

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

**DECEMBER 4, 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 - 22)
  
- 4. SPECIAL PRESENTATIONS - 9:30 A.M.** (Page 23)
  
- 5. REGULAR AGENDA** (Pages 24 - 30)  
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**TIME CERTAIN 2:30 P.M.** (Mining Impacts within the Everglades Agriculture Area) (Page 26)
  
- 6. BOARD APPOINTMENTS** (Pages 31 - 32)
  
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**ADJOURNMENT** (Page 35)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

**A)** Budget Transfer of \$400,000 from the State Attorney's Court Information Technology operating budget to the Criminal Justice Information System (CJIS) capital project;

**B)** Budget Amendment of \$400,000 in the Court Information Technology Capital Fund – CJIS Project to recognize the transfer from the State Attorney as reimbursement for previously expended Ad Valorem dollars and appropriate the reimbursed funds to be transferred to the Public Building Improvement Fund; and

**C)** Budget Amendment of \$400,000 in the Public Improvement Fund to recognize the transfer and appropriate it to the State Attorney's 2<sup>nd</sup> Floor Shell Build-out project.

**SUMMARY:** The State Attorney has requested a build-out of the 2<sup>nd</sup> floor shell to accommodate additional computer equipment and the need for a cooler environment for the equipment. Facilities' has estimated the cost to complete the project at \$400,000, but does not have the budget. The State Attorney would like to use \$400,000 of their court technology budget to fund the project, but this type project is not eligible to be funded with \$2 Court Information Technology funds. However, the \$2 funds can be used to reimburse the County for Ad Valorem funding previously expended on eligible court technology costs. To that end, the \$400,000 is being transferred to the Court Information Technology Capital fund where the Ad Valorem was expended and then to the 2<sup>nd</sup> Floor Build-out Project in the Building Improvement Fund. Countywide (PFK)

2. Staff recommends motion to approve: the First Amendment to the Contract for Consulting/Professional Services dated January 10, 2006 (R2006-0119) with Kathleen Owens relating to a fire rescue minimum level of service and emergency communications. This Amendment extends the agreement for twelve (12) months until December 31, 2008 and increases the hourly rate by 5%, for a not-to-exceed amount of \$ 8,593.50 for Consultant's fees and \$600 for expenses, for a total not-to-exceed amount of \$9,193.50 for the extension period. **SUMMARY:** In 2006, Ms. Kathleen Owens was retained by the Board to provide assistance to the Fire Rescue Level of Service Committee. The original contract's term was for a two (2) year period, expiring December 31, 2007, with a not-to-exceed amount of \$18,960. This Amendment will increase the consultant's hourly rate by 5%; however, the total contract not-to-exceed amount of \$18,960 will remain the same, including the extension period. While the Fire Rescue Level of Service Committee has made significant progress, there are still several tasks that have not yet been completed. Key among these issues is the development of a response time methodology and standard for the entire region by October 2009. The Fire Rescue Level of Service Committee is recommending Ms. Owens' contract be extended until December 31, 2008 to assist with the finalization of these final important tasks. Countywide (SB)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve:

A) expenditure in the amount of \$36,000 in the Capital Outlay Fund Neighborhood Street Lighting Program to assist in the installation and 20 years maintenance of six (6) "cobra head" street lights within the Lake Worth West Countywide Community Revitalization Team (CCRT) area;

B) expenditure in the amount of \$120,000 in the Capital Outlay Fund Neighborhood Street Lighting Program to assist in the installation and 20 years maintenance of twenty (20) "cobra head" streetlights within the Homes at Lawrence CCRT area;

C) expenditure in the amount of \$120,000 in the Capital Outlay Fund Neighborhood Street Lighting Program to assist in the installation and 20 years maintenance of twenty (20) "cobra head" streetlights within the Parkway Village/Evergreene Acres CCRT area;

D) Budget Transfer from the Capital Outlay Fund for implementation to the Lake Worth West Street Lighting Project in the amount of \$12,000, to the Homes at Lawrence Street Lighting Project in the amount of \$40,000, and to the Parkway Village/Evergreene Street Lighting Project in the amount of \$40,000;

E) Budget Transfer from the Capital Outlay Fund to the CCRT Street Lighting Maintenance Fund for the Lake Worth West Street Lighting Project in the amount of \$24,000, for the Homes at Lawrence Street Lighting Project in the amount of \$80,000, and for the Parkway Village/Evergreene Acres Street Lighting Project in the amount of \$80,000; and

F) Budget amendments totaling \$184,000 in the CCRT Street Lighting Maintenance Fund to recognize and appropriate the transfers from the Capital Outlay Fund of \$24,000 for the Lake Worth West Street Lighting Project, \$80,000 for the Homes at Lawrence Lighting Project, and \$80,000 for the Parkway Village/Evergreene Acres Street Lighting Project.

**SUMMARY:** The street lighting projects now being submitted for approval were initiated by members of the Lake Worth West Resident Planning Group, Inc., the Homes at Lawrence HOA, and the Parkway Village/Evergreene Acres resident group, respectively. Based on Office of Community Revitalization staff review, it was determined that the installation of these streetlights would help reduce area crime as well as enhance pedestrian safety and facilitate safer vehicular movement. The total amount of funding provided for these projects is \$276,000. Districts 1 & 3 (AH)

4. **Staff recommends motion to approve:** the revised program guidelines for the Neighborhood Street Lighting Program (NSLP). **SUMMARY:** On December 21, 2004, the Board of County Commissioners (BCC) approved the program guidelines for the Neighborhood Street Lighting Program (NSLP). Since that time, program goals and other requirements have necessitated various changes to the NSLP guidelines. The main changes being made to the NSLP include extending the maintenance period for requests received by Homeowner Associations (HOA) within Countywide Community Revitalization Team (CCRT) neighborhoods from 10 to 20 years as provided to non-HOA applicants, and revising program guidelines to make the replacement and/or repair of existing lights eligible for NSLP funds. The Office of Community Revitalization (OCR) revised the NSLP guidelines and presented them to the CCRT Committee, who recommended approval on November 13, 2007. If these changes are approved by the BCC, the new guidelines will be applied to future applications. Countywide (AH)

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: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:**
  - A) Budget Transfer of \$58,000 in the Transportation Improvement Fund from Reserve for District 7 to Silver Beach Road Street Lighting – District 7; and
  - B) an Interlocal Agreement with the Town of Lake Park to reimburse \$58,000 for street lighting.

**SUMMARY:** This Agreement will supply reimbursement funds for design, installation, operation, and maintenance of street lighting on Silver Beach Road from Avenue "S" to Congress Avenue, for at least 20 years. District 7 (MRE)
2. **Staff recommends motion to approve:**
  - A) a Reimbursement Agreement in the amount of \$94,000 with the City of Riviera Beach (City) for installing street light poles and fixtures on West 32<sup>nd</sup> Street within the City limits; and
  - B) a Budget Transfer of \$94,000 in the Transportation Improvement Fund from the Reserves for District 7 to West 32<sup>nd</sup> Street Lighting Project Riviera Beach (Project) - District 7.

**SUMMARY:** This Budget Transfer reimburses the City the amount of \$94,000 for West 32<sup>nd</sup> Street lighting within the City limits. District 7 (MRE)
3. **Staff recommends motion to approve:**
  - A) a Reimbursement Agreement in the amount of \$22,500 with the Town of Cloud Lake for drainage improvements; and
  - B) a Budget Transfer of \$22,500 in the Transportation Improvement Fund from Reserve for District 3 to Glen Ridge/Cloud Lake Drainage Improvements.

**SUMMARY:** Approval of the Budget Transfer and the Interlocal Agreement will provide reimbursement funds to the Town of Cloud Lake to create additional storage for storm water runoff. District 3 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve:

A) Budget Transfer of \$250,000 in the Transportation Improvement Fund from Reserve for District 7 to Delray/Trombone Mast Arms West Atlantic Avenue and SW/NW 12<sup>TH</sup> Street – District 7; and

B) an Interlocal Agreement with the City of Delray Beach (City) to reimburse up to \$250,000 for the Trombone Mast Arms.

**SUMMARY:** This Agreement will reimburse the City with funds from the Transportation Improvement Fund up to \$250,000 for the construction of a trombone mast arm structure. District 7 (MRE)

5. Staff recommends motion to approve: Change Order No. 3 for a net credit of \$219,816 to Contract No. R2006-1864 with Bergeron Land Development, Inc. for construction of Jog Road from West Atlantic Avenue to Lake Ida Road. **SUMMARY:** Change Order No. 3 is a net credit due to the deletion of contract items that will no longer be required as a result of modifications to components of the storm water collection system, and addition of modified inlet tops. District 5 (MRE)

6. Staff recommends motion to approve: a Budget Transfer of \$2,110 in the Transportation Improvement Fund from Reserve for District 7 to Guardrail/Aruba Way and Caribbean Boulevard – District 7. **SUMMARY:** Approval of the Budget Transfer will provide funds to have our Road and Bridge Section install guardrail. District 7 (MRE)

7. Staff recommends motion to approve:

A) a Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserve for District 6 to Indian Trails Improvement District asphalt pathways – District 6;

B) a Budget Transfer of \$118,817 in the Unincorporated Improvement Fund from Indian Trail Improvement District Municipal Service Taxing Unit to Indian Trails Improvement District asphalt pathways; and

C) an Interlocal Agreement with the Indian Trails Improvement District (ITID) in the amount of \$318,817 for asphalt pathways.

**SUMMARY:** Approval of the Budget Transfers and the Interlocal Agreement will allow Indian Trails Improvement District to be reimbursed for constructing asphalt pathways. District 6 (MRE)

8. DELETED

9. Staff recommends motion to approve: a Budget Transfer of \$67,430 in the Capital Outlay Fund from Street and Drainage Reserves to the Grove Street Outfall (Project). **SUMMARY:** The Budget Transfer will provide funds for producing construction documents suitable for permitting, bidding, and construction of proposed drainage improvements for the Project. District 6 (MRE)

### 3. CONSENT AGENDA APPROVAL

#### C. ENGINEERING & PUBLIC WORKS (Cont'd)

10. **Staff recommends motion to adopt:** a Resolution approving Amendment No. 3 to the Advance/Reimbursement Agreement (Resolution 2003-0312), with the Florida Department of Transportation (FDOT), associated with the Intelligent Transportation System (ITS) Operations Facility located at the Palm Beach County (County) Vista Center, extending the effective date from December 31, 2007, to June 30, 2008 or until the project is completed. **SUMMARY:** This Amendment will allow additional time for construction and reimbursement of funds with regard to the previously approved Advance/Reimbursement Agreement. The current Advance/Reimbursement Agreement allows FDOT to reimburse the County for the costs of design, construction, and construction administration associated with the ITS Operations Facility in the newly constructed County building located at the Vista Center. District 6 (MRE)

#### D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Amendment No. 2 to Interlocal Agreement (R2000-0249) as amended by the First Amendment (R2004-2012) with the Solid Waste Authority for the provision of legal services to the Authority by the County Attorney's Office. **SUMMARY:** Under this Amendment, the County Attorney's Office will continue to provide legal services for the Authority with the hourly rate for attorneys' time increased from \$125 to \$200. Countywide (MC)

#### E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contracts with the following vendors for the period of January 1, 2008, through December 31, 2008, for a total of \$509,725 for services to homeless individuals:

**A)** Gulfstream Goodwill Industries, Inc. for supportive services in an amount not-to-exceed \$ 65,000;

**B)** Gulfstream Goodwill Industries, Inc. for supportive housing in an amount not-to-exceed \$ 280,725;

**C)** Oakwood Center for supportive services in an amount not-to-exceed \$ 82,000; and

**D)** Comprehensive Alcoholism Rehabilitation Programs, Inc. for supportive services in an amount not-to-exceed \$82,000.

**SUMMARY:** In 2006, the Department of Housing and Urban Development (HUD) awarded the Division of Human Services a one (1) year renewal grant to begin January 2008. The grant will continue funding for 30 Transitional Housing Beds and Supportive Services offered through Gulfstream Goodwill Industries, Inc., CARP, and Oakwood Center to provide staff for the Homeless Outreach Teams and related support services. Funds for these contracts are comprised of \$438,254 from HUD and \$91,771 in County match. The contracts total \$509,725 and the remaining balance of \$ 20,300 is for non-contracted funds for administration and bus passes. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

**A) rescind** Home and Community Based Services Medicaid Waivers (MW) Case Management Referral Agreement (R2007-1278); and Home and Community Based Services Assisted Living for the Frail Elderly (ALE) Medicaid Waiver Case Management Referral Agreement (R2007-1279); and

**B) approve and replace with** Home and Community Based Services Medicaid Waivers (MW) Case Management Referral Agreement; Home and Community Based Services Assisted Living for the Frail Elderly (ALE) Medicaid Waiver Case Management Referral Agreement; and Home and Community Based Services Aged and Disabled Adult (ADA) Medicaid Waiver Referral Agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), with no expiration.

**SUMMARY:** The Home and Community Based Services MW and ALE referral agreements were originally approved with Area A only (north of Hypoluxo Road) and are being rescinded and resubmitted to include Area A and B (south of Hypoluxo Road) along with facility-based respite. As a service provider under the Home and Community Based Services Program, the Division of Senior Services (DOSS) will bill the State of Florida's Medicaid fiscal agent directly on a negotiated unit rate basis of \$11.25 per 15 minutes for MW Case Management, \$5.25 per 15 minutes for Case Aide, \$100 per client per month for ALE Case Management, and \$2.50 per 15 minutes for facility-based respite. Under these referral agreements, DOSS will accept referrals from other case management agencies and provide quality services to the waiver participants as specifically outlined in the participants' Plan of Care so as to promote the development of a coordinated service delivery system to meet the needs of the aged or disabled adults who are at risk of premature nursing home placement. (DOSS) Countywide (TKF)

3. Staff recommends motion to approve: Contracts with the following agencies totaling \$428,120 for the period and services indicated:

**A)** Early Learning Coalition of Palm Beach County, Inc. for the period October 1, 2007, through June 30, 2008, in the amount of \$300,000 for subsidized child day care services; and

**B)** Palm Beach County Health Department for the period October 1, 2007, through September 30, 2008, in the amount of \$128,120 to provide in-depth, comprehensive counseling for recalcitrant HIV positive clients tested by the PBCPHU and necessary punitive actions for repeat offenders. Recalcitrant HIV positive clients are those who are non-compliant and engage in behavior to spread transmission of the infection. Examples of punitive action include court ordered counseling, behavior modification, hospitalization, and isolation.

**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)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **Staff recommends motion to approve:** Contract with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period October 1, 2007, through September 30, 2008 in an amount not-to-exceed \$125,000 to provide disaster preparedness services. **SUMMARY:** This Contract with Area Agency on Aging, Palm Beach/Treasure Coast, Inc. will provide for services in support of County efforts to identify at-risk seniors and persons with disabilities and to assist individuals and communities to plan for and respond to disasters. These services will be conducted under the framework of the Palm Beach County Comprehensive Emergency Management Plan. (Human Services) Countywide (TKF)
  
5. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IP007-9500 (R2007-1689) for the Emergency Home Energy Assistance (EHEAP) Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the period June 1, 2007, through March 31, 2008, increasing the agreement amount by \$4,471 for a new total not-to-exceed the amount of \$56,532. **SUMMARY:** This Amendment is needed to align the funding with the County budget. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides EHEAP services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** Change Order No. 12 to the Contract with James A. Cummings, Inc. increasing the contract in the amount of \$387,384 and increasing the Contract Time by 15 Calendar Days for the Long Term Parking Garage No. 2 at Palm Beach International Airport (PBIA). **SUMMARY:** On May 16, 2006, the BCC approved the Construction Contract (R2006-0842) with James A. Cummings, Inc. for construction services for the Long Term Parking Garage at PBIA in the amount of \$61,666,000. Change Orders 1-11 were approved for a net decrease to the contract in the amount of \$25,324,728, which included deleting more than \$26 million in materials from the contract so they could be purchased directly by the owner to capture the tax savings. Approval of Change Order No. 12 in the amount of \$387,384 will provide funds to complete required changes related to seven (7) contract change proposals as described in the Summary attached to the Item. The Small Business Enterprise (SBE) participation for this Change Order is 7.04%. The total SBE contract goal including all change orders is 15.96%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

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

A) Agreement to Terminate Hangar Lease Agreement with Steve Barcsansky, Unit 20, Building 11300, terminating R2004-0615 on October 31, 2007;

B) Agreement to Terminate Hangar Lease Agreement with Bob Santom, Unit 18, Building 11750, terminating R2004-0847 on October 31, 2007;

C) Agreement to Terminate Hangar Lease Agreement with James H. Selway, Unit 17, Building 11300, terminating R2003-0835 on November 30, 2007.

D) North County General Aviation Airport Hangar Lease Agreement with Aviation Partners of Boynton Beach, LLC., Unit 9, Building 11240, effective November 11, 2007;

E) North County General Aviation Airport Hangar Lease Agreement with Victor Girgenti, Unit 17, Building 11300, effective November 2, 2007; and

F) Contract with West Construction, Inc. of \$138,803 for Runway 33 Threshold Improvements at Palm Beach County Park Airport (Lantana), effective October 22, 2007.

**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2003-1047, R2004-1367, Purchasing Code (Ordinance No. 2005-062) and PPM CW-0-051. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated Settlement Offer in the amount of \$50,000 for the full satisfaction of a Code Enforcement Lien that was entered against Family, Inc. of Palm Beach on August 3, 2005. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on February 2, 2005 giving the Family, Inc. of Palm Beach until June 2, 2005 to bring their property into compliance with the approved site plan, per Petition Number 87-33 (A) & (B) and Resolution No. R93-1537 for required landscaping, paint the exterior walls of the building, maintain wooden fence, and clean up the litter on the property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$250 per day was imposed. The CESM then entered a claim of lien against Family, Inc. of Palm Beach on August 3, 2005. The cited code violations were fully corrected as of April 11, 2007. The total accumulated lien amount through August 2, 2007, the date settlement discussions began, totaled \$220,131.62, of which Family, Inc. of Palm Beach has agreed to pay the County \$50,000 (22.7%) for full settlement of their outstanding Code Enforcement Lien. District 2 (PGE)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: JOC Work Order No. 08-001 with H.A. Contracting Corp., (R2005-0540) in the amount of \$382,360.54 to expand the Uninterrupted Power Supply (UPS) system located at the Sheriff's Office Administration Building. **SUMMARY:** This Work Order is to provide further expansions to the previously awarded replacement UPS system for 3228 Gun Club Road, CJC Building A. The replacement of the existing UPS system included remodeling of a room to house the system, with associated electrical and HVAC upgrades was previously awarded but since that time the requirements of the Sheriff's Office have increased. These revisions will increase the size of the replacement UPS by 33% which will provide for all currently identified requirements plus growth. The SBE goals are 15%. The SBE participation in this Work Order is 61.62%. When the participation for this Work Order is added to H.A.'s total participation to date, the resulting values are 33.1%. The total construction duration is 180 days. (FDO Admin) Countywide/District 2 (JM)
  
2. Staff recommends motion to approve: a First Amendment to the Agreement (R2003-0865) with the Village of Tequesta (Village), allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** The Agreement with the Village, which provides the terms and conditions under which the Village can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications, will expire on June 17, 2008. The Agreement provides for three (3) - five (5) year renewals but renewals require approval by both parties. The Village has approved a renewal to extend the term of the Agreement until June 17, 2013. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Village 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)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2006-0989) with the City of Greenacres in connection with the 2004 Disaster Recovery Initiative Program, to reallocate \$36,000 among budget line items for this Community Development Block Grant (CDBG) funded street improvement project on Perry Avenue, Martin Avenue, and certain alleyways. **SUMMARY:** The Agreement for this project provides \$220,000 in CDBG funds from the County which are divided into four line items including one for engineering design costs at \$36,500, and three line items for street improvements as follows: \$55,000 for Perry Avenue, \$48,500 for Martin Avenue, and \$80,000 for the alleyways. Based on the bids received for construction work on Perry Avenue (\$147,133.60) and on Martin Avenue (\$15,684.93), Perry Avenue is under funded and Martin Avenue is over funded. This Amendment will transfer \$36,000 from the Martin Avenue budget line item to the Perry Avenue budget line item, with no change in the total amount funded, with no effect on the line item for engineering design, and with no effect on the line item for the alleyways. The total amount of the construction bid received by the City is \$260,212.83, and the total amount to be funded by the County for construction costs is \$183,500. The City will fund all amounts for construction above the amount to be funded by the County. The work will include roadway, sidewalk, and drainage system improvements. **These are Federal CDBG funds that require no local matching funds.** District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 002 to an Agreement (R2006-0354), with the City of Lake Worth to: a) increase the funding amount from \$244,035 to \$452,527 in Community Development Block Grant (CDBG) funds; and b) extend the expiration date from December 31, 2007, to December 31, 2008. **SUMMARY:** The Amendment provides a one (1) year extension to the term of the existing Agreement for the construction of street improvements on Latona Avenue in the Osborne Neighborhood in City of Lake Worth. The work will include installation of bulb-outs, speed slowdown crosswalks, intersection handicap ramps, streetlights, trees and sidewalks. The time extension will provide the City an additional year to complete the engineering design, bid the work, and construct the improvements. The additional \$208,492 being provided to this project represent the City's FY 2007-2008 funding allocation under the CDBG program, which the City has requested be directed to this project. **These are Federal funds that require no local match.** District 7 (TKF)
  
3. **Staff recommends motion to approve:** the Fiscal Year 2007-2008 Funding Approval/Agreement Forms for the Community Development Block Grant (CDBG) Program - \$7,068,569; the Emergency Shelter Grants (ESG) Program - \$306,234; and Home Investment Partnership (HOME) Agreements, inclusive of American Dream Down Payment Initiative (ADDI) for \$2,588,864 and \$53,383, respectively. All agreements are with the U.S. Department of Housing and Urban Development (HUD). **SUMMARY:** Approval of the Funding Approval/Agreement Forms (HUD-7082 for CDBG, HUD-40093 for HOME, and Local Government Grant Agreement for ESG) are required to make \$10,017,050 in federal funds available to the County to provide assistance for community development programs. The purpose of the CDBG, ESG, and HOME Program entitlement funding includes, but is not limited to, the development of viable urban communities through the provision of decent housing, a suitable living environment, and the expansion of economic opportunities, principally for persons of low and moderate income throughout Palm Beach County. **No local match is required to implement the CDBG program; however, the ESG and HOME programs have matching requirements. The ESG Program matching requirement is met through a cash or in-kind contribution by each agency receiving this funding, and the HOME matching requirement is met through the State Housing Initiatives Partnership (SHIP).** Countywide (TKF)
  
4. **Staff recommends motion to approve:** an Agreement with The Salvation Army for \$22,000 of FY 2007-2008 Community Development Block Grant (CDBG) funds, for the period October 1, 2007, to September 30, 2008 to provide transitional housing and supportive services to 275 unduplicated individuals at The Salvation Army Center of Hope located at 1577 North Military Trail, West Palm Beach, Florida 33409. **SUMMARY:** The FY 2007-2008 Action Plan approved by the BCC on July 10, 2007, allocated \$1,060,285 of CDBG funds for the provision of public services. This Agreement will allocate \$22,000 for the provision of shelter, meals, and appropriate supportive services to 70 homeless individuals per day for a total of 275 unduplicated homeless individuals per year. **These are Federal CDBG funds that require no local match.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** a Contract in the amount of \$118,100 for Youngquist Brothers, Inc. to perform mechanical integrity testing of a Class 1 deep injection well IW-1 at the Northern Region Wastewater Treatment Facility. **SUMMARY:** On October 15, 2007, the Director of the Water Utilities Department approved a contract with Youngquist Brothers, Inc. to perform mechanical integrity testing of a Class 1 deep injection well IW-1 at the Northern Region Wastewater Treatment Facility in the amount of \$118,100. This agenda item recommends the Board receive and file the contract with Youngquist Brothers, Inc. approved by Water Utilities Department so it may be properly recorded. (WUD 07-170) District 6 (JM)
  
2. **Staff recommends motion to approve:** Change Order No. 6 to the Contract with R.J. Sullivan, Corp. (R2006-0780) for the Water Treatment Plant No. 8 Expansion Project increasing the contract price by \$106,992 and providing a twenty one (21) day time extension. **SUMMARY:** Change Order No. 6 authorizes the Contractor to perform Phase II Hurricane Hardening (Sodium Hypochlorite and Vacuum Filter Buildings) various civil, mechanical, and electrical improvements, resolve conflicts with the proposed new facilities, and comply with Building Department permit conditions. It also provides the Contractor with additional time (21 days) to accomplish the additional work. The hurricane hardening includes shutters, impact resistant windows and concrete walls to make the above referenced buildings hurricane resistant. Other revisions are to relocate an electrical ductbank which was in conflict with the proposed Filter Building and to provide a conduit for instrumentation wiring for the new Sludge Thickener and Sodium Hypochlorite Storage Tank. Also included is a credit for a water softening unit which can be eliminated. Total change orders to date, excluding the \$1,712,386.46 sales tax recovery program change order, equal \$928,559.85 (5.10% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Change Order includes zero overall SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 26.22% overall. (WUD Project No. 05-146) District 2 (JM)
  
3. **Staff recommends motion to approve:** a Reclaimed Water Development Agreement (Agreement) with the Solid Waste Authority (SWA). **SUMMARY:** The Board of County Commissioners (BCC) delegated the authority to execute various types of Standard Development Agreements listed in the Water Utilities Department (Department) Uniform Policies and Procedures Manual to the Department's Director. The addition of "Special Conditions" under this Agreement requires the approval of the BCC. District 5 (MJ)
  
4. **Staff recommends motion to approve:** a Repair, Replacement and Indemnity Agreement (Agreement) between Penske Automotive Group, Inc. (Penske) and Palm Beach County. **SUMMARY:** In accordance with the Water Utilities Department (WUD) Uniform Policies and Procedures Manual (UPAP), the Board of County Commissioners (Board) delegated to the County Administrator or designee the authority to execute various types of documents, including Indemnity Agreements. Penske's proposed car dealership project (State Road 80, east of State Road 7) installed a non-standard concrete driveway over a PBCWUD potable water main, making the access to the pipe for operation and maintenance purposes costly and difficult. The Board's Approval is sought for this Agreement since the unique design conditions necessitate the inclusion of repair and replacement terms to further protect and indemnify the County. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** an Interlocal Agreement with the Florida Inland Navigation District (FIND) for reimbursement of all costs up to \$500,000 associated with the maintenance dredging of approximately 31,100 cubic yards of sand from cut P-50 within the Atlantic Intracoastal Waterway (ICW) beginning February 2008. **SUMMARY:** By entering into this Interlocal Agreement, the County agrees to provide project design, planning, permitting, contracting, construction management, and observation for the completion of the project efforts for FIND at the same time as the County performs the next maintenance dredging activities related to the County's South Lake Worth Inlet Interior Sand Trap Maintenance Dredging Project. A Budget Amendment will be submitted when the construction contract is executed and the FIND share has been determined. District 4 (SF)
  
2. **Staff recommends motion to:**
  - A) approve** Modification No. 2 to Cooperative Agreement No. 1448-40181-02-J-053 (R2002-2180) with the U.S. Department of Interior, Fish and Wildlife Service (USFWS) extending the Agreement to September 1, 2008;
  
  - B) approve** Budget Amendment in the Capital Outlay Fund for \$224,000 to recognize \$24,000 from the USFWS Cooperative Agreement No. 1448-40181-02-J-053, and a \$200,000 transfer from the Natural Areas Fund for the Juno Dunes Natural Area project account for hydrological restoration;
  
  - C) approve** Budget Transfer in the Natural Areas Fund of \$200,000 from Reserves to the Capital Outlay Fund; and
  
  - D) authorize** the County Administrator, or his designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Cooperative Agreement, and necessary minor amendments that do not change the scope of work or terms and conditions of the Cooperative Agreement.

**SUMMARY:** Cooperative Agreement No.1448-40181-02-J-053 (R2002-2180) with the USFWS, providing a grant award of \$24,000 for the environmental and hydrological restoration of freshwater and tidal wetlands at Juno Dunes Natural Area effective September 1, 2002, through September 1, 2007, was approved by the BCC on December 3, 2002. Modification No. 2 to the Agreement extends the period to September 1, 2008. These budget documents will recognize the re-establishment of \$24,000 funding from the USFWS and \$200,000 from the Natural Areas Fund to provide \$24,000 matching funds for the Agreement and \$176,000 to provide for surveys, construction, planning, permitting and management activities. District 1 (SF)

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)

M. PARKS & RECREATION

1. Staff recommends motion to adopt: a Resolution repealing Resolution No. R77-1170 as amended by Resolutions R91-1626 and R98-1903, which will dissolve the Okeeheelee Park Citizens Advisory Committee. **SUMMARY:** The Okeeheelee Park Citizens Advisory Committee (Advisory Committee) was established in 1977 and charged with the duty of providing input regarding planning and development of Okeeheelee Park and Okeeheelee Park South, formerly known as Cholee Park, and to relay the recommendations to the Board of County Commissioners. The Advisory Committee has not conducted official business since July 2, 2003, and there are currently no active members. In considering whether to dissolve the Committee, the Board directed staff to meet with former Advisory Committee members to address any outstanding issues and return with recommended solutions. Staff has accomplished this and initiated an Equestrian Facility Users Forum which began on November 7, 2007. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to approve:** Agreement with New Beginning Community Outreach, Inc. for the period December 4, 2007, through March 30, 2008, in an amount not-to-exceed \$1,000 for funding of the New Beginning Community Festival. **SUMMARY:** This funding is to help offset costs incurred by New Beginning Community Outreach, Inc. for the New Beginning Community Festival held at Cox Park in South Bay on September 28, 2007. The event was attended by approximately 300 participants from the western communities. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to September 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
  
3. **Staff recommends motion to approve:** Agreement with The Children's Coalition Incorporated for the period December 4, 2007, through April 1, 2008, in an amount not-to-exceed \$5,000 for funding of the Believe and Achieve program. **SUMMARY:** This funding is to help offset costs for the Believe and Achieve program offered to at-risk youth by The Children's Coalition, Inc. The program serves approximately 300 participants. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to September 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 4 Funds. Countywide (AH)
  
4. **Staff recommends motion to receive and file:** executed Independent Contractor Agreement received during the month of October: Arleda Brown, Fitness Instructor, West Jupiter Recreation Center. (BROWNA1139061107523300A). **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The attached Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and is now being submitted to the Board to receive and file. District 1 (AH)
  
5. **Staff recommends motion to receive and file:** First Amendment to Agreement (R2006-2121) with The Friends of Sandoway House Nature Center, Inc. for the Shell Gallery Room addition. **SUMMARY:** This fully executed First Amendment to Agreement extends the project time frame from November 22, 2005, through February 22, 2008, to November 22, 2005, through August 22, 2008, in order to allow additional time to complete project construction and to provide reimbursement documentation. 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, including the funding amount of \$10,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 4 Funds. District 4 (AH)
  
6. **Staff recommends motion to approve:** First Amendment to Interlocal Agreement (R2003-1747) with the School Board of Palm Beach County for the funding of Recreation Assistance Program (RAP) projects to extend the term of the Agreement from October 20, 2007, to an automatic year-to-year renewal unless either party desires to terminate the Agreement. **SUMMARY:** This First Amendment to Interlocal Agreement extends the project time frame for the streamlining process for School Board RAP allocations. Agreement R2003-1747 provided for a two year term to be automatically renewable for up to two additional successive one year terms. The term was completed on October 20, 2007. This First Amendment to Interlocal Agreement amends the renewal term to allow for annual automatic renewals from year to year unless one party desires to discontinue the Agreement. All other terms of the Agreement remain the same. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to approve:

A) Agreement with Pineapple Grove Main Street, Inc. for the period December 4, 2007, through December 3, 2010, in an amount not-to-exceed \$75,000 for funding of the Pineapple Grove Artscape project; and

B) Budget Transfer of \$75,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Pineapple Grove Main Street/Artscape project.

**SUMMARY:** This Agreement provides funding for the implementation of the Pineapple Grove Main Street Artscape project in the City of Delray Beach. The Agreement allows for the reimbursement of pre-Agreement expenses incurred subsequent to February 27, 2007. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended - District 4. District 4 (PK)

8. Staff recommends motion to approve: Agreement with Hold My Hand, Inc. for the period December 4, 2007, through December 30, 2007, in an amount not-to-exceed \$2,000 for funding of a tennis tournament. **SUMMARY:** This funding is to help offset costs incurred by Hold My Hand, Inc. for a tennis tournament held at Okeeheelee Park on June 9, through June 10, 2007. The event attracted 36 players and 250 spectators. The Agreement allows for reimbursement of eligible expenses incurred subsequent to April 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: the Second Amendment to the Interlocal Agreement with the City of Riviera Beach (R2005-2435), dated December 20, 2005 to extend the agreement period and to increase the amount of the agreement by \$100,000. **SUMMARY:** In FY 2006, the Board of County Commissioners (BCC) approved an agreement with the City of Riviera Beach to provide \$100,000 to support the Weed and Seed "seeding" efforts for the period October 1, 2005, through April 30, 2007. The Agreement has expired. The Criminal Justice Commission (CJC) recommends the use of an additional \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to establish a new agreement period from October 1, 2007 to September 30, 2008. District 7 (DW)

2. Staff recommends motion to approve: the First Amendment to the Weed and Seed Interlocal Agreement with the City of West Palm Beach (R2007-0706), dated May 1, 2007 to extend the Weed and Seed contract period from September 30, 2007 to September 30, 2008 and to increase the amount of the agreement by \$100,000. **SUMMARY:** On May 1, 2007, the Board of County Commissioners (BCC) approved an agreement with the City of West Palm Beach to provide \$50,000 to support the Weed and Seed "seeding" efforts for the period April 1, 2007, through September 30, 2007. The Criminal Justice Commission (CJC) recommends the use of an additional \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2008. District 7 (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending the Florida Department of Law Enforcement's Florida Consortium "Paul Coverdell National Forensic Sciences Improvement Act Grant" (for payment of overtime expenses) to extend the ending grant period from September 30, 2007, to March 31, 2008. **SUMMARY:** The Board of County Commissioners (BCC) accepted this Grant on April 18, 2006; the original period for this Grant was September 1, 2005, through August 31, 2006 (R2006-0715). On August 15, 2006, the BCC received and filed an agenda item extending the grant period from August 31, 2006, through March 31, 2007 (R2006-1507). On April 10, 2007, the BCC received and filed an agenda item extending the grant period from March 31, 2007, through September 30, 2007 (R2007-0575). This agenda item will extend the grant period from September 30, 2007, through March 31, 2008. The National Institute of Justice (NIJ) awarded funds to the Florida Department of Law Enforcement (FDLE) under the "Paul Coverdell National Forensic Sciences Improvement Act". This award is being used to pay overtime to evidence personnel to improve the status of the impound lot, perform a complete inventory of all evidence and input old cases into the electronic evidence database Justice Trax-LIMS plus. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. There is no grant match required, nor are any County funds required in FY 2008. Countywide (DW)
  
2. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending the Florida Department of Law Enforcement's Florida Consortium "2006 Paul Coverdell National Forensic Sciences Improvement Grant" (for payment of staff training) to extend the ending grant period from September 30, 2007, to March 31, 2008. **SUMMARY:** The Board of County Commissioners (BCC) accepted this Grant on March 13, 2007; the original period for this Grant was October 1, 2006, through September 30, 2007 (R2007-0411). This agenda item will extend the grant period from September 30, 2007, through March 31, 2008. The National Institute of Justice (NIJ) awarded these funds to the Florida Department of Law Enforcement (FDLE) for the "Paul Coverdell National Forensic Sciences Improvement Grant". The Palm Beach County Sheriff's Office (PBSO) was awarded funds to improve the quality of forensic services. The funds are being used to train 20 staff members in expert witness court testimony techniques, and 20 managers and staff in documentation. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. There is no grant match required, nor are any County funds required in FY 2008. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to receive and file: Grant Adjustment Notice amending the National Institute of Justice "Solving Cold Cases with DNA Program" Grant to extend the ending grant period from December 31, 2007, to March 31, 2008. **SUMMARY:** The Board of County Commissioners (BCC) accepted this Grant on December 20, 2005; the original period for this grant was October 1, 2005, through November 30, 2006 (R2005-2439). On December 5, 2006, the BCC received and filed an agenda item extending the grant period from November 30, 2006, through May 31, 2007 (R2006-2673). On April 10, 2007, the BCC received and filed an agenda item extending the grant period from May 31, 2007, through December 31, 2007 (R2007-0574). This agenda item will extend the grant period from December 31, 2007, through March 31, 2008. The National Institute of Justice awarded these funds for the "Solving Cold Cases with DNA Program". The objective of this grant is to combine the efforts of the Palm Beach County Sheriff's Office (PBSO) Special Investigations Bureau, Crimes Against Children/Sexual Assault Unit and the Violent Crimes Bureau with the experience of the Serology/DNA Section of the Crime Laboratory to solve Cold Cases. The goal is to screen all of the Cold Cases for potential biological evidence for the purpose of conducting DNA analysis such that the laboratory CODIS administrator will enter any qualifying DNA profile into CODIS. At the time of the grant application, it was estimated that there were approximately 250 Cold Cases from the Crimes Against Children/Sexual Assault Unit and Violent Crimes Bureaus, of which 85 may meet the criteria set forth by this grant. The PBSO has been given an extension to allow the grant funds to be fully expended. There is no grant match required, nor are any County funds required in FY 2008. Countywide (DW)

CC. MEDICAL EXAMINER

1. **Staff recommends motion to:**
  - A) adopt** a Resolution authorizing the County Administrator, or his designee, to enter into agreements with interim Associate Medical Examiners in order to assure the continuity of medical examiner coverage during physician staff shortages and/or disasters and rescinding Resolution No. 2001-0118; and
  - B) approve** the standard Interim Associate Medical Examiner Agreement at a rate of \$1,200 per diem.

**SUMMARY:** On January 9, 2001, the Board of County Commissioners approved a Resolution (R2001-0118) to assure the continuity of Medical Examiner's Office coverage during physician staff shortages. This revision of the "Interim Associate Medical Examiner Resolution" provides for the contractual employment of associate medical examiners and authorizes the County Administrator, or his designee, to sign the agreements on behalf of the Board of County Commissioners to provide Interim Associate Medical Examiners, as may be needed, during physician staff shortages and disasters. Countywide (DW)

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**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A.** Certificates of Congratulations to Animal Kindness Award Recipient – Clint Thomas and Animal Kindness Award Junior Recipient – Marissa Thomas (Sponsored by Commissioner Marcus)
  
- B.** Proclamation declaring February 2, 2008 as “Chinese American Day” in Palm Beach County. (Sponsored by Commissioner Greene)
  
- C.** Certificate of Appreciation to Mr. William E. Pruitt for over 22 years of distinguished and unselfish service to Palm Beach County as a Code Enforcement Board Member and a Code Enforcement Special Master, October 1984 to April 2007. (Sponsored by Commissioner Marcus)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff requests Board direction:** on draft FY '08 State Legislative Program. **SUMMARY:** Staff requests the Board's review of the draft FY '08 State Legislative Program, which includes issues that have been submitted by Board members and County staff, and identification of legislative and appropriation priorities. The Legislative Program outlines the issues that the County's Legislative Affairs Department in conjunction with the County's lobbying team will be working on for the Board in the upcoming Legislative Session. Countywide (DSW)
  
2. **Staff requests Board direction:** regarding a recommendation by the Justice Information Systems (JIS) Policy Board for: 1) the County to enter into an Agreement with the National Center for State Courts (NCSC) for consultant services to evaluate the performance of and make recommendations regarding the future of the Criminal Justice Information System (CJIS); and 2) for the funding of the study in the amount of \$93,892 to be split equally from three (3) sources: general tax funds, Clerk funds, and the \$2 Court Technology Fee. **SUMMARY:** The new Criminal Justice Information Systems (CJIS) Criminal and Traffic System has been operational for a year. This module was the final component of a comprehensive court case management system following the implementation of the Civil and Juvenile Court Systems in 2003. The Banner Courts software was selected by the Clerk's Office years ago in cooperation with the Judiciary and ISS. It was put through an extensive test and acceptance process by the Clerk prior to being placed in operation. Dissatisfaction has been voiced about the system by users since "go-live." Some of the problems are related to known shortcomings in converted historical data from the mainframe. Certain technical enhancements, which are intended to improve system performance, have not been implemented. Against this backdrop, the JIS Policy Board, through its JIS Technical Committee, obtained proposals for a consultant to evaluate the existing CJIS System. Two (2) proposals were received, with the recommendation from the Technical Committee being for the least cost vendor. During discussion of the consultant at the November 8 JIS Policy Board Meeting, County staff indicated that the proposed consultant study was at best premature, and if it was to be done at all, should await completion of the technical improvements. By a 7-1 vote with the County Administrator voting "no," the JIS Policy Board voted to recommend to the BCC that the consultant study be done now, and that funding be split equally from general tax funds, Clerk funds, and the \$2 Court Technology Fee. Regarding the issue of funding for the study, if the BCC does not support the JIS Policy Board recommendation, it is possible that the Clerk may choose to pay for the study from funds under her control. Also, the Chief Judge strongly expresses that the \$2 fee should be controlled by her Office, not the County, and legal action could be initiated to claim such rights. While the Board may wish to consider the use of residual funds in the \$2 Court Related Information Technology Capital Improvement Fund to pay for two-thirds of the study cost (\$62,595), the JIS Policy Board did not endorse this option. Countywide (PFK)
  
3. **Staff recommends motion to receive and file:** the Compliance Report on the Fire Rescue Level of Service Standard from the Level of Service Committee. **SUMMARY:** The County and all the cities agreed on a three (3) year voluntary implementation process for all providers to comply with the Level of Service Standard by October 1, 2007. Of the thirty-nine (39) agencies, all but three (3) agencies have been determined to be in compliance by the deadline date. Countywide (SB)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. Staff recommends motion to approve: Tri-Party Agreement with the Palm Beach County Supervisor of Elections ("Supervisor of Elections") and Sequoia Voting Systems, Inc., ("Sequoia") for the purchase of optical scan voting equipment in the amount of \$5,521,000. **SUMMARY:** Upon recommendation of the Supervisor of Elections, the BCC, at its October 16, 2007 meeting, adopted Resolution R2007-1861 designating Sequoia as the only source certified by the State of Florida from which "suitable" voting equipment may be obtained. This recommendation was based upon Sequoia optical scanners being the only ones compatible with the County's current voting system, which was manufactured by and procured from Sequoia. Through the negotiation process, a Tri-Party Agreement was reached with the Supervisor of Elections and Sequoia for the purchase of 910 Optech Insight Plus Tabulators at a cost of \$5,521,000. Sequoia also agreed to provide an additional 91 optical scanners to the County at no cost in return for the County's attempt to pay for the 910 Optech Insight Plus tabulators within 15 business day of delivery. Further, Sequoia agreed to a trade-in option that will provide the County with a credit of 50% of the purchase price for items traded before December 5, 2009, and a credit of 33% of the purchase price for items traded between December 5, 2009 and December 5, 2010. Countywide (GB)
  
5. Staff requests Board direction: regarding the Agreement for Purchase and Sale with WMJB Marine, Inc. (R2006-0425; dated February 28, 2006) for the purchase of a Working Waterfront Preservation Easement and Declaration of Restrictive Covenants for \$14.0 million over 8.2 acres of the property known as Palm Beach Yacht Center (PBYC). Options include negotiating the extension of the Agreement to burden the balance of the property (1.5 acres) at no additional cost or directing the County Attorney's Office to take whatever actions necessary to void the Agreement. **SUMMARY:** The Agreement was in conformance with one of the goals of the Waterfront Preservation Bond Issue approved by the voters in 2004, which was to preserve working waterfront. It provides a restrictive easement to prevent development. This facility was viewed as particularly critical as the southerly most marine services yard in the County (just south of Hypoluxo). The County appraised the Agreement rights at \$9.3 million. PBYC continues to argue that this valuation was too low and that the \$14.0 million amount was more valid. The transaction has been completed. The Federal charges against ex-Commissioner Newell include that he had inappropriate business relationships with the ownership of PBYC that he did not publicly declare. Ex-Commissioner Newell was a strong advocate for the Agreement and it is possible that it would not have been approved, or that the price might have been lower, if the County had been aware of his relationships. Staff has sought to negotiate a reduction in the price, but this has not been accepted by PBYC due to their opinion of valuation. PBYC represents that if the County seeks to void the Agreement, and if we are successful, that this will force the closing of the facility and hasten its residential development to pay back the County. PBYC blames capital improvement needs, property taxes, insurance and fuel prices. As an alternative, PBYC is offering to encumber, at no additional cost, the balance of the property (1.5 acres) for which a development plan for approximately 40 townhomes has been contemplated. This would add substantial value to the original Agreement and provide further assurance of marine service preservation. Should the Board desire to void the Agreement, the County Attorney's Office should be directed to pursue any available legal remedies. District 4 (HF)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

6. **Staff recommends motion to conceptually approve:** a ten (10) year financing for up to \$3 million to complete funding for neighborhood infrastructure assessment projects. **SUMMARY:** To help balance the budget, new funds for neighborhood infrastructure assessment projects were cut. After further review, it was determined that if all pending projects went forward (\$13 million cost), which they may not, we would be approximately \$3 million short. Due to neighborhood expectations for these improvements, it is recommended that the County finance the funds required for the assessments. With the exception of half the cost of paving and drainage, which historically has been paid by the County, all funds will be recovered over the life of the assessment. For CCRT (Community Revitalization) areas, some projects have been proposed with a larger County share of payment. These are not expected to proceed due to funding limitations. No further assessment petitions have been accepted over the past year and none will be without Board direction. If and when assessment projects are re-instituted, staff intends to recommend that the property owners pay the entire cost without subsidy by general County tax funds. Countywide (MRE)

**TIME CERTAIN 11:30 A.M.**

7. **South Florida Water Management District Presentation** - Comprehensive Planning Overview

**TIME CERTAIN 2:30 P.M.**

8. **Staff requests Board direction:** as to the handling of additional stakeholder suggestions on what should be done to evaluate the impacts of mining within the Everglades Agriculture Area (EAA). **SUMMARY:** On September 11, 2007, the Board of County Commissioners (BCC) accepted the study entitled "Permitting Process Regarding Mining Impacts within the EAA" and approved having staff implement the improvements listed in the Conclusions section of the study. Implementation of those improvements would provide for improved regulation and intergovernmental coordination during the review process dealing with mining in the EAA. After the September 11, 2007 presentation of the results, there was concern expressed by some stakeholders that the permitting process was inadequate to address some of the issues dealing with the impacts within the EAA as a result of mining activities. Based on those comments, the BCC directed staff to seek additional input. Input from the stakeholders contained some suggestions that may be able to be accomplished through the current permitting review process. Other suggestions are beyond the scope of the current permitting review process and would require substantial study effort. Those additional comments that were received are presented today. Countywide/District 6 (MJ)

5. REGULAR AGENDA

B. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R88-1375, as amended by Resolution Nos. R93-871, R94-1452, R95-178, R95-704, R96-198, R97-604, R99-341, R2000-1218, R2001-0421, R2002-1463, R2003-0232, R2003-1982, R2004-1619, R2005-1273, R2006-0506, R2006-1176, and R2007-0420, which set forth the County Investment Policy, further amending the Investment Policy provisions to add to the list of “eligible securities” certain specified securities issued by the State of Israel in a limited amount, permitting the Development Corporation for Israel to act as a broker/dealer for such securities only; and providing for an effective date. **SUMMARY:** This amending Resolution will allow a limited amount of specified securities issued by the State of Israel to be held in the County’s investment portfolio. The Investment Policy Committee recommends this change, which will not affect the County’s investment strategy. Amending the Investment Policy provisions will allow investment in bonds, notes, or instruments backed by the full faith and credit of the State of Israel, rated “A” or higher by Standard & Poor’s and Moody’s ratings services with a maturity of two (2) years or less. No more than 1% (at market value) of the total portfolio at the time of purchase may be invested in these securities. The Development Corporation for Israel may act as an authorized broker/dealer for securities backed by the State of Israel only. 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 Palm Beach County Code, Sections 2-231 through 2-234, codifying Palm Beach County Ordinance No. 89-6, as amended by Ordinance 91-50, pertaining to Westgate/Belvedere Homes Community Redevelopment Area; providing for financial disclosure; and providing for an effective date. **SUMMARY:** This Ordinance will require Commissioners of the Westgate/Belvedere Homes to continue filing financial disclosure. Countywide (TKF)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff requests Board direction:** amending the Lease Agreement (R2002-1978) with the South Florida Science Museum, Inc. located adjacent to Lake Lytal Park. **SUMMARY:** On November 12, 2002, the Board approved a Lease Agreement with the South Florida Science Museum for the lease of approximately 11 acres of undeveloped property on the west side of Lake Lytal Park for the construction of a new science museum. The Agreement has been amended four (4) times. In March 2005, Amendment No. 1 modified the final fund raising milestone to December 21, 2007. In January 2006, Amendment No. 3 modified the interim fund raising milestones. In January 2007, Amendment No. 4: (1) modified the interim fund raising milestones for 2006 and 2007; (2) extended the final fund raising milestone to December 31, 2009; (3) increased the final fund raising total to \$54,800,000; and (4) changed the date construction is required to commence from November 2007 to April 2008. Changing the construction start date also required a change to the default provision of the Lease. Concurrent with the approval of Amendment No. 4, the Board indicated that it would not favorably consider future amendments to the final fund raising milestones, nor delays in commencement of construction. On October 1, 2007, staff received a request to: (1) change the construction commencement date to November 12, 2009; (2) extend the interim fund raising milestone for 2007 until June 1, 2008; and (3) permit the modification of the remaining fund raising milestones via a future subsequent amendment. Because of the Board's previous direction on future amendments and the fact that no new fund raising plan has been presented to support the extension, staff is seeking direction. The letter from the Science Museum states that the request is being made because the dimensions of the building design are being reassessed due to the Science Museum's new focus on content and alternate program delivery approaches including providing some programs virtually. The request also states that the reassessment is expected to be completed within the next six (6) months. However, it has previously been discussed with staff and reported in the newspaper that the Museum is considering alternative locations for the Museum. To date the Museum has raised \$20,200,000, including the \$9 million Dekelboun Foundation pledge and \$4 million County 2002 Parks Bond Issue funds which is slightly less than the fund raising total reported with Amendment No. 4. (FDO Admin) Countywide/ District 2 (HJF)

5. REGULAR AGENDA

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

**A)** the First Amendment to the Agreement for Purchase and Sale (R2007-1589) with Indiantown-Jupiter Venture, a Florida general partnership, and Walter J. Hatcher & Joyce B. Hatcher and assigns (Seller), allowing for assignment by Palm Beach County (the County) to other governmental or quasi-governmental agencies and an escrow agreement between Walter J. Hatcher and Joyce B. Hatcher and assigns and the County as described below; and

**B)** the execution of the Hatcher Escrow Agreement between Walter J. Hatcher and Joyce B. Hatcher and assigns and the County withholding a portion of the Seller's closing proceeds to ensure the proper removal and disposal of debris and solid waste on the 230.54 acre Indiantown Jupiter Venture and Walter J. and Joyce B. Hatcher property acquisition (the Property) approved by the Board on September 11, 2007 (R2007-1589); and

**C)** an Interlocal Agreement between the County and the Solid Waste Authority (SWA) to acquire, design, permit, and construct a water resource and environmental restoration project (the Project) within the Property.

**SUMMARY:** The First Amendment will allow for assignment by the County to other governmental or quasi-governmental agencies which will allow such agencies to form partnerships with the County to fund and complete the Project. The First Amendment will also allow for the Hatcher Escrow Agreement which will withhold a portion of the Seller's closing proceeds to ensure the proper removal and disposal of debris and solid waste that has been identified on the Property. The Interlocal Agreement sets forth framework for a partnership between the County and the SWA to enhance the Property through hydrologic and vegetative restoration of the existing natural communities, expansion of the onsite lake to increase water storage and flood protection for Jupiter Farms while improving downstream water quality, and restoration and rehydration of the historic headwaters of the Wild and Scenic Loxahatchee River. The Interlocal Agreement also assigns a 28% undivided interest, to the SWA, in the contract for purchase. The SWA will be responsible for contributing the \$5.5 million at closing on the Property and will harvest up to 2.2 million cubic yards of fill from the expanded "Proposed Water Resources" area of the Project. After construction, the County will provide long term management of the Project. The Interlocal Agreement will terminate once construction of the Project is completed and the SWA will then convey their interest in the Property back to the County. District 1 (JMB)

E. METROPOLITAN PLANNING ORGANIZATION

1. Staff requests Board direction: to continue the Lake Region Commuter Route (LRCR) Service for one (1) additional year at a cost of \$70,000, which would be contingent upon receipt of \$66,343.20 from Hendry County and a \$70,000 grant award from Florida Department of Transportation (FDOT). **SUMMARY:** In 2000, the Workforce Development Board (now the Workforce Alliance, Inc.) for Palm Beach County identified transportation as a barrier to jobs and education in the Lake Region of Palm Beach County and Hendry County. With the assistance of FDOT, a study was completed and funds were sought for a first rural regional commuter route between Belle Glade and Clewiston. FDOT provided demonstration funds which will be depleted this year. Commuter service was initiated October 2002, under a contract by Palm Tran with a private operator. Service is provided 16 ½ hours a day, 7 days a week, bi-hourly (6:30 a.m. to 10:30 p.m.). Ridership has increased yearly. Trips are expected to exceed 20,000 in CY 2007. Hendry County has committed \$66,343.20 and FDOT has committed \$70,000. The \$70,000 requested from Palm Beach County represents a total of \$206,343.20 for this project. District 6 (DR)

5. REGULAR AGENDA

F. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Second Amendment to the Interlocal Agreement with the City of West Palm Beach (R94-1859D; dated December 20, 1994), extending the date when mitigation fees would be remitted to the County from 2010 to 2025, and extending the date that the Agreement shall be in effect from 20 years to 31 years. **SUMMARY:** In 1994, the City of West Palm Beach and the County entered into an Agreement regarding the alignment, mitigation and construction of Roebuck Road. The First Amendment to the Agreement amended the alignment of Roebuck Road. The Second Amendment extends the date of the entire Agreement and allows the County until 2025 to collect the mitigation fees previously collected by the City of West Palm Beach. District 2 (MRE)

\* \* \* \* \*

6. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** appointment of the following individual to the Palm Beach County Citizens Advisory Committee on Health and Human Services for the terms indicated;

<b><u>Appointment</u></b>	<b><u>Category/Seat No.</u></b>	<b><u>Term</u></b>	<b><u>Nominated by:</u></b>
Nate Nichols	Health Services/Seat 2	12/04/07-9/30/10	Comm. Koons

**SUMMARY:** This appointment fills an open seat resulting from the resignation of Dr. Catherine Ford. 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 this appointment. The Board of County Commissioners was notified by memo dated October 5, 2007 and requested to provide nominations for appointment. Countywide (TKF)

B. **ADMINISTRATION**  
**(Workforce Alliance, Inc.)**

1. **Staff recommends motion to approve:** reappointment of five (5) board members to the Workforce Alliance, Inc. (Alliance) Board of Directors for the period February 1, 2008, through January 31, 2011 as follows:

Nominee/ Reappointment	Seat No.	Term	Area of Representation	Position/Employer	Nominated By
George T. Elmore	18	2/1/08 To 1/31/11	BU	President Hardrives, Inc.	Economic Council
Randy K. Johnson, Sr.	20	2/1/08 To 1/31/11	BU	CEO Communications by Johnson, Inc.	Greater Delray Beach Chamber of Commerce
Kenneth Kirby	27	2/1/08 To 1/31/11	BU	President TransDermal Technologies, Inc.	Business Development Board
Troy McLellan	23	2/1/08 To 1/31/11	ED	President & CEO Greater Boca Raton Chamber of Commerce	Greater Boca Raton Chamber of Commerce
Leo E. Noble	26	2/1/08 To 1/31/11	BU	Economic Council of Palm Beach County	Economic Council of Palm Beach County

**SUMMARY:** The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. The Alliance Board of Directors is comprised of a minimum of thirty-five (35) members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, one-stop partners and may include such other individuals or representatives of entities as the Chief Elected Official may determine to be appropriate. Countywide (TKF)

6. BOARD APPOINTMENTS

B. ADMINISTRATION (Cont'd)  
(Treasure Coast Regional Planning Council)

2. Staff recommends motion to:

A) **reappoint** the following members to the Treasure Coast Regional Planning Council for a term beginning on December 4, 2007 through December 3, 2008:

**Regular appointments:**

<b><u>Nominees</u></b>	<b><u>Seat No.</u></b>	<b><u>Requirement</u></b>
Commissioner Karen Marcus	1	Palm Beach County Official
Commissioner Jeff Koons	2	Palm Beach County Official
Commissioner Addie L. Greene	3	Palm Beach County Official

**Alternate appointments:**

Commissioner Mary McCarty	1A	Palm Beach County Official
Commissioner Robert J. Kanjian	2A	Palm Beach County Official
Commissioner Jess R. Santamaria	3A	Palm Beach County Official; <b>and</b>

B) **ratify** the following members from the Palm County League of Cities to the Treasure Coast Regional Planning Council:

**Regular appointments:**

<b><u>Nominees</u></b>	<b><u>Seat No.</u></b>	<b><u>Requirement</u></b>
Mayor Pro Tem Joni Brinkman	4	Palm Beach County Official
Mayor Samuel J. Ferreri	5	Palm Beach County Official
Mayor Karen J. Golonka	6	Palm Beach County Official
Councilmember Dr. Carmine Priore	7	Palm Beach County Official
Mayor Maurice J. Jacobson	8	Palm Beach County Official

**Alternate appointments:**

Councilman Fred Pinto	4A	Palm Beach County Official
Vice Mayor Retha Lowe	5A	Palm Beach County Official
Vice Mayor John M. Workman	6A	Palm Beach County Official
Vacant	7A	Palm Beach County Official
Councilmember Robert Gottlieb	8A	Palm Beach County Official

**SUMMARY:** In accordance with the Treasure Coast Regional Planning Council (TCRPC) Rules of Order, the Board of County Commissioners (BCC) is requested to appoint their members and alternates for the coming year before the Council's Annual meeting on December 14, 2007. Currently, the County's regular members are Commissioners Marcus, Koons and Greene, and the alternates are Commissioners McCarty, Kanjian and Santamaria. The BCC was also asked to ratify the Palm Beach County League of Cities members that were appointed at the League's annual meeting on November 28, 2007. Countywide (RPB)

C. COMMISSION DISTRICT APPOINTMENTS

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DECEMBER 4, 2007

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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**DECEMBER 4, 2007**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**DECEMBER 4, 2007**

**9. COMMISSIONER COMMENTS**

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

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

**C. District 3 - COMMISSIONER ROBERT J. KANJIAN**

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

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

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

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

**10. ADJOURNMENT**

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

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**DECEMBER 4, 2007**

<u>PAGE</u>	<u>ITEM</u>	
		<b><u>NOTE:</u></b> The Board of County Commissioners will sit as the Solid Waste Authority at 9:30a.m. prior to the regular BCC meeting to approve an Interlocal Agreement regarding the Hatcher Property.
7	3A-3	<b><u>DELETED:</u></b> Staff recommends motion to approve:  A) expenditure in the amount of \$36,000 in the Capital Outlay Fund Neighborhood Street Lighting Program to assist in the installation and 20 years maintenance of six (6) "cobra head" street lights within the Lake Worth West Countywide Community Revitalization Team (CCRT) area; ...(Further staff review) (Community Revitalization)
7	3A-4	<b><u>DELETED:</u></b> Staff recommends motion to approve: the revised program guidelines for the Neighborhood Street Lighting Program (NSLP). (Further staff review) (Community Revitalization)
10	3C-10	<b><u>REVISED SUMMARY:</u></b> This Amendment will allow additional time for construction and reimbursement of funds with regard to the previously approved Advance/Reimbursement Agreement. The current Advance/Reimbursement Agreement allows FDOT to reimburse the County for the costs of design, construction, and construction administration associated with the ITS Operations Facility in the newly constructed County building located at the Vista Center. <u>FDOT shall reimburse the County for costs up to \$6,709,318.</u> (Engineering)
22	3CC-1	<b><u>DELETED:</u></b> Staff recommends motion to:  A) adopt a Resolution authorizing the County Administrator, or his designee, to enter into agreements with interim Associate Medical Examiners in order to assure the continuity of medical examiner coverage during physician staff shortages and/or disasters and rescinding Resolution No. 2001-0118; and... (Further staff review) (Medical Examiner)
24	5A-2	<b><u>REVISED SUMMARY:</u></b> The new Criminal Justice Information Systems (CJIS) Criminal and Traffic System has been operational for a year.... Also, the Chief Judge <u>expressed that the \$2 fee should not be controlled by the County, and legal action could be initiated.</u> <del>strongly expresses that the \$2 fee should be controlled by her Office, not the County, and legal action could be initiated to claim such rights.</del> While the Board may wish to consider the use of residual funds in the \$2 Court Related Information Technology Capital Improvement Fund to pay for two-thirds of the study cost (\$62,595), the JIS Policy Board did not endorse this option. (Change requested by Chief Judge) (Admin)
24	5A-3	<b><u>DELETED:</u></b> Staff recommends motion to receive and file: the Compliance Report on the Fire Rescue Level of Service Standard from the Level of Service Committee. (Moved to December 18, 2007) (Admin)

- 25            5A-5            **DELETED: Staff requests Board direction:** regarding the Agreement for Purchase and Sale with WMJB Marine, Inc. (R2006-0425; dated February 28, 2006) for the purchase of a Working Waterfront Preservation Easement and Declaration of Restrictive Covenants for \$14.0 million over 8.2 acres of the property known as Palm Beach Yacht Center (PBYC). Options include negotiating the extension of the Agreement to burden the balance of the property (1.5 acres) at no additional cost or directing the County Attorney's Office to take whatever actions necessary to void the Agreement. (Moved to December 18, 2007) (Admin)
- 30            5F-1            **DELETED: Staff recommends motion to approve:** Second Amendment to the Interlocal Agreement with the City of West Palm Beach (R94-1859D; dated December 20, 1994), extending the date when mitigation fees would be remitted to the County from 2010 to 2025, and extending the date that the Agreement shall be in effect from 20 years to 31 years. (Further staff review) (Engineering)
- 30            5G-1            **ADD-ON: 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 City of Lake Worth; providing for effectiveness; providing for opt-out procedures; providing for opt-out procedures for tax year 2008; providing for opt-out notice between April 30, 2008, and June 30, 2008; 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 (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 dispatch services to the City of Lake Worth (City) through an Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services (R2005-1563). The City now desires to abolish its fire-rescue department and opt into the MSTU as a method to receive and pay for fire-rescue services from the County. The Department is currently in negotiations with the City to enter into a service agreement. However, if no action is taken by the City and the BCC prior to December 31, 2007 to include the City in the MSTU they could not be included in the MSTU until October 2009. The proposed ordinance amends the existing boundaries of the Fire Rescue MSTU to include properties within the municipal boundaries of the City. If the County decides not to move forward with the provision of fire rescue services to the City, the Board has the option to repeal this ordinance prior to April 30, 2008. Countywide (SB)
- 32            6B-2            **REVISED TITLE: Staff recommends motion to:**
- B) ratify** the following members from the Palm County League of Cities to the Treasure Coast Regional Planning Council:
- Alternate appointments:**
- |  |    |                            |
|--|----|----------------------------|
| Councilman Fred Pinto                        | 4A | Palm Beach County Official |
| Vice Mayor Retha Lowe                        | 5A | Palm Beach County Official |
| Vice Mayor John M. Workman                   | 6A | Palm Beach County Official |
| <u>Mayor David Lodwick</u> <del>Vacant</del> | 7A | Palm Beach County Official |
| Councilmember Robert Gottlieb                | 8A | Palm Beach County Official |
- 35            9G            **ADD-ON:** Proclamation declaring December 1, 2007 as "World AIDS Day" in Palm Beach County.

**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 (\*).