's) and provide a minimum of eight hours of training for all 1,250 firefighters in their care, use, and maintenance. TIC's are an immediate safety tool to quickly identify fire conditions, determine structural integrity, identify trapped or missing fire victims and firefighters, identify the need for ventilation, and evaluate effective overhaul. The grant rules require submission of this grant application by electronic format in order to assure an efficient review and competitive scoring of all grants submitted under this program. Countywide (SB)

3. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the Village of Palm Springs (Village). **SUMMARY:** In an effort to enhance the provision of Fire Rescue services, the Board of County Commissioners authorized the Fire Rescue Department to provide countywide communications services effective June 1, 2005. This Agreement provides for the contractual commitment for dispatch services to the Village as part of the Countywide Common Dispatch program for a ten (10) year period. This Agreement further authorizes the parties' respective Fire Chiefs to enter into Letter(s) of Understanding to develop automatic aid/closest unit response plans and procedures. This Agreement terminates the Special Assistance Agreement for Fire Rescue Services with the Village dated August 24, 1989 (Contract No. R89-1782D). Upon approval of this Agreement, Palm Beach County Fire Rescue will be providing dispatch services to twenty-four (24) municipalities, along with the unincorporated portion of Palm Beach County. District 3 (SB)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: original executed standard Interlocal Agreement with the City of Riviera Beach to provide \$150,000 to enhance security at the Riviera Beach Water Treatment Plant, as approved by the Fort Lauderdale Urban Areas Security Initiative (UASI). **SUMMARY:** Resolution R2006-2669 authorizes the County Administrator or his designee to execute standard UASI sub-grant agreements with various governmental and private agencies on behalf of the Board of County Commissioners. Countywide (DW)

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JUNE 5, 2007

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring June 27, 2007 as “National HIV Testing Day” in Palm Beach County.
(Sponsored by Commissioner Greene)

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Bond Resolution authorizing the issuance of up to \$37,000,000 revenue bonds for the benefit of Saint Andrew's School of Boca Raton, Inc. (the "Bonds"). **SUMMARY:** On May 15, 2007, the County approved the application of Saint Andrew's School of Boca Raton, Inc. (the "School") for the issuance of the Bonds. Bond proceeds will be used to: (i) refund the County's Variable Rate Demand Revenue Bonds (Saint Andrew's School of Boca Raton, Inc. Project) Series 2003 issued in June 2003 and outstanding in the principal amount of \$24,770,000; (ii) pay the costs of or reimburse the School for the costs of acquisition of land adjacent to the existing campus and the construction and equipping of a facility to house the School's pre-Kindergarten through Grade 2 operations, and for the costs of a small amount of renovation in the existing facilities primarily to convert the space formerly used for grades K through 2 to be used for Grades 3 through 5 (the "Project"); and (iii) pay the costs of issuance of the Bonds. **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 4 (PFK)

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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

A) Janney Montgomery as Senior Manager and Wachovia Securities, Raymond James, Loop Capital Markets and Citigroup as co-managers for the estimated \$105 Million Public Improvement Revenue Bonds, Series 2007 (Biomedical Research Park Project);

B) Ruden McClosky as bond counsel for the estimated \$105 Million Public Improvement Revenue Bonds, Series 2007 (Biomedical Research Park Project); and

C) Hogan & Hartson as disclosure counsel for the estimated \$105 Million Public Improvement Revenue Bonds, Series 2007 (Biomedical Research Park Project).

SUMMARY: The underwriters listed above are next to be selected from the Senior Manager Underwriter Rotation List. Because of the continuing work that Ruden McClosky has performed in its role as bond counsel for the Scripps bonds, staff is recommending that they continue to provide these services for the new Scripps bonds.

On April 10, 2007, the Board approved the procedures for the selection and rotation of disclosure counsel. Hogan and Hartson is the corresponding disclosure counsel when Ruden McClosky serves as bond counsel. Each firm will now be moved to the bottom of their respective rotations. Countywide (PFK)

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6. BOARD APPOINTMENTS

A. **ADMINISTRATION**
(Florida Atlantic Research & Development Authority)

1. **Staff recommends motion to approve:** reappointment of one (1) individual to the Florida Atlantic Research & Development for a four (4) year term, effective June 8, 2007 through June 7, 2010:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Roxanna Trinka	1	Resident of PBC	Comm. Koons Comm. McCarty Comm. Greene

SUMMARY: Per Ordinance No. 85-32, the Florida Atlantic Research & Development Authority is composed of seven (7) members, of which three (3) are appointed at-large by the Board of County Commissioners (BCC); three (3) are appointed by Broward County; and the President of Florida Atlantic University or his designee is a permanent member. Ms. Trinka has served on the Florida Atlantic Research & Development since 2003 and has expressed an interest in serving for another four (4) years. A memo dated May 4, 2007, was distributed to the BCC notifying them of the term expiration. Countywide (DW)

B. **PLANNING, ZONING & BUILDING**
(Building Code Advisory Board)

1. **Staff recommends motion to approve:** reappointment of the following individual to the Building Code Advisory Board (BCAB) for a three (3) year term from June 8, 2007 to June 7, 2010:

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>
Howarth Lewis	12	Architect

SUMMARY: The Building Code Advisory Board was established by Special Act of Florida Legislature in 1974, and amended in 2001. The term of office is three (3) years; with no limit to the number of terms a member may serve. Howarth Lewis is nominated by the Construction Industry Management Council of Palm Beach County. The nomination represents the architect cited in the Special Act establishing the Building Code Advisory Board. The Board comprises of sixteen (16) members; seven (7) regional Building Officials (nominated by the Building Official Association of Palm Beach County); seven (7) members who must be appointed from nominations submitted by the Construction Industry Management Council of Palm Beach County; one (1) member who must be a registered Architect nominated by the Palm Beach County Chapter of the American Institute of Architects; and one (1) member who must be a Professional Engineer nominated by the Palm Beach County Chapter of the Florida Engineering Society. Countywide (GB)

6. BOARD APPOINTMENTS

B. PLANNING, ZONING & BUILDING (Cont'd)
(Construction Board of Adjustment and Appeals)

2. Staff recommends motion to approve: appointment of one (1) individual to the Construction Board of Adjustment and Appeals, for a three (3) year term, beginning June 8, 2007 to June 7, 2010:

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>
Michael V. Walker	6	HVAC Contractor

SUMMARY: Palm Beach County Ordinance 89-31 created the Construction Board of Adjustment and Appeals. The term of the office is three (3) years. Michael V. Walker is nominated by the Construction Industry Management Council of Palm Beach County. The nomination represents the HVAC contractor member of the Board as required by the Palm Beach County Ordinance 2002-005, as amended, Palm Beach County Amendments to the Florida Building Code, 2004 Edition. The Board is comprised of seven (7) members consisting of one (1) registered architect; one (1) registered engineer; one (1) general contractor; one (1) electrical contractor; one (1) HVAC contractor; one (1) plumbing contractor and any other contractor licensed category. In addition to the seven (7) members, there should be two (2) alternate members, one (1) member with the qualifications referenced above and one (1) member at-large from the public. Countywide (DW)

C. COMMISSION DISTRICT APPOINTMENTS

JUNE 5, 2007

7. MATTERS BY THE PUBLIC – 2:00 P.M.

JUNE 5, 2007

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

Hurricane Preparedness Report

B. COUNTY ATTORNEY

JUNE 5, 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

JUNE 5, 2007

<u>PAGE</u>	<u>ITEM</u>	
18	3I-2	<p><u>REVISED MOTION/TITLE & SUMMARY:</u> Staff recommends motion to approve:</p> <p><u>A) adopt</u> a Resolution approving the First Amendment to the SHIP Local Housing Assistance Plan (R2006-0735) for Fiscal Year 2007; providing for changes in the funding for the SHIP Program;</p> <p>A) B) approve a Budget Amendment of \$8,775,479 to the Commission on Affordable Housing's 2007-2008 budget of \$8,775,479; and</p> <p>B) C) approve the following program allocations: 1) Purchase Assistance Program \$5,870,000; 2) Homeownership Development \$500,000; 3) HOME Program Match \$700,000; 4) Foreclosure Prevention \$100,000; 5) Utility Connection/Impact Fee \$150,000; 6) Multifamily Rental Development \$500,000; 7) Special Needs/Barrier Free \$77,931; and 8) Program Administration \$877,548.</p> <p>SUMMARY: Palm Beach County receives an annual allocation from the State of Florida <u>Housing Finance Corporation</u> through the <u>State Housing Initiative Partnership (SHIP)</u> Program to implement various affordable housing programs and other related activities. <u>The Commission of Affordable Housing's Advisory Committee approved the 2007-2008 budget allocation at the April 26, 2007 meeting.</u> For Fiscal Year 2007-2008 Palm Beach County will receive \$8,775,479. These are State SHIP funds that require no local match. Countywide (TKF) (HCD)</p>
19	3K-2*	<p><u>REVISED TITLE:</u> <u>Staff recommends motion to approve:</u> a Memorandum of Agreement with Lake Worth Drainage District and the South Florida Water Management District addressing diversion and impoundment of water for Riverbridge and Okeeheelee Park South.</p>
28	5C-1	<p><u>ADD-ON:</u> Staff recommends motion to approve: Execution of a Construction Access Easement Agreement (50-year term) with Condado, Inc. of Singer Island relative to property included within the limits of the Singer Island Shore Protection Project. SUMMARY: The Singer Island Shore Protection Project includes dune restoration in an area determined by the Florida Department of Environmental Protection (FDEP) to be "critically eroded". Dune restoration reconstructs past dune profiles and stabilizes the sand with appropriate native dune vegetation. Easement Agreements are required for construction access to the beach and dune areas within the project limits. This Easement Agreement is for a fifty-year term beginning on the date of execution of the document. <u>District 1 (SF) (ERM)</u></p>

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 (*).