

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

DECEMBER 7, 2010

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
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 - B. Adoption
 - C. Special Presentations (Page 6)

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- 4. REGULAR AGENDA (Pages 35 - 36)**

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ADJOURNMENT (Page 41)

DECEMBER 7, 2010

2. SPECIAL PRESENTATIONS – 9:30 A.M.

A. Certificate honoring Lake Worth Honor Students Teen Club (Commissioner Taylor)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Budget Transfer of \$100,000 from Countywide Community Revitalization Team Recoup Funding Account to the Resident Education to Action Program account. **SUMMARY:** The Resident Education to Action Program is a five (5) week session which provides organizational and technical support to residents and neighborhood organizations that are seeking to improve the quality of life within their communities. This Budget Transfer will be used to continue the implementation of the Resident Education to Action Program and fund neighborhood improvement projects. Countywide (AH)

2. **Staff recommends motion to approve:** First Amendment to the Neighborhood Partnership Grant Agreement with Country Club Acres Association, Inc., extending the Grant Agreement an additional six (6) months, applied retroactively from November 16, 2010, to May 17, 2011. **SUMMARY:** Country Club Acres Association, Inc. ("Country Club Acres") requested a six (6) month time extension to its Neighborhood Partnership Grant Agreement (R2009-1946) originally executed on November 17, 2009. The Amendment is necessary in order for Country Club Acres to complete the project funded through the Neighborhood Partnership Grant Program in Fiscal Year 2009-2010. Due to time constraints, the time extension applies retroactively from November 16, 2010. The Grant Agreement will now terminate on May 17, 2011. District 5 (AH)

3. **Staff recommends motion to approve:** Transfer of \$200,000 from the Countywide Community Revitalization Team (CCRT) Recoup Funding Account to the Lake Worth West Community Center Expansion Project to establish project budget for the Lake Worth West Community Center Expansion. **SUMMARY:** The Lake Worth West Community Center is located at 4730 Maine Street in unincorporated Palm Beach County. The requested funding is to cover the costs associated with the implementation of the Lake Worth West Community Center Expansion Project which will house the expanded programs to be implemented by the Lake Worth West Resident Planning Group. The funding is necessary to support the due diligence and regulatory review, permitting, and construction of this Project. The first task will be the completion of the due diligence study. Assuming that no "fatal flaws" are identified and the Project can be completed within the overall budget, Facilities Development & Operations will bid the construction of a modular unit. If the Project does not proceed past the due diligence phase, the remaining budgeted funds will be transferred back to the CCRT Recoup Funding Account. District 3 (AH)

4. **Staff recommends motion to approve:**
 - A) Expenditure in the amount of \$1,033,800 for the Royal Palm Estates (RPE) Wallis Road Pathway Project;
 - B) a Budget Transfer of \$1,018,424 from the RPE Paving and Drainage Improvement Project to the RPE Wallis Road Sidewalk Project; and
 - C) a Budget Transfer of \$15,376 from the Countywide Community Revitalization Team (CCRT) Recoup Funding Account to the RPE Wallis Road Sidewalk Project.

SUMMARY: The requested funding is to cover the costs associated with the design and installation of a sidewalk, right-of-way acquisition, reconstruction of the existing drainage system, and acquisition of property for storm water retention along the north side of Wallis Street between the E-3 Canal and Haverhill Road in the Royal Palm Estates/Wallis Road West CCRT area. The installation of this infrastructure is necessary to ensure the safety of the residents. District 6 (AH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. **Staff recommends motion to approve:** a Memorandum of Understanding (MOU) with Gulfcoast Business Finance, Inc. establishing a mutual working relationship for the processing of Small Business Administration (SBA) 504 loans. **SUMMARY:** The Palm Beach County Office of Economic Development administers various loan programs including the Housing & Urban Development (HUD) Section 108 Loan Program (Program) which provides subordinate financing at rates lower than conventional financing. Frequently, Section 108 loans are used in conjunction with the Federal Small Business Administration (SBA) 504 Loan Program. This MOU will provide additional revenue to the Office of Economic Development to offset Administrative costs. **There is no local match required.** Countywide (DW)

6. **Staff recommends motion to approve:** an Interlocal Agreement between Treasure Coast Regional Planning Council, Palm Beach County, the City of Riviera Beach and the Riviera Beach Community Redevelopment Agency for the Palm Beach County Public Market at the Riviera Beach Marina. **SUMMARY:** This Interlocal Agreement will allow for the coordination between the local governing entities: Treasure Coast Regional Planning Council (TCRPC), Palm Beach County (PBC), the City of Riviera Beach (CRB) and the Riviera Beach Community Redevelopment Agency (CRA) to jointly participate in activities to implement the Palm Beach County Public Market at the Riviera Beach Marina. Through the collaboration of these entities, the TCRPC received a Farmer's Market Promotion Program Grant from the U.S. Department of Agriculture totaling \$60,204. The CRA provided \$30,000 for a total project cost of \$90,204. This grant will fund a feasibility study, completion of the business plan, site planning and a preliminary engineering report. The Public Market will be located adjacent to the marina property owned by the CRA. **There is no local County match required.** District 7 (DW)

B. CLERK & COMPTROLLER

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

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

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

4. [Staff recommends motion to receive and file:](#) Annual financial reports, excess fees and unexpended budget for FY 2009/2010, for the Clerk & Comptroller, Tax Collector, and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk & Comptroller on or before October 31, 2009, in accordance with F.S. 218.36. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library, Fire-Rescue, and various other special revenue funds.

		Budget Estimate	Actual Excess Fees	Additional/Decrease in Excess Fees
CLERK &		\$ 500,000	\$ 1,415,897	\$ 915,897
COMPTROLLER				
TAX COLLECTOR		\$32,243,023	\$ 33,027,788	\$ 793,765
PROPERTY APPR.		\$ 1,684,613	\$ 1,528,934	\$ (155,679)
		<u>\$34,418,636</u>	<u>\$ 35,972,619</u>	<u>\$ 1,553,983</u>

The amounts shown as additional/decrease in excess fees will be included in the adjustment for additional balances brought forward which will be brought to the Board of County Commissioners in March 2011. Countywide (PFK)

C. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to:](#)
- A) accept** three (3) Quit Claim Deeds and two (2) Temporary Construction Easements from the City of Palm Beach Gardens; and
- B) approve** the subordination of utility interests, one (1) each from Florida Power and Light Company, Bell South Communications, Inc., and Seacoast Utility Authority.
- SUMMARY:** Acceptance of the three (3) Quit Claim Deeds and two (2) Temporary Construction Easements by the County will permit the construction of intersection improvements at the intersection of Burns Road and Military Trail in the City of Palm Beach Gardens. Approval of the three (3) subordinations of utility interests will subordinate the superior easement rights of Florida Power and Light Company, Bell South Telecommunications, Inc., and the Seacoast Utility Authority to the County. These subordinations of utility interests require, as a standard clause, that the County pay for only future relocation costs of the utilities' facilities when and if requested to do so by the County. District 1 (PK)
2. [Staff recommends motion to receive and file:](#) a report of plat recordations from July 1, through September 30, 2010. **SUMMARY:** This is a quarterly summary of subdivision plats recorded during the past fiscal quarter as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (MRE)
3. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to adopt: a Resolution to authorize the County Administrator or his designee to approve amendments to existing funding agreements with the Florida Department of Transportation (FDOT) to extend the expiration date of the agreements. **SUMMARY:** Adoption of this Resolution will allow the County Administrator or his designee to approve time extensions to existing agreements with FDOT. Countywide (MRE)
5. Staff recommends motion to approve: a Contract with Community Asphalt Corp. (Community), in the amount of \$217,304.15 for the construction of Belvedere Road and Pike Road intersection improvements (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Community, a Palm Beach County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Community is 15.14%. District 6 (MRE)
6. Staff recommends motion to adopt: a Resolution to approve the Local Agency Certification Qualification Agreement with the Florida Department of Transportation (FDOT) to complete Palm Beach County's (County) Local Agency Program (LAP) Recertification requirements. **SUMMARY:** Adoption of the Agreement will allow the County to continue to participate in the FDOT LAP program which provides federal funding for roadway projects. Countywide (MRE)
7. Staff recommends motion to adopt: a Resolution to approve time extension Number One to the Local Agency Program Agreement (Agreement) FPN423194-1-58-01 with the Florida Department of Transportation (FDOT) for the construction of a sidewalk on Lyons Road between Melody Road and Brandy Lane. **SUMMARY:** Adoption of this Resolution and approval of the Agreement will extend the time for completion of the construction from December 31, 2010, to June 30, 2011. Districts 2 & 6 (MRE)
8. Staff recommends motion to approve: a Declaration of Easement providing signal easement rights over Palm Beach County owned property for use by the Engineering Department. **SUMMARY:** Approval of this Declaration of Easement will permit the Engineering Department to install and maintain a signal pole and related controls over a parcel of land located at the southwest corner of Summit Boulevard and Davis Road. District 2 (PK)
9. Staff recommends motion to adopt: a Resolution to approve time extension Number One to the Local Agency Program Agreement (Agreement) FPN423195-1-58-01 with the Florida Department of Transportation (FDOT) for the construction of a sidewalk on Lyons Road from Rosemount Drive to the L-14 Canal. **SUMMARY:** Adoption of this Resolution and approval of the Agreement will extend the time for completion of construction from December 31, 2010, to June 30, 2011. District 2 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$65,000 in the personal injury action styled Shacorie Walker v. Palm Beach County, Case No. 50 2010 CA016578XXXMB AN. **SUMMARY:** Plaintiff was in a motor vehicle accident on June 10, 2008. He was a restrained driver in a car which was rear-ended by a County driver while it was stopped at a red light at the intersection of Jog Road and Southern Boulevard. Plaintiff was taken to the emergency room. He sustained injuries to his neck and back which necessitated surgery, and was treated by several health care providers. Staff, including the Risk Management Roundtable Committee, concur that this settlement is in the best interest of Palm Beach County. Countywide (SCL)

E. COMMUNITY SERVICES

1. Staff recommends motion to:
 - A) **ratify** the Chairman's signature on
 1. the U.S. Department of Housing and Urban Development (HUD) renewal application for the Supportive Housing Program for the period of January 1, 2011, to December 31, 2011, in the amount of \$ 442,158;
 2. the U.S. Department of Housing and Urban Development (HUD) Shelter Plus Care renewal application for the period of May 23, 2011, to May 22, 2012, in the amount of \$191,880;
 3. the U.S. Department of Housing and Urban Development (HUD) Shelter Plus Care renewal application for the period of July 20, 2011, to July 19, 2012, in the amount of \$217,464; and

B) delegate authority to the County Administrator, or his designee to sign the U.S. Department of Housing and Urban Development (HUD) Supportive Housing Program and Shelter Plus Care grant agreements.

SUMMARY: The Supportive Housing Program (SHP) will continue funding 30 transitional housing beds and supportive services, including specialized Case Management for the Homeless Outreach Teams (HOT). A cash match of \$91,240 is required (20% Supportive Services-\$46,940 and 25% Operating-\$44,300). This match will be budgeted in the FY 2012 budget process. The first Shelter Plus Care Renewal Grant provides sponsor based rental assistance for 15 disabled individuals. The second Shelter Plus Care Grant provides sponsor based rental assistance to 17 disabled individuals. There is no cash match requirement for either grant but an in-kind match is provided by the partner agency in the form of supportive services. (Human Services) Countywide (TKF)

2. **DELETED**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve:

A) a waiver of prohibited relationship pursuant to Palm Beach County Code, Article XIII, the Palm Beach County Code of Ethics for United Way of Palm Beach County employees Charles Anderson and Laurie George, a member and an alternate, respectively of the Homeless Advisory Board; and

B) contracts with three (3) financially assisted agencies totaling \$284,103 for the indicated activities, for the period October 1, 2010, through September 30, 2011:

1. The Salvation Army, a Georgia Corporation - \$75,000 for transitional housing for homeless men;
2. The YWCA of Palm Beach County, Florida - \$114,053 for Harmony House providing homeless and domestic abuse services for women and children; and
3. United Way of Palm Beach County - \$95,050 for free tax preparation services to low-income residents.

SUMMARY: On July 13, 2010, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency Program. The information submitted reflects part of the total \$13,638,671 funding approved by the Board of County Commissioners for FY 2011. Prohibited relationship waivers are being recommended for two (2) employees of Financially Assisted Agencies funded programs who serve on County advisory, commission and council boards. These individuals disclosed this relationship and are requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waivers are being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of these individuals on the advisory board. Other contracts will be forthcoming upon receipt of all the required information. (Financially Assisted Agency Program) Countywide (TKF)

4. Staff recommends motion to approve: Contract with Adoption by Shepherd Care totaling \$145,000, for the period October 1, 2010, through September 30, 2011, providing for "Choose Life" license plate funds. **SUMMARY:** Adoption by Shepherd Care meets the intent of Section 320.08058(30), Florida Statutes, which requires counties to distribute annual use fees from the sale of "Choose Life" license plates. Services provided are limited by the Statute and involve meeting the physical needs of pregnant women who are committed to placing their children up for adoption. The Contract funding recommended in this item reflects part of the total funds received from the "Choose Life" license plate funds for the 2009 - 2010 fiscal year. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to adopt:** a Resolution establishing fuel flowage fees for the North County General Aviation (North County Airport) and Palm Beach County Glades Airports (Pahokee Airport) and increasing fuel flowage fees at the Palm Beach County Park Airport (Lantana Airport) with an effective date of January 1, 2011. **SUMMARY:** This Resolution establishes fuel flowage fees for the North County and Lantana Airports at \$.05 per gallon for each gallon of aviation fuel sold and \$.10 per gallon for each gallon of oil sold and for the Pahokee Airport at \$.03 per gallon for each gallon of aviation fuel sold and \$.10 per gallon for each gallon of oil sold. Fuel flowage fees are not collected at the North County Airport and were collected for the Pahokee Airport at a rate of \$.03 per gallon by agreement with the fixed base operator (R2004-0287), which expired on August 31, 2010. Fuel flowage fees are currently set at a rate of \$.035 per gallon for the Lantana Airport (R87-321) and have not been increased since 1987. The County is permitted to establish and modify fuel flowage fees pursuant to the fixed based operator lease agreements with Piedmont Hawthorne Aviation, LLC, (R2010-1109) and Florida Airmotive, Inc. (R86-712). Although the Aviation and Airports Advisory Board voted 4 to 3 against establishing fuel flowage fees for the North County and Pahokee Airports and raising fuel flowage fees at the Lantana Airport at its October 8, 2010 meeting, the Department recommends the adoption of this Resolution. Fuel flowage fees are a common charge in the industry and the rates being recommended are fair, reasonable and nondiscriminatory. Countywide (AH)

2. **Staff recommends motion to approve:** a Short-Term Lease Agreement (Agreement) with Gate Gourmet, Inc. (Gate Gourmet), for the lease of space at the Palm Beach International Airport (PBIA) for monthly rental in the amount of \$3,000. **SUMMARY:** The Agreement provides for the lease of approximately 3,089 square feet of interior space at Building 1169 to Gate Gourmet for office administration, shipping, receiving, storage and related activities in support of Gate Gourmet's airline catering operations. The Agreement will automatically renew on a monthly basis unless terminated by either party. Countywide (HJF)

3. **Staff recommends motion to:**
 - A) approve** First Amendment to Agreement for Sale and Purchase of Easement with RaceTrac Petroleum, Inc. (RaceTrac) (First Amendment), decreasing the size and purchase price of the easement area to be purchased by RaceTrac;

 - B) approve** Agreement for Dedication of Public Road Right of Way with RaceTrac (Dedication Agreement), providing for the dedication of approximately 0.046 acres of land located west of Palm Beach International Airport (Airport Property) for \$8,500;

 - C) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida; determining that the Airport Property is not necessary for airport purposes and that the disposition of the property shall not impair the operating efficiency or reduce the revenue producing capability of the County's Airport System; and

 - D) authorize** the County Administrator or his designee (the DOA Director) to execute any necessary documentation for the release of the Airport Property from Airport Improvement Program (AIP) Grant Assurances with the Federal Aviation Administration.

SUMMARY: On January 13, 2009, the Board approved the Agreement for Sale and Purchase of Easement with RaceTrac (R2009-0078) for the sale of an easement to RaceTrac on approximately .35 acres of land located west of Palm Beach International Airport for \$64,000 and an aviation easement over RaceTrac's property. The First Amendment reduces the size of the easement area to eliminate a 7' x 50' portion adjacent to Wallis Road and reduces the purchase price proportionally to \$62,512.50. The Dedication Agreement provides for the dedication of the 7' x 50' portion plus an additional 33' x 50' within Wallis Road as County road right of way. RaceTrac will pay \$8,500 for the dedication of the Airport Property as County road right-of-way and all associated costs. Countywide (HJF)

3. **CONSENT AGENDA APPROVAL**

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

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

A) Cargo Building Lease Agreement with Big Sky Aviation, commencing October 1, 2010, expiring September 30, 2011, automatically renewed at one (1) year intervals (10/1 through 9/30);

B) Hotel-Motel Courtesy Shuttle Operator Permit with Concord Hospitality Enterprises Company, agent for IA Lodging West Palm Beach Centerpark TRS, LLC d/b/a Courtyard By Marriott West Palm Beach Airport, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a yearly basis (10/1 through 9/30);

C) Hotel-Motel Courtesy Shuttle Operator Permit with Crestline Hotels & Resorts, Inc., d/b/a Hilton Singer Island Oceanfront Resort, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a yearly basis (10/1 through 9/30);

D) Hotel-Motel Courtesy Shuttle Operator Permit with Marriott Hotel Services, Inc. d/b/a Marriott West Palm Beach Hotel, commencing October 1, 2010, expiring September 30, 2011, automatically renewed on a yearly basis (10/1 through 9/30);

E) Consent to Sublease for a Sublease Agreement between Jet Aviation Associates, Ltd. and Gold Aviation Services, Inc., commencing March 9, 2010; and

F) Consent to Sublease for a Sublease Agreement between Jet Aviation Associates, Ltd. and JetSmart, Inc., commencing October 13, 2010.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R1994-1453, R2010-0707, and R2010-1392. Countywide (AH)

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

1. **Staff recommends motion to approve:** an Indemnification Agreement with Taylor Morrison of Florida, Inc. that will indemnify Palm Beach County for any legal claims and obligations in connection with an impact fee refund to be paid to Taylor Woodrow Incorporated. **SUMMARY:** The Impact Fee Office has approved a refund (\$518,961.45) of previously collected road impact fees paid in error by builders of a Palm Beach Gardens community known as Mirasol. Mirasol builders include Taylor Woodrow, the master developer and a subsidiary of Taylor Morrison, and other third party builders. The error occurred when road impact fees were paid in cash instead of charged against an \$8 million road impact fee credit earned by Taylor Woodrow for improvements made to PGA Boulevard. Taylor Woodrow reimbursed the third-party builders for the road impact fee payments made in error and subsequently applied for a refund of the road impact fees paid by the builders. Upon approval of the Indemnification Agreement, Taylor Morrison indemnifies Palm Beach County for any legal claims and obligations in connection with the impact fee refund to be paid to Taylor Woodrow Incorporated. District 1 (LB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an annual Contract with Hi-Tech Roofing and Sheetmetal, Inc., in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15%, and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders will be limited to \$200,000 per contractor. Hi-Tech Roofing and Sheetmetal, Inc. is a certified SBE contractor and is a Palm Beach County company. (FD&O Admin) Countywide (JM)

2. Staff recommends motion to approve: an annual Contract with Advanced Roofing, Inc., in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders will be limited to \$200,000 per contractor. Advanced Roofing, Inc. is a Broward County company. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** an annual Contract with Tecta America South Florida, Inc., in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Tecta America South Florida, Inc. is a Broward County company. (FD&O Admin) Countywide (JM)

4. **Staff recommends motion to approve:** an annual Contract with Tri State Roofing and General Contractors, LLC, in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Tri State Roofing and General Contractors, LLC is a certified SBE contractor and is a Palm Beach County company. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: an annual Contract with Roofing Concepts Unlimited/Florida, Inc., in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$1,500,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Roofing Concepts Unlimited/Florida, Inc. is a Broward County company. (FD&O Admin) Countywide (JM)

6. Staff recommends motion to approve: an annual Contract with Foster Construction Group, Inc., in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Foster Construction Group, Inc. is a Miami-Dade County company. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: an annual Contract with Triple M Roofing Corp., in an amount not to exceed \$1,500,000 as one (1) of a pool of seven (7) approved roofing contractors. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. Each contract has a maximum value of \$1,500,000 in the event that a single contractor is successful in all quotes. However, only a total of \$1,500,000 is budgeted annually for all seven (7) contracts. The contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven (7) roofing contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. Triple M Roofing Corp. is a Broward County company. (FD&O Admin) Countywide (JM)

8. Staff recommends motion to approve: Work Order No. 11-002 with The Roof Authority (R2007-1301) in the amount of \$301,274 to replace the roof at the Main Judicial Center - State Attorney/Public Defender Building. **SUMMARY:** The work consists of the removal of the existing coal-tar pitch roof systems and replacement with a new tapered Modified Bitumen Roof System. The existing roof is over 15 years old and has deteriorated to the point that replacement is required. The scheduled replacement is part of the approved repair and replacement budget. The replacement of the roof is also timely due to concerns of the instability of the existing gravel on the roof and its impact on the recently completed window hardening project. This work was competitively bid among the pool of five (5) annual roofing contractors with the lowest responsive annual contractor awarded the work order. The Roof Authority submitted the lowest responsive, responsible bid. The Small Business Enterprise (SBE) participation in this work order is 0%. When the participation for this work order is added to the total participation against the Roofing Contract, the resulting values are 43.96%. The total construction duration is 90 days. The Roof Authority is not a certified SBE contractor and is a St. Lucie County company. (FD&O Admin) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: an Irrigation System License Agreement (Agreement) with Oriole Villages Center, Inc. (Oriole) for the non-exclusive use of a single pump irrigation system located at 14925 Cumberland Drive in Delray Beach (Property). **SUMMARY:** The County is the owner of Property located at 14925 Cumberland Drive in unincorporated Delray Beach, which is improved with a building including a single pump irrigation system (Irrigation System) which services fourteen designated zones located on the Property, as well as two (2) zones on adjacent property owned by Oriole. The Irrigation System has two (2) individual time clocks which regulate the use of the Irrigation System by the County and Oriole separately for watering during designated time periods. This Agreement grants Oriole the right to access the time clock and pumps for the purpose of operating two (2) zones serving the Oriole property, as well as one (1) zone serving the Property's landscape buffer, at its sole cost and expense. The County's only financial obligation under the Agreement is to continue to pay utility cost for operation of the Irrigation System as the Irrigation System is not separately metered. The Agreement has a term of one (1) year, with automatic annual renewals, unless either party provides the other with 30 days notice of termination. The Agreement provides for Oriole to reimburse the County for any fines imposed as a result of Oriole's violation of the South Florida Water Management District's Comprehensive Water Conservation Program. This Agreement memorializes the operating procedures for the Irrigation System which has served the Property and Oriole Property since the improved Property was conveyed by Oriole in 1981. (FDO Admin) District 5 (HJF)

10. Staff recommends motion to approve: a Memorandum of Understanding (MOU) for Lease of Property between Department of Airports (Department) and Facilities Development & Operations (FDO) for the lease of a portion of the Belvedere Road/5th Street property (Belvedere Property). **SUMMARY:** This MOU provides for the use of: i) approximately 11,492 square feet in Building 502 through March 31, 2011, with automatic monthly renewals thereafter, and ii) approximately 8,250 square feet in Building 508 through December 31, 2013. While FDO is the lessee, Building 502 is occupied by Head Start until the completion of the Four Points renovations. Building 508 is occupied by the Clerk and Comptroller until such time that County-owned space is available. FDO will pay a monthly rental fee of \$5,263.34 for Building 502, and an annual rental fee of \$45,375 for Building 508. Appraisals obtained through the Department's appraisal process valued the market rental value for Buildings 502 and 508 at \$5.50 per square foot. Both parties have the right to terminate this MOU regarding Building 508 upon 60 days notice to the other party; however, FDO's right to terminate commences upon the MOU's effective date, and the Department's right commences as of January 1, 2013. (PREM) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: an Agreement to Construct with Toll FL V Limited Partnership. **SUMMARY:** Toll FL V Limited Partnership (Toll Brothers) is proposing to develop Frenchman's Harbor (aka Parcel 32 PUD), a Planned Unit Development, on the north side of the County's Bert Winters Park located on Ellison Wilson Road in the unincorporated Juno Beach area. The Unified Land Development Code requires the developer to convey a 1.54 acre civic site to Palm Beach County. Staff worked with Toll Brothers to locate the civic site immediately adjacent to the Park, thereby allowing for expansion of the Park. Pursuant to the Agreement to Construct, Toll Brothers will convey title to the civic site to the County subject to an approximate 25' by 28' lift station easement (667 sq. ft.), 15' by 432' sewer easement (6,481 sq. ft.), and a 10' by 432' utility easement (4,314 sq. ft.). The lift station will be constructed by Toll Brothers at their expense on the eastern limits of the civic site, and the sewer, utility, and access easements will run along the northern perimeter. In return, Toll Brothers will install at their expense a sewer line connecting the existing Park restrooms to the lift station. The County will be responsible to pay in April of 2011 the \$21,101.28 sewer connection fee to the Loxahatchee River Environmental Control District (ENCON) and properly abandon the existing septic tank system which is estimated to cost \$5,500. Toll Brothers will also relocate 48 trees from the PUD or purchase trees acceptable to the County's Parks and Recreation Department and replant them within the Park boundary. Installation of the sewer lines within the Park will require a Temporary Construction Easement in favor of Toll Brothers which the County will grant Toll Brothers at closing on the civic site. At the closing, the County will also grant Toll Brothers a Temporary Construction Access Easement which will provide Toll Brothers access across the civic site to Frenchman's Harbor for development of their site and will allow access to the Park for tree relocation. The value of the sewer improvements and tree installation to the County is estimated at \$141,690. (PREM) District 1 (HJF)

12. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in 0.14 acres of surplus property to the City of Belle Glade without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 197.592(3); and

B) approve a County Deed in favor of the City of Belle Glade.

SUMMARY: The City of Belle Glade requested the conveyance of this County-owned surplus property. The 0.14 acre property was acquired by Tax Deed in June 2010 and is located at 540 Southwest 8th Street, within the City's municipal boundaries with an assessed value of \$12,108. The property is being conveyed pursuant to Florida Statutes Section 197.592 (3), which requires the conveyance of surplus property acquired by Tax Deed to the municipality in which it is located. The subject property has been declared surplus and serves no present or future County purpose. The City proposes to demolish the existing uninhabitable structure and utilize this property for low to moderate income housing. Staff believes that this property will be more appropriately developed, managed and maintained by the City. Housing & Community Development has reviewed this conveyance and has no objections to the conveyance. This conveyance will relieve the County of potential liability for occurrences on this property and also the cost of maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. **Staff recommends motion to receive and file:** a notice of exercise of the first option to extend the term of the Concessionaire Service Agreement (R2007-2256) with Dania Pier Management Corp., for the continued use of the concession building at the Juno Beach pier for \$50,618.88/year. **SUMMARY:** Dania Pier Management Corp. (DPM) has operated under the current Concessionaire Service Agreement (Agreement) for the use of the concession building at the Juno Beach pier since January 2008. The initial term of the Agreement expires December 31, 2010. DPM is exercising the first of three (3) one (1) year extension options for the period of January 1, 2011, to December 31, 2011. The guaranteed annual rent will be increased by four percent (4%) from \$48,672 (\$4,056/month) to \$50,618.88 (\$4,218.24/month). The Parks & Recreation Department is satisfied with DPM's performance. The Board has no discretionary authority to deny the exercise of the option; however, the County may terminate this Agreement upon ninety (90) days written notice to DPM. State Statutes do not require a Disclosure of Beneficial Interest to be obtained when the County leases property to a tenant. Since the Statute does not require the Disclosure and as this is an exercise of an option to extend a previously approved agreement for which a Disclosure was obtained, Staff did not request a new Disclosure. (PREM) District 1 (HJF)

14. **Staff recommends motion to approve:** Amendment Number Two to Lease Agreement (R99-1418D) dated July 27, 1999, with Mil Lake Annex, LLC for the continued use of 31,733 sf of warehouse space for the Palm Beach County Library Department within the Mil-Lake Plaza located in Greenacres at an annual rate of \$259,421.40. **SUMMARY:** Since 1999, the County on behalf of the Library Department, has leased the space within the Mil-Lake Plaza located at 4639 Lake Worth Road in Greenacres. The current term of the Lease Agreement expires on March 31, 2011. This Amendment: i) exercises the first renewal option, extending the term of the Lease for two (2) years, from April 1, 2011, through March 31, 2013, ii) commencing on April 1, 2011, decreases the annual rental rate by 15% from \$305,201.65 (\$9.62/sf) to \$259,421.40 (\$8.18/sf), with annual increases of 4% or CPI-U, whichever is less; iii) adds language acknowledging the power and authority of the Office of Inspector General and, iv) updates the Notice provision for the Landlord. The County will continue to be responsible for real estate taxes which are estimated to be \$37,000 for 2011, and pay for all utility costs. All other terms and conditions of the Lease Agreement shall remain in full force and effect. (PREM) District 2 (HJF) (FDO)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** an Agreement with the Town of Mangonia Park for the renovation of its Community Center in the amount of \$81,107, for the period of December 7, 2010, through September 30, 2011. **SUMMARY:** Allocation of these funds to the Community Center renovation project was approved by the Board of County Commissioners on July 21, 2009, through its approval of Palm Beach County's Action Plan for Fiscal Year 2009-2010 (R2008-1209). The project entails the interior and exterior renovation of the Town's former fire station which will be converted into a Community Center. The building is located at 5000 South Australian Avenue, in the Town of Mangonia Park. This project will provide a facility for the Town to establish community programs, services, events and activities. **These are Federal Community Development Block Grant funds that require no local match.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 001 to an Agreement (R2010-1124) with the City of Greenacres, to extend the expiration date from December 31, 2010, to March 31, 2011, and to expand the scope of the project. **SUMMARY:** This Amendment provides an extension of three (3) months to the term of the existing Agreement to accommodate the expansion in the scope of work. The Agreement with the City of Greenacres provided \$73,000 in Community Development Block Grant Recovery (CDBG-R) Program funds for storm drainage improvements. The storm drainage improvements costing \$32,024.05 are substantially complete. The proposed Amendment expands the scope of the project to enable the City to use the balance of grant funds for the purchase and installation of street and traffic signs. **These are Federal Community Development Block Grant Recovery Program Grant funds that require no local match.** District 2 (TKF)

3. **Staff recommends motion to approve:** an Agreement with the City of Pahokee for the renovation of the Old Pahokee High School Gymnasium, in the amount of \$335,000, for the period of December 7, 2010, through November 30, 2011. **SUMMARY:** The project entails the interior and exterior renovation of the abandoned gymnasium at the Old Pahokee High School in order to put it back in service. The gymnasium is located at 360 East Main Street in the City of Pahokee. **These are Federal Community Development Block Grant funds that require no local match.** District 6 (TKF)

4. **Staff recommends motion to approve:** an Agreement with the City of Pahokee for construction of a restroom building at City Park, in the amount of \$92,817, for the period of December 7, 2010, through November 30, 2011. **SUMMARY:** The project entails the construction of an Americans with Disabilities Act compliant restroom building and auxiliary improvements at City Park located at 525 Bacom Point Road in the City of Pahokee. **These are Federal Community Development Block Grant funds that require no local match.** District 6 (TKF)

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** executed Agreements received during the month of September 2010:
 - A) Standard Development Agreement with Coconut Northlake, LLC; SDA No. 11-01013-000 (District 1)
 - B) Standard Development Agreement with Royal Palm Mobile Home Park, LLC; SDA No. 02-01125-000 (District 3)
 - C) Standard Indemnity Agreement with D R Horton, Inc.; SDA No. 05-01072-000 (District 3)**SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Standard Development Agreement and Indemnity Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file. Districts 1 & 3 (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** a First Amendment to Reclaimed Water Service Agreement with Pine Ridge at Delray Beach Master Association, Inc. **SUMMARY:** On June 16, 2009 (R2009-0999), the Board of County Commissioners (Board) received and filed a Reclaimed Water Service Agreement – Lake Discharge Irrigation System (Agreement) between Palm Beach County and Pine Ridge at Delray Beach Master Association, Inc. (Pine Ridge). The effective date of the Agreement was March 27, 2009. As part of the Agreement, service initiation was to occur within twelve (12) months of the effective date of the Agreement, or the Agreement would automatically terminate. On March 17, 2009, the Board adopted a new Water Utilities rate ordinance, which included, for the first time, connection fees for reclaimed water service. The reclaimed water connection fees became effective April 1, 2009. In order to facilitate reclaimed water customers who entered into Agreements prior to the effective date of the reclaimed water connection fees, the Water Utilities Department (Department) adopted a policy exempting customers from the payment of reclaimed water connection fees who executed reclaimed water service agreements prior to April 1, 2009 and who connected to the County's reclaimed water system prior to April 1, 2010. Due to extenuating circumstances outside of the control of Pine Ridge, including delays in the DEP permitting process and negotiation with the Department related to the cost to replace potable water meters, Pine Ridge was unable to connect to the County's reclaimed water system prior to either the Agreement deadline of March 27, 2010, or the Department policy deadline of April 1, 2010. This First Amendment extends the deadline for initiation of service to January 1, 2011 and also provides for a waiver of reclaimed water connection fees if service initiation occurs in a timely manner. (WUD Project No.08-587/RWSA 03-90009-000) District 5 (MJ)

3. **Staff recommends motion to:**

A) approve a Standard Assignment of the Right to Purchase Water and Wastewater Equivalent Residential Connections – Beeline Additional Capacity form (Beeline Assignment);

B) authorize the County Administrator or designee to execute the Beeline Assignment; and

C) incorporate the Beeline Assignment form into Chapter 3 of the Department's Uniform Policies and Procedures Manual (UPAP).

SUMMARY: On February 15, 2005, the Board of County Commissioners approved a Water and Wastewater Utility Acquisition, Service and Service Area Agreement (Agreement) with the Beeline Community Development District (Beeline). As part of the Agreement, the County agreed to allow Beeline and its successors or assigns to reserve and purchase up to 1000 potable water and wastewater Equivalent Residential Connections (ERCs), at a certain agreed rate, for future capacity needs of customers within the Beeline service area. The additional ERCs may be purchased at the agreed rate up until October 31, 2018. All of Beeline's Rights in the additional ERCs were assigned to United Technologies Corporation on October 31, 2008. The Department recommends approval of the Beeline Assignment form to allow for the efficient assignment of rights and purchase of the Additional ERCs. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve:

A) Contract with AKA Services, Inc. for the City of Pahokee inflow and infiltration improvements in the amount of \$455,850; and

B) Change Order No. 1 decreasing the contract amount by \$55,850 to match the available grant funding in the amount of \$400,000.

SUMMARY: On September 15, 2010, six (6) bids were received for the City of Pahokee Inflow and Infiltration Improvements, with AKA Services, Inc. being the lowest responsive bidder in the amount of \$455,850. Change Order No. 1 decreases the contract amount by \$55,850 to match the available grant funding in the amount of \$400,000. The project consists of repairing the Pahokee gravity wastewater system to prevent inflow and infiltration which will reduce the operational costs for the Glades Utility Authority (GUA). On August 18, 2009 (R2009-1345), the Board of County Commissioners approved a Special Agreement with GUA for Operations, Maintenance and Management of the GUA Utility system. The Water Utilities Department (WUD) will administer this project under the terms of that agreement. Funding for this project has been allocated by the Palm Beach County Department of Housing & Community Development (HCD) under the Community Development Block Grant Disaster Recovery Initiative (CDBG DRI) Program. This Contract is federally funded and has participation goals of 22.4% MBE and 6.9% WBE. The Contract with AKA Services, Inc. includes 0.26% WBE participation, and they provided good faith effort documentation with their bid. Although SBE participation is not required by the Contract, a good faith effort has been made by AKA Services, Inc. The contract with AKA Services provides for SBE participation of 24.83% overall. AKA Services, Inc. is a local Palm Beach County Company with a Glades Office in the City of Pahokee. **These are Federal Community Development Block Grant DRI funds that require no local match.** (WUD Project No. 10-016) District 6 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Work Order No. 1666-06 to Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666) with Eastman Aggregates Enterprises, LLC (Eastman), of Palm Beach County (Primary) in the amount of \$1,174,259 to provide dune restoration services for the Singer Island Dune Restoration Project (Project). **SUMMARY:** The Board of County Commissioners (BCC) approved an annual construction contract for the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666) on September 23, 2008. On July 21, 2009, the BCC approved Amendment No. 1 (R2009-1181) to increase the Contract by \$305,880 to a not-to-exceed amount of \$4,603,334, extend the Contract for two (2) years and add bid items. Work Order No. 1666-06 is the sixth work order issued under this annual construction contract and authorizes Eastman to complete dune restoration activities along the eroded Project shoreline. Eastman's SBE goal is 16.14%. There is 39.9% SBE subcontractor participation on this Work Order. Federal Emergency Management Agency (FEMA) funds awarded in response to erosion incurred during Tropical Storm Fay and Hurricane Hanna will reimburse \$1,027,477 (87.5%) of costs associated with this work order. The remaining cost of \$146,782 is provided from the Beach Improvement Fund supported by Tourist Development Taxes. District 1 (JM)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** a Professional Services Contract with Gordon Andrews, a contractor located in Palm Beach County, in an amount not-to-exceed \$106,500 for 1 year, with 2 additional 12-month renewal options, effective February 1, 2011, through January 31, 2012, for USA Swimming and US Masters Swimming coaching services at the Lake Lytal Family Aquatic Center. **SUMMARY:** Recreation instructors and sports officials are exempt from the Purchasing Ordinance. Resolution 94-422 as amended, granted Departmental authority to sign independent contractor agreements with recreation instructors and sports officials. Gordon Andrews contracted with the County over the past 14 years as a swim coach for the Lake Lytal Lightning Swim Team at the Lake Lytal Family Aquatic Center. Due to the addition of the US Masters program, coupled with the size of the USA Swimming program, this contract now exceeds the intent of authority originally delegated. Staff recommends that the coaching services of Gordon Andrews be renewed through the use of a professional service contract. This is a self sustaining program in which revenues exceed expenditures, with the county retaining 20 percent and the contractor receiving 80 percent. The Contractor will receive an amount not-to-exceed \$106,500 per year. This contractor utilizes the services of three (3) sub-contractors to provide this program resulting in a total of four (4) people being paid out of the contract amount. District 2 (AH)

2. **Staff recommends motion to approve:** Agreement with Daystar Academy of Excellence, Inc. for the period December 7, 2010, through January 15, 2011 in an amount not-to-exceed \$2,000 for funding of the Community Family Reunion in the Park. **SUMMARY:** This funding will help offset costs for the Family Resource Center of Boynton Beach's Community Family Reunion sponsored by Daystar Academy of Excellence, Inc. This community- building event was held on September 26, 2010, at the Caroline Sims Community Center in Boynton Beach. Approximately 2,000 youth and adults participated in the event. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to August 15, 2010. This funding was previously approved for Youth Recreation Association of Riviera Beach for basketball programs, and has now been reallocated to Daystar Academy of Excellence, Inc. by the District Commissioner. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. **Staff recommends motion to approve:** Budget Transfer of \$75,000 within the Park Improvement Fund from the Florida Boating Improvement Program reserve to South County Regional Park Boating Center. **SUMMARY:** This Budget Transfer will provide the funding necessary to complete construction of the South County Regional Park Boating Center. Funding is from the Park Improvement Fund Florida Boating Improvement Program reserve. District 5 (AH)

4. **Staff recommends motion to approve:** request by the Loggerhead Marineline Center, Inc. to construct a 1,500 square foot addition within their existing lease premises at Loggerhead Park. **SUMMARY:** The Loggerhead Marineline Center, Inc. (Center) is requesting County approval to construct a 1,500 square foot classroom addition to help accommodate the large number of annual visitors to the Center. The Lease Agreement (R2003-1246) with the County requires Board approval for any improvements, additions, modifications, or alterations to the premises in excess of \$25,000. The proposed classroom addition is estimated to cost approximately \$150,000 and take three (3) to six (6) months to complete. County staff supports the proposed expansion of this cultural facility and the addition will not adversely impact the public's use and enjoyment of the park. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to:

A) receive and file a fully executed Florida Department of Transportation (FDOT) Local Agency Program (LAP) Agreement for improvements at the South Bay RV Campground;

B) approve a State of Florida Department of Transportation LAP Supplemental Agreement; and

C) approve a Budget Amendment of \$195,485 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On March 23, 2010 (R2010-0417), the Board adopted a Resolution authorizing the County to accept the reassignment of the FDOT Transportation Enhancement Grant FM#416139-1-58-01 and authorized the Director of Parks and Recreation Department to execute the funding Agreement on behalf of the County. The Agreement was executed by the Director, and is now being submitted to the Board to Receive and File. In July of 2010, Engineering Services bid the project, and bids were received on August 17, 2010. The lowest, responsive, responsible bidder was Edens Construction Company, Inc., a Palm Beach County firm located in the Glades area, in the amount of \$195,685.40. FDOT subsequently provided a LAP Supplemental Agreement to reflect the lower construction costs reducing the grant award amount from \$500,000 to \$195,485.40, after removing a \$200 construction contract item ineligible for grant reimbursement. The total project cost is approximately \$991,285, with the remaining \$795,800 funded by the 2005 \$25M GO Recreational & Cultural Facilities Bond fund. The grant project elements include exterior renovation of the historic railroad cottage; construction of sidewalks and pathways to interconnect the Crossroads Depot, the South Bay RV Campground, the Lake Okeechobee Scenic Trail (LOST); and associated fencing, landscaping, picnic tables, benches, and bike racks. District 6 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: an Amendment to the Contract (R2010-0106) with the City of Pahokee to extend the expiration date from September 30, 2010, through December 31, 2010 to support the Fresh Start Program. **SUMMARY:** The Criminal Justice Commission recommended the use of \$132,000 from the Federal FY 2009 Recovery Act Edward Byrne Memorial Justice Assistance grant for the Pahokee Fresh Start Program targeting middle school aged youth (after school programming) and young adults 18-24 (job skills training and employment assistance) with the overall goal of crime prevention. A late start-up impacted the ability of Fresh Start to operate for a full 12-month period, thus requiring additional time to complete program requirements. District 6 (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. **Staff recommends motion to approve:** an Amendment to the Contract (R2009-2151) with the Professional Training Association Corporation, Inc. (PTA) to extend the expiration date from September 30, 2010, through December 31, 2010 for the provision of substance abuse treatment services. **SUMMARY:** The Criminal Justice Commission recommended the use of an amount not to exceed \$33,000 from the federal FY '09 Edward Byrne Memorial Justice Assistance Grant and from the Drug Abuse Trust Fund to be used to pay for contracted substance abuse treatment referrals from the Community Justice Service Centers (previously known as Community Court). Services will be provided by PTA for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program. Countywide (GB)

3. **Staff recommends motion to approve:** a Grant Adjustment Notice for the Edward Byrne Memorial Justice Assistance Grant Program grant for the Program Monitoring and Evaluation Project (R2010-0647) to extend the expiration date from September 30, 2010, through March 31, 2011. **SUMMARY:** The Criminal Justice Commission requested the use of \$160,212 from the Florida Department of Law Enforcement FY '09 Edward Byrne Memorial Justice Assistance Grant (JAG). There is no match requirement for JAG funds. All unexpended grant funds will be administratively carried forward to FY 2011. Countywide (GB)

S. FIRE RESCUE

1. **Staff recommends motion to approve:** an Interlocal Agreement with the Health Care District of Palm Beach County for the provision of Emergency Medical (Aeromedical) Services to become effective upon approval by both parties and remain in effect through December 31, 2013, and may be renewed for four (4) year terms thereafter upon written agreement of the parties. This Interlocal Agreement also extends the previous Agreement (R2006-2513) retroactively from December 31, 2009, through the commencement of this Interlocal Agreement. **SUMMARY:** This Interlocal Agreement provides Aeromedical services to the citizens of Palm Beach County by the partnering of the Health Care District of Palm Beach County (District) and Palm Beach County (County), utilizing Fire Rescue Paramedics and the District's air ambulance helicopters. The program provides aeromedical emergency treatment and transport of critically ill and injured patients through Palm Beach County. The District owns and operates the air ambulance helicopters, aircraft hangar and facilities, and is a holder of the Federal Aviation Administration (FAA) Air Carrier Certificate to provide service to Palm Beach County and surrounding areas. The County is a holder of the appropriate State Air Transport license and Certificate of Public Convenience and Necessity (COPCN) within Palm Beach County. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file the original executed contract with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Education Advocacy, Public Guardianship and Domestic Violence Victim Representation in the amount not to exceed \$1,051,441 from October 1, 2010, through September 30, 2011 as approved in the FY 2011 budget; and

B) approve a waiver of prohibited relationship pursuant to Palm Beach County Code of Ethics, Article XIII, the Palm Beach County Code of Ethics for Kimberly Rommel Enright, Esq., a member of the Palm Beach County HIV Care Council; and Mickale Linton, a member of Head Start/Early Head Start Policy Council.

SUMMARY: Resolution R2006-2132 authorizes the County Administrator or his designee to execute contracts with the Legal Aid Society of Palm Beach County, Inc. The Legal Aid Society of Palm Beach County, Inc. has historically provided these services. This Contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. The Contract with Legal Aid consists of the State Required program (\$754,098), the Public Guardianship program (\$184,530) and the Domestic Violence Representation program (\$112,813). The \$65 Court Fee generates \$240,000 for the State Required program and \$20,000 for the Public Guardianship program and partially offset the costs of these programs. A prohibited relationship waiver is being recommended for Kimberly Rommel Enright for the Palm Beach County HIV Care Council; and Mickale Linton for the Head Start/Early Head Start Policy Council. The individuals have disclosed their relationship and are requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waiver is being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of the individuals on the advisory board. Countywide (DW)

2. Staff recommends motion to:

A) receive and file the original executed FY 2010-2011 Victim of Crime Act (VOCA) grant agreement with the State of Florida, Office of the Attorney General to receive \$140,019 for the period of October 1, 2010, through September 30, 2011; and

B) approve a Budget Amendment of \$12,729 in the Public Safety Grant Fund to adjust the budget to the actual grant award.

SUMMARY: Resolution R97-1057 authorizes the County Administrator or his designee to execute certain VOCA grant agreements on behalf of the County with the State of Florida, Office of the Attorney General. The VOCA grant funds services that assist victims of crimes such as crisis counseling, criminal justice support, assistance with Victim Compensation, emergency legal advocacy and crisis intervention. The FY 2011 VOCA grant is \$12,729 more than the FY '10 grant. The grant requires a 20% match that is included in the FY 2011 budget. Countywide (DW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to receive and file: the following standard agreements with independent contractors serving a “post-doctoral” externship to provide psychological services at the Division of Youth Affairs in a cumulative amount not to exceed \$60,000 for the period October 1, 2010, through September 30, 2011:

1. Skipper L. Harvey in the amount of \$30,000; and
2. Kelly J. Everson in the amount of \$30,000

SUMMARY: Skipper L. Harvey and Kelly J. Everson are students completing doctoral studies in psychology and require 2,000 hours of supervised services to obtain a state license. On October 3, 2006, Agenda Item 3X2 authorized the County Administrator or his designee to execute post-doctoral externships on behalf of the Board after approval of legal sufficiency by the County Attorney’s Office and within budgeted allocations. Countywide (DW)

4. Staff recommends motion to:

A) receive and file an original copy of the executed Grant Agreement with the City of Miramar, a municipal corporation of the State of Florida, as a fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) in the amount of \$300,000 for the period of October 19, 2010, through April 30, 2012; and

B) approve a Budget Amendment of \$300,000 in the Urban Areas Security Initiative Grant Fund to recognize the grant award.

SUMMARY: The County was awarded \$300,000 from the U.S. Department of Homeland Security through the City of Miramar. The grant funds will be used to enhance WEBEOC, a web based emergency collaboration system. WEBEOC was adopted as the standard emergency collaboration system and will be used by the counties and municipalities in the Southeast Florida region. The County’s Emergency Management Division is leading this effort on behalf of the Fort Lauderdale UASI. Resolution R2006-2669 authorizes the County Administrator or his designee to execute standard UASI agreements with various governmental and private agencies on behalf of the Board of County Commissioners. This agreement contains non-discrimination language that is less comprehensive than the standard Palm Beach County language. The agreement is a template used by the Grantor. No County match is required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

A) receive and file an original copy of the executed Grant Agreement with the City of Miramar, a municipal corporation of the State of Florida, as a fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) in the amount of \$108,000 for the period of October 19, 2010, through April 30, 2012; and

B) approve a Budget Amendment of \$108,000 in the Urban Areas Security Initiative Grant Fund to recognize the grant award.

SUMMARY: The County was awarded \$108,000 from the U.S. Department of Homeland Security through the City of Miramar. This grant will be used to address the ongoing needs of the County's Citizen Corps such as training, supplies and equipment. Citizen Corps is grassroots strategy acknowledged by the Federal Emergency Management Agency to bring together government and community leaders to involve citizens in all-hazards emergency preparedness and resilience. Resolution R2006-2669 authorizes the County Administrator or his designee to execute standard UASI agreements with various governmental and private agencies on behalf of the Board of County Commissioners. This agreement contains non-discrimination language that is less comprehensive than the standard Palm Beach County language. The agreement is a template used by the Grantor. No County match is required. Countywide (GB)

6. Staff recommends motion to receive and file: the executed Second Amendment to the Memorandum of Agreement with the City of Miramar, a municipal corporation of the State of Florida, as a fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to extend the Agreement end-date from June 30, 2010, to December 31, 2010. **SUMMARY:** The County was awarded \$698,600 from the U.S. Department of Homeland Security 2006 Grant through the City of Miramar. A request to extend the grant from June 30, 2010, to December 31, 2010 has been granted. No County match is required. Countywide (GB)

7. Staff recommends motion to:

A) receive and file an original copy of the executed Hazardous Materials Contingency Planning and Grant Agreement with the State of Florida, Division of Emergency Management, in the amount of \$23,676 for the period of November 2, 2010, through June 30, 2011; and

B) approve a Budget Amendment of \$23,676 in the Emergency Management Grant Fund to recognize the grant award.

SUMMARY: This is an annual grant from the State of Florida Division of Emergency Management to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act, also known as the Superfund Amendments and Reauthorization Act. Resolution R2006-0401 gave authority to the County Administrator, or his designee, to execute this Agreement on behalf of the Board of County Commissioners. No County match is required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

8. Staff recommends motion to:

A) approve the following contracts with agencies to provide drug treatment and testing services to individuals referred by the Juvenile Delinquency Drug Court, in a cumulative amount not to exceed \$76,773 for the period October 1, 2010, through September 30, 2011:

1. Drug Testing and Counseling Services (DTCS) in the amount of \$20,193;
2. The Drug Abuse Treatment Association, Inc. (DATA) in the amount of \$56,580; and

B) authorize the County Administrator or his designee to execute amendments to these contracts on behalf of the Board of County Commissioners to adjust the not-to-exceed amounts as long as the cumulative total does not exceed \$76,773 for those items in Part A above; and

C) authorize the use of \$2,500 for incentives to reward drug court participants for positive behavior as approved by the Criminal Justice Commission Executive Committee on July 13, 2009.

SUMMARY: The Criminal Justice Commission approved the use of \$76,773 in Drug Abuse Trust Fund (DATF) monies to contract for outpatient substance abuse treatment and testing services and \$2,500 for rewards such as gift cards and certificates for positive behavior for juveniles who are court ordered to treatment through the Delinquency Drug Court Program located in Palm Beach County. There is no ad valorem funding required. Countywide (GB)

9. Staff recommends motion to:

A) approve the following contracts with agencies to provide drug treatment and testing services to individuals referred by the Drug Court, in a cumulative amount not to exceed \$490,672 for the period October 1, 2010, through September 30, 2011:

1. Drug Abuse Foundation of Palm Beach County, in the amount of \$66,000;
2. Comprehensive Alcoholism Rehabilitation Programs, Inc. in the amount of \$66,000;
3. Counseling Services of Lake Worth, Inc. in the amount of \$134,284;
4. Drug Testing and Counseling Services in the amount of \$196,138;
5. South County Mental Health Center in the amount of \$28,250; and

B) authorize the County Administrator or his designee to execute amendments to these contracts on behalf of the Board of County Commissioners to adjust the not-to-exceed amounts as long as the cumulative total does not exceed \$490,672 for those items in Part A above.

SUMMARY: These contracts provide continuation of the drug treatment and testing services provided to individuals referred by the Drug Court. Funding for these contracts will be provided by the American Recovery & Reinvestment Act (\$85,000), Office Justice Program Grant (\$91,384), Drug Abuse Trust Fund (\$200,401), and user charges collected from the participants (\$113,887). There is no ad valorem funding required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve:

A) Funding Agreement with the City of Boca Raton under which Palm Tran will receive \$164,331 per year, for three (3) years (FY 2011 – FY 2013), to continue enhanced service on Route 94 between the Boca Tri-Rail station and Florida Atlantic University/Palm Beach State College via Federal Highway;

B) Budget Amendment of \$492,993 in the Palm Tran Grant Fund to recognize the contribution from the City of Boca Raton to the project;

C) Budget Amendment of \$164,331 in the Palm Tran Operating Fund to recognize the transfer from the Palm Tran Grant Fund and appropriate it to Route 94.

SUMMARY: This Agreement will provide partial funding for the continuation of this service and for the increase in the enhanced service during the morning peak on Route 94 between the Tri-Rail station and the FAU/PBSC campus via Federal Highway in Boca Raton. This is a continuation of service originally funded by SFRTA in June 2007. Countywide (DR)

BB. SHERIFF'S OFFICE

1. Staff recommends motion to:

A) ratify on behalf of the Palm Beach County Sheriff's Office, the Chairperson's signature on the U.S. Department of Justice, Community Oriented Policing Services, COPS Hiring Program Grant award in the amount of \$2,634,400 for the period of September 1, 2010, through August 31, 2013; and

B) approve a Budget Amendment of \$2,634,400 in the Sheriff's Grants Fund.

SUMMARY: On September 30, 2010, the Palm Beach County Sheriff's Office (PBSO) received a 2010 COPS Hiring Program Grant. Funding provided may be used on or after the official grant award start date to: (1) hire new officer positions (including filling existing officer vacancies that are no longer funded in an agency's budget); (2) rehire officers already laid off (at the time of the updated application) as a result of state, local or tribal budget reductions unrelated to the receipt of grant funding; or (3) rehire officers scheduled to be laid off (at the time of the updated application) on a specific future date as a result of state, local or tribal budget reductions unrelated to the receipt of grant funding. There is no match requirement associated with this award. There is a retention period of 12 months after the expiration of the grant period. No additional positions are needed and no additional County funds are required until grant funding expires in FY 2013. Countywide (GB)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Florida Division of Emergency Management, FY 2010 Homeland Security Grant Program award, for Operation Stonegarden, in the amount of \$100,000 for the period of August 1, 2010, through July 31, 2013; and

B) approve a Budget Amendment of \$100,000 in the Sheriff's Grants Fund.

SUMMARY: On November 3, 2010, the Palm Beach County Sheriff's Office (PBSO) received a FY 2010 Homeland Security Grant Program award for Operation Stonegarden. Funds provided will be used to enhance the United States Border Patrol's mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Agreement with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to provide \$432,773 in FY 2009 reimbursable funding for various direct law enforcement oriented domestic security activities effective until April 30, 2012; and

B) approve a Budget Amendment of \$432,773 in the Sheriff's Grant Fund.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds and related equipment will be used for direct law enforcement activities. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

4. **Staff recommends motion to approve:** a Budget Transfer of \$335,382 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2011 estimated donation requirement will not be finalized until year-end close-out. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETF balance is \$2,626,670. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$2,291,288. The year-to-date transfer for all donations after approval of this item is \$556,711. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (DW)

Organization	Amount
Faith Hope Love Charity, Inc.	\$ 25,000
Florida Sheriff's Youth Ranches, Inc.	\$133,100
Gulfstream Council of the Boy Scouts of America, Inc.	\$ 10,000
Humane Society of Greater Jupiter Tequesta, Inc.	\$ 25,000
Nope Task Force, Inc.	\$ 10,000
Palm Beach County PAL, Inc. – Shop with a Cop	\$ 32,000
Palm Beach County Substance Abuse Coalition, Inc.	\$ 10,000
Quantum House, Inc.	\$ 10,000
Safety Council of Palm Beach County, Inc.	\$ 2,500
The ARC of Palm Beach County Foundation, Inc.	\$ 25,000
Urban League of Palm Beach County, Inc.	\$ 53,232
Total Amount of Donations	\$335,832

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4. REGULAR AGENDA

A. COMMUNITY SERVICES

1. **Staff recommends motion to receive and file:** the Community Action Program (CAP) 2009-2010 Annual Report and the Community Services Block Grant – American Reinvestment Recovery Act 2009-2010 Final Report. **SUMMARY:** The Community Action Program is a Division of the Community Services Department that is funded by the Community Services Block Grant (CSBG), the Community Services Block Grant – American Reinvestment Recovery Act grant and the Low Income Home Energy Assistance grant. The program provides services to low-income residents of Palm Beach County that enable them to become more self-sufficient. These services include education and training, employment, employment support, emergency assistance through eviction prevention and utility payments, nutrition and health services, and referrals. CAP operates from seven (7) target area centers that are strategically located in high poverty areas throughout Palm Beach County. The Community Action Advisory Board oversees the CSBG and is comprised of 15 members with representation from public, private and low-income sectors. The program collaborates with more than 65 agencies throughout Palm Beach County to provide services to low-income participants. (Community Action Program) Countywide (TKF)

4. REGULAR AGENDA

B. WATER UTILITIES

1. Staff recommends motion to approve:

A) First Amendment to Interlocal Agreement (R2005-2445) with the City of West Palm Beach Regarding Water and Wastewater Service Area (First Amendment);

B) Interlocal Agreement with the City of West Palm Beach Regarding Sale of Utility Facilities (Sale of Facilities Agreement);

C) Interlocal Agreement with the City of West Palm Beach Regarding M-Canal Crossings for Water Pipelines at 110th Street, 120th Street, and 130th Street (M-Canal Crossing Agreement);

D) Interlocal Agreement with the City of West Palm Beach for Wholesale/Bulk Water Purchase (Bulk Agreement); and

E) a Budget Transfer of \$3,505,000 in the Water Utilities Capital Improvement Fund.

SUMMARY: The First Amendment resolves issues related to the provision of service to Bayhill Estates and amends the service area map agreed to by the County and West Palm Beach in 2005, transferring two (2) properties to which the City is able to provide water and/or wastewater service more efficiently than the County. The Sale of Facilities Agreement transfers the ownership of three (3) pipelines to the County. The first pipeline is an approximately eight-mile water pipeline previously owned by the Indian Trail Improvement District (ITID) along the M-Canal. This pipeline was built pursuant to a 2004 Agreement between the City and ITID, in which the City provided ITID with \$2,000,000 for construction costs. The County acquired the rights to this pipeline pursuant to the 2008 Potable Water, Reclaimed Water, and Wastewater Utilities Interlocal Agreement between the County and ITID (County Resolution No. R2008-0462) (ITID Agreement), contingent upon the payment of all remaining principal, interest, and capacity charges owing from ITID to the City. The payoff amount through the end of December 2010 is \$2,166,709.98. This payment terminates the 2004 Agreement between the City and ITID. The County is also receiving a license from the City to access, install, operate, repair, replace, and connect to this pipeline. The other two (2) pipelines are City-owned water and wastewater pipelines running along Northlake Boulevard. The County is to pay the City a total of \$1,337,744.42 for these two (2) pipelines in order to serve Bayhill Estates and Northlake corridor. Under the M-Canal Crossing Agreement, the City shall, at a future date, grant the County licenses to cross the M-Canal with water pipelines. The City's grant of these licenses is subject only to the City's technical review of a final survey location sketch, legal description, and final pipeline design drawings. Under the Bulk Agreement, the City agrees to sell, and the County agrees to purchase, on a take-or-pay basis, bulk potable water for the County to serve Bayhill Estates. The amount of water that the County agrees to purchase starts at 75,000 gallons per day on December 1, 2010, and increases each year, to a final amount of 150,000 gallons per day beginning October 1, 2013. These four (4) Agreements resolve a number of on-going issues with the City of West Palm Beach (City) regarding water and wastewater utilities. (WUD Project 11-025) Districts 1, 2 & 6 (MJ)

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5. BOARD APPOINTMENTS

A. **ENVIRONMENTAL RESOURCES MANAGEMENT
(Natural Areas Management Advisory Committee)**

- 1. **Staff recommends motion to approve:** the nomination of Eric M. Call, Director, Palm Beach County Department of Parks and Recreation to the Natural Areas Management Advisory Committee (NAMAC) Seat 5, as a member of the Palm Beach County Parks and Recreation Department staff, beginning on December 7, 2010 and extending through October 31, 2012:

<u>Appointment</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated by</u>
Eric M. Call	Dept. of Parks & Recreation	5	Commissioner Abrams Commissioner Marcus Commissioner Santamaria Commissioner Taylor Commissioner Vana Commissioner Burdick Commissioner Aaronson

SUMMARY: On February 24, 2009, the Board of County Commissioners (BCC) adopted Resolution No. 2009-0319 which established NAMAC with seven (7) at-large members. The composition of the Committee shall be as follows: one (1) member with experience in the management of natural areas, one (1) biological scientist, one (1) professional educator with knowledge of South Florida ecosystems, one (1) representative of a local municipal government public recreation program, one (1) member of the Palm Beach County Parks and Recreation Department staff, and two (2) citizens having an interest in preservation and conservation of natural areas. A memorandum from Environmental Resources Management (ERM) was sent to the Board of County Commissioners on October 14, 2010 requesting nominations for Seat 5. Countywide (SF)

B. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET
(Investment Policy Committee)**

- 1. **Staff recommends motion to approve:** appointment of one (1) new member to the Investment Policy Committee:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated by</u>
Sevine Williams, Jr.	5	Commissioner Taylor

SUMMARY: Richard Miller resigned from his seat on the Investment Policy Committee (IPC) and his seat on the Committee needs to be filled. The Committee is comprised of seven (7) members, including a current member of the Board of County Commissioners (BCC), four (4) representatives from the private sector approved by the BCC, a designee of the Palm Beach County Sheriff's Office, and an employee of the Office of Financial Management and Budget selected by the County Administrator. Commissioner Aaronson currently serves as the Board's representative and as the Committee's Chairman. Countywide (PK)

C. **COMMISSION DISTRICT APPOINTMENTS**

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

6. BOARD OF COUNTY COMMISSIONERS SITTING AS ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT
(Environmental Control Hearing Board)

1. Staff recommends motion to approve: reappointment of the following members to the Environmental Control Hearing Board for a term of three (3) years beginning January 13, 2011:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
<i>Denise J. Bleau, Esq.</i>	1	Attorney	Palm Beach County Bar Assoc.
<i>Chad Gruber, P.E.</i>	5	Engineer	Florida Engineering Society PBC Chapter

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. Countywide (GB) (Health Department)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

DECEMBER 7, 2010

7. MATTERS BY THE PUBLIC – 2:00 P.M.

DECEMBER 7, 2010

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 7, 2010

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS, CHAIR

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, VICE CHAIR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

10. ADJOURNMENT

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

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA
ADDITIONS, DELETIONS, & SUBSTITUTIONS
DECEMBER 7, 2010**

<u>PAGE</u>	<u>ITEM</u>	
22	3I-3	<u>DELETED:</u> Staff recommends motion to approve: an Agreement with the City of Pahokee for the renovation of the Old Pahokee High School Gymnasium, in the amount of \$335,000, for the period of December 7, 2010, through November 30, 2011. (HCD) (Moved to December 21, 2010)
35	4A-1	<u>DELETED:</u> Staff recommends motion to receive and file: the Community Action Program (CAP) 2009-2010 Annual Report and the Community Services Block Grant – American Reinvestment Recovery Act 2009-2010 Final Report. (Community Services) (Further staff review)
36	4C-1	<u>ADD-ON, REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: A Resolution of the Board of County Commissioners of Palm Beach County, Florida, allocating the County’s Recovery Zone Economic Development Bond allocation to the Riviera Beach Community Redevelopment <u>Agency or the City of Riviera Beach (City)</u> ; and providing for an effective date. SUMMARY: On June 12, 2009, Palm Beach County was allocated \$35,993,000 in Economic Development Bonds through the American Recovery and Reinvestment Act. Riviera Beach Community Redevelopment Agency (CRA) has requested that the Board of County Commissioners allocate it’s \$35,993,000 in Recovery Zone Economic Development Bonds to the <u>CRA or the City</u> for issuance in connection with the financing of capital improvements to the Riviera Beach Marina, construction of a new two-story community facility, construction of a 600 space parking garage, infrastructure improvements to Avenue “E”, acquisition of land to be used for a public purpose and infrastructure improvements in connection with the renovation of Ocean Mall. The Recovery Zone Facility Economic Development Bonds are the sole obligation of the private business issuer, being the CRA or the City, and are not a financial obligation of the County. They require no guarantees of the County and are not assessed against the bonded indebtedness of the County. There is no local match required. <u>Countywide</u> (County Adm.)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).