

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 4, 2014

<u>PAGE</u>	<u>ITEM</u>	
9	3A-3	<u>REVISED TITLE:</u> Staff recommends motion to approve: a Contract with Palm Beach State College <u>Board of Trustees for the benefit of the College's</u> Small Business Development Center (SBDC) in the amount of \$94,000 to provide technical assistance and training to small businesses in Palm Beach County for the period of October 1, 2013, through September 30, 2014. (Admin/OSBA)
26	3Q-1	<u>DELETED:</u> Staff recommends motion to: A) receive and file eleven Grant Adjustment Notices to extend the term of the grant with the U.S. Department of Justice, Bureau of Justice Assistance for the Adult Drug Court program, (R2012-0171) through September 30, 2014; and...(CJC) (Further staff review)
40	5G-5	<u>ADD-ON:</u> Staff recommends motion to approve: a Budget Transfer in the amount of \$260,000 within Public Building Impact Fee Fund from reserves to establish a project budget line titled Main Courthouse – 3 rd & 4 th Floor Juvenile Build-out which requires the re-assignment of space at the South County Courthouse to meet the Guardian Ad Litem's (GAL) current space and operational requirements. SUMMARY: The County is required by Florida Statute to provide space for the 15 th Judicial Circuit as well as the Guardian Ad Litem program which is a State agency which provides legal counsel and non-attorney advocates to represent the best interests of a minor child, whose care is the responsibility of the State of Florida and is involved in a dependency case. During the last four years, the number children assigned to GAL has increased by 21% causing increases of 13% and 20% relating to paid staff and volunteers, respectively. At this time additional space is required to; 1) accommodate the staff attorneys, case managers and GAL volunteers, and 2) provide space for records management which meets the requirements for confidentiality. A two part project implemented at the Main Courthouse (\$240,000 Impact Fees) and South County Courthouse (\$27,000 SCC Expansion Bond) are required to provide the GAL expansion space. That same growth in the number of dependency cases has caused the 15 th Judicial Circuit to require a space for an additional Juvenile Magistrate at the Main Courthouse (\$20,000 Impact Fees). Initially the Court did not concur with the proposed scope of work for the GAL South County Courthouse portion of the project, specifically as it related to: 1) maintaining access to private restrooms by Court Staff, and 2) the re-assignment of Room 233 which is currently being used by the Court for furniture storage. County Staff has proposed an option to address the continued access to the private restrooms, but the Court remains in disagreement with the re-assignment of Room 233. It is the position of the County Attorney's Office that the County is responsible for the allocation of space in the Courthouse and that so long as it continues to act reasonably, the County can proceed without the concurrence of the Court. As such, Staff recommends proceeding as planned. (FDO Admin) <u>Countywide</u> (JM) (FDO)

ADD-ON: Staff recommends motion to approve:

A) the Urban Area Security Initiative (UASI) Grant 2011 Award Letter with the City of Miami to receive an additional \$140,000 in reimbursable grant funding to purchase special equipment to assist Palm Beach County in the response and recovery of local disaster events for the period May 21, 2013, through April 30, 2014; and

B) a Budget Amendment of \$140,000 in the Urban Areas Security Initiative Grant Fund to recognize the additional grant funds.

SUMMARY: The award letter from the City of Miami approves the allocation of additional funding to Palm Beach County. These funds will be used to purchase two portable message boards and two portable shelter triage units which will be used by Palm Beach County's Division of Emergency Management in the response and recovery efforts of a local disaster. These additional funds represent unexpended Regional UASI funds that were sought after by the Division of Emergency Management and must be expended no later than February 28, 2014. **No County matching funds are required.** Countywide (PGE) (Public Safety)

ADD-ON, REVISED TITLE & SUMMARY: Staff recommends motion to approve:

A) an Amendment to the Agreement for the Management, Operation and Funding of Palm Beach County's Public Transit System by and between Palm Beach County and Palm Tran, Inc., to add two County employees, the Deputy Director for Fixed Route Operations and the Director of Administrative Services, to maintain the current status of Palm Tran's Maintenance Manager as a County employee, ~~and to allow the County Administrator to designate other positions as County or Palm Tran positions, as appropriate;~~

B) the addition of the Deputy Director for Fixed Route Operations, pay grade E03, to the County's payroll complement; and

C) the addition of the Director of Administrative Services, pay grade E03, to the County's payroll complement.

SUMMARY: On January 9, 1996, the Board of County Commissioners (BCC) approved an Agreement ~~(R96-180)~~ (R96-18D) with Palm Tran, Inc. for the Management, Operations, and Funding of the County's Public Transit System. Staff desires to amend this Agreement to add two additional County management level employees to assist in the day to day operations of Palm Tran, Inc., and to confirm the status of Palm Tran's Maintenance Manager as a County employee. The two additional positions and the Maintenance Manager will participate in the Florida Retirement System. There are adequate funds currently budgeted to fund these positions through the remainder of FY14. Countywide (DR) (Palm Tran)

ADD-ON, REVISED TITLE & SUMMARY; BOARD OF COUNTY COMMISSIONERS SITTING AS THE BOARD OF DIRECTORS OF PALM TRAN, INC. : **Staff recommends motion to approve:** an Amendment to the Agreement for the Management, Operation and Funding of Palm Beach County's Public Transit System by and between Palm Beach County and Palm Tran, Inc., to add two County employees, the Deputy Director for Fixed Route Operations and the Director of Administrative Services, to maintain the current status of Palm Tran's Maintenance Manager as a County employee, ~~and to allow the County Administrator to designate other positions as County or Palm Tran positions, as appropriate.~~ **SUMMARY:** On January 9, 1996, the Board of County Commissioners (BCC) approved an Agreement (~~R96-180~~) (R96-18D) with Palm Tran, Inc. for the Management, Operations, and Funding of the County's Public Transit System. Staff desires to amend this Agreement to add two additional County management level employees to assist in the day to day operations of Palm Tran, Inc., and to confirm the status of Palm Tran's Maintenance Manager as a County employee. The two additional positions and the Maintenance Manager will participate in the Florida Retirement System. There are adequate funds currently budgeted to fund these positions through the remainder of FY14. Countywide (DR) (Palm Tran)

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 (*).

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

FEBRUARY 4, 2014

**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**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 7)

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

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 33)**

- 5. REGULAR AGENDA (Pages 34 - 45)**
ADD-ON: BOARD OF COUNTY COMMISSIONERS SITTING AS THE BOARD OF DIRECTORS OF PALM TRAN, INC. (Page 45a)

- 6. BOARD APPOINTMENTS (Pages 46 - 47)**

- 7. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 48)**

- 8. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 49)**

- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 50)**

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- 2C-2 CPR Day
- 2C-3 2-1-1 Awareness Week
- 2C-4 Women's History Month

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- 3A-2 Small Business Assistance Advisory Committee reappointment

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- 3A-3 Contract with Palm Beach State College Small Business Development Center for technical assistance and training to small businesses

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- 3B-1 Warrant list
- 3B-2 Minutes: None
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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- 3C-3 Resolution to abandon certain drainage and utility easements within Boca Pointe Country Club, Inc. and Boca Pointe Community Association, Inc.
- 3C-4 Local Agency Program Agreement with FDOT for design of County Road 880 – 20 Mile Bend slope protection project

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PUBLIC HEARINGS – 9:30 A.M.

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REGULAR AGENDA

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BOARD APPOINTMENTS (Pages 46 - 47)

BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 48)

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 50)

STAFF COMMENTS (Page 51)

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FEBRUARY 4, 2014

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring February 20, 2014 as “Reverend Pam Cahoon Day” in Palm Beach County. (Sponsored by Mayor Taylor)

2. Proclamation declaring the second Saturday of every February as “CPR Day” in Palm Beach County. (Sponsored by Commissioner Berger)

3. Proclamation declaring February 11 – 17, 2014 as “2-1-1 Awareness Week” in Palm Beach County. (Sponsored by Commissioner Vana)

4. Proclamation declaring March 2014 as “Women’s History Month” in Palm Beach County. (Sponsored by Mayor Taylor)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending R92-13 as amended by R2012-0197, establishing the policy that Palm Beach County shall not do business with nor appropriate funds for any public or private organization which practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity and expression, disability, or genetic information. **SUMMARY:** This amended Resolution will update the County’s non-discrimination in contracting policy to include genetic information as a protected class consistent with the Genetic Information Non-Discrimination Act. Countywide (TKF)

2. Staff recommends motion to: re-appoint one individual to the Small Business Assistance (SBA) Advisory Committee for the seat and term indicated below:

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
John Elliott	1	Certified Black Business Owner	2/15/2014 – 2/14/2017	Comm. Valeche Comm. Burdick Mayor Taylor

SUMMARY: The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code as amended on March 12, 2013. The committee consists of fifteen members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. The SBA Advisory Committee supports the nomination and a memo was sent to the Board of County Commissioners on January 2, 2014 requesting approval of the recommendation for Seat 1. No other nominations were received. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **REVISED TITLE:** Staff recommends motion to approve: a Contract with Palm Beach State College Board of Trustees for the benefit of the College's Small Business Development Center (SBDC) in the amount of \$94,000 to provide technical assistance and training to small businesses in Palm Beach County for the period of October 1, 2013, through September 30, 2014. **SUMMARY:** This Contract provides Palm Beach County's Small Business Enterprise firms with technical assistance and training in the form of direct consulting services in the areas of finance, marketing, management, construction, human resources, business plans and international trade. In addition, SBDC provides local SBE's with services that result in federal certifications, such as 8(a), HUBZone and Small Disadvantaged Business; identify federal contract opportunities for local small businesses; and assist local businesses in submitting bids to local, state, and federal agencies. The total amount of this proposed contract for FY 2014 is \$94,000 and is being made retroactive to October 1, 2013. An audit has been completed for contracted services in FY 2013 and resulted in satisfactory performance. The FY 2013 performance and FY 2014 contracted performance is listed below. Countywide (TKF)

	Deliverables	FY13 Contracted	Achieved As of 9/30/13	FY14 Contracted
	SBDC			
1	Management & Technical Assistance Clients	550	684	600
2	Loans Approved	\$1,330,000	\$1,553,000	\$1,330,000
3	SBDC Seminars	6	6	12
4	Quarterly Report and Client Profile	4	4	4
	PTAC			
1	Management & Technical Assistance Clients	150	157	150
2	Procurement Approved	\$10,000,000	\$11,483,834	\$10,000,000
3	Government Procurement Seminars	18	18	12
4	Certification Training	10	11	10
5	Review of RFP/Bid Process	8	10	8

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:
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 July 2013. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** contracts with Alan Gerwig & Associates, Inc. (AGA) and Bridge Design Associates, Inc. (BDA), to provide the necessary professional services for structural engineering projects on a task order basis, for Palm Beach Countywide (County) projects, as required. **SUMMARY:** Approval of these contracts will provide the necessary professional services for structural engineering throughout the County for all user departments. At the option of the County, these contracts may be renewed annually for a period of one year, with a maximum of two renewals. AGA and BDA are Palm Beach County companies. AGA and BDA are certified small business enterprises. Countywide (MRE)

2. **Staff recommends motion to adopt:** a Resolution to vacate a portion of a utility easement recorded in Official Record Book 5490, Page 1052, being a portion of Parcel A, Polo Club Shops replat, according to the plat thereof, as recorded in Plat Book 113, Pages 151 and 152, both being of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the petitioner, G & I VII Polo Club, LLC, to vacate a portion of a utility easement to allow for redevelopment of the site. The petition site is located west of Military Trail and north of Old Clint Moore Road. District 5 (MRE)

3. **Staff recommends motion to adopt:** a Resolution to abandon all that portion of that certain 40 foot wide drainage easement within Tract "C," Encantada, according to the plat thereof, as recorded in Plat Book 46, Page 104; a portion of that certain 10 foot wide utility easement lying within Tract X-1, Boca Pointe No. 1, according to the plat thereof, as recorded in Plat Book 42, Pages 141 through 143; all of that certain 10 foot wide utility easement lying within Tract X-2-R and a portion of that certain 10 foot wide utility easement lying within Clubhouse Tract R, Boca Pointe Country Club P.U.D., according to the plat thereof, as recorded in Plat Book 90, Pages 56 and 57, all of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow Boca Pointe Country Club, Inc., and Boca Pointe Community Association, Inc. (owners), to vacate these easements to provide consistency with their revised site plan. The petition site is located west of Powerline Road and south of Southwest 18th Street. District 4 (MRE)

4. **Staff recommends motion to:**

A) adopt a Resolution to approve the Local Agency Program (LAP) agreement with the State of Florida Department of Transportation (FDOT) in the amount of \$79,062.45 for the design of a canal bank slope protection project on the eastern most 1.5 miles of County Road 880 (Project); and

B) approve a Budget Amendment of \$79,063 in the Transportation Improvement Fund to recognize the LAP agreement with FDOT and appropriate it to the Project.

SUMMARY: Approval of this LAP agreement will allow Palm Beach County (County) to receive a grant of up to \$79,062.45 (18% matching funds) for the Project whose current estimated design cost is \$96,500. The County will be responsible for all costs above this grant amount. Funds are available in the adopted Five Year Road Program for this design. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, waiving the annual renewal application requirement for property owners whose land is totally or partially exempt from taxation because such property has been dedicated in perpetuity for conservation purposes (Conservation Exemptions) and which Conservation Exemptions have been applied for and granted under Section 196.26, Florida Statutes; and providing for an effective date. **SUMMARY:** The Property Appraiser has requested that the Board exercise its authority under Section 196.011(9)(a), Florida Statutes, to adopt a resolution waiving the annual renewal application requirement for property subject to Conservation Exemptions which have been applied for and granted, as provided under Section 196.26, Florida Statutes. Waiving the annual renewal application requirement for Conservation Exemptions will save public funds and the funds of owners of property entitled to such exemptions. The Board has already waived the annual renewal application requirement for homestead and other property exemptions. Countywide (PFK)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contracts for Consulting/Professional Services with the below-listed agencies, in an amount totaling \$56,080 for services to Head Start and Early Head Start children:
 - A) Palm Beach County Health Department will provide dental services to Head Start and Early Head Start children, for the period November 18, 2013, through September 30, 2014, in an amount not to exceed \$10,000; and
 - B) Nutritious Lifestyles, Inc. will provide nutritional services to Head Start and Early Head Start children, for the period October 1, 2013, through September 30, 2014, in an amount not to exceed \$46,080.

SUMMARY: The Division of Head Start has received funds from the Department of Health and Human Services to provide various services to Head Start and Early Head Start children. As a result, Head Start is contracting with the above-listed agencies to provide these services. The contracts include a termination provision allowing for cessation of services immediately upon written notice. Services will be funded with \$38,196 in Federal funds and \$17,884 in County funds. Sufficient funding is included in the current budget to meet County obligations. (Head Start) Countywide (TKF)
2. **Staff recommends motion to receive and file:** Amendment No. 1 to Compass, Inc. (R2013-0521), increasing funding by \$34,500 for a new total not to exceed amount of \$493,890 for the period March 1, 2013, through February 28, 2014. **SUMMARY:** This Amendment is due to shifts in other HIV service funding and is necessary to ensure ongoing services are not interrupted due to lack of funding. The amendment is for services for HIV affected clients, including Mental Health Services, Non-Medical Case Management, Food Bank/Home Delivered Meals, and Emergency Financial Assistance. Funding of \$34,500 is a reallocation of dollars between the agencies. This receive and file item is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's Office to note and receive this item. This Amendment was executed by the County Administrator in accordance with Resolution R2010-1074, which delegated authority to the County Administrator, or his designee, to sign documents related to the Ryan White Part A HIV Emergency Relief Grant. No County match funds are required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

A) ratify the signature of the Mayor on the U.S. Department of Health and Human Services Compendium of Required Certifications and Assurances SF 424B Form; and

B) receive and file Notice of Award for Amendment No. 3 from the Department of Health and Human Services Administration for Children and Families for the period October 1, 2012, through September 30, 2013 for an increase of \$2,565,161, in an amount not to exceed \$16,431,331 for Head Start/Early Start programs; and

C) receive and file Notice of Award for Amendment No. 4 from the Department of Health and Human Services Administration for Children and Families for the period October 1, 2012, through June 30, 2014 for an increase of \$12,323,499 in an amount not to exceed \$28,754,830, for Head Start/Early Start programs.

SUMMARY: The Mayor's signature was needed on the U.S. Department of Health and Human Services Compendium of Required Certifications and Assurance SF 424B Form. This additional form is part of the Head Start Refunding Grant Application which was signed by the Mayor on June 25, 2013 and approved by the Board on October 22, 2013 (R2013-1378). This Form was later requested by the grantor with instructions to return as soon as possible. The emergency signature process was utilized because there was not sufficient time to submit this required form through the regular agenda process. Amendment No. 3 was executed by the Board on March 12, 2013 and awarded partial funding totaling \$13,866,170 for the period October 1, 2012, through September 30, 2013. The Grant Year 2013-2014 for the budget period October 1, 2013, through June 30, 2014 for Full Day/Full Year Head Start/Early Head Start Program will provide comprehensive child development services to 2,296 children and their families in Palm Beach County. Services are funded with \$12,323,499 in Federal funds, \$3,080,875 in County required funds, \$4,733,233 in additional County funds, and \$454,964 in Children's Services Council funds for a total amount of \$20,592,571 for the budget period October 1, 2013 to June 30, 2014. This will be the final grant period for County operated Head Start/Early Head Start services. Countywide (TKF)

4. Staff recommends motion to approve: Agreement with the Florida Power & Light Company (FPL) – FPL Care To Share Agreement to prevent loss of power for residents of Palm Beach County for the period of January 1, 2014, through December 31, 2018, for an approximate total contract amount up to \$825,000. **SUMMARY:** This FPL Care To Share Agreement enables the Department of Community Services to provide utility assistance to households at risk of their power being disconnected. The Department offers case management for participants to assure that payment through the grant is coupled with a plan that includes a comprehensive service continuum of emergency services, intervention and self sufficiency. A standard upper limit payment of \$500 per participant per grant year is provided. No match is required. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **Staff recommends motion to authorize:** the County Administrator or his designee to execute a Sponsorship Agreement with the Mental Health Association of Palm Beach County, Inc. in the amount of \$3,000 to fund, in part, a series of four community discussions and a half-day conference titled #OK2TALK, focusing on breaking the connection between youth struggling with mental illness and the legal system. **SUMMARY:** The sponsorship assistance being requested in this item will assist the Mental Health Association of Palm Beach County, Inc., a non-profit community organization, in convening a series of public discussions and a half-day conference focusing on an important community mental health issue. County funds will help defray the estimated total cost of \$17,650 for the program. In exchange for the sponsorship, the County will be recognized in promotional materials and be recognized at the events. More importantly, the County will benefit from increased public awareness of mental health issues and will be able to apply information gathered in the sessions to needs considerations that are part of the Financially Assisted Agencies 2014 Mental Health Services Request for Proposals development. Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Nonconcessionaire Rental Car Operator Ground Transportation Permit with Avalon Global Group, Inc. d/b/a Payless Rental Car commencing October 21, 2013, terminating September 30, 2014, automatically renewed on yearly basis (October 1st through September 30th). **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2012-0629. Countywide (AH)
2. **Staff recommends motion to receive and file:** License Agreement with Avis Rent A Car System, LLC (Avis) commencing December 10, 2013 and expiring May 31, 2014, for the parking of vehicles in connection with Avis' rental car operation at the Palm Beach International Airport (PBIA), for payment of a license fee in the amount of \$550 per month, for each 10,000 square feet of overflow parking area used. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. This License Agreement provides for the use of a variable amount of parking area adjacent to the Avis rental car facility at PBIA, for use solely for the parking of vehicles in connection with Avis' rental car operation at PBIA. Because Avis has variable overflow parking needs, the License Agreement provides for adjustment of both the dates and size of the area utilized, for which Avis will pay the license fee. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** an Interlocal Agreement for the Co-Utilization of the Palm Beach County Surplus Property Thrift Store with the Palm Beach Workforce Development Consortium. **SUMMARY:** The Palm Beach County Thrift Store is a municipal investment recovery cooperative involving twelve other area local governments, in addition to Palm Beach County. At present, these twelve partner agencies have interlocal agreements whereby they utilize the Thrift Store for the disposal of their surplus tangible personal property assets. In return, the County receives a sales commission fee for selling items belonging to these agencies. The Palm Beach Workforce Development Consortium has expressed a desire to join the cooperative. It is an independent special district making it eligible to participate. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Amendment No. 1 to the Annual Demolition Contract (R2013-0140) with The BG Group, LLC in the not-to-exceed amount of \$500,000. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Demolition Contract which was awarded to The BG Group, LLC (R2013-0140). The Annual Demolition Contract is an indefinite-quantity contract and this renewal has a maximum value of \$500,000. Staff is bringing forward the Amendment at this time based on the expiration of the first year. This Contract terminates when a total of \$500,000 in work orders is issued or when the one year term period has expired, whichever occurs first. The Contract provides for up to four one-year term renewals each for a not-to-exceed amount of \$500,000 at the sole option of the County. Any work performed will be in accordance with the Contract and the unit-price listing. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. There is a 15% goal for Small Business Enterprise (SBE) participation in this contract. The BG Group's SBE participation to date is 100%. The BG Group, LLC is a Palm Beach County company and is a certified SBE contractor. (FDO Admin) Countywide (JM)

2. **Staff recommends motion to approve:** Contract with Cedars Electro-Mechanical, Inc. in the amount of \$423,375 for replacement of radio tower equipment building located at Jupiter Farms Park. **SUMMARY:** The work consists of removing and replacing the existing radio equipment building, with new electrical service, a/c equipment, and emergency generator, tower guy-wire upgrade to meet wind load requirements and limited site improvements. This work was competitively bid with Cedars Electro-Mechanical, Inc. submitting the lowest responsive, responsible bid. The funding for this project is entirely from the 800 MHz Renewal & Replacement Fund. The total construction duration is 120 calendar days. The goal for Small Business Enterprise (SBE) participation is 15%. The SBE participation in this contract is 30%. Cedars Electro-Mechanical, Inc. is an SBE, Palm Beach County company. (Capital Improvements Division) District 1 (JM)

3. **Staff recommends motion to approve:** a Third Amendment to the Third Restated Agreement (R2004-0257) with the Historical Society of Palm Beach County, a Florida non-profit corporation (Society) for the Society's use of the 1916 Courthouse increasing the Premises by 41 SF and abating rent until October 31, 2018 subject to annual review. **SUMMARY:** In 2009, the Board approved the Third Restated Agreement with the Society for occupancy of 8,695 SF of space within the 1916 Courthouse for operation of the Palm Beach County History Museum and administrative offices for the Society. The Society pays no rent for the Museum space and \$45,127.95 (\$19.40/SF) in rent for their administrative offices. The term of the Agreement runs through 2038. The Society requested that County abate the rent for a period of five years. In addition, the Society has requested exclusive use of a 41 SF custodial closet within the second floor women's bathroom. On November 5, 2013, the Board approved the Society's request subject to review of Society's plans for expenditure of the rental savings. Society has provided a summary of its planned program expansion and has also requested that the required security deposit be reduced from \$250,000 to \$150,000. This Third Amendment: i) expands the premises to include a 41 SF janitorial closet; ii) abates the rent until October 31, 2018, subject to annual review and approval of Society's programs and expenditures; and iii) reduces the required Security Deposit to \$150,000. (PREM) District 2/Countywide (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve:

A) Budget Transfer in the amount of \$181,476 in the 30.5M GO 03 Bond Fund from the Reserves to the Library Annex Project;

B) Budget Transfer in the amount of \$834,446 in the 22.3M GO 06 Bond Fund from the Reserves to the Library Annex Project;

C) Budget Transfer in the amount of \$2,607,029 in the Library Expansion Program Fund from the Reserves to the Library Annex Project;

D) Budget Transfer in the amount of \$1,594,001 in the Library Impact Fees Fund from the Reserves to the Library Annex Project; and

E) Amendment No. 3 to the contract with The Weitz Company, LLC (R2012-1001) in the amount of \$4,311,056 for construction management services for Library Annex located on Cherry Road in West Palm Beach.

SUMMARY: Since 1999, the County on behalf of the Library Department has leased space within the Mil-Lake Plaza located on Lake Worth Road in Greenacres. The final renewal option to the lease will expire March 31, 2015. This Amendment will provide for the construction of a stand-alone facility to meet the Library Department's needs to replace the existing leased space. The Library Annex provides for acquisition, preparation, and storage of library materials, as well as the Outreach Services Section which includes talking books, books by mail, the bookmobile and the volunteer literacy tutoring program. The construction will include structural, mechanical, plumbing, electrical, landscaping irrigation and site improvements. The time of construction is 297 days. The Weitz Company, LLC has a continuing construction management services contract which provides for Small Business Enterprise (SBE) participation goal of 15%. The Weitz Company, LLC's proposed SBE participation for this project is 18.2%. The Weitz Company, LLC is a Palm Beach County firm and is using 71% Palm Beach County subcontractors. Amendment No. 3 is funded by General Obligations Bonds issued in 2003 and 2006, Impact Fees, and Ad Valorem taxes. (Capital Improvements Division) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: appointment/reappointment of the following individuals to the Treasure Coast Regional Planning Council's Comprehensive Economic Development Strategy (CEDS) Committee, for the term February 4, 2014 to December 31, 2014:

Appoint:

Huntley Miller, Manager, Strategic Initiatives, Workforce Alliance

Reappoint:

Tony T. Brown, Executive Director, Riviera Beach Community Redevelopment Agency
Artice "Art" Cobb, Jr., retired

Gary Hines, Sr. VP, Business Development Board of Palm Beach County

Sherry Howard, Deputy Director, PBC Department of Economic Sustainability

SUMMARY: The Treasure Coast Regional Planning Council (TCRPC) manages and maintains the CEDS Committee whose purpose is to oversee and guide District-wide economic development planning. The TCRPC District is comprised of Palm Beach, Martin, St. Lucie and Indian River Counties. The CEDS Committee is a requirement of the U.S. Department of Commerce Economic Development Administration and is comprised of five appointees from each of the participating counties. The TCRPC annually requests the Board of County Commissioners (BCC), as the appointing authority for Palm Beach County, to review its existing members, and to either appoint or reappoint members. Staff recommends the appointment and reappointment of the above five individuals. Mr. Hines of the Business Development Board and Ms. Miller of the Workforce Alliance have disclosed that their respective employers have existing contracts with the County. Staff has evaluated these contractual relationships and determined that the above Committee provides no regulation, oversight, management or policy-setting recommendations regarding any of the disclosed contractual relationships. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (DES Administration) Countywide (DW)

2. Staff recommends motion to approve:

A) a Budget Amendment of \$360,324 in the Housing and Community Development Fund;

B) a Budget Amendment of \$19,264 in the Home Investment Partnership Act (HOME) Fund;

C) a Budget Amendment of \$7,142 in the General Fund; and

D) a Budget Transfer of \$20,636 in the Economic Development Fund.

SUMMARY: On July 16, 2013, the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2013-2014 (R2013-0953) which included the County's allocation of \$7,897,551 from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) Program (\$5,892,217), the Emergency Solutions Grant (ESG) (\$393,491) and the HOME Investment Partnerships (HOME) Program (\$1,611,843). These budget amendments are necessary to adjust the current budget amounts to the authorized funding levels by HUD. **No local match is required to implement the CDBG program; however, the ESG and HOME programs have matching requirements. The ESG Program matching requirement is met through a cash or in-kind contribution by each agency receiving funding and the HOME matching requirement is met from State funds allocated from the State Housing initiatives Partnership Program.** (FALS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve: an Agreement with the City of Lake Worth in the amount of \$212,396 for the period February 4, 2014 to May 31, 2015. **SUMMARY:** This Agreement with the City of Lake Worth provides Community Development Block Grant (CDBG) funding for the construction of a greenway on 9th Avenue South from South B Street to South F Street in Lake Worth. On July 16, 2013, the Board of County Commissioners approved the Fiscal Year 2013-2014 Action Plan (R2013-0950) which allocated \$212,396 for these improvements. **This funding is projected to create eight jobs and have a one year Economic Sustainability Impact of \$411,990. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (TKF)

4. Staff recommends motion to approve: an Agreement with the City of Riviera Beach in the amount of \$188,761 for the period February 4, 2014 to July 31, 2015. **SUMMARY:** This Agreement with the City of Riviera Beach provides Community Development Block Grant (CDBG) funding for the construction of drainage and roadway improvements on West 37th Street between Avenue J and Avenue K in Riviera Beach. On July 16, 2013, the Board of County Commissioners approved the Fiscal Year 2013-2014 Action Plan (R2013-0950) which allocated \$188,761 for these infrastructure improvements. **This funding is projected to create six jobs and have a one year Economic Sustainability Impact of \$331,880. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (TKF)

5. Staff recommends motion to:

A) receive and file Amendment No. 001 to the Agreement (R2013-0384) with Palm Beach County Housing Authority (PBCHA) under the Neighborhood Stabilization Program (NSP3) Program; and

B) approve Amendment No. 002 to the Agreement (R2013-0384) with the PBCHA.

SUMMARY: On January 21, 2013, the County entered into an Agreement (R2013-0384) with PBCHA to provide \$1,408,021.50 in NSP3 funds for the acquisition and rehabilitation of 65 rental units in South Bay. PBCHA spent \$1,023,945.83 for acquisition of the property and other project related expenses, but was not able to commence rehabilitation of the units in time to meet the County's NSP3 expenditure deadline. On January 6, 2014, the parties entered into Amendment No. 001 to the Agreement to reduce the original NSP3 allocation by \$384,075.67. Those funds were moved to other NSP3-eligible projects. The County wishes to replace the NSP3 funds removed by Amendment No. 001 with funds from another grant source so that the rehabilitation work can proceed as planned. Amendment No. 002 replaces the NSP3 funds with funds in the amount of \$384,075.67 from the Community Development Block Grant (CDBG) Program. Rehabilitation will be undertaken in phases and PBCHA is preparing the bid documents for Phase I comprising 16 units. Costs of Phase I in excess of the County's allocation and the cost of subsequent rehabilitation phases will be funded by the PBCHA from other sources. Only Amendment No. 002 is being submitted for Board of County Commissioners (BCC) approval. Amendment No. 001 was executed on behalf of the BCC by the County Administrator, or his designee, in accordance with Agenda Item R2011-0082 as approved by the BCC on January 11, 2011. Amendment No. 001 is now being presented to the BCC to receive and file in accordance with PPM CW-0-051. **These are Federal NSP3 and CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

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 Ballard Shore Drive to Valencia Palms Drive, located in Valencia Palms Plat 1, Plat Book 103, pages 12 - 26. **SUMMARY:** Valencia Palms Property Owners Association has asked the Palm Beach County Board of County Commissioners to rename Ballard Shore Drive to Valencia Palms Drive. Upon receiving a copy of the approved resolution, Planning, Zoning and Building Staff will implement the name change by notifying appropriate parties and agencies. District 5 (RB)

2. Staff recommends motion to approve: reappointment of one member to the Construction Board of Adjustments and Appeals:

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Marc Wiener	4	Registered Architect	American Institute of Architects	2/4/2014–2/3/2017

SUMMARY: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals (the “Board”). American Institute of Architects has renominated Marc Wiener for a term of three years. Per Palm Beach County Ordinance 2012-006, as amended, Palm Beach County Amendments to the Florida Building Code, 2010 Edition, the Board is comprised of seven regular members: one architect; one engineer; one general contractor; one electrical contractor; one HVAC contractor; one plumbing contractor; and any other contractor licensed category. In addition to these members, there should be two alternate members: one member with the qualifications referenced above; and one member at-large from the public. Countywide (SF)

3. Staff recommends motion to approve: reappointment of one member to the Building Code Advisory Board:

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Joseph R. Byrne	9	Contractor	Construction Industry Management Council	2/4/2014–2/3/2017

SUMMARY: The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Construction Industry Management Council has renominated Joseph R. Byrne for a term of three years. The Board is comprised of sixteen members: seven Building Officials, one from each commission election district appointed from nominees submitted by the Building Officials Association of Palm Beach County; seven members appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; and one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Work Authorization No. 4 with Cardinal Contractors, Inc. for the Central Region Reclaimed Water Facility Improvements (CRRWF) in the amount of \$854,451.81. **SUMMARY:** On January 24, 2012, Palm Beach County Board of County Commissioners approved the Contract for Water, Wastewater and Reclaimed Water Improvements Design/Build Services with Calvin Giordano (R2012-0160). On September 10, 2013, the Contract was assigned from Calvin Giordano to Cardinal Contractors to enable bonding capacity with the same design build team members. Work Authorization No. 4 will authorize installation of an influent strainer with booster pump, piping modifications and a maintenance building at the CRRWF. This Work Authorization is necessary to increase the level of automation as this is typically an unmanned facility. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Cardinal Contractors, Inc. provides for SBE participation of 26% overall. This Authorization includes 16.47% overall participation. The cumulative SBE participation, including this Work Authorization is 28.31% overall. Cardinal Contractors, Inc. is not a Palm Beach County company. This project is included in the FY13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 13-009) District 2 (JM)

2. **Staff recommends motion to approve:** a Contract with AKA Services, Inc. to construct the Western Force Main By-Pass and Water System Improvements in the amount of \$2,812,455.60. **SUMMARY:** On October 30, 2013, eleven construction bids were received for the Western Force Main By-Pass and Water System Improvements Project between Forest Hill Boulevard and Okeechobee Boulevard AKA Services, Inc. was the lowest responsive, responsible bidder in the amount of \$2,695,827.40. The total contract for \$2,812,455.60 includes the base bid in the amount of \$2,695,827.40 plus the Alternate Bid No. 1 in the amount of \$116,628.20. The base bid includes the installation of approximately 11,500 linear feet of new 30" force main along the east and west side of Lyons Road/Sansburys Way between Forest Hill Boulevard and Okeechobee Boulevard. This pipe is necessary to reroute flow going from East Central Region Water Reclamation Facility to Southern Region Water Reclamation Facility in case of an emergency. Alternate Bid No. 1 includes the installation of approximately 1,650 linear feet of new 12" water main along the west side of Sansburys Way between Belvedere Road and Okeechobee Boulevard. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. This Contract provides for 13.83% SBE participation. AKA Services, Inc. is a Palm Beach County company. This project is included in the FY13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 13-002) District 2 (JM)

3. **Staff recommends motion to receive and file:** executed Agreement received during the month of December 2013:
 - A) Standard Potable Water and Wastewater Development Agreement with Witt Investments, Inc., No. 05-01113-000 (District 3).

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts/agreements /grants/procurement items must be submitted by the initiating Department as a receive and file agenda item. The document has 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 is now being submitted to the Board to receive and file. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to accept:** an Assignment of Utility Easement by Globex Investment Group II, LLC (Globex) to Palm Beach County (County). **SUMMARY:** Globex desires to assign and convey to the County its interest in the Utility Easement granted on October 14, 1996, by Park Pointe Community Association, Inc, to Maria A. Romanelli Trust, and recorded in ORB 9498 Pg 241 (Utility Easement), subject to the reservation to itself of certain indemnity provisions and requirements of the Utility Easement. The Water Utilities Department recommends to accept the Assignment of Utility Easement. District 2 (MJ)

5. **Staff recommends motion to approve:** a Contract with B&B Underground Contractors, Inc. for Water Treatment Plant No. 11 Raw Water Main for Production Wells PW-9 and PW-10 Contract in the amount of \$422,306.25. **SUMMARY:** On October 8, 2013, four bids were received for Project No. WUD 11-101 to perform construct raw water main piping to serve the future Floridan aquifer production wells PW-9 and PW-10. The award was protested by the second low bidder on November 20, 2013. The Palm Beach County Purchasing Department reviewed the protest letter and Palm Beach County project documents and determined that the protest would not be upheld and the recommended award proceed as posted. The low bidder, B&B Underground Contractors, Inc., is the lowest responsive, responsible bidder in the amount of \$422,306.25. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. While B&B Underground Contractors, Inc. did not achieve the 15% SBE goal in their bid, the Contactor has committed to a SBE participation of 15.52% overall. B&B Underground Contractors, Inc. is a Palm Beach County company. This project is included in the FY13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 11-101) District 6 (JM)

6. **Staff recommends motion to approve:** a Contract with MWH Constructors, Inc. for Water Treatment Plant No. 2 (WTP 2) Filter Replacement in the amount of \$13,896,000. **SUMMARY:** On November 1, 2013, five bids were received for the WTP 2 Filter Replacement Project to replace the existing filter system and to construct a backwash recovery system. The existing steel fabricated filters were installed as a developer-constructed water treatment facility in 1973 (Phase 1) and 1981 (Phase 2), and are nearing the end of their useful life. The replacement filters will be concrete construction to house the filter media which will provide a longer useful life. The addition of backwash recovery will conserve water resources and reduce operating costs. The low bidder, MWH Constructors, Inc., is the lowest responsive, responsible bidder in the amount of \$13,896,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. MWH Constructors, Inc. has met the goal with a participation of 17.83% overall. MWH Constructors, Inc. is a Palm Beach County company. This project is included in the FY13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 12-066) District 2 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 11 with Carollo Engineers, Inc. (R2011-0630) for Water Treatment Plant No. 2 Filter Replacement engineering services during construction in the amount of \$675,933. **SUMMARY:** On May 3, 2011, the Palm Beach County Board of County Commissioners (Board) approved the Contract for Water Plant and Water Resources Engineering Services with Carollo Engineers, Inc. (R2011-0630) to obtain engineering/professional service for utility related projects. This CSA will provide for construction services related to the Water Treatment Plant No. 2 Filter Replacement project. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Carollo Engineers, Inc. provides for SBE participation of 26% overall. This CSA includes 33.05% overall participation. The cumulative SBE participation, including this CSA is 29.67% overall. Carollo Engineers, Inc. is a Palm Beach County company. This project is included in the FY13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 12-066) District 2 (JM)

8. **Staff recommends motion to approve:** Work Authorization No. 4 for 16-inch Reclaimed Water Main (RCWM) extension along Lyons Road from LWDD L-26 to LWDD L-28 Canal with Centerline Utilities, Inc. in the amount of \$614,244.07. **SUMMARY:** On May 7, 2013, the Palm Beach County Board of County Commissioners approved the Water Utilities Department Pipeline Continuing Construction Contract (R2013-0551) to Centerline Utilities, Inc. This Work Authorization No. 4 provides for the installation of 5,500 ft of 16" Ductile Iron Pipe (DIP) reclaimed water main pipe along the west side of Lyons Road between north side of LWDD L-26 Canal and the north side of LWDD L-28 Canal. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Centerline Utilities, Inc. provides for SBE participation of 15%. This Authorization includes 17.07% overall participation. The cumulative SBE participation is 15.47% overall. Centerline Utilities, Inc is not a Palm Beach County company. This project is included in the FY13-14 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 13-041) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) accept a \$40,000 Grant Award No. 13-4100-7090 from National Endowment for the Arts (NEA) supporting the design of a large-scale public art installation by environmental artist/designer Michael Singer, Inc. (MSI) to augment a living shoreline project within the Lake Worth Lagoon, expiring September 30, 2014;

B) waive the requirement for competitive selection and approved professional services, based on the NEA award supporting the MSI Living Shoreline public art sculptural elements;

C) approve a Professional Service Contract with MSI for the design, fabrication, and delivery of sculptural planter elements in an amount of \$47,500;

D) adopt a Resolution authorizing the Clerk of the Board to disburse \$50,000 from the Vessel Registration Fee Trust Fund to provide partial funding for this project and match for Grant Award;

E) approve a Budget Amendment of \$40,000 in the Environmental Enhancement Non-Specific Fund (1225) to recognize the Grant Award;

F) approve a Budget Transfer of \$10,000 in the Natural Areas Fund Manatee Protection Program (1226) to the Bryant Park Living Shorelines Project; and

G) authorize the County Administrator, or his designee, to sign all future time extensions, certifications, and other forms associated with the NEA Grant Award No. 13-4100-7090 and Michael Singer, Inc. Contract that do not change the scope of work or terms and conditions.

SUMMARY: The \$150,000 Bryant Park Living Shorelines Project will create 500 feet of shoreline protection and habitat for oysters, fish and wildlife within the City of Lake Worth. A public art component was added when MSI brought a grant proposal to the County. The \$40,000 NEA Grant Award will be matched by \$40,600 from the Vessel Registration Fee Trust Fund to fund a sculptural art element that will augment a 100 foot portion of the mangrove planters. The remaining Living Shorelines project will be funded from the Natural Areas Fund Manatee Protection Program \$60,000 and Vessel Registration Fee Trust Fund \$9,400. District 7 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: a non-standard Amphitheater Rental Agreement with JM Family Enterprises, Inc., for a company picnic event on February 15, 2014, at Sunset Cove Amphitheater. **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 specific requirement terms of a given renter. JM Family Enterprises, Inc. has requested modifications to the approved standard Amphitheater Rental Agreement language. The modifications clarify the responsibilities and expectations of the County and JM Family Enterprises, Inc., for issues such as cancellation and postponement, minimum and maximum attendance, photography and recording rights, and compliance with public entity crimes certification. County net revenues generated from the company picnic event total \$4,465. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: the following original executed Amphitheater Rental Agreements:

A) The Leukemia & Lymphoma Society, Inc., Light the Night Walk event, Sunset Cove Amphitheater on November 16, 2013; and

B) Jewish Community Center of the Greater Palm Beaches, Inc., Community Hanukkah Candle Lighting event, Canyon Town Center Amphitheater on December 1, 2013.

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 Amphitheater Rental 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 2009-0335, amended by Resolutions 2009-1807 and 2012-1715, and are now being submitted to the Board to receive and file. These events help to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 1,525 persons attended the events produced under these Amphitheater Rental Agreements. District 5 (AH)

3. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreements for community events:

A) Seymour Schatzberg, Gold Coast Dance Band concert; Canyon Town Center Amphitheater on November 16, 2013;

B) South Florida Chamber Ensemble, Inc., South Florida Chamber Ensemble concert; Canyon Town Center Amphitheater on December 7, 2013; and

C) Henry Kleber III, Captain Nasty Band concert; Seabreeze Amphitheater on December 13, 2013.

SUMMARY: The Parks and Recreation Department produced three popular cultural events at our Canyon Town Center and Seabreeze Amphitheaters. These events were attended by an estimated 475 people and generated positive support and goodwill for the County. A sponsorship with GL Homes offset the expenses of the concerts at the Canyon Town Center Amphitheater. 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 Entertainment 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 2008-1109, amended by Resolution 2010-0644, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to receive and file: the following original executed Sound and Light Production Services Contractor Agreements:

A) City Sound and Recording LLC; Gold Coast Dance Band concert, Canyon Town Center Amphitheater on November 16, 2013;

B) City Sound and Recording LLC; South Florida Chamber Ensemble concert, Canyon Town Center Amphitheater on December 7, 2013; and

C) City Sound and Recording LLC; Captain Nasty Band rock concert, Seabreeze Amphitheater on December 13, 2013.

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 Sound and Light Production Services 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 2009-0592, amended by Resolution 2010-0645, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

5. Staff recommends motion to approve: a month-to-month Lease Agreement with Carl P. Marchand, a full-time County employee, at Peanut Island Park. **SUMMARY:** Palm Beach County owns various park sites throughout the County that have facilities for employees who reside on the premises as a condition of their employment. These residents maintain and repair the property on which they reside and are on call 24 hours per day to provide on-site supervision of the Park and report any vandalism, rowdiness, illegal activities, or other suspicious conduct at the Park to law enforcement personnel. Carl P. Marchand will not pay rent but will pay for all utilities and maintain the residence in good and sanitary condition during the term of the Lease Agreement. Districts 1 & 7 (AH)

6. Staff recommends motion to adopt: a Resolution approving a revised standard Amphitheater Rental Agreement form. **SUMMARY:** The Parks and Recreation Department uses a standard Board of County Commissioners' approved Amphitheater Rental Agreement to provide for qualified individuals and organizations to rent any of the County's three amphitheaters. The existing agreement includes delegated authority of the standard Amphitheater Rental Agreement form including delegation of authority to execute the standard form Agreement to the County Administrator, Director, and Assistant Director of the Parks and Recreation Department. This Resolution amends Resolution 2009-0335, as amended by Resolutions 2009-1807 and 2012-1715, by revising the standard Amphitheater Rental Agreement form to include a provision that allows the Department to collect the bulk of the rental fees prior to the rental start date, further clarify responsibilities of the renter, conform to County Code, and update exhibits. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to adopt: a Resolution approving a revised standard Sound and Light Production Services Contractor Agreement form. **SUMMARY:** The Parks and Recreation Department uses a standard Board of County Commissioners' approved Sound and Light Production Services Contractor Agreement which allows the Parks and Recreation Department to hire sound and light production services for entertainment at any of the County's three amphitheaters. The existing agreement includes delegated authority of the standard Sound and Light Production Services Contractor Agreement form including delegation of authority to execute the standard form Agreement to the County Administrator, Director, and Assistant Director of the Parks and Recreation Department. This Resolution amends Resolution 2009-0592, as amended by Resolution 2010-0645, by revising the standard Sound and Light Production Services Contractor Agreement form to further clarify responsibilities of the contractor, clarify signing authority, conform to County Code, and include updated exhibits. Countywide (AH)

8. Staff recommends motion to adopt: a Resolution approving a revised standard Entertainment Contractor Agreement form. **SUMMARY:** The Parks and Recreation Department uses a standard Board of County Commissioners' approved Entertainment Contractor Agreement which allows the Parks and Recreation Department to hire dancers, musicians, and specialty performers at any of the County's three amphitheaters. The existing agreement includes delegated authority of the standard Entertainment Contractor Agreement form including delegation of authority to execute the standard form Agreement to the County Administrator, Director, and Assistant Director of the Parks and Recreation Department. This Resolution amends Resolution 2008-1109, as amended by Resolution 2010-0644, by revising the standard Entertainment Contractor Agreement form to further clarify responsibilities of the contractor, clarify signing authority, conform to County Code, and include updated exhibits. Countywide (AH)

9. Staff recommends motion to approve: Budget Transfer of \$20,000 within Park Impact Fees Zone 1 from Reserves to the Carlin Park Improvements project. **SUMMARY:** This Budget Transfer is necessary to completely fund the construction of two lighted pedestrian crosswalks on State Road A1A in Jupiter. With the increase in the number of special events occurring at Carlin Park and a corresponding increase in attendance, additional event parking is required in the park's oceanfront parking lots. Because many special events occur at night, lighting the crosswalks is necessary to ensure patron safety. Runway type lights were selected for installation to reduce the nighttime glow in the sky and minimize the potential for sea turtle disorientation. The estimated cost of this project is \$126,793. There is current budget of \$106,793 available in this project from Park Impact Fees Zone 1 and 2005 \$25M General Obligation Bond funding; however, an additional \$20,000 is needed. Funding for this Budget Transfer is from the Park Impact Fees Zone 1 reserve. District 1 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. ~~**DELETED: Staff recommends motion to:**~~

~~**A) receive and file** eleven Grant Adjustment Notices to extend the term of the grant with the U.S. Department of Justice, Bureau of Justice Assistance for the Adult Drug Court program, (R2012-0171) through September 30, 2014; and~~

~~**B) approve** Contracts with the below listed agencies for substance abuse treatment with for the period October 1, 2013, through September 30, 2014:~~

~~1) Counseling Services of Lake Worth, Inc. for \$40,000;~~

~~2) Drug Abuse Foundation, Inc. for \$32,000; and~~

~~3) Drug Testing and Counseling Services, Inc. for \$20,000.~~

SUMMARY: Since 2011, Palm Beach County has used the award from the U.S. Department of Justice to facilitate the expansion and enhancement of Palm Beach County Drug Court. Using the prescription drug epidemic and subsequent reaction by state and local law enforcement, Palm Beach County wrote and received this grant to make inroads into the problem. The grant has allowed additional clients to participate in the Adult Drug Court program who have a particular addiction to prescription drugs. The grant has increased the participation of the specialized component within Adult Drug Court. As the grant neared its planned end, staff foresaw that all the funding would not be spent, since there was a continued need for this modality, a grant extension was requested as the government shutdown was pending. Staff reassignments at the U.S. Department of Justice created the delay in the finalization of the extension. In addition, Alton Taylor has disclosed that he is employed by the Drug Abuse Foundation, Inc. and is a member of the Public Safety Coordinating Council. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contracts. Disclosure of this contractual relationship at a duly noted public meeting is being provided in accordance with the provisions of Sec. 2-433, of the Palm Beach County Code of Ethics. Countywide (PE)

2. Staff recommends motion to approve: reappointment of the following individuals to the Criminal Justice Commission for the period February 4, 2014, through December 31, 2016:

<u>Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Mr. William Kramer	33	12/31/16	Economic Council

SUMMARY: The Criminal Justice Commission is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated Mr. William Kramer for reappointment effective February 4, 2014. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: a First Amendment to Professional Services Agreement with Palm Beach County Firefighters Employee Benefits Fund to require a physical stress test as a component to the annual medical physical effective retroactively to December 1, 2013, for Palm Beach County Fire Rescue employees. **SUMMARY:** The components of the Palm Beach County Fire-Rescue Wellness Program established by the Collective Bargaining Agreement (CBA) include the provision of a Fire Department Physician, the administering of medical physical examinations and drug testing for Fire-Rescue employees. The Palm Beach County Fire-Rescue Wellness Steering Committee (Committee) is comprised of staff appointed by the Fire-Rescue Administrator and the Professional Firefighters/Paramedics of Palm Beach County (Local 2928), to direct, establish guidelines, make recommendations and evaluate the Fire-Rescue Wellness Program. On November 4, 2013, the Committee discussed and unanimously approved the addition of a physical stress test to the components of the medical physical required by Exhibit B to the Professional Services Agreement with Palm Beach County Firefighters Employee Benefits Fund (R2013-1048) approved by the Board of County Commissioners on August 13, 2013. The Committee has approved this First Amendment to revise Exhibit B to include the additional component. Countywide (SGB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:
 - A) **approve** the Agreement for network supplemental services with Palm Beach County and Boca Raton Regional Hospital, Inc. for an annual revenue total of \$1,200; and
 - B) **authorize** the County Administrator or his designee, ISS Director, to approve and execute Task Orders associated with these services, up to a maximum dollar value of \$50,000 per Task Order.

SUMMARY: Boca Raton Regional Hospital, Inc. is requesting network supplemental services to hand-off their internal network connection to the Florida LambdaRail LLC, which will enable the transfer of active data sessions from one network to the other. This Agreement takes effect on March 1, 2014 and will generate revenues of \$100 per month (totaling \$700 for FY 2014), plus a one-time reimbursement for installation costs (estimated at \$250). The Florida LambdaRail LLC has approved connection of Boca Raton Regional Hospital, Inc. under a separate agreement directly with Florida LambdaRail LLC. District 4 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to:

A) rescind the Interlocal Agreement (R2010-0279) dated February 23, 2010;

B) approve the Interlocal Agreement for network services with Palm Beach County and the Health Care District of Palm Beach County for an annual revenue total of \$50,700; and

C) authorize the County Administrator or his designee, ISS Director, to approve and execute Task Orders associated with these services, up to a maximum dollar value of \$50,000 per Task Order.

SUMMARY: The Health Care District of Palm Beach County (HCD) has an existing network services agreement with Palm Beach County (R2010-0279). This Interlocal Agreement will be replaced with a new Interlocal Agreement to increase network bandwidth at the Trauma Hawk location and connect ten additional HCD locations to the County network. The new Interlocal Agreement takes effect on March 1, 2014 with automatic annual renewals unless terminated, and will increase FY 2014 revenues by \$24,675 (March 2014 – September 2014), for a total of \$33,075. In addition, the Agreement requires HCD to fully reimburse the County for installation costs (estimated at \$35,580). The Florida LambdaRail LLC has approved connection of HCD to the Florida LambdaRail. Countywide (PFK)

3. Staff recommends motion to approve:

A) a new rate structure applicable to backup and disaster recovery services provided by Palm Beach County Information Systems Services (ISS) to external agencies; and

B) an additional transport fee for network services provided by Palm Beach County ISS to external agencies.

SUMMARY: Recent discussions with potential collaboration partners have confirmed interest in ISS providing backup and disaster recovery services to external agencies already connected to the County's network. Board approval is requested to establish a rate structure for this new line of ISS services along with a related additional monthly transport fee for network services. The proposed rates were established based on an analysis of market pricing for similar services and will be applicable to all future agreements for such services provided to external agencies. The network services transport fee is based on ISS' internal costs of peak network usage required for agency data backups. This additional service offering builds upon Palm Beach County's program of collaboration with public sector agencies which has resulted in mutual benefits, including service improvements for the connected agencies, cost savings to the taxpayers, and revenues to the County. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to approve: a Budget Amendment of \$693,652 in the E911 Wireless Fund reflecting an adjustment for balances forward and operating expenses. **SUMMARY:** This Budget Amendment is necessary to adjust the FY 2014 budget to reflect the differences between actual and estimated revenues and expenditures of FY 2013. This amendment adjusts the balances forward and expenditure accounts to their audited balances. Public Safety plans to use these monies for a hardware/software update project for Next Generation 911 that will begin in February 2014. Countywide (PGE)

2. Staff recommends motion to:

A) receive and file the executed Memorandum of Agreement with the City of Miami, a municipal corporation of the State of Florida, as a fiscal agent for the Miami Urban Area Security Initiative (UASI) Grant Program 2012 to receive \$217,719.87 in reimbursable grant funding effective January 3, 2014, through April 30, 2014; and

B) approve a Budget Amendment of \$217,720 in the Urban Areas Security Initiative Grant Fund to recognize the grant award.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. The UASI awarded \$217,719.87 to the County, of which \$133,908.48 will be used to fund jurisdictional fire, health, emergency management and other approved anti-terrorism activities; \$17,411.39 towards regional training to improve operational readiness of disaster responders in the region; and \$66,400 for enhancement of the Citizen Corps program fostering self sufficiency during a disaster. R2013-0622 authorizes the County Administrator or his designee to execute all UASI sub-grant contracts on behalf of the Board of County Commissioners, for the UASI Grant Program in any given year. **No County matching funds are required.** Countywide (PGE)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to approve: appointment/reappointment of the following individuals to the Consumer Affairs Hearing Board:

A) appoint two new members for the term from February 4, 2014 to September 30, 2016:

<u>Nominee</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Recommended by:</u>
Martin Lipnack	2	Citizen/Resident	Mayor Priscilla Taylor Vice-Mayor Paulette Burdick Commissioner Hal Valeche
Michael Carter	3	Citizen/Resident	Vice-Mayor Paulette Burdick Commissioner Hal Valeche

B) reappoint one member for the term from February 4, 2014 to September 30, 2016:

<u>Nominee</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Recommended by:</u>
Manohar Athavale	4	Citizen/Resident	Commissioner Hal Valeche Commissioner Shelley Vana

SUMMARY: The Consumer Affairs Ordinance approved by Board of County Commissioners on December 17, 2013, and codified in Chapter 9, Article I of the Palm Beach County Code, establishes a seven member Consumer Affairs Hearing Board (“Hearing Board”). The Hearing Board serves in both an advisory capacity to the County Commissioners and as an appellate board, hearing administrative appeals filed by persons disputing staff decisions concerning the towing, vehicle for hire, and moving industries. A memo was sent to all Board members on December 23, 2013 seeking nominations for the above three at-large seats. Countywide (PGE)

Z. RISK MANAGEMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, designating Palm Beach County, a Political Subdivision of the State of Florida, a “Hybrid Entity” for the purposes of the HIPAA Privacy Rule. **SUMMARY:** Palm Beach County is an organization that performs both covered and non-covered functions under the Health Insurance Portability and Accountability Act of 1996 (HIPAA). As a Covered Entity, the County has a legal responsibility to comply with the Privacy Rule. Under HIPAA, the County is provided the option to restrict the application of the Privacy Rule to certain parts of its organization. By designating only health care components of the County, which include the Fire Rescue Department, the Department of Senior Services, the County’s health, dental, and flexible spending plans, and the Employee Assistance Program, this designation will make the County a “Hybrid Entity” under the Privacy Rule. This action will administratively separate the County’s healthcare components from its non-healthcare components for purposes of the Privacy Rule. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving Supplemental Number 4 Joint Participation Agreement (JPA-407188-1) with the State of Florida Department of Transportation (FDOT), in the amount of \$4,765,719 to provide funding assistance to offset the operating costs of providing transit services to the public; establishing an effective date; and

B) approve a Budget Amendment of \$10,785 in Palm Tran's Grant Fund for FY 2014 in order to reconcile the budget to the actual grant award; and

C) approve a Budget Amendment of \$10,785 in Palm Tran's Operating Fund for FY 2014 in order to reconcile the budget to the actual grant award.

SUMMARY: On February 23, 2010, the Board of County Commissioners (BCC) approved a five year Agreement (R2010-0285) with FDOT to provide funding from the Public Transit Block Program to offset the operating costs of providing fixed route transit services in Palm Beach County. This JPA will provide operating funding in the amount of \$4,765,719 for year five of the Agreement bringing the cumulative total to \$45,354,606. The JPA requires a 50% match of \$4,765,719 which was included in Palm Tran's BCC-approved FY2014 budget. Countywide (DR)

2. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving Supplemental Number 4 Joint Participation Agreement (JPA-407184-1) in the amount of \$334,230 with the State of Florida Department of Transportation (FDOT), to provide additional funding to assist mass transit operating in non-urbanized areas of Palm Beach County; establishing an effective date; and

B) approve a Budget Amendment of \$77,179 in Palm Tran's Grant Fund for FY 2014 in order to reconcile the budget to the actual grant award; and

C) approve a Budget Amendment of \$77,179 in Palm Tran's Operating Fund for FY 2014 in order to reconcile the budget to the actual grant award.

SUMMARY: On January 12, 2010, the Board of County Commissioners approved a five year Agreement (R2010-0118) with FDOT to provide Section 5311 grant funds to assist with mass transit operating expenses in non-urbanized areas of Palm Beach County. Palm Tran will be utilizing the funds exclusively for operational expenses of fixed route service in the Lake Region, (Routes 40, 47 and 48). This JPA will provide operating funding in the amount of \$334,230 for year five of the grant agreement bringing the total amount of the original Agreement to \$2,681,974. The JPA requires a 50% match of \$334,230 which was included in Palm Tran's Board-approved FY 2014 budget and is made up of funding from the local option gas tax. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, finding that a certain County-owned bus is not needed for County's transit system or any other County purpose; authorizing the sale, conveyance and transfer of a bus to the City of Pahokee; approving an Agreement with the City of Pahokee regarding the sale, conveyance and transfer of a bus; establishing an effective date; and

B) approve an Agreement for the sale, conveyance, and transfer of one 2001 Gillig 35 ft. bus to the City of Pahokee, Florida, for the sum of \$1,516.67.

SUMMARY: Palm Tran needs to dispose of one 2001 Gillig 35 ft. bus that has reached its useful life and may be sold or transferred with the Federal Transit Administration's (FTA) approval. The City of Pahokee has approached Palm Tran and expressed a desire to acquire the bus. Further, they have affirmed that they are an entity qualified and eligible to receive a conveyance of personal property from Palm Beach County in accordance with the requirements of Section 125.38, F.S., and that they desire to use the bus for the public or community interest and welfare. Palm Tran will submit the Board's Resolution to the FTA and request written approval to transfer the bus for the agreed sum of \$1,516.67. This bus was purchased using 100% Federal funds. Countywide (DR)

BB. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to:

A) approve a transfer of one full-time vacant position for a Director of Airlift Relations from the Department of Airports to the Tourist Development Council;

B) approve Second Amendment to the contract (R2012-1320) for Discover Palm Beach County, Inc. to reduce contract by \$250,000 for Airlift Development;

C) approve Budget Transfer of \$250,000 from other contractual services (used to pay Discover Palm Beach County, Inc.) to TDC Airlift to appropriate funding for the transferred position; and

D) adopt the current Travel and Entertainment Policy of Discover Palm Beach County, Inc. to supplement the Palm Beach County PPM CW-F-009 for airline relations position under the Tourist Development Council.

SUMMARY: The active position of airlift development has been under the direction of Discover Palm Beach County, Inc. (Discover), by agreement between Discover and the Department of Airports since May 23, 1995, funded by Palm Beach International Airport (PBIA) through a transfer of funds to the Tourism Promotion Fund. This proposed change in oversight to the Tourist Development Council Administration from Discover, allows for a broader more targeted airlift program development providing service to all agencies contracted by the TDC. The cooperative effort between the TDC Administration and PBIA will allow this position to be a Board of County Commissioners position but fully funded by the Airport Enterprise Fund. Countywide (DW)

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4. PUBLIC HEARINGS – 9:30 A.M. (Motion to receive and file: Proof of publication)

- A. **Staff recommends motion to adopt:** a Resolution to abandon any public interest in a portion of the unimproved 30 foot wide right-of-way lying within the plat of Palm Beach Farms Company Plat No. 9, as recorded in Plat Book 5, Page 58, Public Records of Palm Beach County, Florida and to execute a utility easement over the entire area to be abandoned. **SUMMARY:** Adoption of this Resolution will allow the petitioner, Arrigo Enterprises LLC, to abandon this portion of the unimproved right-of-way that is surrounded on all sides by their existing site to allow the petitioner greater flexibility in developing their property. District 2 (MRE)

- B. **Staff recommends motion to adopt:** a Resolution to abandon any public interest in a portion of a 20.10 foot wide drainage easement within a portion of Parcel B-2 of the plat of Boynton Beach Enterprise Center Plat No. 2, as recorded in Plat Book 79, Page 152, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the petitioner, BHC Holdings, LL, LLC, to abandon a portion of the easement in excess of requirements and allow for redevelopment of the site. The petition site is located east of Florida's Turnpike and south of Boynton Beach Boulevard. District 5 (MRE)

- C. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Section 12-57, codifying Palm Beach County Ordinance No. 98-29, as amended, pertaining to the County Fire Code Board of Appeals and Adjustments; incorporating uniform policies and procedures for County advisory boards and providing for an effective date. **SUMMARY:** Ordinance No. 98-29, as amended, created the County Fire Code Board of Appeals and Adjustments. The Board adopted Resolution No. 2013-0193, imposing specific requirements on County advisory boards, such as the County Fire Code Board of Appeals and Adjustments. This Ordinance amends County Code Section 12-57 to provide that the uniform policies and procedures in Resolution No. 2013-0193 will apply to the County Fire Code Board of Appeals and Adjustments. Countywide (PFK)

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, providing for a countywide referendum to be held in the General Election on November 4, 2014, for the purpose of determining whether the Children's Services Council of Palm Beach County shall be reauthorized to continue in existence as a district with voter-approved taxing authority within Palm Beach County; providing for referendum, ballot language and notice; providing for absentee and early voting; providing for referendum results; providing for severability; and providing for an effective date. **SUMMARY:** This Resolution would schedule a referendum at the November 4, 2014 General Election to determine whether the Children's Services Council of Palm Beach County shall be reauthorized to continue in existence providing early learning and reading skills, development, treatment, preventative and other children's services in Palm Beach County. Countywide (TKF)

B. ADMINISTRATION

1. Staff requests Board direction regarding: (1) The commissioning of a disparity study to assess whether there is disparity in the utilization of Minority and Woman-Owned Business Enterprises (M/WBE) in contracting in the areas of construction, professional services and goods and services with Palm Beach County and whether any identified disparity is a result of discrimination; (2) if a study is directed, determine if the study should be multi-jurisdictional to include the Solid Waste Authority; and (3) if a study is directed, determine whether the county should define the market area as Palm Beach County or allow the consultant to expand the geographical market area. **SUMMARY:** On December 3, 2013, the Board directed staff to prepare an agenda item to facilitate discussion regarding the commissioning of a Disparity Study in order to assess whether there is disparity in the utilization in Palm Beach County contracting with Minority/Woman-Owned Business Enterprises (M/WBEs), and if so, whether any disparity is a result of discrimination. Countywide (TKF)

5. REGULAR AGENDA

C. AIRPORTS

1. **Staff recommends motion to approve:** an Agreement for Purchase and Sale by a supermajority vote, for the following property at a purchase price of \$640,000. The property is located south of Runway 32 at the Palm Beach International Airport (PBIA):

Seller: GAM Realty (USA) LLC (f/k/a GAM Realty, LLC)
PBIA Parcel No.: Parcel S-5
Property Addresses/Parcel Control No.:
80 East Grace Drive/PCN 00-43-44-05-05-000-0181
2801 Homewood Drive/PCN 00-43-44-05-00-003-0030
2805 Homewood Drive/PCN 00-43-44-05-00-003-0040
West Palm Beach, FL 33406

Purchase Price:	\$ 640,000
Replacement Housing:	\$ N/A

SUMMARY: The property consists of three parcels and contains a total of approximately 1.84 acres. The property is located northeast of East Grace Drive and south of the C-51 Canal and the Australian Avenue/Congress Avenue flyover. The property is vacant and there are no improvements. The property was appraised at \$640,000 by Anderson & Carr, Inc., and an appraisal review statement has been prepared by an independent review appraiser, Edward E. Wilson, ASA, supporting the appraiser's analysis and value conclusion. **Pursuant to the PREM Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

D. COOPERATIVE EXTENSION SERVICE

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

A) First Amendment to the Agreement (R2013-0201) with the Friends of the Mounts Botanical Garden, Inc. for funding of a gardener position to assist in the care and maintenance of The Mounts Botanical Garden of Palm Beach County;

B) a Budget Amendment of \$47,279 in the Cooperative Extension Revenue Fund to recognize new funding; and

C) a Budget Transfer of \$18,911 from the General Fund Contingency to Fund 1482 Cooperative Extension Revenue.

SUMMARY: The Friends of the Mounts Botanical Garden, Inc. will provide funding to the County in amount not to exceed \$28,368 (\$18,718 for salary and \$9,650 for fringe benefits) to support 60% of a gardener position beginning February 5, 2014 and ending on February 4, 2015. Palm Beach County will be funding the remaining \$18,911 (\$12,478 for salary and \$6,433 for fringe benefits) at a funding level of 40% for a total of \$47,279. The position will continue to support The Mounts Botanical Garden of Palm Beach County. District 7 (AH)

5. REGULAR AGENDA

E. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) approve on preliminary reading and advertise for public hearing on March 11, 2014, at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, Chapter 2, Article V, Division 5 (Ordinance No. 1988-16, amended by Ordinance No. 1989-003, amended by Ordinance No. 1990-038, amended by Ordinance No. 1992-014, amended by Ordinance No. 1992-025, amended by Ordinance No. 1993-001, amended by Ordinance No. 1993-035, and amended by Ordinance 1995-006); relating to the Criminal Justice Commission of Palm Beach County; amending Section 2-216 (Created); amending Section 2-219 (Operation); adding Section 2-222 (Compliance with Uniform Policy for Advisory Boards and Commissions); providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date; and

B) waive the Board of County Commissioner policy that limits advisory board members to eleven members under Resolution No. R2013-0913.

SUMMARY: The proposed Ordinance amendments incorporate the uniform policies and procedures for advisory boards adopted by the Board of County Commissioners in Resolution No. R2013-0913, with the exception of the number of members making up the commission. The Criminal Justice Commission Ordinance (Ordinance No. 88-16, as amended) establishes the framework for the Palm Beach County Criminal Justice Commission (Criminal Justice Commission) to operate and it creates the Criminal Justice Commission (CJC). The Ordinance gives the CJC a broad scope of authority to coordinate all aspects of the state and federal criminal justice system with the goal of permanently reducing crime in the County. Resolution No. R2013-0913 sets the maximum number of members on an advisory board at eleven members; however there are currently thirty-three members on the CJC (twenty-one members from the public sector and twelve members from the private sector). The number was originally established by the Board to incorporate representatives from a variety of state and federal law enforcement and related agencies involved with the criminal justice system, as well as from unrelated individuals in the private sector, to achieve a balanced perspective when evaluating and coordinating existing systems and programs. In order to carry on with this goal, staff recommends the Board waive the maximum number of members so that the CJC membership may remain at 33 members. The League of Cities has no opposition to the proposed Ordinance amendments. Countywide (PGE)

5. REGULAR AGENDA

F. ENGINEERING & PUBLIC WORKS

POSTPONED FROM JANUARY 14, 2014 AGENDA

1. Staff requests Board direction:

A) on whether to continue Palm Beach County's (County) red light camera program after June 2014; and

B) on whether to continue to exclude right turn on red violations and to provide a 0.5 second grace period if it is decided to continue with the program.

SUMMARY: The County executed a contract for red light cameras on June 21, 2009. The contract with American Traffic Solutions (ATS) expires in June 2014. In order to continue the County's red light camera program, new proposals must be solicited. The current contract does not allow citations for right turns on red or for violations that occur less than 0.5 seconds into the red phase. Both of these key contract provisions were extensively discussed and adopted by the Board in mid-2008 and show that this program exists for safety, not revenue generating purposes. Countywide (MRE)

G. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) a Deposit Receipt and Contract For Sale and Purchase with Eddie's Property Investments, Inc., for the sale of a \pm 0.24 acre parcel of land located at 6515 Bishoff Road in unincorporated Palm Beach County for \$18,000; and

B) a County Deed in favor of Eddie's Property Investments, Inc., with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes, Section 125.35(1.c).

SUMMARY: In February 2013, the County acquired a \pm 0.24 acre parcel of vacant land located at 6515 Bishoff Road in unincorporated Palm Beach County by Tax Deed. This property has been deemed surplus as it serves no County purpose. The property was advertised for sale and an Invitation For Bid (IFB) was issued in September 2013. Three responsive proposals were received, the highest of which was from Eddie's Property Investments, Inc. in the amount of \$18,000. Staff recommends acceptance of the proposal from Eddie's Property Investments, Inc. The Property Appraiser's Office has assessed the subject parcel at \$15,939 for 2013. An appraisal was not obtained as the parcel's value is less than \$25,000. Eddie's Property Investments, Inc. will pay all costs of closing and any other costs associated with this sale. The County will retain mineral and petroleum rights in accordance with Florida Statutes, Section 270.11, without rights of entry and exploration. **This sale must be approved by a supermajority vote (5 Commissioners).** Closing is to occur within sixty days of Board approval. (PREM) District 2 (HJF)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution finding that a one year term extension of the Lease Agreement with Walter J. Hatcher (R2007-1590) of 2.45 acres adjacent to Riverbend Park is in the best interest of the County; and

B) approve a First Amendment to the Lease Agreement (R2007-1590) with Walter J. Hatcher to extend the term for one year with an option to extend for an additional one year, without payment of rent.

SUMMARY: In February 2008, the County acquired 84 acres of property on Indiantown Road west of Riverbend Park, across from the Cypress Natural Area, from Walter Hatcher and Joyce Hatcher. As a condition of the sale, the Hatchers retained a leasehold interest in 6.54 acres of the property which included their house, until such time ERM was ready to commence development of its restoration project. The Lease Agreement was for five years, with two one-year extension options subject to the County's consent, without rent. In January 2013, the Board approved the first extension option (R2013-0052), which expires on February 13, 2014. Mr. Hatcher recently requested the County's consent to exercise the second extension option. Parks and ERM are interested in using the house for a future visitor and educational building. Under the Lease, the Hatchers have the right to remove wormy chestnut, pecky cypress and wood beams upon expiration of the Lease which would make the house unusable without expensive renovations. ERM also did not want to grant the second extension option due to the scheduled commencement of its restoration project. Mr. Hatcher offered to accept construction related access restrictions, to reduce the land area to 2.45 acres and to release his rights to remove the wood and beams in exchange for the County agreeing to allow extension of the Lease for up to two years without payment of rent. The Lease was originally structured to require payment of fair market rent after the expiration of the second one year extension option, but since Mr. Hatcher has agreed to relinquish his right to remove the wood from the house and acknowledges there will be access restrictions and construction activities during the lease extension, Staff's opinion is that extending the term subject to the terms outlined above and without payment of rent is consistent with intent of the original transaction. This First Amendment delegates authority to the County Administrator or his designee to approve or reject exercise of the one year extension option and to exercise the County's right to terminate during the extension option. (PREM) District 1 (HJF)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

A) Staff issuing a joint Request for Proposal (RFP) with the County, City of West Palm Beach (City) and PBC Mental Health Association (MHA) for the sale of 2.48 acres within the City's Transit Oriented Development (TOD) District; and

B) a conceptual agreement to release a reverter encumbering the MHA property.

SUMMARY: The City is attempting to promote redevelopment within its TOD District. The City, County and MHA (collectively "Parties") each own underutilized parcels of property within the south block of the TOD District between Evernia and Fern Streets totaling approximately 2.48 acres. This property is ideally situated for assemblage with other properties within the south block to form a larger parcel for redevelopment. Developers have recently expressed interest in acquiring this property. By jointly issuing a single RFP for all of the Parties' property within the south block, the Parties will make it easier for developers to assemble the properties, which should in turn increase the price which a buyer/developer would pay for the land and expedite redevelopment. Staff proposes that proceeds from the sale be distributed amongst the Parties on a prorata basis based upon the square footage owned by each party. Prior to issuance of the RFP, there is one issue that needs to be addressed relative to the MHA parcel. In 1963, the County donated .31 acres to MHA for construction of a 3,300 SF building which houses MHA's administrative offices. This donation was subject to a reverter in the event MHA sells the property or ceases to use it for public purposes. MHA will require replacement offices in order to sell its property, and will not sell without the County agreeing to release the reverter and allowing MHA to keep the sales proceeds. Staff recommends that the Board agree to release the reverter upon the closing of a sale of the MHA property, conditioned upon MHA using the proceeds for acquisition and renovation of a replacement facility and the reverter being transferred to the new facility. Staff projects that the proceeds of a sale of the MHA property will be approximately enough to cover acquisition of a new facility; however, it is possible that there may be a funding shortfall. Staff recommends that the County require the City/CRA to cover any shortfall as the City/CRA will be the beneficiary of tax revenues derived from redevelopment. Staff has reviewed the proposed approach to the project with MHA and City/CRA Staff, all whom have expressed their support for this approach. Upon approval of this item, Staff will issue the RFP. (PREM) District 7 (HJF)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to:

A) approve a Third Amendment to Lease Agreement with Bedner Farm, Inc. (R2001-0582) of 262 acres in the Ag Reserve; and

B) adopt a Resolution finding that an extension of the Lease Agreement with Bedner Farm, Inc. for 10 years until 2033 is in the best interest of the County.

SUMMARY: On June 19, 2001, the Board approved a contract with Bedner Farm, Inc. to acquire approximately 262 acres in the Ag Reserve (R2001-0582). Simultaneous with the closing, the County leased the property back to Bedner Farm for a term of ten years at an initial rental rate of \$550/acre/year. The First Amendment approved on May 15, 2007 extended the term for twelve years to 2023 (R2007-0827). Bedner Farm is operated by the Bedner family which wants to ensure that the younger members of the family will have the ability to continue farming. The Bedners are concerned about incremental changes to the land use and zoning regulations for the Ag Reserve, and the potential impact of such changes on the Bedners' ability to continue farming and have requested the County extend their Lease. Extending the Lease will provide the Bedners the legal right to farm as long as it remains economically viable to do so. This Third Amendment to Lease Agreement provides Bedner Farm, Inc. ten additional options to extend the term of the Lease, each for a period of one year. If all options are exercised, the term would be extended to 2033. Rent is currently \$500/acre/year and will be periodically adjusted to fair market value as determined by appraisal. The Resolution finds that the extension of the Bedner Lease is in the best interests of the County based upon the following facts: 1) a major element of the Ag Reserve Acquisition Program was to ensure continued agricultural operations in the Ag Reserve; 2) continuity of farming operations assists in preserving agricultural operations in the Ag Reserve; 3) the extension of the Bedner Lease will maintain continuity of existing farming operations; and 4) the County will receive fair market value rent as determined by appraisal during the extensions. (PREM) District 5 (HJF)

5. **ADD-ON:** Staff recommends motion to approve: a Budget Transfer in the amount of \$260,000 within Public Building Impact Fee Fund from reserves to establish a project budget line titled Main Courthouse – 3rd & 4th Floor Juvenile Build-out which requires the re-assignment of space at the South County Courthouse to meet the Guardian Ad Litem's (GAL) current space and operational requirements. **SUMMARY:** The County is required by Florida Statute to provide space for the 15th Judicial Circuit as well as the Guardian Ad Litem program which is a State agency which provides legal counsel and non-attorney advocates to represent the best interests of a minor child, whose care is the responsibility of the State of Florida and is involved in a dependency case. During the last four years, the number children assigned to GAL has increased by 21% causing increases of 13% and 20% relating to paid staff and volunteers, respectively. At this time additional space is required to; 1) accommodate the staff attorneys, case managers and GAL volunteers, and 2) provide space for records management which meets the requirements for confidentiality. A two part project implemented at the Main Courthouse (\$240,000 Impact Fees) and South County Courthouse (\$27,000 SCC Expansion Bond) are required to provide the GAL expansion space. That same growth in the number of dependency cases has caused the 15th Judicial Circuit to require a space for an additional Juvenile Magistrate at the Main Courthouse (\$20,000 Impact Fees). Initially the Court did not concur with the proposed scope of work for the GAL South County Courthouse portion of the project, specifically as it related to 1) maintaining access to private restrooms by Court Staff, and 2) the re-assignment of Room 233 which is currently being used by the Court for furniture storage. County Staff has proposed an option to address the continued access to the private restrooms, but the Court remains in disagreement with the re-assignment of Room 233. It is the position of the County Attorney's Office that the County is responsible for the allocation of space in the Courthouse and that so long as it continues to act reasonably, the County can proceed without the concurrence of the Court. As such, Staff recommends proceeding as planned. (FDO Admin) Countywide (JM)

5. REGULAR AGENDA

H. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting a Responding Resolution authorizing Palm Beach County, Florida, to commence the negotiation process for an Interlocal Service Boundary Agreement between Palm Beach County and the City of Lake Worth, pursuant to Chapter 171, Part II, Florida Statutes; and providing an effective date. **SUMMARY:** On December 3, 2013, the City of Lake Worth adopted an Initiating Resolution No. 69-2013 pursuant to Chapter 171, Part II, Florida Statutes (F.S.), as a first step in the process of completing an Interlocal Service Boundary Agreement (ISBA) for a designated area outside of the boundaries of the City. Pursuant to Chapter 171, Part II, F.S., the County shall adopt a Responding Resolution within 60 days after the receipt of an Initiating Resolution. Exhibit "A" of the Resolution identifies the unincorporated area for discussion, and is located within the City's future annexation area, as well as partially within the Lake Worth Park of Commerce. The Resolution provides options that may be negotiated during the process, including service providers and boundary adjustments. The ISBA was established in the F.S. to encourage local governments to coordinate service delivery and plan for boundary adjustments. By adopting the Responding Resolution, the negotiations can begin; however, the County is not obligated to enter into an interlocal agreement. Additionally, the Resolution does not annex any property at this time. Planning staff will work closely with other County departments and City staff following the adoption of the Responding Resolution to develop an interlocal agreement, which will be presented to the Board at a later date. District 3 (RB)

I. PUBLIC SAFETY

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on March 11, 2014, at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article I (Ordinance No. 1980-12); relating to Licenses, Taxation and Miscellaneous Business Regulations, to be known as the "Palm Beach County Motor Vehicle Fuel Price Posting Ordinance"; providing for fuel price signs; providing for repeal of laws in conflict; providing for a saving clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date. **SUMMARY:** The current Motor Vehicle Fuel Price Posting Ordinance requires every motor vehicle fuel service station to prominently and continuously display specific signage indicating the type of motor vehicle fuel available for sale, the minimum price per gallon in numeral at least six inches tall, and the type of service offered for the displayed price, but it does not require the seller to display the maximum price per gallon a consumer will be charged for each type of motor vehicle fuel available for sale or require the seller to indicate on the sign whether the displayed price is a "discounted" price for cash sales. Amending the current ordinance to require retailers of motor vehicle fuel to post the highest price a customer would be required to pay and to prominently indicate on the same sign whether the advertised price is discounted for cash sales, will prevent consumers from being misled at the pump. The League of Cities has no opposition to the proposed Ordinance amendments. Countywide (PGE)

5. REGULAR AGENDA

I. PUBLIC SAFETY (Cont'd)

2. **Staff recommends motion to adopt:** a Resolution establishing a Palm Beach County Countdown to Zero Program with a 10-year goal to end euthanasia of adoptable animals in Palm Beach County. The Resolution creates a partnership between the Animal Care and Control Division (ACC) and the Peggy Adams Animal Rescue League of the Palm Beaches (ARL) for the purpose of developing a community coalition committed to the Countdown to Zero goals as described in the Resolution. **SUMMARY:** During the FY 2013, ACC sheltered 7,561 dogs, 10,401 cats and 1,129 other species. The shelter had a live release rate of seventy-one percent (71%) of adoptable dogs and twenty-one percent (21%) of adoptable cats. ACC continues to be the county's only open-admission shelter with a total animal intake exceeding 20,000 animals annually. Although the division has successfully decreased the number of animals entering the facility by one-third since 2012, the euthanasia rate, specifically for cats, continues to hold steady at approximately 80%. Countdown to Zero will allow the Division to partner with ARL for grant and funding opportunities to implement targeted and data-driven sterilization, adoption, and intake-prevention programs and will set county policy to ensure that future programs endeavor towards ending unnecessary euthanasia of adoptable animals. Countywide (SF)

3. **ADD-ON: Staff recommends motion to approve:**

A) the Urban Area Security Initiative (UASI) Grant 2011 Award Letter with the City of Miami to receive an additional \$140,000 in reimbursable grant funding to purchase special equipment to assist Palm Beach County in the response and recovery of local disaster events for the period May 21, 2013, through April 30, 2014; and

B) a Budget Amendment of \$140,000 in the Urban Areas Security Initiative Grant Fund to recognize the additional grant funds.

SUMMARY: The award letter from the City of Miami approves the allocation of additional funding to Palm Beach County. These funds will be used to purchase two portable message boards and two portable shelter triage units which will be used by Palm Beach County's Division of Emergency Management in the response and recovery efforts of a local disaster. These additional funds represent unexpended Regional UASI funds that were sought after by the Division of Emergency Management and must be expended no later than February 28, 2014. **No County matching funds are required.** Countywide (PGE)

5. REGULAR AGENDA

J. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a plan of finance concerning the issuance by the Palm Beach County Health Facilities Authority of its Hospital Revenue Bonds (Sinai Residences of Boca Raton Project), in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed \$225,000,000 for the purpose of financing of the costs of the Project, refunding the refunded notes, funding a debt service reserve fund, if any, paying capitalized interest, if any, and paying certain expenses incurred in connection with the issuance of the bonds. **SUMMARY:** On December 12, 2013, the Palm Beach County Health Facilities Authority (the "Authority") adopted a resolution (the "Authority Resolution") expressing its intent to approve the issuance of the Bonds, together with other available moneys, if any, to: (i) pay or reimburse Federation CCRC Operations Corp., a Florida non-profit corporation, for the payment of the costs of acquiring, constructing and equipping of a continuing care retirement community, initially consisting of approximately 237 independent living units, 48 assisted living units, 24 memory-support units and 60 skilled nursing beds, and common areas to be located on approximately 23.1 acres of land in Palm Beach County, Florida, to be known as Sinai Residences of Boca Raton (the "Project"); (ii) currently refund all or a portion of the outstanding principal amount of the \$9,450,000 original aggregate principal amount of Palm Beach County, Florida Bond Anticipation Notes, Series 2011 (CCRC Pre-Development Project) and the \$2,900,000 original aggregate principal amount of Palm Beach County, Florida Bond Anticipation Notes, Series 2013 (CCRC Pre-Development Project) (collectively, the "Refunded Notes"); (iii) fund a debt service reserve fund, if any; (iv) pay capitalized interest on the Bonds, if any; and (v) pay certain expenses incurred in connection with the issuance of the Bonds. In order to finance the costs of the Project and refund the Refunded Notes from the proceeds of the Bonds on a tax-exempt basis, it is necessary to obtain the approval of the Board of County Commissioners (BCC) after a Public Hearing is held pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"). The Authority appointed a hearing officer who on December 30, 2013, conducted a Public Hearing as required by the Code, after publication of a notice in The Palm Beach Post. During Public Hearing comments and discussions concerning the plan of finance concerning issuance of the Bonds by the Authority to finance the Project and refund the Refunded Notes were requested and heard. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** District 5 (PFK)

5. REGULAR AGENDA

J. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve:

A) Neighborhood Stabilization Program 3 (NSP3) funding of \$52,534.31 for the Westgate/Belvedere Homes Community Redevelopment Agency;

B) NSP3 funding of \$94,149 for Neighborhood Renaissance, Inc.; and

C) the delegation of authority to the County Administrator, or his designee, to execute grant agreements and other documents necessary for implementation of the NSP3 awards.

SUMMARY: On April 5, 2011 (Item 5F-1), the Board of County Commissioners awarded Neighborhood Stabilization Program 2 (NSP2) funds to the Westgate/Belvedere Homes Community Redevelopment Agency and to Neighborhood Renaissance, Inc. for the acquisition and rehabilitation of foreclosed residential properties. Both agencies exceeded their contractual goals by acquiring and rehabilitating thirteen and seventy housing units, respectively. In doing so, the agencies were required to incur expenses exceeding their NSP2 grant amounts in order to complete rehabilitation of all units. Approval of this item will provide NSP3 funds to reimburse a portion of these eligible rehabilitation expenses. Approval of delegation of signatory authority to the County Administrator, or his designee, will expedite implementation and will assist the County in reaching the U.S. Department of Housing and Urban Development's (HUD) March 11, 2014 deadline to expend one hundred percent (100%) of NSP3 funds. The NSP3 funding is contingent upon HUD approval of an amendment to the County's NSP3 Action Plan and the completion of an environmental review in accordance with 24 CFR Part 58. **These are Federal NSP3 grant funds which require no local match.** (Strategic Planning Section) Districts 3 & 7 (TKF)

5. REGULAR AGENDA

J. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution authorizing participation in the Federal Home Loan Bank of Atlanta's (FHLBA) Community Investment Services Programs and authorizing designated County staff to execute documents associated with the County's participation in these Programs;

B) approve a Sponsor Access Agreement with FHLBA; and

C) authorize the Department of Economic Sustainability to submit an application to FHLBA under its Affordable Housing Program (AHP) for the Brooks Subdivision Project.

SUMMARY: The FHLBA, through its Community Investment Services Programs, provides funding for affordable housing development. Under the AHP Competitive component, \$500,000 will be awarded per project through a competitive application process. The application deadline is February 13, 2014. The Sponsor Access Agreement provides the County access to FHLBA's website for participation in their programs. The Brooks Subdivision Project (Project) is a 22 single family homeownership affordable housing project in Riviera Beach. The County provided funding to the Project including \$700,000 from the State Housing Initiatives Partnership Program (SHIP), a State grant, and \$714,500 from the HOME Investment Partnership Program (HOME), a Federal grant. In total \$186,778 of HOME funds and \$600,000 of SHIP funds were expended. The Project stalled after property acquisition and certain site improvements due to the housing crisis and lack of capacity of the developer. The County is currently pursuing action to take title to the property as first lien holder. This project remains viable as an integral component of providing decent, safe and affordable housing in Riviera Beach. If the County is successful in gaining title, staff will bring a recommendation to the Board of County Commissioners regarding development options. **These are private FHLBA funds which require no local match.** (BHI) District 7 (TKF)

K. PALM TRAN

1. ADD-ON, REVISED TITLE & SUMMARY, REVISED BACKUP: Staff recommends motion to approve:

A) an Amendment to the Agreement for the Management, Operation and Funding of Palm Beach County's Public Transit System by and between Palm Beach County and Palm Tran, Inc., to add two County employees, the Deputy Director for Fixed Route Operations and the Director of Administrative Services, to maintain the current status of Palm Tran's Maintenance Manager as a County employee, ~~and to allow the County Administrator to designate other positions as County or Palm Tran positions, as appropriate;~~

B) the addition of the Deputy Director for Fixed Route Operations, pay grade E03, to the County's payroll complement; and

C) the addition of the Director of Administrative Services, pay grade E03, to the County's payroll complement.

SUMMARY: On January 9, 1996, the Board of County Commissioners (BCC) approved an Agreement (~~R96-180~~) (R96-18D) with Palm Tran, Inc. for the Management, Operations, and Funding of the County's Public Transit System. Staff desires to amend this Agreement to add two additional County management level employees to assist in the day to day operations of Palm Tran, Inc., and to confirm the status of Palm Tran's Maintenance Manager as a County employee. The two additional positions and the Maintenance Manager will participate in the Florida Retirement System. There are adequate funds currently budgeted to fund these positions through the remainder of FY14. Countywide (DR)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE BOARD OF DIRECTORS OF PALM TRAN, INC.

5. REGULAR AGENDA

L. BOARD OF COUNTY COMMISSIONERS SITTING AS THE BOARD OF DIRECTORS OF PALM TRAN, INC.

1. **ADD-ON, REVISED TITLE & SUMMARY, REVISED BACKUP:** Staff recommends motion to approve: an Amendment to the Agreement for the Management, Operation and Funding of Palm Beach County's Public Transit System by and between Palm Beach County and Palm Tran, Inc., to add two County employees, the Deputy Director for Fixed Route Operations and the Director of Administrative Services, to maintain the current status of Palm Tran's Maintenance Manager as a County employee, ~~and to allow the County Administrator to designate other positions as County or Palm Tran positions, as appropriate.~~ **SUMMARY:** On January 9, 1996, the Board of County Commissioners (BCC) approved an Agreement (~~R96-180~~) (R96-18D) with Palm Tran, Inc. for the Management, Operations, and Funding of the County's Public Transit System. Staff desires to amend this Agreement to add two additional County management level employees to assist in the day to day operations of Palm Tran, Inc., and to confirm the status of Palm Tran's Maintenance Manager as a County employee. The two additional positions and the Maintenance Manager will participate in the Florida Retirement System. There are adequate funds currently budgeted to fund these positions through the remainder of FY14. Countywide (DR)

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ADJOURN AS THE BOARD OF DIRECTORS OF PALM TRAN, INC.

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

6. BOARD APPOINTMENTS

A. **PUBLIC SAFETY**
(Emergency Medical Services Advisory Council)

1. **Staff recommends motion to approve:** appointment/reappointment of the following individuals to the Emergency Medical Services Advisory Council (EMS Council) for the terms indicated:

A) appoint four new members for the term from February 4, 2014 to September 30, 2016:

<u>Nominee</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Recommended by:</u>
John Treanor	1	Fire Chiefs Assoc. of PBC	Mayor Taylor Vice Mayor Burdick Comm. Abrams Comm. Berger Comm. Valeche
Dr. James Goldenberg	5	PBC Medical Society, Inc.	Mayor Taylor Vice Mayor Burdick Comm. Berger Comm. Valeche
Tina Palermo	8	EMS Educator	Vice Mayor Burdick

OR

Everette Vaughan	8	EMS Educator	Mayor Taylor Comm. Berger Comm. Valeche
Fred Angelo	17	PBC Council of Firefighters	Mayor Taylor Vice Mayor Burdick Comm. Abrams Comm. Berger Comm. Valeche Comm. Vana

B) reappoint three members for the term from February 4, 2014 to September 30, 2016:

<u>Nominee</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Recommended by:</u>
Brooke Liddle	3	Private Ambulance	Mayor Taylor Vice Mayor Burdick Comm. Berger Comm. Valeche
Dr. Sandra Schwemmer	4	PBC Health Care District Trauma Management	Mayor Taylor Vice Mayor Burdick Comm. Berger Comm. Valeche
Dr. Kenneth Scheppke	16	EMS Medical Directors Association	Mayor Taylor Vice Mayor Burdick Comm. Berger Comm. Valeche

SUMMARY: Per Resolution (R2014-0100), the Board of County Commissioners approved a representative make-up of the Emergency Medical Services Council to include twenty members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. A memo was sent to all Board members on December 19, 2013 seeking nominations for the above seven at-large seats. Countywide (PGE)

6. BOARD APPOINTMENTS

B. PLANNING, ZONING & BUILDING
(Planning Commission)

1. Staff recommends motion to approve: the appointment of one of the following individuals to the Planning Commission for a term from February 4, 2014 to June 2, 2015:

<u>Appointment Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Neil E. Merin	15	At-Large	Comm. Valeche

OR

James M. Brake	15	At-Large	Comm. Vana
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SUMMARY: The Planning Commission (PLC) was created by Ordinance 2008-003, which replaced the Land Use Advisory Board established by Resolution No. R90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.K provides for the membership of the PLC as sixteen members, consisting of fifteen members appointed by the Board of County Commissioners (BCC), and one non-voting representative of the School District. Each District Commissioner appoints two members, and one member is appointed at-large by a majority vote of the BCC. The term of office of each member is for three years. This at-large position is to be appointed to fill an existing vacancy. The function of the PLC is primarily to provide recommendations to the BCC regarding amendments to the Comprehensive Plan. On November 12, 2013, the Planning Division forwarded a memo and forms to the BCC notifying the Board of the vacancy, and requesting nominations. Two responses were received. Unincorporated (RPB)

C. COMMISSION DISTRICT APPOINTMENTS

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

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

A. HEALTH DEPARTMENT

1. Staff recommends motion to approve: appointment of the following individual to the Palm Beach County Environmental Control Hearing Board for a term of three years beginning on February 4, 2014 and ending on February 3, 2017:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Terrence Horan, P.E.	5	Engineer	Florida Engineering Society-Palm Beach Chapter

SUMMARY: The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association, one medical doctor recommended by the Palm Beach County Medical Society, one engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two citizens-at-large not holding elective office. Countywide (PE)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

CONVENE AS THE CHILD CARE FACILITIES BOARD

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

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: appointment of one member to the Child Care Advisory Council:

<u>NOMINEE:</u>	<u>SEAT:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY:</u>
Elyse W. Brown	5	Fire Protection Engineering or Technology	Mayor Taylor Vice Mayor Burdick Comm. Valeche Comm. Abrams Comm. Berger

SUMMARY: The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two 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 member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant, Elyse W. Brown is a Fire Safety Specialist at Palm Beach County Fire Rescue and is replacing Alicia White, also a Fire Safety Specialist. Ms. Brown’s appointment will require a waiver of the Board adopted policy that restricts County employees from serving on advisory boards. Under the policy, a waiver is permitted where Technical/Professional representation and County employee eligibility are specified in the document creating the board. The appropriate language will be added in the next round of amendments to the implementing resolution. Countywide (PGE)

ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

FEBRUARY 4, 2014

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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FEBRUARY 4, 2014

10. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

FEBRUARY 4, 2014

11. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK, VICE MAYOR

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

Request approval to present off-site, a Proclamation declaring March 2014 as “Multiple Myeloma Awareness Month” in Palm Beach County.

E. District 5 - COMMISSIONER MARY LOU BERGER

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR, MAYOR

12. 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."