

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

**DECEMBER 18, 2007**

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

**COMMISSION  
CHAMBERS**

**1. CALL TO ORDER**

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance
- D. Special Presentations
  - 1. Holiday Song by the Early Head Start/Head Start Children
  - 2. Certificate of Appreciation for Paul Milelli

**2. AGENDA APPROVAL**

- A. Additions, Deletions, Substitutions
- B. Adoption

**3. CONSENT AGENDA (Pages 7 – 39)**

**4. PUBLIC HEARINGS - 9:30 A.M. (Pages 40 – 42)**

**5. REGULAR AGENDA (Pages 43 - 46)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** the allocation of \$2,250,000 by the Office of Community Revitalization/Countywide Community Revitalization Team (CCRT) for Fiscal Year 2007-2008 for the implementation of the following projects and initiatives:
  - A) Roan Lane/Elmwood Estates – funding toward paving and drainage improvements on Sun Court (\$235,214) - District 1;
  - B) Eastview Park – funding toward paving and drainage improvements on Navarre Road (\$157,500) - District 2;
  - C) Westgate - funding toward the Drainage/Sanitary Sewer/Flood Mitigation Project (\$400,000) - District 2;
  - D) Village of Palm Springs – one third of contribution toward the construction costs for a vacuum sewer system (\$304,163) - District 3;
  - E) Herndon Park/Coconut Road - funding toward the construction of paving and drainage improvements on Sylvan Lane (\$68,123) - District 3;
  - F) Canal Point – funding toward the development of a Sanitary Sewer System (\$300,000) - District 6;
  - G) All Districts - Neighborhood Partnership Grant (NPG) Program (\$125,000);
  - H) All Districts - Neighborhood Home Beautification Program (NHBP) (\$80,000);
  - I) All Districts - Residents Education to Action Program (REAP) (\$30,000);
  - J) All Districts – Neighborhood Street Lighting Program (\$500,000); and
  - K) All Districts - Putting Kids First (\$50,000).

**SUMMARY:** The above projects were reviewed and recommended for funding by the CCRT Committee on November 13, 2007. Details are provided under Attachment 1 to the Agenda Item. Countywide (AH)

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

- A) termination of (R2007-1248) Agreement with Ilene Long, an individual representing Old Trail Community Group, which provided for a Resident’s Education to Action Program grant in the amount of Two-Thousand Five Hundred Dollars (\$2,500), for the implementation of a street sign topper project; and
- B) an Agreement with Ilene Long, an individual representing Old Trail Community Group, in an amount not-to-exceed Two Thousand Five Hundred Dollars (\$2,500) to install an informational bulletin board at Old Trail Park.

**SUMMARY:** On August 21, 2007, the Board of County Commissioners approved an Agreement (R2007-1248) with Ilene Long, an individual representing Old Trail Community Group, in an amount not-to-exceed Two Thousand Five Hundred Dollars (\$2,500), to install neighborhood street sign toppers. After further review by the Engineering Department, it was determined the street sign toppers project could not be implemented as proposed. Since the street sign toppers project could not be implemented, Ilene Long submitted a new project to the Office of Community Revitalization (OCR) for approval. The new project consists of the installation of an informational bulletin board at Old Trail Park, which is now being presented to the Board for approval. District 2 (AH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **Staff recommends motion to approve:** an Agreement with Federal Gardens Neighborhood Association (FGNA) in an amount not-to-exceed Two Thousand Dollars (\$2,000) for neighborhood identification signs and landscaping for the 2005-2006 Resident Education to Action Program (REAP). **SUMMARY:** The County entered into a grant agreement (R2006-0939) with Federal Gardens Neighborhood Association (FGNA) on June 6, 2006 to receive a REAP grant in the amount of Two Thousand Dollars (\$2,000). The agreement was later amended on December 5, 2006 (R2006-2564) by extending the termination date to June 5, 2007. The REAP grant expired on June 5, 2007, and FGNA has not completed the project due to improvements on 13th Street by the City of Riviera Beach, where the project will take place. FGNA requested that the County enter into another grant agreement so FGNA can complete the project as originally approved by the Board of County Commissioners. District 7 (AH)

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>
Budget Workshop	July 11, 2007
Workshop	July 24, 2007
Zoning	August 23, 2007
Zoning (Cont'd)	August 27, 2007
Comprehensive Plan	August 27, 2007
Regular	October 2, 2007
Regular	October 16, 2007
Special	November 13, 2007

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

C. ENGINEERING & PUBLIC WORKS

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

**A)** a Budget Transfer of \$8,000 in the Transportation Improvement Fund from Reserve for District 4 to Woolbright Road and Military Trail Illuminated Street Name Signs – District 4; and

**B)** a Budget Transfer of \$8,000 in the Transportation Improvement Fund from Reserve for District 5 to Woolbright Road and Military Trail Illuminated Street Name Signs – District 5.

**SUMMARY:** Districts 4 & 5 Transportation Improvement Fund will pay for four requested illuminated street name signs at the intersection of Woolbright Road and Military Trail. Districts 4 & 5 (MRE)



3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. DELETED

4. DELETED

5. **Staff recommends motion to approve:** the First Amendment to Resolution 2007-0459, a Research Agreement with the University of Florida (UF) to provide software services to develop additional features for enhancing the recently developed Traffic Crash Data Entry, Query, Reporting, and Mapping System approved on April 10, 2007. **SUMMARY:** This Research Agreement provides for the development of additional features for enhancing the recently developed Traffic Crash Data Entry, Query, Reporting, and Mapping System. One of the software development tasks involves close coordination with Palm Beach County Sheriff's Office (PBSO) to access their scanned crash reports. It also involves close coordination with the County Information Systems Services Department (ISS). This coordination requires more time than previously envisioned. This Amendment will extend the date for completion of the work from December 31, 2007 to December 31, 2008. Except for the time extension, all terms and conditions of the Agreement remain in full force and effect. Countywide (MRE)

6. **Staff recommends motion to approve:** a Subordination of Utility Interests from Comcast Cable Communications (Comcast) releasing their interests to Palm Beach County (County) in a parcel of land located on the east side of Jog Road approximately one half mile north of Yamato Road. **SUMMARY:** This action will approve a Subordination of Utility Interests which releases the interests of Comcast in a parcel of land required for a right turn lane on Jog Road approximately one half mile north of Yamato Road. This Subordination of Utility Interests requires the County to pay for any future relocation costs of the utility facilities when and if requested by the County. District 4 (PFK)

7. **Staff recommends motion to approve:** a Subordination of Utility Interests from Comcast-Boca Raton (Comcast) releasing their interests to Palm Beach County (County) in a parcel of land located on the east side of Hagen Ranch Road at Cascades Isles Boulevard. **SUMMARY:** This action will approve a Subordination of Utility Interests which releases the interests of Comcast in a parcel of land required for a right turn lane on Hagen Ranch Road. This Subordination of Utility Interests requires the County to pay for any future relocation costs of the utility facilities when and if requested by the County. District 5 (PFK)

8. **Staff recommends motion to approve:** the release of three (3) Removal Agreements permitting the placement of signs and a fence on the premises designated as 1181 U.S. Highway No. 1, as recorded in Official Record Book, 2346, Page 1490; Official Record Book 3673, Page 0895; and Official Record Book 3949, Page 0884, Public Records of Palm Beach County, Florida. **SUMMARY:** This action will authorize the release of three (3) Removal Agreements for signs and a fence located on the owner's property on the west side of U.S. Highway No. 1. The signs and fence, which were permitted by the Removal Agreements, have been removed. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to approve: a License Agreement with the School Board of Palm Beach County (School Board) for work associated with Lyons Road from Glades Road to Yamato Road. **SUMMARY:** This item will approve a License Agreement with the School Board to allow work to be done on Olympic Heights High School property in conjunction with the County's construction of Lyons Road. District 5 (PFK)
  
10. Staff recommends motion to adopt: a Resolution re-designating a parcel of Palm Beach County (County) owned land at the northeast corner of Indiantown Road and 120<sup>th</sup> Trail North as County right-of-way. **SUMMARY:** This action will allow the Property and Real Estate Management Division (PREM) to satisfy a condition of zoning approval for Fire Station No. 14 (R2007-1433), by which the County is required to re-designate a parcel of County-owned land as right-of-way. The parcel consists of 319 square feet at the northeast corner of Indiantown Road and 120<sup>th</sup> Trail North. District 1 (PFK)
  
11. **DELETED**
  
12. Staff recommends motion to:
  - A) **accept** a Warranty Deed for Parcel 1A on Seminole Pratt Whitney Road; and
  - B) **approve** payment of a counter-offer in the amount of \$300,000 for Parcel 1A.

**SUMMARY:** This action will accept a Warranty Deed for a parcel of land needed for a retention pond and approve a counter-offer in the amount of \$300,000 for the purchase of the parcel of land, known as Parcel 1A. This parcel is required for the construction of Seminole Pratt Whitney Road from Orange Boulevard to south of Northlake Boulevard. District 6 (PFK)
  
13. **DELETED**
  
14. **DELETED**
  
15. Staff recommends motion to adopt: a Resolution authorizing the transfer of the Florida East Coast Railway (FEC) License Agreement from the City of Boynton Beach (City) to Palm Beach County (County) for S.E. 23<sup>rd</sup> Avenue also known as Golf Road, DOT No. 272485-X, Milepost 313+848 and recognizing the Resolution for transfer from the City. **SUMMARY:** S.E. 23<sup>rd</sup> Avenue is a County maintained roadway for which the City currently holds the License Agreement. The City wishes to transfer the FEC License Agreement for S.E. 23<sup>rd</sup> Avenue to the County. The City has passed a Resolution authorizing the transfer of the License Agreement to the County. The City does not maintain S.E. 23<sup>rd</sup> Avenue and in the interest of uniformity the County should assume responsibility of the FEC railway crossing. Although there is no immediate fiscal impact, the County will eventually be required to fund the reconstruction and/or relocation of the railway crossing. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$60,000, in the personal injury case of Miriam Simms, et al. v. Palm Beach County, et al., Case No. 50CA2005004745XXXMB. **SUMMARY:** This is a personal injury case arising from an incident on a Palm Tran bus on October 7, 2003. The plaintiff sustained back injuries while a passenger aboard the bus. Countywide (PGE)
2. **Staff recommends motion to approve:** Amendment No. 1 to the Agreement (R2007-0019) with the law firm of Nabors, Giblin & Nickerson, P.A., to provide bond counsel and related legal services for the not-to-exceed \$35.1 Million Public Improvement Revenue Bonds, Series 2008, (the "Bonds"). **SUMMARY:** The law firm was selected as bond counsel by the Board at the November 20, 2007 meeting. This Amendment No. 1 confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the law firm. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. Countywide (PFK)
3. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$2,582,647.82 Palm Beach County, Florida, Public Improvement Revenue Refunding Bonds, Series 2007A and \$5,180,948.82 Taxable Public Improvement Revenue Refunding Bonds, Series 2007B (Biomedical Research Park Project), (the "Bonds"), as authorized by Resolution R2007-2053 adopted on November 6, 2007. **SUMMARY:** The closing occurred November 14, 2007. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 2 to the Agreement with Adopt-A-Family of the Palm Beaches, Inc. (R2006-2715) to extend the contract period to June 30, 2008. **SUMMARY:** On December 19, 2006, the Board of County Commissioners approved a contract with Adopt-A-Family of the Palm Beaches, Inc. for the construction of six (6) – three (3) bedroom affordable housing rental townhomes to be made available to homeless families. The original contract ending date was June 30, 2007. On June 19, 2007, the contract was amended (R2007-0928) to extend the end date to December 31, 2007. However, zoning and permitting issues continue to delay construction and prevent commencement of this project. Therefore, another amendment is needed to extend the contract ending date. Funds have been received from the state and full expenditure of funds is anticipated by June 30, 2008. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** six (6) amendments to the Ryan White Part A HIV Health Support Services Contracts (Formula) for the period March 1, 2007, through February 29, 2008 as follows:

**A)** Amendment No. 2 to contract (R2007-0740) with Compass, Inc. to increase funding by \$10,000, for a total not-to-exceed amount of \$93,768 for mental health services;

**B)** Amendment No. 1 to contract (R2007-0744) with Gratitude House to increase funding by \$7,000, for a total not-to-exceed amount of \$37,325 for outpatient substance abuse services;

**C)** Amendment No. 1 to contract (R2007-0748) with Oakwood Center of the Palm Beaches to decrease funding for mental health counseling by \$29,292; and increase funding by \$29,292 for a total not-to-exceed amount of \$58,787 for residential substance abuse services;

**D)** Amendment No. 1 to contract (R2007-0747) with Minority Development and Empowerment, Inc. to decrease funding by \$17,000, for a total not-to-exceed amount of \$122,272 for outreach services;

**E)** Amendment No. 1 to contract (R2007-0750) with Treasure Coast Health Council to increase funding by \$15,000, for a total not-to-exceed amount of \$340,403 for specialty medical services; and

**F)** Amendment No. 3 to contract (R2007-0741) with Comprehensive AIDS Program, Inc. to decrease funding by \$15,000, for a total not-to-exceed amount of \$12,872 for specialty medical services.

**SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and dollars unlikely to be spent by the end of the contract period are reallocated to best meet the need of the affected clients. These amendments reflect staff recommendations for reallocations of dollars. The net result of these contract increase/decrease in \$0. Countywide (TKF)

3. **Staff recommends motion to approve:** two (2) amendments to the Ryan White Part A HIV Health Support Services Contracts (Supplemental) for the period March 1, 2007, through February 29, 2008 as follows:

**A)** Amendment No. 2 to contract (R2007-1407) with Comprehensive AIDS Program, Inc. to increase funding by \$60,000, for a total not-to-exceed amount of \$663,590 for Medical Case Management services; and

**B)** Amendment No. 1 to contract (R2007-1408) with Comprehensive Community Care Network to decrease funding by \$30,000, for a total not-to-exceed amount of \$16,705 for food services; and to decrease funding by \$30,000, for a total not-to-exceed amount of \$39,167 for direct emergency services.

**SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and dollars unlikely to be spent by the end of the contract period are reallocated to best meet the need of the affected clients. These amendments reflect staff recommendations for reallocations of dollars. The net result of the contract increases/decreases is \$0. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve:

A) Utility Easement Agreement with Florida Power & Light for utility service to the new administration building for the Department of Airports at the Palm Beach International Airport; and

B) Utility Easement Agreement with Florida Power & Light for utility service to the expanded long-term parking garage at the Palm Beach International Airport.

**SUMMARY:** Florida Power & Light (FPL) is requiring the County to grant two utility easements for electric utility facilities being installed to provide utility service to the new administration building for the Department of Airports and expanded long-term parking garage at the Palm Beach International Airport (PBIA). Countywide (JB)

2. Staff recommends motion to approve: an Agreement to purchase the following property at a total cost of \$ 85,000. Said property is located West of Runway 9L at Palm Beach International Airport (PBIA):

Debbie Combs	
4773 Amelia Street	
West Palm Beach, FL 33415	Parcel W – 90
Sales Price	\$85,000.00
Replacement Housing	\$ N/A

**SUMMARY:** The above property is being acquired in accordance with Palm Beach International Airport’s approved Part 150 Noise Compatibility Study, which recommended the acquisition of property. Countywide (AH)

3. Staff recommends motion to approve: First Amendment to the Development Site Lease Agreement (R-2006-0337) with Hyperion Farms, LLC, extending the deadline for completion of construction improvements for an additional six (6) months to August 28, 2008. **SUMMARY:** The Development Site Lease Agreement (Lease) with Hyperion Farms provides for the construction of a hangar and associated improvements at the North County General Aviation Airport. Hyperion Farms has requested an extension to the deadline for completion of construction of the hangar to August 28, 2008, to provide Hyperion Farms with additional time to complete the permitting process. Countywide (JB)

4. Staff recommends motion to approve: a License Agreement with One Point, Inc., for a monthly license fee of \$2,474 for the short term use of 1.05 acres of vacant property located at the southwest corner of the Palm Beach International Airport along Lindy Lane. **SUMMARY:** The Agreement is on a month-to-month basis. One Point, Inc. will be required to pay a monthly license fee to the County in the amount of \$2,474, and provide a security deposit. One Point, Inc. will be responsible for maintaining adequate insurance coverage and maintenance of the property. Countywide (JMB)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: the Sixth Amendment to the Terminal Building Lease Agreement (R2003-0355) with the General Services Administration (GSA), an Executive Agency of the United States of America, authorizing the GSA to use certain common use tenant areas and providing for a reduction in leased premises. **SUMMARY:** This Amendment authorizes the GSA to use certain common use areas within the Palm Beach International Airport Terminal building, including a common bathroom and break room area, on a nonexclusive basis. In exchange for use of the common areas, the GSA will pay an annual fee of approximately \$22,835. The annual fee will be adjusted each October 1<sup>st</sup> concurrent with adjustment of airline rates and charges. This Amendment also provides for a reduction in the GSA's leasehold premises by approximately 135 square feet, which will result in a reduction of rental by approximately \$8,937. Countywide (JMB)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

**A)** Budget Amendment of \$102,814,897 in the \$98.08 Million Public Improvement Revenue Bonds (Biomedical Research Park Project), Series 2007C Capital Project Fund to record bond proceeds, premium on bonds, capital project accounts, costs of issuance and the transfer to the \$16 Million Bond Anticipation Notes (BANS) 2006 Scripps/Briger Land Acquisition Fund for the payment of principal and interest on the BANS; and

**B)** Budget Amendment of \$17,069,579 in the \$16 Million Bond Anticipation Notes 2006 Scripps/Briger Land Acquisition Fund to record budget transfer from the \$98.08 Million Public Improvement Revenue Bonds (Biomedical Research Park Project), Series 2007C Capital Project Fund for the payment of principal and interest on the BANS.

**SUMMARY:** On December 4, 2007, the County sold the \$98.08 Million Public Improvement Revenue Bonds (Biomedical Research Park Project), Series 2007C. The 2007C Bonds close on December 19, 2007. The budget amendments set up the sale of the Series 2007C Bonds and the payment of principal and interest on the 2006 BANS. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

**A)** JOC Work Order No. 08-003 with Paragon Construction Unlimited (R2007-0946), in the amount of \$385,378.43 to provide a new splash pad playground next to the existing Boundless Playground area in John Prince Park; and

**B)** Budget Transfer of \$300,000 in the Park Improvement Fund from John Prince Park Campground Phase 2 to John Prince Park Improvements Phase 4.

**SUMMARY:** The work consists of the construction of a 48' x 68' concrete oval splash pad playground with a 47' x 60' shade structure, including plumbing and built-in play products. The SBE goals are 15%. The SBE participation in this Work Order is 100%. When the participation for this Work Order is added to Paragon's total participation-to-date, the resulting values are 100%. The total construction duration is 120 days. This work will comply with all applicable local, state, and federal codes and regulations. There is currently \$300,000 available in the Park Improvement Fund for the John Prince Park Campground Phase 2 infrastructure improvements project; however, adequate funding is not presently available to complete this phase. This Budget Transfer will allow for the construction of an interactive splash pad at the Boundless Playground, which is also located in John Prince Park. (FD&O Admin) Countywide/District 3 (JM)

2. Staff recommends motion to approve: an Agreement for Art Services with Barbara Grygutis Sculpture, LLC. in the amount of \$611,500 for the creation, fabrication and installation of "Wave" at the Palm Beach County Convention Center. **SUMMARY:** On February 27, 2007, the BCC approved allocation of \$625,000 for a signature public art lighting project for the exterior of the Convention Center in order to establish a striking presence by day and night, and to enhance the Convention Center's visibility as a gateway feature to Palm Beach County. This project's budget is funded with \$375,000 from the public art designation of the 2002 Recreational and Cultural Facilities Bond Issue, combined with \$250,000 from the Convention Center Capital Project budget. The goals for the Convention Center public art project are: 1) feature technologies that are made of, generate, or use light as the primary medium; 2) strong visual presence by night and day; 3) artistic complexity at 45 mph; 4) iconic branding image for Palm Beach County; and 5) durability with minimal maintenance requirements. "Wave" was chose by the Public Art Committee (which included representatives from the Convention Center and the City of West Palm Beach for the purposes of selection) at the conclusion of a call to artist selection process and with the benefit of public workshop and comment. The duration of the contract is 353 days. (FDO Admin) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

**A)** a License Agreement with the PBC Credit Union for the installation and operation of Automated Teller Machines (ATMs) for the Office of the Tax Collector in the South County Courthouse;

**B)** a License Agreement with the PBC Credit Union for the installation and operation of Automated Teller Machines (ATMs) for the Office of the Tax Collector in the Governmental Center;

**C)** a License Agreement with the PBC Credit Union for the installation and operation of Automated Teller Machines (ATMs) for the Office of the Tax Collector in the Midwestern Service Center; and

**D)** a License Agreement with the PBC Credit Union for the installation and operation of Automated Teller Machines (ATMs) for the Office of the Tax Collector in the North County Courthouse.

**SUMMARY:** The Tax Collector has agreed to allow the Credit Union to install, operate and maintain ATMs at four separate Tax Collector branch locations across the County through a Letter of Agreement for the convenience of people doing business with that office and to facilitate payment. The Tax Collector's Agreement with the Credit Union allows the Credit Union to keep 50% of the \$1 fee assessed to non-Credit Union members (there is no fee to Credit Union members). The remainder of the fee will be remitted to the Tax Collector. The County is entering into these License Agreements to implement the Tax Collector's Agreement. The Credit Union shall purchase, install, maintain and repair the ATMs. The County will only supply the electricity required to operate the ATMs and provide access to telephone lines. The ATMs will be installed in the locations approved by the Department of Facilities Development and Operations and shall be available for use during normal business hours only. There is no license fee associated with this license. These License Agreements shall extend until May 31, 2008, and may be renewed for five (5) additional - one (1) year terms upon agreement by both parties. The authority to approve such renewals is delegated to the County Administrator. (FDO Admin) Districts 1, 6 & 7 (JB)

4. Staff recommends motion to approve: an Agreement with Medics Emergency Services of Palm Beach County, Inc. (Medics) allowing for interoperable communications through the countywide and EMS common groups of the County's 800 MHz Radio System. **SUMMARY:** This Agreement provides the conditions under which Medics can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by Medics. The terms of the Agreement are standard and have been offered to all EMS providers. This Agreement also contains state approved standard operating procedures specific to the use of the EMS common talk groups. There are no charges associated with this Agreement. Medics' is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the Agreement is for three (3) years with three (3) - three (3) year renewals or as long as Medics possesses a valid certificate of need within Palm Beach County; whichever comes first. The Agreement may be terminated by either party, with or without cause. (FDO Admin) Countywide (JM)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Change Order No. 22 to the Contract with The Weitz Company, Inc. (R2003-1542) in the amount of \$597.20 and a time extension of 25 days for South County Regional Park Phase III. **SUMMARY:** Change Order No. 22 is for reimbursement to the Contractor for fees paid to acquire temporary hydrant water meters for irrigation of the entrance road, parking lots, and amphitheater building landscaping. The 25 day extension is intended to remedy delays due to lack of irrigation water. Change Order No. 22 must be approved by the Board of County Commissioners because this Change Order, when combined with previous approvals, would exceed the combined authority of the Contract Review Committee (CRC) and Department Director for time extensions. There is no SBE participation for this Change Order. The SBE goal for this project is 15% overall. When combined with previous Change Orders, the participation to date is 19.6%. (Capital Improvements Division) District 5 (JM)

6. Staff recommends motion to approve:

**A)** Change Order No. 19 to the Contract with Hedrick Brothers Construction Co., Inc. (R2003-0419) decreasing the Guaranteed Maximum Price (GMP) for the Historic Courthouse Restoration by \$868,981.71 and returning the funds to the owner's contingency;

**B)** a Budget Transfer of \$870,000 in the \$94.3M NAV Public Improvement Fund from the Old Courthouse Renovation project budget to the Vista Operations & Support Center and Vista Office project budgets;

**C)** a Budget Transfer of \$860,000 in the \$27M Sunshine No. 7A 05 Fund from the Old Courthouse Renovation project budget to the South County Courthouse Renovation project budget; and

**D)** a Budget Transfer of \$150,000 in the Public Building Improvement Fund from reserves to increase the Hurricane Wilma repair budget line.

**SUMMARY:** On March 11, 2003, the Board entered into a contract with Hedrick Brothers for construction management services for the 1916 Courthouse restoration. Amendment No. 1 established a GMP of \$2,810,608 for demolition of the 1970 wrap around structure. Amendment No. 3 established a GMP of \$18,965,019 for the restoration contract. Change Order No. 19 details the variance in the original schedule of values leaving a balance which can be removed from the restoration GMP (contractor contingency). The M/WBE goal for this project is 15% overall, with 5% Black participation. Including this Change Order, the participation to date is 16.5%, with 3.1% Black. The \$868,981.71 deduct from the contractor's contingency along with a sweep of \$861,018.29 from the owner's contingency comprise the total of \$1,730,000 being reallocated to other public building improvement projects. This is the third re-allocation of funds budgeted between the four projects in the public building improvement program which was funded from bonds, sunshine loans and impact fees. The re-allocations allow for variations resulting from the estimates of cost to actual bid prices, unforeseen conditions, sales tax recovery savings, value engineering, and permit/fee schedule changes during the life of the various projects. The \$150,000 Budget Transfer increases the Hurricane Wilma line to allow for FEMA approved mitigation work to be performed as part of the South County Courthouse Expansion - Phase 4 work. The cost of this work will be reimbursed by FEMA. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve:

**A)** an Assignment of Interest in Developer's Agreement with Habitat for Humanity of Palm Beach County, Inc.; and

**B)** an Assignment of Interest in Agreement for Water Service with Habitat for Humanity of Palm Beach County, Inc.

**SUMMARY:** The County recently conveyed 6.64 acres of land located just south of Indiantown Road, commonly referred to as Kennedy Estates, to Habitat for Humanity for development of 27 zero lot line single family homes. The County installed infrastructure improvements to support this development, including water and sewer service. In connection therewith, the County entered into Developer Agreement P#541 with the Loxahatchee River Environmental Control District (R2003-0042) for sewer service to the property, and an Agreement for water service with the Town of Jupiter (R2003-0276). The County needs to assign the water and sewer service agreements to Habitat in order for Habitat to develop the property as required by its Agreement with the County (R2007-1726). (PREM) District 1 (TKF)

8. Staff recommends motion to approve: a Modification of Restrictive Covenant for the relocation of the water management tract and the re-designation of the littoral planting areas within the 9-Hole expansion area of the Trump International Golf Course located on Gun Club Road in West Palm Beach. **SUMMARY:** The County approved a Lease Agreement with Trump International Golf Club II., L.C. (Trump International) on July 23, 2002 (R2002-1231) for the development of nine (9) additional holes on 62 acres of the County's Section 6 property. Under the ULDC, the development of the additional nine (9) holes required a water management tract with a designated planted littoral area within the retention ponds. On February 15, 2005 (R2005-0325), the Board approved a Restrictive Covenant identifying and providing for the planting and maintenance of the littoral area. Subsequent to the recording of the Restrictive Covenant, Environmental Resources Management (ERM) approved the relocation of the water management tract and the littoral zone. A modification of the Restrictive Covenant is required to re-designate the littoral planting areas. The water management tract is 2.04 acres and the modified littoral zone is 1.68 acres. The County is signing the Modification of Restrictive Covenant as the property owner. (PREM) District 3 (HJF)

9. Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County Water Utilities Department for a force main connection and water main distribution system serving the new Mid-County Senior Center. **SUMMARY:** The County constructed the Mid-County Senior Center on a portion of a 12-acre parcel located at 3680 Lake Worth Road, between South Congress Avenue and South Military Trail. As part of the development of this site, the County installed a force main connection along the south side of Lake Worth Road and a water main distribution system which runs easterly through the center of the property. The force main connection easement is 10' x 10' and contains 100 square feet. The water main easement is 944.10' long and 20' wide and contains 18,468 square feet. The Declaration will be recorded to provide notice of the existence and location of the easements. (PREM) District 3 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. **Staff recommends motion to approve:** Amendment No. 1 to the Contract with Stephen L. Boruff, AIA, Architects & Planners, Inc. (R2006-0073) for architectural services for Fire Rescue projects on a continuing contract basis. **SUMMARY:** Stephen L. Boruff, AIA, Architects & Planners, Inc. is under contract to provide professional architectural services for Fire Rescue projects generally with a construction value up to \$3,500,000. The contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. This Amendment would provide for services during the first renewal period. Stephen L. Boruff, AIA, Architects & Planners, Inc. has an SBE participation goal of 15%. During the first year of the Contract, Stephen L. Boruff, AIA, Architects & Planners, Inc. has achieved 88.9% participation. (Capital Improvements Division) Countywide (JM)
  
11. **Staff recommends motion to approve:** Change Order No. 4 to the Contract with The Weitz Company, Inc. (R2006-2423) in the amount of \$528,960 for the Judicial Center Parking Garage project. **SUMMARY:** Change Order No. 4 is to replace the original garage access control equipment with a contemporary system that will more serve the needs of the users and reduce maintenance and operating costs. The original system was "sized" for the current garage and it will not be able to handle the increased demand generated by the additional two levels of parking. The replacement state-of-the-art system will assist in decreasing the congestion during peak entry and exit times and will accept the Counties standard Employee ID/Access-card. The cashier booths will be eliminated in order to expedite the entry and exit process and be replaced with public "pay-on-foot" stations to pay and obtain an exit pass. Automatic electronic parking garage "full" signs will be added in order to notify users when the garage is unavailable for more parking. The SBE goal for this project is 15%. This Change Order includes 19.63% participation. When combined with the previous work done under this contract, the SBE participation is 12.6%. (Capital Improvements Division) Countywide (JM)
  
12. **Staff recommends motion to approve:** a Concessionaire Service Agreement with Dania Pier Management, Inc., for operation of the pier concession and bait shop located in Juno Beach Park. **SUMMARY:** The Parks and Recreation Department desires to continue to provide services for the pier and bait and tackle shop at Juno Beach Park through a concession operation. The current vendor, Dania Pier Management, Inc., operates under a Contract for Concessionaire Services issued through the County's Purchasing Department which expires December 31, 2007. In September 2007, PREM advertised a Request for Proposals for the operation of the Juno Beach Park Fishing Pier Concession. Proposals were received from two respondents, Dania Pier Management and Juno Pier Management. A Selection Committee consisting of two (2) representatives from the Parks and Recreation Department and one (1) from the Property and Real Estate Management Division selected Dania Pier Management, Inc., as the most responsive and recommends Dania Pier Management for the award. Dania Pier Management shall provide services consisting of the operation of a bait and tackle shop, rental of fishing tackle and related equipment, operation of a snack bar with the sale of non-alcoholic beverages and sundry items, and the collection of pier admission fees. The initial term of this Concessionaire Service Agreement is for three (3) years, ending December 31, 2010, with three (3) options to renew each for one (1) year. The annual rent is \$45,000 to be paid in equal monthly installments of \$3,750, with annual four percent (4%) increases. The County will be responsible for paying the State 6% of the gross revenue generated by Dania Pier Management at the pier, pursuant to the terms of the Submerged Lands Lease with the State. The principals of Dania Pier Management, Inc., Thomas Zannucci and Donald V. Streeter, have executed personal guarantees of the Concessionaire Service Agreement. (PREM) District 1 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to approve:

**A)** an Agreement for Purchase and Sale (Agreement) with the City of South Bay to acquire a 3.04 acre parcel of unimproved land located on the east side of U.S. Highway 27 (State Road 25), north of NW 4<sup>th</sup> Street in South Bay for \$60,000; and

**B)** a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement.

**SUMMARY:** On December 20, 2005, the Board adopted an Ordinance (R2005-064) amending the boundaries of the Fire Rescue MSTU (Municipal Service Taxing Unit) to include the City of South Bay and other cities. Under the expanded Fire Rescue MSTU boundaries, the County's Fire Rescue Department has been providing fire rescue services to the City of South Bay (City) since October 2006. The City's existing fire station, located at 335 SW 2<sup>nd</sup> Avenue, is serving as a temporary facility, as it only has one (1) apparatus bay, insufficient living quarters, and does not have storm protection or emergency power. The County is currently leasing the existing fire rescue facility from the City for the annual rent of \$1 (R2006-1917). A new fire station is needed that meets current County standards. Staff has performed initial due diligence, including a Phase I Environmental Site Assessment and title work, and no problems were discovered. This Agreement contains a forty-five (45) day inspection period to complete necessary due diligence. In the event any problems are discovered, the County has the option to terminate the Agreement. Although an appraisal was obtained which valued the property at \$530,000, the City has agreed to sell the subject parcel for \$60,000, which is the amount required to release the property from a mortgage loan from the State. The County will be responsible for title insurance and closing costs estimated at \$640. Closing is expected to occur within sixty (60) days of Board approval. (PREM) District 6 (JMB)

14. Staff recommends motion to approve:

**A)** a Sidewalk Easement in favor of the City of West Palm Beach (City), for public access over the sidewalks at the Judicial Center Parking Garage in West Palm Beach; and

**B)** a Utility Easement in favor of the City of West Palm Beach, for underground water and sewer lines at the Judicial Center Parking Garage in West Palm Beach.

**SUMMARY:** The County is expanding the Judicial Center Parking Garage (Parking Garage), located at 505 Banyan Boulevard in the City of West Palm Beach. As part of the approval process, the City requires a Utility Easement for installation of underground water and sewer lines and aboveground fire hydrants. Additionally, the City has requested a Sidewalk Easement to provide public access to and from the public streets and roadways. Both easement areas run along portions of Rosemary Avenue and Third Street, on the west and north perimeter of the Parking Garage. The Sidewalk Easement area varies in width from approximately 5 to 8 feet and runs a length of 950 linear feet and contains a total of 6,367 square feet (0.15 acre). The Utility Easement area varies in width from 10 to 14 feet and runs a length of 700 linear feet for a total of 10,458 square feet (0.24 acre). Both Easements are non-exclusive and are being granted to the City at no charge as they will serve the County facility. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 3 to the Contract with Hellmuth, Obata & Kassabaum, Inc. (HOK) (R2007-0033) in the amount of \$3,826,764 for the Jail Expansion Program. **SUMMARY:** CSA No. 3 will provide for the balance of architectural & engineering design services for West County Detention Center, construction administration for the West County Detention Center early site work and out buildings, and design and construction administration for the Central Video Visitation and early site work at the Stockade. A future Authorization will provide for the balance of construction administration services for West County, and the balance of design and construction administration for Stockade and Main Detention Facility. STH Architectural Group is the local architect working in conjunction with HOK. The SBE goal for this project is 15%. CSA No. 3 includes 20.4% participation. When combined with the previous work done under this contract, the SBE participation is 19.6%. (Capital Improvements Division) Countywide (JM)

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

**A)** Budget Transfer of \$9,029,903 within the \$30.5M GO 2003 Library Improvement Bond Fund from Improvement Program Reserves and remaining balances in various projects to the North County Branch Library project to fund the \$8,929,903 in construction cost; and

**B)** Amendment No. 15 to the Contract with Catalfumo Construction Ltd. (R2003-1543) in the amount of \$8,929,903 for construction management services for the North County Branch Library establishing a Guaranteed Maximum Price (GMP) for construction of an 16,000 sq. ft. addition and renovation of the existing 24,000 sq. ft. library.

**SUMMARY:** Amendment No. 15 is for the North County Branch Library and establishes a GMP of \$8,929,903 and 365 calendar days to complete the building construction and site work. A GMP is being approved at this time based on 50% design documents in order to secure a \$500,000 State of Florida grant. Despite the GMP being executed now, work cannot begin until the design phase is completed, permits are issued and site plan and building plans are approved by Palm Beach Gardens. Since the off-site work is not included in this GMP, 50% of the overall design effort remains, and final City approvals have yet to be secured; it is likely that a GMP supplement, possibly of \$1M, will be recommended at a later date. Funds for this GMP as well as the future GMP supplement are available in the project budget. The GMP includes the cost of work and the construction manager's fee associated with the work and a contingency. The contract utilizes the Sales Tax Exemption Program. The SBE goal for the contract is 15% and this project participation is 15%. (Capital Improvements Division) District 1 (JM)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** an Agreement with the City of Greenacres for the construction of a playground and an open recreational area, in the amount of \$74,626 in Community Development Block Grant (CDBG) funds for the period of October 20, 2007, through September 30, 2008. **SUMMARY:** This Agreement provides funding for playground/recreational area improvements in Ira Van Bullock Park in the City of Greenacres. The work includes a playground, playground equipment, open play area, gazebo, picnic tables, fencing, trash receptacles, water fountains, lighting, and landscaping. **This Agreement will provide \$74,626 in Federal CDBG funds which do not require local matching funds.** District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2007-1725) with Habitat for Humanity of Palm Beach County, Inc., to change the closing date from November 1, 2007, to November 26, 2007, for the conveyance of the property known as Kennedy Estates. **SUMMARY:** The Agreement with Habitat for Humanity of Palm Beach County, Inc., established that the closing for this conveyance would occur no later than November 1, 2007. Due to the time required by the parties for extensive document preparation before the closing, the closing date had to be changed. The closing occurred on November 26, 2007. This Amendment is intended to correct the record and reflect the actual date of the closing. **These are Federal funds that require no local match.** District 1 (TKF)
3. Staff recommends motion to approve: a Consent and Release Agreement with Azalea Place Apartments, LTD., consenting to the transfer of Azalea Place Apartments from Azalea Place Apartments, LTD. to SP Azalea Place LP. **SUMMARY:** The County made a loan to Azalea Place Apartments, LTD., in the amount of \$208,050 on May 24, 2001. The property is being transferred and new financing sought. The County's loan position will remain unchanged. District 7 (TKF)

K. WATER UTILITIES

1. Staff recommends motion to approve: Consultant Services Authorization No. 68 to the Contract with Mathews Consulting, Inc. (R2005-0777) for development of a five (5) year financial plan in the amount of \$131,098 including arrangements for potential interim financing. **SUMMARY:** Consultant Services Authorization No. 68 with Mathews Consulting, Inc. provides for the development of a five (5) year financial plan by the firm's subconsultant, Environmental Financial Group. The work will result in a coordinated program to reduce operating expenses and prioritize capital expenditures in response to slower growth, limited cash balances, and rapidly escalating commodity prices. The work will also review revenue projections, made more difficult due to continuing water use restrictions, and determine whether interim financing or other revenue enhancements are necessary until permanent financing can be obtained in 2012. The contract with Mathews Consulting, Inc. includes the Small Business Enterprises (SBE) participation goal of 55%, which exceeds the 15% goal established by Palm Beach County Ordinance (No. 2002-064). This Consultant Services Authorization includes 9.09% overall participation. The consultant's cumulative SBE participation, including this Authorization is 53.00% overall. (WUD Project No. 08-012) Systemwide (MJ)
2. Staff recommends motion to approve: a First Amendment to the Agreement with Lion Country Safari for the operation and maintenance of wastewater treatment facilities. **SUMMARY:** On December 5, 2006 (R06-2674), the County and Lion Country Safari, Inc. (LCS) entered into an agreement (Agreement) for the operation and maintenance of LCS' small wastewater treatment facility. The Agreement is scheduled to expire December 4, 2007; however, LCS has the option to extend the Agreement for one (1) additional year if LCS commits, in writing and prior to December 5, 2007, to connect to the County's wastewater collection system. LCS has fulfilled the requirements to extend the Agreement. The Water Utilities Department requests Board approval in order to amend the Agreement and extend the expiration date through December 5, 2008, with an upward adjustment of 10% for all charges. Capital improvements required at the facilities are not included in this Agreement and either party may cancel the Agreement with a 90-day written notice. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve: Joint Funding Agreement No. 46000001139, in the amount of \$1.5 million, with the South Florida Water Management District (SFWMD) for design, permitting, and construction of the Lake Region Water Treatment Plant (LRWTP). **SUMMARY:** Palm Beach County (PBC) was awarded \$1.5 million in FY 2008 under the State Community Budget Issue Request (CBIR) Program. Under the CBIR Program, the funds will be provided through the Florida Department of Environmental Protection (FDEP) and disbursed and administered by the SFWMD, subject to applicable State Statutes. As provided for in these Statutes, PBC is required to provide a 50-percent funding match of \$1.5 million. The County's match will be achieved through approved funding commitments to the project. No additional County funding will be committed under this Agreement. The total cost of the LRWTP is approximately \$58 million. The project is being managed and primarily funded by PBC Water Utilities Department (PBCWUD). The funds received under this Agreement will be used to reduce the net cost of the LRWTP to the Cities of Belle Glade, Pahokee and South Bay (Lake Region Communities). The table of Tasks and Deliverables of the Agreement in accordance with Exhibit "B" is attached hereto and made a part of this Agreement. (WUD Project No. 03-169) District 6 (MJ)
  
4. Staff recommends motion to approve: the 2007-2008 South Florida Water Management District (SFWMD) Alternate Water Supply Funding Program Agreement No. 4600001159 for construction of the Cypress Lakes Reclaimed Water Transmission Mains in the amount of \$222,600. **SUMMARY:** On September 13, 2007, the SFWMD Governing Board authorized \$222,600 in Alternative Water Supply cost-sharing funds to be applied to construction of the Cypress Lakes Reclaimed Water Transmission Mains project. Under this Agreement, the County will complete construction of reclaimed water mains by August 1, 2008. SFWMD will provide the County with a \$222,600 grant to fund forty percent (40%) of these construction costs. These critical project components will enable the community of Cypress lakes to eliminate their dependence on water from the regional system for irrigation water supply. (WUD Project No. 06-173) District 5 (MJ)
  
5. Staff recommends motion to approve: Second Amendment to the Palm Beach County/Beeline Community Development District Water and Wastewater Utility Acquisition, Service, and Service Area Agreement. **SUMMARY:** On February 15, 2005, the County entered into an agreement (R2005-0366) with the Beeline Community Development District (District) to acquire the District's exclusive utility service area, utility system assets (exclusive of the District's potable water and wastewater plants which will be decommissioned), customer base, and service area. The agreement established a closing date of September 30, 2006, to allow for the construction of off-site pipelines. Pipeline construction delays resulting from a court-ordered stay of the Florida Department of Environmental Protection permit required an Amendment to the agreement that extended the closing date to September 30, 2007 (R2007-0041). The District is now requesting that the closing date be further extended until December 31, 2007, and has agreed to pay for the daily pipeline maintenance costs from November 15, 2007, until the closing date. The District's payment of \$425,000 for the replacement of a District water line, as set forth in the Interlocal Agreement between the County and the District dated September 11, 2007 (R2007-1538), is required by the effective date of this Amendment. In addition, the Amendment identifies certain lift stations that will be abandoned and therefore not be transferred to the County. The District's commitment to pay \$3,800,000 for its pro-rata share of off-site pipeline installation costs and standard service initiation fees of \$1,727,290.50 have not changed and are due at closing. District 1 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. Staff recommends motion to approve: the 2007-2008 South Florida Water Management District (SFWMD) Alternate Water Supply Funding Program Agreement No. 4600001192 for construction of the Aberdeen and Greystone Reclaimed Water Transmission Mains in the amount of \$ 649,400. **SUMMARY:** On September 13, 2007, the SFWMD Governing Board authorized \$649,400 in Alternative Water Supply cost-sharing funds to be applied to construction of the Aberdeen and Greystone Reclaimed Water Transmission Mains project. Under this Agreement, the County will complete construction of reclaimed water mains by August 1, 2008. SFWMD will provide the County with a \$649,400 grant to fund forty percent (40%) of these construction costs. These critical project components will enable the communities of Aberdeen, Ponte Vecchio, Greystone and Palm Isles West to eliminate their dependence on water from the regional system for irrigation water supply. (WUD Project No. 06-183) District 5 (MJ)
  
7. Staff recommends motion to approve: Work Authorization No. 9 to the Water Utilities Department Continuing Construction Contract with Foster-Marine Contractors, Inc. (R2006-2732) for construction of the City of Pahokee Water Main Replacement Project in the amount of \$445,337.03. **SUMMARY:** This Work Authorization provides for construction of replacement water mains and service lines in the City of Pahokee. Funding for the project is from two (2) Community Development Block Grants (CDBG) made available through the Department of Housing and Community Development (HCD), and approved by the Board of County Commissioners on July 13, 2004 (R2004-1612) and July 11, 2006 (R2006-1333). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with Foster-Marine, Inc. provides for SBE participation of 14.98% overall. This Authorization includes 15.35% overall participation. The cumulative SBE participation, including this Authorization, is 15.19% overall. (WUD Project No. 07-108) District 6 (MJ)
  
8. Staff recommends motion to approve: Change Order No. 4 to the Contract with John J. Kirlin Construction, Inc. (R2006-2470) for the Northern Region Pump Station increasing the contract price by \$69,667.65 and increasing the contract time by 37 days. **SUMMARY:** Change Order No. 4 authorizes the Contractor to perform additional work consisting of items 1 through 3 outlined in the description of work for the Northern Region Pump Station Project. Total change orders to date, excluding \$1,445,412.56 sales tax recovery program change order, equals \$171,609.60 (2.20% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This Change Order includes zero SBE participation. The contract with John J. Kirlin Construction, Inc. provides for SBE participation of 15.09%. The cumulative SBE participation, including this Change Order, is 15.09% overall. (WUD Project No. 06-050) District 6 (JM)



3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

9. Staff recommends motion to receive and file: two (2) Standard Development Agreements and one (1) Standard Development Renewal Agreement complete with executed documents received during the month of October 2007:

Standard Development Agreement

- A) Magdalene Carney Baha'i Institute, Inc. 01-01201-000  
B) Village of Royal Palm Beach 13-01020-000

Standard Development Renewal Agreement

- C) Sojo, LLC 01-01096-R01

**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:

**A) approve** a two (2) year Tri-Party Memorandum of Understanding (MOU) with the Wildlife Foundation of Florida, Inc. (WFF), a Florida nonprofit corporation, and the Florida Fish and Wildlife Conservation Commission (FWC) for installing mooring buoys within two (2) locations along the nearshore in 15'- 25' of water; and

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

**SUMMARY:** The execution of this MOU will provide the necessary funds for the installation of up to ten (10) mooring buoys at two (2) locations, specifically six (6) buoys at the mitigation reef area offshore of Radnor Park and four (4) buoys offshore of the Breaker's Hotel. The WFF will cover the costs associated with installation and the initial two-year maintenance of these buoys. During this time, the County and the FWC will provide in-kind contributions for the permitting and oversight during buoy installation and monitoring. These buoys will create opportunities for boaters to moor their vessels and preclude the use of bottom anchors that have been responsible for causing significant reef damage. The MOU expires September 30, 2009. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to adopt: a Resolution authorizing the County Administrator or his designee to execute standard form interlocal agreements with law enforcement agencies for the provisions of law enforcement services in the County's waterways. **SUMMARY:** The Manatee Protection Plan (MPP) approved by the Board on August 21, 2007 (R2007-1420) is intended to serve as a resource and planning tool for agencies involved in manatee conservation issues and to provide guidance for review of permits for proposed boat facilities. The MPP commits the County to annually provide \$200,000 of funding for additional on-water law enforcement in the County's waterways. In order to provide an adequate level of law enforcement, the County will contract with various law enforcement agencies with jurisdiction in the County's waters. Approval of a standard form interlocal agreement for law enforcement services will expedite contract execution and streamline the process. The Agreement sets the rate for services at \$80 per hour, including equipment and supervision, and the total amount payable, both of which are adjusted annually. The enforcement activities will take place on weekends during manatee season (November 15 through March 31). The Resolution also authorizes the County Administrator or his designee to sign extensions and minor amendments to the Interlocal Agreements. Manatee season begins annually on November 15 and ends on March 31 of the following year. Countywide (SF)

3. Staff recommends motion to approve:

**A)** Amendment No. 2 to Grant Agreement No. 07PB2 (R2007-0988) with the Florida Department of Environmental Protection (FDEP) for additional cost-sharing in the amount of \$842,119 for a total of up to \$2,220,968 for the Emergency Dune Restoration;

**B)** Budget Amendment of \$842,119 in the Beach Improvement Fund to recognize the Amendment revenue in the Emergency Beach Response Program; and

**C)** Budget Transfer of \$1,237,170 within the Beach Improvement Fund from Reserves to the Emergency Beach Response Program.

**SUMMARY:** Nearly all of the sand placed on the beach in response to Sub-Tropical Storm Andrea was eroded following an early October Nor'easter and Tropical Storm Noel. DEP has authorized additional cost sharing to restore the sand lost from the dunes at Singer Island and South Palm Beach. The Grant Agreement and Budget Transfer provides funding from the FDEP (\$842,119) and Reserves for Beach Improvements (\$1,237,170) for a total of \$2,079,289 added to the Emergency Beach Response Program for the purchase, delivery and placement of over 125,000 tons of sand. The County's match for this Amendment is 50% of the project costs at South Palm Beach, or \$173,306, and 61.4% of the project costs at Singer Island, or \$1,063,864. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve:

**A)** Amendment No. 2 to the State of Florida Agreement No. LP6046 with the Florida Department of Environmental Protection (FDEP) (R2006-0583) to extend the Agreement twelve (12) months to June 30, 2010 and to increase reimbursement from \$3,000,000 to \$6,500,000 which includes an additional six (6) construction projects under the Lake Worth Lagoon Partnership Grant Program;

**B)** Budget Amendment of \$3,500,000 in the Lake Worth Lagoon Partnership Fund; and

**C)** Budget Transfer of \$134,617 in the General Fund to increase the charge off amount for Grant Administration within Maritime Resources.

**SUMMARY:** The FDEP Agreement will reimburse \$3,500,000 of these costs and requires a \$3,500,000 cost share through a combination of match and in-kind funds. The FDEP Agreement will reimburse \$1,080,383 for the Westgate Belvedere Homes CRA (North Westgate Infrastructure Improvements Project – Phase 5 & 6); \$20,000 for the Riviera Beach Maritime Academy (Kelsey Park Reef); \$600,000 for Palm Beach County Environmental Resources Management (South Cove); \$300,000 for Palm Beach County Environmental Resources Management (Ibis Restoration); \$265,000 for Palm Beach County Environmental Resources Management (John's Island Oyster Reef); \$750,000 for the City of Boynton Beach (SE Federal Highway Corridor Stormwater Improvements); \$350,000 for Lake Worth Lagoon monitoring, and \$134,617 for Grant Administration. This Agreement is part of the State Legislature's disbursement of funds for restoring and protecting surface waters of the State. The funds are being allocated and managed under the Lake Worth Lagoon Partnership Grant Program. The budget documents will establish funding. The County acts as the pass through agency for the Westgate/Belvedere Homes CRA, City of Boynton Beach and Riviera Beach Maritime Academy. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

**A) approve** a Grant Contract (Contract) with Florida Communities Trust (FCT) that specifies the State standards for acquisition which the County must meet in order to receive Florida Forever Revenue Bond proceeds, partially covering acquisition expenses for the Cypress Creek Natural Area Phase III property for an amount that is the lesser of 50% of the total approved project costs or \$6,600,000; and

**B) authorize** the County Administrator, or his designee, to execute all documents in connection with this Grant on behalf of the County, including but not limited to the Grant reconciliation statement, statements submitted as a part of the Project Plan, any addenda to this Contract, as well as the Grant Award Agreement (Agreement) and Grant Award Calculation (Calculation), provided that such documents do not change the scope of work or terms and conditions of the Contract.

**SUMMARY:** The purchase of the Cypress Creek Natural Area Phase III property (R2006-2140) from RV Holding Co., Inc., was part of the County's Conservation Lands Acquisition Program. The Cypress Creek Natural Area Phase III was used as unique identifier for the property included in this FCT Grant application. Approval of this Contract is the first step necessary for State participation in cost sharing under the State's Florida Forever Grant Program. The Contract requires the County to have followed standards for acquisition that are generally the same as those adhered to by the County for all of its conservation land acquisitions; to submit to an audit; and to develop a Project Plan, including a Management Plan that will outline facility development, public use and both natural and historic resources management for the Project Site. The Contract also requires the County to manage the Natural Area solely for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation. Approval of the Project Plan by FCT is required before funds will be disbursed. The deadline for execution of the Grant Contract is January 3, 2008 as stipulated by FCT. If the Project Plan is approved within the time allotted by the Contract, the County will be asked to execute a Grant Award Agreement (Agreement) and a Grant Award Calculation (Calculation). The Agreement will contain those terms and conditions of the Contract still applicable and the Calculation will detail the final approved acquisition costs and the share of those costs paid by the County and State, respectively. Due to the standard nature of Contract requirements and short turn-around allotted for Agreement and Calculation processing, authorization is requested for the County Administrator or his designee to execute all future documents in association with this grant. District 1 (JB)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Wellington Community High School, in an amount not-to-exceed \$1,000 for wrestling team tournament expenses. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to approve: Agreement with The Juvenile Transition Center, Inc. for the period December 18, 2007, through July 1, 2008, in an amount not-to-exceed \$6,250 for funding of the ESTEEM Program college tour trip. **SUMMARY:** This funding is to help offset costs for a college tour trip for participants in the ESTEEM (Encouraging Students Through Education, Employment, Mentoring) Program sponsored by The Juvenile Transition Center, Inc. Approximately 25 youth will participate in the trip. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to October 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
  
3. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Cypress Trails Elementary School, in an amount not-to-exceed \$8,150 for funding the Health/Fitness/Family Community School Program. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
  
4. Staff recommends motion to:
  - A) receive and file** fully executed Florida Inland Navigation District (FIND) Waterways Assistance Program Grant Agreement for Dick Moroso Waterway Park Development for the period November 1, 2007, through September 1, 2009;
  
  - B) approve** Budget Amendment of \$987,000 within the Park Improvement Fund to establish budget for the approved grant; and
  
  - C) approve** Budget Transfer of \$987,000 within the Park Impact Fees Zone 1 from Moroso Park to Reserves.

**SUMMARY:** On May 1, 2007, the Board authorized submission of a Waterways Assistance Program grant application for improvements associated with the redevelopment of Dick Moroso Waterway Park (R2007-0698). The Board also authorized the County Administrator or his designee to execute the funding Agreement (FIND No. PB-07-126) and other grant forms related to this project if the grant was approved. This grant was approved by FIND, and the Project Agreement has been fully executed and is now being submitted to the Board to receive and file. The \$3,217,321 Dick Moroso Waterway Park project is located on the Intracoastal Waterway in the City of Riviera Beach, and includes 72 car/boat trailer parking spaces, 20 car parking spaces, three boat launching ramp lanes with four (4) - 59 foot long floating boarding docks, and 290 linear feet of staging docks within a boat launching basin. The project also includes a restroom building, viewing pavilion, site lighting, landscaping and related infrastructure. This grant funding of \$987,000 will replace a portion of the project budget established from Zone 1 Park Impact Fees. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to:

**A) receive and file** a fully executed Florida Fish and Wildlife Conservation Commission Florida Boating Improvement Program Grant Agreement for Dick Moroso Waterway Park Development for the period November 9, 2007, through June 15, 2029;

**B) approve** Budget Amendment of \$500,000 within the Park Improvement Fund to establish budget for the approved grant; and

**C) approve** Budget Transfer of \$500,000 within the \$50M GO '05 Waterfront Access Bond from Moroso Park to Reserves.

**SUMMARY:** On April 10, 2007, the Board adopted a Resolution (R2007-0555) authorizing the Director of Parks and Recreation, as Project Manager, to apply for a Florida Fish and Wildlife Conservation Commission (FFWCC) Florida Boating Improvement Program (FBIP) grant for improvements associated with the development of Dick Moroso Waterway Park. The Board also authorized the County Administrator or his designee to execute the grant application on behalf of Palm Beach County and other grant forms related to this project if the grant was approved. This grant was approved by the FFWCC, and the Grant Agreement has been fully executed and is now being submitted to the Board to receive and file. This grant funding of \$500,000 will replace a portion of the project established from the Waterfront Access bond. This grant funding of \$987,000 will replace a portion of the project budget established from Zone 1 Park Impact Fees. District 7 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

**A)** an Interlocal Agreement in the amount of \$400,000 with the City of West Palm Beach as a partner to implement the Youth Violence Prevention Project in the targeted area; and

**B)** a Budget Transfer of \$100,000 from Criminal Justice Reserves to increase budget for the West Palm Beach Youth Empowerment Center.

**SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of West Palm Beach, are beginning their second year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. Belle Glade is projected to begin in January 2008. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of West Palm Beach has committed \$699,304 to this project for FY 2008. It is intended that the funding for this project be maintained for three (3) years. The Youth Empowerment Centers in West Palm Beach are located at the Northwood Center, 729 Pinewood Avenue, located directly across from the DeGeorges Boys and Girls Club and a just recently added second Center in Gaines Park located at 1501 North Australian Avenue. These Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. Together the Centers serve 346 youth regularly. Additionally, the formation of a Northwood Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to approve:

A) an Interlocal Agreement in the amount of \$456,118 with the City of Riviera Beach as a partner to implement the Youth Violence Prevention Project in the targeted area; and

B) a Budget Transfer of \$156,118 from Criminal Justice Reserves and the Youth Violence Prevention Project to increase budget for the Riviera Beach Youth Empowerment Center.

**SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Riviera Beach, are beginning their second year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. Belle Glade is projected to begin in January 2008. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Riviera Beach has committed \$257,302 to this project for FY 2008. It is intended that the funding for this project be maintained for three (3) years. The Youth Empowerment Centers in Riviera Beach are located at 1550 W. 28<sup>th</sup> Street (Lindsey Davis Center) and 1617 Silver Beach Road (Hurst Chapel). The Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. The Center serves 50 youth regularly. Additionally, the formation of a Riviera Beach Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. The Justice Service Center is also located in the heart of the targeted area primarily serving ex-offenders with driver's license and civil rights reinstatement and educational and employment services. District 7 (DW)

3. Staff recommends motion to approve: an Interlocal Agreement in the amount of \$300,000 with the City of Boynton Beach as a partner to implement the Youth Violence Prevention Project in the targeted area. **SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Boynton Beach, are beginning their second year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. Belle Glade is projected to begin in January 2008. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Boynton Beach has committed \$500,000 to this project for FY 2008. It is intended that the funding for this project be maintained for three (3) years. The Youth Empowerment Center in Boynton Beach is presently located at the Hester Center, 1901 North Seacrest Boulevard and is projected to relocate to the new Carolyn Sims Center at 311 NW 12<sup>th</sup> Avenue beginning January 1, 2008. Services will continue during the transition period. These Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. The Center serves 221 youth regularly. Additionally, the formation of a Boynton Beach Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

4. Staff recommends motion to approve:

**A)** an Interlocal Agreement in the amount of \$343,882 with the City of Lake Worth as a partner to implement the Youth Violence Prevention Project in the targeted area; and

**B)** a Budget Transfer of \$43,882 from Criminal Justice Reserves to increase budget for the Lake Worth Youth Empowerment Center.

**SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Lake Worth, are beginning their second year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. Belle Glade is projected to begin in January 2008. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Lake Worth has committed \$122,500 to this project for FY 2008. It is intended that the funding for this project be maintained for three (3) years. The Youth Empowerment Centers in Lake Worth are located at the Osborne Community Center, 1699 Wingfield Street and the Norman Whimbley Gymnasium, located at 1515 Wingfield Street located in the heart of the targeted area. Lake Worth has expanded to include the gymnasium for recruitment and recreational activities for the Center. These Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. Together the Centers serve 287 youth regularly. Additionally, the formation of a Lake Worth Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. District 7 (DW)

5. Staff recommends motion to approve:

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

**B)** a Budget Transfer of \$300,000 to establish a budget for the Belle Glade Youth Violence Prevention Project.

**SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Belle Glade, is beginning their first year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Belle Glade has committed \$78,235 to this project for FY 2008. It is intended that the funding for this project be maintained for three (3) years. The Youth Empowerment Center in Belle Glade will be located in the City's Wellness Center which is known as the Lake Shore Civic Center located at 1224 SW Avenue E Place, located in the heart of the targeted area. This Youth Empowerment Center incorporates teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. Additionally, the formation of a Belle Glade Youth Empowerment Center Teen Council will help define the needs and wants of the teens in the community. District 6 (DW)



3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: three (3) original standard agreements for the Fire Rescue Department:

**A)** Independent Contractor Agreement for Swimming Lessons with the Young Men's Christian Association of the Palm Beaches, Inc.;

**B)** Independent Contractor Agreement for Swimming Lessons with Young Men's Christian Association of South Palm Beach County, Inc.; and

**C)** Interlocal Agreement for Swimming Lessons with the City of Delray Beach.

**SUMMARY:** Pursuant to Countywide PPM CW-O-051, three (3) standard County Agreements that have been executed by the County Administrator, or his designee (the Fire Rescue Administrator) are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. These Agreements provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Countywide (SB)

2. Staff recommends motion to receive and file: a License Agreement with the Town of Jupiter relating to Fire Rescue training and structure burn which was revised to extend the training period. **SUMMARY:** Pursuant to Countywide PPM CW-O-051, one (1) standard County Agreement that has been executed by the County Administrator, or his designee (the Fire Rescue Administrator) is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. This Agreement provided for fire-rescue training exercises on a particular parcel of property for the period September 1, 2007 through and including November 10, 2007. On November 5, 2007, the Agreement was revised to extend the training period through December 5, 2007. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

**A) approve** acceptance of a Florida Department of Community Affairs Grant in the amount of \$13,020 for FY 2008 to provide technical assistance funds to help defer a variety of expenses related to the review and update of addresses within the Palm Beach County jurisdiction;

**B) authorize** the County Administrator, or his designee, to file and execute this Grant Agreement with Florida Department of Community Affairs;

**C) approve** execution of the official Registration Form for the Local Update of Census Addresses (LUCA) program; and

**D) approve** Budget Amendment of \$13,020 in the Information Systems Services fund to receive state grant funding.

**SUMMARY:** Palm Beach County has applied for and needs Board approval to accept a technical assistance grant in the amount of \$13,020 from the Florida Department of Community Affairs for the Florida Local Update of Census Addresses (LUCA). Work performed and provided to the Census Bureau under this Grant will help ensure an accurate 2010 Census count. An accurate count is necessary for receiving funding, planning and population information. Funds will be paid under the grant on a cost reimbursement basis. This effort is being coordinated with the ongoing Addressing Clean-up Project undertaken by Countywide GIS. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) receive and file** the executed Hazard Mitigation Grant Program contract (08HM-3G-10-60-01-042) with Florida Division of Emergency Management to conduct the engineering study on Westgate-Belvedere Community North Drainage Project from the period October 10, 2007, through March 15, 2008; and

**B) approve** a Budget Amendment of \$150,000 in the Capital Outlay Fund to establish project budget.

**SUMMARY:** Resolution R2006-0401 authorizes the County Administrator or his designee to execute certain agreements with the Florida Department of Community Affairs. This grant will fund the first phase of the drainage improvement of Westgate Belvedere North. Additional grant funding has been earmarked for the construction work on the drainage project after approval of the engineering study. Westgate CRA will provide the required \$37,500 match and Palm Beach County Engineering will oversee the project. No County match is required. District 2 (DW)

2. Staff recommends motion to:

**A) ratify** the Chairperson's signature on the acceptance of the Grant Award from Florida Department of Law Enforcement (FDLE) for critical infrastructure assessments and training in the amount of \$100,000 for the period of April 1, 2007, through January 31, 2008; and

**B) approve** a Budget Amendment of \$76,659 in the Emergency Management Fund to adjust the grant budget to actual.

**SUMMARY:** This FDLE grant of \$100,000 will be used to train law enforcement officers to conduct critical infrastructure assessments and pay certified officers and contractors to perform vulnerability assessments of facilities identified as high priority throughout the County. No County match is required. Countywide (DW)

3. Staff recommends motion to:

**A) adopt** a Resolution authorizing the County Administrator or his designee to sign and forward to the Florida Department of Health, Bureau of Emergency Medical Services, the FY 2008 annual EMS County Grant Application and County Distribution Agreement for \$482,313;

**B) authorize** the County Administrator or his designee to sign state budget transfer forms related to the grant;

**C) approve** a Budget Amendment of \$64,990 in EMS Grant Fund to adjust budget to actual grant award; and

**D) approve** a Budget Amendment of \$65,000 in Fire Rescue Fund to recognize EMS award.

**SUMMARY:** This is an annual grant provided to Palm Beach County from the State of Florida Department of Health, Bureau of Emergency Medical Services, to improve and expand the EMS system. The funds are distributed as reimbursement to the EMS providers and will also fund the Palm Beach County Medical Communications System. The EMS County Grant Award Program begins October 1, 2007 and concludes September 30, 2008. No County match is required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement (JPA) FM No. 41095918401 amending the original agreement by increasing the total amount to \$1,015,000 (a \$70,000 increase – State Funds); to provide additional funding for commuter bus service from Belle Glade to Clewiston and extending the grant through June 30, 2008; and

**B) approve** a Budget Amendment of \$70,000 in Palm Tran’s grant fund to reconcile the Fiscal Year 2008 budget to the new grant award.

**SUMMARY:** FDOT is providing a supplemental grant of \$70,000 (100% state funds, no match required) from the Public Transit Service Development Program to continue with year six (6) of the Commuter Bus Service from Belle Glade to Clewiston. FDOT has responded to the request the Metropolitan Planning Organization (MPO) made for additional funding to continue to provide this service during its sixth year of benefiting the Lake Region Community. The service is currently provided through a private contractor under the supervision of Palm Tran. District 6 (DR)

2. Staff recommends motion to:

**A) approve** the Federal FY 2008 Master Agreement and Certifications and Assurances to be used in connection with all federal assistance programs Federal Transit Administration (FTA) administers during Federal Fiscal Year 2008; and

**B) authorize** Palm Tran’s Executive Director and Assistant Executive Director, through the County Administrator, to execute and file the required certifications and assurances, on behalf of the Board of County Commissioners and to electronically transmit the Board’s approval.

**SUMMARY:** Selecting and submitting certifications and assurances to FTA, either through FTA's Transportation Electronic Award and Management (TEAM) system or submission of the signature page, signifies the County’s intent to comply with the requirements of those certifications and assurances to the extent they apply to a program for which the county submits an application for assistance in federal Fiscal Year 2008. FTA requires a current (Federal Fiscal Year 2008) attorney's affirmation of the Applicant's legal authority to certify compliance with the funding obligations in this document, the attorney's signature from a previous year is not acceptable.

Before FTA may award a federal grant or cooperative agreement, the applicant must provide to FTA all certifications and assurances pertaining to itself or its project as required by federal laws and regulations. Because FTA’s Certifications and Assurances do not encompass all federal requirements that will apply to the Applicant and its Projects, FTA strongly encourages the Applicant to review the federal authorizing legislation, regulations, and directives pertaining to the program or programs for which the Applicant seeks federal assistance identified in the FTA Master Agreement for federal FY 2008. Upon any award from FTA in FY 2008, Palm Beach County enters into this Grant Agreement with FTA. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. **Staff recommends motion to receive and file:** an extension of the Joint Participation Agreement (JPA) 236893-19401 assigned to Palm Beach County (R2006-2671) for the construction of the West Palm Beach Intermodal facility, and filing in the official records. **SUMMARY:** On December 5, 2006, when the JPA was assigned to Palm Beach County, the JPA was due to expire on June 30, 2007. Palm Tran requested and FDOT approved and extended this JPA until September 1, 2009. This extension needs Board approval to be received and filed in the official records. Countywide (DR)

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

**A)** a Budget Amendment of \$52,390 in the Palm Tran Grants Fund in order to reconcile the FY 2008 budget to the actual grant award from the Florida Department of Transportation Section 5311; and

**B)** a Budget Amendment of \$52,390 in the Palm Tran Operating Fund in order to reconcile to the transfer made from the Palm Tran Grants Fund.

**SUMMARY:** In 2004, Palm Beach County executed a resolution and a five (5) year agreement with the Florida Department of Transportation (FDOT) to provide operating funding for mass transit of Federal Transit Administration (FTA) Section 5311 funds passed through the State for the non-urbanized (rural) areas of Palm Beach County; and Authorizing the County Administrator or Palm Tran Director as the appropriate staff to sign the annual interim year Notification of Funding form, on behalf of the Board (R2004-1778). Palm Tran estimates every year the amount to be received from FDOT and allocates the required match on its budget. This year the actual allocation exceeded the award and since a local match is required, the budget needs to be amended and the change needs Board approval as directed by PPM CW-F-003. No additional County matching funds are required. Palm Beach County provides the local funding using the Local Option Gas Tax. Grant match included in the FY 2008 budget were for \$182,652, with the actual award being \$235,042. District 6 (DR)

5. **Staff recommends motion to adopt:** Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement (JPA) Number 1 - FM No. 41609619401 amending the scope of the original agreement. **SUMMARY:** The Board approved the original JPA in December 2004 (R2004-2521) to market transit services to new Palm Beach County residents. The contract to complete this project was awarded twice following County procedures, and twice the contractor did not return the signed contract. Palm Tran requested and FDOT approved a change in scope for this JPA to use the same funds to target elderly and low-income residents using service agencies in Palm Beach County; maintaining the same purpose as the original JPA, only targeting a different population. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

6. Staff recommends motion to:

**A) adopt** a Resolution approving a Florida Department of Transportation (FDOT) Joint Participation Agreement (JPA) FM No. 42317819401 in the amount of \$2,361,292 (100% State) for capital costs and implementation of I-95 HOV Express Bus from Stuart to West Palm Beach; and

**B) approve** a Budget Amendment of \$2,361,292 in the Palm Tran Grant Fund to reconcile the budget to account for this award.

**SUMMARY:** FDOT is expanding the High Occupancy Vehicle (HOV) lane to go through Palm Beach County to Indiantown Road. FDOT is funding all operating and capital costs associated with providing a limited stop/express mass transportation service from Stuart to the West Palm Beach Intermodal facility for a period of three (3) years. The main purpose will be to serve park and ride areas in Stuart and northern Palm Beach County while easily getting to the city by having the bus take advantage of the HOV lane. FDOT will provide funding on a separate JPA to cover the costs of conditioning park and ride sites to be served by the I-95 HOV Express Bus. Countywide (DR)

7. Staff recommends motion to approve:

**A)** a three (3) year Agreement with South Florida Regional Transportation Authority (SFRTA) to provide \$350,000 in funding for increased service on Palm Tran Route 94; and

**B)** a Budget Amendment of \$229,500 to recognize funds to be expended in FY 2008.

**SUMMARY:** The City of Boca Raton has approached Palm Tran and has requested increased services on Palm Tran Route 94. The Palm Tran Service Board has reviewed the proposed changes and has agreed that the changed services would enhance services and provide better transportation opportunities to the residences of Palm Beach County. The increased services would provide better and more frequent transportation services to the Florida Atlantic University (FAU), Palm Beach Community College (PBCC) and the Boca Raton Tri-Rail station. Funding for at least the first year of these additional services would be provided by SFRTA, funding and continuation of the additional services for years two (2) and three (3) would be dependant upon the City of Boca Raton providing funds to the SFRTA. SFRTA's Board approved the Agreement at their meeting on December 7, 2007. Countywide (DR)

BB. 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. District 3 (LSJ)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

**A) accept** a Bureau of Justice Assistance (BJA) Bulletproof Vest Partnership Grant in the amount of \$49,888 for the period of October 1, 2007, through September 30, 2008 for the purchase of Bulletproof Vests; and

**B) approve** a Budget Amendment of \$49,888 in the Sheriff's Grants Fund.

**SUMMARY:** The Bureau of Justice Assistance (BJA) has made available funds for the purchase of Bulletproof Vests for law enforcement personnel. The Palm Beach County Sheriff's Office was awarded the amount of \$49,888 for the purchase of approximately ninety-five (95) National Institute of Justice approved vests. The vests will be purchased between October 1, 2007, and September 30, 2008. The required match in the amount of \$49,888 is being provided by the Palm Beach County Sheriff's Office and is included in the Sheriff's approved FY 2008 Budget. No additional positions are needed and no additional County funds are required. Countywide (DW)

2. Staff recommends motion to:

**A) accept** the National Institute of Justice (NIJ) FY 2006 Forensic Casework DNA Backlog Reduction Program Grant K071 in the amount of \$103,115 for the period October 1, 2006, through September 30, 2008; and

**B) approve** a Budget Amendment of \$103,115 increasing the Sheriff's Grant Fund.

**SUMMARY:** The National Institute of Justice (NIJ) has awarded the Palm Beach County Sheriff's Office (PBSO) \$103,115 for the FY 2006 Forensic Casework Backlog Reduction Program; the original period for this grant was October 1, 2006, through September 30, 2007. On August 18, 2007, NIJ issued a Grant Adjustment Notice (GAN 3) releasing the funds and extending the grant period from September 30, 2007, through September 30, 2008. These funds will be used to continue funding the two (2) Forensic Scientists hired through the NIJ 2005 Casework Program. The Forensic Scientists will screen and conduct DNA analysis on Sexual Assaults and Homicides and aid in the quality control protocols in the DNA laboratory. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

3. Staff recommends motion to approve: a Budget Transfer of \$25,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statutes 932.7055 requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2008 estimated donation requirement will not be finalized until year-end close-out. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETf balance is \$811,878. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$786,878. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (DW)

<u>Organization</u>	<u>Amount</u>
The Arc of Palm Beach County Foundation, Inc.	\$25,000

\* \* \* \* \*

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

- A. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, 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:** On November 20, 2007, the Board of County Commissioners held preliminary reading of this ordinance and authorized advertising for public hearing. This Ordinance will add gender identity or expression as a protected class to the equal employment ordinance. Countywide (TKF)
- B. **Staff recommends motion to adopt:** 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:** On November 20, 2007, the Board of County Commissioners held preliminary reading of this ordinance and authorized advertising for public hearing. 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)
- C. **Staff recommends motion to adopt:** 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)
- D. **Staff recommends motion to approve:** a Stipulated Settlement Agreement with Department of Community Affairs (“DCA”) with the concurrence of Intervenor Lantana Farms Associates, Inc., as a partial settlement of the compliance issues raised in the administrative challenge styled, Department of Community Affairs, et al. vs. Palm Beach County, et al., DOAH Case No. 06-4544GM, relating to the site-specific Comprehensive Plan Amendment adopted for the Lantana Farms Associates, Inc. property by Palm Beach County Ordinance No. 2006-029. **SUMMARY:** Palm Beach County adopted Comprehensive Plan Amendment No. LGA 2006-00010 (“Plan Amendment”) by Ordinance No. 2006-029 on August 21, 2006. The Plan Amendment re-designated approximately 26.23 acres of land located on Lantana Road and SR 7/US 441 from Rural Residential to Low Residential and included the property within the Urban/Suburban Tier. The Department of Community Affairs issued a Statement of Intent to find the Plan Amendment not “in compliance.” The proposed settlement acknowledges the County’s submission of additional documentation and analysis in support of the challenged amendment, and would also require the adoption of a Remedial Plan Amendment, which would amend the current Tier Boundary for the Urban/Suburban Tier to include two (2) parcels due east of the Lantana Farm Associates, Inc. property to square off the Tier boundary. The Department of Community Affairs has agreed to the proposed Settlement Agreement and, upon execution of same, will find the Comprehensive Plan Amendment “in compliance.” Intervenor Lantana Farm Associates, Inc. concurs with the proposed Settlement Agreement. Intervenor Lantana Farm Associates, Inc. concurs with the proposed Settlement Agreement. Intervenor Lantana Farm Associates, Inc. concurs with the proposed Settlement Agreement, and have advised that they do not concur with the Proposed Settlement Agreement. The Board of County Commissioners considered and voted to reject the Stipulated Settlement Agreement on November 26, 2007; however, it was determined that the Intervenor Lantana Farm Associates, Inc. did not receive actual notice of the hearing and the Board voted to reconsider the Stipulated Settlement Agreement and associated Remedial Plan on December 18, 2007, to allow the Intervenor Lantana Farm Associates, Inc. an opportunity to be heard on the matter. District 6 (ATP)



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

- E. **Staff recommends motion to adopt:** Ordinance XXXX-XXX, adopting a Remedial Comprehensive Plan Amendment, in accordance with the Stipulated Settlement Agreement between Palm Beach County and the Department of Community Affairs (“DCA”) with the concurrence of Intervenor Lantana Farms Associates, Inc., in the administrative challenge styled, Department of Community Affairs, et al. vs. Palm Beach County, et al., DOAH Case No. 06-4544GM, relating to the site-specific Comprehensive Plan Amendment adopted for the Lantana Farms Associates, Inc. property by Palm Beach County Ordinance No. 2006-029. **SUMMARY:** Palm Beach County adopted Comprehensive Plan Amendment No. LGA 2006-00010 (“Plan Amendment”) by Ordinance No. 2006-029 on August 21, 2006. The Department of Community Affairs issued a Statement of Intent to find the Plan Amendment not “in compliance.” A stipulated settlement agreement was proposed, which acknowledges the County’s submission of additional documentation and analysis in support of the challenged amendment, and would require the adoption of a Remedial Plan Amendment, which would amend the current Tier Boundary for the Urban/Suburban Tier to address the DCA’s objections regarding internal inconsistency with FLUE Policy 1.1-b and to avoid piecemeal or parcel-by-parcel tier re-designations. The Remedial Plan Amendment would amend the current Tier boundary for the Urban/Suburban Tier to include two (2) parcels due east of the Lantana Farm Associates, Inc. property to square off the Tier boundary. The property owners were contacted and had no objection to the Tier Boundary change for their property. The Ordinance fulfills the County’s obligations under the Settlement Agreement to amend the Urban/Suburban Tier. The Board of County Commissioners considered and voted to reject the Stipulated Settlement Agreement and the associated Remedial Plan on November 26, 2007; however, it was determined that the Intervenor did not receive actual notice of the hearing and the Board voted to reconsider the Stipulated Settlement Agreement and associated Remedial Plan on December 18, 2007, to allow the Intervenor an opportunity to be heard on the matter. District 6 (ATP)
- F. **Staff recommends motion to approve:** a Stipulated Settlement Agreement with Gerald M. Ward (“Ward”), as a settlement of the compliance issues raised in the administrative challenge styled, Gerald M. Ward vs. State of Florida Department of Community Affairs and Palm Beach County, DOAH Case No. 07-1502GM, relating to the Comprehensive Plan Amendment adopted for Transportation Concurrency Exception Area (TCEA) for Riviera Beach, as Ordinance 2006-057. **SUMMARY:** Palm Beach County adopted a Comprehensive Plan Amendment for the TCEA for Riviera Beach by Ordinance No. 2006-057 on November 27, 2006. The Plan Amendment proposes to amend provisions relating to the TCEA for Riviera Beach, to prevent further deterioration to the level of service on North Ocean Drive at Singer Island. The DCA issued a Notice and Statement of Intent to find the Plan Amendment “in compliance” on February 23, 2007. However, Intervenor Gerald Ward challenged the finding. The Stipulated Settlement Agreement is a result of mediation between the parties and will require the passage of a remedial plan amendment that removes the property located at 3930 North Ocean Drive, Riveria Beach Florida, (also known as “Coral Sea”) from Table TE-4.B, as well as from any associated maps. Adoption of the Stipulated Settlement Agreement and associated Remedial Plan Amendment will resolve the formal administrative proceeding referenced above. District 1 (ATP)

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

G. Staff recommends motion to adopt: Ordinance XX-XX, adopting a Remedial Comprehensive Plan Amendment, in accordance with the Stipulated Settlement Agreement with Gerald M. Ward ("Ward"), as a settlement of the compliance issues raised in the administrative challenge styled, Gerald M. Ward vs. State of Florida Department of Community Affairs and Palm Beach County, DOAH Case No. 07-1502GM, relating to the Comprehensive Plan Amendment adopted for Transportation Concurrency Exception Area (TCEA) for Riviera Beach, as Ordinance 2006-057. **SUMMARY:** Palm Beach County adopted a Comprehensive Plan Amendment for the TCEA for Riviera Beach by Ordinance No. 2006-057 on November 27, 2006. The Plan Amendment proposes to amend provisions relating to the TCEA for Riviera Beach, to prevent further deterioration to the level of service on North Ocean Drive at Singer Island. The DCA issued a Notice and Statement of Intent to find the Plan Amendment "in compliance" on February 23, 2007. However, Intervenor Gerald Ward challenged the finding. A stipulated settlement agreement between the parties was proposed as a result of mediation between the parties and requires the adoption of a Remedial Plan Amendment that removes the property located at 3930 North Ocean Drive, Riviera Beach Florida, (also known as "Coral Sea") from Table TE-4.B, as well as from any associated maps. Adoption of the Remedial Plan Amendment will fulfill the County's obligations under the Stipulated Settlement Agreement and resolve the formal administrative proceeding referenced above. District 1 (ATP)

H. 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 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) (Fire Rescue)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. 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)
  
2. 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)
  
3. Staff recommends motion to adopt: a Resolution by the Board of County Commissioners of Palm Beach County authorizing: (a) the submittal of a Brownfields Economic Development Initiative (BEDI) Grant Application to the U.S. Housing and Urban Development (HUD); and (b) a Section 108 Loan to HUD for the Avenue A Revitalization Project in Belle Glade Florida. **SUMMARY:** The Avenue A Revitalization Project is a \$7.2 million public-private partnership represented by 26 private business owners seeking to renovate 38 commercial properties along four (4) city blocks on West Avenue A in downtown Belle Glade. This project also includes the renovation of the historic Belle Glade City Hall which is located on West Avenue A. The present condition of the commercial buildings on Avenue A, warrant a revitalization initiative that will encourage business development in this economically distressed area of the County. This commercial corridor has not yet recovered from the devastation of the 2004 and 2005 hurricanes. If these grants are awarded to Palm Beach County, the BEDI Grant will represent 20 % (\$1.44 million) of the project total, the Section 108 Loan will represent 35% (\$2.5 million) of the total project total and private investment from the existing business owners will represent 45% of the project total. **No County funds will be pledged to complete this project.** District 6 (DW)

5. REGULAR AGENDA

B. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

**A)** three (3) County Easements in favor of property owners on Gardiner Lane, April Lane, and Perigon Way; and

**B)** a County Deed in favor of the Gardiner Lane Association, Inc. (Association) for County owned property known locally as Gardiner Lane.

**SUMMARY:** This action will approve County Easements to property owners on and abutting Gardiner Lane to preserve their rights to use Gardiner Lane; and it will approve a County Deed to transfer ownership of Gardiner Lane to the Association. This action has no fiscal impact. District 1 (PFK)

2. Staff recommends motion to approve: a Second Amendment to the Interlocal

Agreement with the City of West Palm Beach (City), R94-1859D; dated December 20, 1994, extending the date when mitigation fees would be remitted to Palm Beach County (County) from 2010 to 2025, and extending the effective date of the Agreement from 20 years to 31 years. **SUMMARY:** In 1994, the City 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. This Amendment extends the date of the entire Agreement and allows the County until 2025 to collect the mitigation fees previously collected by the City. At the request of the City, the County previously had not scheduled this road for construction. It is now included in the current Road Program for construction in FY 2011. The Agreement date associated with the payment of the mitigation fees needs to be modified to reflect the current schedule. District 2 (MRE)

C. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: a Resolution of the Board of County

Commissioners of Palm Beach County, Florida, adopting a responding resolution, authorizing Palm Beach County, Florida to commence the negotiation process for an Interlocal Service Boundary Agreement between Palm Beach County and the City of Belle Glade, pursuant to Chapter 171, Part II, Florida Statutes; and providing an effective date. **SUMMARY:** On November 5, 2007, the City of Belle Glade adopted an initiating resolution pursuant to Chapter 171, Part II, F.S., as a first step in the process of completing an Interlocal Service Boundary Agreement for an area designated outside of the boundaries of the City. The area subject to the proposed agreement is depicted in Exhibit A of the resolution. This Resolution also identifies issues that may be negotiated during the agreement process, including identifying service providers and possible planned improvements. By adopting this Resolution, the negotiation process can begin, however, the County is not obligated to enter into the Interlocal Agreement. The Resolution does not annex any property at this time. Planning staff will work closely with key County agencies and City staff during the six (6) months following the adoption of the responding resolution to develop an Interlocal Agreement, which will be subsequently presented to the Board at a later date. District 6 (RB)

5. REGULAR AGENDA

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

2. Staff recommends motion to approve: an Interlocal Agreement with the City of Greenacres providing for the annexation of seventeen (17) enclaves generally located in the vicinity south of the L-10 Canal, west of Military Trail, north and south of L-14 Canal, west and east of Jog Road; and a right-of-way Interlocal Agreement providing for the transfer of operation and maintenance of the entire right-of-way segments of Fleming Avenue and Jennings Avenue, north of 10th Avenue North. **SUMMARY:** Chapter 171, F.S., allows annexation of enclaves less than ten (10) acres through an Interlocal Agreement with the annexing municipality and the County. By Resolution No. 2007-43, the City of Greenacres has petitioned the County to enter into an Interlocal Agreement for the annexation of seventeen (17) enclaves identified within the enclave interlocal as Exhibits "A" (legal description) and "B" (map). Each of the enclaves is less than ten (10) acres in size. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. Additionally, by Resolution No. 2007-47, the right-of-way interlocal agreement also provides County consent to the annexation of the right-of-way segments identified within the right-of-way interlocal agreement as Exhibits "B" and "C", and provides for the transfer of operation and maintenance of the right-of-way segments identified within the right-of-way interlocal agreement as Exhibit "A". Districts 2 & 3 (RB)

D. HUMAN RESOURCES

1. **Staff recommends motion to deny:** a request by the Palm Beach County Human Rights Coalition to create a domestic partnership leave program affording leave benefits and job protection to registered domestic partners and their children in addition to federally mandated leave protection as provided under the Family and Medical Leave Act (FMLA). **SUMMARY:** As a covered public agency, the County is required by the FMLA to grant twelve work weeks of leave to eligible employees for the birth of a child, the employee's own serious health condition or the serious health condition of a parent, child or spouse. The FMLA defines spouse as "a husband or wife as defined or recognized under State law" (29 CFR 825.113). Staff found that while the County cannot legally extend the definition of spouse under the FMLA, similar leave benefits and protections for domestic partners can be made available. However, it is inadvisable to create a leave program affording the same protections and benefits provided by the FMLA to domestic partners and their children. Employees involved in domestic partnerships are not excluded from leave protection provided by the FMLA. Those employees remain eligible for FMLA leave for their own serious health condition and that of their parents and children. Under the FMLA, a child is defined as the biological, adopted, or foster child, stepchild, legal ward, or the child for whom the employee stand in the place of a biological parent. Provided the employee involved in a domestic partnership has sole or shared parental responsibility for the child, that child is an eligible family member and the employee may take FMLA leave to care for the child's serious health condition. In this instance family care leave to care for the children of domestic partners duplicates leave benefits already available under both the FMLA and the County's leave policy. Countywide (EC)

5. REGULAR AGENDA

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: a Resolution authorizing the issuance of not exceeding \$35,100,000 Public Improvement Revenue Bonds (Law Enforcement Information Technology Project), Series 2008 in order to finance the cost of the acquisition of law enforcement technology equipment and software and the payment of other costs necessary or incidental thereto; covenanting to budget and appropriate from legally available non-ad valorem revenues amounts sufficient to pay the principal of and interest on said bonds; providing for the rights of the holders of said bonds; delegating the award of the sale of said bonds pursuant to a negotiated sale, subject to certain parameters; appointing the Clerk of the Circuit Court as registrar and paying for the Bonds; authorizing the proper officers of the County to do all other things deemed necessary or advisable as to the sale and delivery of the bonds; and providing for an effective date for this Resolution. **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 will request bids from qualified lending institutions for fixed rate bonds. The County will award the sale of the Bonds to the low bidder in January 2008. The cost of issuance will be paid from bond proceeds. Countywide (PFK)

F. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: execution of a Subordination Agreement in connection with a mortgage executed by Pine Ridge Apartments Joint Venture in favor of Palm Beach County. **SUMMARY:** Palm Beach County on February 24, 1999 entered into a funding agreement with Pine Ridge Apartments Joint Venture allocating a total of \$370,000 in County funds for the rehabilitation of Pine Ridge Apartments (a lower income rental housing project). The property owners now wish to sell Pine Ridge Apartments to the "Charmettes, Inc." who has requested that Palm Beach County subordinate its interest in the existing County mortgage to that of the new mortgage. Evaluation of this request has revealed that the County's financial interest in the encumbered property will not be adversely affected as a result of this transaction. District 7 (TKF)

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**RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

**CONVENE AS THE CHILD CARE FACILITIES BOARD**

6. BOARD OF COUNTY COMMISSONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT  
(Child Care Advisory Council)

1. Staff recommends motion to approve: appointment of one (1) member to the Child Care Advisory Council to fill the position vacated by Aurelia Diaz. This is an at-large appointment:

<b><u>Nominee:</u></b>	<b><u>Seat No.:</u></b>	<b><u>Requirement:</u></b>
Patricia Tilford	7	Represents the Department of Children and Families

**SUMMARY:** The Child Care Advisory Council is comprised of seven (7) members who serve at the pleasure of the Board of County Commissioners. Members must consist of two (2) members who represent and operate private child care facilities in Palm Beach County; one (1) member who represents and operates a parochial child care facility in Palm Beach County; one (1) consumer protection enforcement official; one (1) member for fire protection, engineering or technology; and one (1) member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one (1) representative from the Florida Department of Children and Families (DCF). Countywide (GDB)

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**ADJOURN AS THE CHILD CARE FACILITIES BOARD**

**CONVENE AS THE ENVIRONMENTAL CONTROL BOARD**

7. BOARD OF COUNTY COMMISSONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT  
(Environmental Appeal Board)

1. Staff recommends motion to approve: appointment of one (1) member to the Environmental Appeal Board, to complete the unexpired term of Carolyn Ansay, who resigned and whose term expires on July 27, 2008:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>
Brian Joslyn, Esq.	5	Member of the PBC Bar Association

**SUMMARY:** The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) person recommended by the Home Builders and Contractors Association; one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers; one (1) water resource professional employed by the South Florida Water Management District; and one (1) drinking water engineer employed by the Department of Environmental Protection. This action will fill the above-referenced seat until July 27, 2008. Countywide (GDB)

(Environmental Control Hearing Board)

2. Staff recommends motion to approve: reappointment of the following members to the Environmental Control Hearing Board for a term of three (3) years, beginning January 13, 2008:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Jane West	1	Attorney	Palm Beach County Bar Association
Chad Gruber	5	Engineer	Palm Beach County Chapter of the Florida Engineering Society
Edwin Sherman	3	Citizen at Large	Commissioner Koons Commissioner McCarty Commissioner Marcus
David Freudenberg	4	Citizen at Large	Commissioner Koons Commissioner McCarty Commissioner Marcus

**SUMMARY:** The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association, one (1) medical doctor recommended by the Palm Beach County Medical Society, one (1) engineer recommended by the Palm Bach County Chapter of the Florida Engineering Society, and two (2) citizens-at-large not holding elective office. This action will fill the above seats until January 12, 2011. Countywide (GB)

\* \* \* \* \*

**ADJOURN AS THE ENVIRONEMNTAL CONTROL BOARD**

**RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS**



8. BOARD APPOINTMENTS

A. COMMUNITY SERVICES

(Palm Beach County HIV Comprehensive AIDS Resources Emergency Care Council)

- 1. Staff recommends motion to approve: reappointment and appointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of two (2) years, effective December 18, 2007:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>
3	Christopher Lacharite	CBO serving affected populations
9	Kimberly Rommel Enright, Esq.	Social Service Provider
14	Rosalyn Collins	Substance Abuse/Mental Health
16	Mary Jane Reynolds (Bryant)	Affected Community
19	Lorenza Jackson	Affected Community
24	Kimberly McCall	Affected Community
32	Kathryn Wall	Non-elected Community leader

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>
20	Rafael Abadia	Affected Community

**SUMMARY:** The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than forty-five (45) and no less than twenty-one (21) members. Founding members were appointed for one (1) and two (2) year terms with subsequent terms of two (2) years. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. The seven (7) reappointments and one (1) new appointment successfully completed the HIV CARE Council nominations process, and the HIV CARE Council has recommended their reappointment/appointment. (Ryan White) Countywide (TKF)

B. COMMISSION DISTRICT APPOINTMENTS

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**DECEMBER 18, 2007**

**9. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**10. 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**

**11. 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 18, 2007**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
8	3A-3	<b><u>DELETED:</u> Staff recommends motion to approve:</b> an Agreement with Federal Gardens Neighborhood Association (FGNA)... (Admin./Community Revitalization) (Further staff review)
21	3H-16	<b><u>REVISED TITLE:</u> Staff recommends motion to approve:</b>  <b>A)</b> Budget Transfer of <del>\$973,141</del> <del>\$9,029,903</del> within the <del>\$22.3M GO 2006</del> <del>\$30.5M GO 2003</del> Library Improvement Bond Fund from Improvement Program Reserves and remaining balances in various projects to the North County Branch Library project to fund the \$8,929,903 in construction cost; and...(FD&O)
21	3I-1	<b><u>REVISED TITLE:</u> Staff recommends motion to approve:</b> an Agreement with the City of Greenacres for the construction of a playground...for the period of <del>November</del> <del>October</del> 20, 2007, through September 30, 2008. (HCD)
23	3K-5	<b><u>DELETED:</u> Staff recommends motion to approve:</b> Second Amendment to the Palm Beach County/Beeline Community Development District Water and Wastewater Utility Acquisition, Service, and Service Area Agreement. (WUD) (Further staff review)
31	3Q-2	<b><u>REVISED SUMMARY:</u></b> The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Riviera Beach....The Youth Empowerment Centers in Riviera Beach <u>is temporarily</u> are located at 1550 W. 28 <sup>th</sup> Street (Lindsey Davis Center) and <del>1617 Silver Beach Road (Hurst Chapel)</del> . <u>The permanent Center, located directly behind the Lindsey Davis Center, is being renovated and is projected to be operational February 2008.</u> (CJC)
32	3Q-5*	<b><u>DELETED:</u> Staff recommends motion to approve:</b> <b>A)</b> an Interlocal Agreement in the amount of \$300,000 with the City of Belle Glade as a partner to implement the Youth Violence Prevention Project in the targeted area; and...(CJC) (Belle Glade did not approve)
34	3X-3	<b><u>REVISED TITLE:</u> Staff recommends motion to:</b> <b>C) approve</b> a Budget Amendment of <del>\$65,021</del> <del>\$64,990</del> in EMS Grant Fund to adjust budget to actual grant award; and.. (Public Safety)
36	3AA-5	<b><u>DELETED:</u> Staff recommends motion to adopt:</b> Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement...(Palm Tran) (Moved to January 15, 2008)

**REVISED MOTION/TITLE & SUMMARY: Staff recommends motion to adopt:**

**A) waive** the ordinance enactment notice requirements of Section 125.66(2), Florida Statutes, declaring that an emergency exists and that the immediate enactment of an ordinance to add Lake Worth to the Fire Rescue MSTU is necessary, pursuant to the emergency enactment procedure set out in Section 125.66(3), Florida Statutes; and

**B) 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 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. Due to an oversight in the Clerk's office, the regular enactment 10 day notice requirement has not been met. This has created an emergency situation due to the fact that this Ordinance must be enacted prior to January 1st to include Lake Worth in the MSTU for tax year 2008; and there is no other Board meeting scheduled before January 1st that could satisfy the 10 day notice requirement. Pursuant to the emergency enactment procedure in Section 125.66(3), the Board may enact an ordinance with a waiver of the notice requirements by a four-fifths vote of the membership, declaring that an emergency exists and that the immediate enactment of said ordinance is necessary. (Fire Rescue)

- 43            5A-3            **REVISED TITLE & SUMMARY: Staff recommends motion to adopt:**
- A)** a Resolution by the Board of County Commissioners of Palm Beach County authorizing the submittal of: (a) ~~the submittal of a~~ Brownfields Economic Development Initiative (BEDI) Grant Application to the U.S. Housing and Urban Development (HUD); and (b) a Section 108 Loan to HUD for the Avenue A Revitalization Project in Belle Glade, Florida; and
- B)** authorizing the County Administrator, or his designee, to sign all applications and documents related to the grants and loans.
- SUMMARY:** The Avenue A Revitalization Project is a \$7.2 million public-private partnership represented by 26 private business owners seeking to renovate 38 commercial properties along four (4) city blocks on West Avenue A in downtown Belle Glade. This project also includes the renovation of the historic Belle Glade City Hall which is located on West Avenue A. The present condition of the commercial buildings on Avenue A, warrant a revitalization initiative that will encourage business development in this economically distressed area of the County. This commercial corridor has not yet recovered from the devastation of the 2004 and 2005 hurricanes. If these grants are awarded to Palm Beach County, the BEDI Grant will represent 20 % (\$1.44 million) of the project total, the Section 108 Loan will represent 35% (~~\$2.68~~ \$2.5 million) of the total project total and private investment from the existing business owners will represent 45% of the project total. **No County funds will be pledged to complete this project.** (Admin./Economic Development)
- 43            5A-4            **ADD-ON: Staff recommends motion to adopt:** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, providing for federal regulation, providing for federal financial participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention.
- SUMMARY:** At the request of Commissioner Aaronson, the Board directed staff to draft this Resolution. (Admin./Legislative Affairs)
- 45            5D-1            **DELETED: Staff recommends motion to deny:** a request by the Palm Beach County Human Rights Coalition to create a domestic partnership leave program affording leave benefits and job protection to registered domestic partners and their children in addition to federally mandated leave protection as provided under the Family and Medical Leave Act (FMLA). (Human Resources) (Moved to February 5, 2008)
- 46            5F-1            **REVISED TITLE & SUMMARY: Staff recommends motion to approve:**
- A)** ~~execution of a~~ Subordination Agreement in connection with a mortgage executed by Pine Ridge Apartments Joint Venture in favor of Palm Beach County; and
- B)** consent to transfer of Pine Ridge Apartments to the Charmettes, Inc.
- SUMMARY:** Palm Beach County on February 24, 1999 entered into a funding agreement with Pine Ridge Apartments Joint Venture allocating a total of \$370,000 in County funds for the rehabilitation of Pine Ridge Apartments (a lower income rental housing project). The property owners now wish to sell Pine Ridge Apartments to the "Charmettes, Inc." who has requested that Palm Beach County subordinate its interest in the existing County mortgage to that of the new mortgage. The replacement first mortgage has increased from \$311,868 to \$335,000. Evaluation of this request has revealed that the County's financial interest in the encumbered property will not be adversely affected as a result of this transaction, because there is sufficient equity to support the increased first mortgage. District 7 (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 (\*).