

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

**NOVEMBER 20, 2007**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  
- 3. CONSENT AGENDA (Pages 6 - 26)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 27 - 29)**
  
- 5. REGULAR AGENDA (Pages 30 - 33)**
  
- 6. BOARD APPOINTMENTS (Page 34)**
  
- 7. STAFF COMMENTS (Page 35)**
  
- 8. COMMISSIONER COMMENTS (Page 36)**
  
- 9. ADJOURNMENT (Page 36)**

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TABLE OF CONTENTS

CONSENT AGENDA

**A. ADMINISTRATION** - None

**B. CLERK & COMPTROLLER**

Page 6

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments and other items

**C. ENGINEERING & PUBLIC WORKS**

Page 6

- 3C-1 Report of plat recordations
- 3C-2 Budget Transfers related to Keep Palm Beach County Beautiful program

Page 7

- 3C-3 Budget Transfer/Amendment related to E-Permitting project
- 3C-4 Notice for professional services for the preparation of Corridor Master Plans
- 3C-5 Change Order No. 6 with J.W. Cheatham, LLC regarding Greenview Shores Blvd.
- 3C-6 Budget Transfer regarding pathway on Coconut Lane
- 3C-7 Budget Transfer regarding concrete medians on Boynton Beach Blvd.

Page 8

- 3C-8 Contract with Lanzo Construction Company, Florida for the construction of Limestone Creek wastewater system
- 3C-9 Release of a Removal Agreement for a sign at U.S. 1 and Coconut Lane in Tequesta

**D. COUNTY ATTORNEY**

Page 8

- 3D-1 Transcript for the closing of the \$7,335,000 Variable Rate Revenue Bonds (Comprehensive Community Care Network)
- 3D-2 Quitclaim Deed to JCL Management, LLC regarding Palm Beach Farms Plat No. 3

Page 9

- 3D-3 Reimbursement of attorney's fees/costs regarding Commissioner Marcus' ethics issue

**E. COMMUNITY SERVICES**

Page 9

- 3E-1 Three (3) contracts with agencies regarding Financially Assisted Agencies funding
- 3E-2 Agreement with Education Development Center, Inc. regarding Head Start services

Page 10

- 3E-3 Budget Amendment to recognize donation from National Automobile Dealers Association
- 3E-4 Amendment No. 2 with Area Agency on Aging regarding Older Americans Act Program
- 3E-5 Amendment No. 1 with Area Agency on Aging regarding Nutrition Services Incentive Program

**F. AIRPORTS**

Page 10

- 3F-1 Standard form license agreement for short-term use of properties delegation of authority

Page 11

- 3F-2 Easement Exchange Agreement with CAM Realty, LLC
- 3F-3 Amendment No. 2 with The LPA Group, Inc. for professional planning and design services

Page 12

- 3F-4 Receive & File six (6) Agreements for the Dept. of Airports

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 12

- 3G-1 Selection of Senior Manager and co-managers related to the \$170M Public Improvement Revenue Bonds for jail expansion and other government facilities
- 3G-2 Nabors, Giblin & Nickerson as bond counsel for the \$35.1M Public Improvement Revenue Bonds for acquisition/development of law enforcement information technology equipment

**TABLE OF CONTENTS**  
**CONSENT AGENDA CONTINUED**

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET - Cont'd**

- Page 13  
3G-3 Budget Amendments/Transfer related to Public Improvement Revenue Refunding Bonds (Biomedical Research Park project)

**H. FACILITIES DEVELOPMENT & OPERATIONS**

- Page 13  
3H-1 Amendment No. 1 with Sunco Construction Services, LLC for annual residential contract
- Page 14  
3H-2 Grant Agreement with City of West Palm Beach regarding Pleasant City Multi-Cultural Center Façade Enhancement project  
3H-3 Contract with Carrick Contracting Corporation for construction of Fire Rescue Station No. 56  
3H-4 First Amendment with City of Palm Beach Gardens regarding 800 MHz radio system  
3H-5 Option Agreement for Sale and Purchase with Nancy Kindt Hernandez regarding 1.10 acres adjacent to DuBois Park
- Page 15  
3H-6 Use Agreement with Criminal Conflict and Civil Regional Counsel – 4<sup>th</sup> Region for use of 6,209 sq. ft. in Airport Center, Building 2

**I. HOUSING & COMMUNITY DEVELOPMENT**

- Page 15  
3I-1 Agreement with The Salvation Army for transitional housing and supportive services  
3I-2 Amendment No. 1 with Farmworker Coordinating Council to extend Agreement end date

**J. PLANNING, ZONING & BUILDING**

- Page 16  
3J-1 Nomination of Jamie Marcus to the MPO's Technical Advisory Committee

**K. WATER UTILITIES**

- Page 16  
3K-1 Interlocal Agreement with City of West Palm Beach regarding secondary treated effluent/reclaimed water  
3K-2 Contract with Ric-Man International, Inc. regarding wastewater lift station rehab project
- Page 17  
3K-3 Standard Reclaimed Water Services Agreements  
3K-4 Change Order No. 4 with Poole & Kent for Lake Region Water Treatment Plant  
3K-5 Non-standard Utility Easement from the U.S. Postal Service to replace outdated lift station
- Page 18  
3K-6 Receive & file three (3) standard development agreements and one (1) renewal agreement

**L. ENVIRONMENTAL RESOURCES MANAGEMENT**

- Page 18  
3L-1 Budget Transfer/Amendment regarding \$7.9M Sunshine Loan Debt Service Fund
- Page 19  
3L-2 Quitclaim Deed from SFWMD regarding Sandhill Crane property
- Page 20  
3L-3 Interlocal Agreement with City of West Palm Beach and SFWMD for construction of a bridge over the Grassy Waters Preserve
- Page 21  
3L-4 Amendment No. 1 with FDEP for emergency dune restoration

**M. PARKS & RECREATION**

- Page 21  
3M-1 Notice of Limitation of Use/Site Dedication relative to Burt Reynolds Park  
3M-2 Notice of Limitation of Use/Site Dedication relative to Glades Pioneer Pool & Splash Park

**TABLE OF CONTENTS**  
**CONSENT AGENDA CONTINUED**

**M. PARKS & RECREATION - Cont'd**

Page 22

- 3M-3 Termination of Lease and Sublease with Town of Juno Beach and the Marinelife Center of Juno Beach regarding old residential structure in Loggerhead Park
- 3M-4 Project Agreement Amendment with FIND relative to DuBois Park project
- 3M-5 Agreement with City of Delray Beach for 2007 Roots Cultural Festival
- 3M-6 Interlocal Agreement with City of Boynton Beach regarding Boat Club Park renovations

Page 23

- 3M-7 First Amendment with Youth Enrichment Services for basketball summer camp scholarships
- 3M-8 Recreation Assistance Program allocation for Veteran's Park Veterans' Day event
- 3M-9 Interlocal Agreement with Town of Lake Park for Lake Shore Park playground
- 3M-10 Tri-Party Agreement with City of Delray Beach and Delray Beach Historical Society, Inc. for Delray Beach Historical Society Learning Center and archival storage facility

Page 24

- 3M-11 Agreement with City of Pahokee for Pahokee Lake Island project

**N. LIBRARY** - None

**P. COOPERATIVE EXTENSION SERVICE** - None

**Q. CRIMINAL JUSTICE COMMISSION** - None

**R. HUMAN RESOURCES**

Page 24

- 3R-1 2007-2008 Affirmative Action Plan

**S. FIRE RESCUE**

Page 24

- 3S-1 Side Agreement to Articles 29 and 45 of the Collective Bargaining Agreement with Professional Firefighters/Paramedics of Palm Beach County, Local 2988, IAFF, Inc.

**T. HEALTH DEPARTMENT** - None

**U. INFORMATION SYSTEMS SERVICES** - None

**V. METROPOLITAN PLANNING ORGANIZATION** - None

**W. PUBLIC AFFAIRS** - None

**X. PUBLIC SAFETY**

Page 25

- 3X-1 Independent Contractor Agreement with Shayna Ginsburg for Post-Doctoral Internship

**Y. PURCHASING** - None

**Z. RISK MANAGEMENT** - None

**AA. PALM TRAN** - None

**BB. SHERIFF**

Page 25

- 3BB-1 National Institute of Justice "Solving Cold Cases with DNA Program" Grant
- 3BB-2 National Institute of Justice "Forensic DNA Backlog Reduction Program" Grant

Page 26

- 3BB-3 Grant Adjustment Notice regarding Community Oriented Policing Services Grant

**CC. SUPERVISOR OF ELECTIONS**

Page 26

- 3CC-1 Precinct boundary changes

**TABLE OF CONTENTS**

**PUBLIC HEARINGS - 9:30 A.M.**

Page 27  
4A Osprey Oaks Community Development District Ordinance  
4B Five-Year Road Program Ordinance  
Page 28  
4C Glades Regional Fire MSTU/Jupiter MSTU Ordinance  
4D Fire Rescue MSTU Ordinance to include Town of Lantana  
Page 29  
4E Variable Rate Demand Revenue Bonds for The Jewish Federation of South Palm Beach County, Inc. Project  
4F Issuance of a "Special Secondary Service" Certificate of Public Convenience and Necessity with The Wackenhut Corporation

**REGULAR AGENDA**

**ENGINEERING & PUBLIC WORKS**

Page 30  
5A-1 JPA with City of West Palm Beach regarding emergency span-wire traffic signal at Northlake Blvd and Memorial Park Road  
5A-2 Interlocal Agreement with City of West Palm Beach for Imagining Howard Park/Stub Canal Water Improvements

**FIRE RESCUE**

Page 30  
5B-1 Fire Rescue MSTU Ordinance to include the Town of South Palm Beach

**COUNTY ATTORNEY**

Page 31  
5C-1 Issuance Housing Finance Authority Homeowner Revenue Bonds  
5C-2 Equal Employment Ordinance  
5C-3 Equal Opportunity to Housing and Places of Public Accommodation Ordinance

**ENVIRONMENTAL RESOURCES MANAGEMENT**

Page 32  
5D-1 Employee Interchange Agreement with the U.S. Army Corps of Engineers to fund a COE staff position dedicated to reviewing County permit applications

**PUBLIC SAFETY**

Page 32  
5E-1 Animal Care & Control fees for animal sheltering and services and fines for violations

**PALM TRAN**

Page 33  
5F-1 Amendment No. 3 with Palm Beach Metro Transportation, LLC regarding paratransit services

**BOARD APPOINTMENTS** (Page 34)

**STAFF COMMENTS** (Page 35)

**COMMISSIONER COMMENTS** (Page 36)

**ADJOURNMENT** (Page 36)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Comprehensive Plan	July 23, 2007
Regular	September 11, 2007
Environmental Control Board	September 11, 2007

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
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 September 2007. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to receive and file:** a Report of plat recordations from July 1, through September 30, 2007. **SUMMARY:** This is a quarterly summary of subdivision plats recorded during the past fiscal quarter as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. ED-0-11, governing administrative approval of plats by the County Engineer. Countywide (MRE)

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

**A)** a Budget Transfer of \$30,000 in the Transportation Improvement Fund from Reserve for District 2 to Cabana Colony Local Drainage; and

**B)** a Budget Transfer of \$30,000 in the Capital Outlay Fund from Cabana Colony Local Drainage to Keep Palm Beach County Beautiful, Inc. (KPBCB) District 2.

**SUMMARY:** This item provides funding not-to-exceed \$30,000 for the second of four (4) annual allocations to KPBCB for Fiscal Year 2007 through Fiscal Year 2010 for a maximum total of \$120,000. The efforts of KPBCB serve a public purpose by promoting and facilitating public and community area enhancement programs and by promoting, facilitating, and reviewing beautification grants for the purpose of enhancing thoroughfare roadways throughout Palm Beach County. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

A) a Budget Transfer of \$33,000 in the County Transportation Trust Fund from Contingency Reserves to Transfers – Transfer to General Fund; and

B) a Budget Amendment of \$33,000 in the General Fund to recognize the transfer from the County Transportation Trust Fund and appropriate it to Land Development Division – ISS Professional Charges.

**SUMMARY:** This Budget Transfer and Amendment will provide additional funding to continue the E-Permitting project (Project) started in 2003 by Land Development through ISS. E-Permitting is to supply an on-line permitting process for ease of use by Developers and other parties in issuance of right-of-way construction permits and drainage reviews. Countywide (MRE)

4. Staff recommends motion to receive and file: a Notice for professional services for the preparation of Corridor Master Plans for Boynton Beach Boulevard from Lyons Road to Jog Road, Atlantic Avenue from Florida's Turnpike to Jog Road (Project). **SUMMARY:** Filing of this Notice will allow for advertisement for professional services necessary for the preparation of the Corridor Master Plans for the Project. Districts 2, 5 & 6 (PFK)

5. Staff recommends motion to approve:

A) Change Order No. 6 in the amount of \$156,435, together with a 35-day time extension to Contract No. R2007-0010 with J.W. Cheatham, LLC for the construction of Greenview Shores Boulevard from South Shore Boulevard to Wellington Trace; and

B) Budget Amendment of \$156,435 in the Road Impact Fee Fund - Zone 3 to recognize reimbursement from the Village of Wellington.

**SUMMARY:** Change Order No. 6 is compensation for additional costs encountered due to utility conflicts with the Village of Wellington (Village) utilities. The Village has agreed to fully reimburse Palm Beach County \$156,435 for Change Order No. 6. District 6 (MRE)

6. Staff recommends motion to approve: a Budget Transfer of \$68,000 in the Transportation Improvement Fund from Reserve for District 4 to Pathway Program FY 2003 – Coconut Plaza MUPD. **SUMMARY:** The District 4 Commissioner has authorized \$68,000 in funding to construct a six (6) foot concrete pathway on the south side of Coconut Lane from Military Trail to Barwick Road. District 4 (MRE)

7. Staff recommends motion to approve: a Budget Transfer of \$52,000 in the Transportation Improvement Fund from Reserve for District 5 to Sun Valley East/Boynton Beach Boulevard Median – District 5. **SUMMARY:** The Budget Transfer of \$52,000 will finance the construction cost for decorative concrete medians on Boynton Beach Boulevard at the entrance to Sun Valley East. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to approve:

A) a Contract with Lanzo Construction Company, Florida, (Lanzo) the lowest, responsive, responsible bidder, in the amount of \$1,728,863.50, for the construction of the Limestone Creek Area Phase IIB Wastewater System (Project);

B) a Budget Transfer of \$324,636 in the Transportation Improvement Fund from Cabana Colony/Local Drainage to Limestone Creek;

C) a Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserves for District 1 to Limestone Creek; and

D) a Budget Transfer of \$100,000 in the Capital Outlay Fund from CCRT Recouped Funding to Limestone Creek.

**SUMMARY:** The wastewater system consists primarily of the installation of gravity sewer, a lift station and force main on several streets in the Limestone Creek area. The Small Business Assistance goal for the Project is 15%. The Small Business Enterprise (SBE) participation committed for the Project by Lanzo is 16.7% overall. Consequently, in accordance with the SBE Program, Lanzo, having met the SBE goal, qualifies to be awarded the contract, over the low bidder, Sheltra & Son Construction Company, Inc., who did not meet the SBE requirement for the Project. District 1 (MRE)

9. Staff recommends motion to approve: a Release of a Removal Agreement for a sign, as recorded in Official Record Book 2705, Page 331, Public Records of Palm Beach County, Florida. **SUMMARY:** This action will authorize the release of a Removal Agreement for a sign located on the southeast corner of the owner's property which is at the intersection of U.S. Highway No. 1 and Coconut Lane in Tequesta, Florida. District 1 (PFK)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the official transcript for the closing of the \$7,335,000 Palm Beach County, Florida, Variable Rate Revenue Bonds (Comprehensive Community Care Network, Inc.), Series 2007 (the "Bonds"), as authorized by Resolution R2007-0351 adopted on February 27, 2007. **SUMMARY:** The closing occurred May 24, 2007. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

2. Staff recommends motion to approve: execution of a Quitclaim Deed to JCL Management, LLC, a Florida Limited Liability Company, conveying any County interest in certain rights-of-way in Palm Beach Farms Plat No. 3. **SUMMARY:** Recent recorded quit-claim deeds to the County from West Peninsular Title Company and Absolute, Inc. have raised a title issue. County Quit-Claim Deeds have been used to resolve this title issue with other affected property owners. This Quit-Claim Deed covers certain Palm Beach Farms Plat No. 3 strips that had lost public dedication through the West Peninsular federal lawsuit. The property is located at approximately 300' north of the northeast corner of Southern Boulevard and Benoist Farms Road in Palm Beach County, Florida. District 6 (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

3. **Staff recommends motion to approve:** reimbursement of attorney's fees and costs in the amount of \$13,634.64, incurred by Commissioner Marcus in successfully defending charges filed against her before the Florida Commission on Ethics. **SUMMARY:** Charges were filed against Commissioner Marcus with the Florida Commission on Ethics alleging certain conflicts of interest. The Ethics Commission dismissed the charges on October 19, 2007. This motion is consistent with County Policy, PPM CW-F-057, which authorizes the County Administrator to request reimbursement on behalf of present and former County Officials who prevail in actions brought before the Florida Commission on Ethics, provided the matter was connected to an official County function and in furtherance of a public purpose. District 1 (LB)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contracts with the following financially assisted agencies for the period October 1, 2007, through September 30, 2008, totaling \$1,606,286 for the services indicated:

A) Center for Family Services of Palm Beach County, Inc. - \$141,345 for Home Instruction Program for Preschool Youngsters;

B) 211 Palm Beach/Treasure Coast, Inc. - \$264,941 for crisis and outreach services; and

C) Mae Volen Senior Center, Inc. - \$1,200,000 for services which include transportation, in-home services, congregate meals, home delivered meals, nutrition education, screening and assessment to eligible seniors living south of Lantana Road.

**SUMMARY:** On July 11, 2007 and September 20, 2007, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency (FAA) Program, and subsequently adopted a budget for FY 2008 that included funds for other County sponsored programs. The contracts being recommended for approval reflect the funding amounts previously approved by the Board. Additional contracts will be forthcoming upon receipt of all required information. Countywide (TKF)

2. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with Education Development Center, Inc., d/b/a My First Steps Preschool, for the period of October 1, 2007, through September 30, 2008, in an amount of \$487,382, for services to Head Start children and families. **SUMMARY:** Education Development Center, Inc. will provide services to 82 children for 249 days at a rate of \$29.755 per child/per day for three (3) year olds and \$20.65 per child/per day for 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 \$297,571 in Federal funds, \$74,393 in required match County funds and \$115,418 in overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** a Budget Amendment of \$2,000 in the DOSS – Title III Older Americans Act Fund to recognize a donation from the National Automobile Dealers Association. **SUMMARY:** The National Automobile Dealers Association made a special private donation of \$2,000 for the Meals on Wheels program. A budget amendment is needed to acknowledge the funds. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)
  
4. **Staff recommends motion to approve:** Amendment No. 002 to Standard Agreement No. IA007-1 (R2007-0119) for the Older Americans Act (OAA) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period January 1, 2007, through December 31, 2007, increasing the agreement amount by \$72,821 for a new total not-to-exceed amount of \$2,049,563 for various supportive services to seniors. **SUMMARY:** This Amendment will increase OAA IIIB In-Home Services by \$4,595; C2 Home Delivered Meals by \$130,831; III E G1 Adult Day Care by \$1,528; and decrease C1 Congregate Meals by \$64,133. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)
  
5. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IU007-1-9500 (R2007-0129) for the Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period October 1, 2006, through September 30, 2007, decreasing the reimbursement unit rate and increasing the maximum reimbursement by \$70,411 for a new total not-to-exceed amount of \$324,535 for various supportive services to seniors. **SUMMARY:** Additional funding has been granted under the NSIP grant. This Amendment will decrease the reimbursement unit rate from .6349487 to .6038628 for 116,601 units produced between August 1, 2007, through September 30, 2007; and increase the new maximum reimbursement from \$254,124 to \$324,535. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

F. AIRPORTS

1. **Staff recommends motion to adopt:** a Resolution authorizing the County Administrator or his designee to execute a standard form license agreement for the short-term use of properties managed by the Department of Airports, which will become effective upon adoption. **SUMMARY:** The Department of Airports frequently receives requests for the short-term use of airport properties, including requests from the rental car concessionaires at the Palm Beach International Airport for overflow parking during peak travel periods. Generally, these requests are made with insufficient time to process an agenda item for Board approval, which could result in lost revenues to the County. This Resolution establishes a new standard form License Agreement, which will authorize the County Administrator or his designee to grant a revocable license on behalf of the Board for the short-term use of airport properties. Countywide (JMB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. **Staff recommends motion to approve:** an Easement Exchange Agreement with GAM Realty, LLC, a Florida limited liability company, in the amount of \$14,500. **SUMMARY:** The Department of Airports manages certain property near the Palm Beach International Airport on behalf of the County that requires drainage into the C-51 canal. GAM Realty, LLC, has agreed to provide the County with a drainage easement over its property and to construct the necessary drainage facilities in exchange for the sum of \$14,500 and an ingress/egress, drainage and utility easement over a portion of property owned by the County adjacent to East Grace Drive, which will provide GAM Realty better access to its property. Countywide (JMB)
  
3. **Staff recommends motion to approve:** Amendment No. 2 to the General Consulting Agreement with The LPA Group, Inc. for Consulting/Professional Services in the amount of \$1,865,857 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement (R2006-2418) with The LPA Group, Inc., for general airport planning and design was approved on November 21, 2006 in the amount of \$1,420,544 in order to carry out the approved Capital Improvement Programs for the County's Airports. The agreement is for two (2) years with two (2) – one (1) year renewal options. Amendment No. 1 was approved for a net increase in the amount of \$343,033.50. Approval of Amendment No. 2 in the amount of \$1,865,857 will provide funds to complete the following tasks and services: North Palm Beach County General Aviation Airport Hangar Design, Lantana West Access Road, PBI Parking Garage Rehab, PBI Maintenance Compound Additional Services, PBI High Speed Exits, Lantana Helicopter Assessment, Department of Airports Development of Primary Guiding Documents, North County Airport Facilities Repairs, Annual Facilities Inspection Report, as well as Staff Extension and Miscellaneous Planning, Engineering and Construction Services. Certain tasks performed during the term of this Amendment will be eligible for State and Federal grant participation. The proposed fee was verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (CH2M Hill, Inc.) for those tasks that are eligible for grant funding. The Disadvantaged Business Enterprise (DBE) participation for this Amendment is 13.32%. The total DBE contract goal including all amendments is 21.72%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: six (6) original Agreements for the Department of Airports:

A) North County General Aviation Airport Hangar Lease Agreement with Icarus Ventures, Inc., Unit 5, Building 11730, effective October 2, 2007;

B) North County General Aviation Airport Hangar Lease Agreement with Jerry Peterson and Walter Korbiak, Unit 13, Building 11730, effective October 18, 2007;

C) Agreement to Terminate Hangar Lease Agreement with Joseph Ski and Paul Vota, Unit 9, Building 11240, terminating R2003-1443 on October 31, 2007;

D) First Amendment to Hangar Lease Agreement with Robert Thomas Valdivia (R2007-0637), effective October 18, 2007;

E) First Amendment to Airline-Airport Use and Lease Agreement with Delta Air Lines, Inc. amending R2007-0386, effective September 18, 2007; and

F) Non-Concessionaire Rental Car Airport Permit with National Car Rentals of Palm Beach, Inc. d/b/a Datura Auto Rental, effective October 9, 2007.

**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2003-1047, R2004-1367, R2005-0451 and R2006-1906. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to select: Merrill Lynch as Senior Manager and Wachovia Securities, Raymond James, Jackson Securities and Citigroup as co-managers for the estimated \$170 Million Public Improvement Revenue Bonds, Series 2008 for the jail expansion and other government facilities. **SUMMARY:** On September 11, 2007, the Board adopted a Resolution authorizing the issuance of a Public Improvement Revenue Bond Anticipation Note (BAN), Series 2007 in the principal amount not to exceed \$20,100,000 for funding the costs of the projects prior to the expected issuance of the Bonds in February 2008. Bond counsel and disclosure counsel were previously appointed to provide services for the BAN. Over the next three months, staff will be preparing documents related to the bond issue and recommends that the Board appoint the underwriting team at this time. The above firms are next on the Senior Manager Underwriter Rotation List. Countywide (PFK)

2. Staff recommends motion to approve: Nabors, Giblin & Nickerson as bond counsel for the not-to-exceed \$35.1 Million Public Improvement Revenue Bonds, Series 2008 for the acquisition and development of law enforcement information technology equipment and software and cost of issuance. **SUMMARY:** The County included the annual debt service for the above Bonds in the FY 2008 Sheriff's budget. Because the bonds will be amortized over seven (7) years, staff expects to request bids from banks for fixed rate bonds. The County expects to issue this debt in January 2008. Because the successful bidder will use their counsel to evaluate the purchase of the bonds, the County will not need to use disclosure counsel. The above firm is next on the County Bond Counsel Rotation List. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve:

**A)** Budget Amendment of \$2,630,691 in the \$2.58M Revenue Refunding Bonds (Biomedical Research Park Project), Series 2007A Debt Service Fund to record refunding bond proceeds and transfer funds to the debt service funds for the payment of principal and interest on the 2006A Note and set up interest and cost of issuance on the Refunding Bonds;

**B)** Budget Amendment of \$5,314,378 in the \$5.18M Taxable Refunding Bonds (Biomedical Research Park Project), Series 2007B Debt Service Fund to record refunding bond proceeds and transfer funds to the debt service funds for the payment of principal and interest on the 2006A & 2006B notes and interest and cost of issuance on the Refunding Bonds;

**C)** Budget Amendment of \$7,225,474 in the \$6.9M Public Improvement Revenue Note (Biomedical Research Park Infrastructure Project), Series 2006A to record budget transfers from Series 2007 A and Series 2007B debt service funds for the payment of principal and interest on the 2006A Note;

**D)** Budget Amendment of \$506,687 in the \$479,766 Taxable Public Improvement Revenue Note (Biomedical Research Park Infrastructure Project), Series 2006B to record budget transfer from the Series 2007B debt service fund for the payment of principal and interest on the 2006B Note; and

**E)** Budget Transfer of \$181,672 in the \$105.5M Public Improvement Revenue Bonds (Biomedical Research Park Project), Series 2007 Debt Service Fund to transfer funds to the debt service funds for the payment of interest on the 2007A & B Refunding Bonds.

**SUMMARY:** On Nov. 6, 2007, the Board authorized the negotiated sale of Public Improvement Revenue Refunding Bonds (Biomedical Research Park Project), Series 2007A in the aggregate principal amount of \$2,582,648 and Taxable Public Improvement Revenue Refunding Bonds (Biomedical Research Park Project), Series 2007B in the aggregate principal amount of \$5,180,949. The Budget Amendments set up the sale of the Series 2007 A & B Refunding Bonds and the payment of principal and interest on the 2006 A & B Notes. The Budget Transfer sets up the FY 2008 payment of interest on the Series 2007 A & B Refunding Bonds. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 1 to Contract with Sunco Construction Services, LLC (R2006-2426) to implement the first renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Residential which was awarded to Sunco Construction Services, LLC as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an “as-needed” basis for projects typically under \$25,000 each. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$ 499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. SBE goals for the Residential contracts are 15%. Sunco’s participation for work orders issued to date is 100%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 81.2%. This is a bond-waiver contract. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: a Grant Agreement with the City of West Palm Beach in the amount of \$25,000 for the creation, fabrication and installation of the Pleasant City Multi-Cultural Center Facade Enhancement 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 complements 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 West Palm Beach, in partnership with artist Robert Delgado, for the Pleasant City Multi-Cultural Center Facade Enhancement 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: Contract with Carrick Contracting Corporation, in the amount of \$1,719,500 for the construction of Fire Station No. 56. **SUMMARY:** This Contract will provide for the construction of a 5,475 sq. ft. fire station located at 6250 SW 18<sup>th</sup> Street, Boca Raton. The SBE Goal for this project is 15.0%. Carrick Contracting Corporation will provide 15.6%. The Contract time is 365 calendar days to substantial completion. (Capital Improvements Division) District 4 (JM)
4. Staff recommends motion to approve: a First Amendment to the Agreement (R2003-0275) with the City of Palm Beach Gardens (City) allowing for interoperable communications through the countywide common groups of the County's 800 MHz radio system. **SUMMARY:** The Agreement with the City provides the terms and conditions under which the City can program into its radios and utilize the Countywide common talk groups for certain types of inter-agency communications will expire on February 25, 2008. The Agreement provides for three (3) - five (5) year renewals but renewals require approval by both parties. Amendment No. 1 extends the term of the Agreement until February 25, 2013. The terms of the Agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800MHz trunked radio capabilities. There are no charges associated with this Amendment. The City is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the system. The Agreement may be terminated by either party with or without cause. (ESS) Countywide (JM)
5. Staff recommends motion to approve: an Option Agreement for Sale and Purchase with Nancy Kindt Hernandez, as Trustee of the Susan D. Kindt Trust created under Agreement dated September 26, 2003, and the Florida Communities Trust (FCT) to acquire 1.10 acres adjacent to DuBois Park for \$3.6 million. **SUMMARY:** This Agreement provides the County the option to purchase 1.10 acres of waterfront property on DuBois Road adjacent to the County's DuBois Park. The property is improved with a 1,493 square foot house with a detached garage, several wood cottages, a former pineapple packing house, four (4) docks, and a boat ramp. It has 136.68 feet of water frontage on the same basin in which the existing DuBois Park marina is located. In 2006, the Parks and Recreation Department applied for and received a matching grant from Florida Communities Trust for acquisition of this property. The initial appraisal obtained by the County valued the property at \$2.4 million. Two (2) appraisals obtained by FCT valued the subject property at \$3.1 million and \$3.6 million. FCT handled the negotiations and agreed to a \$3.6 million purchase price. FCT will fund \$1.8 million of the purchase price and one-half of the due diligence and closing costs. The balance will be funded by the County out of the \$50 Million Waterfront Bond Issue. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** Use Agreement with the Criminal Conflict and Civil Regional Counsel - Fourth Region (Conflict Counsel) that provides for the use and occupancy of 6,209 square feet in Airport Center, Building 2. **SUMMARY:** During the 2007 legislative session, the Office of Criminal Conflict and Civil Regional Counsel was created by Statute. The Conflict Counsel was established to provide legal services to criminal defendants whom the existing public defenders cannot represent due to conflicts of interest and supervise private, court-appointed attorneys in child dependency cases and other civil actions. The Conflict Counsel will use Airport Center Building 2 for office space. The County shall perform the start-up tasks required to render the premises usable for Conflict Counsel's purposes prior to occupancy. The Conflict Counsel shall fund the start-up costs in the amount of \$5,759, as well as the on-going security costs. In addition, the Conflict Counsel shall pay the County up to thirty-nine (39) percent of the funds remaining in Conflict Counsel's budget to reimburse the County for the fair market value of the space it occupies and County costs. A projection of the funds remaining in Conflict Counsel's budget and an estimate of the reimbursement amount shall be transmitted to the County by June 1st annually. The payment of the reimbursement amount shall be made by June 30th annually. The initial term of the Use Agreement extends until June 30, 2008, with an option to renew for three (3) - one (1) year periods under the same terms and conditions. The County reserves the right to relocate Conflict Counsel to a functionally equivalent space at any time during the term. (FDO Admin) District 2 (JB)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** an Agreement with The Salvation Army for \$25,000 of FY 2007-2008 Emergency Shelter Grants Program (ESGP) funds, for the period October 1, 2007, to September 30, 2008 to provide transitional housing and supportive services to 275 individuals at The Salvation Army Center of Hope located at 1577 North Military Trail, West Palm Beach, FL 33409. **SUMMARY:** Palm Beach County will receive a total of \$306,234 in ESGP funds for FY 2007-2008 to assist the homeless and those at risk of homelessness, countywide. These funds will be used for the operation and maintenance of emergency shelters and transitional housing facilities, essential services to the homeless, and homeless prevention activities. **This Agreement utilizes Federal funds, and the required match will be met by the agency. No match from County General Fund is required.** Countywide (TKF)
2. **Staff recommends motion to receive and file:** Amendment No. 001 to Agreement (R2006-2247) with Farmworker Coordinating Council of Palm Beach County, Inc. to extend the Agreement from September 30, 2007, to December 31, 2007. **SUMMARY:** On February 27, 2001, the Palm Beach County Board of County Commissioners, through R2001-0340, provided the County Administrator the authority to execute standard amendments to subrecipient agreements that allow time extensions for projects funded by The Department of Housing and Community Development. Under this authority, the County Administrator executed Amendment 001 to extend the expiration date of the Agreement with Farmworker Coordinating Council of Palm Beach County, Inc. from September 30, 2007, to December 31, 2007. This extension was needed in order to allow unexpended funds allocated to this Agreement be available to the agency to reimburse allowable services. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to nominate: Jamie Marcus, Planner II, Planning Division, to the Metropolitan Planning Organization Technical Advisory Committee (MPO-TAC) as an alternate. **SUMMARY:** The position of Planning Division alternate to the MPO-TAC is currently vacant. Mr. Jamie Marcus is a Planning Division Planner II working with transportation-related issues and is well qualified to represent the Division as an alternate at the MPO-TAC. Countywide (BB)

K. WATER UTILITIES

1. Staff recommends motion to approve:

**A)** an Interlocal Agreement with the City of West Palm Beach for the allocation of secondary treated effluent from the East Central Regional Water Reclamation Facility (ECRWF) to the East Central Regional Reclaimed Water Facility; and

**B)** a non-standard Utility Easement from the City of West Palm Beach to serve reclaimed water to Cypress Lakes.

**SUMMARY:** This Agreement allocates secondary effluent from the ECRWF to the Central Region Reclaimed Water Facility. Secondary effluent will be transmitted through an existing pipeline from the ECRWF to the Central Region Reclaimed Water Facility. The secondary treated effluent will be filtered and disinfected to reclaimed water standards at the Central Region Reclaimed Water Facility providing a drought resistant source of irrigation quality water with an average daily flow capacity of three (3) million gallons per day. The reclaimed water will be conveyed to Century Village, Cypress Lakes and future customers for irrigation. Secondary treated effluent will be allocated from PBCWUD's flow-based share of wastewater treated at the ECRWF. This Agreement is required to be executed prior to operation of the Central Region Reclaimed Water Facility. The utility easement is necessary for the construction and maintenance of a reclaimed water pipeline to serve the community of Cypress Lakes. The Water Utilities Department concurs with the Utility Easement Agreement provided by the City of West Palm Beach. There is no fiscal impact to the County for acquisition of this easement. (Project No. WUD 05-062) District 2 (MJ)

2. Staff recommends motion to approve: a Contract with Ric-Man International, Inc. to construct the Wastewater Lift Station Rehabilitation Project in the amount of \$930,974.70. **SUMMARY:** On September 26, 2007, five (5) construction bids were received for the Wastewater Lift Station Rehabilitation Project, with Ric-Man International, Inc., being the low bidder in the amount of \$930,974.70. This Contract provides for the rehabilitation of four (4) lift stations within the Department's wastewater collection system. The Department staff recommends award of this contract to Ric-Man International, Inc. in the amount of \$930,974.70. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract provides for 15.02% SBE participation. (WUD Project No. 06-164C) Districts 2 & 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to:

**A) approve** the Standard Reclaimed Water Service Agreement – Direct Irrigation System;

**B) approve** the Standard Reclaimed Water Service Agreement - Lake Discharge Irrigation System;

**C) authorize** the County Administrator or his designee to enter into both versions of the agreements; and

**D) incorporate** both agreements into Chapter 3 of the Department's Uniform Policies and Procedures Manual.

**SUMMARY:** The recent expansion of the Palm Beach County Water Utilities Department's (Department) reclaimed water system provides the opportunity for existing developments either to connect their irrigation systems directly to the Department's reclaimed water mains or to install infrastructure to convey reclaimed water into a development's lakes for subsequent irrigation through the development's irrigation system. These agreements provide for terms and conditions associated with either type of irrigation using reclaimed water and ensure compliance with Florida Administrative Code 62-610 governing reuse of reclaimed water. The Department recommends incorporating these agreements into Chapter 3 of its Uniform Policies and Procedures Manual (UPAP). These agreements will not be utilized for new development. Any Reclaimed Water Service Agreement requiring special conditions not specifically authorized in the UPAP shall require approval by the Board of County Commissioners. Districts 1, 2, 3, 5 & 6 (MJ)

4. Staff recommends motion to approve: Change Order No. 4 to the Contract with Poole & Kent Company of Florida, Inc. (R2005-1928) for the Lake Region Water Treatment Plant (LRWTP) increasing the contract price by \$251,402.38 and a change to the contract time in calendar days of 30 days for substantial completion and 50 days for final completion. **SUMMARY:** On September 27, 2005, the Board approved a contract with the Poole & Kent Company, Inc. in the amount of \$19,727,000 for the construction of the LRWTP (R2005-1928). This Change Order authorizes the Contractor to provide additional miscellaneous civil, mechanical, electrical and related trade work required to complete this project in a proper manner. Total change orders to date, excluding the \$7,549,033.78 sales tax recovery change order and this change order equals \$295,423. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.9% overall. This Change Order includes 31.91% overall SBE participation. The contract with Poole & Kent Company of Florida provides for SBE participation of 25.31% overall. (WUD Project No. 03-169) District 6 (JM)

5. Staff recommends motion to accept: a non-standard Utility Easement from the United States Postal Service. **SUMMARY:** This utility easement is necessary for the construction and maintenance of a new wastewater lift station which will replace an existing out-dated lift station located on Summit Boulevard. The lift station currently serves the United States Post Office and surrounding businesses. The Water Utilities Department concurs with the Utility Easement Agreement provided by the United States Postal Service. There is no cost to the County for acquisition of this easement. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. Staff recommends motion to receive and file: three (3) Standard Development Agreements and one (1) Standard Development Renewal Agreement complete with executed documents received during the months of September and October 2007:

Standard Development Agreement

- |   |              |
|---|--------------|
| A) Bethesda Healthcare System, Inc.           | 05-01093-000 |
| B) Ponte Vecchio Homeowners Association, Inc. | 05-90018-000 |
| C) The Centre II on 441, LLLP                 | 13-01019-000 |

Standard Development Renewal Agreement

- |                                     |              |
|-------------------------------------|--------------|
| D) Sutton Boca One Developers, Inc. | 09-01032-R00 |
|-------------------------------------|--------------|

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

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

A) Budget Transfer of \$465,000 within the Ag Reserve Land Management Fund from Reserves to the \$7.9M Sunshine Loan Debt Service Fund; and

B) Budget Amendment of \$465,000 in the \$7.9M Sunshine Loan Debt Service Fund recognizing a transfer from the Ag Reserve Land Management Fund and increasing the principal payment appropriation by \$465,000.

**SUMMARY:** The Budget Amendment of \$465,000 will recognize the transfer of reserves from the Ag Reserve Land Management Fund to contribute toward the cost of paying off the \$7.9M Sunshine Loan Debt Service Fund issued in FY 2006 to purchase land for environmental preservation from RV Holding, Inc. within the Cypress Creek Natural Area. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

**A) accept** a Quitclaim Deed from the South Florida Water Management District (District) for approximately 1,485.27 acres, known as the Sandhill Crane property, as an addition to the County's Loxahatchee Slough Natural Area, and which reserves a perpetual easement for the District's C-18 canal right-of-way; and

**B) approve** the Consent and Joinder which acknowledges the terms and conditions outlined in the Quitclaim Deed.

**SUMMARY:** On September 13, 2005, the BCC approved (R2005-1771): (i) the acceptance of a donation from the District of approximately 1,485.27 acres known as the Sandhill Crane property; and (ii) the granting of a Deed of Conservation Easement to the District over approximately 12,363.43 acres consisting of the Sandhill Crane property and other lands that were included in the County's Loxahatchee Slough Natural Area as of September 13, 2005, except for a five hundred foot (500') wide corridor reserved for the extension of PGA Boulevard. While preparing for closing, it became apparent that the proposed conveyance by the District included the District's C-18 Canal right-of-way, with no means for the District to maintain the needed right-of-way. Further discussions with the District resulted in the Quitclaim Deed in which the District will reserve an exclusive perpetual canal right-of-way easement for the 39.57-acre portion of the Sandhill Crane property within the District's C-18 canal right-of-way, consisting of a 220' strip within the entire north boundary of the Sandhill Crane property and an additional 115' x 110' area at the northwest corner of the Sandhill Crane property (the Easement Parcel). The Quitclaim Deed imposes the restriction that the entire 1,485.27-acre Sandhill Crane property be used for conservation purposes, and in the event that the County violates the restriction, the District has the right to require the County to convey the Easement Parcel back to the District. The Deed of Conservation Easement approved and executed by the Board on September 13, 2005 encompasses approximately 12,363.43 acres including the entire 1,485.27 acre Sandhill Crane property, and will be delivered to the District at closing to be recorded immediately following the Quitclaim Deed from the District. A Conservation Easement will be granted to the District over the five hundred foot (500') wide corridor previously reserved for the extension of PGA Boulevard once the comprehensive plan amendments deleting the Scripps project at Mecca Farms have been finalized. District 1 (JMB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

**A) approve** an Interlocal Agreement with the City of West Palm Beach (City) and the South Florida Water Management District (SFWMD) for construction of a bridge over the Grassy Waters Preserve at Northlake Boulevard with project cost shares of up to \$1.6 million from the City; up to \$800,000 from the SFWMD and up to \$700,000 from the County;

**B) approve** State of Florida Agreement No. LP6840 with the Florida Department of Environmental Protection (FDEP) for a term ending December 31, 2010 to reimburse up to \$1,500,000 for construction of a bridge over Grassy Waters Preserve at Northlake Boulevard;

**C) approve** Budget Amendment in the Capital Outlay Fund of \$2,750,000 to recognize a \$1,600,000 contribution from the City, an \$800,000 contribution from SFWMD, and a \$350,000 transfer from the Transportation Improvement Fund to the Loxahatchee Slough Bridge Project;

**D) approve** Budget Transfer of \$350,000 in the Transportation Improvement Fund from Reserves – Road Program Sweeps to Transfer to the Capital Outlay Fund;

**E) approve** Budget Transfer in the Capital Outlay Fund of \$350,000 from Environmental Restoration to the Loxahatchee Slough Bridge Project;

**F) approve** a Budget Amendment of \$1,500,000 in the Capital Outlay Fund to recognize the revenue from the FDEP Agreement No. LP6840 in the Loxahatchee Slough Natural Area Project; and

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

**SUMMARY:** The Interlocal Agreement provides that the three parties will jointly fund, with the County as the lead construction entity, a bridge over Grassy Waters Preserve at Northlake Boulevard. The bridge will allow recreational access and hydrologic connectivity from Grassy Waters Preserve to the County-owned Loxahatchee Slough Natural Area. The FDEP Agreement will reimburse up to \$1,500,000 and requires a \$1,500,000 cost share match. This Agreement is part of the State Legislature's disbursement of funds for restoring and protecting surface waters of the State. District 6 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve:

**A)** Amendment No. 1 to Grant Agreement No. 07PB2 (R2007-0988) with the Florida Department of Environmental Protection (FDEP) for additional cost-sharing in the amount of \$345,255 for a total of up to \$1,378,849 for the Sub-Tropical Storm Andrea Emergency Dune Restoration; and

**B)** Budget Amendment of \$345,255 in the Beach Improvement Fund to recognize the Amendment revenue in the Emergency Beach Response Program.

**SUMMARY:** On June 19, 2007, the Board approved FDEP Grant Agreement No. 07PB2 (R2007-0988) for \$1,033,594 in emergency beach funding for Lantana, Singer Island and South Palm Beach. Amendment No. 1 provides additional FDEP funding of up to \$345,255 for dune work and associated sea turtle monitoring at Jupiter and extends the Agreement three (3) months to February 28, 2008. The County's match for this Amendment is 50% of the non-federal project costs, or \$345,254, which is already budgeted in the program budget. Countywide (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: a fully executed Notice of Limitation of Use/Site Dedication. **SUMMARY:** On September 9, 2003, the Board authorized submission of a Florida Recreation Development Assistance Program (FRDAP) grant application (R2003-1371) to the State of Florida Department of Environmental Protection (DEP) requesting \$200,000 for Phase One development of Burt Reynolds Park, and authorized the County Administrator or his designee to execute all necessary forms and certifications of the agreement, if the grant was approved. The FRDAP grant was approved by DEP and required a Notice of Limitation of Use/Site Dedication be recorded in the public records dedicating the site for a period of 25 years as an outdoor recreation area for the use and benefit of the general public. The Notice of Limitation of Use/Site Dedication was recorded in the public records on August 23, 2007. District 1 (AH)

2. Staff recommends motion to receive and file: a fully executed Notice of Limitation of Use/Site Dedication. **SUMMARY:** On November 1, 2005, the Board authorized submission of a Florida Recreation Development Assistance Program (FRDAP) grant application (R2005-2180) to the State of Florida Department of Environmental Protection (DEP) requesting \$200,000 for Phase One Development of Glades Pioneer Pool and Splash Park, and authorized the County Administrator or his designee to execute all necessary forms and certifications of the agreement, if the grant was approved. The FRDAP grant was approved by DEP and required a Notice of Limitation of Use/Site Dedication be recorded in public records, dedicating the site for a period of 25 years as an outdoor recreation area for the use and benefit of the general public. The Notice of Limitation of Use/Site Dedication was recorded in the public records on August 23, 2007. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. **Staff recommends motion to receive and file:** a fully executed Termination of Lease and Sublease with the Town of Juno Beach, Florida, and the Marineline Center of Juno Beach. **SUMMARY:** The Marineline Center of Juno Beach had been operating out of an old residential structure the City of Juno Beach leased from the County (R94-1744D), which the City subleased to the Center in 1984. On August 19, 2003, the BCC approved a 30 year Lease Agreement (R2003-1246) with Marineline Center of Juno Beach, Inc. for 1.28 acres in Loggerhead Park. The Lease Agreement required termination of the prior lease and sublease once the new building was complete. On April 16, 2007, the Marineline Center of Juno Beach opened its new 12,000 sq. ft. campus to the public and the former lease premises were vacated. In the future the Parks and Recreation Department may redevelop this area for expanded beach access and parking, subject to budget constraints. District 1 (HF)
  
4. **Staff recommends motion to receive and file:** fully executed Project Agreement Amendment to Agreement (R2005-2426) for the Florida Inland Navigation District (FIND) Waterway Assistance Program Grant PB-05-114 for DuBois Park Phase I Design, extending the project completion date for one year, from September 1, 2007, to September 1, 2008. **SUMMARY:** On December 20, 2005, the Board of County Commissioners (BCC) approved a FIND Waterways Assistance Program grant Project Agreement in the amount of \$61,854 for design and permitting costs associated with the DuBois Park Phase I project. The County requested a one (1) year time extension in order to complete the Environmental Resource Permit (ERP), final engineering designs, construction plans and specifications for the project. The Director of the Parks and Recreation Department executed the amendment on behalf of the BCC as authorized by the BCC on May 17, 2005. District 1 (AH)
  
5. **Staff recommends motion to approve:** Agreement with the City of Delray Beach for the period November 20, 2007, through December 30, 2007, in an amount not-to-exceed \$10,000 for the 2007 Roots Cultural Festival. **SUMMARY:** This funding is to help offset costs paid by the City of Delray Beach for the 2007 Roots Cultural Festival held at Pompey Park and Old School Square during the months of July and August 2007. The events held during the Festival attracted approximately 4,000 people. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to June 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
  
6. **Staff recommends motion to approve:**
  - A)** Interlocal Agreement with the City of Boynton Beach for the period November 20, 2007, through November 19, 2010, in an amount not-to-exceed \$380,000 for funding of Boat Club Park Renovations;
  - B)** Budget Transfer of \$355,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Boynton Beach Boat Club Park Renovations; and
  - C)** Budget Transfer of \$25,000 within the \$26.3M Park Improvement Revenue Bond from Boynton Inlet Boat Ramp Park to Boynton Beach Boat Club Park Renovations.**SUMMARY:** This Agreement provides funding for improvements to Boynton Beach Boat Club Park located on South Federal Highway in Boynton Beach. Funding is from the 1996 \$25.3 Million Park Improvement Revenue Bond issue, as amended (\$25,000), and the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended (\$355,000) – District 4. District 4 (PFK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. **Staff recommends motion to receive and file:** First Amendment to Agreement (R2007-1355) with Youth Enrichment Services, Inc. for basketball summer camp scholarships. **SUMMARY:** This fully executed First Amendment to Agreement expands the project time frame from June 28, 2007, through September 14, 2007, to June 4, 2007, through September 14, 2007, in order to allow additional time to accommodate dates of payments. The Amendment is in accordance with Resolution R2005-1738 authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
  
8. **Staff recommends motion to approve:** Recreation Assistance Program allocation to the Parks and Recreation Department in an amount not-to-exceed \$3,460 for the Veteran's Park Veterans' Day event. **SUMMARY:** This allocation provides \$3,460 to fund the Veterans' Day event held on November 12, 2007, at Veteran's Park in Boca Raton. This event was held in cooperation with the Veteran's Coalition of South Florida for an expected audience of 500 people. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)
  
9. **Staff recommends motion to approve:**
  - A) Interlocal Agreement with the Town of Lake Park for the period November 20, 2007, through November 19, 2009, in an amount not-to-exceed \$142,170 for funding of the Lake Shore Park Playground; and
  - B) Budget Transfer of \$142,170 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Lake Park/Lake Shore Park Playground.**SUMMARY:** This Agreement provides funding for the development of a playground at Lake Shore Park located on Lake Shore Drive in the Town of Lake Park. The Agreement allows for the reimbursement of pre-Agreement expenses incurred subsequent to April 16, 2007. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended - District 7. District 1 (PFK)
  
10. **Staff recommends motion to approve:**
  - A) Tri-Party Agreement with the City of Delray Beach and Delray Beach Historical Society, Inc. for the period November 20, 2007, through November 19, 2009, in an amount not-to-exceed \$200,000 for funding of the Delray Beach Historical Society Learning Center and Archival Storage Facility; and
  - B) Budget Transfer of \$200,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Delray Beach Historical Society Learning Center and Archival Storage Facility.**SUMMARY:** This Agreement provides funding for moving and restoration of a historical home by Delray Beach Historical Society (DBHS) to be relocated at Delray Beach's Cason Cottage site and renovated. The Agreement also provides funding for the construction of an archival storage annex adjacent to the historical home. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to August 1, 2007. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended – District 4. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

11. Staff recommends motion to approve: Agreement with the City of Pahokee for the period November 20, 2007, through June 1, 2008, in an amount not-to-exceed \$50,000 for funding the Pahokee Lake Island Project preliminary study. **SUMMARY:** This funding is for a study initiated by the City of Pahokee to determine the most efficient and effective manner to construct environmental barrier islands within the city limits of Pahokee in Lake Okeechobee. The Agreement allows for the reimbursement of expenses incurred subsequent to October 1, 2007. Funding is from the Park Improvement Fund. District 6 (AH)

R. HUMAN RESOURCES

1. Staff recommends motion to approve: Palm Beach County's 2007-2008 Affirmative Action Plan, a voluntary effort to correct under-representation where it exists in the Board of County Commissioners' work force. There is no fiscal impact. **SUMMARY:** Implementation of this year's Plan focuses on methods and procedures for achieving targeted work unit goals, enhancing special recruitment efforts, and continuing to develop systems to correct under-representation. Minority representation for all job categories for 2006-2007 was 31.6% which is 3.6% above the availability. Females represented 36.9% of the County's work force in 2006-2007 as compared to the availability of the labor force for all occupations of 46.0%. Countywide (EC)

S. FIRE RESCUE

1. Staff recommends motion to:
  - A) approve and ratify** a Side Agreement to Article 29 of the Collective Bargaining Agreement, between Palm Beach County and Professional Firefighters/Paramedics of Palm Beach County, Local No. 2928, IAFF, Inc.; and
  - B) approve and ratify** a Side Agreement to Article 45 of the Collective Bargaining Agreement, between Palm Beach County and Professional Firefighters/Paramedics of Palm Beach County, Local No. 2928, IAFF, Inc.

**SUMMARY:** Both parties are requesting two (2) Side Agreements to the current Collective Bargaining Agreement, October 1, 2005, through September 30, 2008 (R2005-1925). These Side Agreements address changes to: Article 29 - Holidays, amending Section 1 - Non-Twenty-Four (24) Hour Shift Employees, clarifying employees are given time off with pay on the day the holiday is observed by the County; and amending Section 3 - Communications Employees, to give all communications employees twelve (12) hours of holiday pay for the holiday or, at the employees option, twelve (12) hours of leave time; and Article 45 - Wellness, adding Section 9C - Fire Academy Instructors, to provide Palm Beach County Fire Rescue (PCBFR) employees who are hired by an approved vendor to provide high-risk instruction to PBCFR recruits, the same benefits under Article 45 as if those employees were working for the County when injured during instruction. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** Independent Contractor Agreement with Shayna Ginsburg for the period October 1, 2007, to September 30, 2008 for Post-Doctoral Internship services to the residents of the Highridge Family Center for an annual cost of \$30,000. **SUMMARY:** This Agreement provides Shayna Ginsburg with a location to perform her Post-doctoral Internship in advance of state licensure. Services will be provided to residents of the Highridge Family Center. Agenda item 3X1 on November 21, 2006 (R2006-2526) authorized the County Administrator or his designee to execute the agreement on behalf of the Board of County Commissioners. District 7 (DW)

BB. SHERIFF

1. **Staff recommends motion to:**
  - A) accept** the National Institute of Justice (NIJ) "Solving Cold Cases with DNA Program" FY 2007 Grant in the amount of \$176,235 for the period January 1, 2008 through June 30, 2009; and
  - B) approve** a Budget Amendment of \$176,235 increasing the Sheriff's Grant Fund.

**SUMMARY:** On September 11, 2007, the Palm Beach County Sheriff's Office (PBSO) received an award for the Solving Cold Cases with DNA Program. The objective of this grant is to combine the efforts of the PBSO Special Investigations Bureau, Crimes Against Children/Sexual Assault Unit with the Violent Crimes Bureau in conjunction with the experience of the Serology/DNA Section of the Crime Laboratory to solve Cold Cases. These funds, which have been approved by NIJ, will be used to pay overtime, consulting fees and for the purchase of laboratory supplies. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)
2. **Staff recommends motion to:**
  - A) accept** the National Institute of Justice (NIJ) Forensic DNA Backlog Reduction Program FY 2007 Grant in the amount of \$200,831 for the period October 1, 2007, through September 30, 2008; and
  - B) approve** a Budget Amendment of \$200,831 increasing the Sheriff's Grant Fund.

**SUMMARY:** On August 29, 2007, the Palm Beach County Sheriff's Office (PBSO) received an award for the Forensic DNA Backlog Reduction Program. The Forensic Biology Unit (FBU) of PBSO accepts casework evidence from over twenty-nine (29) law enforcement agencies, including the Medical Examiner's Office. These funds and related equipment, which have been approved by NIJ for purchase, will be used to convert the PBSO FBU DNA detection platform from a flatbed to a capillary electrophoresis-based platform to improve the flow of casework sample automation. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to receive and file: Grant Adjustment Notice amending the U.S Department of Justice Office of Community Oriented Policing Services (COPS) Grant to extend the ending grant period from February 28, 2007 to February 29, 2008. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant on November 16, 2004; the original period for this grant was March 1, 2004, through February 28, 2007 (R2004-2399). This agenda item will extend the grant period from February 28, 2007, through February 29, 2008. The Palm Beach County Sheriff's Office (PBSO) has been given an extension to allow the grant funds to be fully expended. The U.S. Department of Justice awarded these funds to PBSO to help offset the cost associated with homeland security. No additional positions are needed and no County funds are required. The total grant award was approved for \$975,000. Countywide (DW)

CC. SUPERVISOR OF ELECTIONS

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

\* \* \* \* \*

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

CONTINUED FROM OCTOBER 16, 2007

- A. **Staff recommends motion to continue to January 15, 2008:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing a community development district over real property legally described on Exhibit "A" to this Ordinance comprising of approximately 86 acres; naming the initial members of the board of supervisors of the district; establishing the name of the district as Osprey Oaks Community Development District; designating the purpose of the district; designating the powers of the district; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** The Board of County Commissioners (BCC) has been petitioned to grant the establishment of the Osprey Oaks Community Development District (CDD) to finance and construct services for a master planned residential development district. After reviewing the petition, the Planning Division has found the petition to be sufficient in that it is consistent with the statutory requirements, has met the disclosure requirements and is limited to onsite improvements. However, staff is concerned (as explained in the staff report) with this petition due to a potential financial burden (in addition to the Home Owners Association (HOA) fees and the property taxes) on both the owners/renters of the: (i) 37 required workforce housing units resulting from the operation and maintenance fees (\$504/year or \$42/month) associated with the creation of the CDD; and (ii) 171 single-family detached units resulting from the annual assessment (operation and maintenance plus the debt service) fees (ranging from \$3168/year or \$264/month to \$4,879/year or \$407/month) associated with the creation of the CDD. The District is located (within unincorporated County) on the west side of Jog Road and south of Hypoluxo Road. The CDD is being processed in conjunction with the Osprey Oaks Planned Unit Development (PUD) that was approved by the BCC on May 25, 2006. The proposed District will provide potable water, sanitary and sewer, storm water management systems and facilities, and will operate and maintain the Storm Water Management System. The ownership and maintenance of potable water and sanitary sewer system will be turned over to Palm Beach County upon completion. District 3 (BB)
- B. **Staff recommends motion to adopt:** an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five-Year Road Program; providing for title; purpose; adoption of revised Five-Year Road Plan and revised list of projects contained in Exhibit "A"; implementation of the plan; modification of plan; funding of other roadway improvements, interpretation of exhibit; repeal of Laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date. **SUMMARY:** This is the annual update of the County's Five-Year Road Plan, which is required to be considered each year by the Five-Year Road Program Ordinance. On October 16, 2007, the Board approved this Ordinance on preliminary reading. Exhibit "A" to the Ordinance contains the road projects to be undertaken by the County in the next five (5) years. Countywide (MRE)

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

- C. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 26-51 of Chapter 26, Article II, Division 3, of the Palm Beach County Code; eliminating the Glades Regional Fire MSTU (Municipal Service Taxing Unit); amending the boundaries of the Fire Rescue MSTU to include the unincorporated areas formerly within the Glades Regional Fire MSTU; restating provisions describing the Jupiter MSTU; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; providing for effectiveness. **SUMMARY:** The Glades Regional Fire MSTU currently encompasses unincorporated areas in the western portion of Palm Beach County. On October 1, 2006, Palm Beach County Fire Rescue began providing fire rescue services to the unincorporated areas within the Glades Regional Fire MSTU, which areas previously had been served by the Cities of Pahokee, South Bay, and Belle Glade through contracts with the County. Effective January 1, 2008, Palm Beach County Fire Rescue will become the primary provider of Advanced Life Support emergency medical services and transport within the Glades Regional Fire MSTU, thereby providing services consistent with those provided within the Fire Rescue MSTU. This Ordinance will add to the Fire Rescue MSTU those unincorporated areas that currently comprise the Glades Regional Fire MSTU and eliminate the Glades Regional Fire MSTU. This Ordinance also restates provisions describing the Jupiter MSTU to provide a simplified description of the boundaries. Countywide (SB)
- D. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 26-51, Subsection (b), of Chapter 26, Article II, Division 3, of the Palm Beach County Code; amending the boundaries of the Fire Rescue MSTU (Municipal Service Taxing Unit) to include the Town of Lantana; providing for effectiveness; providing for opt-out procedures; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions. **SUMMARY:** The Fire Rescue MSTU encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within the municipal boundaries of municipalities that have opted to join the MSTU. The County has provided fire-rescue services within the Town of Lantana (Town) through Interlocal Agreements since fiscal year 1998 at a rate established by the Agreements. The Town now desires to opt into the Fire Rescue MSTU as a method to receive and pay for fire rescue services from the County. This Ordinance will amend the boundaries of the Fire Rescue MSTU to include the properties within the municipal boundaries of the Town. Inclusion of the Town in the Fire Rescue MSTU will not change the amount of revenue received from the Town for fire rescue services. Countywide (SB)

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

E. Staff recommends motion to:

**A) conduct** a TEFRA public hearing within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") concerning the issuance by the Colorado Educational and Cultural Facilities Authority (the "Authority") of the Authority's tax-exempt Variable Rate Demand Revenue Bonds (The Jewish Federation of South Palm Beach County, Inc. Project) Series A-12, (the "Bonds"), in an aggregate principal amount not to exceed \$8,000,000; and

**B) adopt** a Resolution approving the issuance of the Bonds and the financing of the hereinafter defined project by the Authority.

**SUMMARY:** The Bonds are proposed to be issued by the Authority for the purpose of: (i) refinancing a previous bond issue by the Authority to the Jewish Federation of South Palm Beach County, Inc. (the "Borrower"), of the Authority's tax-exempt Variable Rate Demand Revenue Bonds (The Jewish Federation of South Palm Beach County, Inc. Project) Series A-4 (the "Prior Bond Issue"); (ii) payment of certain capitalized interest from the Prior Bond Issue; (iii) loaning the remaining proceeds from the subject bond issuance to the Borrower so that the Borrower will have the funds necessary to finance and refinance certain capital improvements to the Borrower's facilities located at 9901 Donna Klein Boulevard, Boca Raton, Florida (the "Project"); and (iv) payment of certain costs and expenses in connection with the issuance of the Bonds. The Bonds will be special obligations of the Authority payable solely from the revenues of the Borrower. **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 5 (PFK)

F. Staff recommends motion to approve: the issuance of a "Special Secondary Service" Certificate of Public Convenience and Necessity (COPCN) with The Wackenhut Corporation (Wackenhut). The Certificate is valid from December 1, 2007 to December 31, 2013.

**SUMMARY:** Wackenhut currently provides private security service to the gated community of Addison Reserve. The residents of Addison Reserve wish to have Wackenhut provide ALS first response, non-transport services as part of their security services. The County Emergency Medical Services Office, Emergency Medical Services Advisory Council, and Palm Beach County Fire-Rescue have reviewed the application and recommend approval of a "Special Secondary Service Provider - Non-Transport" COPCN to be issued to Wackenhut for operation restricted to the confines of the community of Addison Reserve. They would operate under a "Memorandum of Understanding" with Palm Beach County Fire Rescue, the primary ALS transport provider for the area. District 5 (DW)

\* \* \* \* \*

5. REGULAR AGENDA

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

**A)** a Joint Project Participation Agreement (JPA) with the City of West Palm Beach (City) for the construction of an emergency span-wire traffic signal at the intersection of Northlake Boulevard and Memorial Park Road;

**B)** a Budget Amendment of \$85,000 in the Transportation Improvement Fund to recognize the participation of the City in this project and appropriate it to West Palm Beach Signal - Northlake Boulevard and Memorial Park Road; and

**C)** a Budget Transfer of \$40,000 in the Transportation Improvement Fund from Reserve for District 2 (\$20,000) and Reserve for District 6 (\$20,000) to West Palm Beach Signal - Northlake Boulevard and Memorial Park Road to offset \$45,000 of the City of West Palm Beach's participation per their Joint Participation Agreement for \$85,000.

**SUMMARY:** The City will reimburse Palm Beach County (County) upon completion of the design and construction of an emergency span-wire traffic signal on Northlake Boulevard, a County maintained road, at the intersection of Memorial Park Road, a private roadway. The City has plans to build and operate a fire station on the corner of the intersection. District 2 (MRE)

2. Staff recommends motion to approve:

**A)** a Budget Transfer of \$500,000 in the Transportation Improvement Fund from Reserve for District 3 to Imagining Howard Park/Stub Canal Storm Water Improvement - District 3; and

**B)** an Interlocal Agreement to reimburse up to \$500,000 to the City of West Palm Beach (City) for Imagining Howard Park/Stub Canal Water Improvements.

**SUMMARY:** This Agreement will supply reimbursement funds to the City of make storm water improvements to the Stub Canal. District 3 (MRE)

B. FIRE RESCUE

1. Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on December 18, 2007, at 9:30 a.m.:

an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 26-51, Subsection (b), of Chapter 26, Article II, Division 3, of the Palm Beach County Code; amending the boundaries of the Fire Rescue MSTU (Municipal Service Taxing Unit) to include the Town of South Palm Beach; providing for effectiveness; providing for opt-out procedures; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions.

**SUMMARY:** The Fire Rescue MSTU encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within the municipal boundaries of municipalities that have opted to join the MSTU. The County currently provides fire rescue services to Town of South Palm Beach (Town) through an Interlocal Agreement with the Town (R2004-0363), at a rate established by the Agreement. The Town now desires to opt into the Fire Rescue MSTU as a method to receive and pay for fire-rescue services from the County. This Ordinance will amend the boundaries of the Fire Rescue MSTU to include the properties within the municipal boundaries of the Town. Inclusion of the Town in the Fire Rescue MSTU will not change the amount of revenue received from the Town for fire rescue services. Countywide (SB)

5. REGULAR AGENDA

C. COUNTY ATTORNEY

1. [Staff recommends motion to adopt:](#) a Resolution approving the issuance of not-to-exceed \$50,000,000 Housing Finance Authority of Palm Beach County, Florida, Homeowner Revenue Bonds, Multiple Series (the "Bonds") within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and providing an effective date. **SUMMARY:** The Bonds are being issued by the Authority to implement its Single Family Homeowner Revenue Bond Program (the "Program"), which program is for the purpose of providing to qualified mortgagors affordable mortgage financing for owner-occupied, single family residential housing facilities within the Authority's area of operation, which shall include the County and may include other counties in the State of Florida. **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.** Countywide (PFK)
  
2. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on December 18, 2007 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 95-31 as amended by Ordinance No. 2002-066 and Ordinance No. 05-046, as codified in Sections 2-261 through 2-313 of the Palm Beach County Code, relating to equal employment; providing for additional protected class; providing for definitions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** This Ordinance will add gender identity or expression as a protected class to the equal employment ordinance. Countywide (TKF)
  
3. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on December 18, 2007 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 90-1 as amended by Ordinance No. 95-42 and Ordinance No. 96-23, as codified in Sections 15-36 through 15-64 of the Palm Beach County Code, the "Palm Beach County ordinance for equal opportunity to housing and places of public accommodation"; providing for definitions; providing for additional protected class; providing for meetings of the Fair Housing Board; providing for the repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** This Ordinance will add an additional protected class to the equal opportunity to housing and places of public accommodation ordinance, correct references to individuals with disabilities and provide for regular meetings of the Fair Housing Board. Countywide (TKF)

5. REGULAR AGENDA

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

**A)** Employee Interchange Agreement (EIA) with the U.S. Army Corps of Engineers (COE) in an amount not-to-exceed \$377,000 to fund a COE staff position dedicated to reviewing County permit applications through September 30, 2009;

**B)** Budget Transfer of \$150,800 in the Transportation Improvement Fund from Road Program Sweep Reserves to EIA with the COE of behalf of Engineering and Public Works Department; and

**C)** Waiver of advance payment prohibition cited in County Policy and Procedure Memorandum No. CW-F-049 for this Agreement.

**SUMMARY:** Federal regulations require that the COE review, approve and permit certain projects constructed by County departments: Airports, Engineering & Public Works, Environmental Resources Management, Facilities Development & Operations, and Water Utilities. Permitting delays caused by insufficient COE staffing negatively impact County operations, schedules and construction costs. The listed departments will jointly fund a senior level COE reviewer dedicated to County projects to expedite the permitting process. The South Florida Water Management District (District) and the Florida Department of Transportation (FDOT) approved a similar agreement to fund permit review positions at the COE. The County is required to advance each year's estimated salary and travel cost. Typically, an advance is not authorized by County contracts. However, staff is seeking a Board waiver of this policy because these permitting services are deemed necessary for County business, and the Agreement mitigates risk of loss by requiring periodic reconciliations. The EIA may be renewed annually. Countywide (SF)

E. PUBLIC SAFETY

1. Staff recommends motion adopt: Resolution approving a revised schedule of fees for animal sheltering and services and fines for violations of Palm Beach County Animal Care and Control Ordinance 98-22, as amended, and repealing Resolutions R98-1500 and R99-185. **SUMMARY:** A workshop was held on October 23, 2007 in which the Division presented proposed fee revisions to the Board. The Board directed staff to return the proposed fee schedule as an Agenda Item for approval. It is anticipated these fee revisions would generate additional revenues of \$500,000 and help offset budget cuts to Animal Care.

Schedule I - Rabies/License Tag Fees: The proposed fee structure includes existing and increased fees for tags. Tag fees provide recurring revenue for the Division of approximately \$1.5 million.

Schedule II – Service Fees: These fees provide for existing fees, increased fees and new fees related to programs and services provided by Animal Care and Control.

Schedule III – Citation Fines: By authority of State Statute 828.27 and Ordinance 98-22, Animal Control Officers issue citations to law offenders. Such persons have the right to appear in court, at which time the judge determines guilt or innocence. A fine of up to \$500 may be levied for a finding of guilt. Owners also have the option of paying fines established by the Board of County Commissioners. Countywide (SF)

5. REGULAR AGENDA

F. PALM TRAN

1. Staff recommends motion to approve: Amendment Number 3 to Palm Beach Metro Transportation LLC's contract (R2004-2447), which will reduce the overall program service hours; allow the use of taxi vehicles; increase the billable service hourly rate; eliminate the provider service areas; provide payment adjustment for reduction of service vehicles and modify several other provisions of the Contract. **SUMMARY:** The Board of County Commissioners approved the award of a seven (7) year contract to Palm Beach Metro Transportation LLC (PBMT), to provide paratransit services within Palm Beach County on November 23, 2004 (R2004-2447). As a result of several significant modifications in our paratransit service program, such as the reduction in the service program hours; the elimination of the provider service boundaries; the use of taxi vehicles in lieu of paratransit vans; and Palm Tran's desire to amend several areas within the contract, Palm Tran entered into negotiations with PBMT to address the cost impact(s) of these various changes. The negotiations for the various changes resulted in an agreement to increase the hourly rate paid to PBMT for the remainder of the contract. The employees of PBMT recently voted to unionize and join the Amalgamated Transportation Union, who also represents Palm Tran drivers and mechanics. This is being contested by PBMT. The outcome of this as it impacts our contract is unknown. Once this issue is resolved, and if it might impact on our contract with PBMT, staff will seek further Board direction. There will be a one (1) time payment to PBMT in the amount of \$573,780 for the premature retirement of thirty-three (33) vehicles. The total impact of these changes for the remainder of the contract will result in an overall reduction in the total estimated contract value from \$92,868,875 to \$81,840,417 a reduction of \$11,028,458. Countywide (DR)

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6. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES**  
**(Citizens Advisory Committee on Health & Human Services)**

1. **Staff recommends motion to approve:** reappointment of three (3) members to the Palm Beach County Citizens Advisory Committee on Health and Human Services for the terms indicated:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Category</u>	<u>Term</u>	<u>Nominated by</u>
Seat 3	Dr. Barbara Cox Gerlock	Behavioral Health	11/20/07-9/30/10	Comm. Koons
Seat 6	Elizabeth Hernandez Cayson	Planning & Research	11/20/07-9/30/10	Comm. Koons
Seat 9	Sandra Chamblee	Resident west of 20 Mile Bend, Physical Health, Mental Health Adult & Elderly Services	11/20/07-9/30/10	Comm. Koons

**SUMMARY:** The Citizens Advisory Committee on Health and Human Services consists of eleven (11) members with at least one (1) member being a resident west of the 20 Mile Bend and at least one (1) member being a representative of the Palm Beach County League of Cities. Founding members were appointed for 1, 2 and 3 year terms with subsequent terms for three (3) years. Resolution R2001-0913 requires the Executive Committee of the Citizens Advisory Committee to solicit and recommend member nominations for transmittal to the Board of County Commissioners. The Executive Committee has recommended these reappointments. The Board of County Commissioners was notified by memo dated September 5, 2007 and requested to provide nominations for appointment. Countywide (TKF)

B. **COMMISSION DISTRICT APPOINTMENTS**

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**NOVEMBER 20, 2007**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**NOVEMBER 20, 2007**

**8. 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**

**9. 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

NOVEMBER 20, 2007

<u>PAGE</u>	<u>ITEM</u>	
16	3K-1	<b><u>REVISED TITLE:</u></b> Staff recommends motion to approve: <b>A)</b> an Interlocal Agreement with the <u>East Central Regional Wastewater Treatment Facilities Operations Board City of West Palm Beach</u> for <u>an</u> the allocation of secondary treated effluent from the East Central Regional Water Reclamation Facility (ECRWF) to the <u>East Central Regional Reclaimed Water Facility</u> ; and..(WUD)
20	3L-3	<b><u>DELETED:</u></b> Staff recommends motion to: <b>A) approve</b> an Interlocal Agreement with the City of West Palm Beach (City) and the South Florida Water Management District (SFWMD) for construction of a bridge over the Grassy Waters Preserve at Northlake Boulevard with project cost shares of up to \$1.6 million from the City; up to \$800,000 from the SFWMD and up to \$700,000 from the County; ...(ERM)
30	5A-1	<b><u>REVISED TITLE &amp; SUMMARY:</u></b> Staff recommends motion to approve:  <b>A)</b> a Joint Project Participation Agreement (JPA) with the City of West Palm Beach (City) for the construction of an emergency span-wire traffic signal at the intersection of Northlake Boulevard and Memorial Park Road, <u>and landscape improvements near the planned fire station and Carlton Oaks Subdivision on Northlake Boulevard</u> ;  <b>B)</b> a Budget Amendment of <del>\$85,000</del> <u>\$45,000</u> in the Transportation Improvement Fund to recognize the participation of the City in the <u>signal</u> project and appropriate it to West Palm Beach Signal - Northlake Boulevard and Memorial Park Road; and  <b>C)</b> a Budget Transfer of <del>\$40,000</del> <u>\$111,051</u> in the Transportation Improvement Fund from Reserve for District 2 (\$20,000), <u>and Reserve for District 6 (\$20,000), and Reserve for District 1 (\$71,051)</u> to West Palm Beach Signal-Northlake Boulevard and Memorial Park Road, <u>to offset \$45,000 of the City of West Palm Beach's participation per their Joint Participation Agreement for \$85,000.</u>  <b>SUMMARY:</b> <u>District 2 and District 6 Commissioners have agreed to participate with \$20,000 each towards the cost of the design and construction of an emergency span-wire traffic signal on Northlake Boulevard, at the intersection of Memorial Park Road. The City will reimburse Palm Beach County (County) upon completion of the design and construction of an emergency span-wire traffic signal on Northlake Boulevard, a County maintained road, at the intersection of Memoral Park Road, a private roadway. work for the remaining balance of the actual cost of the design and construction of the signal. The City has plans to build and operate a fire station on the corner of the intersection. The District 1 Commissioner has agreed to participate with up to \$71,051 towards the cost of installing landscaping near the planned fire station and Carlton Oaks Subdivision on Northlake Boulevard. Districts 1 &amp;6 (MRE) (Engineering)</u>

**REVISED TITLE & SUMMARY: Staff recommends motion to approve:**

**A)** a Budget Transfer of \$500,000 in the Transportation Improvement Fund from Reserve for District 3 to Imagining Howard Park/Stub Canal Storm Water Improvement - District 3; and

**B)** an Interlocal Agreement to reimburse up to \$500,000 to the City of West Palm Beach (City) for Imagining Howard Park/Stub Canal Water Improvements; and

**C)** making the approval of the above Budget Transfer and Interlocal Agreement contingent upon amendment of the Interlocal Agreement with the City of West Palm Beach (R94-1859D), Section 7.4 to extend the date from 2010 to 2025 and Section 11 to extend the time from 20 years to 31 years.

**SUMMARY:** This Agreement will supply reimbursement funds to the City of West Palm Beach to make storm water improvements to the Stub Canal. Districts 3 & 7 (MRE) (Engineering)

**ADD-ON, REVISED TITLE & SUMMARY: Staff recommends motion to:**

**A) adopt** a Resolution approving the Seventh Amendment to the State Housing Initiative Partnership (SHIP) Program; Local Housing Assistance Plan (LHAP) (R2004- 0741) for Fiscal Years 2004-2005, 2005-2006 and 2006-2007, utilizing interest earned and recaptured funds received from the Commission on Affordable Housing's Subsidy programs; and

**B) approve** revisions to the funding levels in the LHAP for Fiscal Year 2004-2005 specifying an increase in funding from \$2,926,015 to \$8,689,438 for the Purchase Assistance Program, a decrease in funding for the Single Family Development strategy from \$1,000,000 to \$68,143; a decrease in funding for the Housing Rehabilitation strategy from \$400,000 to \$181,007; a decrease in funding for the Foreclosure Prevention strategy from \$150,00 to \$146,841; a decrease in funding for the Water/Sewer/Impact Fee strategy from \$300,000 to \$66,183; a decrease in funding for the Replacement Housing strategy from \$100,000 to \$50,000; a decrease in funding for the Special Needs/Barrier Free Home Ownership strategy from \$320,000 to \$0; a decrease in funding for the Multi-Family Competitive Rental strategy from \$2,000,000 to \$800,000; decrease in funding for the Special Needs/Barrier Free Rental strategy from \$100,000 to \$0; a decrease in funding for the Single Family Development Rental strategy from \$1,000,000 to \$0; and a decrease in funding for Administrative Fees from \$665,882 to \$658,623.

**B) approve** ~~a Budget Transfer of \$1,948,338 from the reserve for Affordable Housing to increase the Purchase Assistance and Multi-Family programs;~~

**C) approve** ~~an increase in funding from \$4,742,637 to \$6,440,975 for the Purchase Assistance Program in the LHAP for Fiscal Year 2004-2005; and~~

**D) approve** ~~an increase in funding from \$4,470,067 to \$4,720,067 for the Multi-Family Program in the LHAP for the Fiscal Year 2006-2007.~~

**SUMMARY:** In order to meet the demand for increased assistance, the Commission on Affordable Housing made the appropriate revisions to the LHAP, modifying its programs, funding levels and assistance levels accordingly. This budget revision transfer will increase the 2004–2005 Purchase Assistance strategy by \$5,763,432 ~~\$1,698,338~~ and the Fiscal Year 2006–2007 Multi-Family strategy by ~~\$250,000~~. **State SHIP funds require no local match.** Countywide (TKF) (HCD)

**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 (\*).