

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

JULY 8, 2008

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA** (Pages 7 - 34)
- 4. SPECIAL PRESENTATIONS - 9:30 A.M.** (Page 35)
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SPECIAL PRESENTATIONS - 9:30 A.M.

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file: a Resolution of the City of Boca Raton supporting the continued funding of the South Florida Regional Transportation Authority by Palm Beach, Broward and Miami-Dade counties. Countywide

2. Staff recommends motion to approve: payment in an amount not to exceed \$6,000 for participation in the Palm Beach Partners Business Matchmaker Conference & Expo to be held on September 24, 2008 in the Palm Beach County Convention Center. **SUMMARY:** The Office of Small Business Assistance, Department of Airports and Palm Tran are participating with the South Florida Water Management District, School District of Palm Beach County, the City of West Palm Beach, the Center for Technology, Enterprise & Development, Inc. (TED Center) and the Paragon Foundation, Inc., to present the 2008 Business Matchmaker Conference & Expo (a statewide conference). This is the 2nd annual Matchmaker Conference & Expo held in Palm Beach County. Each participating entity will contribute \$2,000 and the county's contribution will be broken down as follows: the Office of Small Business Assistance (\$2,000), Department of Airports (\$2,000) and Palm Tran (\$2,000). Payment will be made to the Palm Beach Partners Business Matchmaker Conference & Expo. The conference and expo will provide Small Business Enterprise owners an opportunity to collaborate with larger businesses in an effort to increase business opportunities and knowledge of programs offered by the above listed governmental partners. Countywide (TKF)

3. Staff recommends motion to adopt: a Resolution expressing concerns over the large population of green iguanas in the County and requesting that the Fish and Wildlife Conservation Commission enact regulations governing the possession, distribution and release of green iguanas within the State. **SUMMARY:** At the request of Commissioner Mary McCarty, the Board directed staff to draft this Resolution. Countywide (DW)

4. Staff recommends motion to receive and file:
 - A) Resolution R2008-015 of the Town Council of the Town of Loxahatchee Groves expressing its support for Palm Beach County's proposed extension of Seminole-Pratt Whitney Road north to State Road 710 (Beeline Highway); and

 - B) Resolution R2008-016 of the Town Council of the Town of Loxahatchee Groves expressing support for the Nicole Hornstein Act and/or legislation which may be submitted in the future that would require individuals under the age of 16 to wear a proper helmet while riding a horse on any publicly owned property, trail, or public right-of-way, and respectfully requests that the Florida Legislature consider the adoption of such legislation during the 2009 legislative session. Countywide

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. Staff recommends motion to approve:

A) an Interlocal Agreement with the City of Belle Glade for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk);

B) an Interlocal Agreement with the City of South Bay for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk);

C) an Interlocal Agreement with the City of Pahokee for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk);

D) an Easement Agreement with the City of Belle Glade to provide access for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk);

E) an Easement Agreement with the City of South Bay to provide access for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk); and

F) an Easement Agreement with the City of Pahokee to provide access for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk).

SUMMARY: In 2006, Palm Beach County received a \$1,000,000 State appropriation, Agreement (R2006-0291), for Phase I of the Lake Okeechobee Scenic Trail (LOST) Tourism Enhancement Master Plan encompassing a five (5) year Capital Improvement Plan, which included the construction of three (3) trailheads and four (4) LOST Entryways (kiosks) located in the cities of Belle Glade, South Bay, Pahokee and unincorporated Canal Point. Construction of the LOST Entryways will be administered through the County's Department of Environmental Resources Management. District 6 (DW)

B. CLERK & COMPTROLLER

1. Staff recommends motion to approve: Warrant List.

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Mining Summit	March 19, 2008
Regular	April 15, 2008
Environmental Control Board	April 15, 2008
Workshop	May 13, 2008

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) a Budget Transfer of \$3,789 in the Capital Outlay Fund from Street and Drainage Reserves to Palmetto Park Road at the C-1 Canal Culvert Replacement; and

B) a final payment in the amount of \$49,230.25 to Contract No. R2007-1258 with Asphalt Consultants, Inc. for the construction of Palmetto Park Road at the C-1 canal culvert replacement.

SUMMARY: After completion of construction and during the final field measurement of work, as required by the contract plans, it was discovered that various items over-ran original bid quantities due to existing site conditions. These items included compacted subbase, baserock, curb & gutter, RCP pipe, and sod. A Budget Transfer is needed to cover these unanticipated overruns. District 5 (MRE)

2. Staff recommends motion to approve:

A) termination of Interlocal Agreement (R2006-1383) in the amount of \$500,000 with the City of Pahokee (City) for major road repairs-District 6; and

B) a Budget Transfer of \$500,000 in the Transportation Improvement Fund from City of Pahokee Major Road Repairs-District 6 to Orange Boulevard Phase I – 140th Avenue to 130th Avenue North; and

C) a Budget Transfer of \$500,000 in the Capital Outlay Fund from Orange Boulevard Phase I – 140th Avenue to 130th Avenue North to City of Pahokee Potable Water Distribution Improvements Project-District 6.

SUMMARY: Approval of the termination of Interlocal Agreement (R2006-1383) and approval of the Budget Transfers will redirect funds to the City's Project. The project includes meter and service line replacement, supplemental funding for an existing distribution project and consultant fees related to connection to the Lake Region Water Plant. All work will be completed by Palm Beach County Water Utilities Department. District 6 (MRE)

3. **DELETED**

4. **DELETED**

5. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

A) a Financial Assistance Agreement with Baywinds Community Association, Inc. (Association) to provide reimbursement funding not to exceed \$150,000; and

B) a Budget Transfer of \$150,000 in the Transportation Improvement Fund from Reserve for District 2 to Acreage Access Road beautification from 1,100 feet north of Okeechobee Boulevard to 2,300 feet north of Okeechobee Boulevard.

SUMMARY: This item provides funding in an amount up to \$150,000 for the Association's installation of beautification adjacent to (within 25 feet of and visible from) Acreage Access Road right-of-way on Association property. After the installation, the Association will be responsible for perpetual maintenance of the beautification improvements. District 2 (MRE)

7. **DELETED**

8. Staff recommends motion to adopt: a Resolution approving Amendment Number One to the Joint Participation Agreement (JPA) R2002-2231 with the Florida Department of Transportation (FDOT) regarding an Interchange Justification Report. **SUMMARY:** The FDOT has requested modifications to the I-95 and Central Boulevard Interchange Justification Report to include the latest Federal and State audit provisions. Exhibit "A" of the JPA explains the audit requirements for Federal and State funded projects. Countywide (MRE)

9. **DELETED**

10. Staff recommends motion to approve: an Agreement with Kenco Anasca Delray Holdings, LLC (Developer), for the construction of Flavor Pict Road from State Road (SR) 7 to Lyons Road (Project). **SUMMARY:** The Developer is responsible for the design and construction of Flavor Pict Road from SR 7 to the Delray Holdings 282 PUD entrance road, and for funding the design and construction of Flavor Pict Road from the Delray Holdings 282 PUD entrance road to Lyons Road, along with certain related turn lane improvements. Approval of this Agreement allows the Developer to design and construct both segments concurrently. The Developer will also be entitled to impact fee credits for a portion of the construction. District 5 (MRE)

11. **DELETED**

12. Staff recommends motion to approve: Supplemental Agreement No. 8 to Project No. 2003507 under contract R2004-0192 in the amount of \$49,325.18 with Miller-Legg and Associates, Inc., for professional services. **SUMMARY:** This Supplemental Agreement will provide the services necessary for the preparation of plan revisions to split Project No. 2003507 into two (2) separate projects for the widening of Congress Avenue from south of Lantana Road to south of Melaleuca Lane. District 3 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

13. Staff recommends motion to approve:

A) a Budget Transfer of \$19,400 in the Transportation Improvement Fund from Reserve for District 4 to Orange Boulevard Phase I – 140th Avenue to 130th Avenue North;

B) a Budget Transfer of \$19,400 in the Capital Outlay Fund from Orange Boulevard Phase I – 140th Avenue to 130th Avenue North to Bus Repairs-Achievement Centers for Children and Families Foundation – District 4; and

C) a Reimbursement Agreement with Achievement Centers for Children and Families Foundation for repairs and upgrades to their bus fleet.

SUMMARY: Approval of the Budget Transfers and Reimbursement Agreement will provide funds to help pay for air conditioning and brake repairs to Achievement Centers for Children and Families Foundation's bus fleet. District 4 (MRE)

14. Staff recommends motion to adopt: a Resolution vacating a twelve (12) foot wide utility easement within Lots 2G and 5L, Palm Beach Park of Commerce, Planned Industrial Park Development, Plat No. 1, as recorded in Plat Book 56, Pages 172-176, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is generally located on the northeast corner of Beeline Highway & Seminole Pratt Whitney Road, on the west side of Park of Commerce Boulevard. The petitioner is requesting the vacation because the platted utility easement conflicts with the Final Plan. District 1 (PK)

15. **Staff recommends motion to adopt:** a Resolution approving Amendment Number Five to the Joint Participation Agreement (JPA) (R2003-0312) with the Florida Department of Transportation (FDOT) for improvements in connection with the Palm Beach County Intelligent Transportation System (ITS) Operations Facility. **SUMMARY:** The FDOT provides funding for improvements in connection with the ITS Operations Facility. This Amendment is necessary to extend the project completion by one (1) year therefore the new date will be June 30, 2009. Countywide (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: execution of a Corrective Quit-Claim Deed to JCL Management, LLC, a Florida Limited Liability Company, conveying any County interest in certain rights-of-way in Palm Beach Farms Plat No. 3. **SUMMARY:** On November 20, 2007 (R2007-2063), a Quit-Claim Deed was conveyed to JCL Management, LLC, covering certain Palm Beach Farms Plat No. 3 strips that had lost public dedication through the West Peninsular federal lawsuit. That Quit-Claim Deed had an error in the legal description. This Corrective Quit-Claim Deed will correct that error. The property is located at approximately 300' north of the northeast corner of Southern Boulevard and Benoist Farms Road in Palm Beach County, Florida. District 6 (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 001 to the Contract for Consulting/Professional Services with Audrey Greenwald (R2007-1476), for the period of October 1, 2007, through September 30, 2008, to decrease funding by \$12,000, for a new total of \$16,860 due to renegotiated scope of work. **SUMMARY:** The provider's scope of work was renegotiated and funding is being adjusted accordingly. The provider will conduct the screening for speech services in July for all incoming Head Start children and any rescreening of children prior to September 30, 2008. It is estimated that 525 children will be served and 25% of these children will be rescreened. (Head Start) Countywide (TKF)

2. **Staff recommends motion to approve:** Amendment No. 002 to the Contract for Consulting/Professional Services with Joseph L. Morse Geriatric Center-Just Checking Program (R2006-1095), for a not-to-exceed amount of \$20,040 for the period July 1, 2008, through June 30, 2009, to execute the second renewal option. **SUMMARY:** This Amendment exercises the second renewal option for professional/consultation services with Joseph L. Morse Geriatric Center-Just Checking Program. It allows the Division of Senior Service (DOSS) to continue to meet the Area Agency on Aging Palm Beach/Treasure Coast, Inc. (AAA) counseling services requirements of the Community Care for the Elderly (CCE) grant, by providing mental health counseling services to the Division of Senior Services clients on an individual basis. Funding consists of \$18,036 (90%) in State funds and \$2,004 (10%) in County matching funds. The County match funds are included in the current and the tentative FY 2009 budget. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Services of South Palm Beach County (RRJFSSPBC) currently provides CCE services under similar grants from the AAA. (DOSS) Countywide except for portions of District 3, 4, 5 and 7 south of Hypoluxo Road (TKF)

3. **Staff recommends motion to approve:** Amendment No. 001 to the Contract for Consulting/Professional Services with Caregiver Services, Inc., d/b/a Friends Assisting Seniors & Families (R2007-0931), for a total not-to-exceed \$36,254 for a seven (7) month renewal option period April 1, 2008, through October 1, 2008. **SUMMARY:** This Amendment is to execute a seven (7) month renewal option which is needed to allow the Purchasing Department time to process a similar vendor contract through the competitive bid process. This vendor contract amendment allows the Division of Senior Services (DOSS) to provide Licensed Practical Nurse (LPN) and Home Health Aide (HHA) on call services on an as needed basis at the Mid-County Adult Day Care and the North County Adult Day Care. These services are needed to meet the Area Agency on Aging (AAA) and the Florida Department of Elder Affairs (DoEA) guidelines to provide adult day care and facility base respite services. Funding consists of \$32,628 (90%) in Federal and State funds and \$3,626 in County matching funds. The contract amendment spans two (2) fiscal years and County matching funds are included in the current budget and have been requested in the FY 2009 budget process. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve:

A) Change Order No. 6 to the Contract with ThyssenKrupp Airport Systems, Inc., in the amount of \$357,240, for replacement of passenger loading bridges at Palm Beach International Airport (PBIA). There is no change in contract time related to this change order;

B) Budget Amendment of \$357,240 in the Airports' Improvement and Development Fund to establish budget for Change Order No. 6 to the Contract with ThyssenKrupp Airports Systems, Inc.; and

C) Budget Transfer of \$357,240 in the Airports' Passenger Facility Charge (PFC) Fund to establish budget for the transfer of PFC funds to the Airports' Improvement and Development Fund. Included in this transfer is \$357,240 from PFC Reserves.

SUMMARY: On October 17, 2006, the BCC approved a contract (R2006-2205) with ThyssenKrupp Airport Systems, Inc. to replace the existing passenger loading bridges at PBIA in the amount of \$15,360,608. Change Orders 1-5 increased the contract in the amount of \$416,408 and 26 calendar days. Approval of Change Order No. 6 will provide funds to install baggage lifts at 27 loading bridges. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The total SBE contract goal including this Change Order is 7.41%. Countywide (JCM)

3. **CONSENT AGENDA APPROVAL**

F. **AIRPORTS** (Cont'd)

2. **Staff recommends motion to receive and file:** nine (9) original Agreements for the Department of Airports:

A) Agreement to Terminate Hangar Lease Agreement with Ronald Ash, Unit 11, Building 11350 at North County Airport, terminating R2003-1589 on May 31, 2008;

B) Agreement to Terminate Hangar Lease Agreement with Joplin Flying Services Company, Inc. and Wayne O. Joplin, Unit 8, Building 11230 at North County Airport, terminating R2003-1942 on April 30, 2008;

C) Agreement to Terminate Hangar Lease Agreement with John Sager, Unit 14, Building 11720 at North County Airport, terminating R2007-1295 on June 30, 2008;

D) North County General Aviation Airport Hangar Lease Agreement with Aerouautx Flight Training, LLC, Unit 11, Building 11720, for one (1) year, automatically renewed at one (1) year intervals, commencing on June 1, 2008;

E) North County General Aviation Airport Hangar Lease Agreement with Aerouautx Flight Training, LLC, Unit 13, Building 11720, for one (1) year, automatically renewed at one (1) year intervals, commencing on June 1, 2008;

F) North County General Aviation Airport Hangar Lease Agreement with Thomas Brown, Unit 14, Building 11750, for one (1) year, automatically renewed at one (1) year intervals, commencing on May 15, 2008;

G) North County General Aviation Airport Hangar Lease Agreement with Dean Markham, Unit 11, Building 11350, for one (1) year, automatically renewed at one (1) year intervals, commencing on June 1, 2008;

H) Access Agreement with Dunkelberger Engineering & Testing, Inc. to access Air Cargo Building 1475 including aircraft parking apron areas adjacent thereto at Palm Beach International Airport (PBIA) from June 2, 2008, to June 10, 2008; and

I) Non-Concessionaire Rental Car Airport Permit with Floral Leasing Corp. d/b/a Advantage Rent A Car at PBIA , commencing January 24, 2008, to September 30, 2008 and will automatically renew on a yearly basis.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2004-1367, R2005-0451, R2006-2716, and R2007-1755. Countywide (JB)

H. **FACILITIES DEVELOPMENT & OPERATIONS**

1. **Staff recommends motion to approve:** JOC Work Order No. 08-097 with M.A.C. Construction, Inc. (R2007-0949) in the amount of \$418,212.25 to provide a splash pad playground in Glades Pioneer Park. **SUMMARY:** The addition of a splash pad playground is a planned improvement to the Park as part of a 2006 State of Florida Grant administered by the Florida Recreation Development Assistance Program. This addition will provide an additional water feature to enhance use of the overall park for the general public. The work consists of the construction of a 56' concrete circular splash pad playground with three (3) triangular shade sails, including plumbing and built-in play products. The SBE goals are 15%. The SBE participation in this Work Order is 13.27%. When the participation for this Work Order is added to M.A.C.'s total participation-to-date, the resulting values are 18.8%. The total construction duration is 120 days. This Work Order will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 1 to Contract with Robling Architecture Construction, Inc. (R2007-1099) to implement the first renewal of Job Order Contract (JOC)-South (Bond Waiver) with a maximum value of \$1,500,000. **SUMMARY:** Amendment No. 1 is a renewal to the Job Order Contract-South (Bond Waiver) which was awarded to Robling Architecture Construction, Inc. The contractor will continue to perform as an “annual general contractor” for implementation of maintenance and capital projects. This is an indefinite-quantity Contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original Contract remain in effect. This is the first of two extensions allowed by the Contract. SBE goals for the JOC program are 15%. Robling’s participation for work orders issued-to-date is 100%. (FD&O Admin) Countywide (JM)

3. **Staff recommends motion to approve:** Task Order No. 1 to the Construction Management Contract with The Weitz Company (R2007-1105) for preconstruction services for the State Attorney/Public Defender, Judicial Center Complex and Government Center hurricane hardening project in the amount of \$509,427. **SUMMARY:** On July 10, 2007, the Board entered into a continuing services contract with The Weitz Company for construction management services. Task Order No. 1 provides for early participation of the Construction Manager, in design reviews and cost estimating (\$117,665) and critical window system testing and product approval (\$391,762). This participation should ensure more accurate and realistic cost estimates, early opportunity for value engineering, constructability review, and impact and water infiltration testing of the window mock ups at the hurricane testing laboratory allowing for the required final adjustments of the window glazing retrofit design. The primary source of funding for this project is from a recently approved Grant Agreement with the State of Florida, Division of Emergency Management. There is no SBE participation in this pre-construction services Task Order. The 15% SBE goal for the entire project including this Task Order will be provided during the construction phase. (Capital Improvements Division) District 7 (JM)

4. **Staff recommends motion to approve:** Change Order No. 15 to the Contract with Catalfumo Construction, Ltd. (R2003-1543), in the amount of \$154,251.61 and a ten (10) day time extension for the Palm Beach Sheriff’s Office (PBSO) Aviation Unit Facility. **SUMMARY:** Change Order No. 15 will provide an additional 12,000 gallon above-ground Jet-A fuel tank to serve the County’s aviation needs at PBIA. The County manages Jet-A fuel supply for PBSO, Trauma Hawk and West Palm Beach at PBIA and the usage has increased substantially in the last year. Due to the operational requirements for delivery of the Jet-A, the second tank is now required to maintain sufficient fuel supply. The expansion project was designed to accommodate this additional tank in the future, and by including it in the project will not only meet the operational requirements of FDO/Fleet Management, but also ensure that the installation does not impact on-going operations and saves contractor re-mobilization costs. Funding for this project is from FDO/Fleet Management’s budget. This Change Order is for work which is partially completed prior to Board approval of this Change Order. SBE participation for this Change Order is 87.7%. When added to the Contractor’s participation-to-date, the resulting SBE participation is 25.2%. The SBE contract goal is 15%. (Capital Improvements Division) District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** Contract with MPA Architects, Inc., in the amount of \$558,418 for professional architectural, engineering, and construction administration services for the Judicial Center Complex (JCC) hurricane hardening project. **SUMMARY:** This project involves hurricane hardening design of the JCC including architectural and engineering evaluation of the exterior envelope, design development, construction document, permitting, construction administration, and in-place water infiltration testing. The retrofit design will comply with current building codes and standards and provide wind protection to 140 mph. The construction budget is \$11,000,000. The primary source of funding for this project is from a recently approved Grant Agreement with the State of Florida, Division of Emergency Management. The SBE participation for this Contract is 78%. (Capital Improvements Division) District 7 (JM)

6. **Staff recommends motion to approve:** Change Order No. 31 to Amendment No. 8 with The Weitz Company (R2003-1542) in the amount of \$72,111 and a 70 day time extension for the Hagen Ranch Road Library. **SUMMARY:** Change Order No. 31 provides for changes to the HVAC duct work, structural bar joists, plumbing roof drain piping and fire sprinkler piping. This work has been completed prior to approval of this Change Order by the Board. Substantial completion was achieved in June and the Library will open to the public on July 11, 2008. Change Order No. 31 must be approved by the Board because this Change Order, when combined with previous approvals, would exceed the combined fiscal and time extension authority of the Department Director and Contract Review Committee (CRC). The SBE goal for this Contract is 15%. This Change Order combined with previous work under this Contract totals an SBE participation of 18.4%. (Capital Improvements Division) District 5 (JM)

7. **Staff recommends motion to approve:** Amendment No. 3 to the Contract with Moss & Associates, LLC (R2007-0031) for construction management services for C Pod air conditioning system renewal/replacement renovations at the West County Detention Facility for a Guaranteed Maximum Price (GMP) in the amount of \$539,450. **SUMMARY:** Amendment No. 3 will provide for the removal of the air conditioning duct work and air conditioning units and replacement with new insulated duct and energy efficient units. This work is being done out of sequence in order to meet the demand for beds to meet current inmate population requirements as existing system failures (existing is over 17 years old) render 96 beds unusable six (6) months of the year. The SBE goal for this work is 15%. Moss & Associates will be providing 0% SBE participation for this work. Moss's overall SBE participation for this project including this work is 16.5%. The duration of this work is 75 days. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: an Interlocal Agreement with the Village of North Palm Beach (Village) allowing direct access to the County's 800MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the terms and conditions under which the Village can directly access the County's 800MHz Radio System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The Agreement requires that the Village pay a one (1) time \$2,089/unit access or capacity charge as well as annual fees of \$211.42/unit towards the renewal and replacement fund and \$154,000/unit towards maintenance and operation of the system infrastructure. The annual fees are consistent with those being charged to the County departments. The Village is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Village will be a member of the Law Enforcement User Committee which reviews and recommends policies and practices for the operation of the system. The term of the Agreement is four (4) years and has two (2) – four (4) year renewals. The Agreement may be terminated by either party, with or without cause, on October 1st of any year, with a minimum of six (6) months notice. (ESS) Countywide (JM)

9. Staff recommends motion to:
 - A) adopt** a Resolution authorizing a five (5) year extension of the Lease with Okeeheelee BMX Parents Council, Inc. for the continued use of the 3.78 acre BMX facility in Okeeheelee Park for public recreational purposes as a Bicycle Moto-Cross Track; and

 - B) approve** a First Amendment to Lease Agreement (R98-1015D) with Okeeheelee BMX Parents Council, Inc.

SUMMARY: Since 1987, the County has leased a 3.78 acre BMX facility in Okeeheelee Park for public recreation purposes as a Bicycle Moto-Cross Track. The current Lease with Okeeheelee BMX Parents Council, Inc. will expire July 20, 2008. This First Amendment: (i) will extend the term for five (5) years, from July 21, 2008, through July 20, 2013, with two (2) options to extend for a period of five (5) years each; (ii) amends Article I to grant both parties the right to terminate this Lease Agreement upon thirty (30) days notice; (iii) updates Article VII of the Insurance provision; and (iv) updates the Notice provision. The Tenant will continue to pay for all maintenance and utilities. The annual rental rate for this First Amendment will continue to be \$1/yr. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve:

A) a First Amendment to Lease Agreement with Marwan and Suhair Ghali and the City of Boynton Beach (R2005-1711);

B) a First Amendment to Lease Agreement with Blanche H. Girtman and the City of Boynton Beach (R2005-1713); and

C) a Notice of Cancellation of Lease Agreement with James Johnson, Jr. and the City of Boynton Beach (R2005-1712).

SUMMARY: The County, on behalf of the Cooperative Extension Service Department, entered into separate lease agreements with the City of Boynton Beach and (i) Marwan and Suhair Ghali, (ii) Blanche H. Girtman, and (iii) James Johnson, Jr. The properties are located near the intersection of Martin Luther King, Jr. Boulevard and Seacrest Boulevard in Boynton Beach and are used in the operation of Cooperative Extension's 4-H community garden program. The First Amendments provide for the assignment of the County's rights and obligations under the Lease Agreements to the City of Boynton Beach and releases the County from all further obligations under the Lease Agreements. The Notice of Cancellation provides for the (i) cancellation of the Lease Agreement effective sixty (60) days after receipt of notice; and (ii) County's release from all obligations under the Lease Agreement. The loss of funding from the 4-H program for these community gardens has resulted in the County discontinuing the program in Boynton Beach. (PREM) District 7 (HJF)

11. Staff recommends motion to approve: a Temporary Construction Easement with

SPTMRT Properties Trust, a Maryland Real Estate Investment Trust (SPTMRT). **SUMMARY:** On July 2, 2007, the County acquired 1.8 acres of land on SW 18th Street in Boca Raton from SPTMRT Properties Trust for the purpose of constructing Fire Rescue Station No. 56. The land acquired by the County was a portion of the larger Stratford Court II, PUD and required a re-plat to create the parcel for the Fire Station. The replatting required creation of a new 15 foot wide landscape buffer on the SPTMRT property, adjacent to the western line of the County's property. As part of the construction of the Fire Rescue Station, the County will install landscaping within the 15 foot landscape buffer. This Temporary Construction Easement (TCE) is required in order to perform the landscaping work. The TCE will be approximately 240 feet long and 25 feet wide. The TCE will expire upon the earlier of completion of the installation or one (1) year after execution. Once the landscaping is installed, SPTMRT will maintain the 15 foot landscape buffer area. (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to receive and file: a Notice of Exercise of the second option to extend the term of the Lease Agreement (R2004-1438) dated June 22, 2004, with the Florida Department of Education on behalf of the Division of Blind Services for the continued use of 825 sq. ft. of space within the Palm Beach County Judicial Center at an annual rate of \$12,616. **SUMMARY:** The Florida Department of Education on behalf of the Division of Blind Services currently leases approximately 825 sq. ft. of floor space within the Palm Beach County Judicial Center located at 205 North Dixie Highway in West Palm Beach, for the operation of Don's Coffee Spot. The initial term of the Lease was for two (2) years ending September 30, 2006, with four (4) extension options, each for a period of two (2) years. The first extension expires on September 30, 2008. This second option will extend the term of the Lease Agreement for two (2) years, from October 1, 2008, through September 30, 2010. The Board has no discretionary authority to not allow the exercise of the option. However, the Lease provides that either party may terminate this Lease upon ninety (90) days written notice. The annual rent for this extension period is approximately \$12,616 based on an estimated annual three percent (3%) CPI increase. Exercise of this option will provide for the continuation of operations by Don's Coffee Spot. (PREM) District 7 (HJF)

13. Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County Water Utilities Department to provide water service to the County's new Hagen Ranch Road Library located in western Delray Beach. **SUMMARY:** The County has completed the construction of the Hagen Ranch Road Library located on the east side of Hagen Ranch Road, approximately one (1) mile north of Atlantic Avenue in western Delray Beach. As part of the development, the County installed water utility lines to provide potable water, waste water and reclaimed water to both the Library and the adjacent Fire Rescue Station No. 42. The Declaration of Easement consists of two (2) easement areas. The first easement area runs 190' along the eastern portion of the Fire Rescue Station, varying in width from 15' to 37', containing approximately 400 square feet. The second easement is a 10'x10' area on the Library property for the force main valve and cleanout box. The Declaration will be recorded to provide notice of the existence and location of the water main pipes. (PREM) District 5 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to receive and file:

A) Notice to exercise the first option to extend the term of the ATM Operating License Agreement (R2007-2243) dated December 18, 2007, with the Palm Beach County Credit Union for the operation of automated teller machines (ATMs) within the South County Administrative Complex Office of the Tax Collector located at 501 South Congress Avenue, Delray Beach;

B) Notice to exercise the first option to extend the term of the ATM Operating License Agreement (R2007-2244) dated December 18, 2007, with the Palm Beach County Credit Union for the operation of automated teller machines (ATMs) within the Downtown West Palm Beach Office of the Tax Collector located at 301 N. Olive Ave, West Palm Beach;

C) Notice to exercise the first option to extend the term of the ATM Operating License Agreement (R2007-2245) dated December 18, 2007, with the Palm Beach County Credit Union for the operation of automated teller machines (ATMs) within the Midwestern Communities Service Center Office of the Tax Collector located at 200 Civic Center Way, Royal Palm Beach; and

D) Notice to exercise the first option to extend the term of the ATM Operating License Agreement (R2007-2246) dated December 18, 2007, with the Palm Beach County Credit Union for the operation of automated teller machines (ATMs) within the North County Courthouse Office of the Tax Collector located at 3188 PGA Blvd., Palm Beach Gardens.

SUMMARY: The Palm Beach County Credit Union currently leases ATM space within four (4) separate branch offices of the Tax Collector of Palm Beach County, for the operation of automated teller machines. The initial term of each ATM Operating License Agreement was for approximately six (6) months ending on May 31, 2008, with five (5) extension options, each for a period of one (1) year. This option will extend the term of the Lease Agreement for one (1) year, from June 1, 2008, through May 31, 2009. The Board has no discretionary authority to not allow the exercise of the option. However, the Agreement provides that either party may terminate this Agreement upon thirty (30) days written notice. The Agreement also provides that the County Administrator may approve renewals on behalf of the County. There is no annual rent for these agreements. (PREM) Districts 1, 6 & 7 (JMB)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2007-1329) with the Oakwood Center of the Palm Beaches, Inc., to extend the expiration date from June 30, 2008, to March 31, 2009, for the expenditure of \$200,000 in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Amendment provides an extension of nine (9) months to the term of the existing Agreement to complete the renovation of the heating, ventilation, and air conditioning (HVAC) system at their facility located at 1041 - 45th Street in the City of West Palm Beach. This facility was constructed in 1970. The aged original equipment required extensive engineering changes to the entire electrical distribution system resulting in the requested time extension. **These are federal funds that require no local match.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. **Staff recommends motion to approve:** a reimbursement to the City of Greenacres in the amount of \$88,579.41. **SUMMARY:** Approval of this agenda item will reimburse the City of Greenacres for expenses already incurred by them for street improvements on Perry Avenue, Martin Avenue, and certain alleyways in the City of Greenacres. On June 6, 2006, the City entered into an Agreement with Palm Beach County for this project which included roadway, sidewalk, and drainage system construction. The Agreement, which provided funding for both engineering consultant services and construction costs, expired on January 31, 2008. This reimbursement will pay for work that would have been funded under the Agreement. The City's final payment to the contractor occurred after the Agreement expired. Their payment could not be made until the contractor completed his compliance with the federally mandated Davis-Bacon Act relating to the payment of wages to workers on the project. Davis-Bacon Act matters have now been addressed enabling this reimbursement. **These are federal Community Development Block Grant funds that require no local match. District 2 (TKF)**

3. **Staff recommends motion to approve:** an Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency for the acquisition of 2628 Chickamauga Avenue, in unincorporated West Palm Beach, in the amount of \$263,000 in Community Development Block Grant (CDBG) funds for the period of July 8, 2008, through December 31, 2008. **SUMMARY:** The Westgate/Belvedere Homes Community Redevelopment Agency (CRA) desires to purchase this property to use it for storm water retention. The property is located within the CRA boundaries in an area that has historically suffered from flooding. This property will be included in CRA's larger effort to manage storm water in the surrounding area. The improvements on the property will be demolished by the CRA soon after acquisition, and the vacant lot will eventually be conveyed to the County when it is put into use for storm water detention. This property was appraised at \$300,000 in May 2008. The CRA intends to pay \$350,000 for the property, and will pay all acquisition costs above the \$263,000 being allocated under this Agreement. **These are federal CDBG funds that require no local match. District 2 (TKF)**

4. **Staff recommends motion to approve:** an Agreement with the Community Land Trust of Palm Beach County, Inc., for the acquisition of three (3) homes in the amount of \$645,200 in Community Development Block Grant (CDBG) funds for the period of July 8, 2008, through December 31, 2008. **SUMMARY:** The Community Land Trust of Palm Beach County, Inc., (CLT) desires to purchase three (3) homes for eventual conveyance to qualifying homeowners. These homes are located at 7708, 7786, and 7796 Griswold Street in unincorporated Lantana. Each of these homes was separately appraised at \$200,000 in June 2008. The CLT intends to pay \$185,000 for each home, and will use the remaining funds as necessary, until it conveys the homes, for carrying costs such as insurance, taxes, and maintenance. In order to achieve affordability, the land for each home will be leased to the homeowner for 99 years, and the home will be sold to the homeowner. The Agreement requires that these homeowners be pre-approved by the County to verify income eligibility. **These are federal CDBG funds that require no local match. District 7 (TKF)**

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. **Staff recommends motion to approve:** Amendment No. 001 to Agreement (R2007-1868) with Village Centre Apartments, Ltd. **SUMMARY:** On October 16, 2007, the Board of County Commissioners (BCC) approved Agreement (R2007-1868) with Village Centre Apartments, Ltd. providing \$900,000 in Federal HOME funds and \$400,000 in State Housing Initiatives Partnership (SHIP) funds to assist in the development of an eighty-four (84) unit workforce housing development. Our federal HOME and state SHIP funding will be allocated specifically for setting aside thirty-one (31) of these units for affordable housing. Eleven (11) HOME assisted units will be set aside for the elderly or disabled and this federal housing assistance will be passed through to the home buyers wherein the purchase prices for these housing units will be reduced by \$81,818.18. Twenty (20) SHIP assisted units are for low to moderate income households and this state housing assistance will be passed through to the home buyers wherein the purchase prices for these housing units will be reduced by \$20,000. Approval of this Amendment will modify the use of the Federal HOME funds (\$900,000) from construction related expenses, to land acquisition and pre-development related expenses. There are no recommended usage changes for the \$400,000 in State Housing Initiative Partnership (SHIP) Program funds provided for this project. All other conditions of the Agreement will remain in effect. **These are federal and state funds which require no local match.** District 7 (TKF)

6. **Staff recommends motion to approve:** Amendment No. 001 to Agreement (R2007-1819) with Housing Partnership, Inc. revising the work program narrative and providing for a six (6) month extension to the contract expiration date from July 1, 2007, to June 30, 2009. **SUMMARY:** On October 16, 2007, the BCC approved Agreement (R2007-1819) with Housing Partnership, Inc. in the amount of \$365,000 for the development of affordable housing and operating expenses as a Community Housing Development Organization (CHDO). Under the Agreement, the funds were to be used to construct at least eight (8) affordable housing units. Approval of this Amendment will provide Housing Partnership, Inc. with the option of either constructing or purchasing (8) affordable housing units for eligible first-time homebuyers and allow Housing Partnership, Inc. to use the CHDO set-aside funds as down-payment assistance for eligible homebuyers. Due to the downturn in the housing market and the increase of existing housing inventory on the market, it may be more cost effective for Housing Partnership, Inc. to purchase existing single family houses at a cost below what it would cost to construct similar housing units. **The agreement provides Federal HOME funds whose local matching requirements are achieved through State Housing Initiative Program funds.** Countywide (TKF)

7. **Staff recommends motion to approve:** Amendment No. 001 to Agreement (R2007-1332) with Northwest Riviera Beach Redevelopment Corporation amending the contract's effective date to run July 1, 2007, through February 28, 2009. **SUMMARY:** On August 21, 2007, the BCC approved Agreement (R2007-1332) with Northwest Riviera Beach Community Redevelopment Corporation in the amount of \$420,000 for the development of affordable housing and operating expenses as a Community Housing Development Organization (CHDO). Approval of this Amendment will establish a new effective date, as well as, extend the agreement for an additional six (6) months. This extension is necessary because of delays with the organization's State Housing Initiative Program supported "Brooks Subdivision Project." This Amendment will also permit Northwest Riviera Beach Redevelopment Corporation to be reimbursed for all eligible cost associated with these CHDO activities in accordance with the original agreement. **The agreement provides Federal HOME funds whose local matching requirements are addressed through State Housing Initiative Program funds.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: one (1) Agreement for Emergency Generator Purchase, Operation and Maintenance with Village Walk of Wellington HOA. **SUMMARY:** On March 14, 2006, the Board of County Commissioners delegated the authority to execute Emergency Generator Purchase, Operation and Maintenance Agreements (Agreements) to the County Administrator or his designee. The County Administrator has delegated this approval to the Palm Beach County Water Utilities Department Director. These Agreements provide property owners with the ability to donate funds to purchase emergency generators for lift stations located within their community. The Department will assign the community its generator(s), locate the generator(s) on-site during hurricane season, and operate and maintain the generator(s) during emergencies. By executing such Agreements, the Department is able to expedite its goal of providing a higher level of emergency response service throughout its service area. Power outages that occur during hurricanes and other emergencies require the Department to operate a system of emergency generators at wastewater pump stations to prevent wastewater from backing up into streets, swales, and residents' homes. Due to the great number of lift stations and limited staffing resources, the Department is not able to place an emergency generator at every lift station. These Agreements will increase the number of generators available to the Department during emergencies. District 6 (MJ)

2. Staff recommends motion to approve: a Potable Water and Wastewater Development Agreement (Agreement) with Palomino Ventures, Inc. **SUMMARY:** Palomino Ventures, Inc. (Palomino) owns property located on the northeast corner of State Road 7 and Palomino Drive. In order to provide potable water and wastewater concurrency reservations for new developments, the Department requires property owners to enter into a formal development agreement with the Department. While the Department Director has been delegated the authority to enter into Standard Development Agreements (SDAs), Board approval is being sought in this case due to the type of facility being constructed by Property Owner and the fees associated with the classification of the facility. The Department has determined the service shall be provided based on a revised multi-family residential connection classification of 0.40 ERCs per unit. This classification does not currently exist in the Department's Uniform Policies and Procedures Manual (UPAP), but will be added during the next revision to the UPAP. The special conditions in this Agreement reference this special classification. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** a Second Amendment to Standard Potable Water and Wastewater Development Agreement (R2005-0625) (Agreement) with The Diocese of Newton for the Melkites in the United States of America, Inc., providing for an additional cash reimbursement of \$66,000 for County required off-site utility improvements associated with the Saint Nicholas Melkite Mission project. **SUMMARY:** On February 10, 2005, the Department entered into a Standard Potable Water and Wastewater Development Agreement (Agreement) with the Diocese of Newton for the Melkites in the United States of America, Inc. (Melkite Mission) for the reservation of potable water and wastewater capacities. The First Amendment to the Agreement was approved by the Board of County Commissioners on February 5, 2008, providing for cash reimbursement to Melkite Mission for the oversizing of certain off-site utility improvements related to a future potable water emergency interconnect with City of Delray Beach. While the construction of the utilities by Melkite Mission was delayed, the County proceeded with the final design and partial construction of the emergency interconnect and other facilities. Melkite Mission was required to revise the engineering design to match County plans. Melkite Mission now agrees to construct certain off-site utilities in Lake Ida Road to minimize the impact on the road traffic during construction and to save overall construction costs. Specifically, Melkite Mission will install one (1) water main connection and two (2) force main connections in Lake Ida Road which are either not required to serve their development or are being oversized per County request. Melkite Mission has provided an estimated cost of \$84,973 for the additional/oversized facilities. Staff has reviewed Melkite Mission's cost estimates and recommends Melkite Mission be reimbursed \$66,000 in cash for the design and installation of the additional/oversized facilities. Melkite Mission is releasing the County from any future claims related to the design and construction of the additional/oversized facilities. District 5 (MJ)

4. **Staff recommends motion to approve:** a Reclaimed Water Service Agreement – Lake Discharge Irrigation System (Agreement) with Gleneagles Country Club, Inc. **SUMMARY:** The recent expansion of the Palm Beach County Water Utilities Department's (Department) reclaimed water system provides the opportunity for existing developments to install infrastructure to convey reclaimed water into a development's lakes for subsequent irrigation through the development's irrigation system. The Board of County Commissioners adopted Standard Reclaimed Water Service Agreements (Standard Agreement) on November 20, 2007, and permitted execution of such Standard Agreements at the Department level. However, due to the complexity of ownership and multiple parties having responsibility for the property covered by this Agreement, modifications to the Standard Agreement are necessary, and BCC approval is therefore required. District 5 (MJ)

5. **Staff recommends motion to receive and file:** one (1) Standard Development Agreement complete with executed documents received during the month of May 2008:

Standard Development Agreement

Haverhill Acres, LLC (District 2) 01-01163-000

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

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** the Environmental Resources Management's (ERM) recommendation to demolish the residential structure at the County's Jackson Riverfront Pines Natural Area at a cost not-to-exceed \$30,000. **SUMMARY:** On February 8, 2007, the County finalized the purchase of the Jackson Riverfront Pines Natural Area for \$3,600,000. This approximately three (3) acre property, on the north fork of the Loxahatchee River, consists of three (3) parcels with a single family residence on one (1) of the parcels. On October 17, 2006, the Board directed staff to investigate the feasibility of utilizing the existing house as a nature center. Subsequent discussions with contractors indicate that the cost to bring the building up to code and American with Disabilities (ADA) requirements would be approximately \$119,950. This price does not include any interior renovations for space reconfiguration other than those required by ADA. Demolition cost estimates for the structure, including asbestos abatement, are under \$30,000. Because of the high cost to bring the structure up to code and the lack of designated positions, volunteers, or another agency to staff a nature center, ERM recommends demolition of the house and garage, and filling in of the swimming pool on the property. Demolition of the existing structure would not preclude the County from constructing an environmental education/nature center in the future. District 1 (JMB)

2. **Staff recommends motion to approve:** Budget Transfer of \$3,400,000 within the Beach Improvement Fund from various projects to Singer Island for \$2,500,000, South Palm Beach for \$300,000, Jupiter Carlin for \$550,000, and South Lake Worth Inlet Management for \$50,000. **SUMMARY:** The transfer within the Beach Improvement Fund reduces funding for the ongoing maintenance of Ocean Ridge (\$700,000), Lake Worth Inlet Management Plan (LWIMP) (\$300,000), Emergency Beach Responses (\$1,200,000), Palm Beach Midtown Shore Protection (\$25,000), Phipps Park Shore Protection (\$50,000), Delray Beach Shore Protection (\$500,000), and Central Boca Shore Protection (\$125,000) and Reserves (\$500,000). These projects can be defunded at this time because they either are no longer in need of funding, in the monitoring phase, awaiting next phase, or delayed due to coordination with other agencies. Funding will increase Singer Island for \$2,500,000, South Palm Beach for \$300,000, Jupiter Carlin Shore Protection for \$550,000, and South Lake Worth Inlet Management (SLWI) for \$50,000. Districts 1, 4 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to receive and file:

- A) \$25,000 Interlocal Agreement with the City of Boca Raton (District 4)
- B) \$ 5,000 Interlocal Agreement with the City of Boynton Beach (District 3)
- C) \$ 5,000 Interlocal Agreement with the City of Delray Beach (District 4)
- D) \$ 5,100 Interlocal Agreement with the Town of Delray Beach (District 4)
- E) \$27,700 Interlocal Agreement with Florida Atlantic University (District 4)
- F) \$20,000 Interlocal Agreement with the Village of Golf (District 4)
- G) \$20,000 Interlocal Agreement with Indian Trail Improvement District (Districts 1&6)
- H) \$ 5,000 Interlocal Agreement with the Town of Jupiter (District 1)
- I) \$50,000 Interlocal Agreement with the City of Riviera Beach (District 7)
- J) \$50,000 Interlocal Agreement with the South Florida Water Management District (District 1)
- K) \$50,000 Interlocal Agreement with the City of West Palm Beach (District 2)
- L) \$50,000 Interlocal Agreement with the Village of Royal Palm Beach (District 6)

SUMMARY: The grant awardees were approved by the Board of County Commissioners on July 10, 2007 (Item 6B-2) as part of the 2007 Public Lands Grant Program, which reimburses municipalities and other public entities for removal of invasive non-native vegetation. Delegations of authority for execution of these standard County contract(s), agreement(s) or grant(s) above were approved, pursuant to PPM No. CW-O-051, on February 25, 2003. The 2007 grant cycle is the last year of the program. Districts 1, 2, 3, 4, 6 & 7 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

A) ratify the signature of the Chairperson of the Board of County Commissioners on a Florida Boating Improvement Program Grant Application submitted to Florida Fish and Wildlife Conservation Commission on May 15, 2008, requesting \$500,000 for the DuBois Park Marina and Shoreline Stabilization project;

B) adopt Resolution for assistance under the Florida Boating Improvement Program for grant funding for DuBois Park Marina and Shoreline Stabilization project in the amount of \$500,000;

C) authorize the County Administrator or his designee to execute the funding Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement, if the grant is approved; and

D) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with Florida Fish and Wildlife Conservation Commission for this project.

SUMMARY: This Grant Application requests up to \$500,000 from the Florida Fish and Wildlife Conservation Commission (FWCC) Florida Boating Improvement Program (FBIP) for the DuBois Park Marina and Shoreline stabilization project. This project includes construction of 24 dock slips along the peninsula, renovation of the dock slips at Zeke's Marina, repair of the existing single concrete boat ramp, shoreline revetment and stabilization and construction of a one (1) acre snorkeling area. The total cost of the project is estimated at \$3,548,435. The cost estimate for the grant application is \$2,400,000 since the FWCC FBIP grant does not include costs associated with the one (1) acre snorkeling area. The balance of the project will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue and, if awarded, a proposed \$987,000 Florida Inland Navigation District (FIND) Waterways Assistance Program grant and a \$100,000 Metropolitan Planning Organization Water Taxi grant. District 1 (AH)

2. Staff recommends motion to approve: Agreement with The Armory Art Center, Inc. for the period July 8, 2008, through December 30, 2008, in an amount not-to-exceed \$10,000 for funding of the 2008 Summer Camp Program. **SUMMARY:** This funding is to assist with the cost of Armory Art Center's 2008 Summer Camp Program. Approximately 750 youth from ages five (5) through sixteen (16) are anticipated to participate in this program. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to June 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 2 Funds. District 2 (AH)

3. Staff recommends motion to approve: Agreement with Florence Fuller Child Development Centers, Inc., for the period July 8, 2008, through December 1, 2008, in an amount not-to-exceed \$10,000 for funding of the purchase and installation of playground equipment and an air conditioner for the recreation room. **SUMMARY:** This funding is to assist with the cost of the purchase and installation of playground equipment and an air conditioner for the recreation room at the Florence Fuller Child Development Center's east center located at 200 N.E. 14th Street in Boca Raton. The east center serves approximately 150 toddlers and children in its daily and after school programs. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to May 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 4 Funds. District 4 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. **Staff recommends motion to approve:** Agreement with Bangladesh Association of Florida, Inc. for the period July 8, 2008, through October 31, 2008, in an amount not-to-exceed \$18,500 for funding of the Asian Food Fair and Cultural Show 2008. **SUMMARY:** This funding is to help offset costs for the Asian Food Fair and Cultural Show 2008 held by the Bangladesh Association of Florida, Inc. at Old School Square in Delray Beach on April 19 and 20, 2008. Approximately 10,000 people attended the event. This Agreement allows for the reimbursement of eligible expenses incurred subsequent to January 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 2 (\$5,000), District 4 (\$5,000), District 5 (\$1,000), District 6 (\$2,500) and District 7 (\$5,000) Funds. District 7 (AH)
5. **Staff recommends motion to approve:** Agreement with Boca Raton's Promise – The Alliance for Youth, Inc. for the period July 8, 2008, through September 15, 2008, in an amount not-to-exceed \$4,000 for funding of the Spring Break Creative Arts Workshop. **SUMMARY:** This funding is to help offset the cost of the Spring Break Creative Arts Workshop held at Boca Raton Community Middle School during the 2008 Palm Beach County School District spring break. The workshop served approximately 22 youth performers, 120 youth participants, and 30 senior citizen participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to October 30, 2007. Funding is from the Recreation Assistance Program (RAP) District 4 Funds. District 4 (AH)
6. **Staff recommends motion to approve:** Agreement with Lake Lytal Lassie League, Inc., for the period July 8, 2008, through October 31, 2008, in an amount not-to-exceed \$3,000 for funding of uniforms, trophies, and awards. **SUMMARY:** This funding is to assist with the cost of uniforms, trophies, and awards for participants in the Lake Lytal Lassie League softball program. The Lake Lytal Lassie League serves approximately 100 girls. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to November 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 2 Funds. District 2 (AH)
7. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Boca Raton Community High School in an amount not-to-exceed \$2,500 for funding of Project Graduation 2008. **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 4 Funds. District 4 (AH)
8. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Wellington Landings Community Middle School in an amount not-to-exceed \$6,000 for funding of athletic field bleachers. **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)
9. **Staff recommends motion to approve:** Recreation Assistance Program allocation of \$10,000 from District 5 for soccer summer camp program fees. **SUMMARY:** This allocation provides \$10,000 to fund Parks and Recreation soccer summer camp fees at Our Lady Queen of Peace Mission. Funding is from the Recreation Assistance Program (RAP). District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

10. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the months of May and June:

A) Glass Productions, Inc., Summer Camp Staff Training, Therapeutic Recreation Complex;

B) JKF Goju Kai, Florida, Inc., Martial Arts Program, West Jupiter Recreation Center;

C) Modern Bujutsu Karate Florida, Inc., Martial Arts Program, Therapeutic Recreation Complex; and

D) Melissa Sackl, Water Aerobics Instructor, Therapeutic Recreation Complex.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 1 & 3 (AH)

11. **Staff recommends motion to approve:** Agreement with American Cancer Society, Florida Division, Inc. for the period July 8, 2008, through August 31, 2008, in an amount not-to-exceed \$1,000 for funding of the Glades Relay for Life event.

SUMMARY: This funding is to help offset costs incurred by the American Cancer Society, Florida Division, Inc. for the Glades Relay for Life event held at the Pahokee Recreation Center the weekend of March 28, 2008. The event was attended by approximately 1,000 participants from the western communities. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to February 28, 2008. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

12. **Staff recommends motion to receive and file:** original executed Second Amendment to Request for Funding Form for School Board Recreation Assistance Program project for Golden Grove Elementary School for the purchase and installation of fitness trail equipment (R2007-0991), as amended (R2008-0545), to extend the project completion date from June 30, 2008, to December 31, 2008. **SUMMARY:** This fully executed Second Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747), as amended. The amended project completion date of June 30, 2008, is being extended by six (6) months to allow project completion time and completion of reimbursement documentation. All other project terms, including the funding amount of \$5,000, remain the same. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

13. **Staff recommends motion to approve:** Agreement with Glades Area Association for Retarded Citizens, Inc. for the period July 8, 2008, through December 30, 2008, in an amount not-to-exceed \$4,000 for funding of the Community Inclusion Program. **SUMMARY:** This funding is to help offset costs incurred by the Glades Area Association for Retarded Citizens, Inc. for the Community Inclusion Program. This program serves at least 30 individuals with various disabilities. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to July 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

JULY 8, 2008

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

14. **Staff recommends motion to approve:** First Amendment to Agreement (R2008-0662) with Palm Beach Multicultural Organization Incorporation for funding of the Caribbean Mardi Gras. **SUMMARY:** This Amendment is to increase the amount of funding for the Caribbean Mardi Gras by \$5,000 for a total funding amount not-to-exceed \$7,200. Funding is from the Recreation Assistance Program (RAP) District 2 (\$5,000), District 6 (\$1,000), and District 7 (\$1,200) Funds. District 6 (AH)

15. **Staff recommends motion to receive and file:** notice of termination letter dated August 30, 2007, sent by the Parks and Recreation Department Assistant Director in association with the termination of the Concessionaire Service Agreement (R2006-1261) with The Esther and David Company (Esther & David), effective August 30, 2007. **SUMMARY:** The Concessionaire Service Agreement with Esther & David was approved by the Board of County Commissioners on July 11, 2006, for a term of three (3) years, with two (2) extension options, each for a period of one (1) year. On August 16, 2007, the Director and Assistant Director of Parks and Recreation each sent a notice of default letter to Esther & David for failure to meet its contractual obligations. In accordance with the Agreement, a subsequent notice of termination letter, which terminated the Agreement for failure to cure the violations, was sent to Esther & David, and became effective on August 30, 2007. On September 18, 2007, a notice to vacate by October 8, 2007, was sent to Esther & David. Esther & David vacated the concession premises on October 8, 2007. District 4 (AH)

N. LIBRARY

1. **Staff recommends motion to approve:**
 - A) Budget Transfer of \$5,000,000 from adjusted balance forward in operating fund to capital fund for equipment purchases; and

 - B) Budget Amendment of \$5,000,000 to appropriate funds by project and object code in capital fund.

SUMMARY: In each of the past two (2) years, the library has experienced double-digit growth in the circulation of library materials. The staff is projected to handle in excess of 14 million transactions in the current fiscal year with each item being processed by hand. With the addition of several new and expanded facilities in the next few years, increased usage and fluctuating revenue, the library seeks to implement proven materials handling technology and security measures that will greatly increase efficiency and reduce the amount of staff that would otherwise be needed to provide services in the new facilities, as well as meet the growing demand in existing libraries. Countywide (TKF)

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** a Budget Amendment of the Board of County Commissioners, Palm Beach County, Florida, establishing the Cooperative Extension Revenue Fund in the amount of \$94,195. **SUMMARY:** The Cooperative Extension Service Department (Department) is consolidating several small accounts, previously managed under the auspices of University of Florida/Institute of Food and Agricultural Sciences (UF/IFAS) into one (1) account, so there will be County oversight. These funds come from numerous sources including program fees, small program appropriations, and private contributions. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) accept a Grant award from the State of Florida Department of Children and Families in the amount of \$100,000 for grant period May 20, 2008, to May 19, 2009; and

B) Approve a Budget Amendment of \$100,000 to establish funding.

SUMMARY: On May 23, 2008, the Palm Beach County Criminal Justice Commission received an award from the Florida Department of Children and Families and the Florida Substance Abuse and Mental Health Corporation for the Palm Beach County Criminal Justice, Mental Health and Substance Abuse Planning Grant. These funds will be used to develop a strategic plan to help enhance the criminal justice system's response to mental health and substance abuse in Palm Beach County. No additional positions are needed and no County funds are required. The Criminal Justice Commission will administer this grant. **There is a match that will be provided through in kind services of current staff.** Countywide (DW)

2. Staff recommends motion to approve:

A) an Agreement with the Child Protective Team of Palm Beach, Inc. (CPT), in the amount of \$45,000 for the period July 1, 2008, to September 30, 2008 for the provision of CPT medical exams to children; and

B) a Budget Transfer of \$45,000 from the Criminal Justice Reserve Fund reserves to provide funding for this program.

SUMMARY: On May 27, 2008, the Criminal Justice Commission (CJC) approved the use of \$45,000 in Criminal Justice Reserve Fund monies to contract for the provision of CPT medical exams to children. Countywide (DW)

R. HUMAN RESOURCES

1. Staff recommends motion to approve: Amendment No. 1 to Contract with NMS Management Services, Inc. (R2007-0708), for the County's drug testing program, to exercise the option to renew for one (1) year, beginning May 1, 2008, through April 30, 2009, at an annual cost of \$41,450. **SUMMARY:** The Board of County Commissioners approved contract R2007-0708 on May 1, 2007 for a term of one (1) year with two (2) – one (1) year options to renew. They are exercising this option to renew with the same terms and conditions. Countywide (EC)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve:

A) increase of spending authority under the Recovery Services Agreement with Sungard, Inc., (R2003-1256; R2005-0349) by \$122,514 for a total Contract amount of \$892,030; and

B) correction of stated ending date of this Contract from August 31, 2008, to September 30, 2008.

SUMMARY: The total spending authority for this Contract was set at \$769,516 by the original Contract (R2003-1256) and Amendment No. 1 (R2005-0349). The spending authority must be increased to accommodate the remaining contract payments. The original spending authority did not include the annual escalation factor (up to 5%) and monthly costs for connectivity to the Sungard facility. Also, the original agenda item (R2003-1256) stated the ending date of this Contract as August 31, 2008. Based on the executed Recovery Services Schedule A (both original and amended), the correct ending date of the Contract is September 30, 2008. Countywide (PK)

X. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution adding an additional seat to the Victim Coordinating Council's membership to include a representative of the Palm Beach County Medical Examiner's Office. **SUMMARY:** The Palm Beach County Medical Examiner's Office has been actively involved in assisting the Council to meet its goals and objectives. By adding a seat to the Council's membership, the Palm Beach County Medical Examiner's Office will have a vote on issues the Council wishes to address. Countywide (DW)

2. Staff recommends motion to:

A) receive and file the Interlocal Agreement with Florida Atlantic University to use the County's Reverse 9-1-1 Alert and Notification System "Dialogic", for an annual subscription fee of \$6,000; and

B) approve a Budget Amendment of \$6,000 in the Emergency Management Grant Fund to recognize budget.

SUMMARY: R2006-0799 authorizes the County Administrator or his designee to sign Dialogic agreements with the municipalities on behalf of the BCC. The Dialogic system allows the County and its partner agencies to quickly send emergency notification to its intended audience. Countywide (DW)

3. Staff recommends motion to receive and file: an executed agreement with the Court Psychology Office and the 15th Judicial Circuit Court to provide Social Custody Evaluation/Home Studies in Palm Beach County as requested by our court system. **SUMMARY:** R2005-0792 authorizes the County Administrator or his designee to sign contracts to provide psychological services to the Fifteenth Judicial Circuit Court. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an agreement with the Area on Aging Palm Beach/Treasure Coast, Inc., in the amount of \$10,200, for the Elderly Abuse Training Project for the period of October 1, 2007, to September 30, 2008; and

B) approve a Budget Amendment of \$10,200 in the Sheriff's Grant Fund.

SUMMARY: The Area on Aging Palm Beach/Treasure Coast, Inc. received an award from the United States Department of Justice, Office on Violence Against Women to create a universal, coordinated, countywide response through enhanced training and strengthened partnerships to address violence and abuse against women in later life. The Palm Beach County Sheriff's Office and the Area on Aging Palm Beach/Treasure Coast, Inc. entered into an agreement to create a local community-based program developed to assist law enforcement, prosecutors, investigators, and judges in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect, and exploitation of women who are 50 years of age or older. Under this agreement, the Palm Beach County Sheriff's Office will receive quarterly payments in the amount of \$2,550 for training costs associated with the program. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a South Florida High Intensity Drug Trafficking Area (HIDTA) FY 2008 Violent Crimes and Drug Trafficking Organization (VCDTO) initiative in the amount of \$30,000, for "Operation Two Doors Down", for the period of February 20, 2008, through February 19, 2009; and

B) approve a Budget Amendment of \$30,000 in the Sheriff's Grant Fund.

SUMMARY: On February 28, 2008, the Palm Beach County Sheriff's Office (PBSO) received an award from the South Florida (HIDTA) (VCDTO). The funds provided will be used for overtime reimbursement incurred by law enforcement officers participating in "Operation Two Doors Down", which is targeting an organization that specializes in the cultivation and trafficking of hydroponic marijuana. 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

BB. SHERIFF (Cont'd)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Florida Department of Law Enforcement, Law Enforcement Terrorism Prevention Program Grant for Enhancing Palm Beach County's Critical Infrastructure and Key Resources Project in the amount of \$97,312 for the period of April 7, 2008, through December 31, 2008; and

B) approve a Budget Amendment of \$97,312 in the Sheriff's Grant Fund.

SUMMARY: On May 12, 2008, the Palm Beach County Sheriff's Office (PBSO) received an award from the Florida Department of Law Enforcement (FDLE) for salaries and benefits for Enhancing Palm Beach County's Critical Infrastructure and Key Resources Project. These funds, which have been approved by FDLE, will be used to enhance the County's risk assessments on assets believed to be time critical. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Department of Justice Office of Justice Programs Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program under the SMART FY '08 Office Support for the Adam Walsh Act Implementation Grant Program award for Palm Beach County's Comprehensive Strategy to Effectively Manage Sexual Offenders and Predators in the amount of \$300,000 for the period of April 1, 2008, through March 31, 2009; and

B) approve a Budget Amendment of \$300,000 increasing the Sheriff's Grant Fund.

SUMMARY: On April 17, 2008, the Palm Beach County Sheriff's Office (PBSO) received an award to implement Palm Beach County's Comprehensive Strategy to Effectively Manage Sexual Offenders and Predators. The Strategy includes expanding the PBSO Sexual Predator and Offender Tracking Unit with the hire of a full time detective and a full time coordinator; enhancing multi-agency and multi-jurisdictional collaboration; and improving the exchange of law enforcement information between local, state and federal agencies. There is no required match by the funding agency; however the Sheriff's Office has committed to use salaries, benefits, and equipment as an in-kind match in the amount of \$103,358. Two (2) PBSO positions are created with this action. **No additional County funds are required.** Countywide (DW)

CC. SUPERVISOR OF ELECTIONS

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

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Certificate of Appreciation to Dr. Stanley Pierce for eight (8) years (October 2000 to September 2008) of distinguished service to the Health Care District of Palm Beach County. (Sponsored by Commissioner Kanjian)

- B.** Certificate of Appreciation to Bernice “Bee” Faulk Haydu for over 22 years (December 1984 to February 2007) of distinguished service to Palm Beach County as a member of the Aviation and Airports Advisory Board. (Sponsored by Commissioner Marcus)

- C.** Proclamation declaring the week of August 3 – 9, 2008 as “National Stop on Red Week” in Palm Beach County. (Sponsored by Commissioner Aaronson)

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5. REGULAR AGENDA

B. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** the Application of Pine Crest Preparatory School, Inc. for the issuance of not-to-exceed \$75,000,000 of Revenue and Refunding Revenue Bonds (Pine Crest Preparatory School, Inc. Project), Series 2008 (the "Bonds"). **SUMMARY:** Pine Crest Preparatory School, Inc. (the "School"), a Florida non-profit corporation which is exempt for taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, has applied for the issuance of industrial development revenue bonds by the County in an amount not to exceed \$75,000,000. Proceeds of the Bonds will be used: (i) to finance the costs of acquisition, construction, reconstruction and equipping of educational facilities of Pine Crest School at its Boca Raton campus located at 2700 St. Andrews Boulevard, Boca Raton, Florida 33434, and its Fort Lauderdale campus located at 1501 N. E. 62nd Street, Fort Lauderdale, Florida 33334; and (ii) to refund the City of Fort Lauderdale, Florida Revenue Bonds (Pine Crest Preparatory School Inc. Project) Series 2002, currently outstanding in the principal amount of \$25,500,000. Since part of the educational facilities are located in the City of Boca Raton, Florida, a municipal corporation located in the County, and part are located in the City of Fort Lauderdale, Florida, the County will be authorized pursuant to an interlocal agreement with the City of Fort Lauderdale, Florida, to issue the Bonds for such educational facilities. **Neither the taxing power nor the faith and credit of the County, nor any County funds shall be pledged to pay principal or redemption premium, if any, or interest on the Bonds.** District 4 (PFK)

C. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:**
 - A)** a subsidy loan in the amount of \$60,000 from the State Housing Initiative Partnership (SHIP) Program; and
 - B)** a third mortgage in the amount of \$60,000 from the Community Development Block Grant Program (CDBG) for a low-income Palm Beach County employee participating in HCD's first-time homebuyer program.

SUMMARY: Frank Harris III is a single man who has been employed with the Palm Beach County Water Utilities Department since 2005. He is seeking to purchase a townhome in the amount of \$185,000 which is consistent with the appraised value. The home is 1,645 square feet, 3 bedrooms with 2 1/2 baths. This townhome was initially purchased by HCD in 2005 through the CDBG Local Homestead Pilot Program and is located at 9301 Lily Bank Court, Riviera Beach. Mr. Harris has secured a first mortgage in the amount of \$65,000 from Bank United, and has been qualified to receive \$60,000 in SHIP subsidy assistance and \$60,000 in deferred CDBG assistance. The subsidy assistance provided by Palm Beach County will consist of one (1) mortgage and two (2) separate promissory notes with no monthly payment and forgivable after thirty (30) years if the property remains owner-occupied by Mr. Harris. This request was presented to and recommended for funding by the Commission on Affordable Housing's Advisory Committee on April 24, 2008. **These are state and federal funds which require no local match.** District 7 (TKF)

5. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: an Interlocal Agreement with the Village of Palm Springs providing for the annexation of one (1) enclave generally located on the north and south sides of 10th Avenue North, east of Kirk Road and west of Evans Drive.
SUMMARY: The Board of County Commissioners has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes allows annexation of enclaves less than ten (10) acres through an Interlocal Agreement with the annexing municipality and the County. By Resolution No. 2008-48, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of one (1) enclave identified within the interlocal as Exhibit "A". The enclave 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. District 3 (RB)

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JULY 8, 2008

6. PRE-WORKSHOP SESSION – TIME CERTAIN 10:30 A.M.

A. [Budget Reductions Discussion](#) (No Public Comment)

7. BOARD APPOINTMENTS

A. **PLANNING, ZONING & BUILDING**
(Nuisance Abatement Board)

1. **Staff recommends motion to approve:** reappointment of the following two (2) members to the Nuisance Abatement Board (NAB), for a two (2) year term expiring July 2010:

<u>Name</u>	<u>Membership Requirement</u>	<u>Nominated by</u>
Nathan M. Lipschultz	PBC Resident	Marcus, Koons, Aaronson and Greene
Daniel Hyndman	PBC Resident	Marcus, Koons McCarty, Aaronson and Greene

SUMMARY: Pursuant to County Ordinance 02-023, the NAB is composed of five (5) members. All members must be residents of Palm Beach County. Both Mr. Lipschultz and Mr. Hyndman meet the residency requirements. On April 29, 2008, a memo was sent to the BCC advising of the expiration of the terms of three (3) members of the Nuisance Abatement Board. Two (2) of the members, Mr. Lipschultz and Mr. Hyndman were contacted and both expressed a desire to be reappointed. The third member, Mr. Walsh, has apparently relocated and was unable to be contacted. No new nominations were submitted to fill the vacancy created by Mr. Walsh's leaving. Countywide (DW)

(Construction Industry Licensing Board)

2. **Staff recommends motion to approve:** appointment of the following individuals to the Construction Industry Licensing Board (CILB):

A) one (1) member to complete a term from July 8, 2008, to September 30, 2009:

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
Alvin S. Cohen	13	Consumer Member	Comm. McCarty

B) one (1) member to complete a term from July 8, 2008, to September 30, 2011:

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
John W. Albert III	11	General Contractor	Comm. McCarty Comm. Koons Comm. Greene

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended, by Section 489.131. The Special Act sets forth the membership of the Board, which consists of twelve (12) members. The membership consists of two (2) general contractors, one (1) member of the following categories; building; residential; electrical; plumbing; HARV, roofing; swimming pool; architect; engineer and a building official. In addition, F.S. § 489.131 requires that we have three (3) consumer representatives. The above named have been recommended by their respective organization. Memorandums were sent to the Board of County Commissioners on December 19, 2007 & May 15, 2008 advising of the vacant positions; no other nominations were received. Countywide (GB)

7. BOARD APPOINTMENTS

B. ADMINISTRATION
(Fire Rescue Level of Service Committee)

1. Staff recommends motion to approve: appointment of one (1) member to the Fire Rescue Level of Service (LOS) Committee to complete a three (3) year term of a vacant seat beginning July 8, 2008, through May 2, 2011:

<u>Nominee</u>	<u>Seat</u>	<u>Category</u>
Chief Pete Bergel	5	City Fire Chief-Large City

SUMMARY: The LOS Committee recommends appointment of Chief Pete Bergel, Fire Chief for the City of Palm Beach Gardens to replace Chief Ridgeway who resigned from the City of West Palm Beach. Palm Beach County Resolution R2004-0494 established the Fire Rescue LOS Committee. It consists of nine (9) members representing specific categories: one (1) County Administrator or designee; one (1) County Fire Chief; two (2) City Managers (one representing small cities, one representing large cities); two (2) City Fire Chiefs (one representing small cities, one representing large cities); one (1) Labor Representative; one (1) Fire Rescue Advisory Board Member; and one (1) Emergency Medical Services Council representative. All terms shall be for three (3) years, except the appointments for County Administrator (or designee) and County Fire Chief which may be permanent appointments. Countywide (SB)

(Workforce Alliance, Inc.)

2. Staff recommends motion to approve: the appointment of Amy L. Dean to the Workforce Alliance, Inc. (Alliance) Board of Directors for the period July 8, 2008, through July 7, 2011:

<u>Nominee/ Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Amy L. Dean	1 of 17	07/8/08 Through 07/7/11	Private Sector	Chamber of Commerce of the Palm Beaches

SUMMARY: The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. Policy for this item is defined in an Agreement (R2007-1220) with Alliance dated July 10, 2007. Per this Agreement, seventeen (17) private sector member appointments shall be made by County. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. The Alliance Board of Directors is compromised of a minimum of thirty-five (35) members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, one-stop partners. Countywide (TKF)

C. COMMISSION DISTRICT APPOINTMENTS

JULY 8, 2008

8. MATTERS BY THE PUBLIC – 2:00 P.M.

JULY 8, 2008

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

JULY 8, 2008

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

JULY 8, 2008

<u>PAGE</u>	<u>ITEM</u>	
8	3A-5	<u>DELETED:</u> Staff recommends motion to approve: A) an Interlocal Agreement with the City of Belle Glade for the County to construct, maintain and operate a Lake Okeechobee Scenic Trail Entryway (kiosk);...(Admin/Economic Development) (Further staff review)
11	3C-13	<u>DELETED:</u> Staff recommends motion to approve: A) a Budget Transfer of \$19,400 in the Transportation Improvement Fund from Reserve for District 4 to Orange Boulevard Phase I – 140 th Avenue to 130 th Avenue North; . . . (Engineering) (Further staff review)
11	3C-15	<u>DELETED:</u> Staff recommends motion to adopt: a Resolution approving Amendment Number Five to the Joint Participation Agreement (JPA) (R2003-0312) with the Florida Department of Transportation (FDOT) for improvements in connection with the Palm Beach County Intelligent Transportation System (ITS) Operations Facility. (Engineering) (Item does not require Board approval)
15	3H-4	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: <u>A)</u> Change Order No. 15 to the Contract with Catalfumo Construction, Ltd. (R2003-1543), in the amount of \$154,251.61 and a ten (10) day time extension for the Palm Beach Sheriffs Office (PBSO) Aviation Unit Facility; <u>B)</u> a Budget Transfer of \$154,252 from reserve in the Fleet Management Fund to establish a transfer to the Public Building Improvement Fund; <u>C)</u> a Budget Amendment of \$154,252 in the Public Building Improvement Fund to recognize revenue transferred from the Fleet Management Fund and to increase the project budget; and <u>D)</u> a Budget Transfer of \$126,988 from restricted reserves in the Public Building Improvement Fund to increase the project budget from funds received from the Health Care District/Aeromedical. SUMMARY: Change Order No. 15 will provide an additional 12,000 gallon above-ground Jet-A fuel tank to serve the County’s aviation needs at PBIA. . . . Funding for this project is from FDO/Fleet Management’s budget <u>and is implemented by Motions B and C.</u> The funds which are being received from the Health Care District is reimbursement for work requested by the agency and included in the County’s contract with Catalfumo. This Change Order is for work which is partially completed prior to Board approval of this Change Order. (Capital Improvements Division) <u>District 2</u> (JM) (FD&O)
16	3H-6	<u>REVISED TITLE:</u> Staff recommends motion to approve: Change Order No. 31 to Amendment No. 8 with The Weitz Company (R2003-1542) in the amount of \$72,111 <u>\$71,111</u> and a 70 day time extension for the Hagen Ranch Road Library. (FD&O)

- 21 3I-4 **REVISED SUMMARY:** The Community Land Trust of Palm Beach County, Inc., (CLT) desires to purchase three homes for eventual conveyance to qualifying homeowners. These homes are located at ~~7708~~ 7804, 7786, and 7796 Griswold Street, in unincorporated Palm Beach County ~~Lantana~~. Each of these homes was separately appraised at \$200,000 in June 2008. The CLT intends to pay \$185,000 for each home, and will use the remaining funds as necessary, until it conveys the homes, for carrying costs such as insurance, taxes, and maintenance. (HCD)
- 22 3I-6 **DELETED: Staff recommends motion to approve:** Amendment No. 001 to Agreement (R2007-1819) with Housing Partnership, Inc. revising the work program narrative and providing for a six (6) month extension to the contract expiration date from July 1, 2007, to June 30, 2009. (HCD) (Further staff review)
- 22 3I-7 **DELETED: Staff recommends motion to approve:** Amendment No. 001 to Agreement (R2007-1332) with Northwest Riviera Beach Redevelopment Corporation amending the contract's effective date to run July 1, 2007, through February 28, 2009. (HCD) (Further staff review)
- 37 5E-1 **ADD-ON, REVISED TITLE & SUMMARY:** **Staff recommends motion to deny:** ~~an appeal to the Roadside Vendor Ordinance (Ordinance 97-40) a request for a waiver by Catherine Hietapelto, a roadside vendor from complying with the square foot maximum vending area as required in the Roadside Vendor Ordinance (Ordinance 97-40).~~ **SUMMARY:** Catherine Hietapelto has obtained and has a current valid a Roadside Vendor Permit to sell prepared food within the County right-of-way. However, staff believes that Ms. Hietapelto's (Alice's Restaurant) trailer and truck (Alice's Restaurant) significantly exceeds the 300 square foot maximum vendor area stipulated in Section 9 (P) of the Roadside Vendor Ordinance. ~~If she were to use these, she would be cited and ultimately her permit would be revoked. The Ordinance does allow an appeal of a revocation.~~ Ms. Hietapelto has requested an appeal a waiver of Palm Beach County's decision regarding the maximum allowable area. ~~Typically staff never requests or sees the proposed vehicle or vehicle layout when issuing a permit. That also occurred here not withstanding what Ms. Hietapelto represents in her attached appeal. In the 20+ years the roadside vendor program has been in existence, no waiver of the area size has ever been requested, much less approved.~~ District 6 (MRE) (Engineering)

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 (*).