

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

APRIL 7, 2009

**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 - 32)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 33)**
- 5. REGULAR AGENDA (Pages 34 - 36)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 37)**
- 7. BOARD APPOINTMENTS (Page 38)**
- 8. MATTERS BY THE PUBLIC - 2:00 P.M. (Page 39)**
- 9. STAFF COMMENTS (Page 40)**
- 10. COMMISSIONER COMMENTS (Page 41)**
- 11. ADJOURNMENT (Page 41)**

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 7

- 3A-1 Resolutions from two (2) municipalities regarding various issues
- 3A-2 Extension Agreements with two (2) entities for Resident Education to Action Program funding

B. CLERK & COMPTROLLER

Page 7

- 3B-1 Warrant list
- 3B-2 Minutes: None
- 3B-3 Contracts and claim settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments and other items

C. ENGINEERING & PUBLIC WORKS

Page 8

- 3C-1 Task assignment to Civil Design, Inc. regarding design and construction plans for Wallis Road, Sunbeam Ave., 1st, 2nd, and 3rd Street improvements
- 3C-2 Amendment to annual asphalt milling and resurfacing contract with Community Asphalt and Ranger Construction
- 3C-3 Supplemental Agreement No. 1 with R.J. Behar & Company regarding revised construction plans for Northlake Blvd.
- 3C-4 Budget Transfer for Whispering Pines Road, Miss Piney Road, 1st through 4th Streets project

Page 9

- 3C-5 Memorandum of Agreement with FDOT/Maintenance Agreement with Boca West Master Association, Inc. regarding roadway landscaping and irrigation
- 3C-6 Amendment No. 1 to Transportation Regional Incentive Program Agreement with FDOT regarding SR-806/Atlantic Ave construction
- 3C-7 Renewal of street lighting annual agreements with ADA Engineering, Inc. and Erdman Anthony of Florida, Inc.
- 3C-8 Amendment No. 1 with FL Office of Tourism, Trade and Economic Development for off-site roadway improvements associated with new Office Depot headquarters

Page 10

- 3C-9 Resolution conveying 2004 Chevrolet Blazer to City of South Bay
- 3C-10 Amendment to annual concrete bus stop pad construction contract with Florida Blacktop, Inc.
- 3C-11 Two (2) County deeds conveying portions of right-of-way for 45th Street to SWA

Page 11

- 3C-12 Amendment No. 1 to JPA with FDOT for Okeechobee Blvd/Tamarind Ave. intersection improvements
- 3C-13 Amendment No. 1 to JPA with FDOT for design/construction of small traffic related projects
- 3C-14 Deleted
- 3C-15 Resolution vacating a portion of a 15-footwide private drainage easement in Old Gate Subdivision
- 3C-16 Resolution vacating certain portions of utility easements in Yamato Court MUPD

D. COUNTY ATTORNEY

Page 12

- 3D-1 Official transcript for the closing of \$35,075,000 Public Improvement Revenue Bonds
- 3D-2 Inclusion of documents in official transcript of \$17,000,000 Sunshine State Governmental Financing Commission Paper Revenue Notes
- 3D-3 Inclusion of documents in official transcript of \$34,500,000 Sunshine State Governmental Financing Commission Paper Revenue Notes
- 3D-4 Official transcript for the closing of \$11,543,892.36 Taxable Public Improvement Revenue Bond Anticipation Notes
- 3D-5 Official transcript for the closing of the \$176,585,000 Public Improvement Revenue Bonds

TABLE OF CONTENTS
CONSENT AGENDA CONTINUED

E. COMMUNITY SERVICES

Page 13

- 3E-1 Amendment No. 3 with Legal Aid Society for legal services/permanency planning services
- 3E-2 Agreement with Education Development Center, Inc. for Head Start services
- 3E-3 Amendment No. 4 with Area Agency on Aging for Nutrition Services Incentive Program
- 3E-4 Amendment N. 3 with Comprehensive Community Care Network for ambulatory outpatient primary medical services

Page 14

- 3E-5 Travel for two (2) Head Start Policy Council members to attend National Head Start Association Conference

F. AIRPORTS

Page 14

- 3F-1 Delegate authority to file statutory notice to abandon DRI for PBI and North County General Aviation Airports
- 3F-2 Contract with E.C. Stokes Mechanical Contractor for cabin air system improvement project at PBI

Page 15

- 3F-3 Receive and file three (3) standard agreements for Department of Airports

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET - None

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 15

- 3H-1 Sole source procurement with SimplexGrinnell to retrofit fire alarm system at two (2) buildings
- 3H-2 Amendment No. 2 to annual roofing contract with Roofing Concepts Unlimited/Florida, Inc.

Page 16

- 3H-3 Amendment No. 2 to annual roofing contract with Certified Roofing Specialist, Inc.
- 3H-4 Amendment No. 2 to annual roofing contract with Industrial Roof Repairs, Inc.
- 3H-5 Amendment No. 2 to annual roofing contract with Advanced Roofing, Inc.
- 3H-6 Amendment No. 2 to annual roofing contract with The Roof Authority, Inc.

Page 17

- 3H-7 Amendment No. 2 to annual roofing contract with Murton Roofing Corp.
- 3H-8 Amendment No. 2 to annual roofing contract with Hi-Tech Roofing & Sheetmetal, Inc.
- 3H-9 Deleted
- 3H-10 Interlocal Agreement with Town of Lantana for provision of radio maintenance services

Page 18

- 3H-11 Interlocal Agreement with Town of Lantana regarding County's 800 MHz Radio System
- 3H-12 Exchange of property with G.L. Homes of Boca Raton Associates V adjacent to South County Regional Park and Samuel Friedland Park

I. HOUSING & COMMUNITY DEVELOPMENT

Page 19

- 3I-1 Resolution approving modifications to the State Housing Initiative Program Local Housing Assistance Plan

J. PLANNING, ZONING & BUILDING

Page 19

- 3J-1 Resolution grant County tax exemption for one (1) historic property in the City of Lake Worth

K. WATER UTILITIES

Page 20

- 3K-1 Second Amendment to Purchase and Sale of Water and Wastewater with Village of Royal Palm Beach
- 3K-2 Deleted
- 3K-3 Work Authorization with Globaltech, Inc. for repair to Town of Mangonia Park elevated water storage tank

Page 21

- 3K-4 Receive and file two (2) standard development agreements for WUD

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 21

- 3L-1 Task Order No. ERM09-03 with Bridge Design Associates, Inc. regarding north and south jetty rehabilitation and Bird Island seawall construction
- 3L-2 Amendment to Lease Agreement with City of Lake Worth for Snook Islands Natural Area
- 3L-3 Budget Transfer/Amendment regarding Loxahatchee Slough Natural Area

Page 22

- 3L-4 Task Order No. 0688-07 with Applied Technology & Management regarding Juno Beach re-nourishment project
- 3L-5 Grant Agreement with Florida Fish & Wildlife Conservation Commission for monitoring 31 reefs

Page 23

- 3L-6 Amendment No. 1 to FDEP Agreement regarding bridge over Grassy Waters Preserve
- 3L-7 Second Amendment with City of West Palm Beach and SFWMD for C-51 Canal Sediment Management project

Page 24

- 3L-8 Special Warranty Deed from SWA conveying 28% of ownership interest in a ± 230.54-acre parcel of land south of Indiantown Road

M. PARKS & RECREATION

Page 24

- 3M-1 Agreement with City of West Palm Beach for Kaleidoscope 2009 event

Page 25

- 3M-2 Receive and file School Board RAP for Forest Hill High Project Graduation 2009
- 3M-3 Receive and file School Board RAP for Pahokee Middle/Senior High football uniforms/equipment
- 3M-4 Receive and file Amendment to School Board RAP for Wellington Community High
- 3M-5 Budget Transfers/Amendments regarding District 5 Recreation Assistance Program funds

Page 26

- 3M-6 Agreement with City of Delray Beach for Delray Rocks Youth Organization trip
- 3M-7 Agreement with Pam Beach County Film & Television Institute for community recognition event
- 3M-8 Receive and file seven (7) independent contractor agreements for Parks

Page 27

- 3M-9 FDEP Land and Water Conservation Fund grant for John Prince Memorial Park Campground
- 3M-10 SFWMD Indian River Lagoon License Plate grant for Carlin Park sanitary sewer project

Page 28

- 3M-11 Recreation Assistance Program allocation for Veteran's Park Memorial Day event
- 3M-12 Lighting existing multi-purpose field and developing second field at Canyon Lakes' civic site
- 3M-13 Termination Agreement with AccesSportAmerica, Inc. for outrigger canoeing and windsurfing program

Page 29

- 3M-14 Resolution authorizing standard sound and light production services contractor agreements

N. LIBRARY - None

P. COOPERATIVE EXTENSION SERVICE - None

Q. CRIMINAL JUSTICE COMMISSION - None

R. HUMAN RESOURCES - None

S. FIRE RESCUE - None

T. HEALTH DEPARTMENT - None

U. INFORMATION SYSTEMS SERVICES - None

TABLE OF CONTENTS
CONSENT AGENDA CONTINUED

V. METROPOLITAN PLANNING ORGANIZATION - None

W. PUBLIC AFFAIRS - None

X. PUBLIC SAFETY - None

Y. PURCHASING - None

Z. RISK MANAGEMENT - None

AA. PALM TRAN

Page 29

3AA-1 Interlocal Agreement with City of Boynton Beach for lease of four (4) wheelchair lift-equipped vans for local transit service

BB. SHERIFF

Page 29

3BB-1 Budget Amendment for security services provided to Lake Worth CRA

3BB-2 Grant Adjustment Notice for FDLE Terrorism Prevention Program grant

Page 30

3BB-3 Grant Adjustment Notice for Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program (manage sexual offenders and predators)

3BB-4 Grant Adjustment Notice for State Homeland Security grant

3BB-5 Grant Adjustment Notice for Project Safe Neighborhood grant

Page 31

3BB-6 Grant Adjustment Notice for Edward Byrne Memorial Discretionary grant (reduce violence and gang problem)

3BB-7 FDLE Office of Criminal Justice grant for CBRNE Regional Forensic Response Team project

3BB-8 FDLE Office of Criminal Justice grant for EOD Regional Team Enhanced Capability project

Page 32

3BB-9 FDLE Office of Criminal Justice grant for Regional Aviation Response and Support project

CC. SUPERVISOR OF ELECTIONS

Page 32

3CC-1 Precinct boundary changes

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 33

- 4A Water Conservation Month
- 4B Drowning Prevention Awareness Month
- 4C Fair Housing Month
- 4D Sexual Assault Awareness Month
- 4E Yom Hashoah Remembrance Day
- 4F Days of Remembrance of the Victims of the Holocaust
- 4G Black History Brain Bowl Academic Competition Day
- 4H National Crime Victims' Rights Week
- 4I Teenage Safe Driving Awareness Week
- 4J Palm Beach County Charter Day
- 4K Pets are Wonderful Month

TABLE OF CONTENTS

REGULAR AGENDA

PARKS & RECREATION

Page 34

- 5A-1 Termination Agreement with City of South Bay for development/operation of Crossroads Lake Depot and Marketplace

FACILITIES DEVELOPMENT & OPERATIONS

Page 35

- 5B-1 Contract with Ocean Gate General Contractors, Inc. for construction of Southwinds Golf Clubhouse

ENGINEERING & PUBLIC WORKS

Page 35

- 5C-1 Potential road paving project in Palm Beach Ranchettes

FIRE RESCUE

Page 36

- 5D-1 Interlocal Agreement with City of Lake Worth for provision of fire protection and emergency medical services

BOARD OF COUNTY COMMISSONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 37)

BOARD APPOINTMENTS (Page 38)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 39)

STAFF COMMENTS (Page 40)

COMMISSIONER COMMENTS (Page 41)

ADJOURNMENT (Page 41)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution No. 2009-004 of the Town of Loxahatchee Groves, Florida expressing its concern regarding the increase in truck traffic along Southern Boulevard as well as other transportation routes within Palm Beach County that will result from the transporting of solid waste to the new Palm Beach County landfill to be located in close proximity to the Town; expressing its support for the use of the Florida East Coast Railway and CSX Railroad tracks to assist in the transportation of solid waste to the new Palm Beach County landfill; and

B) Resolution No. 23-08 of the City of Boca Raton supporting House Bill 189 and Senate Bill 922 amending Section 767.14, Florida Statutes, eliminating the prohibition of breed-specific local government regulation of dangerous dogs. Countywide

2. Staff recommends motion to approve:

A) Extension Agreement with Iglesia Bautista Independiente Emanuel, Inc.; and

B) Extension Agreement with Ericka Gonder an individual representing Parson Heights Community Group.

SUMMARY: The Grantees listed above are requesting a 6-month time extension of their 2007-2008 Resident Education to Action Program (REAP) Agreements originally executed on July 22, 2008 (R2008-1253 and R2008-1263). This extension will enable the Grantees to complete the projects funded through the REAP Program in Fiscal year 2007-2008. Districts 6 & 7 (AH)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.

2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None

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

4. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during January 2009. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) a Budget Transfer of \$132,273 in the Unincorporated Improvement Fund from Reserves to Wallis Road, Sunbeam Avenue, 1st Street, 2nd Street, and 3rd Street Improvements (Project); and

B) a Task for \$119,072.75, under the Annual Municipal Services Taxing Unit Districts "A through E" Agreement approved by Resolution Number R2007-0462, with Civil Design, Inc. for engineering, surveying, geotechnical, permitting and printing services for design and construction plans for the Project.

SUMMARY: Approval of the Task will provide engineering, surveying, geotechnical, permitting, and printing services to design construction plans for the Project and approval of the Budget Transfer will provide funds for these services. District 6/MSTU District C (MRE)

2. Staff recommends motion to approve: an Amendment to the Annual Asphalt Milling and Resurfacing Contract (Contract), Project No. 2008054, dated January 15, 2008, with Community Asphalt Corporation (Primary) (R2008-0013), and Ranger Construction Industries, Inc. (Secondary) (R2008-0013.1) to: a) extend the Contract period for approximately 21 months, retroactively, from January 15, 2009, to expire on September 30, 2010; and b) increase the amount of the Contract by \$5,550,000, to a total of \$12,730,000. **SUMMARY:** The Contract consists of milling and disposal of existing asphalt pavement, maintenance of traffic, cleaning of surfaces for finish applications, and furnishing, hauling, and placement of specified asphalt courses. The increased contract amount is based on estimated amounts to be expended throughout Palm Beach County by various County departments during the extended contract period. The Small Business Enterprise (SBE) goal for the project was 15%. The SBE participation committed for the project is 15.1% overall by the primary contractor and 10% overall by the secondary contractor. Countywide (MRE)

3. Staff recommends motion to approve: Supplemental Agreement No. 1 to Project Number 2004608 under Agreement R2005-2390 in the amount of \$186,127.33 with R. J. Behar & Company, Inc. for professional services. **SUMMARY:** Approval of this Supplemental Agreement will provide the services necessary for the preparation of revised construction plans for Northlake Boulevard over the Loxahatchee Slough Catchment Area Bridge. Districts 1 & 6 (PK)

4. Staff recommends motion to approve: a Budget Transfer of \$87,604 in the Unincorporated Improvement Fund from Reserves to the Whispering Pines Road, Miss Piney Road, 1st through 4th Streets project. **SUMMARY:** Approval of this Budget Transfer will make funds available to allow authorization of engineering design services with Civil Design, Inc., which consists of engineering, surveying, permitting and printing. District 2/MSTU District C (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to:

A) adopt a Resolution to execute a Memorandum of Agreement (MOA) with the Florida Department of Transportation (FDOT) for maintenance of landscaping and irrigation on Glades Road from Corporate Way to Jog/Powerline Road; and

B) approve a Maintenance Agreement with Boca West Master Association, Inc. (Association).

SUMMARY: FDOT plans to install landscaping and irrigation as elements of their planned roadway resurfacing project on Glades Road from Boca Rio Road (west of Florida's Turnpike) to Renaissance Way (in the City of Boca Raton). FDOT has determined that an MOA has to be executed by the local government rather than private entities, such as the property owners' associations, in order for the planned roadway landscaping and irrigation to be constructed by FDOT as elements of their road project. FDOT is responsible for the installation of the landscape project for an amount of \$119,051.33. The Association is responsible for the maintenance of the improvements. District 5 (MRE)

6. Staff recommends motion to adopt: a Resolution to approve Amendment Number One to the Transportation Regional Incentive Program (TRIP) Agreement previously approved on June 5, 2007 (R2007-0837) with the State of Florida Department of Transportation, in the amount of \$6,286,595 for the construction of SR-806/Atlantic Avenue from west of Lyons Road to Starkey Road. **SUMMARY:** Approval of this Amendment will extend the term of the TRIP Agreement from June 30, 2009, to June 30, 2011 and will not amend the dollar amount. District 5 (MRE)

7. Staff recommends motion to approve: the renewal of the Street Lighting Annual Agreements with ADA Engineering, Inc. whose original Agreement was dated May 1, 2007 (R2007-0610) and Erdman Anthony of Florida, Inc. whose original Agreement was dated May 1, 2007 (R2007-0611). **SUMMARY:** Approval of these Renewal Agreements will extend for one (1) year required professional services on a task order basis. Countywide (PK)

8. Staff recommends motion to approve: Amendment Number One with the State of Florida Office of Tourism, Trade, and Economic Development for off-site roadway improvements associated with the new Office Depot headquarters. **SUMMARY:** Approval of this Amendment will modify the description of the required roadway improvement to more closely reflect the actual work being performed and extends the completion date of the contract from February 27, 2009, to February 26, 2010. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of a 2004 Chevrolet Blazer four (4) door sports utility vehicle (Chevy SUV); Palm Beach County (County) asset number 10155169, Vehicle Identification Number 1GNCS13X44K152709, to the City of South Bay (City);

B) approve a Budget Transfer of \$4,562 in the Transportation Improvement Fund from Reserve for District 6 to Orange Boulevard Phase I – 140th Avenue to 130th Avenue North; and

C) approve a Budget Transfer of \$4,562 in the Capital Outlay Fund from Orange Boulevard Phase I – 140th Avenue to 130th Avenue North to City of South Bay Surplus Vehicle – District 6.

SUMMARY: Approval of the Resolution and budget transfers will fund the purchase of a Chevy SUV, which is no longer in use by the County, and will convey its use to the City as a code enforcement vehicle. Funding will come from District 6 Gas Tax Reserves. District 6 (MRE)

10. Staff recommends motion to approve: an Amendment for the Annual Concrete Bus Stop Pad Construction Contract, Project No. 2007053 (R2007-0465) (Contract), dated April 10, 2007, with Florida Blacktop, Inc. (Contractor), to extend the length of the Contract to expire on April 10, 2010. **SUMMARY:** Approval of this Amendment will extend the expiration date of the existing Contract from April 10, 2009, to April 10, 2010. It was previously extended from the original expiration date of April 10, 2008 to a new expiration date of April 10, 2009 (R2008-0936). There will be no increase in the maximum value of work orders issued under the existing Contract which is \$150,000. Countywide (MRE)

11. Staff recommends motion to:

A) approve two (2) County deeds conveying to the Solid Waste Authority of Palm Beach County (SWA), portions of the existing right-of-way for 45th Street, designated as Parcels 103W and 108E, respectively located on the west and east sides of the Florida Turnpike;

B) approve a Release of Drainage Easement Rights over a drainage easement, designated as Parcel 203, abutting the west and east sides of the existing right-of-way for Jog Road north of 45th Street;

C) accept the conveyance of six (6) fee simple parcels designated as Parcels 102E, 102W, 103, 104, 106 and 107 from the SWA needed as right-of-way and a water management area for the extension of Jog Road from 45th Street to north of 45th Street, the realignment of the intersection of Jog Road and 45th Street and the construction of improvements on 45th Street from Jog Road to Haverhill Road; and

D) approve the payment of \$4,574,736 to the SWA, as final payment for a previously conveyed parcel and for the conveyance of the six (6) fee simple parcels being accepted by this action.

SUMMARY: Approval of this action will convey to the SWA two (2) right-of-way parcels and release Palm Beach County's interest in a drainage easement no longer needed for the construction of 45th Street, from Jog Road to Haverhill Road and Jog Road, from 45th Street to north of 45th Street, as part of a land swap agreement between the Engineering Department and SWA. Also included in this action, is the acceptance of the conveyance from SWA of six (6) fee simple parcels and the approval of the payment to SWA finalizing the land swap. Districts 6 & 7 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

12. Staff recommends motion to adopt: a Resolution to approve Amendment Number One to the Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for intersection improvements at Okeechobee Boulevard and Tamarind Avenue. **SUMMARY:** The FDOT and Palm Beach County have partnered together to design signal improvements at the intersection of Okeechobee Boulevard and Tamarind Avenue under a JPA approved on November 29, 2007, with an expiration date of June 30, 2009. This improvement is being done concurrently with the roadway improvement. Approval of this Amendment to the existing JPA will extend the expiration date from June 30, 2009, to December 31, 2009. District 7 (MRE)

13. Staff recommends motion to adopt: a Resolution to approve Amendment Number Two to the Joint Participation Agreement (R2007-0620) with the Florida Department of Transportation for the design and construction of small traffic related projects. **SUMMARY:** The original Agreement provided \$500,000 annual funding for small projects from FY 2007/2008 through FY 2011/2012 for a total of \$2,500,000. Amendment Number One previously approved by the Board of County Commissioners reduced the funding by \$135,000 for FY 2008/2009 through FY 2011/2012, for a total reduction of \$540,000, which reduced the total to \$1,960,000. Approval of Amendment Number Two will eliminate the funding for FY 2010/2011 and FY 2011/2012. The current total will be reduced by \$730,000 to a final total of \$1,230,000. Furthermore, the word "lump sum" has been removed from paragraph 3 of the original Agreement, and paragraph 5A was modified to change the method of reimbursement to Palm Beach County from "approved estimate lump sum" to "actual costs incurred". Countywide (MRE)

14. **DELETED**

15. Staff recommends motion to adopt: a Resolution vacating a portion of a 15 foot wide private drainage easement within Lot 4 of Old Gate Subdivision, as recorded in Plat Book 104, Pages 170-171, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located south of Donald Ross Road and east of Prosperity Farms Road. The petitioner is requesting the vacation in order to meet the required setbacks to accommodate the construction of a larger residence. District 1 (PK)

16. Staff recommends motion to adopt: a Resolution vacating those certain portions of utility easements lying within Tract "S", Yamato Court MUPD, as recorded in Plat Book 110, Pages 158-163; Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located at the southeast corner of Yamato Road and State Road 7. The petitioner is requesting the vacation because the water lines were installed in a different location and these easements are no longer needed. District 5 (PK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$35,075,000 Public Improvement Revenue Bonds, Series 2008 (Law Enforcement Information Technology Project) (the "Bonds"), as authorized by Resolution R2008-0108 adopted on January 15, 2008. **SUMMARY:** The closing occurred January 24, 2008. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)
2. **Staff recommends motion to receive and file:** documents for inclusion in the official transcript of the \$17,000,000 Sunshine State Governmental Financing Commission Paper Revenue Notes (Palm Beach County Program) Series J (documents associated with second draw) (the "Bonds"), as authorized by Resolution R2006-2300 adopted on October 17, 2006. **SUMMARY:** The documents tabbed No. 22, No. 23, No. 24, No. 25, No. 26 and No. 27 have been provided for inclusion in the official transcript, dated December 6, 2006, previously provided for this transaction. These documents should now be received and filed in the Minutes Department. Countywide (PFK)
3. **Staff recommends motion to receive and file:** documents for inclusion in the official transcript of the \$34,500,000 Sunshine State Governmental Financing Commission Paper Revenue Notes (Palm Beach County Program) Series J (documents associated with second draw) (the "Bonds"), as authorized by Resolution R2005-1927 adopted on September 27, 2005. **SUMMARY:** The documents tabbed No. 37, No. 38 and No. 39 have been provided for inclusion in the official transcript previously provided for this transaction. These documents should now be received and filed in the Minutes Department. Countywide (PFK)
4. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$11,543,892.36 Palm Beach County, Florida, Taxable Public Improvement Revenue Bond Anticipation Notes, Series 2007 (Convention Center Hotel Project) (the "Bonds"), as authorized by Resolution R2007-0584 adopted on April 10, 2007. **SUMMARY:** The closing occurred April 30, 2007. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)
5. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$176,585,000 Palm Beach County, Florida, Public Improvement Revenue Bonds, Series 2008 (the "Bonds"), as authorized by Resolution R2008-1363 adopted on August 18, 2008. **SUMMARY:** The closing occurred August 28, 2008. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 3 to Contract (R2008-0731) with Legal Aid Society of Palm Beach County, Inc., for the period March 1, 2008, through February 28, 2009, to increase funding by \$23,000 for Legal Services/Permanency Planning Services. **SUMMARY:** The Ryan White Part A Grantee is converting to a new MIS (Management Information System) named CAREWare. Funds will allow Agency to upgrade MIS to be compatible with the new CAREWare program recommended by the funding source of the grant. No County funds are required. (Ryan White) Countywide (TKF)

2. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with Education Development Center, Inc. (dba My First Steps Preschool) for the period of April 1, 2009, through September 30, 2009, in an amount of \$238,745, for services to Head Start children and their families. **SUMMARY:** This Agreement repeals and replaces the existing Contract Provider Agreement (R2008-1728) with Education Development Center, Inc. (dba My First Steps Preschool). The Agreement revises terms and conditions to ensure the provider increases their organizational capacity to better serve the children and their families. The Agreement is based on a daily rate of \$22.57 per child/per day for 82 children for 129 days. Funding consists of \$148,022 in Federal funds and \$29,604 in County funds and \$61,119 in Overmatch funds. The County's portion is included in the FY 2009 budget. This Contract change reduces the annual contracted amount for this agency by \$17,136. (Head Start) Countywide (TKF)

3. **Staff recommends motion to approve:** Amendment No. 004 to Standard Agreement No. IU008-9500 (R2008-0171) for the Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the period October 1, 2008, through April 30, 2009, increasing the maximum reimbursement by \$222,268.44 for a new not-to-exceed amount of \$598,739.20 for various supportive services to seniors and to extend the reconciliation period. **SUMMARY:** Additional funding has been granted under the NSIP grant. This Amendment will increase the new maximum reimbursement, adjust the per meal rates, and extend the reconciliation period. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

4. **Staff recommends motion to approve:** Amendment No. 3 to Contract with Comprehensive Community Care Network, Inc. (R2008-0953), for the period March 1, 2008, through February 28, 2009, in the amount of \$129,676 for an added service category of Ambulatory Outpatient Primary Medical. **SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and allocated to best meet the needs of affected clients. This service category, Ambulatory Outpatient Primary Medical, is not currently on the contract. It is a needed category for this provider to best serve the Ryan White clients. Funding of \$129,676 is being moved from the Administrative reserve. These dollars are being moved to ensure that agencies will have funds to meet budgetary needs for the grant period. No County funds are required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **Staff recommends motion to approve:** Travel for two (2) Head Start/Early Head Start Policy Council Members to attend the National Head Start Association, 36th Annual National Training Conference in Orlando, Florida, April 26, 2009, through May 2, 2009, for an estimated cost of \$4,164. **SUMMARY:** Travel approval and travel advance is requested for Head Start/Early Head Start Policy Council members Cynthia Smith and Karen Simpson to attend the National Head Start Association 36th National Training Conference in Orlando, Florida. A travel advance is being requested for Cynthia Smith and Karen Simpson. The grantor agency requires that Head Start parents and community representatives receive training in order to take an active role in the program. A travel advance is needed to assist parents in participating in the trainings/conference offered by the National Head Start Association. The estimated cost of \$4,164 provides for conference registration, lodging, ground transportation, and meals for two (2) participants. Funding consists of \$3,331 (80%) in Federal funds and \$833 (20%) in County funds. (Head Start) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to delegate:** authority to the County Administrator or his designee to file the statutory notice to abandon the Development of Regional Impact (DRI) Development Orders for Palm Beach International Airport (PBIA) and North Palm Beach County General Aviation Airport (NCO). **SUMMARY:** Both PBIA and NCO have DRI Development Orders issued by Palm Beach County. Florida State Statute Section 163.3177(6)(k) provides a means for abandoning DRI Development Orders when airport master plans have been incorporated into the Comprehensive Plan. Palm Beach County has met these conditions. In Comprehensive Plan Round 08-2, Palm Beach County incorporated updated master plans for PBIA and NCO into the Comprehensive Plan. That plan amendment (Ordinance 2008-54) was found in compliance by the Department of Community Affairs and notice to that effect was published February 11, 2009. The statutory period to contest a compliance finding has expired (March 4, 2009) without challenge by any party. Those plan amendments are now in effect. The Department of Airports is seeking authorization to allow the County Administrator or his designee to file the statutory notice of abandonment as appropriate. Countywide (AH)
2. **Staff recommends motion to approve:** a Contract with E.C. Stokes Mechanical Contractor, Inc. in the amount of \$833,325 for the Cabin Air System Improvements Project at Palm Beach International Airport (PBIA). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On February 10, 2009, two (2) bids were received for the Cabin Air System Improvements Project at PBIA. Of the two (2) bids, E.C. Stokes Mechanical Contractor, Inc. has been identified as a responsible/responsive bidder in the amount of \$833,325. The Small Business Enterprise (SBE) Goal for this project was established at 15.00%. E.C. Stokes Mechanical Contractor, Inc. is a certified SBE and this project is 100% SBE participation. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to receive and file: three (3) original Agreements for the Department of Airports:

A) Federal Aviation Administration Grant Agreement for constructing new Air Cargo Apron at Palm Beach International Airport (AH);

B) Federal Aviation Administration Grant Agreement for upgrade of electrical vault at Palm Beach County Park Airport (AH); and

C) Access Agreement with Galaxy Aviation of Palm Beach, Inc. for sole purpose of inspecting and evaluating condition of property, commencing 8:00 a.m. March 1, 2009, expiring 5:00 p.m. May 1, 2009 (JB).

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2006-2086 and R2006-2716. Countywide

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a sole source procurement with SimplexGrinnell LP for \$440,750 for a retrofit of the Fire Alarm System for the Judicial Center, SA/PD, and the Central Energy Plant at the Government Center Complex in West Palm Beach. **SUMMARY:** The existing fire alarm system is out of production and no longer supported by the system sole authorized servicing agent. The County needs to replace the system but at the same time not experience any loss of coverage in order to avoid a cost prohibitive 24/7 dedicated fire watch per floor as mandated by the Fire Marshall for coverage losses greater than four hours. The Simplex product is the only product that is compatible with the existing system and can be incrementally replaced to avoid loss of coverage. SimplexGrinnell is the sole authorized servicing agent and factory authorized source of this product. All funding for this project is from the five (5) year Capital Improvement Program replacement/renewal of electronic systems. The SBE participation for this contract is 0%. The total construction duration is 180 days. (FD&O Admin) District 7 (JM)

2. Staff recommends motion to approve: Amendment No. 2 to Contract with Roofing Concepts Unlimited/Florida, Inc. (R2007-0943) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract-Roofing which was awarded to Roofing Concepts Unlimited/Florida, Inc., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE goals for the roofing contracts are 15%. Roofing Concept's participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** Amendment No. 2 to Contract with Certified Roofing Specialists, Inc. (R2007-1101) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Roofing which was awarded to Certified Roofing Specialists, Inc., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE participation goal for the Roofing contracts are 15%. Certified Roofing's participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

4. **Staff recommends motion to approve:** Amendment No. 2 to Contract with Industrial Roof Repairs, Inc. (R2007-1302) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Roofing which was awarded to Industrial Roof Repairs, Inc., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE goals for the roofing contracts are 15%. Industrial's participation for work orders issued to date is 100%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

5. **Staff recommends motion to approve:** Amendment No. 2 to Contract with Advanced Roofing, Inc. (R2007-1102) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Roofing which was awarded to Advanced Roofing, Inc., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE goals for the roofing contracts are 15%. Advanced's participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

6. **Staff recommends motion to approve:** Amendment No. 2 to Contract with The Roof Authority, Inc. (R2007-1301) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Roofing which was awarded to The Roof Authority, Inc., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE goals for the roofing contracts are 15%. The Roof Authority's participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 2 to Contract with Murton Roofing Corp. (R2007-0942) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Roofing which was awarded to Murton Roofing Corp., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE goals for the roofing contracts are 15%. Murton Roofing’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

8. Staff recommends motion to approve: Amendment No. 2 to Contract with Hi-Tech Roofing & Sheetmetal, Inc. (R2007-0941) to implement the second renewal of an annual roofing contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Roofing which was awarded to Hi-Tech Roofing & Sheetmetal, Inc., as one (1) of seven (7) approved roofing contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is 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 second of four (4) extensions allowed by the Contract. SBE goals for the roofing contracts are 15%. Hi-Tech Roofing’s participation for work orders issued to date is 100%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 47.2%. (FD&O Admin) Countywide (JM)

9. **DELETED**

10. Staff recommends motion to approve: an Interlocal Agreement with the Town of Lantana (Town) for the provision of radio maintenance services. **SUMMARY:** This Agreement provides for the provision of radio equipment (subscriber units and consoles) maintenance services to the Town, by FDO/Electronic Services and Security. The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must outsource the labor, a separate labor rate is provided. The maintenance costs for the radio consoles are provided on a lump sum basis pursuant to the County’s Agreement with Motorola. The rates may be adjusted annually with notification by June 1 annually (effective that following October 1) at the County’s sole discretion, but in no event shall the Town’s fee schedule exceed the fee schedule applied to County departments. The term of the Agreement is for three (3) years with one (1) – three (3) year renewal. The Agreement may be terminated by either party, with or without cause with a minimum of three (3) months notice. (FDO Admin) District 3 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: an Interlocal Agreement with the Town of Lantana (Town) allowing direct access to the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the terms and conditions under which the Town 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 Town pay a one-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/unit towards maintenance and operation of the system infrastructure. The Town may permanently transfer the City's 800MHz frequency with a value of \$130,000 to the County to offset a portion of the amount owed by the Town for the one-time access charges under this Agreement. The Town is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Town 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 with 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. (FDO Admin) District 3 (JM)

12. Staff recommends motion to:

A) approve an Agreement for Conveyance, Use and Maintenance with G.L. Homes of Boca Raton Associates V, Ltd. (G.L. Homes);

B) approve a Drainage Easement and Maintenance Agreement with G.L. Homes of Boca Raton Associates V, Ltd;

C) adopt a Resolution authorizing the exchange of property with G.L. Homes of Boca Raton Associates V, Ltd.;

D) approve a County Deed in favor of G.L. Homes of Boca Raton Associates V, Ltd. conveying .86 acres of County owned property; and

E) accept a Quit-Claim Deed from G.L. Homes of Boca Raton Associates V, Ltd. conveying 2.36 acres.

SUMMARY: G.L. Homes is developing a 44-acre subdivision known as the Collier P.U.D., located adjacent to the northern boundary of South County Regional Park Parcel A. The County has developed Samuel Friedland Park in the Acreage which is adjacent to property owned by G.L. Homes and is planned for future development. Both the County and G.L. Homes have long narrow strips of property which are essentially unusable by them, but which can be incorporated into the other party's development. Pursuant to these Agreements, the County will convey .86 acres adjacent to South County Regional Park to G.L. Homes and grant G.L. Homes a Drainage Easement. In exchange, G.L. Homes will convey 2.36 acres adjacent to County's Samuel Friedland Park to the County and will maintain a 50' strip of the County's South County Regional Park property. The intent of these Agreements is to realign the boundary lines of both the County and G.L. Homes properties to create more efficient development characteristics and maintenance responsibilities between the respective land owners. The 2.36 acre G.L. Homes parcel was appraised at \$85,000, and the County's .86 acre parcel was appraised at \$105,000. The appraisal did not value the obligation of G.L. Homes to maintain the 50' strip of County property, nor did it value the easement in favor of G.L. Homes. Staff believes that the maintenance obligation offsets the easement value and that overall this is a fair exchange. (PREM) Districts 5 & 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution approving the Fifth Amendment to the State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for fiscal years 2007-2008, 2008-2009 and 2009-2010 providing for the inclusion of certain state mandated local housing incentive strategies. **SUMMARY:** Palm Beach County receives an annual allocation from the State of Florida Housing Finance Corporation through the SHIP Program. On July 1, 2007, in accordance with Florida Statutes 420.9076, SHIP jurisdictions are required to modify their LHAPs to include local housing incentive strategies that at a minimum address; expedited permitting for affordable housing; an ongoing review process of local codes, policies, ordinances, regulations and comprehensive plan provisions to determine, if by their adoption, the cost of housing is increased; and a schedule for implementing these incentive strategies. Staff and the Commission on Affordable Housing presented a list of 11 possible local housing incentive strategies at the Board of County Commissioners Workshop of January 27, 2009. Florida Statutes 420.9076(7) provides that any SHIP jurisdiction which does not appropriately amend its LHAP by adopting the minimum local housing incentive strategies, will immediately forfeit its SHIP funding. Palm Beach County must submit its amended LHAP to the Florida Housing Finance Corporation by May 2, 2009. **These are state dollars that require no local match.** Countywide (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:
 - A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, granting County tax exemptions for a total of one (1) historic property located within the City of Lake Worth; and
 - B) approve** the restrictive covenant for the historic property, requiring the qualifying improvements be maintained during the period that the tax exemptions are granted.

SUMMARY: The Resolution will authorize a County tax exemption for the following historic property located within the City of Lake Worth:

Address: 604 North Lakeside Drive

If granted, the tax exemption shall take effect January 1, 2010, and shall remain in effect for ten (10) years, or until December 31, 2019. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2009 County Government Millage rate, it is estimated that approximately \$499.97 (tax dollars) will be exempted annually. Accompanying the Resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 3 (RB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) Second Amendment to Agreement of Purchase and Sale of Water and Wastewater Assets with the Village of Royal Palm Beach; and

B) Second Amendment to the Transition Agreement with the Village of Royal Palm Beach.

SUMMARY: The County and the Village entered into an Agreement of Purchase and Sale of Water and Wastewater Assets on February 26, 2006 (R2006-0410) in which the Village agreed to sell the majority of its utility system assets to the County. A First Amendment was approved by the Board on March 11, 2008 (R2008-0386). The County and the Village also entered into a Transition Agreement (R2006-2660) on February 26, 2006 regarding certain issues involved in the transition of the Village utility system assets to the County. A First Amendment to the Transition Agreement was approved by the Board on March 11, 2008 (R2008-0387). Both agreements included certain provisions related to the post-closing responsibilities of the County and the Village related to the wastewater treatment plant site. The Agreement of Purchase and Sale of Water and Wastewater Assets is being amended to: extend the deadline for decommissioning the three (3) million gallon water storage tank at the wastewater treatment plant site to April 30, 2012; create a procedure for the selection of a decommission contractor utilizing the Village's public bidding process; and extend the deadline for filling the wastewater treatment plant site to June 15, 2011. The Transition Agreement is being amended to extend the deadline for filling of the percolation pond to June 15, 2011. District 6 (MJ)

2. **DELETED**

3. Staff recommends motion to approve:

A) Work Authorization No. 14 to the Optimization and Improvements Design/Build Services with Globaltech, Inc. (R2008-2323) for repair of the Town of Mangonia Park elevated water storage tank in the amount of \$427,636; and

B) Interlocal Agreement with the Town of Mangonia Park for the elevated storage tank repair.

SUMMARY: On December 16, 2008, the Board approved the Water Utilities Department Optimization and Improvements Design/Build Services Contract with Globaltech, Inc. for treatment plant and regional pump station projects. This Work Authorization is a guaranteed maximum price for repair of the Mangonia Park 100,000 gallon elevated water storage tank utilizing Community Development Block Grant (CDBG) funds from Housing and Community Development (HCD). The elevated water storage tank bowl must be repaired and the riser pipe replaced to insure integrity under hurricane conditions prior to the start of the hurricane season. In addition, the tank legs will be stiffened and the entire tank painted. The Mangonia Park Town Council approved the recommendations for repairs and replacement on January 22, 2009. The Interlocal Agreement specifies the responsibilities of each party. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75.00% overall. This Authorization includes 36.60% overall participation. The cumulative SBE participation, including this Work Authorization, is 55.30% overall. (WUD Project No. 09-032) District 7 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to receive and file: two (2) Standard Development Agreements complete with executed documents received during the months of January and February 2009:

Standard Development Agreements

- | | | |
|---|--------------|--------------|
| A) Boynton Beach Associates, XVII, LLLP | (District 5) | 05-01099-000 |
| B) Boynton Beach Associates, XXIV, LLLP | (District 5) | 09-01051-000 |

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)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Task Order No. ERM09-03 to a continuing Contract with Bridge Design Associates, Inc. (BDA), in the amount of \$159,420 for construction phase services on the South Lake Worth Inlet (SLWI) north and south jetty rehabilitation and Bird Island seawall construction. **SUMMARY:** Inspections, shop drawing reviews and progress meetings are necessary during the construction of the SLWI sand transfer plant, north and south jetty rehabilitation, and Bird Island seawall construction. Project funding includes a combination of a Florida Department of Environmental Protection grant, ad valorem, South Lake Worth Inlet District (SLWID) revenues, and interest on the SLWID revenues. Construction phase services are already in place for the sand transfer plant in Task Order No. ERM08-03 with BDA. There is 100% SBE consultant participation on this Task Order. District 4 (JM)
2. Staff recommends motion to approve: Amendment to the Lease Agreement (R2007-1539) with the City of Lake Worth for the management of the Snook Islands Natural Area for a 99-year Lease term. **SUMMARY:** This Amendment to the Lease Agreement (R2007-1539) provides for an extended 99-year lease for the management and maintenance of the 100 acre Snook Islands Natural Area situated along the eastern shore of the Lake Worth Municipal Golf Course. District 3 (SF)
3. Staff recommends motion to:
- A) approve** Budget Transfer of \$2,000,000 in the Natural Areas Fund from Reserves to the Environmental Resources Capital Fund; and
- B) approve** Budget Amendment in the Environmental Resources Capital Fund to recognize the \$2,000,000 transfer from the Natural Areas Fund for the Loxahatchee Slough Natural Area project.
- SUMMARY:** These documents allow for the use of Natural Area Fund Revenues to be used for capital activities in the Loxahatchee Slough Natural Area by transferring \$2,000,000 to the Environmental Resources Capital Fund. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve: Task Order No. 0688-07 to a continuing Contract (R2006-0688) with Applied Technology & Management, Inc. (ATM) in the amount of \$157,327.01 to provide permit required biological monitoring in support of the beach re-nourishment project for Juno Beach. **SUMMARY:** The BCC approved the Contract with ATM on April 18, 2006. Six (6) task orders totaling \$518,979.64 have been issued under the Contract. Task Order No. 0688-07 authorizes ATM to conduct biological monitoring as required under Florida Department of Environmental Protection (DEP) permit number 0276415-001-JC. DEP Grant 08PB1 will reimburse 50% of these costs. County match is from a combination of Tourist Development Tax, interest, and ad valorem. ATM committed to an overall 20% Small Business and Minority Business Enterprise (SBE-MBE) participation in the Contract. ATM has achieved 13.9% cumulative SBE-MBE participation on the Contract including this Task Order. District 1 (SF)

5. Staff recommends motion to approve:
 - A) **approve** Grant Agreement No. 08265 with the Florida Fish and Wildlife Conservation Commission (FWC) that provides \$19,808 for monitoring 31 reefs, including nine (9) artificial reefs built using construction grants from FWC;

 - B) **approve** Budget Amendment of \$19,808 in the Environmental Enhancement Non-Specific Fund; and

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

SUMMARY: This FWC Grant Agreement will reimburse the County \$19,808 for monitoring activities associated with 31 reefs. The majority of the work will be performed by the volunteer Palm Beach County Reef Research Team (RRT). The expiration date of the Grant Agreement is December 1, 2010 and no matching funds are required. Districts 1, 4 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

6. Staff recommends motion to:

A) receive and file Amendment 1 to Florida Department of Environmental Protection (FDEP) Agreement No. LP6840 extending the completion date to December 31, 2012;

B) approve Budget Amendment in the Environmental Resources Capital Fund of \$4,551,863 to recognize a \$1,600,000 contribution from the City of West Palm Beach (City), a \$800,000 contribution from the South Florida Water Management District (SFWMD), a revenue from FDEP No. LP6840 of \$1,500,000, and a \$651,863 transfer from the Capital Outlay Fund to the Northlake Bridge project; and

C) approve Budget Transfer of \$651,863 in the Capital Improvement Fund from the Loxahatchee Slough Natural Area project to the Environmental Resources Capital Fund for the unspent portion of the County's \$700,000 match to the Northlake Bridge project.

SUMMARY: An Interlocal Agreement (R2008-570) with the City, SFWMD and the County for construction of a bridge over the Grassy Waters Preserve at Northlake Boulevard with project cost shares of up to \$1.6 million from the City; up to \$800,000 from the SFWMD and up to \$700,000 from the County will allow recreational access and hydrologic connectivity from Grassy Waters Preserve to the County-owned Loxahatchee Slough Natural Area. The FDEP Agreement approved December 4, 2007(R2007-2196) will reimburse up to \$1,500,000 and requires a \$1,500,000 cost share match. Authority was delegated at that time for approval by the County Administrator or his designee for minor amendments to the Agreement. The total project cost is estimated to be \$4,600,000. District 6 (SF)

7. Staff recommends motion to approve:

A) Second Amendment to the Interlocal Agreement with the City of West Palm Beach (City) and the South Florida Water Management District (SFWMD) (R2006-0140) for the C-51 Canal Sediment Management Project, modifying the Scope of Work and increasing the total project cost by \$1,100,000 and the County's funding obligation by \$850,000; and

B) Budget Amendment of \$250,000 in the Natural Areas Fund to recognize revenue from a 2007 State appropriation for the project.

SUMMARY: The Second Amendment will provide the County with an additional \$250,000 from a State appropriation for the project by a pass through from the SFWMD. The Scope of Work is being modified to include a sediment management (muck capping) project at the mouth of the C-51 at Ibis Isle, and increase the total project cost to \$4,100,000. The County's funding obligation of \$850,000 consists of \$250,000 in prior year expenditures, \$300,000 from a Lake Worth Lagoon Partnership grant and \$300,000 from the Manatee Program. If the SFWMD does not pay its portion of the project costs immediately, the County will invoice the SFWMD as needed. Districts 2 & 3 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

8. Staff recommends motion to:

A) accept Special Warranty Deed from the Solid Waste Authority (SWA) conveying its undivided 28% ownership interest in and to a ± 230.54-acre parcel of improved land jointly owned by the SWA and County, located south of Indiantown Road between Jupiter Farms Road and Riverbend Park (the Property);

B) approve Amended and Restated Interlocal Agreement (AR Agreement) with the SWA to allow for the harvesting and removal of fill within the Property;

C) accept assignment of Lease and Escrow Agreement from the SWA for a portion of a ±230.54-acre parcel of land located south of Indiantown Road between Jupiter Farms Road and the Property; and

D) authorize County Administrator, or his designee, to sign all future time extensions and necessary minor amendments that do not substantially change the scope of work or terms and conditions of the AR Agreement.

SUMMARY: The County initially approved purchase of the Property on September 11, 2007 (R2007-1589). The Property was acquired by the County on February 14, 2008, and pursuant to a December 4, 2007 Interlocal Agreement with the SWA (R2007-2212), the County assigned to the SWA an undivided 28% ownership interest at closing. One of the conditions contained in the Purchase and Sale Agreement was that one (1) of the former owners, the Hatchers, be allowed to lease back a portion of the Property for a period of up to five (5) years (the "Lease Agreement", R2007-1590). An Escrow Agreement was subsequently approved (the "Hatcher Escrow Agreement", R2007-2211) which allowed the Hatchers to complete the removal of personal items from the leased area after the closing date. The Property was acquired for water resource, environmental restoration/preservation and recreational purposes. The SWA contributed \$5.5 million towards the purchase of the Property in exchange for the right to harvest and remove up to 2.2 million cubic yards of fill from the Property. County staff is applying for Florida Communities Trust (FCT) Florida Forever Grant Funding to help offset some of the costs associated with this Property. The SWA is not an eligible recipient of FCT Grant funding. As a result, SWA has agreed to convey its 28% undivided interest in the Property to the County to facilitate consideration of the County's FCT grant application. The proposed AR Agreement provides for this conveyance; makes the County, and not SWA, responsible for the excavation and transportation of approximately 2.2 million cubic yards of fill material from the water resources/lake area to a designated SWA fill site; and stipulates that the SWA will reimburse the County for excavation and delivery costs as defined in the AR Agreement. The AR Agreement also authorizes the County Administrator, or his designee, to approve all future time extensions and necessary minor amendments that do not substantially change the scope of work or terms and conditions of the AR Agreement. District 1 (JMB)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Agreement with the City of West Palm Beach for the period April 7, 2009, through September 30, 2009, in an amount not-to-exceed \$7,500 for funding of the Kaleidoscope 2009 event. **SUMMARY:** This funding is to help offset costs incurred by the City of West Palm Beach for the Kaleidoscope 2009 event held in downtown West Palm Beach on January 25, 2009. Approximately 41,000 people participated in or attended the event. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to December 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 2 Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Forest Hill High School in an amount not-to-exceed \$1,000 for funding of Project Graduation 2009. **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 3 Funds. District 2 (AH)

3. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Pahokee Middle/Senior High School in an amount not-to-exceed \$5,000 for funding of football uniforms and equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

4. **Staff recommends motion to receive and file:** original executed Amendment to Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Wellington Community High School (R2008-1920) extending the term of the project agreement. **SUMMARY:** This fully executed 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. District 6 (AH)

5. **Staff recommends motion to approve:**
 - A)** a Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserve for District 5 to the County Transportation Trust Fund;

 - B)** a Budget Transfer of \$200,000 in the Transportation Trust Fund increasing the annual transfer from the Transportation Improvement Fund and decreasing the annual transfer from the General Fund;

 - C)** a Budget Transfer of \$200,000 in the General Fund decreasing the annual transfer to the County Transportation Trust Fund and increasing the annual transfer to the Park Improvement Fund; and

 - D)** a Budget Amendment of \$200,000 in the Park Improvement Fund increasing the annual transfer from the General Fund and increasing the appropriation to the District 5 Recreation Assistance Program.

SUMMARY: This funding in the amount of \$200,000 is for budget transfers and a budget amendment to increase the gas tax support and decrease the ad valorem support of the County Transportation Trust Fund, thereby allowing for the allocation of \$200,000 from available ad valorem support to the District 5 Recreation Assistance Program. At the November 21, 2006 Board meeting, the flexibility of up to \$200,000 in transfers per District per year was approved for this purpose. This funding will be used for District 5 recreational or cultural projects that the District 5 Commissioner desires to fund during FY 2009. Individual Agreements for each RAP project will be brought to the Board for approval. With the approval of this allocation, the remaining balance available in transfers for District 5 for FY 2009 is \$0. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. **Staff recommends motion to approve:** Agreement with the City of Delray Beach for the period April 7, 2009, through July 30, 2009, in an amount not-to-exceed \$3,600 for funding of the Delray Rocks Youth Organization year-end trip. **SUMMARY:** This funding is to offset expenses paid by the City of Delray Beach for the Delray Rocks Youth Organization year-end trip to Orlando, Florida, to attend the Capital One Bowl and visit Universal Studios. The trip took place from January 1, through January 3, 2009, and approximately 75 youth participated. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to December 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

7. **Staff recommends motion to approve:** Agreement with Palm Beach County Film and Television Institute, Inc. for the period April 7, 2009, through March 1, 2010, in an amount not-to-exceed \$7,500 for funding of the Community Recognition Event. **SUMMARY:** This funding is to help offset costs for an event to be held by the Palm Beach County Film and Television Institute at the Palm Beach County Convention Center. The event is anticipated to be attended by approximately 400 people and will be televised to an available audience of over 600,000 people in Palm Beach County. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to January 10, 2009. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

8. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the month of December:
 - A) Bernard Crawford, Wheelchair Rugby Official, Therapeutic Recreation Complex;
 - B) Rupert Smith, Wheelchair Rugby Official, Therapeutic Recreation Complex;
 - C) John Bishop, Wheelchair Rugby Official, Therapeutic Recreation Complex;
 - D) Marianne Duda, Wheelchair Rugby Official, Therapeutic Recreation Complex;
 - E) David Wright, USA Competitive Head Swim Coach, Aqua Crest Pool;
 - F) Aaron Banfield, Wheelchair Rugby Official, Therapeutic Recreation Complex; and
 - G) Karen Lindquist, Outdoor Skills Series, Daggerwing Nature Center.

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 3, 5 & 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

9. Staff recommends motion to:

A) ratify the Chairman's signature on a State of Florida Department of Environmental Protection (FDEP) Land and Water Conservation Fund (L&WCF) Grant Application submitted for the John Prince Memorial Park Campground Phase II Development Project;

B) authorize the County Administrator or his designee to execute the grant project agreement, time extensions, 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

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with the FDEP for this project.

SUMMARY: This Grant Application requests \$200,000 from the L&WCF for the John Prince Memorial Park Campground Phase II Development Project. Project elements include construction of 12 campsites, canoe/kayak launch, group picnic shelter, lakeside hiking trail, handicap parking spaces at the restrooms, and new landscaping and irrigation. The existing playground, picnic shelter, and restroom will be renovated. In addition, 53 campsites will be upgraded with sanitary sewer connections and upgraded electrical pedestals. If the grant is awarded, and once the project is complete, the grant project agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity. District 3 (AH)

10. Staff recommends motion to:

A) ratify the Chairman's signature on a South Florida Water Management District (SFWMD) Indian River Lagoon License Plate Grant Application submitted for the Carlin Park Sanitary Sewer Project;

B) authorize the County Administrator or his designee to execute the grant project agreement, time extensions, 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

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with the SFWMD for this project.

SUMMARY: This Grant Application requests \$65,975 from SFWMD Indian River Lagoon License Plate grant funding for the Carlin Park Sanitary Sewer Project. Project elements include connecting four restrooms to public sanitary sewer and abandoning three septic tanks. The project is necessary because the County is in the process of constructing a performing arts amphitheater in Carlin Park and the Town of Jupiter required that the restrooms be connected to the public sanitary sewer system within five (5) years as condition of approval for the amphitheater project. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

11. Staff recommends motion to approve: Recreation Assistance Program allocation to the Parks and Recreation Department in an amount not-to-exceed \$3,248 for the Veteran's Park Memorial Day event. **SUMMARY:** This allocation provides \$3,248 to fund the Memorial Day event to be held on May 25, 2009, at Veteran's Park in Boca Raton. This event is being held in cooperation with the West Boca Veteran's Coalition for an expected audience of 250 people. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

12. Staff recommends motion to approve:
 - A) lighting the existing multi-purpose field and developing a second field on the Canyon Lakes 11-acre civic site;

 - B) Budget Transfer of \$173,446 in the 1999 \$25M General Obligation Recreation & Cultural Bond Fund from Eagles Landing Baseball Fields (\$100,000) and Therapeutic Recreation Complex (\$73,446) to West Delray/Boynton District Park; and

 - C) Budget Transfer of \$100,000 in the 2003 \$25M General Obligation Parks & Cultural Facilities Bond Fund from Therapeutic Recreation Complex Improvements to West Delray/Boynton District Park.

SUMMARY: In an effort to provide for the shortage of multi purpose athletic fields in the West Boynton area, the Board required the developer of Canyon Town Center to construct a competitive quality field on the east portion of the Canyon Lakes civic site. Staff believes that the tremendous demand in this area for youth soccer and football could best be accommodated by lighting this field and developing a second field on the west portion of the site. While some funding for these improvements is already budgeted, two (2) budget transfers totaling \$273,446 are necessary to complete the proposed improvements. District 5 (AH)

13. Staff recommends motion to approve: Termination Agreement with AccesSportAmerica, Inc. for an outrigger canoeing and adaptive windsurfing program for people with disabilities. **SUMMARY:** On May 6, 2008, Palm Beach County and AccesSportAmerica, Inc. entered into an Agreement (R2008-0784) to develop and implement outrigger canoeing and windsurfing programs at Okeeheelee Park for people with disabilities. AccesSportAmerica, Inc. desires to terminate the Agreement effective January 1, 2009, because funding has run out and they can no longer provide the equipment and instructors necessary to run the program. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

14. Staff recommends motion to adopt: Resolution authorizing the County Administrator or his designee to execute standard sound and light production services contractor agreements for the provision of sound and light production for entertainment at County facilities. **SUMMARY:** Palm Beach County Parks and Recreation Department (Parks) regularly hosts special events in which sound and light production services are needed. Due to the frequency of hiring sound and light production services, staff is recommending that the Board of County Commissioners approve a resolution which delegates authority to the County Administrator or his designee to execute standard sound and light production services contractor agreements on behalf of the County. Countywide (AH)

AA. PALM TRAN

1. Staff recommends motion to approve: Interlocal Agreement with the City of Boynton Beach for the lease of four (4) wheelchair lift-equipped vans to be used to provide local transit service within the City of Boynton Beach for four (4) years from January 2, 2009, through January 1, 2013. **SUMMARY:** In the year 2000, the County obtained Federal funds for the purchase of four (4) wheelchair lift-equipped vans to be used by the City of Boynton Beach, Florida, for local specialized transit service within the City. By utilizing 100% Federal funds, the County purchased four (4) new vans. The City of Boynton Beach pays the County an annual lease fee of \$10 for the use of the vehicles. Countywide (DR)

BB. SHERIFF

1. Staff recommends motion to approve: a Budget Amendment of \$90,000 in the General Fund for security services provided by the Palm Beach County Sheriff's Office to the Lake Worth Community Redevelopment Agency for the period February 1, 2009, through September 30, 2009. **SUMMARY:** The Budget Amendment includes the cost for one (1) additional Deputy as set forth in the contract between the Palm Beach County Sheriff's Office and the Lake Worth Community Redevelopment Agency, effective February 1, 2009. The contract provides for the option to renew. Countywide (DW)
2. Staff recommends motion to receive and file: Grant Adjustment Notice extending the Florida Department of Law Enforcement, Terrorism Prevention Program Grant period from December 31, 2008, to March 31, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$97,312 on July 8, 2008; the original period for this grant was April 7, 2008, through December 31, 2008 (R2008-1237). This agenda item will extend the grant period from December 31, 2008, through March 31, 2009. The objective of this program is to enhance Palm Beach County's critical infrastructure and key resources. 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. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. 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 receive and file:** Grant Adjustment Notice extending the Department of Justice Office of Justice Programs Edward Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grants Program period from March 31, 2009, to March 31, 2010. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$300,000 on July 8, 2009; the original period for this grant was April 1, 2008, through March 31, 2009 (R2008-1238). This agenda item will extend the grant period from March 31, 2009, through March 31, 2010. The objective of this program is 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. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

4. **Staff recommends motion to receive and file:** Grant Adjustment Notice extending the Florida Department of Law Enforcement's State Homeland Security Grant period from March 31, 2009, to November 30, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$42,455 on May 6, 2008; the original period for this grant was January 1, 2008, through September 30, 2008 (R2008-0812). On October 21, 2008, the BCC received and filed an agenda item extending the grant period from September 30, 2008, through March 31, 2009 (R2008-1955). This agenda item will extend the grant period from March 31, 2009, to November 30, 2009. The Palm Beach County Sheriff's Office (PBSO) received this award from the Florida Department of Law Enforcement (FDLE) to purchase equipment and supplies to implement Florida's Domestic Security Strategic Plan. These funds and related equipment, which have been approved by FDLE for purchase, will be used to enhance the region's and the State of Florida's SWAT and EOD capability and capacity to prevent and respond to weapons of mass destruction chemical, biological, radiological/nuclear, and explosive threats and attacks through updated technologies and equipment. The PBSO has been given an extension to allow the grant funds to be fully expended. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

5. **Staff recommends motion to receive and file:** Grant Adjustment Notice extending the U.S. Department of Justice Project Safe Neighborhood grant period from December 31, 2008, to June 30, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$44,125 on September 11, 2007; the original grant period was July 1, 2007, through March 31, 2008 (R2007- 1575). On June 3, 2008, the BCC received and filed an agenda item extending the grant period from March 31, 2008, through December 31, 2008 (R2008-1001). This agenda item will extend the grant period from December 31, 2008, through June 30, 2009. The objective of this program is to purchase lighting and develop a basketball and prevention education program for youth in and around the Fremd Village Housing community in Pahokee. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

6. **Staff recommends motion to receive and file:** a Grant Adjustment Notice extending the Department of Justice Office of Justice Programs Edward Byrne Memorial Discretionary grant period from March 31, 2009, to September 30, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$1,650,000 on November 6, 2007; the original period for this grant was October 1, 2007, through September 30, 2008 (R2007-2051). On May 6, 2008, the BCC received and filed an agenda item extending the grant period from September 30, 2008, through March 31, 2009 (R2008-0814). This agenda item will extend the grant period from March 31, 2009, to September 30, 2009. The objective of this program is to create safer communities by reducing the violence and gang problem in Palm Beach County through the coordinated law enforcement response informed by data and real-time intelligence. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. No additional positions are needed and no additional County funds are required. Countywide (DW)

7. **Staff recommends motion to:**

A) accept a Florida Department of Law Enforcement Office of Criminal Justice grant in the amount of \$27,955 for the CBRNE Regional Forensic Response Team Project for the period of February 1, 2009, through January 31, 2010; and

B) approve a Budget Amendment of \$27,955 in the Sheriff's Grants Fund.

SUMMARY: On February 17, 2009, the Palm Beach County Sheriff's Office (PBSO) received an award to purchase equipment under the Florida Domestic Security Strategic Plan. These funds and related equipment, which have been approved by FDLE for purchase, will be used to enhance the capacity and capability of PBSO's Forensic Response Team. The purpose of the CBRNE Regional Forensic Response Team Project is to maintain specialized equipment and replace items that have exceeded their useful lifespan for PBSO's Forensic Response Team. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

8. **Staff recommends motion to:**

A) accept a Florida Department of Law Enforcement Office of Criminal Justice grant in the amount of \$120,000 for the EOD Regional Team Enhanced Capability Project for the period of February 1, 2009, through January 31, 2010; and

B) approve a Budget Amendment of \$120,000 in the Sheriff's Grants Fund.

SUMMARY: On February 17, 2009, the Palm Beach County Sheriff's Office received an award to purchase equipment under the Florida Domestic Security Strategic Plan. These funds and related equipment, which have been approved by FDLE for purchase, will be used to enhance Florida's SWAT and EOD capability and capacity. The purpose of the EOD Regional Team Enhanced Capability Project is to maintain specialized equipment and replace items that have exceeded their useful lifespan for SWAT and EOD teams. 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)

9. Staff recommends motion to:

A) accept a Florida Department of Law Enforcement Office of Criminal Justice grant in the amount of \$16,500 for the Regional Aviation Response and Support Project for the period of February 1, 2009, through January 31, 2010; and

B) approve a Budget Amendment of \$16,500 in the Sheriff's Grants Fund.

SUMMARY: On February 17, 2009, the Palm Beach County Sheriff's Office received an award to purchase equipment under the Florida Domestic Security Strategic Plan. These funds and related equipment, which have been approved by FDLE for purchase, will be used to implement the Regional Aviation Response and Support Project. The purpose of the Regional Aviation Response and Support Project is to maintain specialized equipment and replace items that have exceeded their useful lifespan for Aviation Response teams. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

CC. SUPERVISOR OF ELECTIONS

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

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring April 2009 as “Water Conservation Month” in Palm Beach County. (Sponsored by Commissioner Santamaria)
- B.** Proclamation declaring April 2009 as “Drowning Prevention Awareness Month” in Palm Beach County. (Sponsored by Commissioner Koons)
- C.** Proclamation declaring April 2009 as “Fair Housing Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
- D.** Proclamation declaring April 2009 as “Sexual Assault Awareness Month” in Palm Beach County. (Sponsored by Commissioner Koons)
- E.** Proclamation declaring April 22, 2009 as “Yom Hashoah Remembrance Day” in Palm Beach County. (Sponsored by Commissioner Aaronson)
- F.** Proclamation declaring April 19 - 25, 2009 as “Days of Remembrance of the Victims of the Holocaust” in Palm Beach County. (Sponsored by Commissioner Aaronson)
- G.** Proclamation declaring April 18, 2009 as “Black History Brain Bowl Academic Competition Day” in Palm Beach County. (Sponsored by Commissioner Green)
- H.** Proclamation declaring April 26 – May 2, 2009 as “National Crime Victims’ Rights Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)
- I.** Proclamation declaring April 20 – 25, 2009 as “Teenage Safe Driving Awareness Week” in Palm Beach County. (Sponsored by Commissioner Vana)
- J.** Proclamation declaring April 30, 2009 as “Palm Beach County Charter Day” in Palm Beach County. (Sponsored by Commissioner Marcus)
- K.** Proclamation declaring April 2009 as “Pets Are Wonderful Month” in Palm Beach County. (Sponsored by Commissioner Greene)

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5. REGULAR AGENDA

A. PARKS & RECREATION

1. Staff recommends motion to:

A) approve Termination Agreement for Interlocal Agreement and Lease Agreement (R2000-1050) with the City of South Bay (City) for the development and operation of the Crossroads Lake Depot and Marketplace;

B) authorize Letter of Request to the Army Corp of Engineers (ACOE) for assignment of Consent to Easement Agreement for the South Bay Boat Ramps from the City of South Bay to the County;

C) authorize staff to assume the operation, maintenance and renovation of the South Bay Crossroads Depot and Boat Ramps properties in conjunction with the County's adjoining South Bay RV Campground; and

D) approve Budget Transfer of \$200,000 within the \$25M GO Parks and Cultural Improvements Bond Fund from Reserves to South Bay RV and Recreation Center.

SUMMARY: On June 25, 2000, the City and County executed a 30-year lease agreement (R2000-1050) that required the City of South Bay to design, construct and operate a Crossroads Depot and Marketplace within two (2) years of the effective date of the Agreement. Due to the City's current budgetary constraints and rising cost of the project, it is no longer in a fiscal position to complete or staff the Crossroads Depot project and has requested that the County terminate their Lease Agreement. The City also lacks the staff and budget to renovate and continue operating the adjoining South Bay boat ramps that were damaged by Hurricane Wilma. Since the Crossroads Depot and boat ramps promote important recreational and economic development opportunities in the Glades Area, staff recommends Board approval of the Termination Agreement and the request to assign the ACOE Consent to Easement Agreement for the South Bay boat ramps from the City of South Bay to the County. The Parks and Recreation Department is proposing a program that will complete the Depot project, renovate the boat ramps and expand the campgrounds at an estimated cost of \$2 million. Staff has secured \$1.5 million in non-ad valorem funds for this program and will submit grant applications that are expected to have a good chance of approval for the remaining \$500,000. The Department will manage these two (2) properties with current Campground staff and use the added revenues from expansion of the campground and building rentals to avoid any net increase in operating expenses.
District 6 (AH)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) Contract with Ocean Gate General Contractors, Inc., in the amount of \$1,299,000 for construction of Southwinds Golf Clubhouse;

B) Budget Transfer of \$586,000 from the General Fund Contingency Reserves to the Park Improvement Fund; and

C) Budget Amendment of \$586,000 in the Park Improvement Fund to establish budget for Southwinds Golf Course Clubhouse.

SUMMARY: Hurricane Wilma damaged the old clubhouse building beyond repair and it was subsequently demolished. This contract will provide for construction of a replacement 7,900 sq. ft. clubhouse building, renovations to the existing cart barn, site utilities, and miscellaneous improvements. Total estimated construction costs of \$1,674,274 will be funded from the Park Improvement Fund. While a significant portion of this project is covered by insurance, the balance of funding necessary will be provided by FEMA on a reimbursement basis. The Budget Transfer and Budget Amendment will provide these funds until they are reimbursement by FEMA. The SBE goal for this project is 15%. Ocean Gate's bid includes participation of 17.2%. The contract time is 270 calendar days to substantial completion. (Capital Improvements Division) District 5 (JM)

C. ENGINEERING & PUBLIC WORKS

1. Staff requests Board direction: regarding potential road paving projects in the Palm Beach Ranchettes, particularly Fargo Avenue, Pancho/El Paso and Arrowhead Drive. **SUMMARY:** The Board has heard from one (1) resident, Mr. Schaller, previously relating to the paving of Fargo Avenue. If the Board wishes to proceed with the project, a funding source and who should be assessed for the project must be addressed. Mr. Schaller has never specifically discussed with the Board who should pay for the improvement to Fargo, but it is staff's understanding that he would like the Board to assess 100% of the project cost to 180 properties (of the 450 in the Ranchettes) and not just assess the 12 properties that access Fargo. The majority of the 14 residents along Pancho and El Paso also want the Board to find money to pay for their ½ mile of road paving – and they would prefer to limit their contributions to the amount most recently assessed in the neighborhood. They have expressed frustration that the County might fund Fargo ahead of their roads since they had a standard County accepted petition since 2004, while Fargo has never produced a County petition. The residents along a one mile section of Arrowhead have recently also expressed interest for the County to pave their road. Staff believes that approximately \$2 million would be required for these three projects. However, the MSTU program monies are already fully committed over the next 3-4 years and there are not sufficient funds to add any new projects to the program. The ten (10) projects in the MSTU program are expected to occur over the next few years as money becomes available to fund them. Staff strongly recommends that if additional funds are provided to the program that the existing projects be advanced and any new projects such as these in the Ranchettes would move to the back of the program. Countywide (MRE)

5. REGULAR AGENDA

D. FIRE RESCUE

1. Staff recommends motion to approve:

A) an Interlocal Agreement with the City of Lake Worth for the provision of fire protection and emergency medical services; and

B) a Pension Agreement with the City of Lake Worth.

SUMMARY: Under this Interlocal Agreement with the City of Lake Worth (City), the County will provide fire rescue services within the municipal boundaries of the City beginning October 1, 2009 for a term of ten (10) years, which will expire September 30, 2019. The City of Lake Worth Fire Rescue employees will be transferred to the Fire-Rescue complement and have been included in the current Palm Beach County Fire-Rescue budget proposal for FY 2010. The estimated net cost to the Fire Rescue MSTU is approximately \$2 million annually. The City will lease to the County two (2) fire-stations for an annual fee of \$1.00. All City Fire-Rescue apparatus and related equipment, staff vehicle, reserve equipment, maintenance and support equipment, and appliances/furnishings, shall be transferred to, and become the property of the County on October 1, 2009.

The City and County have proposed a separate Pension Agreement to be incorporated into the Interlocal Agreement, detailing the rights and obligations of each of the parties relating to the pension rights and benefits of the approximately 57 former City Fire Department employees being transferred to County employment. The transferred former City employees will be entitled to exercise any rights they may have to elect to continue to participate as members in the City Plans or become members of the Florida Retirement System. For those employees who remain in the City Plans, the County shall "pick-up" employee/member designated contributions by directly paying a percentage of salary to the City Plan in lieu of the employee/member contribution, in accordance with Section 414(h)(2) of the Internal Revenue Code. Countywide (SB)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT
(Environmental Appeals Board)

1. Staff recommends motion to approve: appointment of the following member to the Environmental Appeals Board for a term of three (3) years beginning April 7, 2009:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Raymond Puzzitiello	3	Professional	Gold Coast Builders Association

SUMMARY: The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) person recommended by the Gold Coast Builders Association (formerly known as Home Builders and Contractors Association); one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers; one (1) water resource professional employed by the South Florida Water Management District; and one (1) drinking water engineer employed by the Department of Environmental Protection. This action will fill the above-referenced seat until April 6, 2012. Countywide (GB)

(Environmental Control Hearing Board)

2. Staff recommends motion to approve: reappointment of the following member to the Environmental Control Hearing Board for a term of three (3) years beginning January 24, 2009:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Lewis Green	2	Medical Doctor	Palm Beach County Medical Society

SUMMARY: The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association, one (1) medical doctor recommended by the Palm Beach County Medical Society, one (1) engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two (2) citizens-at-large not holding elective office. This action will fill the above seat until January 23, 2012. Countywide (GB)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES**
(Community Action Council Administering Board)

1. **Staff recommends motion to approve:** appointment of the following representative to the Community Action Council Administering Board for a term beginning April 7, 2009, and ending September 30, 2010:

<u>Seat No.</u>	<u>Name</u>	<u>Organization/Requirement</u>	<u>Nominated By</u>
13	Shane Weaver	Business/Social Services	Comm. Greene Comm. Vana Comm. Koons

SUMMARY: Ordinance No. 2004-042, establishes the Community Action Council Administering Board (CACAB). The CACAB is comprised of not less than 15, and not more than 23 members. One third of the members are elected public officials, holding term on the date of selection, or their representatives. The remaining are members of business, industry, labor religion, law enforcement, education or other major groups in the community served. On February 20, 2009, written notice was sent to each Commissioner to request nominations. The nominee above meets all applicable guidelines and requirements outlined in the Community Services Block Grant Contract establishing ordinance. Seat 13 was vacated by Tequisha Myles and the replacement Shane Weaver will be completing her term. The CACAB has reviewed and approved the nominees listed above. (Community Action) Countywide (TKF)

B. **CRIMINAL JUSTICE COMMISSION**
(Criminal Justice, Mental Health and Substance Abuse Planning Council)

1. **Staff recommends motion to approve:** The following appointment to the Criminal Justice, Mental Health and Substance Abuse Planning Council, effective April 7, 2009:

<u>Appoint Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>
Dr. Linda De Piano	12	Director of a community mental health agency

SUMMARY: The Palm Beach County Board of County Commissioners enacted Resolution No. 2007-1639, which originally established the 19 member Palm Beach County Criminal Justice, Mental Health and Substance Abuse Planning Council. Thereafter, on April 1, 2008, the Board approved Resolution No. 2008-0559 amending the original resolution to add six (6) additional member seats to the Council. The Criminal Justice Commission recommends the appointment of Dr. Linda De Piano, who desires to serve as a Planning Council representative effective April 7, 2009. Countywide (DW)

C. **COMMISSION DISTRICT APPOINTMENTS**

APRIL 7, 2009

8. MATTERS BY THE PUBLIC – 2:00 P.M.

APRIL 7, 2009

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

APRIL 7, 2009

10. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, CHAIRMAN

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER BURT AARONSON, VICE CHAIRMAN

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER ADDIE L. GREENE

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

APRIL 7, 2009

<u>PAGE</u>	<u>ITEM</u>	
5	5C-1	<p><u>REVISED TITLE, SUMMARY:</u> Staff requests Board direction: regarding potential road paving projects in the Palm Beach Ranchettes, particularly Fargo Avenue, Pancho <u>Way/El Paso Drive</u> and Arrowhead Drive. SUMMARY: <u>Three (3) separate paving requests need to be addressed for this neighborhood west of the Turnpike and north of Lake Worth Road. 1) Fargo-</u>The Board has heard from one (1) resident, Mr. Schaller, previously relating to the paving of Fargo Avenue. If the Board wishes to proceed with the project, <u>paving of Fargo</u> a funding source and who should be assessed for the project paving must be addressed. Mr. Schaller has never specifically discussed with the Board who should pay be assessed for the improvement to Fargo, but he believes it is staff's understanding that he would like the Board to <u>should equally assess 100% of the project cost to 480 properties between Fargo and Blancette and the properties that have primary access onto Fargo (of the 450 in the Ranchettes) and not just assess the 12 properties that access Fargo. 2) Pancho Way and El Paso Drive</u> residents successfully petitioned for road paving in 2004, but were never accepted into the Program because of funding constraints. There were included in the 2007 re-petitioning process, but no resident supported paying the expected higher amount. However, with what they hear may occur by the Board agreeing to fund paving on Fargo, we <u>understand they may</u> The majority of the 14 residents along Pancho and El Paso also want the Board to find money to pay for their ½ mile of road paving – and they would prefer <u>want</u> to limit their contributions to the amount most recently assessed in the neighborhood and have the County pick up the remainder. They have expressed frustration that the County might fund Fargo ahead of their roads since they had a standard County accepted petition since 2004, while as the residents along Fargo has have never produced a County petition. 3) Arrowhead Drive - <u>As a result of the recent paving in the neighborhood, t</u> The residents along a one mile section of Arrowhead have also recently also expressed interest in getting their road paved. for the County to pave their road. Staff believes that approximately \$2 \$1.4 million would be required for these three (3) projects. However, the MSTU (Program) monies are already fully/<u>over</u>committed over the next 3-4 3-5 years and <u>without new funding</u>, there are not insufficient funds to add any new projects to the Program. The ten projects in the MSTU program are expected to occur over the next few years as money becomes available to fund them. Staff strongly recommends that if additional funds are provided to the program that the existing projects be advanced and any new projects such as these in the Ranchettes would move to the back of the program. <u>Countywide</u> (MRE) (Engineering)</p>
36	5E-1	<p><u>ADD-ON, TIME CERTAIN 2:15 P.M.:</u> Staff recommends motion to receive and file: Presentation of the 2009 Legislative Session update. SUMMARY: A presentation reviewing Palm Beach County's 2009 Legislative Agenda priorities and appropriation's status and legislative mid-session update with the Board of County Commissioners. (Admin/Leg. Affairs)</p>

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 (*).