

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

APRIL 5, 2011

**TUESDAY
6:00 P.M.**

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 7)

- 3. CONSENT AGENDA (Pages 8 - 32)**

- 4. PUBLIC HEARINGS – 6:00 P.M. (Pages 33 - 34)**

- 5. REGULAR AGENDA (Pages 35 - 40)**

- 6. BOARD APPOINTMENTS (Pages 41 - 44)**

- 7. MATTERS BY THE PUBLIC – 7:00 P.M. (Page 45)**

- 8. STAFF COMMENTS (Page 46)**

- 9. COMMISSIONER COMMENTS (Page 47)**

- 10. ADJOURNMENT (Page 47)**

Note: The Board of County Commissioners will hold an Executive Session at 4:30 p.m. in the McEaddy Conference Room to discuss the Collective Bargaining Agreement negotiations with the Professional Association of Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. **(Closed Session)**

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- 2C-5 National TRIO Day
- 2C-6 Sexual Assault Awareness Month
- 2C-7 Ending Homelessness Weekend
- 2C-8 Victims' Rights Week
- 2C-9 National Financial Literacy Month
- 2C-10 Certificate of Commemoration for Captain William Capel
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MATTERS BY THE PUBLIC – 7:00 P.M. (Page 45)

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2. C. SPECIAL PRESENTATIONS – 6:00 P.M.

1. Proclamation declaring April 2011 as “Child Abuse Prevention Month” in Palm Beach County. (Sponsored by Commissioner Marcus)
2. Proclamation declaring April 10 – 16, 2011 as “Week of the Young Child” in Palm Beach County. (Sponsored by Commissioner Vana)
3. Proclamation declaring April 2011 as “Water Conservation Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
4. Proclamation declaring April 2011 as “Drowning Prevention Awareness Month” in Palm Beach County. (Sponsored by Commissioner Santamaria)
5. Proclamation declaring April 7, 2011 as “National TRIO Day” in Palm Beach County. (Sponsored by Commissioner Taylor)
6. Proclamation declaring April 2011 as “Sexual Assault Awareness Month” in Palm Beach County. (Sponsored by Commissioner Marcus)
7. Proclamation declaring April 8 – 10, 2011 as “Ending Homelessness Weekend” in Palm Beach County. (Sponsored by Commissioner Vana)
8. Proclamation declaring April 10 – 16, 2011 as “Victims’ Rights Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)
9. Proclamation declaring April 2011 as “National Financial Literacy Month” in Palm Beach County. (Sponsored by Commissioner Taylor)
10. Certificate of Commemoration for Captain William Capel, Fire Station No. 36. (Sponsored by Commissioner Burdick)
11. Proclamation honoring Gale M. English. (Sponsored by Commissioner Burdick)
12. Proclamation declaring April 2011 as “Palm Beach County RSVP Volunteer Month”. (Sponsored by Commissioner Abrams)

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) a Job Growth Incentive (JGI) Grant Agreement in the amount of \$136,400 as a portion of the required local match for a State Qualified Target Industry Grant (QTI) and Quick Action Closing Fund with Chromalloy Gas Turbine, LLC. (Chromalloy);

B) a Budget Transfer of \$136,400 from the General Fund Contingency Reserves to the Economic Development JGI Program; and

C) a Budget Amendment of \$136,400 to the Economic Development Office Fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserves.

SUMMARY: On March 1, 2011, the Board of County Commissioners supported a Grant in the amount of \$136,400 as a portion of the local match for a State QTI and Quick Action Closing Fund with Chromalloy. Chromalloy has finalized their relocation plans and desires to enter into a formal agreement with the County. The Agreement requires the company to create 52 jobs by December 31, 2013, with an average wage of \$88,000, excluding benefits. The Regional Economic Model, Inc. results estimate that Chromalloy will have a \$15 million economic impact over a five (5) year period, generating \$1 million in Federal, State and local taxes. Palm Beach County's economic development incentive will be payable over a period of six (6) years. The standard JGI contract language was modified in order to streamline the contract. **Funding will come from General Fund Contingency Reserves. District 1 (DW)**

B. CLERK & COMPTROLLER

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

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Retreat	January 26, 2011
Regular	February 1, 2011
Environmental Control Board	February 1, 2011
Joint with City of West Palm Beach	February 1, 2011
Regular	February 15, 2011
Zoning	February 24, 2011
Regular	March 1, 2011
Environmental Control Board	March 1, 2011

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

4. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during February 2011. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** ten (10) Appraiser Agreements (Agreements) with the appraisal firms: Anderson & Carr, Inc.; Appraisal and Acquisition Consultants, Inc.; Callaway and Price, Inc.; Cardo Appraisal Group, LLC.; Jenkins Appraisal Services, Inc.; M.R. Ford & Associates, Inc.; Parrish and Edwards, Inc.; Real Estate Analysts, LLC; S.F. Holden, Inc. and The Spivey Group, Inc. (Firms). **SUMMARY:** Approval of these Agreements will allow the firms to provide appraisal services to Palm Beach County (County) for right-of-way acquisition purposes. All firms have at least one principal of the firm certified as a State-Certified General Appraiser; met a minimum of eight (8) years appraisal experience; has the required expert witness experience; and has not been removed from the County list in the past three (3) years. All firms have offices in the County except for the firm Real Estate Analysts, LLC whose office is in Fort Lauderdale. When the Engineering Department needs appraisal services during the next year, we will solicit bid proposals from these ten (10) interested firms for each separate project. The estimated total expenditure for appraisal services for the term of these agreements is \$78,000. Countywide (PFK)

2. **Staff recommends motion to:**
 - A) adopt** a Resolution for the Royal Palm Estates Drainage and Paving Improvement Project Number 2002135 (Project) to amend the initial interest rate of 6.5 percent to a 5.5 percent interest rate;

 - B) approve** finalization of the assessment roll at \$25 per abutting foot for the Project and to hereby authorize the Tax Collector's Office to process and collect the assessment payments; and

 - C) approve** the transfers of the Project's roads of Marguerita Drive, Ethelyn Drive, Marie Drive, Neva Drive, Tropical Avenue, West Trail Drive and Ruth Drive from Palm Beach County (County) courtesy maintained roads to County-owned and maintained roadways.

SUMMARY: Finalization of the assessment roll for the Project, (Section 35, Township 43 South, Range 42 East), is necessary so the assessment payments can be processed and collected by the Tax Collector's Office. Adoption of the Resolution will amend the previous interest rate of 6.5 percent to a revised interest rate of 5.5 percent. This change in interest rate for all Municipal Services Taxing Unit projects was directed by the Board of County Commissioners on May 18, 2010. Approval of the transfers will reclassify Marguerita Drive, Ethelyn Drive, Marie Drive, Neva Drive, Tropical Avenue, West Trail Drive and Ruth Drive from County courtesy maintained roadways to County maintained roadways. District 6 (MRE)

3. **Staff recommends motion to approve:** the renewal of the Civil Engineering Annual Agreements with Civil Design, Inc. (CDI), whose original Agreement was dated April 20, 2010 (R2010-0576); Last Devenport, Inc. (LDI), whose original Agreement was dated April 20, 2010 (R2010-0592) and Michael B. Schorah & Associates, Inc. (Schorah), whose original Agreement was dated May 4, 2010 (R2010-0693). **SUMMARY:** Approval of these Renewal Agreements will extend required professional services for one (1) year, on a task order basis. The Renewal Agreement with CDI will continue for the period of April 20, 2011, through April 19, 2012. The Renewal Agreement with LDI will continue for the period of April 20, 2011, through April 19, 2012. The Renewal Agreement with Schorah will continue for the period of May 4, 2011, through May 3, 2012. CDI, LDI and Schorah are Palm Beach County companies. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve: a Contract with Florida Blacktop, Inc. (Blacktop), in the amount of \$388,592.83 for the construction of Congress Avenue Access to South County Intermodal Center (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Blacktop, a Broward County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for all projects is 15% overall, but the responsive bidders cannot be ranked for SBE compliance for this Project due to federal funding restrictions. The federally required non-mandatory Disadvantaged Business Enterprise (DBE) goal for the project is 8.18%. The SBE and DBE participation proposed for the Project by Blacktop is 2.3% and 8.0% respectively. District 7 (MRE)

5. Staff recommends motion to:
 - A) adopt** a Resolution for the Sun Court Paving Improvement Project Number 2006147 (Project) to amend the initial interest rate of 6.5 percent to a 5.5 percent interest rate;

 - B) approve** finalization of the assessment roll at \$25 per abutting foot for the Project and to hereby authorize the Tax Collector's Office to process and collect the assessment payments; and

 - C) approve** the transfer of Sun Court to a Palm Beach County (County) owned and maintained roadway.

SUMMARY: Finalization of the assessment roll for the Project from 91st Street North, north to the end, (Section 18, Township 42 South, Range 43 East) is necessary so the assessment payments can be processed and collected by the Tax Collector's Office. Adoption of the Resolution will amend the previous interest rate of 6.5 percent to a revised interest rate of 5.5 percent. This change in interest rate for all Municipal Services Taxing Unit projects was directed by the Board of County Commissioners on May 18, 2010. Approval of the transfer will reclassify Sun Court from a County courtesy maintained roadway to a County maintained roadway. District 1 (MRE)

6. Staff recommends motion to approve: a Renewal Agreement with Gentile, Holloway, O'Mahoney & Associates, Inc., (GHO), for landscape architectural services Annual Agreement, whose original Agreement was dated April 20, 2010 (R2010-0551). **SUMMARY:** Approval of this Renewal Agreement will extend the required professional services for one (1) year, on a task order basis. The Renewal Agreement with GHO will continue for the period of April 20, 2011, through April 19, 2012. GHO is a Palm Beach County company. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve:

A) the cancellation of Reimbursement Agreement R2009-1478 with the Lake Worth Community Development Corporation/Hammon Park, and the City of Lake Worth in the amount of \$250,000;

B) a Reimbursement Agreement with the Lake Worth Community Development Corporation/Hammon Park (CDC), and the City of Lake Worth in an amount not to exceed \$62,500; and

C) a Budget Transfer of \$187,500 in the Transportation Improvement Fund from Lake Worth Community Development Corporation/Hammon Park – District 7 to Culvert Repair and Replacement.

SUMMARY: A 2009 Reimbursement Agreement provided funding in an amount not to exceed \$250,000 for improvements for Hammon Park, a 117 workforce housing residential community. Prior to construction, Publix Supermarket purchased seventy five percent of the southern end of the Hammon Park property, effectively changing the boundaries of the original Agreement and reducing the amount of residential units to 46 units. Approval of the cancellation of Reimbursement Agreement R2009-1478, the new Reimbursement Agreement and Budget Transfer will provide reduced funds to the CDC to pay for reconstruction of the curbs, gutters, landscaping, roadways and sidewalks along the newly defined boundaries of Hammon Park. The \$187,500 originally reserved for Hammon Park will provide supplement funding for culvert repair and replacement throughout the County to keep pace with the repair of the culvert failures that currently affect our roads. District 7 (MRE)

8. Staff recommends motion to approve: an Agreement in the amount of \$475,560.54 with Greenhorne & O'Mara, Inc. (G&O), for professional services. **SUMMARY:** Approval of this Agreement will provide the professional services necessary for the preparation of design plans and construction bid documents for Donald Ross Road and I-95 Interchange modifications. G&O is a Palm Beach County company. District 1 (PK)

9. Staff recommends motion to approve: the renewal of the Street Lighting Services Annual Agreements with Erdman Anthony of Florida, Inc., (EAF), whose original Agreement was dated April 20, 2010 (R2010-0552) and Progressive Design & Engineering, Inc., (PD&E), whose original Agreement was dated April 20, 2010 (R2010-0553). **SUMMARY:** Approval of these Renewal Agreements will extend the required professional services for one (1) year, on a task order basis. The Renewal Agreement with EAF will continue for the period of April 20, 2011, through April 19, 2012. The Renewal Agreement with PD&E will continue for the period of April 20, 2011, through April 19, 2012. EAF and PD&E are both Palm Beach County companies. Countywide (PK)

10. **DELETED**

11. **DELETED**

12. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

13. Staff recommends motion to approve:

A) an Interlocal Agreement (Agreement) with the Solid Waste Authority (SWA) for Palm Beach County's (County) installation of SWA's underground conduits along the 45th Street-Jog Road to Haverhill Road project (Project);

B) Change Order No. 8 in the amount of \$137,866.70 to Contract No. R2010-0022 with J.W. Cheatham, LLC for the installation of SWA's underground conduits along the Project; and

C) a Budget Amendment of \$137,867 in the Road Impact Fee Fund-Zone 2 to recognize reimbursement funding from SWA and appropriate it to the Project.

SUMMARY: Approval of this Agreement, Change Order and Budget Amendment will allow the County's Engineering Department to install distribution and fiber optic communication facilities for SWA. SWA has agreed to pay the total amount of \$137,866.70 for installation of their facilities. Districts 6 & 7 (MRE)

14. Staff recommends motion to approve: an Interlocal Agreement with the Solid Waste Authority (SWA) in the amount of \$21,671.56 as payment for Palm Beach County's (County) construction of a right turn lane and driveway connection at the SWA's new Recovered Materials Processing (RMP) facility on 45th Street. **SUMMARY:** Approval of the Interlocal Agreement will allow the County's Engineering Department to construct a right turn lane and driveway connection at the RMP facility as requested by the SWA. SWA agrees to pay the total amount of \$21,671.56 to complete the construction of the turn lane and driveway connection. District 6 & 7 (MRE)

15. Staff recommends motion to approve: a Contract with H & R of Belle Glade, Inc. (H & R), in the amount of \$1,603,855.10 for the construction of Hatton Highway over H.G.W.C.D. E-2 Canal (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to H & R, 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 H & R is 42.39%. District 6 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the official transcript for the closing of the \$19,530,000 Palm Beach County, Florida, General Obligation Refunding Bonds, Series 2010 (Library District Improvement Project), Series 2010 (the "Bonds"), as authorized by Resolution R2010-0815 adopted on May 18, 2010. The closing occurred September 7, 2010. **SUMMARY:** On May 18, 2010, the Board adopted Resolution No. R2010-0815, authorizing the issuance of the Bonds. The closing occurred September 7, 2010. The official statement and official transcript on CD-ROM for this transaction have been provided. This statement and transcript should now be received and filed in the Minutes Department. Countywide (PFK)

2. Staff recommends motion to receive and file: the official transcript for the closing of the \$28,700,000 Palm Beach County, Florida, General Obligation Refunding Bonds, Series 2010 (Recreational and Cultural Facilities Project), Series 2010 (the "Bonds"), as authorized by Resolution R2010-0816 adopted on May 18, 2010. The closing occurred October 6, 2010. **SUMMARY:** On May 18, 2010, the Board adopted Resolution No. R2010-0816, authorizing the issuance of the Bonds. The closing occurred October 6, 2010. The official statement and official transcript on CD-ROM for this transaction have been provided. This statement and transcript should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

3. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$14,187,000 Palm Beach County, Florida Airport Revenue Bonds (Galaxy Aviation of Palm Beach, Inc. – Series 2010A) and \$3,400,500 Palm Beach County, Florida Taxable Airport Revenue Bonds (Galaxy Aviation of Palm Beach, Inc. – Series 2010 B), as authorized by Resolution R2010-1182 adopted on August 17, 2010. The closing occurred August 31, 2010. **SUMMARY:** On August 17, 2010, the Board adopted Resolution No. R2010-1182, authorizing the issuance of the Bonds. The closing occurred August 31, 2010. The official transcript on CD-ROM for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

4. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the County Administrative Code by updating various Administrative Code sections to reflect current County practices and organization and correct erroneous language as shown on the revised Administrative Code, and providing an effective date. **SUMMARY:** The County Administrative Code has been adopted by the Board as required by Section 125.83, Florida Statutes. The adopted County Administrative Code has been amended several times, but still does not reflect current County administrative practices and organization and contains erroneous language. The proposed resolution amends the County's Administrative Code by updating these Code provisions. The revised Code with the revised language shown as underlined and strike-through is attached as Exhibit "A" to the Resolution. Countywide (PFK)

E. COMMUNITY SERVICES

1. **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 Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) employee Jamie Estremera-Fitzgerald, a member of the Criminal Justice Mental Health & Substance Abuse Planning Council; and

 - B)** Standard Agreement No. IU011-9500 for Nutrition Services Incentive Program (NSIP) in an amount not to exceed \$305,331 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2010, to September 30, 2011, to provide effective delivery of nutritious meals to older individuals.

SUMMARY: The Division of Senior Services has received funds through the AAA to supplement the cost of providing meals to seniors. As a result, DOSS provides meals to eligible seniors through the Older American Act (OAA) Congregate and Home Delivered Meal programs and receives a cash allotment that supplements the funding for these meals. The reimbursement unit rate is \$0.68 per meal. The agreement has three (3) one-year renewal options. A prohibited relationship waiver is being recommended for an employee of AAA who serves on a County planning council. This individual disclosed this relationship and is 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 this individual on the council. In the area south of Hypoluxo Road, the Mae Volen Senior Center, Inc. currently provides services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve a waiver of prohibited relationship pursuant to Palm Beach County Code, Article XIII, the Palm Beach County Code of Ethics for:

- Oakwood Center of the Palm Beaches, Inc. employees Dr. Linda DePiano and Thomas McKissack on the Criminal Justice, Mental Health, and Substance Abuse Planning Council and the Palm Beach County HIV Care Council, respectively;
- Compass, Inc. employees Hugo Rocchia and Orlando Carrasquillo both on the Palm Beach County HIV Care Council;
- Gratitude House, Inc. employee Rosalyn Collins on the Palm Beach County HIV Care Council;
- Minority Development & Empowerment, Inc. employee Dr. Marlinda Jefferson on the Palm Beach County HIV Care Council; and
- Legal Aid Society of Palm Beach County, Inc. employee Kimberly Rommel Enright, Esq., on the Palm Beach County HIV Care Council and Mickale Linton, HS/EHS Policy Council.

B) receive and file grant award letter from Department of Health & Human Services, for the period of March 1, 2011, through February 29, 2012, in the amount of \$3,559,479 (reflecting Formula funds of \$3,249,926 and Minority Aids Initiative (MAI) funds of \$309,553); and

C) approve contracts with listed provider agencies for the period March 1, 2011, through August 31, 2011, totaling \$2,700,885 for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief Formula funds:

1) Compass, Inc.	\$171,808
2) Comprehensive AIDS Program, Inc.	\$487,958
3) Comprehensive Community Care Network, Inc.	\$303,487
4) Gratitude House, Inc.	\$ 9,228
5) Health Care District of Palm Beach County	\$420,122
6) Legal Aid Society of Palm Beach County, Inc.	\$ 89,561
7) Minority Development & Empowerment, Inc.	\$71,626
7) Oakwood Center of the Palm Beaches, Inc.	\$1,650
8) Palm Beach County Health Department	\$820,871
9) Treasure Coast Health Council, Inc.-Medical Services	\$254,574
10) Treasure Coast Health Council, Inc.-Care Council Support	\$50,000
11) Treasure Coast Health Council, Inc.-Quality Management	<u>\$20,000</u>
Total	\$2,700,885

SUMMARY: A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration (HRSA) was received on February 16, 2011, that conveys an award for Formula funds (\$3,249,926) and MAI funds (\$309,553) totaling \$3,559,479. The contracts listed represent a portion of the total funding, the balance of the funding will be awarded and the provider contracts will be submitted on a future Board of County Commissioners agenda. The grant award is for the provision of services related to HIV affected clients, such as medical case management, medical care, oral health care and substance abuse treatment. The Grantee, Palm Beach County, is responsible for selecting and contracting with service providers and the Palm Beach County HIV CARE Council is charged with the sole responsibility of determining service priorities and allocation of funding accordingly. The agencies listed were selected through the Request for Proposal (RFP) process and have been recommended to receive funding. Prohibited relationship waivers are being recommended for employees of Ryan White 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 these contracts will not create a conflict of interest with the continued service of these individuals on the advisory boards. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** Contract with Comprehensive AIDS Program, Inc. for the period March 1, 2011, through August 31, 2011, totaling \$263,120 for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief Minority AIDS Initiative (MAI) funds. **SUMMARY:** A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration (HRSA) was received on February 16, 2011, that conveys an award for Minority AIDS Initiative (MAI) funds for the contract period March 1, 2011, through February 29, 2012. The Grantee, Palm Beach County, is responsible for selecting and contracting with service providers that meet the criteria for the Minority AIDS Initiative. The funding is for the provision of medical case management services. The agency listed was selected through the Request for Proposal (RFP) process and has been recommended to receive MAI funding. The RFP cycle has been extended by one year in order to synchronize all Ryan White RFP cycles. (Ryan White) Countywide (TKF)

4. **Staff recommends motion to approve:** Amendment No. 01 to Boys and Girls Club of Palm Beach County, Inc. contract (R2010-1824) for the period October 1, 2010, through September 30, 2011, to adjust the contract unit definition. **SUMMARY:** Amendment of the definition of the contracted unit of service will correct a scrivener's error in the writing of the Developing Tools for Life contract with the Boys and Girls Club. A unit of service is defined as one hour of after-school teen programming provided by the Club. The unit rate of \$2.16 per hour paid by the County is based on the State of Florida's child care reimbursement rate for after-school programs. There is no change to the contract amount of \$150,822 or any other provision of the contract. Countywide (TKF)

5. **Staff recommends motion to:**
 - A) receive and file** American Recovery and Reinvestment Act (ARRA) Head Start Expansion grant award letter from the Department of Health and Human Services (HHS), for the period of September 30, 2009, through September 29, 2011, in the amount of \$1,113,738;

 - B) receive and file** ARRA Early Head Start Expansion grant award letter from the HHS, for the period of December 1, 2009, through September 29, 2011, in the amount of \$1,091,037;

 - C) ratify** the Chair's signature on a revised SF424 ARRA Quality Improvement (QI) grant from HHS, which extends the grant period to April 30, 2011; and

 - D) receive and file** the ARRA QI award letter granting the no cost extension.

SUMMARY: The ARRA Head Start Expansion grant application (R2009-1494) and the ARRA Early Head Start Expansion grant application (R2010-1507) were submitted to HHS and funding has been awarded to the Division to serve additional children and their families for the project period of September 30, 2009, through September 29, 2011. As well, the ARRA QI grant (R2009-0965) revised SF424 will extend its grant period to April 30, 2011 instead of the original end date of September 30, 2010. Recognizing and filing the no cost extension for the remaining QI funds of \$391,000, will allow the Division the ability to reprogram them to meet critical program needs. The award letter granting the extension is hereby submitted for the Clerk's office to note and file. The emergency signature process was used to ensure the documents could be submitted to HHS expeditiously. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. **Staff recommends motion to approve:** Head Start Contracted Services Expansion Agreement with Apostolic Child Development Centers, Inc., for the period of March 7, 2011, through September 29, 2011, in an amount of \$68,740, for services to Early Head Start children and families. **SUMMARY:** Because of the early termination of a contracted vendor to provide Early Head Start services to 14 infants and toddlers, the Division is contracting with Apostolic CDC for the continuation of the services for the duration of the contract period of 146 days at a rate of \$33.63 per child/per day. The contract is funded through a combination of Federal grant and County funds. (Head Start) Countywide (TKF)

7. **Staff recommends motion to ratify:** the Chair's signature on Modification Contract No.10EA-8F-10-60-01-023 (R2010-0322) Low Income Home Energy Assistance Program (LIHEAP) with the State of Florida Department of Community Affairs, extending the period of agreement to May 31, 2011. **SUMMARY:** The modification agreement was received on February 21, 2011, with instructions to return it as soon as possible. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular BCC agenda process and meet the return deadline. There is no change in the contract amount. The 60-day time extension will allow the Community Action Program to expend the funding and provide emergency and non-emergency energy assistance to more low-income families throughout Palm Beach County. (Community Action Program) Countywide (TKF)

8. **Staff recommends motion to ratify:** the Chair's signature on Standard Contract for the Brief Intervention and Treatment for Elders (BRITE) Program contract with the Florida Department of Children and Families (DCF) for the period March 1, 2011, through September 14, 2011, for a total not-to-exceed amount of \$80,833.33. **SUMMARY:** The Division of Senior Services (DOSS) has received funds from DCF to provide mental health and substance abuse services for older adults. BRITE is a federally funded collaborative project between DOSS, DCF and Substance Abuse and Mental Health Services Administration (SAMHSA). The contract was received on February 22, 2011 with instructions to return it prior to February 26, 2011. The emergency signature process was used because there was not sufficient time to submit through the regular Board of County Commissioners process. There is no County match required. This is the last agreement with BRITE. The services will be discontinued and two (2) grant funded positions will be eliminated. (DOSS) Countywide (TKF)

9. **Staff recommends motion to approve:** Sub-Grant Agreement for Low Income Home Energy Assistance Program (LIHEAP) with the State of Florida Department of Community Affairs for the period March 1, 2011, through March 31, 2012, in an amount not-to-exceed \$5,568,796 for energy assistance. **SUMMARY:** LIHEAP funds of \$5,568,796 will enable Palm Beach County Community Action Program (CAP) to provide assistance to approximately 13,000 low income households with energy bills and crisis assistance to prevent service disconnection or restore utility assistance. No County funds are required. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

10. Staff recommends motion to approve:

A) Memorandum of Agreement with Children's Services Council of Palm Beach County (CSC), for the period of February 1, 2011, through July 31, 2011, in an amount up to \$50,000, for Head Start professional development training through Palm Beach State College (PBSC); and

B) Memorandum of Agreement with CSC, for the period of April 1, 2011 through September 30, 2011, in an amount up to \$45,193, to support a Career Advisor position within Palm Beach State College, Institute of Excellence in Early Care and Education.

SUMMARY: The Division of Head Start has received funds from the Department of Health and Human Services (HHS) to provide professional development training. As a result, Head Start is contracting with CSC to provide services through Palm Beach State College to Head Start classroom staff and supervisors. The Agreements are funded through a combination of Federal grant and County funds. Funding to continue this cooperative agreement with CSC will be included in the Department's proposed FY 2012 budget. (Head Start) Countywide (TKF)

F. AIRPORTS

1. Staff recommends motion to adopt: Resolution approving a revised standard form Airline Service Incentive Program Participation Agreement; authorizing the County Administrator or his designee to execute and make certain amendments to the standard form agreements; repealing Resolution 2009-0634; and providing an effective date. **SUMMARY:** The revised agreement provides for the fee waiver for a second flight to a new destination; the current agreement only allows the Department to waive fees for one flight to a new destination. Granting the fee waiver for the second flight will be contingent on evaluating the impact of the flight to the County, determined by the Director of Airports as set forth in the Resolution. The proposed change is recommended by the Aviation and Airports Advisory Board during the meeting of January 12, 2011 to further increase the incentive to airlines to add non-stop service to Palm Beach International Airport. The Program only involves Airport revenues and has no impact to the General Fund or ad valorem revenues. Countywide (AH)

2. Staff recommends motion to approve: the Construction Manager (CM) at Risk Contract with Gilbane Building Company for the terminal roof improvements at Palm Beach International Airport (PBIA). **SUMMARY:** The Department of Airports (DOA) requested proposals for CM at Risk Services for the terminal roof improvements at PBIA. Based on this request, eight (8) proposals were received on September 9, 2010. The DOA short-listed three (3) firms on October 13, 2010; The Morganti Group, Inc., David Brooks Enterprises, Inc. and W.G. Mills, Inc. Prior to the final selection the DOA was notified that one of the short listed firms, W.G. Mills, Inc. had been purchased by Gilbane Building Company. The W.G. Mills, Inc. staff submitted and committed to this Project No. PB 10-9 remains unchanged. On December 9, 2010, the Countywide Selection Committee selected W.G.Mills, Inc./Gilbane Building Company to provide these services. The Gilbane Building Company is a Rhode Island based firm with the majority of the work under this contract to be completed through their Palm Beach County office in Jupiter. However, this project is federally funded and under the Federal guidelines, local preference does not apply. This is a CM at Risk Contract that will utilize work orders to authorize the preconstruction and construction phases of the contract in accordance with the authority approval defined in PPM CW-F-50. The Disadvantaged Business Enterprise (DBE) goal for this contract was established at 15%. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. **Staff recommends motion to approve:** Third Amendment to Lease Agreement for Fixed Base Operation at Palm Beach International Airport (PBIA) (R2004-1990) with Signature Flight Support Corporation (Signature) for the lease of approximately 326,700 square feet (+7.5 acres) of unimproved ground with initial annual rental of \$212,355, commencing upon completion of construction of the first building on the site, and providing for an annual rental increase of \$88,995, commencing May 1, 2011. **SUMMARY:** Signature provides fixed base operator services for general aviation aircraft at PBIA pursuant to a Lease Agreement for Fixed Base Operations dated September 30, 2004. Signature is a Delaware Corporation with its principal place of business located in Orlando, Florida. This Amendment provides for the lease of approximately 7.5 acres of unimproved ground on PBIA (Northwest Tract) for the development of general aviation aeronautical facilities. Signature will pay all costs to develop the site, which will include the cost to construct a public use roadway and taxiway, and has agreed to invest a minimum of \$3,000,000 on the design and construction of improvements. Signature will have an additional renewal option as to the Northwest Tract only for a period of 12 years in order to amortize its investment in the new facilities. The Lease currently provides for a cap on rentals based on a percentage increase in the Consumer Price Index (CPI). This Amendment provides for the increase in rental for the existing facilities to fair market rental value based on an appraisal prepared in 2010 by Slack, Johnston & Magenheimer, notwithstanding the CPI cap, resulting in an annual rental increase of \$88,995. The Amendment also provides for appraisal only rental adjustments on October 1 of 2019, 2028 and 2037 to ensure that the County continues to receive fair market rental throughout the remainder of the term of the Lease. The Amendment allows either party to terminate the Lease as to the Northwest Tract only in event delays in construction prevent Signature from commencing construction within 24 months of the effective date of this Amendment. Signature will also have an additional option to terminate the Lease as to the Northwest Tract only for convenience within 18 months of the effective date of this Amendment subject to payment of a \$25,000 termination fee. Countywide (HJF)

4. **Staff recommends motion to approve:** a Contract with Hypower, Inc. in the amount of \$360,000 for the Airfield Lighting Control & Monitoring System (ALCMS) at Palm Beach International Airport (PBIA). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On November 4, 2010, five (5) bids were received for the ALCMS at PBIA. Of the five (5) bids, Hypower, Inc., a Broward County company, has been identified as the lowest responsible/responsive bidder in the amount of \$360,000. There were no bids received from a Palm Beach County firm. This project is federally funded and under the federal guidelines, local preference does not apply. The Disadvantaged Business Enterprise (DBE) goal for this project was established at 18.00%. Hypower, Inc. DBE participation is 22.5%. Federal Aviation Administration grant funding of \$270,000 (75%) and Passenger Facility Charge funds of \$90,000 (25%) are being utilized to fund this project. Countywide (JCM)

3. **CONSENT AGENDA APPROVAL**

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

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

A) License Agreement with Bullet Delivery of West Palm Beach, Inc., for use of property solely and exclusively for storage of cargo, commencing February 25, 2011, expiring March 31, 2011 (AH);

B) Consent to Sublease for a Sublease Agreement between Galaxy Aviation of Palm Beach, Inc. and NetJets Aviation, Inc., commencing February 16, 2011 (AH);

C) Summary of 2010 Rental Rate Adjustments at PBIA effective October 1, 2010;

D) Federal Aviation Administration Letter of Release including Deed of Release for Release of Federal Surplus Property Obligations at the Northwest Corner of Congress Avenue and Gun Club Road (15.83 acre parcel) (HJF);

E) Amendment No. 1 to contract with David Brooks Enterprises for Terminal Flooring Improvements – Phase 1 at PBIA (Project No. PB10-8) (JM);

F) Amendment No. 1 to contract with Rosso Paving and Drainage Incorporated for Runway 14-32 RSA Improvements at PBIA Project No. PB10-10 (JM);

G) Amendment No. 1 to contract with Engineered Arresting Systems Corporation for EMAS Improvements Departure End of Runway 14 at PBIA (JM);

H) Amendment No. 10 to contract with The LPA Group Incorporated for Consulting/ Professional Services (JM); and

I) Amendment No. 4 to contract with Ricondo & Associates, Inc. for General Consulting Services for Architectural, Engineering, Construction Management and Land Development (JM).

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R1994-1453, R2007-1291, R2007-2070 and Agenda Item 7B1 approved on September 28, 2010 implementing Palm Beach County Ordinance No. 2009-049 as amended September 28, 2010. Countywide

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

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

A) Budget Transfer from School Impact Fee Zone 1 reserve account to School Impact Fee Zone 1 appropriation account for \$199,000;

B) Budget Transfer from School Impact Fee Zone 2 reserve account to School Impact Fee Zone 2 appropriation account for \$268,000;

C) Budget Transfer from School Impact Fee Zone 3 reserve account to School Impact Fee Zone 3 appropriation account for \$432,000; and

D) Budget Transfer from School Impact Fee Zone 4 reserve account to School Impact Fee Zone 4 appropriation account for \$99,000.

SUMMARY: Impact fees budgeted in reserve accounts cannot be appropriated until funds have been collected. These Budget Transfers recognize current year revenues as of February 2011 and allow for their appropriation so that the County may remit funds to the School District in accordance with Article 13 of the Unified Land Development Code. Countywide (LB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** the Fire Station No. 72 plat. **SUMMARY:** The County, on behalf of Fire Rescue, purchased a 2.53 acre parcel of property from Midway Foundation, Inc. in April 2010 for \$134,090. It is located on South Lake Avenue in Pahokee. The property will be used for the construction of Fire Rescue Station No. 72 which is planned to commence in July. As a condition of development approvals, the City of Pahokee requires the property be platted. The County will sign the plat as property owner. (PREM) District 6 (HJF)

2. **Staff recommends motion to receive and file:** Notice of exercise of the extension option under the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for the Winsbergs' continued agricultural use of approximately 60 acres located on Hagen Ranch Road in Boynton Beach. **SUMMARY:** In 1996, the County purchased 175 acres of property from the Winsbergs for the development of the Water Utilities Department's Green Cay Wetlands Water Reclamation project. The property is located off Hagen Ranch Road between Boynton Beach Boulevard and Atlantic Boulevard. The Board approved the original Lease Agreement in May of 1999 (R99-842D), which allowed the Winsbergs to continue to farm the property until WUD was ready to construct their project. Over time, as WUD constructed phases of the Water Reclamation Project, the area leased to the Winsbergs was reduced and the Winsbergs currently lease approximately 60 acres. The next phase of the Water Reclamation Project is not expected to be implemented within the next five (5) years. In April of 2008, the Board approved the Fourth Amendment (R2008-0629) which extended the term of the Lease Agreement through May 1, 2010, and provided the Winsbergs with ten (10) additional one (1) year options to extend the term of the Lease Agreement. On April 6, 2010, the Winsbergs exercised their first option (R2010-0519) extending the term of the Lease Agreement through May 1, 2011. Exercising this second option will extend the term of the Lease Agreement through May 1, 2012. The Winsbergs have the right to exercise their option and the Board has no discretionary authority to not allow the exercise of the option. The County will continue to have the right to terminate this Lease upon 120 days notice. The annual rental rate for this option period will continue to be \$1/yr. Eight (8) one (1) year options remain available to the Winsbergs. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 5 (HJF)

3. **Staff recommends motion to receive and file:** Notification of the cumulative total of change orders issued to Lucas Marine Contractor, LLC (R2009-0299) for the South Inlet Project having exceeded 5% of the original contract value. **SUMMARY:** In accordance with PPM CW-F-050, when the cumulative value of changes approved by the lead Department exceeds the greater of \$250,000 or 5% of the original contract value, the Department is required to notify the Board that it has exceeded this reporting threshold. The approval of Change Order No. 11 in the amount of \$99,528.24 on February 23, 2011, caused the cumulative total to exceed 5% of the original project amount. After the item is approved by the Board, the reporting thresholds are reset. This project consists of a new sand transfer facility and replacement of the north and south jetties and the Bird Island seawall at the South Lake Worth Inlet. The jetties and seawall work included new concrete and sheet pilings. Due to unforeseen subsurface conditions, \$170,000 of revisions were required to make the jetties and seawall structurally stable. The remainder of the changes were due to design errors and owner changes. The Small Business Enterprises (SBE) goal for this project is 15%. Including this change order, the cumulative SBE participation is 21.2%. (Capital Improvements Division) District 4 (JM)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. [Staff recommends motion to approve:](#) an Agreement with the City of Greenacres in the amount of \$79,294 in Community Development Block Grant (CDBG) funds for the period of April 5, 2011, through June 30, 2012. **SUMMARY:** This Agreement provides funding for interior and exterior renovation (4,508 square feet) as well as site improvements of the City-owned building located at 301 Swain Boulevard in the City of Greenacres. The construction improvements include installation of new windows, doors, architectural trim, flooring, wall finishes, interior partitions and ceilings. The site improvements include asphalt patching, landscaping, and re-striping of parking spaces. The building will be used as a museum for Greenacres Historical Society, a Public Safety Substation, and a satellite office for the Palms West Chamber of Commerce to enhance outreach to local small businesses. **These are Federal Community Development Block Grant Program funds which do not require a local match.** District 2 (TKF)
2. [Staff recommends motion to approve:](#) an Agreement with the Town of Lake Park for a restroom/storage building at Bert Bostrom Park, in the amount of \$53,377, for the period of April 5, 2011, through March 31, 2012. **SUMMARY:** This Agreement provides funding for a restroom/storage building at Bert Bostrom Park located at 311 7th Street, in the Town of Lake Park. The work includes construction of an ADA (Americans with Disability Act) compliant restroom/storage building and an access walkway/ramp connecting the building to Bayberry Drive on the south side of said park. **These are Federal Community Development Block Grant funds which do not require a local match.** District 7 (TKF)
3. [Staff recommends motion to approve:](#) an Agreement with the City of Riviera Beach for street improvements on West 35th Street, in the amount of \$266,901, for the period of April 5, 2011, through April 30, 2012. **SUMMARY:** Community Development Block Grant funds will be used for the reconstruction of West 35th Street, between Avenue "R" and Avenue "O", in the City of Riviera Beach. The street improvements will include drainage pipes, inlet structures, curbs, sidewalks, paving, landscaping, striping and signage. **These are Federal Community Development Block Grant funds which require no local match.** District 7 (TKF)
4. **DELETED**
5. [Staff recommends motion to approve:](#) a waiver to exceed the \$35,000 funding limit under the Residential Rehabilitation Program (Program) for Annette Kendrick, by authorizing an additional \$1,219.10 to complete the rehabilitation project at her South Bay home. **SUMMARY:** In accordance with the Program policies, Ms. Kendrick was approved for \$34,995.28 for a rehabilitation project at her South Bay. As part of the rehabilitation project, her master bedroom ceiling was being painted due to previous water intrusion. The entire master bedroom ceiling collapsed; revealing the need for replacement. The cost of this additional work (including closing costs) is \$1,219.10, which will bring the total project cost to \$36,214.38, which exceeds the \$35,000 funding limit under the Program. A waiver to the applicable Program policies is necessary in order to enable the additional work to be completed. All funding provided to homeowners under the Program is secured by a mortgage and promissory note. **These are federal Community Development Block Grant funds which require no local match.** District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

6. **Staff recommends motion to approve:** an Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency in the amount of \$85,000 for acquisition of land in connection with the widening of the L-2B Canal, for the period of April 5, 2011, through September 30, 2011. **SUMMARY:** The Westgate/Belvedere Homes Community Redevelopment Agency (CRA) wishes to purchase four (4) lots adjacent to the L-2B Canal. After the acquisition is complete, the CRA will undertake the widening of the Canal in order to improve the canal's capacity for storm drainage. Some of the land to be acquired will be dredged for this purpose, and the remainder of the acquired land will serve to provide access to the Canal for maintenance purposes. Allocation of these funds to the CRA 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). **These are Federal Community Development Block Grant funds which require no local match.** District 2 (TKF)

7. **Staff recommends motion to approve:** Amendment No. 001 to the Agreement with the City of Pahokee (R2010-1699) for housing rehabilitation and demolition projects. **SUMMARY:** The FY 2010-2011 Action Plan approved by the Board of County Commissioners (R2010-1156) on July 20, 2010, allocated \$63,800 of Community Development Block Grant (CDBG) funds to the City in order to implement eight (8) CDBG-funded full housing rehabilitation and five (5) demolition projects within the municipal limits of the City. A portion of the City's FY 2009-2010 CDBG allocation (\$46,916) remains unexpended and is available to be used in FY 2010-2011 to assist the City with the rehabilitation or demolition of properties in the City. The City requested that the available CDBG funds be added to its current rehabilitation and demolition program. This Amendment will increase the amount of funds available to the City by \$46,916, from \$63,800 to \$110,716. Additionally, the number of full rehabilitation cases will increase from eight (8) to thirteen (13) and the number of demolition case files will increase from five (5) to thirteen (13). **These are federal CDBG funds that do not require a local match.** District 6 (TKF)

8. **Staff recommends motion to approve:** Amendment No. 001 to a Loan Agreement with Congress Park Limited Partnership (R94-1630D) to extend the two (2) loan maturity dates from April 30, 2011, to November 1, 2011. **SUMMARY:** Congress Park Limited Partnership ("Congress Park") is a 288-unit rental apartment complex that provides housing to very low and low income persons, and is located just west of Congress Avenue and south of 6th Avenue across from John Prince Park. Congress Park is requesting a time extension that provides an identical maturity date for the two (2) County subordinate loans that coincides with the maturity date of their first mortgage. **These are Robert E. Pinchuck Memorial Affordable Housing Trust Fund Competitive Program funds which require no local match.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** the following three (3) documents:
 - A) Standard Development Agreement with Bethesda Healthcare System, Inc.; SDA No. 05-01107-000 (District 5) (MJ);
 - B) Standard Indemnity Agreement with Woodwind 2007 LLC; WUD Project No. 09-552 (District 2) (SF); and
 - C) a Contract with All Webb's Enterprises, Inc. in the amount of \$18,100 for All Webb's Enterprises, Inc. to perform mechanical integrity testing of a Class 1 Deep Injection Well IW-1 at the Lake Region Water Treatment Plant and abandonment of two (2) pad monitoring wells located at the City of Belle Glade Wastewater Treatment Plant.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Standard Development Agreement, Contracts and Indemnity Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Deputy 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. District 6 (JM)
2. **Staff recommends motion to approve:** a Potable Water and Wastewater Development Agreement – Beeline Additional ERCs (Agreement) with United Technologies Corporation, Pratt & Whitney Division (UTC) and the Beeline Community Development District (Beeline). **SUMMARY:** On November 16, 2010, the Board of County Commissioners approved a Standard Water and Wastewater Development Agreement (Standard Beeline Agreement) for new development by property owners within Beeline's geographic limits. UTC is currently in the process of developing a fire innovation and test facility within Beeline's geographic limits; however, the Standard Beeline Agreement is not applicable to this facility, as UTC does not own the property, but instead leases the property from Beeline. The Standard Beeline Agreement has been modified to clarify the various obligations of Beeline and UTC in relation to the construction and operation of water and wastewater facilities on the property. District 1 (MJ)
3. **Staff recommends motion to accept:** an Assignment of Easements from the City of West Palm Beach (City) to Palm Beach County (County). **SUMMARY:** In accordance with the December 7, 2010 (R2010-2045) Interlocal Agreements between County and City (Agreements) pertaining to service area boundaries and sale of utility facilities, City was to transfer to County certain utility assets and assign to County easements related to the transferred facilities, subject to various consideration by County. County has fulfilled its obligations under the Agreements. City has provided County with Bills of Sale for the transferred assets and an executed Assignment of Easements document listing the required recorded easements. The acceptance of the Assignment of Easements by County completes the transfer of the utility facilities to County for ownership, operation and maintenance. (WUD Project 11-025) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** an Interlocal Subgrant Agreement with the Treasure Coast Regional Planning Council (TCRPC) to facilitate Brownfields cleanup and redevelopment of the former Pike Utilities property, located at 4220 Charleston Road, Lake Worth. **SUMMARY:** Recently, Palm Beach County Water Utilities Department (WUD) has received complaints from area residents regarding the unsightliness of the former Pike Utility property. WUD is anticipating removal of all remaining wastewater infrastructure and property cleanup by September 20, 2011 in anticipation of future redevelopment in accordance with Florida Department of Environmental Protection (FDEP) conditional approval. The TCRPC has allocated \$200,000 from a federal grant toward site cleanup. The total project cost is anticipated to be less than \$350,000 with funding in excess of the Environmental Protection Agency Brownfields funding coming from WUD revenues. District 2 (MJ)

5. **Staff recommends motion to approve:** Project Funding Agreement 04228, entitled "Water Utilities and Climate Change: A Research Workshop on Effective System Adaptation" with the Water Research Foundation (WaterRF) and Columbia University, which includes a one-time payment of \$9,000 to WaterRF to match funding for Project No. 04228. **SUMMARY:** WaterRF Project No. 04228 will conduct a climate change research workshop for Southeast Florida utility managers, engineers and climate scientists to plan effective climate change system adaptation. The workshop will be led by Columbia University and Florida Atlantic University's Center for Environmental Studies. The WaterRF will provide a workshop report with guidelines for water utility adaptation to help plan sustainable infrastructure. Palm Beach County Water Utilities Department will jointly fund half the cost of the workshop with the WaterRF. The collaboration partnership with WaterRF is a cost effective method to gather climate change information. This project has been coordinated with the Southeast Florida Regional Climate Compact. Countywide (MJ)

6. **Staff recommends motion to approve:**
 - A) a Contract with Hinterland Group, Inc. to construct the Wastewater Lift Station Rehabilitation Project in the amount of \$1,488,751; and

 - B) Supplement No. 1 which cancels Work Authorization No. 6 (R2010-1286) in the amount of \$442,820 with Sheltra & Son Construction Co., Inc. (R2009-0944) for construction of the Wastewater Lift Station Rehabilitation No. 951 and 1080.

SUMMARY: On December 8, 2010, ten (10) construction bids were received for the Wastewater Lift Station Rehabilitation Project, with Hinterland Group, Inc. being the lowest responsive responsible bidder in the amount of \$1,488,751. This Contract provides for the rehabilitation of six (6) lift stations within the Department's wastewater collection system. Under the 5% local preference ordinance Chaz Equipment Company, Inc. is the lowest responsive bidder, however due to the County's suspension of Chaz Equipment Company, Inc., the recommendation is to award to Hinterland Group, Inc. The Purchasing Director has suspended Chaz Equipment Company, Inc. in accordance with Section 2-56 of the County's Purchasing Code suspension upheld by Special Master on March 2, 2011. Chaz Equipment Company, Inc. has also been suspended by the City of West Palm Beach. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The Hinterland Group, Inc. is not a local Palm Beach County Company, but will commit to 20.86% of work by Palm Beach County SBE subcontractors. Water Utilities Department and Sheltra & Son Construction Co. have agreed to cancel Work Authorization No. 6. The two (2) wastewater stations (No. 951 and 1080) that are being cancelled are included as alternates in the Hinterland Group, Inc. bid. Awarding the alternate bid items to Hinterland Group, Inc. will save the County \$32,258. (WUD Project 08-009) District 5 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Bond Rider for Artificial Reef Contract R2008-1667.1 which reduces the required construction bond amount from \$2 million dollars to \$176,456.66. **SUMMARY:** The Board approved Artificial Reef Contract R2008-1667 and R2008-1667.1 with M & J Construction Co. of Pinellas County, Inc. (M & J) and The Murphy Construction Company (Murphy) on September 23, 2008. Both contracts required a construction bond of \$2 million dollars at the time the first Work Order was issued. Murphy only completed two (2) relatively small Work Orders at the end of the Contract totaling \$176,456.66 and requested that their construction bond requirement be reduced to reflect actual work performed. District 1 (JM)

2. Staff recommends motion to approve:

A) a Management Plan (Plan) for the Hartsel Ranch and Individual Palm Beach Heights Lots; and

B) inclusion of the Plan as an addendum to the previously approved Pine Glades Natural Area Management Plan on May 6, 2008.

SUMMARY: The Hartsel Ranch and Individual Palm Beach Heights Lots Management Plan was developed by the Department of Environmental Resources Management (ERM) and provides guidelines for proposed land management activities on County-owned lots within an area known as Palm Beach Heights. The Plan was recommended for approval and inclusion as an addendum to the Pine Glades Natural Area Management Plan by the Natural Areas Management Advisory Committee (NAMAC) on February 18, 2011. The Palm Beach Heights area is northeast of the intersection of Indiantown Road and the Beeline Highway, and is directly north of the westernmost portion of the County's Pine Glades Natural Area. The County currently owns and manages 121 undeveloped lots (Properties) totaling 228.63 acres within the Palm Beach Heights area. Of the 121 lots, 107 (145.20 acres) were acquired via the tax deed process, 11 (78.43 acres) were purchased through an acquisition and management agreement with the South Florida Water Management District (SFWMD) County Resolution R2004-1741, and 3 (5 acres) were purchased from Martin County. Funds for the acquisitions were provided from the County's Natural Areas Fund. The Properties are predominantly higher quality native wetland communities, and proposed management activities are minimal due to the disjunct nature of the Properties. This site will be managed by ERM as part of the County's Natural Areas System, which is currently comprised of 35 sites. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the executed documents received during the months of January and February:

A) Team Elite Athletic Management International, Inc., Competitive Swim Team Coach, Aqua Crest Pool for the period February 1, 2011, through May 31, 2011, in an amount not-to-exceed \$10,000;

B) Amy Hair, Sign Language Interpreter, various locations for the period February 14, 2011, through September 30, 2011, in an amount not-to-exceed \$1,690 (HAIR1107402115204A); and

C) Maurice Johnson, Basketball Referee, Westgate Park and Recreation Center for the period February 19, 2011, through April 17, 2011, in an amount not-to-exceed \$629.

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

2. Staff recommends motion to approve: First Amendment to Contract (R2010-0415) with Kiril Zahariev for the period May 1, 2010, through April 30, 2012, in an amount not-to-exceed \$150,000 per year for USA swimming coaching services at the North County Aquatic Complex. **SUMMARY:** For the past seven (7) years, Kiril Zahariev has been the USA swimming coach at North County Aquatic Complex. The current Professional Services Contract will expire on April 30, 2011; however, there are two (2) – one (1) year renewal options available under this contract. This Amendment exercises one renewal option with Kiril Zahariev through April 30, 2012, with one (1) – one (1) year renewal option remaining, in an amount not-to-exceed \$150,000 per year. This amount is unchanged from the current year rate. This contractor utilizes two (2) additional coaches in providing this service. District 1 (AH)

3. Staff recommends motion to approve: Agreement with the ARC of Palm Beach County, Inc. (ARC), a local not-for-profit agency, for the development and implementation of community-based peer support activities for siblings of people with disabilities; effective upon execution. **SUMMARY:** This Agreement provides for the development and implementation of a program for siblings of children with special health, mental health, and developmental needs to obtain peer support and education within a therapeutic recreational context (“Sibshop Program”). ARC will provide the County with two (2) staff members, refreshments and a portion of the supplies, field trip and activity costs. The County will provide two (2) existing staff members to assist with planning, implementation and supervision of the Sibshop Program, facility space and transportation to and from field trips and scheduled outings. The County’s financial obligations under this Agreement are limited to the provision of facility space, staff time, transportation and related minor expenses incurred in the provision of these services and are subject to annual appropriations by the Board of County Commissioners for this purpose. The Agreement shall automatically renew annually unless terminated by either party upon ten (10) days written notice to the other party. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to approve:

A) a non-standard Amphitheater Rental Agreement with AEG Live SE, LLC for the presentation of a Dierks Bentley concert on April 16, 2011;

B) a non-standard Amphitheater Rental Agreement with AEG Live SE, LLC for the presentation of A Day to Remember concert on April 17, 2011;

C) a non-standard Amphitheater Rental Agreement with AEG Live SE, LLC for the presentation of a Rise Against concert on April 23, 2011;

D) a non-standard Amphitheater Rental Agreement with AEG Live SE, LLC for the presentation of a Deftones concert on May 22, 2011; and

E) a non-standard Amphitheater Rental Agreement with Live Nation Worldwide, Inc., for the presentation of a 30 Seconds To Mars concert on April 24, 2011.

SUMMARY: The Parks and Recreation Department (Department) utilizes a standard Amphitheater Rental Agreement which is executed at the Department level. However, non-standard Amphitheater Rental Agreements are sometimes required to satisfy the complexity of specific entertainment terms of a given renter. AEG Live SE, LLC (AEG) and Live Nation Worldwide, Inc. (Live Nation) have requested modifications to the approved standard Amphitheater Rental Agreement language. The modifications clarify the responsibilities and expectations of the County, AEG and Live Nation for issues such as damages, personal injury, and indemnification. These changes, along with other minor administrative changes, were agreed to by attorneys for both the renters and the County. These non-standard Amphitheater Rental Agreements release AEG and Live Nation from liability to the extent such damage or injury is caused by the County's negligence or willful misconduct, or structural or premise related defects at the Amphitheater. All five (5) concerts will be held at Sunset Cove Amphitheater. County revenues generated from each concert will vary ranging from a minimum of \$3,000, or 10% of the gross ticket sales less tax, to a maximum of \$12,000 plus miscellaneous fees for vendors, parking, etc. District 5 (AH)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve:

A) an artist's design project for the existing pedestrian bridge and overlook in Mount's Botanical Garden's Shade & Color Island to enhance the garden; and

B) a Budget Amendment of \$143,750 to the Cooperative Extension Revenue Fund to recognize and appropriate funding for this project from the Friends of Mounts Botanical Garden.

SUMMARY: The Friends of Mounts Botanical Garden has made a donation of \$143,750 to the County to commission an artist to create artistic railings for the pedestrian bridge and overlook in Mounts Botanical Garden's Shade & Color Island. In addition to designing, fabricating and installing railings, the artist will address the bridge and overlook's ground plane to create unified artistic environments. The artwork will be durable, permanent, low maintenance, in compliance with ADA guidelines and will further enhance the garden. No ad valorem funding is required for this project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: a Second Amendment to the Interlocal Agreement with the City of Riviera Beach (R2010-0649) to extend the expiration date from December 31, 2010, to March 31, 2011 to support the Civil Drug Court and Family Restart Program. **SUMMARY:** The Criminal Justice Commission (CJC) recommended the use of American Recovery and Reinvestment Act – Justice Assistance Grant funds, Drug Abuse Trust Fund and Crime Prevention funds for the Civil Drug Court. There are unexpended funds from this project due to delays in the approval process from the Department of Justice. These funds are for case management services and contracts for residential and outpatient substance abuse services for indigent clients court ordered to treatment, the purchase of drug testing and case management services provided to the families of the Civil Drug Court clients. Countywide (GB)

2. Staff recommends motion to:

A) approve a Contract for \$66,805 with the Department of Juvenile Justice (DJJ) to provide monitoring services to juveniles from April 1, 2011, through September 30, 2011;

B) approve a Budget Amendment of \$66,805 in the Criminal Justice Grant Fund to establish budget for this project;

C) approve a Contract with Gulfstream Goodwill Industries, Inc. to provide the Alternative to Secure Detention Program for \$66,805 for the contract period of April 1, 2011, through September 30, 2011;

D) receive and file an Edward F. Byrne Memorial Justice Assistance Grant award in the amount of \$48,151;

E) approve a Contract with Gulfstream Goodwill Industries, Inc. to provide an Alternative Youth Care Program for \$61,000 for the contract period of October 1, 2010, through September 30, 2011;

F) approve a waiver of prohibited relationship for Michele Carter and Thomas Bell of Gulfstream Goodwill Industries, Inc., who sit as advisory board members on the Homeless Advisory Board.

SUMMARY: Palm Beach County has received a contract for \$66,805 from the Department of Juvenile Justice to provide an Alternative to Secure Detention Program. The funds will be subcontracted with Gulfstream Goodwill Industries, Inc. to supplement the Alternative Youth Care Program funded through the Byrne Grant and Crime Prevention Fund for \$61,000. Michele Carter and Thomas Bell are employees of Gulfstream Goodwill Industries, Inc. and are also members the Palm Beach County Homeless Advisory Board. Per the County's Code of Ethics, this may be perceived as a prohibited relationship and Ms. Carter and Mr. Bell are disclosing this and requesting a waiver under the requirements of the Code. Staff recommends approval of the waiver. The monitor will have face-to-face contact as well as indirect contact of juveniles on an unannounced, around the clock basis. Contact will be made at random, initially within 24 hours of placement under Gulfstream Goodwill Industries, Inc. supervision, toward the goal of linking participating juveniles and families with community resources to help enhance life skills and reinforce proactive, acceptable social behavior. There is no match requirement for the DJJ contract or the Byrne Grant. Countywide (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: an Amendment to the contract (R2009-2153) with the Drug Abuse Foundation, Inc. to extend the expiration date from September 30, 2010, to March 31, 2011 for the provision of substance abuse treatment services. **SUMMARY:** The Criminal Justice Commission recommended the use of an amount not to exceed \$125,000 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 the Drug Abuse Foundation, Inc. for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program which ended on December 10, 2010. This will fund treatment in progress at the time the centers closed. Countywide (GB)

4. Staff recommends motion to approve: the First Amendment to the Contract with Gulfstream Goodwill Industries, Inc. (R2010-1323), a not-for-profit agency, to extend the contract period from March 1, 2011, to April 30, 2011, for the provision of home detention monitoring services to juveniles. **SUMMARY:** The initial contract with Gulfstream Goodwill Industries, Inc. was delayed due to start up time in getting youth into the program and getting staff hired and trained. The monitor has face-to-face contact as well as indirect contact of juveniles on an unannounced, around the clock basis. Contact is made initially within 24 hours of placement under Gulfstream Goodwill Industries' supervision and at random times thereafter. The program works toward the goal of linking participating juveniles and families with community resources to help enhance life skills and reinforce proactive, acceptable social behavior. The Criminal Justice Commission Palm Beach County received a direct award of \$1,246,822 as part of the FY2009 American Recovery and Reinvestment Act - Justice Assistance Grant (JAG): Local Solicitation. This award was received and filed by the Board of County Commissioners on October 6, 2009 as R2009-1700. There is no match requirement for the Byrne Grant. Countywide (DW)

5. Staff recommends motion to approve: the Third Amendment to the Agreement for services with the Office of the Public Defender extending the agreement from October 1, 2010, to September 30, 2011 for the Ex-Offender Re-Entry Program for \$7,000. **SUMMARY:** The funds will be used to extend the agreement (R2008-0444; dated March 11, 2008) for the Ex-Offender Re-Entry Program administered by the Public Defender's Office to pay the cost of the project to purchase Florida identification cards and necessary support documentation required by the Department of Highway Safety and Motor Vehicles for inmates about to be released from the county and state correctional facilities. The lack of identification creates a barrier to accessing other services upon release and increases the chances of an individual re-offending and returning to the criminal justice system. Countywide (GB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

6. Staff recommends motion to approve:

A) a Second Amendment to the interlocal agreement (R2010-0529) with the City of West Palm Beach to extend the expiration date from December 31, 2010, to March 31, 2011 to support the West Palm Beach Youth Violence Prevention Project;

B) a Second Amendment to the interlocal agreement (R2010-0530) with the City of Riviera Beach to extend the expiration date from December 31, 2010, to March 31, 2011 to support the Riviera Beach Youth Violence Prevention Project;

C) a Second Amendment to the interlocal agreement (R2010-0531) with the City of Boynton Beach to extend the expiration date from December 31, 2010, March 31, 2011 to support the Boynton Beach Youth Violence Prevention Project;

D) a Second Amendment to the interlocal agreement (R2010-0532) with the City of Lake Worth to extend the expiration date from December 31, 2010, to March 31, 2011 to support the Lake Worth Youth Violence Prevention Project.

SUMMARY: The Criminal Justice Commission recommended the use of \$1,691,582 from the Federal FY '09 Recovery Act Edward Byrne Memorial Justice Assistance grant for the continuation of the Youth Violence Prevention Project (YVPP) and its primary partners, the five (5) cities at greatest risk for future violence. The YVPP began the fourth year of implementation and funding on October 1, 2009. To date, the funds have established Youth Empowerment Centers in all five (5) geographic areas identified as hot-spots and a Justice Service Center in Riviera Beach. The City of Belle Glade's Interlocal was previously extended on March 1, 2011. In addition, joint law enforcement operations with multiple revenue sources complete the suppression component of the YVPP. Remaining grant funds of \$150,000 will be contracted for law enforcement training and technology for the fourth year evaluation. The Florida Department of Law Enforcement approved this extension on December 29, 2010. Countywide (GB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: an Agreement with the Raymond F. Kravis Center for the Performing Arts (the "Kravis Center") and Palm Beach County (County) for utilizing the County as the Kravis Center's Server Hosting and Data Storage Provider, at an estimated first year revenue of \$8,940, for an initial term of one (1) year, with automatic one (1) year renewals unless notice given by either party. **SUMMARY:** This Agreement allows the Kravis Center to utilize the County's Server Hosting and Data Storage resources via the County Network and to gain access to the Florida LambaRail network resources. Per Exhibit "A" of the Agreement, fees for hosting and data storage services are set at \$745 per month. This Agreement provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve a Software License and Professional Services Agreement with the Government of the U.S. Virgin Islands for a period of one (1) year retroactive from October 1, 2010 to September 30, 2011, to develop Phase II of the Business License Web Application and extend the application and email account hosting services which will generate revenues to the County in the amount of \$166,400; and

B) authorize the County Administrator or his designee, ISS Director, to approve and execute future Agreements and Change Orders up to a maximum total revenue of \$200,000.

SUMMARY: Information System Services (ISS) developed and hosts a Business License Web Application for the Government of the U.S. Virgin Islands and hosts 30 email accounts on their behalf. The U.S. Virgin Islands wishes to enter into a Software License and Professional Services Agreement with Information System Services (ISS) to develop Phase II of the Business License Web Application and extend the application and email account hosting for one additional year. ISS will provide professional services for the Phase II application development for a fee not to exceed \$98,000. The U.S. Virgin Islands will pay the County a monthly software lease fee of \$1,650 per month, an application hosting fee of \$3,850 per month and an email account hosting fee of \$80 per account per year. This Agreement will generate net annual revenues of \$68,660 to the County after taking into account the allocated costs of ISS programming staff. The Agreement provides for a one (1) year period retroactive from October 1, 2010, to September 30, 2011. A delay in bringing this contract forward was experienced due to U.S. Virgin Island's decision to initiate a separate new contract rather than issuing a change order to the prior contract. This Agreement provides for disclosure of County Ordinance No. 2000-49 establishing the Office of the Inspector General. Countywide (PK)

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a pass-through contribution from Hartford Life Insurance Company in the amount of \$38,125, which represents reimbursement of a portion of administrative cost paid by Sheriff employees for FY 2010; and

B) approve a Budget Amendment of \$38,125 in the Sheriff's Grant Fund.

SUMMARY: As contracted, Hartford Life Insurance Company (Hartford Life) is responsible to pay fees incurred in the administration of the Palm Beach County Sheriff's Office (PBSO) 12-b-1 employee deferred compensation plan. On February 10, 2011, the PBSO received a reimbursement of a portion of the administrative cost paid by employees for FY 2010. Once accepted, the funds will be transferred to the employee welfare organization 501(c)(4). There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. Staff recommends motion to approve: the return of \$10,022 in unexpended Violent Crime and Drug Control Investigation grant funds and \$6,148 in accrued interest to the Florida Department of Law Enforcement. **SUMMARY:** On March 11, 2008, the Palm Beach County Sheriff's Office (PBSO) was awarded a FY '07 Violent Crime and Drug Control Investigation grant by the Florida Department of Law Enforcement (FDLE), Violent Crime & Drug Control Council, for the period of December 6, 2007 through the completion of the investigation. PBSO concluded its investigation due to operational issues. FDLE disbursed funding in advance and requires the return of unexpended grant funds and accrued interest at the end of the grant period. Countywide (GB)

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4. PUBLIC HEARINGS – 6:00 P.M. (Motion to receive and file: Proof of publication)

A. Staff recommends motion to:

1) **adopt** a Resolution confirming the special assessment process for Bayhill Estates Water Distribution System; and

2) **approve** a Work Authorization No. 8 to AKA Services, Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2010-1423) in the amount of \$1,442,581.91.

SUMMARY: Petitions in favor of the installation of a potable water main have been received by 65% of the property owners in the Bayhill Estates project area. The project will serve 269 residential properties currently on private wells. Individual assessments of \$8,550 per parcel are based on 100% of the assessable cost and may be paid over 20 years with equal annual payments of principal and 5½% interest. The total project cost is \$2,299,950 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The project will be constructed utilizing a Work Authorization under the WUD Continuing Construction Contract with AKA Services, Inc. (R2010-1423). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with AKA Services, Inc. provides for SBE participation of 15.00%. This Authorization includes 15.49% overall participation. The cumulative SBE participation is 14.26% overall. AKA Services, Inc. is a local Palm Beach County company. (WUD Project No. 11-025) District 6 (MJ)

B. Staff recommends motion to:

1) **approve** the Application of Jupiter Christian School, Inc. of Jupiter Florida for the issuance of Industrial Development Revenue Bonds in an amount not to exceed \$11,600,000 (Jupiter Christian School Project), Series 2011 (the “Bonds”); and

2) **conduct** a TEFRA public hearing concerning the issuance of the Bonds.

SUMMARY: Jupiter Christian School, Inc. of Jupiter, Florida, at 700 South Delaware Boulevard, Jupiter, Florida and 707 Commerce Way East, Jupiter, Florida (the “Company”) has applied for the issuance of industrial development revenue bonds by the County in an amount not to exceed \$11,600,000. The Bond proceeds will be used to refinance conventional debt incurred by the Company to acquire and construct school buildings in order to achieve a reduction in debt service and to finance capital expenditures of the Company. The Bonds will be payable from revenues derived from the Company. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 1 (PFK)

4. PUBLIC HEARINGS – 6:00 P.M. CONTINUED

C. Staff recommends motion to:

1) **adopt** a Resolution confirming the special assessment of \$25 per abutting foot for Sylvan Lane Paving & Drainage (Project) Project No. 2000134;

2) **approve** a Contract with DP Development (Contractor), the lowest, responsive, responsible bidder, in the amount of \$145,773.45 for the Project; and

3) **approve** a Budget Transfer of \$26,625 in the Unincorporated Improvement Fund from Reserves to Herndon Park/Coconut Road - Paving and Drainage Project on Sylvan Lane.

SUMMARY: Adoption of this Resolution will allow Palm Beach County (County) to assess the property owners at \$25 per abutting foot for the Project. Assessments will be payable in 20 equal annual installments. Approval of the construction contract will authorize the Contractor to construct the Project for approximately 632 lineal feet (0.12 miles) on Sylvan Lane, from Melaleuca Lane, north to the end. This work will include new pavement, driveway reconstruction, and a storm water management system. The Contractor is a Palm Beach County business, with 83% of the work to be performed by the Contractor and his County subcontractors. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 83.65% overall. Approval of the Budget Transfer of \$26,625 will contribute to the necessary funds for the project construction and will be assessed to the property owners at \$25 per abutting foot since this project is in a Countywide Community Revitalization Team area. District 3 (MRE)

D. Staff recommends motion to approve: Budget amendments and transfers in various funds reflecting adjustments for balances brought forward, other revenues, reserves and operating expenses. The total amount of the adjustments is an increase of \$57,492,239 in 211 funds.

SUMMARY: These budget amendments and transfers are necessary to adjust FY 2011 budgets to reflect differences between actual and estimated revenues and expenditures of FY 2010. These amendments adjust the balances brought forward, various revenue, expenditure and reserve accounts to their audited balances. The proposed increases include \$32,401,261 additional reserves for balances brought forward in Countywide tax equivalent funds. The adjustment is a result of:

- \$9,796,445 additional excess fess: Sheriff's Office \$7,486,868, Clerk & Comptroller \$915,897, Supervisor of Elections \$1,393,680 and
- \$8,175,197 additional revenues: Sheriff's revenues \$2,011,469, Ad Valorem Taxes (net) \$1,486,740, State Revenue Sharing \$1,985,390, Transfer from the Information System Service Fund which was closed when ISS was reclassified from an Internal Service Fund to a component of the General Fund \$2,691,598 and
- \$863,716 additional refunds: Tax Collector \$809,428, Property Appraiser \$54,288 and
- \$5,019,562 expenditures less than originally estimated: Community Services \$2,619,247, Facilities Development and Operations \$1,198,525, Fire Rescue Common Dispatch \$1,201,790 and
- \$5,009,040 available fund balance in the Sales Tax Fund and
- \$915,968 available funds from completed capital projects and
- \$2,621,333 reflects various adjustments including grant match savings, expenditures less than and revenue greater than originally estimated.

FY 2012 deficit projections currently assume these additional reserves will be carried forward to balance the annual budget. Countywide (PK)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: Charter Review public participation plan to obtain suggestions for Charter change questions to be placed on the November 2012 ballot. **SUMMARY:** On January 25, 2011, the Board directed staff to plan a County Charter review process to include commissioner, staff and public participation. Administration/Public Affairs will implement a comprehensive public input plan to include explanation of current Charter and collect suggestions for future Charter changes. The initial phase of the review process of obtaining suggestions and priorities of the Board of County Commissioners has been accomplished. In the next step staff will receive public input through multiple public meetings and other media and will present the results of the public input process to the Board for further consideration. Countywide (LB)

2. Staff recommends motion to approve:

A) waiver of the competitive solicitation process for legal and consulting services based on Jerry Wilson, PC, expertise in election law and political redistricting and prior experience with Palm Beach County regarding redistricting; and

B) a Contract with Jerry Wilson, PC, a Georgia professional corporation to provide for outside legal services and consultation of proposed Commission district boundary maps based on the 2010 Census to ensure conformance with the 1965 Voters Rights Act, as amended; and contract shall not exceed \$50,000 for the period April 5, 2011, through January 31, 2012.

SUMMARY: The proposed contract provides for legal and consulting services for the development of proposed Commission district maps based on 2010 census, guidelines to affirm compliance with traditional redistricting criteria and applicable legal standards, public hearings, assist elections officials in realigning precincts and polling places, if necessary; and all other required redistricting functions. The contract will not exceed \$50,000. Staff anticipates the redistricting process to be completed by December, 2011. Jerry Wilson, PC, specializes in election law and political redistricting. This firm was sub-contracted by FAU/FIU Joint Center, on behalf of the County, during the 2001 redistricting process and will require less time becoming familiar with Palm Beach County which will result in efficiencies and cost savings. Countywide (LB)

5. REGULAR AGENDA

B. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) change from self preparation food service operation to contracted catering for meals served to Head Start/Early Head Start children; and

B) Catered Meals Contract with ILS Group, LLC, d/b/a Classic Caterers, for the period April 5, 2011, through April 4, 2013, with three (3) - one (1) year renewal options, in an annual amount not to exceed \$1,004,251.

SUMMARY: These approvals will provide for the privatization of food service preparation and delivery for County Head Start/Early Head operations. The estimated annual cost savings as a result of this change will be \$400,000. A portion of the savings will be used to offset expenses associated with teacher reclassifications mandated by the federal Office of Head Start. The remainder will be a direct budget reduction for Community Services. The change to contracted catering will result in the elimination of the following positions: Part Time Bus Riders (5), Cooks (2), Messengers (2), Food Service Manager (1), and Nutrition Coordinator (1). There are five (5) additional Cook positions that will be reclassified and the incumbent employees assigned to other positions. Early retirements, vacancies and arranged transfers will minimize the number of layoffs required and the contractor has agreed to consider hiring any employees that have not been placed in other positions. Four (4) food delivery trucks owned and operated by the County will also be eliminated. ILS Group, LLC/Classic Caterers is a Broward County Company. The contract was competitively bid. Countywide (TKF)

5. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** an Amendment to the Ryder Cup Traffic Control Agreement R2006-2003 (Amendment), with the PGA Property Owners Association, Inc. (POA), WFGF Resort Core V, LLC (PGA National), the City of Palm Beach Gardens (City), and Northern Palm Beach County Improvement District (District), in which the County agrees to waive its right to request the transfer of Ryder Cup Boulevard from the District to Palm Beach County (County). **SUMMARY:** Approval of this Amendment to the Traffic Control Agreement which was originally approved by the Board of County Commissioners on September 12, 2006 will add, at the request of PGA Property Owners Association, the County's agreement to waive its right to request transfer of Ryder Cup Boulevard from the District to the County. Such transfer language is currently part of the City's Development Order for PGA National. District 1 (MRE)

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

A) a Contract with Community Asphalt Corp. (Community), in the amount of \$3,887,306.04 for the construction of Northlake Boulevard over the Loxahatchee Slough (Project) subject to receipt of State funds for the total cost of the Project and a waiver and release from Community; and

B) Change Order No. 1 to deduct the amount of \$499,975 from the Contract with Community Asphalt Corp. (Community) for the construction of Northlake Boulevard over the Loxahatchee Slough (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 subject to the State releasing funds to cover the total cost of the Project. Community waives and releases any claims it has or could have against the County in the event the State fails to release the funds, the contract must be cancelled. The County's Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Community is 23.31%. Approval of Change Order No. 1 is for deletion of City of West Palm Beach utility work, at the City's request. District 6 (MRE)

D. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a County Deed in favor of Rosalyn Kupin, a single woman and Warren Kupin, a married man, joint tenants with rights of survivorship, for Condominium Unit 573, Normandy L, located in Kings Point of Delray Beach, in exchange for \$8,181.53. **SUMMARY:** The County acquired Condominium Unit 573, Normandy L, located in Kings Point of Delray Beach, on December 14, 2010, by Tax Deed. The unit was owned by Rosalyn Kupin and her son, Warren Kupin. The condominium unit is Ms. Kupin's primary residence and she is currently residing in it. Due to financial hardships and health issues, Ms. Kupin was unable to pay the real estate taxes on her unit and the County acquired the property through tax foreclosure. She is now in a better position to meet her financial obligations with her son's assistance, and would like to continue to live in her home. Florida Statute Section 197.592(1) allows for reconveyance to the prior owner upon payment of all back taxes, interest, fees, and penalties. Warren Kupin has provided \$8,181.53 in payment of all such costs, and will remain listed on the deed as an owner. The assessed value of the property is \$22,000. Staff recommends the reconveyance of this parcel as: (i) the property furthers no County function, (ii) it will provide payment of all past due taxes, (iii) it returns the parcel to the tax roll and, (iv) it relieves the County of responsibility for the payment of condominium association fees which commenced to accrue as of the date the County acquired title. **This sale must be approved by a supermajority vote (5 Commissioners).** (PREM) District 5 (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff requests Board direction: regarding a request from KidSanctuary Campus, Inc., for an extension of the County Deed restrictions and conditions, and consent to transfer of ownership for a 5.57 acre parcel conveyed to KidSanctuary, Inc. on June 6, 2006 (R2006-1043). **SUMMARY:** On June 6, 2006, the Board conveyed a 5.57 acre parcel located south of Pioneer Road and west of the Florida Turnpike to KidSanctuary, Inc., a non-profit corporation, at no cost. The County Deed provided that the property would automatically revert to the County if: i) the Property is not used for a non-profit residential facility for children with physical and/or emotional disabilities; ii) the facilities consisting of four (4) houses and a recreation/administrative building were not completed, open and operating within five (5) years; iii) any conveyance or assignment other than to an entity which merges with and/or acquires KidSanctuary, Inc., occurs without prior Board consent; and iv) the facility is not continuously operated for the specified purposes. Economic conditions have negatively impacted KidSanctuary's ability to raise funds and collect committed donations. On September 20, 2008, KidSanctuary, Inc. conveyed the property by Quit Claim Deed to KidSanctuary Campus, Inc. County consent was required but not obtained. The five (5) year time limitation to construct the facilities will expire on June 5, 2011. KidSanctuary Campus, Inc. has requested the retroactive approval of the transfer of the property and an extension to complete the development of the facilities in phases, with the first house and the infrastructure being completed 17 months after issuance of the permits by the County, and the balance of the project being completed over a period of roughly 15 years. They anticipate that the first house will be completed by January, 2013. KidSanctuary Campus is in the process of obtaining plat and permit approval from Palm Beach County. It entered into a construction contract in May, 2010, and began the permitting process immediately, with application for the permit being submitted in October 2010. According to the letter from Connie Frankino, President of KidSanctuary Campus, dated November 28, 2010, the organization has raised sufficient cash to fund the construction of the first house and the infrastructure, and expects that fundraising efforts will be easier once the project has broken ground. KidSanctuary Campus has enlisted Place of Hope, Inc., a not for profit organization currently operating a campus for 44 children with physical and emotional issues located in unincorporated Palm Beach Gardens, to operate the KidSanctuary facility. Staff received a letter from H. Michelle Windfelder, BA, State Department of Children and Families, dated February 10, 2011, supporting the project. Staff has not been able to obtain any other information about the organization's experience. (PREM) District 6 (HJF)

E. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a Resolution amending the Palm Beach County Health Department Fee Schedule to increase fees for the Office of Vital Statistics for the issuance of birth and death certificates. **SUMMARY:** Section 154.06, Florida Statutes, authorizes counties by resolution to establish fees for services performed by local health departments. This Resolution amends the fee schedule previously approved by Resolution R2007-1863. In total, two fees are being amended for the Office of Vital Statistics. The fee for issuance of a birth certificate is being amended to \$15 from the current \$14, and the fee for issuance of a death certificate is being amended to \$15 from the current \$10. If approved, these fee increases will generate additional estimated annual revenue of \$290,499. The total revenue from these fees for the fiscal year ending June 30, 2010, was \$1,573,378. Revenue from these fees is used to support the Office of Vital Statistics as well as other local community services. Countywide (GB)

5. REGULAR AGENDA

F. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to:

A) approve a Neighborhood Stabilization Program 2 (NSP2) funding award in the amount of \$2,092,075 to the Community Land Trust of Palm Beach County, Inc.;

B) approve a NSP2 funding award in the amount of \$9,500,000 to Neighborhood Renaissance, Inc.;

C) approve a NSP2 funding award in the amount of \$1,132,750 to Westgate/Belvedere Homes Community Redevelopment Agency;

D) direct staff to negotiate the Agreements; and

E) adopt a Resolution authorizing the County Administrator or his designee to execute grant agreements, and amendments thereto, required for projects approved for NSP2 funding through the Residential Redevelopment Grant Program Request for Proposals.

SUMMARY: On November 13, 2010, the Department of Housing and Community Development issued a Request for Proposals (HCDNSP2.2010.2) (RFP) for the County's NSP2 Residential Redevelopment Grant Program (RRGP) to distribute \$20,130,000. A total of nine (9) proposals were received, of which four (4) were deemed responsive, therefore qualifying for funding consideration by the Selection Committee. Notice of the results of the responsiveness review was provided directly to all respondents and was posted on Housing and Community Development's (HCD) website with notice of the Committee meeting. The Selection Committee consisting of five (5) voting members and one (1) non-voting advisory member, met at a public meeting held on March 7, 2011. The Committee ranked the proposals based on the criteria established in the RFP. As a result of that public process, the Selection Committee recommended that the following three (3) entities be awarded funding as follows:

1) Community Land Trust of Palm Beach County, Inc. in the amount of \$2,092,075 for the purchase and rehabilitation of a minimum of 11 single-family housing units for resale or rental;

2) Neighborhood Renaissance, Inc. in the amount of \$9,500,000 for the purchase and rehabilitation of a minimum of 50 single-family and multi-family housing units for resale or rental; and

3) Westgate/Belvedere Homes CRA in the amount of \$1,132,750 for the purchase and rehabilitation of a minimum of 10 single-family housing units for resale or rental.

Funding amounting to \$12,724,825 will be disbursed as grants to the three above named entities. The balance of \$7,405,175 will be reprogrammed and distributed at a later date. All program income earned as a result of sale or rental of the properties purchased with NSP2 funds must be returned to the County. Properties to be acquired must be located in the Urban Redevelopment Area (URA) and must be foreclosed and vacant or owner-occupied. Each of the three agencies awarded funding is required to expend fifty percent (50%) of the awarded funds by December 15, 2011 in order to meet Federal criteria. Authorization of the County Administrator, or his designee, to execute grant agreements with the subrecipients will expedite implementation of the RRGp and the County's ability to meet expenditure deadlines. **These are Federal NSP2 funds that require no local match.** District 2 (TKF)

5. REGULAR AGENDA

G. PUBLIC SAFETY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on May 17, 2011 at 9:30 a.m.:](#) amendments to an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article VII of the Palm Beach County Code (Ordinance No. 2010-001); known as the Palm Beach County Towtruck Ordinance; providing for a title; providing for definitions; providing for towtruck class specifications; providing for required operating permit; providing for new applications/renewals and issuance of towing operating permit and fees; providing for inspection of storage yards and public offices; providing for insurance requirements, providing for towtruck registration, standards and decals; providing for inspection procedures and requirements; providing for non-consent manifest, towing invoice or tow sheet; providing for advertisements; providing for records requirements; providing for an operating permit required to do business with the county; providing for non-consent towing with prior express instruction of real property owner or authorized agent and/or law enforcement agency; providing for notice requirements for non-consent tow services at request of real property owners; providing for non-consent towtruck company requirements; providing for consent-only towtruck company requirements; providing for maximum non-consent towing and storages rates for non-consent tow services; providing for towtruck driver requirements and failure to comply; providing for fraudulent transfer of towtruck companies; providing for deceptive and unfair trade practices, providing for cease and desist orders, providing for assurances of voluntary compliance; providing for enforcement and civil/criminal penalties; providing for administrative enforcement, denial, revocation and suspension of operating permits; providing for additional penalties; providing for hearings and appeals; providing for scope; providing for repeal of laws in conflict; providing for a savings clause; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** In January 2010, the Board of County Commissioners approved a complete rewrite of the Palm Beach County Towtruck Ordinance. After feedback from the towing industry and review by the County Attorney's Office, staff is recommending necessary changes to the Ordinance. The essential changes are: 1) more clearly defines when towing companies located outside of Palm Beach County must secure an operating permit; 2) alters the Towtruck driver I.D. Badge requirements to better comply with state statute 112.011; 3) clarifies that a towtruck company/driver may not act as an agent of a real property owner; and 4) makes it illegal for a towtruck company/driver to be in possession of pre-signed or undated manifests, invoices or authorization forms. There are several other corrections and clarifications. The proposed changes were reviewed and approved unanimously by the Palm Beach County Towing Advisory Committee. Enforcement of this ordinance is funded entirely through license fees. Countywide (GB)

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6. BOARD APPOINTMENTS

A. **ADMINISTRATION**

Treasure Coast Regional Planning Council's Comprehensive Economic Development Strategy Committee

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

A) waiver of prohibited relationship pursuant to Article XIII, the Palm Beach County Code of Ethics for: 1) Seabron A. Smith, who is employed with the Center for Technology, Enterprise & Development, Inc. (TED Center); 2) Gary Hines, who is employed with the Business Development Board of Palm Beach County, Inc.; and 3) Kathryn Schmidt, who is employed with the Workforce Alliance, Inc.; and

B) reappointment/appointment of the following individuals to the Treasure Coast Regional Planning Council's Comprehensive Economic Development Strategy (CEDS) Committee, for the term April 5, 2011, to December 31, 2011:

Reappoint:

Sherry Howard, Director, Palm Beach County Economic Development Office
Seabron A. Smith, Executive Director, Center for Technology, Enterprise & Development, Inc.
Paul Skyers, Management Consultant, Palm Beach County Resource Center, Inc.

Appoint:

Gary Hines, Sr. Vice President, Business Development Board of Palm Beach County, Inc.
Kathryn Schmidt, President/CEO, Workforce Alliance, Inc.

SUMMARY: The Treasure Coast Regional Planning Council (TCRPC) manages and maintains the on-going CEDS Committee, whose purpose it to oversee and guide District-wide economic development planning. The CEDS Plan is a requirement of the U.S. Department of Commerce Economic Development Administration. The CEDS Committee is comprised of five (5) appointees from each of the participating counties: Palm Beach, Martin, St. Lucie and Indian River. Every year the TCRPC will require the appointing authority to review its existing members and either appoint or reappoint members. Prohibited relationship waivers are being recommended for Mr. Smith, who is employed with the TED Center as the agency has one (1) existing contract with the County, Mr. Hines, who is employed with the BDB as the agency has one (1) existing contract with the County; and Ms. Schmidt, who is employed with the Workforce Alliance, Inc. as the agency has one (1) existing contract with the County. The primary objective of the TED Center is to provide business resources/support services for businesses. The BDB provides business recruitment assistance/retention/expansion services. Mr. Smith, Mr. Hines, and Ms. Schmidt have disclosed these relationships 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 appointments of Mr. Smith, Mr. Hines, and Ms. Schmidt and the existing contractual relationships will not create a conflict of interest. Countywide (DW)

6. BOARD APPOINTMENTS

B. **WATER UTILITIES**
(Water Utilities Advisory Board)

1. **Staff recommends motion to approve:** the appointment of one (1) Royal Palm Beach member to the Water Utilities Advisory Board for to fill the remainder of current term effective April 5, 2011, through March 8, 2013:

<u>Seat No.:</u> 11	<u>Nominee:</u> Carlton Brooks	<u>Requirements:</u> Royal Palm Beach Appointee; Current WUD Customer; Resides in PBC	<u>Nominated by:</u> Village - Royal Palm Beach
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SUMMARY: On May 16, 2006, the Board of County Commissioners adopted Resolution No. R2006-0867 establishing an eleventh seat on the Water Utilities Department's Advisory Board (WUAB) to represent the new customers obtained from the acquisition of the Royal Palm Beach utility service area. Pursuant to the WUAB Resolution, the Royal Palm Beach member is to be appointed by the Village of Royal Palm Beach Village Council, and confirmed by the Board of County Commissioners. The Village of Royal Palm Village Council has nominated Carlton Brooks for this position to fill the vacancy left by Marco Bell who was removed from the board due to having more than two (2) unexcused absences as of September 2010. Countywide (MJ)

C. **ENVIRONMENTAL RESOURCES MANAGEMENT**
(Groundwater and Natural Resources Protection Board)

1. **Staff recommends motion to approve:** the reappointments of two (2) at-large members to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning April 5, 2011, through April 4, 2014:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
William Snow	Professional Engineer	1	Palm Beach Chapter – Florida Engineering Society
Allen Trefry	Member of an Environmental Organization	3	Arthur R. Marshall Foundation & Florida Environmental Institute, Inc.

SUMMARY: Ordinance 92-20, as amended, and Article 2.G.3.F. of the Unified Land Development Code (ULDC) provides for a seven (7) member GNRPB. The membership consists of one (1) professional engineer, one (1) attorney, one (1) hydrologist or hydrogeologist, one (1) citizen with business management expertise, one (1) biologist or chemist, one (1) member of an environmental organization, and one (1) concerned citizen of PBC. Ordinance 92-20, as amended, and Article 2.G.3.F. of the ULDC requires Seat No. 1 to be filled by a Professional Engineer and Seat No. 3 to be filled by a member of an environmental organization. No other nominations were received. Countywide (SF)

6. BOARD APPOINTMENTS

D. **COMMUNITY SERVICES**
(Head Start/Early Head Start Policy Council)

1. **Staff recommends motion to approve:** appointment of the following Parent Representatives to the Head Start/Early Head Start Policy Council for a term of three (3) years or less, as indicated on the attached Board Appointment Information Form, effective April 5, 2011:

PARENT REPRESENTATIVE AND ALTERNATE(S) BY CENTER

(R) = Representative (A) = Alternate

<u>Seat ID #</u>	<u>Achievement Center</u>	<u>Seat ID #</u>	<u>My First Steps</u>
22	Lakisha Lashay Graham (A)	30	Linda Delmont (A)

<u>Seat ID #</u>	<u>Tender Love & Care</u>
33	Kellie V. Ephraim (R) Winsome D. Resendiz (A)

SUMMARY: The term of appointment for parent representatives and alternates to the Head Start/Early Head Start (HS/EHS) Policy Council is no more than three (3) years, and requires that the parent representative/alternate be a parent of a child enrolled in the HS/EHS program. The Council is comprised of 33 members, of which nine (9) must be representatives of the community. The remaining membership is comprised of parents whose children are actively enrolled in the HS/EHS program. The HS/EHS Policy Council has recommended these individuals for appointment. (Head Start) Countywide (TKF)

2. **Staff recommends motion to approve:** appointment of the following Community Representatives to the Head Start/Early Head Start Policy Council for a term of three (3) years effective April 5, 2011:

<u>Seat ID #</u>	<u>Community Rep.</u>	<u>Term Expiration</u>	<u>Nominated by:</u>
5	Rosalind D. Simmons	April 4, 2014	Comm. Marcus Comm. Burdick Comm. Taylor
6	Roderick L. White	April 4, 2014	Comm. Marcus Comm. Burdick Comm. Taylor
7	Dr. Mattie R. Shannon	April 4, 2014	Comm. Marcus Comm. Burdick Comm. Taylor

SUMMARY: The term of appointment for Policy Council representatives and alternates to the Head Start/Early Head Start (HS/EHS) Policy Council is three (3) years. The community representatives must represent major public or private agencies, community civic or professional organizations, or parents of former Head Start children. The Council is comprised of 33 members, of which nine (9) must be representatives of the community. The remaining membership is comprised of parents whose children are actively enrolled in the HS/EHS program. The HS/EHS Policy Council has recommended these individuals for appointment. (Head Start) Countywide (TKF)

6. BOARD APPOINTMENTS

E. TOURIST DEVELOPMENT COUNCIL
(Tourist Development Council Board)

1. Staff recommends motion to approve: reappointment of one (1) member “At Large” to the Tourist Development Council Board:

<u>Reappoint</u>	<u>Seat #</u>	<u>Term</u>	<u>Nominated by</u>
William M. Moss	At-Large	4/5/11-4/4/15	Comm. Vana Comm. Abrams Comm. Aaronson Comm. Santamaria Comm. Taylor Comm. Burdick

SUMMARY: The Tourist Development Council Board was established by Resolution No. R81-275, adopted March 3, 1981; Chapter 125.0104 F.S. “The Levy of a Tourist Development Tax pursuant to the “Local Option Tourist Development Act,” Ordinance No. 90-24; as amended by Ordinance No. 91-3; as amended by Ordinance No. 91-45, adopted November 19, 1991; as amended by Ordinance No. 2003-001 on January 7, 2003. This Ordinance sets up the nine (9) member Tourist Development Council Board. One (1) member shall be the Chair of the Board of County Commissioners (BCC) or designee who shall also serve as the Chair of the Council. Of the remaining eight (8) members appointed by the BCC; two (2) members shall be elected municipal officials, one of whom shall be from the most populous municipality in Palm Beach County. Mr. William M. Moss is a West Palm Beach City Commissioner; West Palm Beach is the most populous municipality in Palm Beach County. Commissioner Moss was reappointed by the West Palm Beach City Commission to the Tourist Development Council on January 18, 2011. The elected official of the most populous city is an “at large” seat. Countywide (MC)

F. COMMISSION DISTRICT APPOINTMENTS

APRIL 5, 2011

7. MATTERS BY THE PUBLIC – 7:00 P.M.

APRIL 5, 2011

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

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

B. District 2 – COMMISSIONER PAULETTE BURDICK

Request approval to present off-site, a Proclamation declaring April 29, 2011 as “Liberty Park Elementary School Day” in Palm Beach County.

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

APRIL 5, 2011

<u>PAGE</u>	<u>ITEM</u>	
22	3I-8	<u>REVISED TITLE:</u> Staff recommends motion to approve: Amendment No. 001 to a Loan Agreement A) First Global Modification and Amendment to Mortgage and Loan documents with Congress Park Limited Partnership (R94-1630D) (“Congress Park”) to extend the two (2) loan maturity dates from April 30, 2011, to November 1, 2011; B) Allonge to Promissory Note in the amount of \$288,000; and C) Allonge to Promissory Note in the amount of \$64,000. (HCD)
28	3Q-2	<u>REVISED TITLE:</u> Staff recommends motion to: A) approve a Contract for \$66,805 with the Department of Juvenile Justice (DJJ) to provide monitoring services to juveniles from April 1, 2011, through September 30, 2011; ..B)...C)...D)...E) approve a Contract with Gulfstream Goodwill Industries, Inc. to provide an Alternative Youth Care Program for \$61,000 for the contract period of October 1, 2010, through September 30, 2011 <u>March 1, 2011, through August 31, 2011;...(CJC)</u>
35	5A-2	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: A) waiver of the competitive solicitation process for <u>professional services</u> (legal and consulting services) based on Jerry Wilson, PC, expertise in election law and political redistricting and prior experience with Palm Beach County regarding redistricting; and B) a Contract with Jerry Wilson, PC, a Georgia professional corporation to provide for outside legal services and consultation of proposed Commission district boundary maps based on the 2010 Census to ensure conformance with the 1965 Voters Rights Act, as amended; and contract shall not exceed \$50,000, for the period April 5, 2011, through January 31, 2012 <u>December 31, 2011</u> . SUMMARY: The proposed contract provides for legal and consulting services for the development of proposed Commission district maps based on 2010 Census, guidelines to affirm compliance with traditional redistricting criteria and applicable legal standards, public hearings, assist elections officials in realigning precincts and polling places, if necessary; and all other required redistricting functions. The Contract will not exceed \$50,000. Staff anticipates the redistricting process to be completed by December 2011. Jerry Wilson, PC, specializes in election law and political redistricting. This firm was sub-contracted by FAU/FIU Joint Center, on behalf of the County, during the 2001 redistricting process and will require less time becoming familiar with Palm Beach County which will result in efficiencies and cost savings. <u>Based on these facts, staff is recommending that the competitive selection process for professional services be waived, as authorized by Section 2-54(h) of the Palm Beach County Purchasing Code. Countywide (LB) (Admin)</u>
42	6C-1	<u>DELETED:</u> Staff recommends motion to approve: the reappointments of two (2) at-large members to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning April 5, 2011, through April 4, 2014;...(ERM) (Further staff review)

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 (*).