

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

MAY 1, 2012

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 7 - 22)**

- 4. REGULAR AGENDA (Pages 23 - 26)**

- 5. BOARD APPOINTMENTS (Page 27)**

- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 28)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 29)**

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- 2C-3 Drug Court Month
- 2C-4 National Beach Safety Week
- 2C-5 Certificate of Appreciation to Tivoli Reserve
- 2C-6 National Missing Children's Day
- 2C-7 Small Business Month
- 2C-8 Water Reuse Week

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BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 28)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 29)

STAFF COMMENTS (Page 30)

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2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Congressional Update by Congressman Allen West
2. Proclamation declaring May 19 – 25, 2012 as “Safe Boating Week” in Palm Beach County. (Sponsored by Commissioner Marcus)
3. Proclamation declaring May 2012 as “Drug Court Month” in Palm Beach County. (Sponsored by Commissioner Vana)
4. Proclamation declaring May 21 – 27, 2012 as “National Beach Safety Week” in Palm Beach County. (Sponsored by Commissioner Abrams)
5. Certificate of Appreciation to Tivoli Reserve for their contribution to Fire Rescue. (Sponsored by Commissioner Aaronson)
6. Proclamation declaring May 25, 2012 as “National Missing Children’s Day” in Palm Beach County. (Sponsored by Commissioner Santamaria)
7. Proclamation declaring May 2012 as “Small Business Month” in Palm Beach County. (Sponsored by Commissioner Marcus)
8. Proclamation declaring May 20 – 26, 2012 as “Water Reuse Week” in Palm Beach County. (Sponsored by Commissioner Vana)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) expenditure of \$119,000 to complete Phase 2 of the installation and twenty (20) years maintenance of seventeen (17) "cobra head" streetlights within the Cabana Colony Countywide Community Revitalization Team (CCRT) area;

B) Budget Transfer of \$89,893 in the Capital Outlay Fund from the CCRT Street Lighting Project account to establish a transfer of \$80,000 to the CCRT Street Lighting Maintenance Fund and \$9,893 to the Cabana Colony Street Lighting Project to fund the installation of this project; and

C) Budget Amendment of \$80,000 in the CCRT Street Lighting Maintenance Fund to recognize and appropriate the transfer from the Capital Outlay Fund of \$80,000 for the Cabana Colony Street Lighting Project.

SUMMARY: This street lighting project was initiated by members of the Cabana Colony neighborhood group; the total amount of funding provided for this project is \$119,000. Based on review by the Palm Beach County Sheriffs' Office and the Office of Community Revitalization staff, it was determined that the installation of these streetlights would help reduce crime, enhance pedestrian safety and facilitate safer vehicular movement. District 1 (AH)

B. CLERK & COMPTROLLER

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

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Special	March 1, 2012
Regular	March 6, 2012
Special	March 14, 2012
Retreat	March 21, 2012

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

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) removal of the Guava Avenue pathway project between Southern Boulevard and Papaya Road from the approved Fiscal Year 2011/2012 Pathway Program; and

B) removal of the Pine Avenue pathway project between Southern Boulevard and Papaya Road from the approved Fiscal Year 2011/2012 Pathway Program.

SUMMARY: Approval of the removal of the Guava Avenue and the Pine Avenue pathway projects will preserve the existing narrow swale area along the sides of these roads and eliminate the need for a major and costly reconstruction of the existing roads and their permitted drainage systems. The money associated with these projects (\$78,000) will instead be spent on the contingency projects that were adopted as part of the 2011/2012 Pathway Program. District 2 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: an Integration Certificate in connection with the execution of the ISDA Master Agreement, Confirmation and Schedule (the "Hedge Agreement") for the \$24,500,000 Palm Beach County Variable Rate Demand Revenue Bonds (The Benjamin Private School, Inc. Project) Series 2003 (the "Bonds"), as authorized by Resolution R2003-0555. **SUMMARY:** Bond Counsel for The Benjamin Private School, Inc. provided an Integration Certificate (the "Certificate") identifying a portion of the Hedge Agreement as a "qualified hedge" for purposes of Treasury Regulation Section 1.148-4(h). The Certificate constitutes identification of the qualified hedge as required by that Treasury Regulation. As provided in the Bond Resolution, the County Administrator was authorized to sign the Certificate. The signed Certificate should now be received and filed in the Minutes Department. Countywide (PFK)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:
 - A) Contract for Services with Gulfstream Goodwill Industries, Inc., for the period May 1, 2012, through September 30, 2012, in an amount not to exceed \$505,112, for engagement, interim housing and rapid re-housing services to homeless individuals; and
 - B) Contract for Services with Adopt-A-Family of the Palm Beaches, Inc., for the period May 1, 2012, through September 30, 2012, in an amount not to exceed \$437,836, for engagement, interim housing and rapid re-housing services to homeless families; and
 - C) Contract for Services with The Lord's Place, Inc., for the period May 1, 2012, through September 30, 2012, in an amount not to exceed \$95,626, for navigation and employment services to homeless individuals and families.

SUMMARY: The Senator Philip D. Lewis Center (Lewis Center) will serve as the main point of access for homeless services in central Palm Beach County. Gulfstream Goodwill Industries, Inc. will be the lead facility operator and will provide individual housing placement, ongoing support and oversight of the on-site interim housing. Adopt-A-Family, Inc. will provide family engagement, housing placement and ongoing support and The Lord's Place, Inc. will provide navigation and employment services. The County's Homeless Outreach Team (HOT) and a Health Department staffed medical facility will also be located on site. On March 20, 2012, the BCC approved the Lewis Center opening and funding allocation for the initial phase of operation for FY 2012. Employee, Daniel Gibson of The Lord's Place, serves on a County Advisory Board, the Palm Beach County Homeless Advisory Board. This Board provides no regulation, oversight, management, or policy-setting recommendations regarding this Contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to ratify:** the signature of the Chair on an Application for Federal Assistance, for the period October 1, 2011, through September 30, 2012, in an amount not to exceed \$1,083,486, to request partial funding for the Head Start/Early Head Start Expansion programs. **SUMMARY:** This partial funding request is necessary to sustain enrollment for a six-month period of time in the Head Start/Early Head Start Expansion programs. The Head Start/Early Head Start Expansion programs provide comprehensive child development services to 245 children and their families in Palm Beach County. Services are funded with \$1,083,486 in Federal funds and \$270,872 in County required funds. Sufficient County funding is available in the FY 2012 budget to meet County obligations. The emergency signature process was used because there was not sufficient time to submit this application through the regular agenda process. (Head Start) Countywide (TKF)

3. **Staff recommends motion to approve:**
 - A) Contract for Consulting/Professional Services with Palm Beach County Health Department, for the period April 1, 2012, through September 30, 2012, in an amount not to exceed \$5,000, to provide dental services for children and pregnant women in the Head Start program; and

 - B) Contract for Consulting/Professional Services with Palm Beach County Health Department, for the period April 1, 2012, through September 30, 2012, in an amount not to exceed \$5,000, to provide dental services for children and pregnant women in the Early Head Start program.

SUMMARY: The Division of Head Start has received funds from the Department of Health and Human Services (HHS) to provide dental services. As a result, Head Start is contracting with the Palm Beach County Health Department to provide dental health services for children and pregnant women in the Head Start/Early Head Start programs. Services are funded with \$6,172 in Federal funds and \$3,828 in County funds. Sufficient County funding is available in the FY 2012 budget to meet County obligations. (Head Start) Countywide (TKF)

4. **Staff recommends motion to approve and submit:** Notice of Federal Interest (NFI) in Real Property for the renovation and expansion of the West Palm Beach Head Start/Early Head Start Center. **SUMMARY:** Head Start received a Financial Assistance Award for a one-time American Recovery & Reinvestment Act (ARRA) Early Head Start Expansion renovation project. These funds were used to add an Early Head Start addition to the West Palm Beach Head Start Center. This addition was needed to provide services for 18 additional infants and toddlers, and five (5) additional pregnant women. Grantees receiving Head Start funds for a major renovation project are required to file a NFI to protect the Federal Government's interest in the property. This project was funded through a combination of Federal funds and County dollars. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

A) Acquire Land Runway 9L-27R (10L-28R) at Palm Beach International Airport, Fin. Project No. 416295-1-94-01 approved by the Board on October 7, 2008 (R2008-1741) is hereby extended until December 31, 2012;

B) Extend Taxiway F at Palm Beach International Airport, Fin. Project No. 420347-1-94-01 approved by the Board on October 16, 2007 (R2007-1796) is hereby extended until March 31, 2013; and

C) Connection to County Water and Wastewater Service at North Palm Beach County General Aviation Airport, Fin. Project No. 427134-1-94-01 approved by the Board on October 6, 2009 (R2009-1715) is hereby extended until December 31, 2012.

SUMMARY: Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

2. **Staff recommends motion to adopt:** a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 2 with the Florida Department of Transportation (FDOT) amending the original project description. **SUMMARY:** On September 23, 2008, the Board of County Commissioners (BCC) adopted a resolution (R2008-1636) approving a Joint Participation Agreement (JPA) with the FDOT in the amount of \$1,500,000 or 80% of the eligible project costs, whichever is less, to construct aprons and taxilanes at North Palm Beach County General Aviation Airport. On January 13, 2009, the BCC adopted a resolution (R2009-0080) approving SJPA Number 1 amending the original project description to include construct hangars at North Palm Beach County General Aviation Airport with no increase in funding. The original project is now complete, leaving \$158,000 available for re-programming to another eligible project. The Department of Airports has requested and obtained approval to utilize those excess funds for security improvements at North Palm Beach County General Aviation Airport (North County) and Palm Beach County Glades Airport (Pahokee). The FDOT vehicle for accomplishing this reallocation is a SJPA. SJPA Number 2 amends the original project description to include airport security improvements at North County and Pahokee Airports; and amends the FDOT's participation on the balance of the original project from 80% to 100%. Countywide (AH)

3. **Staff recommends motion to receive and file:** Cargo Building Lease Agreement (Lease) with TUG Technologies Corporation (TUG) commencing April 1, 2012 and expiring September 30, 2013, for the lease of 4,471 square feet of space at 1310-A North Perimeter Road, and a license to use a 670 square feet paved asphalt storage area at the Palm Beach International Airport (PBIA), for payment of rentals in the amount of \$57,005.25. **SUMMARY:** Delegation of authority for execution of the standard form cargo building lease agreement was approved by the Board in R2010-1392. The Lease provides for the use of approximately 4,471 square feet space within the PBIA cargo building 1300, for office administration, and a license to use a 670 square feet paved asphalt storage area, for aviation-related vehicle and equipment maintenance activities associated with TUG's operations at PBIA. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. **Staff recommends motion to receive and file:** General Aeronautical Services Permit with TUG Technologies Corporation commencing on March 20, 2012 and expiring September 30, 2012, renewed automatically on year-to-year basis (10/1 through 9/30). **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2010-0708. Countywide (AH)

5. **Staff recommends motion to receive and file:**
 - A) Lease Assignment from Annie Holdings, LLC (Annie Holdings), assigning all of Annie Holdings' right, title and interest in and to the lease agreement with AA Economy Transmission Specialists, LLC (AA Transmission) as lessee, for lease (AA Transmission Lease) of property at 325 North Military Trail, in West Palm Beach, effective March 14, 2012; and

 - B) Lease Assignment from Annie Holdings, assigning all of Annie Holdings' right, title and interest in and to the lease agreement with PJ Properties, Inc., (PJ Properties) as lessee, for lease (PJ Properties Lease) of property at 327 North Military Trail, in West Palm Beach, effective March 14, 2012.

SUMMARY: On March 14, 2012, closing was completed on the County's purchase of property at 325-327 North Military Trail, west of the Palm Beach International Airport (PBIA) (Parcel W-314), from Annie Holdings, pursuant to the Agreement for Purchase & Sale (R2011-1441) (Agreement). Parcel W-314 is improved with an 8,512 square foot commercial building and is occupied by two (2) existing tenants that operate automotive service businesses: AA Transmission and PJ Properties. The Lease Assignments were executed as part of the Agreement. The current term of the AA Transmission Lease expires October 31, 2012, and current monthly rental is \$2,866. The current term of the PJ Properties Lease expires January 31, 2017, and current monthly rental is \$4,127.18. If all renewal terms are exercised, the AA Transmission Lease will expire on October 31, 2018; and the PJ Properties Lease will expire on January 31, 2022. Countywide (HJF)

6. **Staff recommends motion to receive and file:** Agreement for One-Year Extension and Amendment of Airline-Airport Use and Lease Agreement with American Airlines, Inc. to extend the termination date of the Agreement for one (1) year to expire on September 30, 2012. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2011-0183. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 3 to the Construction Manager at Risk (CMR) Contract with David Brooks Enterprises, Inc. for the miscellaneous repair, replacement and improvement projects for Palm Beach County Department of Airports, exercising the third and final one (1) year renewal option for the continuation of services; and to modify the contract to include language regarding the compliance with E-Verify and Direct Purchase Materials. **SUMMARY:** The CMR Contract with David Brooks Enterprises, Inc. a Palm Beach County company, for the miscellaneous repair, replacement and improvement projects for Palm Beach County Department of Airports was approved on May 20, 2008 (R2008-0848). The Contract is for two (2) years with three (3) - one (1) year renewal options. Amendments No. 1 and No. 2 exercised two out of the three renewal options. Approval of Amendment No. 3 will allow the County, at its sole discretion, to exercise the third and final one (1) year renewal option for the continuation of services provided under the CMR Contract. In addition, approval of Amendment No. 3 will modify the contract to include additional language relating to provisions for State of Florida sales and use tax exemption for County-furnished materials and compliance with Federal requirements that the Contractor utilize the U.S. Department of Homeland Security's E-Verify System, in accordance with the terms governing use of the system, to confirm the employment eligibility of the employees to work in the United States. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total anticipated SBE contract participation is 25%. Countywide (JCM)

8. Staff recommends motion to adopt: a Resolution establishing a standard form Nonconcessionaire Rental Car Operator Ground Transportation Permit (Permit); authorizing the County Administrator or his designee to execute the standard form Permit; repealing in part Resolution 2010-1107; and becoming effective upon adoption. **SUMMARY:** The Resolution adopts a revised standard form Permit for use with non-concessionaire rental car companies at the Palm Beach International Airport, and authorizes the County Administrator or his designee to execute the standard form Permit on behalf of the Board. The Resolution repeals in part Resolution 2010-1107, which adopted a similar permit. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:
 - A) Budget Amendment of \$16,189,340 in the \$16.2M Capital Improvement Revenue Bonds, Series 2012 Fund to budget bond proceeds, costs of issuance, interest expense, and a transfer to the \$16.1M 2009 Bond Anticipation Note (BAN) Fund.

 - B) Budget Amendment of \$15,988,903 in the \$16.1M 2009 BAN Fund to record the transfer from the \$16.2M Capital Improvement Revenue Bonds, Series 2012 Fund and retire the Series 2009 Bond Anticipation Note.

SUMMARY: On March 6, 2012, the Board approved the issuance of the Series 2012 bonds to retire the Series 2009 BAN and to pay the cost of issuance of the bonds. These budget amendments set up the budget for the sale of the Series 2012 Bonds, retiring the Series 2009 BAN, and pay the current year interest expenses. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. **Staff recommends motion to receive and file:** a Resolution of the Town of Jupiter Inlet Colony terminating an Interlocal Agreement with the Town that authorized the County to collect impact fee revenues for permits issued by the Town. **SUMMARY:** Article 13, Impact Fees of the Unified land Development Code, authorizes municipalities issuing development orders to collect impact fees on behalf of Palm Beach County. As an option, municipalities may execute an interlocal agreement and require direct payment of impact fees to the County. The Town of Jupiter Inlet Colony entered into an Interlocal Agreement (R1989-1946D) on September 26, 1989. The Resolution terminates the existing Interlocal Agreement. By terminating the Interlocal Agreement, the Town can collect impact fees. District 1 (LB)

3. **Staff recommends motion to approve:** a Budget Transfer of \$680,000 from the Abacoa Impact Fee Reserve Account to recognize revenue collections and appropriate the expenditure in the Abacoa Impact fee Account Contributions to Other Governmental Agencies for payment to the Northern Palm Beach County Improvement District. **SUMMARY:** This Budget Transfer is necessary to recognize revenue collections. This transfer allows the County to remit road impact fees to the Northern Palm Beach County Improvement District for the construction of Donald Ross Road improvements in accordance with an Impact Fee Agreement (R2000-0155) between Palm Beach County, the Abacoa Development Company, and the Northern Palm Beach County Improvement District. District 1 (LB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Second Amendment to the Lease Agreement (R2002-0889) with Floral Acres, LLC, a Florida limited liability company exercising the second extension option for the continued use of 38 acres for nursery operations located in the Ag Reserve in Boynton Beach, at an annual rate of \$37,580. **SUMMARY:** On June 4, 2002, the Board approved the Lease Agreement with Floral Acres, LLC, for its use of approximately 38 acres of land located in the AG Reserve east of State Road 7 approximately 2 miles south of Boynton Beach Boulevard for use as a container nursery. The initial term of the Lease Agreement was for five (5) years ending on June 3, 2007, with four (4) extension options, each for a period of five (5) years. This Second Amendment consents to the exercise of the second option extending the term of the Lease from June 4, 2012, through June 3, 2017 and updates various standard provisions of the Lease. The annual rent for this extension period is \$37,580. (PREM) District 5 (HJF)

2. **Staff recommends motion to approve:** a First Amendment to the Lease Agreement (R2010-0256) with The School Board of Palm Beach County for its continued use of approximately 10,266 SF of land and a 3,000 SF+/- building located at 1200 45th Street, in West Palm Beach for \$1 a year. **SUMMARY:** On February 23, 2010, the Board approved the lease of a 3,000 SF+/- County owned building and a total of 10,266 SF+/- of land currently supporting three (3) District owned portable classrooms. The School Board utilizes the building and portable classrooms to provide educational services and truancy programs to at risk youths at the Sabal Palm/High Ridge School. This First Amendment modifies Section 1.03 Lease Term to provide a fixed term of 10 years expiring on February 22, 2022, with no extension options. The Amendment also delegates authority to the Director of Facilities Development and Operations to review plans for and provide consent to portable classroom replacements. The Lease may be cancelled by either party for any reason upon one hundred eighty (180) days prior written notice to the other party. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: Amendment No. 004 to an Agreement (R2009-0649) with the City of Lake Worth to extend the expiration date from May 31, 2012, to December 31, 2012. **SUMMARY:** On July 22, 2008, the Board of County Commissioners approved (R2008-1347) the allocation of \$170,000 in Community Development Block Grant (CDBG) funds to the City of Lake Worth. On April 21, 2009, the County entered into an Agreement (R2009-0649) with the City of Lake Worth allocating these funds for park improvements at the Sunset Ridge Park located at 1415 North "D" Street, Lake Worth. **This funding is projected to create one and one-half (1.5) jobs and have a five (5) year Economic Sustainability Impact of \$246,000. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 3 (TKF)

2. **DELETED**

3. Staff recommends motion to approve: Consent for Palm Beach County employee Patricia Barber to receive State Housing Initiative Partnership (SHIP) funds under the Foreclosure Prevention Program as administered by the Department of Economic Sustainability (DES). **SUMMARY:** Patricia Barber has been employed with Palm Tran as a Bus Operator since September of 1995. She is an income eligible applicant who is seeking to receive \$7,425.35 in financial assistance. Ms. Barber is facing foreclosure due to unexpected out of pocket medical expenses. Her home is located at 2912 Avenue H West, Riviera Beach, FL 33404. The home has 1,472 square feet with three (3) bedrooms and two (2) bathrooms. Palm Beach County will secure the assistance to Ms. Barber with a second mortgage on her home. The second mortgage requires no repayment if Ms. Barber resides in the home as her principal place of residence for 15 years. If Ms. Barber rents, sells, or otherwise conveys the home during the 15 year encumbrance period, she will be required to repay the County the entire \$7,425.35. **These are State SHIP funds which require no local match.** (B&HA) District 7 (TKF)

4. Staff recommends motion to receive and file: one (1) Agreement and two (2) Amendments to Agreements, as follows:
 - A) Agreement with the City of Delray Beach under the 2005 Disaster Recovery Initiative Program (DRI2);
 - B) Amendment No. 001 to the Agreement with the City of Delray Beach under DRI2; and
 - C) Amendment No. 002 to an Agreement (R2011-1029) with Neighborhood Renaissance, Inc. under the Neighborhood Stabilization Program 2 (NSP2).**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 above Agreement and Amendments have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator, or designee, in accordance with Agenda Items R2006-1351 and R2009-1122, approved by the Board on July 18, 2006, and July 7, 2009, respectively. The Agreement and Amendments are now being submitted to the Board to receive and file. **These are Federal DRI2 and NSP2 funds which require no local match.** (DES Contract Development) Districts 2, 3, 4 & 5 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to approve:

A) an increase of \$88,462 in the Parks and Recreation Department's funding for the installation of sports lighting control systems under the Energy Efficiency and Conservation Block Grant (EECBG) received from the Department of Energy; and

B) a Budget Transfer of \$88,462 in the Energy Efficiency and Conservation Block Grant Capital Fund to reallocate unspent funds from completed projects a Parks and Recreation Department project.

SUMMARY: The Parks and Recreation Department was originally allocated \$1,125,000 under EECBG for the installation of Green Generation Lighting at four (4) County parks. Work at these parks has been completed and the Parks and Recreation Department has identified the need for sports lighting control systems at West Boynton and Seminole Palms Parks. Sports lighting control systems allow lights to be controlled remotely and enable lights to be turned off as an energy saving measure when an event is cancelled or delayed. The additional \$88,462 will be used at these two (2) parks. These additional funds are unused funds that remain available after the completion of other EECBG funded projects. **These are Federal grant funds which require no local match.** (DES Administration) Districts 3 & 6 (DW)

6. Staff recommends motion to approve:

A) an increase of \$217,681 in the Water Utilities Department's funding for the Digester Biogas Combined Heat and Power Renewable Energy Project under the Energy Efficiency and Conservation Block Grant (EECBG) received from the Department of Energy;

B) a Budget Transfer of \$217,681 from the Competitive Grant Program in the Energy Efficiency and Conservation Block Grant Fund to the WUD Digester Biogas Renewable Energy Project in the Energy Efficiency and Conservation Block Grant Capital Fund; and

C) a Budget Amendment of \$217,681 in the Energy Efficiency and Conservation Block Grant Capital Fund to recognize and appropriate the transfer of funds from the Energy Efficiency and Conservation Block Grant Fund.

SUMMARY: The Water Utilities Department was originally allocated \$1,000,000 for the Digester Biogas Combined Heat and Power Renewable Energy Project at the Southern Region Water Reclamation Facility (SRWRF). The additional \$217,681 became available from another EECBG funded project which was unable to use the funds. These funds will be used for the purchase of a micro turbine to complete the 100% recycling objective at SRWRF by generating power from digester gas. Digester gas is currently being burned in a waste gas flare. The micro turbine will generate mechanical energy which will be converted to electricity for on-site use. **These are Federal grant funds which require no local match.** (DES Administration) District 5 (DW)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, changing the street name of AOS Lane to Puzzle Place, located in Section 27, Township 46, Range 42. **SUMMARY:** Samuel J. Cantor, P.A. representing Sannlor Properties II, LLC has asked the Palm Beach County Board of County Commissioners to rename AOS Lane to Puzzle Place. Upon receiving a copy of the approved Resolution, PZ&B Staff will implement the name change by notifying appropriate parties and agencies. District 5 (RB)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:
 - A) approve** Grant Agreement FWC-11177 with the Florida Fish and Wildlife Conservation Commission (FFWCC) to provide up to \$60,000 funding for construction of an artificial reef at Jupiter Inlet site, expiring August 21, 2012;
 - B) approve** Budget Amendment of \$60,000 in the Environmental Enhancement Saltwater Fund, to recognize the grant for the Jupiter Inlet artificial reef site;
 - C) adopt** Resolution authorizing the Clerk of the Board to disburse \$80,000 from the Vessel Registration Fee Trust Fund to cover the match and ancillary costs associated with this artificial reef project;
 - D) approve** Budget Transfer of \$80,000 from reserves in the Environmental Enhancement Saltwater Fund; and
 - E) authorize** the County Administrator, or his designee, to sign all future time extensions, task assignments, certifications, statements and other forms associated with this document, and any necessary minor amendments that do not change the scope of work or terms and conditions of this document.

SUMMARY: This FFWCC Grant Agreement will reimburse the County up to \$60,000 for placement of about 850 tons of limestone rock at the Jupiter Inlet artificial reef site. The estimated total project cost is \$140,000. The Resolution and Budget Transfer from County Vessel Registration Fees will cover the County's 50% match and ancillary costs associated with the project, a non-ad valorem source. The Grant begins upon execution by both parties and expires August 31, 2012. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve Contract with InWater Research Group, Inc., a not-for-profit corporation, in an amount not-to-exceed \$12,776, to continue nearshore inwater sea turtle monitoring services to be completed by April 30, 2013 in association with the Juno Beach Shoreline Protection Project; and

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

SUMMARY: This Contract continues work that began in 2008 (R2008-0781). Environmental permits for the Juno Beach Shoreline Protection Project require monitoring of sea turtle populations on nearshore reefs to assess the impact of the beach nourishment by monitoring prior to construction and for three (3) years post-construction. The original contract cost \$47,848 and covered monitoring between 2008 and 2012. It is necessary to extend the monitoring for one more year since construction of the Juno Beach project was delayed for a year. The Contract is funded by tourist development taxes and is eligible for cost sharing from Florida Department of Protection. District 1 (SF)

3. Staff recommends motion to approve: annual Contracts with The Vance Construction Co. (Primary) not to exceed the amount of \$1,037,878.75 for the first year of construction, and, Center Marine Contracting, LLC (Secondary) not to exceed \$1,101,344.12 for the first year of construction for Palm Beach County Annual Artificial Reef and Breakwater Project, Project No. 2012ERM01 for a period of 12 months, with the cumulative total of both Contracts not to exceed the amount of \$1,101,344.12.

SUMMARY: The Contracts are being established for constructing artificial reef and breakwater projects throughout the County on an as-needed basis. Four (4) responsive, responsible bids were received for this Project. The Contracts will be awarded to a primary and secondary bidder. The Vance Construction Co., a Palm Beach County company, was the primary lowest responsive, responsible bidder, with 15.86% Small Business Enterprise (SBE) participation, which exceeds the established 15% goal. Center Marine Contracting, LLC, a central Florida company, with 60.84% of the anticipated work by a Palm Beach County SBE subcontractor, was the secondary lowest responsive, responsible bidder. The initial Contract term is 12 months, which may be extended for an additional 24 months upon approval of the Board of County Commissioners. Countywide (JM)

4. Staff recommends motion to approve: Task Order No. 1434-08 to a continuing Contract (R2010-1434) with Coast & Harbor Engineering, Inc. (CHE) in the amount of \$134,054.17 for seagrass monitoring services in association with the Lake Worth Lagoon Partnership Grant Program (LWLPGP), and to acquire 2012 seagrass aerial imagery of the entire Lake Worth Lagoon and Intracoastal Waterway throughout Palm Beach County, and provide data analysis for the seagrass monitoring associated with this Task Order. **SUMMARY:** The Board of County Commissioners approved the Contract with CHE, a Palm Beach County company, on September 14, 2010 (R2010-1434). This Task Order No. 1434-08 authorizes CHE to acquire seagrass aerial imagery for 2012. There is 17% Small Business Enterprise (SBE) and 21% Woman Business Enterprise (WBE) sub-consultant participation on the Task Order. CHE committed to an overall 32.0% SBE-M/WBE participation in the Contract. CHE has achieved 40.4% cumulative SBE-M/WBE participation on the Contract including this Task Order. The work is funded by the LWLPGP and the Manatee Protection Program. Countywide (JM)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: Second Amendment to Contract (R2010-0415) with Kiril Zahariev for the period May 1, 2010, through April 30, 2013, 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 eight (8) years, Kiril Zahariev has been the USA swimming coach at North County Aquatic Complex. The current Professional Services Contract expired on April 30, 2012; however, there is one (1) – one (1) year renewal option available under this contract. This Amendment exercises the final renewal option with Kiril Zahariev through April 30, 2013, in an amount not-to-exceed \$150,000 per year. This amount is unchanged from the current year rate. The contractor utilizes two (2) additional coaches in providing this service. District 1 (AH)

2. Staff recommends motion to:
 - A) ratify** the signature of the Chair on a Waterways Assistance Program (WAP) Grant Application submitted to the Florida Inland Navigation District (FIND) on March 26, 2012, requesting \$50,000 to fund a portion of the planning, design and permitting necessary to redevelop the west side of Burt Reynolds Park;

 - B) adopt** Resolution for Assistance under the FIND WAP for grant funding for Burt Reynolds Park for planning, design and permitting for the west side of the park in the amount of \$50,000;

 - C) authorize** the County Administrator or designee to execute the grant Project Agreement, future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work of the Agreement, if the grant is approved; and

 - D) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with FIND for this project.

SUMMARY: The total cost of the project identified in the FIND WAP Grant Application is \$100,000. This Grant Application requests up to \$50,000 (50%) for planning, design and permitting costs to renovate and redevelop the west side of Burt Reynolds Park. If the grant is awarded, the County will provide a \$50,000 (50%) match from Florida Boating Improvement Program funding. Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator to approve grant documents and the Parks and Recreation Director to act as the Liaison for this project. District 1 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to ratify:** the Chair's signature on a 2012 National Urban and Community Forestry Grant Program Application through the Florida Department of Agriculture and Consumer Services (FDACS) for the period January 1, 2013, through December 31, 2013, which requests \$15,000 from FDACS and provides for a \$15,435 in-kind match of 260 volunteer hours and 505 hours of professional and staff support from ad valorem funding. **SUMMARY:** The County through the Cooperative Extension Service Department submitted a grant application to FDACS entitled "Strengthening Our Community Tree Canopy Through Education – Year II" to develop educational modules, train volunteers and deliver presentations to tree professionals, county and municipal staff, county residents and youth related to improved management of urban tree canopy. The grant application requested \$15,000 from FDACS to continue to fund a part-time Urban Forestry Program Assistant for 25 hours per week for the period January 1, 2013, through December 31, 2013. An in-kind match of \$15,435 (50.25%) consisting of 260 volunteer hours and 505 hours of professional and staff support will be provided by the County if the grant is approved. Since FDACS's time frame for this application did not allow for prior approval by the Board, Commission Chair, Shelley Vana, signed the application on behalf of the Board on March 26, 2012 as authorized under PPM CW-F-003 (Policy B.3). Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to approve:**
 - A) the reinstatement and extension of the Interlocal Agreement (R2010-0661) with Florida Atlantic University from March 31, 2012, to September 30, 2012, to support the Restorative Justice Project; and
 - B) a Budget Transfer of \$27,326 within the JAG-LLEBG ARRA Grant Fund from Reserves to meet continuing funding obligations in the grant programs.**SUMMARY:** The Criminal Justice Commission recommended the use of the American Reinvestment and Recovery Act Justice Assistance Grant Program funds and Criminal Justice Reserve Fund funds, totaling \$100,000 for the project. The extension is to allow for the completion of the grant program. Countywide (PGE)

S. FIRE RESCUE

1. **Staff recommends motion to receive and file:** two (2) original standard agreements for the Fire Rescue Department:
 - A) Interlocal Agreement for Swimming Lessons with the Village of Wellington; and
 - B) Interlocal Agreement for Swimming Lessons with the City of Riviera Beach.**SUMMARY:** On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, two (2) standard County agreements that have been executed by the County Administrator, or his designee (the Fire Rescue Administrator) are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to:

A) adopt a Resolution authorizing the Palm Beach County Health Department to utilize funds in the amount of \$36,567 from the Pollution Recovery Trust Fund (PRTF) to purchase an electric vehicle that will be used to promote clean air and energy conservation;

B) approve a Budget Transfer of \$36,567 in the Pollution Recovery Trust Fund to enable the purchase of the electric vehicle; and

C) approve a Budget Amendment of \$36,567 in the Fleet Management Division Capital Budget Fund for the purchase of the electric vehicle.

SUMMARY: This Resolution will authorize the Fleet Management Division to use \$36,567 from the PRTF to purchase an electric vehicle for the Palm Beach County Health Department. The electric vehicle will be used by the Health Department to promote the benefits of fuel efficient and zero emissions vehicles. Countywide (PGE)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: 2nd Pricing Schedule to the Master Services Agreement (R2009-1055) for maintenance in the amount of \$214,247 and purchase of equipment and other services pertaining to the County's Meridian telephone systems estimated at \$20,000, for a new total of \$234,247 for the period February 1, 2012, through February 1, 2013. **SUMMARY:** This 2nd Pricing Schedule provides a quote for the total cost of maintenance services, purchase of telephone equipment and other PBX-related services for the Meridian telephone systems located at the Judicial Center Complex and Airport Center. ISS Voice Services has reduced the total number of Meridian telephone systems covered by this agreement by one system to reflect current operating configurations. This action will save the County \$14,419 during the term of this 2nd Pricing Schedule. AT&T has offices in Palm Beach County. Countywide (PK)

V. METROPOLITAN PLANNING ORGANIZATION

1. Staff recommends motion to approve: \$2,500 sponsorship for the Urban Land Institute Conference for Southeast Florida on May 4, 2012 in Dania Beach, Florida. **SUMMARY:** The Miami-Dade, Broward and Palm Beach Metropolitan Planning Organizations (MPOs) have been invited to be major sponsors of the half-day conference. The conference will focus on the recent local long range transportation plans and the Regional Long Range Transportation Plan with an emphasis on transit as part of the integrated transportation system. Representatives from the Southeast Florida ports will talk about their plans, programs and opportunities for freight business. The funds would be reimbursed from federal grants. The MPO approved expenditure of federal funds at its April 19, 2012 meeting. Countywide (DR)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: an Agreement with the Office of the State Attorney, Fifteenth Judicial Circuit (SAO15) in the amount of \$57,184.56 for the period of March 28, 2012, through September 30, 2013, to provide services of a specialized investigator to conduct criminal investigations of sexual assault cases with adult victims and Level 1 (serious) domestic violence cases. **SUMMARY:** On January 24, 2012, the Board of County Commissioners approved the acceptance of the Department of Justice, Office of Violence Against Women Fiscal Year 2011 Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program (No. 2011-WE-AX-0027), in the amount of \$906,949 with no County matching funds required. Of the \$906,949 in grant funding, \$57,184.56 will be used to enter into an agreement with the SAO15 to provide investigatory work conducting criminal investigations of cases involving sexual assault with adult victims and Level 1 (serious) domestic violence cases. R2012-0183 authorized the County Administrator or his designee to execute contracts and amendments utilizing funding from the Department of Justice, Office on Violence Against Women on behalf of the Board of County Commissioners. Countywide (PGE)

BB. MEDICAL EXAMINER

1. Staff recommends motion to:
 - A) receive and file** the 2011 Paul Coverdell Forensic Sciences Improvement Grant (2011-CD-BX-0026) through the Florida Department of Law Enforcement to receive \$7,650 to provide forensic anthropology and odontology services, for the period of February 1, 2012, through September 30, 2012; and
 - B) approve** a Budget Amendment of \$7,650 in the General Fund to establish revenue and expenditure budget.

SUMMARY: The National Institute of Justice has awarded a Paul Coverdell Forensic Sciences Improvement Grant to the Palm Beach County Medical Examiner's Office, through the Florida Department of Law Enforcement. The grant funding will be used to provide forensic anthropology and odontology services, which assist in identifying deceased whose identity was unable to be known through other sources and in determining their manner and cause of death. **No County match is required for this grant.** Countywide (PGE)

CC. SHERIFF

1. Staff recommends motion to:
 - A) accept** on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area Program Grant in the amount of \$102,486, for the Palm Beach Narcotics Task Force, for the period of January 1, 2012, through December 31, 2013; and
 - B) approve** a Budget Amendment of \$102,486 in the Sheriff's Grant Fund.

SUMMARY: On February 27, 2012, the Palm Beach County Sheriff's Office received an award from the Office of National Drug Control Policy. The funds will be used for overtime reimbursement and other expenses associated with the Palm Beach Narcotics Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. **Staff recommends motion to approve:** a Budget Transfer of \$206,617 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2012 estimated donation requirement is \$87,670. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETf balance is \$1,793,300. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,586,683. The year-to-date transfer for all donations after approval of this item is \$975,945. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (PGE)

ORGANIZATION	AMOUNT
Alzheimer's Community Care, Inc.	\$10,000
Area Agency on Aging Palm Beach, Treasure Coast, Inc.	\$15,000
Big Dog Ranch Rescue, Inc.	\$25,000
Crime Stoppers of Palm Beach County, Inc.	\$35,000
Dominion Ministries, Inc.	\$4,500
Florida Crime Prevention Association	\$5,000
Palm Beach County Fishing Foundation	\$3,294
Palm Beach County PAL, Inc.	\$28,000
Palm Beach County Sheriff's Foundation	\$30,000
Palm Beach Recovery Coalition, Inc.	\$25,200
West Palm Beach Library Foundation	\$25,623
Total Amount of Donations	\$206,617

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4. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) Amendment Number 1 to the Tri-Party Agreement with the Palm Beach County Supervisor of Elections and Dominion Voting Systems, Inc. (R2011-1536), providing for WinEDS 4.0, Insight Firmware, Edge upgrade to version 5.2.16 and 400C Firmware software upgrades in an amount not to exceed \$117,450;

B) a Budget Transfer \$844,450 to the General Fund Contingency Reserves for funds previously allocated for the purchased of Supervisor of Election's software and hardware upgrades and support services; and

C) a downward Budget Amendment of \$844,450 to reduce the transfer from the General Fund for this project.

SUMMARY: On October 4, 2011, the Board of County Commissioners approved a Tri Party Agreement with the Palm Beach County Supervisor of Elections (SOE) and Dominion Voting Systems, Inc. (Dominion) in the amount of \$961,900 for the development and purchase of Insight Listener software and the purchase of related modems for the purpose of receiving vote totals by modem from the Insight ballot counters in the precincts. In conducting field visits to some of the County's polling locations, the SOE discovered that a number of them had digital telephone lines that did not accommodate analog modems. As a result of the field visits, the SOE and Dominion desire to amend the Agreement to substitute the WinEDS 4.0, Insight Firmware, Edge upgrade to version 5.2.16 and 400C Firmware upgrade in the not to exceed amount of \$117,450, and delete the modems as originally agreed to. Countywide (DW)

2. Staff requests Board direction: on the implementation of a Charter County and Regional Transportation Surtax. **SUMMARY:** Eight (8) different types of local discretionary sales surtaxes are currently authorized in law. Palm Beach County is one of only 9 counties, out of 67, that does not currently levy any local discretionary sales surtax. The Charter County and Regional Transportation System surtax provision is found in Section 212.055(1), Florida Statutes. This provision allows a charter county to levy a discretionary sales surtax, upon voter approval, of up to one percent. Proceeds from this transportation sales surtax may be applied to a wide range of county transportation uses (including operational uses) such as mass transit, roads, bridges, and associated debt service. A one-half percent (.5%) surtax will generate approximately \$103 million annually. The County may, but is not required to, enter into interlocal agreements with county municipalities to expend proceeds from the transportation surtax. The local discretionary sales surtaxes apply to all transactions subject to the state tax imposed on sales, use, services, rentals, admissions, and other authorized transactions. The surtax applies to the first \$5,000 of any single taxable item. The \$5,000 limitation does not apply to the rental of commercial real property, transient rentals, or services. Currently, transportation costs not covered by gas tax are funded through ad valorem tax (property owners). Visitors have a significant impact on the county's roadway and transportation systems, but pay no ad valorem taxes. Levying this surtax will partially shift the funding responsibility to these visitors and create opportunities for reduction of ad valorem taxes and/or funding of other needed programs. The tax can only take effect on January 1st. Consideration of this surtax will have no impact on the upcoming FY 2013 budget. August 10th is the deadline for ballot language for November election. Countywide (PK)

4. REGULAR AGENDA

B. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a Job Growth Incentive (JGI) Grant Agreement with Digital Risk, LLC in the amount of \$75,000 as a portion of the required local match for a State Qualified Target Industry Grant (QTI);

B) a Budget Transfer of \$75,000 from the General Fund Contingency Reserves to the Department of Economic Sustainability JGI Program; and

C) a Budget Amendment of \$75,000 to the Economic Development Fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserves.

SUMMARY: On January 24, 2012, the Board of County Commissioners conceptually approved (R2012-0207) a JGI Grant in the amount of \$75,000 to Digital Risk, LLC (DRLLC). This grant amount is one-half of the local match required by the State to enable the company to receive a \$750,000 tax refund under QTI. The other one-half of the local match will come from the City of Boca Raton. The Agreement requires DRLLC to create 150 jobs by December 31, 2014, with an average wage of \$48,048, excluding benefits. Palm Beach County's economic development incentive will be payable over a period of four (4) years. **This funding is projected to have five (5) year Economic Sustainability Impact of \$130 Million. Funding will come from General Fund Contingency Reserves.** (DES Contract Development) District 4 (TKF)

2. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida repealing Resolution 97-1154 which will dissolve the Emergency Shelter Grant Program (ESGP) Advisory Board; and

B) approve an authorization for the Homeless Continuum of Care Grant Review Committee appointed by the Homeless and Housing Alliance to make funding recommendations for the Emergency Solutions Grant (ESG), and an authorization for the County Administrator or his designee to sign the ESG grant application form and certifications.

SUMMARY: Federal regulations require that the County develop and implement a plan to consult with homeless or formerly homeless individuals in considering and making policies and decisions regarding any ESG funding. This requirement was fulfilled by the ESGP Advisory Board, established by the Board of County Commissioners (Board) on September 2, 1997 via Resolution 97-1154. In recent years, vacancies on the ESGP Advisory Board have proven increasingly difficult to fill, while at the same time other local groups interested in homeless issues have evolved and grown in capacity to better perform the advisory function for ESG. To best serve the interests of the County and the requirements of ESG, it is proposed that the ESGP Advisory Board be dissolved, and that the Homeless Continuum of Care Grant Review Committee appointed by the Homeless and Housing Alliance be authorized to make ESG funding recommendations to the Board. In March 2012, the U.S. Department of Housing and Urban Development (HUD) advised the County of the availability of an additional FY 2011-2012 ESG allocation of \$167,529, contingent on the submission of a funding application no later than May 15, 2012. In order to meet this deadline, approval is sought for the Board to authorize the County Administrator, or his designee, to sign the ESG grant application form and certifications. **These are Federal funds that require a dollar for dollar match which may be provided in the form of cash or in-kind contributions.** (Strategic Planning) Countywide (TKF)

4. REGULAR AGENDA

C. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** an Interlocal agreement with the Village of Palm Springs providing for the annexation of one (1) enclave, generally located on the north side of Dale Road and west of Donald Road, and the transfer of the responsibility for operation and maintenance of the right-of-way segment of Dale Road from the County to the Village. **SUMMARY:** The Board of County Commissioners has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than 10 acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2012-26, adopted on March 29, 2012, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of one enclave consisting of two (2) parcels totaling 0.48 acre, as identified in Exhibit A of the interlocal agreement. The Village has provided written notice to all owners of real property located in the enclave as shown in Attachment 4 (of the Agenda Item). The Interlocal Agreement also provides for the annexation, as well as the transfer of operation and maintenance of the right-of-way segment as identified in Exhibits B and C of the Interlocal Agreement. The annexation has been processed through the County's review departments, including Fire-Rescue, Sherriff's Office, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management and the Office of Financial Management and Budget. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RB)

2. **Staff recommends motion to approve on preliminary reading and advertise for public hearing on May 15, 2012 at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County Florida amending Palm Beach County Code Chapter 14, Article I, Property Maintenance Code (Ordinance 2003-051, as amended by Ordinance 2005-061 and Ordinance 2009-009); amending Section 14-1 (General); amending Section 14-3 (Duties and Powers of Code Official); amending Section 14-4 (Violations); amending Section 14-22 (General Definitions); amending Section 14-32 (Exterior Property Areas); amending Section 14-33 (Exterior of Structure or Building); amending Section 14-35 (Rubbish and Garbage); amending Section 14-36 (Extermination); amending Section 14-41 (General); amending Section 14-45 (Plumbing Facilities and Fixture Requirements); amending Section 14-52 (Common Areas); amending Section 14-54 (Plumbing Facilities and Fixture Requirements); amending Section 14-61 (Definitions); amending Section 14-62 (Nuisances Declared); amending Section 14-63 (Nuisance to be Abated); amending Section 14-64 (Procedure for Enforcement); amending Section 14-65 (Appeal Procedures); adding Section 14-66 (Special Assessment Imposed); adding Section 14-67 (Notice of Assessment); adding Section 14-68 (Collection of Non-Ad Valorem Assessment); adding Section 14-69 (Alternative Method to Collect Assessment); providing for applicability; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Ordinance amends the Property Maintenance Code to create consistency with requirements in other applicable codes, to correct spelling and grammatical errors and to allow the County to recover the cost of abatement of nuisances, if unpaid, through assessment on the tax roll as a non-ad valorem assessment. Unincorporated (SF)

4. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff requests Board direction: regarding the request from the Boynton Beach Community Redevelopment Agency (CRA) to amend the Declaration of Covenants and Restrictions encumbering the Boynton Marina to allow the CRA to demolish an existing building formerly housing the dive shop. **SUMMARY:** The Board considered the CRA's request on January 24, 2012. In response to concerns regarding relocation of the Splashdown Divers dive shop, the Board requested that options to accommodate the dive shop be explored, including providing space within the new/replacement building or renovation of the existing building. Providing space in the proposed new/replacement building is not a viable option as it is in a poor location for the dive shop, is limited in size to 1,500 SF by a Settlement Agreement with the adjacent Marina Village condominium, and the condominium is unwilling to allow an increase in the building size for a retail/dive shop use. Renovation of the existing building could accommodate both the dive shop and the public restrooms desired by the CRA. However, this option would require the CRA to both perform a costly renovation of the existing building and construct a separate 200 sf dockmaster's office as required by the Settlement Agreement with the adjacent Marina Village condominium. The CRA feels that renovation of the existing building would be the most costly option and is not in accordance with its master plan for the marina which would replace the building with open/green space. The CRA is again requesting that the Board allow the CRA to demolish the existing building. If the Board does not approve demolition, the CRA is likely to abandon the project and leave the building in its existing condition, as the Declaration does not require renovation of the existing building, nor does the Declaration require the CRA to lease the existing building to Splashdown Divers. Splashdown Divers agreed to a September 2011 Final Judgment requiring it to vacate the building and has relocated to new space across the street. (PREM) District 4 (HJF)

2. Staff recommends motion to approve: Work Order No. 12-013 with E.C. Stokes Mechanical Contractor, Inc. (R2010-0068) in the amount of \$202,606 for the Supervisor of Elections (SOE) Chiller Replacement and new Energy Management System (EMS). **SUMMARY:** The scope of the project consists of the replacement of the existing chiller (including pumps, piping valves and associated accessories), a temporary chiller for uninterrupted services, and replacement of the existing EMS. The existing equipment has reached the end of its useful life. This project is budgeted as part of the Five (5) Year Countywide Repair, Replacement and Renovation program. This work was competitively bid amongst the pool of (6) annual Heating, Ventilating and Air Conditioning (HVAC) contractors with E.C. Stokes Mechanical Contractors, Inc. submitting the lowest responsive, responsible bid. The Small Business Enterprise (SBE) participation for this Work Order is 25%. When the participation for this Work Order is added to the total participation for the HVAC annual contract, the resulting values is 32.78%. E.C. Stokes Mechanical Contractors, Inc. is a Palm Beach County company. (Capital Improvements Division) District 2 (JM)

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5. BOARD APPOINTMENTS

A. FIRE RESCUE
(Regional Hazardous Materials Oversight Committee)

1. Staff recommends motion to approve: appointments to the Regional Hazardous Materials Oversight Committee beginning on May 1, 2012, through April 30, 2015:

<u>Appoint: Nominee</u>	<u>Seat No.</u>	<u>Category</u>
Sally Waite	1	Department of Emergency Management
Todd Sandt	5	Solid Waste Authority
Darryl Aubrey	3	League of Cities

SUMMARY: The Hazardous Materials Oversight Committee was created in 1998 by Ordinance No. 98-13. Appointments to this five (5) member committee are for three (3) year terms and are composed of members from specific areas of representation. The terms of the committee members are staggered to eliminate replacing the entire committee at one time. The three (3) vacancies have occurred as previous nominees are not eligible for reappointment. Countywide (SB)

B. COMMISSION DISTRICT APPOINTMENTS

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

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

A. HEALTH DEPARTMENT
(Child Care Advisory Council)

1. Staff recommendations motion to approve: appointment of one (1) member to the Child Care Advisory Council to fill the position vacated by Dennis Moore, retired manager of the Palm Beach County Consumer Affairs Division:

<u>Nominee:</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated:</u>
Eugene G. Reavis	4	Consumer Protection Enforcement official	Staff

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

ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

MAY 1, 2012

7. MATTERS BY THE PUBLIC – 2:00 P.M.

MAY 1, 2012

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, CHAIR

Request approval to present off-site, a Proclamation declaring May 11, 2012 as “Provider Appreciation Day” in Palm Beach County.

D. District 4 – COMMISSIONER STEVEN L. ABRAMS, VICE CHAIRMAN

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

Request approval to present off-site, a Proclamation declaring May 1 – 7, 2012 as “National Correctional Officers and Employees Week” in Palm Beach County. (Glades Location)

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

Request approval to present off-site, a Proclamation declaring May 1 – 7, 2012 as “National Correctional Officers and Employees Week” in Palm Beach County. (Gun Club Location)

Request approval to present off-site, a Proclamation declaring May 7 – 11, 2012 as “Senior Corps Week” in Palm Beach County.

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

MAY 1, 2012

<u>PAGE</u>	<u>ITEM</u>	
6	2C-9	<u>ADD-ON:</u> Proclamation declaring May 19, 2012 as “National Hepatitis Testing Day” in Palm Beach County. (Sponsored by Commissioner Burdick)
20	3T-1*	<u>DELETED:</u> Staff recommends motion to: A) adopt a Resolution authorizing the Palm Beach County Health Department to utilize funds in the amount of \$36,567 from the Pollution Recovery Trust Fund (PRTF) to purchase an electric vehicle that will be used to promote clean air and energy conservation;... (Health Department) (Further staff review)
22	3CC-2	<u>REVISED SUMMARY:</u> Staff recommends motion to approve: a Budget Transfer of \$206,617 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff’s Office (PBSO). SUMMARY: Florida Statute 932.7055 requires that no less than 15% of the LETF’s previous year’s revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO’s FY 2012 estimated donation requirement is \$87,670. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO’s support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETF balance is \$1,793,300 <u>\$2,386,914</u> . Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,586,683 <u>\$2,180,297</u> . The year-to-date transfer for all donations after approval of this item is \$975,945. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. <u>Countywide</u> (PGE) (PBSO)
24	4B-1	<u>DELETED:</u> Staff recommends motion to approve: A) a Job Growth Incentive (JGI) Grant Agreement with Digital Risk, LLC in the amount of \$75,000 as a portion of the required local match for a State Qualified Target Industry Grant (QTI);...(DES) (Further staff review)
31	9C	<u>ADD-ON:</u> Request approval to present off-site, a Proclamation declaring April 28, 2012 as “Workers Memorial Day” in Palm Beach County. (Sponsored by Commissioner Vana)

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 (*).