

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

OCTOBER 2, 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 (Page 6-32)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 33)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. DELETED

2. Staff recommends motion to approve: a Grant Agreement with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$88,000 from October 1, 2007 to September 30, 2008. **SUMMARY:** This Grant Agreement with the BBIC will provide for operational expenses necessary to continue providing consulting services and financial assistance to existing and start-up small businesses in Palm Beach County. The scope of services outlined for FY 2008 includes: reporting the return on investment, obtaining 10 business loan approvals from banks in the amount of \$1,300,000, serving 360 clients, and creating/retaining 140 full-time job positions. BBIC exceeded contractual deadlines in FY 2007, with the exception of number of loans approved. BBIC is located in Riviera Beach, and targets black businesses throughout Palm Beach County. Countywide (DW)

3. Staff recommends motion to approve: a Business Incubation Program Grant Agreement with the Business & Economic Development & Revitalization (BEDR) Corporation in the amount of \$88,000 from October 1, 2007 to September 30, 2008. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with BEDR Corporation will provide for operational expenses for BEDR to assist start-up and existing businesses and to improve the services offered to the business community. The scope of services outlined for the FY 2008 contract includes: reporting the return on investment, creating 10 new businesses and 25 new full-time jobs, providing technical assistance to 100 businesses/entrepreneurs, generating \$5,000 in revenue from operations, and signing 20 new incubation agreements with clients. BEDR exceeded contractual deadlines in FY '07. BEDR is located in West Palm Beach and their target area is central and northern Palm Beach County. Countywide (DW)

4. Staff recommends motion to approve: a Business Incubation Program Grant Agreement with the Enterprise Development for Glades Entrepreneurs, Inc. (EDGE) in the amount of \$88,000 from October 1, 2007 to September 30, 2008. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with EDGE will provide for operational expenses for EDGE to assist start-up and existing businesses and to improve the services offered to the business community. The scope of services outlined for the FY 2008 contract includes: reporting the return on investment, creating 10 new businesses and 20 new full-time jobs, providing technical assistance to 250 businesses/entrepreneurs, generating \$6,500 in revenue from operations, and signing 40 new incubation agreements with clients. EDGE is expected to meet or exceed all FY '07 performance measures, except number of new businesses, as most new businesses came to EDGE for assistance after their businesses were incorporated. EDGE is located in Belle Glade and their target area is western Palm Beach County. Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. **Staff recommends motion to approve:** a Business Incubation Program Grant Agreement with the Center for Technology Enterprise & Development, Inc. (TED Center) in the amount of \$88,000 from October 1, 2007 to September 30, 2008. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with the TED Center will provide for operational expenses for the Center to assist start-up and existing businesses and to improve the services offered to the business community. The scope of services outlined for the FY 2008 contract includes: reporting the return on investment, creating 20 new businesses and 25 new full-time jobs, providing technical assistance to 180 businesses/entrepreneurs, generating \$20,000 in revenue from operations, and signing 50 new incubation agreements with clients. The TED Center is expected to meet or exceed contractual deadlines by the end of FY '07. The TED Center is located in Delray Beach and targets southern Palm Beach County. Countywide (DW)

6. **Staff recommends motion to approve:** a Business Incubation Program Grant Agreement with Enterprise Development Corporation (EDC) of South Florida in the amount of \$88,000 from October 1, 2007 to September 30, 2008. **SUMMARY:** The proposed \$88,000 Incubation Program Grant Agreement with EDC will provide for operational expenses for EDC to assist technology start-up and expansion of existing small technology businesses and to improve the services offered to the business community. The scope of services outlined for the FY 2008 contract includes: reporting the return on investment, seeking \$1,000,000 in capital investment for clients, creating 40 new full-time jobs, providing technical assistance to 142 businesses/entrepreneurs, generating \$180,000 in revenue from operations, and signing 65 new incubation agreements with clients. In addition, the EDC will continue working with the TED Center, the EDGE Center, and BEDR Corporation to foster the start-up of technology-based businesses in the Glades and West Palm Beach areas. EDC is expected to exceed or meet all their contractual deadlines by the end of FY '07. EDC is located in Boca Raton, targeting technology businesses in South Florida. Countywide (DW)

7. **Staff recommends motion to approve:** a Grant Agreement with The Business Loan Fund (BLF) of the Palm Beaches, Inc. in the amount of \$240,000 from October 1, 2007 to September 30, 2008. **SUMMARY:** This Grant Agreement with the BLF will provide for operational expenses necessary to continue providing consulting services and financial assistance to start-up and existing small businesses and community development organizations in Palm Beach County who cannot otherwise secure conventional financing. The scope of services for FY 2007/2008 includes: a) providing 30 micro and small business loans, and 8 real estate loans for a total amount of \$1,062,119; b) offering technical assistance to 280 clients; c) creating 40 new full-time equivalent jobs and retaining 40 full-time equivalent jobs; and d) increasing the loan fund by 10%. The BLF exceeded four (4) out of five (5) performance measures in its existing Agreement (R2006-2059). Countywide (DW)

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	June 26, 2007
Budget Workshop	June 26, 2007

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

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 Management Department; and the Department of Airports during July 2007. Countywide
5. **Staff recommends motion to receive and file:** proof of publications "Unclaimed Monies" advertised by the Clerk & Comptroller of Palm Beach County. **SUMMARY:** Pursuant to Florida Statute 116.21, the Clerk advertised certain unclaimed monies held which are subject to forfeiture to Palm Beach County. Florida Statutes 116.21 requires that the proof of publication "shall be filed and recorded in the minutes of the County Commission of such county." Countywide (PFK)
6. **Staff recommends motion to receive and file:** list of errors, insolvencies, double assessments, discounts & Value Adjustment Board reductions on the 2006 assessment roll. **SUMMARY:** Chapter 197.492, F.S. requires that on or before the 60th day after the tax certificate sale, the Tax Collector shall make out a report to the Board of County Commissioners, separately showing the discounts, errors and double assessments and insolvency's for which credit is to be given...the Board shall examine and approved said report. Countywide (PFK)

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Supplemental Agreement No. 7 to Project Agreement R97-1277D in the amount of \$156,204.22 with Metric Engineering, Inc. (MEI), for professional services. **SUMMARY:** This Supplemental Agreement will provide the services necessary for Haverhill Road and Dyer Boulevard intersection improvements. District 7 (PFK)
2. **Staff recommends motion to approve:** a First Amendment to the Interlocal Agreement between Palm Beach County (County) and the Village of Wellington to transfer ownership, maintenance and traffic control responsibility for Forest Hill Boulevard from Southern Boulevard (SR80) to US 441 (SR 7) from the County to the Village of Wellington (Village), and to provide for the County to have traffic control jurisdiction over the portion of Lyons Road within areas annexed by the Village since the original Agreement. **SUMMARY:** The transfer of Forest Hill Boulevard from Southern Boulevard to US 441 will facilitate the Village's desire to install a traffic signal at the intersection of Forest Hill Boulevard and Quercus Lane. Funding will be provided to the Village for future maintenance of Forest Hill Boulevard. With traffic control jurisdiction, the County will have the authority to establish traffic control regulations on Lyons Road within the Village. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Cooperative Agreement with the School Board of Palm Beach County, for the period of July 1, 2007 through June 30, 2008, at no cost to the County, to provide Exceptional Student Education programs for eligible Head Start children. **SUMMARY:** The School Board will provide all services to students as specified in the students' Individual Education Plan utilizing funding from the Full-Time Equivalency (FTE) amount allocated by the State Department of Education. Head Start will screen for vision, speech, hearing, development and behavior to identify students appropriate for the program. Services provided by the School Board will be at no cost to the County. (Head Start) Countywide (TKF)

2. **DELETED**

3. Staff recommends motion to approve: Head Start Contracted Services Agreement with The King's Kids Early Learning Center, Inc., for the period of October 1, 2007 through September 30, 2008, in an amount of \$185,454, for services to Head Start children and families. **SUMMARY:** The King's Kids Early Learning Center, Inc. will provide services to 33 children for 249 days at a rate of \$26.757 per child/per day for three (3) year olds and \$19.08 per child/per day for four (4) year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$113,229 in Federal funds, \$28,307 in required match County funds and \$43,918 in overmatch. (Head Start) Countywide (TKF)

4. Staff recommends motion to approve: Delegate Agency Agreement with Florence Fuller Child Development Centers, Inc., for the period of October 1, 2007 through September 30, 2008, in an amount of \$885,293, for services to Head Start children and families. **SUMMARY:** Florence Fuller Child Development Centers, Inc. will provide services for up to 156 children for 249 days at an annual rate of \$5,533.17 per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into delegate agency agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$540,516 in Federal funds, \$135,129 in required match County funds and \$209,648 in overmatch. (Head Start) Countywide (TKF)

5. **DELETED**

6. **DELETED**

7. **DELETED**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. **Staff recommends motion to approve:** Delegate Agency Agreement with Hispanic Human Resources Council, Inc., for the period of October 1, 2007 through September 30, 2008, in an amount of \$1,589,349, for services to Head Start children and families. **SUMMARY:** Hispanic Human Resources Council, Inc. will provide services for up to 261 children for 249 days at an annual rate of \$6,089.46 per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into delegate agency agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$970,377 in Federal funds, \$242,594 in required match County funds and \$376,378 in overmatch. (Head Start) Countywide (TKF)
9. **Staff recommends motion to receive and file:** the 2006 U.S. Department of Housing and Urban Development (HUD) Renewal Grant Agreement for the period January 1, 2008, through December 31, 2008 in the amount of \$438,254 for the Supportive Housing Program. **SUMMARY:** On May 2, 2006 (R2006-0763), the Board of County Commissioners delegated authority to the County Administrator or his designee to sign the U.S. Department of Housing and Urban Development (HUD) Supportive Housing Program grant agreements. This authorization and designation were necessary to expedite the agreements and thereby avoid gaps in service delivery to homeless individuals. The grant document is being submitted to allow the Clerk's office to file a fully executed agreement. (Human Services) Countywide (TKF)
10. **DELETED**
11. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with Apostolic Child Development Centers, Inc., for the period of October 1, 2007, through September 30, 2008, in an amount of \$469,820, for services to Head Start children and families. **SUMMARY:** Apostolic Child Development Centers, Inc. will provide services to 78 children for 249 days at a rate of \$29.339 per child/per day for three (3) year olds and \$20.2114 per child/per day four (4) year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children three (3) and four (4) years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$286,849 in Federal funds, \$71,712 in required match County funds and \$111,259 in overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)
12. **DELETED**
13. **DELETED**
14. **Staff recommends motion to approve:** Head Start Delegate Agency Agreement with The School Board of Palm Beach County (Delray Full Service Center), for the period of October 1, 2007, through September 30, 2008, in an amount of \$1,091,661, for services to Head Start children. **SUMMARY:** The School Board of Palm Beach County (Delray Full Service Center) will provide services for up to 185 children for 180 days at an annual rate of \$5,900.87 per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children three (3) and four (4) years of age in the Head Start program. Therefore, the County enters into delegate agency contractual agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$666,514 in Federal funds, \$166,628 in required match County funds and \$258,519 in overmatch. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

15. DELETED

16. **Staff recommends motion to approve:** contracts with listed provider agencies for the period August 1, 2007, through July 31, 2008, totaling \$576,631 for Ryan White Part A HIV Emergency Relief MAI (Minority AIDS Initiative) funds:

A) Comprehensive AIDS Program	\$ 541,631
B) Palm Beach County Health Department	<u>\$ 35,000</u>
Total	\$ 576,631

SUMMARY: A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration (HRSA) was received on August 6, 2007, that conveys an award for the contract period August 1, 2007, through July 31, 2008. Total funds awarded are \$576,631. The grantee, Palm Beach County, is responsible for selecting and contracting with services providers. The HIV Council is charged with the sole responsibility of determining service priorities and the allocation of funding the service priorities. The grant award is for the provision of services related to HIV affected clients, such as case management, and oral health care. The agencies listed were selected through the Request for Proposal (RFP) process and have been recommended to receive funding. (Ryan White) Countywide (TKF)

17. **Staff recommends motion to approve:** four (4) amendments to the Ryan White Part A HIV Health Support Services Contracts for the period of March 1, 2007, through February 29, 2008 totaling \$84,000 as follows:

A) Amendment No. 1 to contract (R2007-0742) with Comprehensive Community Care Network to increase funding by \$8,500 for a total not-to-exceed amount of \$61,593 for transportation services;

B) Amendment No. 1 to contract (R2007-0741) with Comprehensive AIDS Program, Inc. to increase funding by \$15,000 for a total not-to-exceed amount of \$68,097 for laboratory diagnostic testing;

C) Amendment No. 1 to contract (R2007-0740) with Compass, Inc. to increase funding by \$1,500 for a total not-to-exceed amount of \$7,225 for transportation services; and

D) Amendment No. 1 to contract (R2007-0745) with Health Care District of Palm Beach County to increase funding by \$59,000 for a total not-to-exceed amount of \$697,573 for local supplemental drug program.

SUMMARY: Ryan White HIV Health Support service dollars are reviewed throughout the contract year and dollars unlikely to be spent by the end of the contract period are reallocated to best meet the need of the affected clients. No County funds are required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

18. Staff recommends motion to:

A) ratify the signature of the Chairperson on the 2008 State of Florida Department of Children and Families (DCF) Homeless Housing Assistance grant applications;

B) delegate authority to the County Administrator or his designee to sign the State of Florida Department of Children and Families contracts for the Homeless Housing Assistance Grant; and

C) delegate authority to the County Administrator or his designee to sign the contracts with Florida Housing Corporation, Inc. and The Lord's Place with an end date of June 30, 2008 for \$375,000 each for a maximum amount of \$750,000.

SUMMARY: The Division of Human Services is applying for Homeless Housing Assistance funding through the 2008 Homeless Housing Assistance Grant. Department of Children and Families will allocate funds based on the applicant's ranking and availability of funding. Upon receipt of the grant award(s), funds will be subcontracted to Florida Housing Corporation, Inc. for construction of a 93-bed assisted living facility in Belle Glade to be made available to homeless individuals and to The Lord's Place for rehab of existing emergency shelter. The emergency shelter will be rehabbed to provide 22 transitional and permanent housing beds. No County funds are required. (Human Services) Countywide (TKF)

19. Staff recommends motion to approve: Modification No. 002 of Contract No. 07EA-6J-10-60-01-023 with the State of Florida Department of Community Affairs, (R2007-0267; dated February 27, 2007 for the period March 1, 2007, through March 31, 2008, in an amount of \$220,206, for the Low Income Home Energy Assistance Program (LIHEAP). **SUMMARY:** Palm Beach County received notification on August 2, 2007 that additional LIHEAP funds are available under the current agreement. This Modification incorporates an additional \$218,486 increase in the base allocation and \$1,720 in leveraging funds, for a new grant total of \$1,319,584. These additional funds will enable PBC Community Action to serve an additional 617 low-income households. No County funds are required. (Community Action Program) Countywide (TKF)

20. Staff recommends motion to approve: Addendum to Contract with the Children's Services Council of Palm Beach County (R2006-2404.1;), correcting a typographical error in the amount of the Contract. **SUMMARY:** This Addendum is needed to reflect the correct amount that the Children's Services Council has agreed to provide to the Head Start Program for FY 2007 funding. The correct contract amount is \$297,551. This amount was included in the Department's FY 2007 budget. (Head Start) Countywide (TKF)

21. Staff recommends motion to approve: Delegate Agency Agreement with The YWCA of Palm Beach County, Inc., for the period of October 1, 2007, through September 30, 2008, in an amount of \$470,207, for services to Head Start children and families. **SUMMARY:** The YWCA of Palm Beach County, Inc. will provide services for up to 84 children for 249 days at an annual rate of \$5,597.70. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children three (3) and four (4) years of age in the Head Start program. Therefore, the County enters into delegate agency agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$287,085 in Federal funds, \$71,771 in required match County funds and \$111,351 in overmatch. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

22. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Caregivers, Inc., d/b/a Friends Assisting Seniors and Friends, for the period of October 1, 2007, through September 30, 2008, in an amount of \$30,000, for health services to Early Head Start children. **SUMMARY:** Caregivers, Inc. will provide ongoing well baby and well child health services in accordance with the Head Start Act. This Contract will enable Caregivers, Inc. to provide specialized licensed practical nurse services in the Early Head Start program for children (ages 0-36 months) and pregnant women who are in need of services to ensure healthy outcomes. Funding consists of \$24,000 (80%) in Federal funds and \$6,000 (20%) in County funds. (Head Start) Countywide (TKF)
23. **Staff recommends motion to approve:** Standard Agreement No. IP007-9500 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period June 1, 2007, through March 31, 2008, in an amount of \$52,061, for the Emergency Home Energy Assistance (EHEAP) Program. **SUMMARY:** This Agreement will allow the Division of Senior Services (DOSS), as lead agency, to serve 99 eligible low-income households who meet 150% of the federal poverty guidelines, have at least one (1) person age 60 years or older and are experiencing a home energy emergency. Benefits include emergency assistance to prevent disconnection of utility services. EHEAP services are funded with \$52,061 in State funds provided through the AAA Agreement and additional County funds in the amount of \$48,564 are needed to cover staff salaries and administrative costs not covered by the grant. The retroactive Agreement spans two (2) County fiscal years. Required County funding was in the FY 2007 budget and is available in the FY 2008 Budget. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides EHEAP services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)
24. **Staff recommends motion to approve:** Standard Agreement No. IZ007-9500 for the Alzheimer's Disease Initiative (ADI), for the period July 1, 2007, through June 30, 2008, in an amount of \$270,346 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA). **SUMMARY:** The Agreement will allow the Division of Senior Services (DOSS), as lead agency, to provide case management and respite (in-home and facility-based) services to persons age 18 and older with memory disorders. ADI services are funded with \$270,346 in State funds provided through the AAA Agreement, Program Income of \$2,667 and additional County funds in the amount of \$206,885 are needed to cover staff salaries and administrative costs not covered by the grant. The Agreement spans two (2) County fiscal years. Required County funding was included in the 2007 budget and is available in the FY 2008 budget. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides ADI services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

25. **Staff recommends motion to approve:** Standard Agreement No. IC007-9500 for the Community Care for the Elderly (CCE), for the period July 1, 2007, through June 30, 2008, in an amount of \$1,069,652 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA). **SUMMARY:** The Agreement will allow the Division of Senior Services (DOSS), as lead agency, to provide case management, case aide and adult day care services. DOSS also contracts with vendors to provide a broad spectrum of community-based services to assist age 60 plus seniors at risk of nursing home placement to live in the least restrictive environment suitable to their needs. CCE services are funded with \$1,069,652 in State funds provided through the AAA agreement, Program Income of \$35,679, a required County match of \$118,850, and additional County funds in the amount of \$ 687,153 are needed to cover staff salaries and administrative costs not covered by the grant. The Agreement spans two (2) County fiscal years. Sufficient funding is available in the FY 2007 budget to meet County obligations. County match and additional funding required to meet FY 2008 obligations are in the FY 2008 budget. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides CCE services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)
26. **Staff recommends motion to approve:** Standard Agreement No. IH007-9500 for the Home Care for the Elderly (HCE) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2007 through June 30, 2008, in an amount of \$176,375 for various services to the elderly. **SUMMARY:** The Agreement will allow the Division of Senior Services (DOSS), as lead agency, to provide case management services for provisions of care in private homes as an alternative to nursing home or other institutional care. HCE services are funded with \$176,375 in State funds provided through the AAA Agreement and additional County funds in the amount of \$17,749 are needed to cover staff salaries and administrative costs not covered by the grant. The Agreement spans two (2) County fiscal years. Sufficient funding is available in the FY 2007 and FY 2008 budgets to meet County obligations. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides HCE services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)
27. **Staff recommends motion to adopt:** a Resolution amending Resolution R2007-0720 regarding the Homeless Advisory Board, providing for alternates; providing for additional members, providing for an effective date. **SUMMARY:** On May 1, 2007, the Board of County Commissioners established the Homeless Advisory Board, and a need has been identified to allow for alternates and additional members. (Human Services) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** a License Agreement with Rohan Aviation, d/b/a Kemper Aviation ("Kemper") for the use of an office trailer located at Palm Beach County Park Airport ("Airport") to conduct its flight school classroom training on specific days and times. **SUMMARY:** The Agreement is on a month-to-month basis. Kemper will be required to pay a monthly license fee to the County in the amount of \$487, which may be adjusted from time to time. Kemper will be responsible for maintaining adequate insurance coverage and cleanliness of the trailer. Kemper will have use of the facility during specific days and times solely for the purpose of flight school classroom training. Countywide (JB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to:

A) receive and file the Palm Beach International Airport (PBIA) Development of Regional Impact (DRI) Annual Report; and

B) authorize distribution of the Annual Report in accordance with Section 380.06(18), Florida Statutes.

SUMMARY: The Development Order for Palm Beach International Airport requires that an Annual Report on the activities of the Airport be submitted to the Board of County Commissioners, Treasure Coast Regional Planning Council, and other state and local agencies. Countywide (AH)

3. Staff recommends motion to:

A) receive and file North Palm Beach County General Aviation Airport Development of Regional Impact (DRI) Annual Report; and

B) authorize distribution of the Annual Report in accordance with Section 380.06(18), Florida Statutes.

SUMMARY: Resolution No. 90-294 requires this Annual DRI Report to be submitted annually to the Board of County Commissioners, Treasure Coast Regional Planning Council, State of Florida Department of Community Affairs, and all affected permitting agencies. Countywide (AH)

4. Staff recommends motion to approve: Second Amendment to the Air Freight Building Lease Agreement with United States Postal Service (USPS), extending the term of the Lease to September 30, 2008, for an annual rate of \$161,000. **SUMMARY:** The Department of Airports is requesting approval to amend the Air Freight Building Lease Agreement with USPS (R97-555D) to extend the Lease for an additional 12 months to September 30, 2008. Countywide (JB)

5. Staff recommends motion to approve: Second Amendment to the Air Freight Building Lease Agreement with United Parcel Service, Inc. (UPS), extending the term of the Agreement for an additional five (5) years to September 30, 2012, for an annual rate of \$69,000. **SUMMARY:** The Department of Airports requests approval to amend the UPS Air Freight Building Lease Agreement (R96-2014D) to extend the expiration date for an additional five (5) years to September 30, 2012, with two (2) additional renewal options of one (1) year each. Countywide (JB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to adopt:** a Resolution establishing rental rates for certain hangar facilities at the North County General Aviation Airport (Airport); authorizing the County Administrator or his designee to increase rental rates for certain hangar facilities at the Airport; and superseding and replacing rental rates established pursuant to Resolution No. 2003-0552. **SUMMARY:** The Department recently obtained an appraisal from Slack, Johnston and Magenheimer, which indicated that the County is charging below market rental for certain hangar facilities located at the Airport. A summary of current and appraised rates are set forth on Attachment 2 of the Agenda Item. This Resolution will increase the rental rates for the hangars over a three (3) year period to the current appraised rate and will authorize the County Administrator or his designee to annually increase rental rates commencing October 1, 2010, by an amount not-to-exceed the greater of fair market rental as determined by appraisal or three percent (3%) per year. The Department is recommending a phased increase with the first increase on December 1, 2007, to give existing tenants the opportunity to prepare for the rental increases. The Aviation and Airports Advisory Board approved the proposed rate increases at its August 15, 2007 meeting. Countywide (AH)

7. **Staff recommends motion to approve:** a Contract with The Marc J. Parent Company, Inc. d/b/a PB Builders in the amount of \$190,430 for the Cooling Tower Screen Repairs Project at Palm Beach International Airport (PBIA). **SUMMARY:** Utilizing the County's competitive bid process, two (2) bids were received on July 16, 2007 for the Cooling Tower Screen Repairs Project at PBIA. The Marc J. Parent Company, Inc. d/b/a PB Builders has been identified as a responsible/responsive bidder in the amount of \$190,430. The Small Business Enterprise (SBE) goal for this project was established at 15.00%. The Marc J. Parent Company, Inc. d/b/a PB Builders bid contained 20.69% SBE participation. Countywide (JCM)

8. **DELETED**

9. **Staff recommends motion to receive and file:** six (6) original Agreements for the Department of Airports:
 - A) Executive Hangar Lease Agreement, North County General Aviation Airport with Palm Beach Avionics, Inc., Unit 3, Building 11250, effective August 29, 2007;
 - B) Executive Hangar Lease Agreement, North County General Aviation Airport with Palm Beach Avionics, Inc., Unit 4, Building 11250, effective August 29, 2007;
 - C) North County General Aviation Airport Hangar Lease Agreement with Edward Hartwig, Unit 19, Building 11300, effective August 29, 2007;
 - D) North County General Aviation Airport Hangar Lease Agreement with Raymond Richards, Unit 5, Building 11740, effective August 4, 2007;
 - E) Agreement to Terminate Hangar Lease Agreement with Jacob W. Hicks, Unit 5, Building 11730, effective August 4, 2007, with a termination date of September 30, 2007, amending R2006-0972; and
 - F) Fifth Amendment to Terminal Building Lease Agreement with The General Services Administration, effective August 17, 2007, amending R2003-0355.**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2003-1047, R2003-0355, R2004-1367 and R2007-1080. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated Settlement Offer in the amount of \$8,600 for the full satisfaction of a Code Enforcement Lien that was entered against Michael W. and Lisa F. Sheriff on April 23, 1998. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on January 7, 1998 giving the Sheriffs until April 7, 1998 to obtain proper building permits and inspections for an above ground pool, a wood deck that was constructed around the above ground pool, an installed barrier wall or fence around the pool, in addition to the fence which encircled the entire property, and display address numbers on the house. The barrier fence and house numbers were taken care of immediately, which only left the pool and wood deck issues remaining. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against the Sheriffs on April 23, 1998. The cited code violations were fully corrected as of September 24, 1998. The total accumulated lien amount through October 13, 2006, the date settlement discussions began, totaled \$18,752.43, of which the Sheriffs have agreed to pay the County \$8,600 (45.9%) for full settlement of their outstanding Code Enforcement Lien. District 6 (PGE)

2. **Staff recommends motion to approve:** a negotiated Settlement Offer in the amount of \$10,000 for the full satisfaction of a Code Enforcement Lien that was entered against Jose R. and Sara Perez on February 4, 2004. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on September 3, 2003 giving Jose R. and Sara Perez until December 2, 2003 to remove all heavy equipment vehicles and accessories and to cease the construction storage yard on site, which is not permitted on residential property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against the Perezes on February 4, 2004. The cited code violations were fully corrected as of July 21, 2005. The total outstanding lien amount (net of the \$2,350 that has been received to date) as of March 31, 2007, the date settlement discussions began, totaled \$39,507.71, of which the Perezes have agreed to pay the County a total of \$10,000 (25.3%) for full settlement of their outstanding Code Enforcement Lien. District 6 (PEG)

3. **Staff recommends motion to approve:** a negotiated Settlement Offer in the amount of \$30,000 for the full satisfaction of a Code Enforcement Lien that was entered against Delbert J. Larsen and Alta Mae Larsen, Co-Trustees and Successor Trustees of the Larsen Revocable Living Trust Agreement. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on June 2, 2004 giving the Larsen's until August 31, 2004 to cut down the overgrown vegetation, clean up the trash, debris and outside storage of furniture and lumber, repair the fence, and repair the boarded up windows on the east side of the building. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against the Larsen's on November 3, 2004. The cited code violations were fully corrected as of November 9, 2006. The total accumulated lien amount through June 30, 2007 totaled \$53,994.53, of which Ms. Shari Rosei, daughter of Alta Mae Larsen and the late Delbert J. Larsen, has agreed to pay the County \$30,000 (55.6%) for full settlement of their outstanding Code Enforcement Lien. District 2 (PGE)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an Artwork Loan Agreement (R2006-1908) with Artist Susan P. Cochran for a six (6) month extension to the outdoor exhibition at the Palm Beach International Airport (PBIA). **SUMMARY:** On May 18, 2006, the Public Art Committee (Committee) unanimously voted to accept Susan P. Cochran's proposed artwork loan of "Ant Colony", a larger than life five-piece painted bronze sculpture. On September 12, 2006, an Artwork Loan Agreement was approved for a one (1) year period. This Agreement extends the term of the exhibition from September 18, 2007 to March 31, 2008. (FDO Admin) Countywide/District 2 (MJ)
2. **Staff recommends motion to approve:** a Grant Agreement with the City of Delray Beach in the amount of \$25,000 for the creation, fabrication and installation of the Knowles Park Sculpture Project. **SUMMARY:** The Public Art Committee issued a "Public Art Improves Our Community" Request for Proposals to municipality/artist teams to design, fabricate and install public art which complement public buildings, parks and/or plazas; creates a sense of place; enhances community identity and improves the design quality of public infrastructure in outdoor locations. Grants were available to municipalities, which act as the fiscal agent, in partnership with artists. Municipalities were required to demonstrate a one hundred percent (100%) cash match. The Public Art Committee received and reviewed four (4) "Public Art Improves Our Community" proposals. The Committee selected the City of Delray Beach, in partnership with artist John Clement, for the Knowles Park Sculpture Project. This is one (1) of two (2) municipal projects the Committee selected. (FDO Admin) Countywide/District 7 (JM)
3. **Staff recommends motion to approve:** Amendment No. 2 to the annual contract with the architectural firm of Pierce Goodwin Alexander & Linville, Inc. (PGAL) (R2003-1753) for professional consulting services for the Library Expansion Program. **SUMMARY:** PGAL was selected to provide professional consulting services for the Library Expansion Program on a continuing contract basis. The annual contract approved on October 21, 2003 was for an initial term of three (3) years with two (2) – one (1) year renewal options. PGAL has completed the design of two new libraries for the Library Program and is working on the expansion of a third library. Amendment No. 2 is the second and final renewal allowed by contract. PGAL has an SBE participation goal of 15%. During the first four (4) years of the contract, PGAL has achieved 18.8% participation. (Capital Improvements Division) Countywide (JM)
4. **Staff recommends motion to approve:** a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for electrical service to the County's new Hagen Ranch Road Branch Library located in western Delray Beach. **SUMMARY:** The County is currently in the process of building a new library, known as the Hagen Ranch Road Branch Library, located on the east side of Hagen Ranch Road, approximately one mile north of Atlantic Avenue in western Delray Beach. FPL requires a utility easement for the installation of overhead and underground power lines and a transformer to provide primary power to the new library. The easement area is 10' x 1,033.26', for a total of 10,332.60 square feet (.237 acres). This is a perpetual non-exclusive easement and is being granted to FPL at no charge, as it will provide electrical services to County facilities. (PREM) District 5 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** a Notice of Termination of Lease Agreement with the City of Lake Worth (R78-828). **SUMMARY:** The Community Services Department's Division of Senior Services leases a 11,949+/- square foot building located at 202 North H Street in Lake Worth, for use as a Senior Citizens Center. The County services provided at this facility will be relocated to the new Mid-County Senior Center on Lake Worth Road which is scheduled to open mid-November. The Lease Agreement which expires December 31, 2007, will automatically renew unless either party gives advance notice of its intent to terminate. This notice will terminate the Lease effective December 31, 2007. (PREM) District 7 (HJF)

6. **Staff recommends motion to receive and file:** the cancellation of Memorandum Agreement (R76-917) between Department of Airports and Department of Water Utilities, effective September 30, 2007. **SUMMARY:** On October 5, 1976, the Board approved a Memorandum Agreement between Airports and WUD, for WUD to lease land at PBIA to establish a water and sewer system. On June 24, 1986 (R86-924), the First Amendment revised the leasehold areas. On April 24, 1990 (R90-665), the Second Amendment further revised the leasehold areas. On June 6, 1995 (R95-754), the Third Amendment revised the term by providing for automatic renewals from October 1 to September 30 unless either party canceled with thirty (30) days written notice. Proper notice was provided, the Agreement will not automatically renew and will terminate the Agreement effective September 30, 2007. (PREM) District 7 (JMB)

7. **Staff recommends motion to approve:** Amendment Number Three to Lease Agreement (R97-2126D) with Aspen Skees Road, LLC, for the County's continued use of 6,000 square feet of office and warehouse space for the Palm Beach County Sheriff's Office at an annual rate of \$62,400. **SUMMARY:** The County has leased this space located at 1438 Skees Road in West Palm Beach since 1997. The current term of the Lease Agreement expires on December 31, 2007. This Amendment Number Three: i) extends the term of the Lease Agreement for two (2) years, from January 1, 2008 through December 31, 2009, and provides for three (3) additional one (1) year extension options; ii) provides for the County, at its sole cost, to make interior improvements; and iii) updates the Notice provisions of both parties. The annual rental rate will increase by 12.5% from \$55,484.16 to \$62,400 (\$10.40/sq. ft.), with annual increases of approximately five percent (5%). The County has the right to terminate the Lease Agreement upon ninety (90) days prior written notice to Landlord. All other terms of the Lease Agreement remain unchanged. (PREM) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to:

A) approve an Agreement for Sale and Purchase with the School Board of Palm Beach County, Florida;

B) adopt a Resolution authorizing the conveyance of the County's interest in approximately 3,000 square feet of land to the School Board of Palm Beach County, for \$7,680 without reservation of mineral and petroleum rights;

C) approve a First Amendment to Access Agreement (R2004-2175) with the School Board of Palm Beach County; and

D) approve a County Deed in favor of the School Board of Palm Beach County.

SUMMARY: In 2004, the County acquired 3.72 acres of property from the School Board located on the east side of Jog Road, south of Northtree Boulevard in western Boynton Beach for development of a PBSO Substation at the Park Vista High School site. Subsequently, the School Board constructed a right-turn lane, a portion of which encroached onto the County's property. As this encroachment does not interfere with the County's use of the property, the County will convey back to the School Board, the approximately 3,000 square feet upon which the driveway currently exists and amend the Access Agreement to include the additional 3,000 square feet. The sale price of \$7,680 (\$2.56/sf) is the same per square foot price as was paid by the County to the School Board in 2004. The School Board shall have up to one (1) year from the date of closing to pay in cash or an approved offset against a future transaction with the County as approved solely by the County. The County acquired this property without reservation of mineral rights and will reconvey it to the School Board in the same manner. Florida Statutes §270.11(3) allows the Board, at its discretion, to convey its interest without reservation of mineral rights upon request by purchaser. A Disclosure of Beneficial Interest is not required to be provided in connection with this transaction since both parties are governmental entities. (PREM) District 3 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to:

A) approve the West Palm Beach Intermodal Transfer Facility Plat;

B) approve a Easement Agreement with South Florida Regional Transportation Authority (SFRTA) to allow for the County's use of portions of the SFRTA property in the development of the West Palm Beach Intermodal Transfer Facility (ITF);

C) approve a License Agreement with SFRTA to allow County employees use of SFRTA restroom facilities and for the shared usage of employee parking areas;

D) approve a Temporary Construction Easement with SFRTA; and

E) approve a Parking Agreement with SFRTA that requires any future development of the ITF property to provide for 250 public parking spaces for SFRTA riders;

F) approve a Parking Lot Easement Agreement with SFRTA that allows SFRTA to develop a temporary public parking lot on the unused portion of the ITF property; and

G) accept a Quitclaim Deed from the City of West Palm Beach for .4 acres located at the southeast corner of Banyan Boulevard and Clearwater Drive.

SUMMARY: The County assembled 6.6 acres at the southeast corner of Banyan Boulevard and Clearwater Drive for development of the ITF, including a Palm Tran bus transfer station and additional facilities for Tri-Rail. In 2003, the County conveyed .9 acres of this property to SFRTA for right-of-way and development of SFRTA's elevated crossover. These Easements and Agreements provide for the unified development of the ITF. The ITF is designed to enhance the public ground transportation network and bring together the commuter rail and bus systems in a manner that facilitates transfer between the different modes of public transportation. The City is requiring the entire 6.6 acre ITF property be platted as a condition of site plan approval. Both the County and SFRTA are required to execute the plat as property owners. The SFRTA is expected to approve the plat on September 28, 2007. At SFRTA's insistence, the Parking Agreement requires that any future development of the ITF property provide 250 parking spaces for SFRTA use. The County is scheduled to commence its work in February of 2008. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve:

A) substitution of the legal description attached to the Agreement for Exchange with the South Florida Water Management District (SFWMD) (R-2007-0514); and

B) a revised Partial Assignment and Assumption of Lease with the SFWMD.

SUMMARY: The County is in the process of acquiring from SFWMD roughly 96.18 acres of property at 20-Mile Bend for development of a Public Safety Training Facility, Public Shooting Park, and expansion of the PBSO Law Enforcement Training Facility. On April 10, 2007, the Board approved an Agreement for Exchange with SFWMD (R2007-0514) (Exchange Agreement) for acquisition of this property. SFWMD subsequently discovered that it needs to retain 1.59 acres of the property for an existing canal. This will reduce the acreage being conveyed to the County to 94.59 and will be accomplished by substituting the legal description attached as Exhibit A to the Exchange Agreement with the legal description attached as Attachment 2 to the item. On July 10, 2007, the Board approved a Partial Assignment and Assumption of Lease with SFWMD (R2007-1116) which will assign, at closing, SFWMD's interest in a farming lease encumbering portions of the property. The revised Partial Assignment deletes warranty language contained in the original document to comply with Florida Statutes Section 373.099 which prohibits SFWMD from warranting title to property. (PREM) Countywide/District 6 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution approving the Westgate/Belvedere Homes Community Redevelopment Agency's Fiscal Year 2008 Budget for its: a) Redevelopment Trust (Operating) Fund in the amount of \$2,900,660; b) Construction Fund in the amount of \$10,605,387; c) Sinking Fund in the amount of \$268,000; and d) Reserve Fund in the amount of \$271,750. **SUMMARY:** On December 1, 1992, the CRA issued Redevelopment Revenue Bonds for \$3,000,000 to construct sewer facilities, roadways, drainage facilities and sidewalks in the redevelopment area. On March 1, 1999, the CRA refunded these bonds and issued Redevelopment Revenue Refunding Bonds for \$3,380,000. The CRA will meet its obligation and not require a loan from the County. District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve: an Agreement with NOAH Development Corporation, Inc., to provide \$350,000 in Federal HOME funds for the development of affordable housing and operating expenses for the period of October 1, 2007 to September 30, 2008. **SUMMARY:** Approval of this item will reserve funding for NOAH Development Corporation, Inc., a Community Housing Development Organization (CHDO), located at 601 Covenant Drive, Belle Glade, Florida 33430. Funding in the amount of \$300,000 will be used toward the construction of not less than eight (8) affordable housing units to be purchased by eligible first-time homebuyers, participating in Palm Beach County's First-Time Homebuyer Program and \$50,000 for operating expenses. **This Agreement provides Federal HOME funds for which there is not a requirement for local matching funds.** District 7 (TKF)

3. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in a property totaling 6.64 acres of land to Habitat for Humanity of Palm Beach County, Inc., without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration;

B) approve one (1) County Deed in favor of Habitat for Humanity of Palm Beach County, Inc.; and

C) approve an Agreement with Habitat for Humanity of Palm Beach County, Inc., for the conveyance and development of this property.

SUMMARY: Habitat for Humanity of Palm Beach County, Inc., (Habitat), has requested the conveyance of a parcel of County property (known as Kennedy Estates) located in unincorporated Palm Beach County south of Indiantown Road and west of Central Boulevard in the Jupiter area. The County acquired this parcel, with Community Development Block Grant (CDBG) funding from the U.S. Department of Housing and Urban Development (HUD). Habitat, a Florida not-for-profit corporation, wishes to develop this parcel for affordable housing by constructing twenty-seven (27) zero lot line single family dwellings and selling them to low income households (whose household incomes are within 80% of the area median income) in compliance with HUD requirements. The proposed Agreement provides for the conveyance of the land to Habitat, and contains the conditions and restrictions that HCD will use to monitor and enforce HUD's requirements. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. District 1 (TKF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve:

A) the transfer of the Senior Planner , position number 4361; including benefits, from the Planning, Zoning and Building (PZ&B) to the Economic Development Office (EDO) to be effective as of October 1, 2007;

B) Budget Transfer of \$117,279 from the General Fund (PZ&B) to the Economic Development Fund; and

C) Budget Amendment of \$117,279 in the Economic Development Fund to recognize and appropriate the transfer from General Fund.

SUMMARY: PZ&B and EDO mutually agree to transfer position No. 4361 and incumbent employee Margaret Smith, from PZ&B to EDO. The budget transfer and budget amendment allows the FY 2008 budget cycle to accommodate the transfer. Countywide (RB)

K. WATER UTILITIES

1. Staff recommends motion to approve: Change Order No. 5 to the Contract with R.J. Sullivan, Corp. (R2006-0780) for the Water Treatment Plant No. 8 Expansion Project increasing the contract price by \$256,851.49 and providing a twenty-five (25) day time extension. **SUMMARY:** Change Order No. 5 authorizes the Contractor to perform various civil, mechanical, and electrical improvements for this project and to resolve conflicts with the proposed new facilities, and to comply with Building Department permit conditions. It also provides the Contractor with additional time (25 days) to accomplish the additional work. The enhancements include new piping at the existing sodium hypochlorite generator building and the sludge thickening system to improve operating flexibility of these systems and the inclusion of a 30-inch valve for operating redundancy of the finished water main leaving the plant. Total change orders to date, excluding the \$1,712,386.46 sales tax recovery program change order, equal \$821,567.85 (4.41% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Change Order includes zero overall SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 26.38% overall. (WUD Project No. 05-146) District 2 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

- 2. Staff recommends motion to receive and file: three (3) Standard Development Agreements complete with executed documents received during the months of July and August 2007.

Standard Development Agreements

- A) Tidal Wave Management Corp and Tidal Wave Development Corp 01-01196-000
- B) Yamato Court, LLC 09-01053-000
- C) Polo Field Estates, LLC 09-01056-000

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. Staff recommends motion to approve: a Potable Water and Wastewater Development Agreement with Hippocrates Health Institute of Florida, Inc., and Rita J. Romano. **SUMMARY:** On April 1, 1991, Hippocrates Health Institute, Inc. (HHI) paid guaranteed revenue fees (Fees) to reserve potable water and wastewater capacity in order to develop an approximately 12 acre site. The payment of the Fees was in conjunction with a Standard Development Agreement (SDA) executed by HHI, but not executed by the County. The project was not developed and the Fees paid were never refunded. Subsequently, Hippocrates Health Institute of Florida, Inc. (Hippocrates), purchased properties adjoining the original 12 acre site and, along with Rita J. Romano (Romano), also an owner of adjoining properties, plan to develop all properties as a much larger project known as the Hippocrates Health Institute (Institute). In order to obtain potable water and wastewater concurrency reservations for the Institute, Hippocrates and Romano want to enter into a new Development Agreement (Agreement) that will supersede and void the SDA but credit a portion of the Fees paid against the Agreement's Mandatory Agreement Payment (MAP) due under the Agreement. Under the terms of the Agreement, Hippocrates agrees that they are the successors-in-interest to HHI, and Hippocrates and Romano release the County from any claims in relation to the payment of Fees by HHI. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** First Amendment to the Interlocal Agreement with the City of Boynton Beach for the purchase and sale of bulk potable water. **SUMMARY:** On December 24, 2004, the Board approved an Interlocal Agreement (R2004-2599) with the City of Boynton Beach (City) for the County to provide up to five (5) million gallons per day (MGD) of bulk potable water service. During the initial term of the agreement, the City was required to pay a commodity fee of \$0.80 per thousand gallons, but was not required to pay a capacity fee due to the temporary nature of the agreement. This Amendment extends the agreement to December 31, 2013, and requires the City to purchase one (1) million gallons per day of capacity at a cost of \$2,910,000, plus an annual fee of \$0.11 per gallon in 250,000 gallon increments to lease additional potable water capacity on a temporary basis. The City is initially requesting one (1) MGD of additional temporary capacity and may convert its temporary capacity reservation at any time by paying the bulk rate capacity fee (\$2.91 per gallon) for permanent service. The City is also required to take or pay for a minimum of 2,000,000 gallons of potable water per day at the existing rate of \$0.80 per 1,000 gallons. This rate will increase to \$1.15 per 1,000 gallons on January 1, 2010, plus an upward adjustment, calculated beginning January 1, 2006, in an amount in amount equal to the Consumer Price Index (CPI), Water and Sewerage Maintenance or 3%, whichever is lower. Beginning January 1, 2011, and for each calendar year thereafter, this rate will be adjusted by the CPI, Water and Sewerage Maintenance, or 3%, whichever is lower. Districts 3, 4, 5 & 7 (MJ)

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Agreement with the City of Belle Glade for the period October 2, 2007, through December 15, 2007, in an amount not-to-exceed \$1,000 for Weed and Seed Program trip to International Youth Summit. **SUMMARY:** This funding is to help offset the cost of a Belle Glade Weed and Seed Program youth trip to the International Youth Summit held from June 22-24, 2007, in Birmingham, Alabama. Five (5) youth from the Weed and Seed Program attended the International Youth Summit. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to June 5, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
2. **Staff recommends motion to approve:** Agreement with South Florida Science Museum, Inc. for the period October 2, 2007, through November 21, 2007, in an amount not-to-exceed \$10,000 for funding of the 2007 Summer Camp Program. **SUMMARY:** This funding is to help offset costs for the Science Museum's 2007 Summer Camp Program, which took place from June 4 to August 21, 2007. The summer camps served 1,152 campers. The Agreement allows for reimbursement of eligible project costs incurred subsequent to June 4, 2007. Funding is from Recreation Assistance Program (RAP) District 2 Funds. District 2 (AH)
3. **Staff recommends motion to approve:** Agreement with the Village of Royal Palm Beach for the period October 2, 2007, through November 30, 2007, in an amount not-to-exceed \$3,000 for funding of a 4th of July celebration. **SUMMARY:** This funding is to assist the Village of Royal Palm Beach with costs of its annual 4th of July celebration. The event was attended by approximately 10,000 spectators from the western communities. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to July 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

OCTOBER 2, 2007

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. **Staff recommends motion to approve:** Agreement with the City of Lake Worth for the period October 2, 2007, through December 1, 2008, in an amount not-to-exceed \$37,000 for Northwest Park ballfield improvements. **SUMMARY:** This funding is to help offset the cost of improvements to the Northwest Park ballfields located at A Street and 22nd Avenue in Lake Worth. The fields include nine (9) baseball/softball fields as well as a playground and open space. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to August 1, 2007. Funding for this project was allocated prior to the District 3 appointment of Commissioner Kanjian. Funding is from the Recreation Assistance Program (RAP) District 3 Funds. District 3 (AH)

5. **Staff recommends motion to approve:** Agreement with Okeeheelee BMX Parents Council, Inc. for the period October 2, 2007, through December 30, 2007, in an amount not-to-exceed \$1,000 for a shade structure at Okeeheelee Park. **SUMMARY:** This funding is to help offset the cost of a shade structure for the BMX track area at Okeeheelee Park. The Okeeheelee BMX Bicycle League serves approximately 200 participants. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to May 12, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

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

A) Clare Buckland, Yoga Instructor, Therapeutic Recreation Complex. (BUCK11215209075204B);

B) Lauren Brown, Water Aerobics Instructor, Therapeutic Recreation Complex. (BROW11205809075204B); and

C) Alexis Cardona, Martial Arts Instructor, Therapeutic Recreation Complex. (CARD003609075204A).

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 Independent Contractor Agreements 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. District 3 (AH)

OCTOBER 2, 2007

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. **Staff recommends motion to receive and file:**

A) original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Royal Palm Beach Community High School, in an amount not-to-exceed \$1,000 for Project Graduation 2007; and

B) original executed Request for Funding Form for School Board RAP project for Palm Beach Central Community High School, in an amount not-to-exceed \$1,000 for Project Graduation 2007.

SUMMARY: These fully executed Request for Funding Forms are 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)

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

A) Agreement with Corn-Maya, Inc. for the period October 2, 2007, through November 26, 2008, in an amount not-to-exceed \$27,500 for the Adult Soccer Program;

B) a Budget Transfer of \$27,500 in the Transportation Improvement Fund from Reserve for District 1 to the County Transportation Trust Fund;

C) a Budget Transfer of \$27,500 in the Transportation Trust Fund increasing the annual transfer from the Transportation Improvement Fund and decreasing the annual transfer from the General Fund;

D) a Budget Transfer of \$27,500 in the General Fund decreasing the annual transfer to the County Transportation Trust Fund and increasing the annual transfer to the Park Improvement Fund; and

E) a Budget Amendment of \$27,500 in the Park Improvement Fund increasing the annual transfer from the General Fund and increasing the appropriation to the District 1 Recreation Assistance Program (RAP).

SUMMARY: This funding is to offset the cost of 2007-2008 Adult Soccer Program costs. The Adult Soccer Program is sponsored by Corn-Maya, Inc. in the Jupiter area, and serves approximately 300 participants. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to August 26, 2007. The budget transfers and budget amendment increase the gas tax support and decrease the ad valorem support of the County Transportation Trust Fund, thereby allowing for the allocation of the available ad valorem support to the District 1 Recreation Assistance Program (RAP). At the November 21, 2006 Board Meeting, the flexibility of up to \$200,000 in transfers was approved for this purpose. This project uses available balance in transfers for District 1 Funds. District 1 (AH)

OCTOBER 2, 2007

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Tri-Party Agreement with the City of Delray Beach and Expanding and Preserving Our Cultural Heritage, Inc. for the period October 2, 2007, through October 1, 2010, in an amount not-to-exceed \$250,000 for funding of the Spady Cultural Heritage Complex – Phase II; and

B) Budget Transfer of \$250,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Spady Cultural Heritage Complex – Phase II.

SUMMARY: This Agreement provides funding for construction of the Spady Cultural Heritage Complex - Phase II located at 170 N.W. 5th Avenue in Delray Beach on property leased by Expanding and Preserving Our Cultural Heritage, Inc. (EPOCH) from the City of Delray Beach. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to November 5, 2002. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended – District 7. District 7 (PFK)

10. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Park Vista Community High School, in an amount not-to-exceed \$5,000 for the Striking Cobra Marching Band trip to the Tostitos Fiesta Bowl. **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 for this project was allocated prior to the District 3 appointment of Commissioner Kanjian. Funding is from the Recreation Assistance Program (RAP) District 3 Funds. District 3 (AH)

11. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for West Boca Community High School, in an amount not-to-exceed \$6,000 for football program uniforms and equipment. **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)

Q. CRIMINAL JUSTICE COMMISSION

1. **DELETED**

OCTOBER 2, 2007

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. **Staff recommends motion to approve:** an Attachment to Master Services Agreement (MSA) (R2002-0956; as amended through R2006-2752) with BellSouth Communications, Inc. to participate in a Total Revenue Spend Bonus (TRSB) reward program based on total spending with BellSouth and their affiliated companies. **SUMMARY:** This Attachment will allow the County to leverage existing contracts for telephone services, equipment and maintenance and other services from BellSouth and their affiliated companies to obtain potential reward payments from BellSouth. This reward is in addition to the basic reward included in the current BellSouth MSA. The reward level has a maximum potential of \$600,000 per year if certain expenditure thresholds are met. The County is under absolutely no obligation to participate in this program and the program is being offered to the County at no cost. This Attachment is coterminous with the BellSouth MSA which expires on June 30, 2009. Countywide (PFK)

X. **PUBLIC SAFETY**

1. **Staff recommends motion to approve:** an Interlocal Agreement with the School Board of Palm Beach County concerning the use of school buses to assist in the transportation needs as a result of a disaster, emergency, or other special request. **SUMMARY:** The evacuation of people from areas subject to, or threatened by, hurricanes, disasters, or other special needs may exhaust all transportation vehicles owned and operated by the Board of County Commissioners. The School Board has school buses that could be used to supplement the transportation requirements of the County. With the approval of this Agreement, the School Board agrees to provide the buses and the County agrees to reimburse the School Board the cost of providing drivers and fuel. The Board of County Commissioners will seek reimbursement of those costs from the Federal Emergency Management Agency when appropriate. Countywide (DW)
2. **Staff recommends motion to receive and file:** the executed FY 2007-08 VOCA grant agreement with the State of Florida, Office of the Attorney General for \$149,275 for the period of October 1, 2007, through September 30, 2008. **SUMMARY:** Resolution R97-1057 authorizes the County Administrator or his designee to execute certain VOCA grant agreements on behalf of the County with the State of Florida. Countywide (DW)
3. **Staff recommends motion to:**
 - A) receive and file** the executed Hazard Mitigation Grant Program Contract (07HM-6@-10-60-01-028) with Florida Division of Emergency Management to conduct the engineering study on drainage improvement of the L-2 and L-2B canals at Westgate CRA for the period August 1, 2006 to November 1, 2007; and
 - B) approve** a Budget Amendment of \$146,632 in the Capital Outlay Fund to establish project budget.

SUMMARY: Resolution R2006-0401 authorizes the County Administrator or his designee to execute certain agreements with the Florida Department of Community Affairs. This grant will fund the first phase of the drainage improvement of the L-2 and L-2B canals. Additional grant funding has been earmarked for the construction work on these canals after approval of the engineering study. Westgate CRA will provide the required \$36,658 match and Palm Beach County Engineering will oversee the project. District 2 (DW)

OCTOBER 2, 2007

3. **CONSENT AGENDA APPROVAL**

AA. **PALM TRAN**

1. **Staff recommends motion to approve:** an Interlocal Agreement with the South Florida Regional Transportation Authority (SFRTA) to provide \$4,366,950 in Fiscal Year 2008 as Palm Beach County's share of SFRTA's net operating deficit; and to provide for an additional \$2,670,000 to be paid to SFRTA within thirty (30) days after execution of this Agreement. **SUMMARY:** Palm Beach County is statutorily required to contribute \$1,565,000 annually to SFRTA's operating budget. SFRTA's FY '08 budget reflects a net operating deficit in excess of the statutory payments. Palm Beach County's share of these excess operating deficits is \$2,801,950. Additionally, Palm Beach County will pay \$2,670,000 to SFRTA upon or within thirty (30) days after execution of the Agreement; and finally to provide for SFRTA to reimburse Palm Beach County for Tri-Rail feeder bus service in the amount of \$666,666.66 annually. Palm Beach County has included this amount in its FY '08 budget. Countywide (DR)

2. **Staff recommends motion to approve:** Interlocal Agreement with the Village of Wellington to reimburse, in part, Palm Beach County for the delivery of door-to-door paratransit transportation services to the Village of Wellington residents with Americans with Disability Act (ADA) eligibility in an amount not-to-exceed \$40,000 for the period October 1, 2007, through September 30, 2008. **SUMMARY:** This Interlocal Agreement with the Village of Wellington will provide paratransit services to residents no longer eligible for Americans with Disabilities Act (ADA) paratransit services due to the redefinition of the ADA core area. This agreement takes effect October 1, 2007 and expires September 30, 2008, in an amount not-to-exceed \$40,000. District 6 (DR)

3. **Staff recommends motion to:**

A) adopt a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 42323219401 in the amount of \$65,000 (100% State) to provide capital funding for the installation of a nitrogen inflation system at Palm Tran's maintenance garages; and

B) approve a Budget Amendment of \$65,000 in the Palm Tran Grants Fund to reconcile the budget to account for this award.

SUMMARY: FDOT is providing a grant in the amount of \$65,000 from the Public Transit Service Development Program to install nitrogen inflation systems at Palm Tran's maintenance garages. This system increases fuel efficiency and extends the useful life of the tires. No local match is required. Countywide (DR)

4. **Staff recommends motion to adopt:** a Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement (JPA) (FM No. 420488-1-84-01) which provides funding to establish a Pilot Deviation Shuttle service program. This Supplemental JPA amends the original JPA by increasing the total award to \$425,000 and extending the contract period to August 31, 2008. **SUMMARY:** FDOT provided funding from the Public Transit Service Development Program to establish a Pilot Deviation Shuttle service program designed to offer greater mobility to people living in residential neighborhoods where fixed route service is not readily accessible; the test routes would be designed to connect with Palm Tran fixed route. No local match is required. Countywide (DR)

OCTOBER 2, 2007

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. **Staff recommends motion to approve:** a Budget Transfer of \$30,000 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **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 treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2007 estimated donation requirement is \$173,915. 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 \$947,878. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$917,878. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no County funds are required. Countywide (DW)

<u>Organization</u>	<u>Amount</u>
Inner City Youth Golfers, Inc.	\$25,000
Lake Worth High School – Criminal Justice Academy	<u>\$ 5,000</u>
Total Amount of Donations	\$30,000

* * * * *

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring October 18, 2007 as “Discover After-School Day” in Palm Beach County. (Sponsored by Commissioner Koons)
- B.** Proclamation declaring October 6, 2007 as “German-American Day” in Palm Beach County. (Sponsored by Commissioner Kanjian)
- C.** Proclamation declaring the week of October 8 – 13, 2007 as “National 4-H Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)
- D.** Proclamation declaring the October 2007 as “Depression Awareness Month” in Palm Beach County. (Sponsored by Commissioner Greene)
- E.** Proclamation declaring October 10, 2007 as “Put the Brakes on Fatalities Day” in Palm Beach County. (Sponsored by Commissioner Koons)
- F.** Proclamation declaring October 12 – 14 and 19 – 21, 2007 as “Oktoberfest” in Palm Beach County. (Sponsored by Commissioner Kanjian)
- G.** Proclamation declaring the month of October 2007 as “National Arts and Humanities Month” in Palm Beach County. (Sponsored by Commissioner Greene)
- H.** Certificate of Appreciation to George “Boots” Boyer for Boyer Survey and Archeological Investigation of Lake Okeechobee. (Sponsored by Commissioner Santamaria)
- I.** Proclamation declaring the month of October 2007 as “Disability Mentoring and Employment Awareness Month” in Palm Beach County. (Sponsored by Commissioner McCarty)
- J.** Proclamation declaring the week of October 14, 2007 through October 20, 2007 as Paralegal Week in Palm Beach County. (Sponsored by Commissioner Aaronson)

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

CONTINUED FROM SEPTEMBER 11, 2007

1. **Staff recommends motion to adopt:** a Resolution authorizing the issuance of up to \$9,500,000 Tax-Exempt Adjustable Mode Revenue Bonds (Caron Foundation of Florida, Inc. Project) Series 2007 (the "Bonds") for the purpose of financing a portion of the cost of acquisition and construction of office and outpatient treatment facilities to be owned and operated by Caron Foundation of Florida, Inc. and the costs of leasehold improvements to certain apartment facilities leased by such corporation; approving the form of and authorizing the execution of a loan agreement, indenture of trust and a bond purchase agreement; awarding the sale of the Bonds by a negotiated sale; approving a trustee for the Bonds; authorizing certain officials and employees of the County to take all actions required in connection with the issuance of the Bonds; making certain other covenants and agreements in connection with the issuance of the Bonds and providing an effective date. **SUMMARY:** On August 21, 2007, the Board of County Commissioners approved the application of Caron Foundation of Florida, Inc. (the "Company") for the issuance of the Bonds. Proceeds of the Bonds will be used to: (i) pay the costs of acquisition, construction, installation and furnishing of certain leasehold improvements to the apartment facilities known as Fairways on the Green located at 2101 Lawson Boulevard, Delray Beach, Florida; (ii) pay the costs of the acquisition, build-out, installation and furnishing of an office and outpatient treatment facility known as Beacon Square located at 8051 Congress Avenue, Boca Raton, Florida; and (iii) pay the costs of issuance of the Bonds. The Bonds will be payable solely from revenues derived from the Company. **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. ADMINISTRATION/OFFICE OF EQUAL OPPORTUNITY

1. **Staff requests Board direction:** regarding amending the Equal Employment Ordinance and the Fair Housing Ordinance to prohibit discrimination based on "gender identity and expression". **SUMMARY:** At the September 11, 2007 meeting of the Board, the Board directed staff to request direction regarding amending the Equal Employment Ordinance and the Fair Housing Ordinance to prohibit discrimination based on gender identity and expression. Countywide (TKF)

5. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to approve:

- A) a Budget Transfer of \$850,000 from Economic Development to the General Fund Contingency Reserve;
- B) a Budget Amendment of \$850,000 in the General Fund to recognize the transfer from Economic Development;
- C) a Budget Amendment of \$1,000,000 in the Head Start Fund to recognize the transfer from General Fund Contingency Reserve; and
- D) Five (5) additional positions in the Head Start program.

SUMMARY: The transfer from Economic Development to Contingency Reserve and the transfer from Contingency Reserve to Head Start are pursuant to Board direction given September 20, 2007 at the second Public Hearing to adopt the FY 2008 budget. The \$850,000 transfer from Economic Development will reduce funding for Job Growth Incentive and Development Regions grants. The transfer to Head Start will help meet essential program needs and allow 126 children to be served in the Head Start/Voluntary Pre-Kindergarten programs. The additional Head Start positions include three (3) Family Service Specialists, one (1) Parent Involvement Specialist and one Training Specialist. Three (3) of these positions were to be eliminated in the FY 2008 budget process and are now being restored. Countywide (TKF)

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6. BOARD APPOINTMENTS

A. **ENVIRONMENTAL RESOURCES MANAGEMENT**
(Groundwater and Natural Resources Protection Board)

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

APPOINT

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
Mal Behl	Citizen Representative	5	Comm. McCarty

OR

James Anderson	Citizen Representative	5	Comm. Koons
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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 August 6, 2007 requesting Citizen Representative nominations to complete the term of Seat No. 5 that expires on February 24, 2010. Frank Deering, Citizen Representative, Seat 5, passed away unexpectedly on June 28, 2007. Ordinance 92-20 and Article 17.C.7. of the ULDC require Seat No. 5 to be filled by Citizen Representative. No other nominations were received. Countywide (SF)

B. **HOUSING & COMMUNITY DEVELOPMENT**
(Commission on Affordable Housing Advisory Committee)

1. **Staff recommends motion to adopt:** a Resolution reappointing Mr. Symour Fine as Representative of Labor in Home Building Services (Seat No. 3); Mr. Vince Larkins, as Advocate for Low Income Persons (Seat No. 4); and Mr. Christopher Plummer, as Representative of Professional Housing (Seat No. 7) to the Palm Beach County Commission on Affordable Housing Advisory Committee (CAHAC):

<u>Reappointments</u>	<u>Category</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated by</u>
Symour Fine	Representative of Labor in Home Building Services	3	7/19/10	Commissioner Greene Commissioner Koons
Vince Larkins	Advocate of Low Income Persons	4	5/13/10	Commissioner Greene Commissioner McCarty Commissioner Koons
Christopher Plummer	Representative of Professional Housing	7	05/12/10	Commissioner Greene Commissioner Koons

SUMMARY: The Commission on Affordable Housing Advisory Committee consists of nine (9) members nominated by the Board of County Commissioners. All must be residents of Palm Beach County. Commission on Affordable Housing Advisory Committee members serve three (3) year terms. The primary objective of The Commission on Affordable Housing Advisory Committee is to make program and funding recommendations to the BCC for its Local Housing Assistance Plan. Countywide (TKF)

6. BOARD APPOINTMENTS

C. **FIRE RESCUE**
(Fire Rescue Level of Service Committee)

1. **Staff recommends motion to approve:** an appointment to complete the term of seven (7) months for Seat 5 to the Fire-Rescue Level of Service Committee.

<u>Name</u>	<u>Category</u>	<u>Term to Expire</u>	<u>Nominated by</u>
Chief Ridgeway	City Fire Chief-Large City	May 2, 2008	Fire Chief's Assoc.

SUMMARY: Palm Beach County Resolution R2004-0494 established the Fire Rescue Level of Service Committee (LOS). It consists of nine (9) members representing specific categories, each consisting of a term of three (3) years after the initial start up. The Fire Chief's Association of Palm Beach County has recommended Robert Ridgeway, Fire Chief of the City of West Palm Beach fill the vacancy created by Chief Koen's retirement. Countywide (SB)

D. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**
(Impact Fee Appeals Board)

1. **Staff recommends motion to approve:** the reappointment of the following individuals who have expressed an interest in continuing to serve on the Impact Fee Appeals Board for the time period November 1, 2007, through October 31, 2010:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>
Fred Schwartz	2	Engineer
Margaret Turney	3	General Public

SUMMARY: The Impact Fee Appeals Board is composed of five (5) members. The membership of the board includes one (1) traffic engineer, one (1) accountant, one (1) attorney, one (1) representative of the general public and one (1) developer/builder. Impact Fee Appeals Board members must be qualified electors of Palm Beach County at least two (2) years prior to their appointment. This agenda item provides for the reappointment of these members to a three (3) year term that will expire October 31, 2010. The remaining members of this board were previously reappointed by the BCC on August 21, 2007. Countywide (LB)

6. BOARD APPOINTMENTS

D. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)
(Impact Fee Review Committee)

2. Staff recommends motion to approve: the reappointment/appointment of the following individuals to the Impact Fee Review Committee for the time period October 1, 2007, through September 30, 2010:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>
Reappoint:		
Nancy Hogan	2	Municipal
E. Llwyd Ecclestone, III	5	Business
Joseph Pollock	6	Business
Arnold Broussard	7	At Large
Bruce Malasky	Alternate	Business
Dennis Thomas	Alternate	At Large
Appoint:		
Robert Gottlieb	1	Municipal
Matty Mattioli	3	Municipal
Jeffrey Natftal	Alternate	Municipal

SUMMARY: The Impact Fee Review Committee is composed of seven (7) members and three (3) alternate members appointed by the BCC. The membership of the committee includes three (3) representatives from municipalities, three (3) representatives from the business community, and one (1) member selected at-large. The alternate members include one (1) representative from each of the categories above. An alternate member shall be authorized to vote in place of an absent voting member appointed from the same category and shall count toward a quorum. This agenda item provides for the reappointment/appointment of six (6) regular members and three (3) alternate members to three (3) year terms expiring September 30, 2010. Seat No. 4 is vacant and will be filled at a later date. Countywide (LB)

E. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 2, 2007

7. MATTERS BY THE PUBLIC – 2:00 P.M.

OCTOBER 2, 2007

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 2, 2007

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR

C. District 3 - COMMISSIONER ROBERT J. KANJIAN

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

Proclamation declaring the month of September 2007 as "National Alcohol and Drug Addiction Recovery Month" in Palm Beach County.

Proclamation declaring October 12, 2007 as "Families First Children's Day" in Palm Beach County.

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

OCTOBER 2, 2007

<u>PAGE</u>	<u>ITEM</u>	
31	3AA-1	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: an Interlocal Agreement with the South Florida Regional Transportation Authority (SFRTA) to provide \$4,366,950 in Fiscal Year 2008 as Palm Beach County's share of SFRTA's net operating <u>cost</u> deficit; and to provide for an additional \$2,670,000 to be paid to SFRTA within thirty (30) days after execution of this Agreement. <u>SUMMARY:</u> Palm Beach County is statutorily required to contribute \$1,565,000 annually <u>not less than \$1,565,000</u> to SFRTA's operating budget. SFRTA's FY '08 budget reflects a net operating <u>cost</u> deficit in excess of <u>that amount</u> the statutory payments . Palm Beach County's share of <u>this</u> these excess operating <u>cost</u> deficits is \$2,801,950. Additionally, Palm Beach County will pay \$2,670,000 to SFRTA upon or within thirty (30) days after execution of the Agreement; and finally to provide <u>This Agreement provides</u> for SFRTA to reimburse Palm Beach County for Tri-Rail feeder bus service in the amount of \$666,666.66 annually. <u>The Interlocal Agreement also stipulates, pursuant to Fla. Statutes §343.58(1), that Palm Beach County is to allocate an additional \$2,670,000 to SFRTA. This sum shall be paid within thirty (30) days after execution of the Agreement.</u> Palm Beach County has included this amount in its FY '08 budget. <u>Countywide</u> (DR)
33	4K	<u>ADD-ON:</u> Proclamation declaring the month of October 21 - 27, 2007 as "Character Counts Week" in Palm Beach County. (Sponsored by Commissioner Marcus)
35	5C-1	<u>REVISED TITLE:</u> Staff recommends motion to approve: A) ... B) a Budget Amendment of \$850,000 in the General Fund to recognize the transfer from Economic Development; <u>and a transfer from Contingency Reserves for \$1,000,000 to Head Start; C)...D)...</u>
41	9C*	<u>ADD-ON:</u> Proclamation in observance of the 50 th Anniversary of the Town of Lake Clark Shores. (Sponsored by Commissioner Kanjian)
41	9F	<u>ADD-ON:</u> Proclamation declaring October 13, 2007 as "Caribbean-American for Community Involvement Day" in Palm Beach County. (Sponsored by Commissioner Santamaria)

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 (*).