

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

**AUGUST 21, 2007**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 8 - 53)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 54)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 55 - 56)**
- 6. REGULAR AGENDA (Pages 57 - 60)**
- 7. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 61)**
- 8. BOARD APPOINTMENTS (Pages 62 - 65)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

**A)** Resolution No. R2007-006 of the Town of Council of the Town of Loxahatchee Groves, Florida, requesting the removal of that portion of Okeechobee Boulevard located east of Folsom Road to West of "E" Road from the County's Five-Year Road Program; and

**B)** Resolution No. 07-04 of the South Florida Regional Transportation Authority supporting Palm Beach County's Transit Oriented Development (TOD) Concurrency Amendment to its Comprehensive Plan for TOD projects and planning at Tri-Rail stations in Palm Beach County.

2. Staff recommends motion to adopt: a Resolution to support the adoption of legislation by the United States Congress for a national disaster plan to provide a comprehensive legislative solution to the problems presented by national catastrophic exposures for the benefit of all Americans and providing for an effective date. **SUMMARY:** Several entities including the National Association of Insurance Commissioners, the Southern Governors Association, the Florida Legislature as well as other state legislatures have adopted resolutions recognizing the importance of developing additional insurance capacity to insure the viability of coverage for catastrophic natural perils by endorsing the concept of a national disaster plan. Countywide (DW)

3. Staff recommends motion to approve: Contract with Cheney Bros., Inc. for the period August 21, 2007, through November 30, 2012, for transportation services for community-based needs during local or State emergencies. **SUMMARY:** This Contract will be utilized for distribution of food, water and ice or other essential items in the event of a declared emergency. Under this Contract, Cheney Bros. will: provide an on-site staging area for parking of State and FEMA supply trailers dispatched from the County Staging Area; unload the trailers; transfer the product to Cheney trucks; and ultimately deliver the product to designated community supply distribution locations. A flat fee of \$1,500 per semi-truck delivery will be paid to Cheney Bros. for the inclusive services provided under the Contract. A lesser per truck fee will be negotiated if trucks less than a designated size are utilized. It is anticipated that FEMA will reimburse the County for a majority of expenditures under this Contract. The Contract does not specify a not-to-exceed amount. Expenditures under the Contract will be subject to County Administrator approval and annual budget appropriation. In accordance with the provisions of Palm Beach County Purchasing Code Sec. 2-54, the Director of Purchasing has determined that Cheney Bros. is the only firm able to provide the required services and has authorized this purchase as a sole-source purchase without competitive solicitation. Countywide (GB)



3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

4. Staff recommends motion to approve:

**A)** an Agreement with We Help Community Development Corporation in an amount not-to-exceed Two Thousand Dollars (\$2,000) to install a neighborhood identification sign;

**B)** an Agreement with NOAH Development Corporation in an amount not-to-exceed Five Thousand Dollars (\$5,000) to install electric doors at Glades Pioneer Terrace;

**C)** an Agreement with Housing Partnership, Inc. , in an amount not-to-exceed Three Thousand Dollars (\$3,000) to install floral landscaping and benches on 10<sup>th</sup> Street in the City of Pahokee;

**D)** an Agreement with Ilene Long, an individual representing Old Trail Community Group, in an amount not-to-exceed Two Thousand Five Hundred Dollars (\$2,500) to install Neighborhood Street Sign Toppers;

**E)** an Agreement with Thomas McKissack, an individual representing Townhouse Court Estates Neighborhood, in an amount not-to-exceed Four Thousand Dollars (\$4,000) to purchase uniformed address numbers and trash cans for the community; and

**F)** an Agreement with Homes At Lawrence Homeowners Association, Inc. in an amount not-to-exceed Five Thousand Dollars (\$5,000) to purchase and install picnic tables, barbeque grills, and landscaping at the Homes At Lawrence Community Park to create a community picnic area.

**SUMMARY:** The Resident Education to Action Program (REAP) is a six (6) week session, which provides organizational and technical support to residents and neighborhood organizations that are seeking to improve the quality of life within their communities. On October 17, 2006, the Board of County Commissioners (BCC) authorized the allocation of \$60,000 by the Office of Community Revitalization (OCR) for Fiscal Year 2006-2007 for the implementation of the REAP. The Agreements being submitted represent the top REAP projects selected by the OCR Manager to receive grant funding for implementation of their community action plans. Countywide (AH)

5. Staff recommends motion to approve:

**A)** expenditure in the amount of \$732,422 from the Capital Outlay Fund to increase funding for the Royal Palm Estates Paving and Drainage project; and

**B)** a Budget Transfer of \$732,422 in the Capital Outlay Fund from CCRT Recoup Funding to the Royal Palm Estates Paving and Drainage project.

**SUMMARY:** The Royal Palm Estates Paving and Drainage project was originally reviewed and recommended for funding by the Countywide Community Revitalization Team (CCRT) Committee in February 2002 and approved by the Board of County Commissioners (BCC) on March 26, 2002. The additional \$732,422 is needed to complete this long-term project. District 6 (AH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	March 13, 2007
Comprehensive Plan	April 18, 2007
Zoning	May 7, 2007
Zoning	May 15, 2007
Workshop	May 22, 2007
Budget	June 11, 2007

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 June 2007. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** a Resolution approving a Local Agency Participation Agreement (LAP) with the Florida Department of Transportation (FDOT) to repair signal interconnect cable damaged from Hurricane Wilma. **SUMMARY:** This Agreement provides up to \$3,480,900 for the repair of damaged traffic signal interconnect cable. The cable was damaged during Hurricane Wilma in 2005. Countywide (MRE)
2. **Staff recommends motion to approve:** an Amendment to the original Agreement dated March 13, 2007 (R2007-0368) with Tetra Tech EC, Inc. (TTEC), such that the Amendment will allow the \$8,000 purchase of 0.1 additional freshwater herbaceous mitigation credits from the Loxahatchee Mitigation Bank required for the construction of Hypoluxo Road from west of Lyons Road to west of Hagen Ranch Road (Project). **SUMMARY:** Through this Amendment to the original Agreement, Palm Beach County will obtain the final mitigation credits required to satisfy its mitigation obligation to the United States Department of the Army Corps of Engineers for the Project. District 3 (MRE)
3. **Staff recommends motion to approve:** a Budget Transfer of \$1,500 in the Transportation Improvement Fund from Reserve for District 5 for Stump Removal – Conklin Drive – District 5. **SUMMARY:** The Budget Transfer of \$1,500 will fund the removal of a tree stump at Conklin Drive within District 5. District 5 (MRE)
4. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve: a Budget Transfer of \$52,000 in the Transportation Improvement Fund from Reserve for District 2 to Dillman Heights Speed Humps – District 2. **SUMMARY:** The District 2 Transportation Improvement Fund will pay for the requested speed humps on Dryden Road, Scott Drive, Harth Drive, Jamaican Drive, Montego Drive and Mango Drive to reduce speeding. District 2 (MRE)
  
6. Staff recommends motion to approve: Supplemental Agreement No. 9 to Project Agreement R2001-1619 in the amount of \$135,630 with K-F Group, Inc. (KFG) for professional services. **SUMMARY:** This Supplemental Agreement will provide the services necessary for the preparation of plan revisions and acquisition of a tree alteration permit for Jog Road from Roebuck Road to 45<sup>th</sup> Street (Project). Districts 2 & 6 (PFK)
  
7. Staff recommends motion to approve:
  - A) a Financial Assistance Agreement with Jupiter Dunes Property Owners' Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$50,000; and
  
  - B) a Budget Transfer of \$50,000 in the Transportation Improvement Fund from Reserve for District 1 to Jupiter Beach Road for beautification in the right-of-way of the County's C-AIA and Jupiter Beach Road.

**SUMMARY:** This Agreement provides funding to reimburse the Association up to a maximum of \$50,000 of the cost to install beautification improvements in the County's right-of-way for C-AIA from the County's Jupiter Beach Road to approximately 2,000 feet southeast of Jupiter Beach Road and on Jupiter Beach Road from C-AIA to a point approximately 225 feet to the east of C-AIA. The Association will be responsible for the perpetual maintenance of these improvements. District 1 (MRE)
  
8. Staff recommends motion to adopt: a Resolution vacating a portion of a twelve (12) foot wide Utility Easement within Lot 42, Replat of Parcel "A", Elmwood Estates, as recorded in Plat Book 32, Pages 26, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located on the south side of Harwood Street, west of Roan Lane. The owner/petitioner is requesting the vacation to have the potential to utilize the vacated portion of the easement to construct an addition to his house. District 1 (PFK)
  
9. Staff recommends motion to adopt: a Resolution vacating six (6) feet of a twelve (12) foot wide utility easement within Lot 43, Thornhill Estates, as recorded in Plat Book 36, Page 171, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located east of the Florida Turnpike, south of Palmetto Park Road. The petitioner is requesting the vacation to increase the buildable lot area, to allow the construction of a swimming pool. District 5 (PFK)
  
10. Staff recommends motion to approve: an Amendment to the Joint Project Agreement (R2006-2191) with the City of Boca Raton (City), dated October 17, 2006, allowing for a time extension for construction commencement of the north approach right turn lane at the Military/Yamato Road Intersection (Project). **SUMMARY:** The City has designed plans and acquired right-of-way to construct a right turn lane on the north approach of the intersection of Yamato Road and Military Trail. The project has been delayed. The time extension will allow the City to construct a right turn lane. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

C. **ENGINEERING & PUBLIC WORKS** (Cont'd)

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

**A)** a Budget Transfer of \$98,999 in the Capital Outlay Fund from Street and Drainage Reserves to Palmetto Park Road at the C-1 Canal; and

**B)** a Contract with Asphalt Consultants, Inc., in the amount of \$349,730 for the construction of the cross drain replacement under Palmetto Park Road at the C-1 Canal.

**SUMMARY:** The existing culvert under Palmetto Park Road is to be replaced with a larger culvert at a lower elevation in order to provide better drainage to the area. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the project by Asphalt Consultants, Inc., is 15.89% overall. District 5 (MRE)

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

**A)** an Interlocal Agreement with the School Board of Palm Beach County (School Board) to provide reimbursement funding not-to-exceed \$20,000;

**B)** a Budget Transfer of \$20,000 in the Transportation Improvement Fund from Reserve for District 3 to Cabana Colony Local Drainage; and

**C)** a Budget Transfer of \$20,000 in the Capital Outlay Fund from Cabana Colony Local Drainage to Manatee Elementary School Covered Walkways – District 3.

**SUMMARY:** This Reimbursement Agreement provides funding to reimburse the School Board up to a maximum of \$20,000 of the cost for the construction of covered walkways at Manatee Elementary School. District 3 (MRE)

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

**A)** a Budget Transfer of \$143,000 in the Transportation Improvement Fund from Reserve for District 5 to Transfers – Transfer to Street Lighting Maintenance Fund; and

**B)** a Budget Amendment of \$143,000 in the Street Lighting Maintenance Fund to recognize the Transfer from District 5 and appropriate it to Reserves for Street Lighting Maintenance.

**SUMMARY:** The District 5 Commissioner has authorized funding to transfer billing of 26 existing Florida Power and Light (FPL) maintained streetlights from two (2) communities, Tuscany Bay and Westchester Golf and Country Club to Palm Beach County. All 26 lights are located on Piper's Glen Boulevard of which 15 lights are between Jog Road and El Clair Ranch Road and 11 lights are between the E3 Canal and Military Trail. The Budget Transfer of \$143,000 will fund the operation and maintenance of the 26 streetlights for a 20-year period. The Budget Amendment will appropriate the funding to a reserve account from which maintenance costs will be transferred annually to the Street Lighting account for 20 years. District 5 (MRE)

14. **DELETED**

15. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to approve:

**A)** a Financial Assistance Agreement with The Hamptons at Maplewood Homeowners' Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$20,000; and

**B)** a Budget Transfer of \$20,000 in the Transportation Improvement Fund from Reserve for District 1 to Indian Creek Parkway, for beautification along the County's right-of-way for Indian Creek Parkway.

**SUMMARY:** This Agreement provides funding to reimburse the Association up to a maximum of \$20,000 of the cost to install beautification improvements on the Association's property, along the County's right-of-way for Indian Creek Parkway (within 25 feet of and visible from the right-of-way). The Association will be responsible for the perpetual maintenance of these improvements. District 1 (MRE)

17. Staff recommends motion to approve:

**A)** termination of the Maintenance Agreement (Agreement) (R2007-0260) with Cocoa Pine Estates Homeowners' Association, Inc. (Association); and

**B)** issuance of a letter to be signed by the Chairperson notifying Association of the termination of the Agreement.

**SUMMARY:** The Agreement was created in order to provide for the Association's maintenance of roadway beautification improvements to be installed by Palm Beach County (County) using funds provided from Reserve for District 4. The Association failed to comply with the requirements of Paragraph 4 of the Agreement, and does not have the authority to perform the obligations contained in the Agreement as required by Paragraph 25. District 4 (MRE)

18. Staff recommends motion to approve: a Public Facilities Agreement (Agreement) with Toll Brothers, Inc./Palm Beach Limited Partnership (Toll) regarding the funding and construction of Lyons Road from Linton Boulevard to West Atlantic Avenue (Project). **SUMMARY:** Toll is the developer of a project known as Mizner Country Club located on the east side of Lyons Road, south of West Atlantic Avenue. Toll is required by Development Order to construct the Project. Due to alignment revisions and maintenance of traffic issues related to the forthcoming widening of West Atlantic Avenue, the County staff is recommending the County assist in the construction of the Project. Through this Agreement, Toll shall construct the Project which has an estimated total cost of construction of \$3,000,000. The County will contribute \$600,000 and make the "Bushel Stop" site located at the southeast corner of Lyons Road/One Mile Road and West Atlantic Avenue ready for construction. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

19. **Staff recommends motion to approve:** a Contract Amendment for an 18-month contract extension to the Annual Traffic Signal Contract (R2006-0176), dated February 7, 2006, with the Primary Contractor, Signal Technology and Installation Corporation (STI). The Secondary Contractor, Traffic Control Devices, Inc. has chosen not to extend their contract (R2006-0176.1). **SUMMARY:** The Amendment to the Annual Traffic Signal Contract extends the expiration date of the existing contract with STI, retroactively, from August 7, 2007 to February 7, 2009. The dollar value of the Contract will not be changed from the original contract amount of \$8,340,500. The Annual Traffic Signal Contract consists of furnishing and installing various signal components for traffic control devices throughout the County. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. Signal Technology and Installation Corporation committed 15.8% SBE participation. Countywide (MRE)

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Settlement, inclusive of attorney's fees and costs, in the amount of \$25,000 in the case styled Ticor Title Insurance Company of Florida v. Palm Beach County, Case No. 502007CA001929XXXMB. **SUMMARY:** This case stems from two (2) nuisance abatement liens totaling \$77,790.18, filed by the Building Division in 1998. The liens were not paid off despite the property having been twice sold. The current owner is insured by plaintiff, Ticor Title Insurance Company of Florida ("Ticor"). Ticor filed a declaratory action against the County to remove the two (2) nuisance abatement liens from clouding the title. Approval of the settlement will result in the plaintiff dismissing its First Amended Complaint with prejudice and each side would bear its own attorneys' fees and costs. District 1 (PGE)
2. **Staff recommends motion to approve:** a Settlement in the amount of \$597,550, including attorney's fees, but excluding costs, in the eminent domain action styled Palm Beach County v. Michael Martin, et al., Case No. 502005CA006339XXXMB, for the fee simple taking of ten (10) acres of vacant land in Indian Lake Estates. **SUMMARY:** The County has negotiated a settlement in the amount of \$597,550, including attorney's fees, but excluding costs, subject to the approval of the Board of County Commissioners, for Parcels 7 and 9, which are both five (5) acres of vacant land in the Indian Lake Estates subdivision. The expert engineers and appraisers for the County and property owner agreed that the land is buildable and suitable for residential use. The County previously deposited \$140,000 as its initial good faith deposit and estimate of value. The County's review appraiser appraised the subject properties through the date of taking and would testify at trial that the value of the subject properties is \$370,000, while the owner's expert appraiser concluded that the value of the subject properties is \$700,000. The proposed settlement is \$500,000 for the value of the land, plus attorney's fees in the amount of \$97,550, that were calculated mathematically pursuant to Florida law. If this settlement is approved, the County would be required to pay an additional \$457,550, which includes attorney's fees, but excludes costs. District 1 (PM)
3. **Staff recommends motion to approve:** an Agreement for bond counsel services with the law firm of Broad and Cassel. **SUMMARY:** At the July 10, 2007 meeting, the Board appointed the law firm of Broad and Cassel to the County's bond counsel rotation list. The term of the Agreement with Broad and Cassel will be through December 31, 2008. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

4. **Staff recommends motion to approve:** a Second Amendment to contract for legal services with de la Parte & Gilbert, P.A. (R2005-1394). The original contract began on March 1, 2005 (R2005-0484). The amount to be paid for support services is amended to an amount not-to-exceed \$200,000 and an amount not-to-exceed \$40,000 for reimbursable costs. **SUMMARY:** The contract provides for compensation to the law firm of de la Parte & Gilbert, P.A., for support services in the cases of: i) Indian Trail Improvement District v. Palm Beach County, Case No.: 502005CA000965XXXXMBA; ii) City of West Palm Beach et al. v. Palm Beach County, Case No.: 502004CA012091XXXXMBA; and iii) Palm Beach County v. Wellington, et al, Case No.: 502004CA010492XXXXMBA AF. Countywide (ATP)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contracts with listed provider agencies for the period March 1, 2007, through February 29, 2008, totaling \$1,904,835 for Ryan White Part A HIV Emergency Relief Supplemental funds:

A) Compass, Inc.	\$ 93,549
B) Comprehensive AIDS Program	\$ 541,387
C) Comprehensive Community Care Network, Inc.	\$ 147,672
D) Florida Housing Corporation	\$ 15,311
E) Health Care District of Palm Beach County	\$ 80,890
F) Legal Aid Society of Palm Beach County	\$ 55,000
G) Palm Beach County Health Department	\$ 678,860
H) Treasure Coast Health Council- Medical	\$ 160,833
I) Treasure Coast Health Council-Support	<u>\$ 131,333</u>
<b>Total</b>	<b>\$ 1,904,835</b>

**SUMMARY:** A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration (HRSA) was received on May 23, 2007, that conveys an award for the contract period March 1, 2007, through February 29, 2008. Total supplemental funds awarded are \$1,949,450, of which \$44,615 is allocated for Grantee Administration. The grantee, Palm Beach County, is responsible for selecting and contracting with services providers. The HIV Care Council is charged with the sole responsibility of determining service priorities and the allocation of funding the service priorities. The grant award is for the provision of services related to HIV affected clients, such as case management, medical care, and dental care. The agencies listed were selected through the Request for Proposal (RFP) process and have been recommended to receive funding. (Ryan White) Countywide (TKF)

2. **Staff recommends motion to approve:** Contract with the Department of Children and Families (DCF) for the period of July 1, 2007, through June 30, 2008, in an amount of \$67,068 for a Grant-In-Aid Program to prevent homelessness for a minimum of 80 at risk homeless households. **SUMMARY:** This grant enables the Division of Human Services to provide rent/mortgage, utility assistance, food or clothing to households at risk of becoming homeless. The Division provides 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, economic stability and self sufficiency. A maximum payment of \$1,000 per participant per grant year is provided. A 25% match is required and is met through in-kind contributions. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

**A) ratify** the signature of the Chairperson on the 2008 State of Florida Department of Children and Families (DCF) Homeless Challenge Grant Application;

**B) delegate** authority to the County Administrator or his designee to sign the State of Florida Department of Children and Families contract for the Homeless Challenge Grant: and

**C) delegate** authority to the County Administrator or his designee to sign the contracts with the Salvation Army; Coalition for Independent Living Options, Inc.; Faith, Hope, Love, Charity, Inc.; and Families First for no longer than a (1) one year period to end June 30, 2008 for the maximum amount of \$150,000.

**SUMMARY:** The Division of Human Services is applying for transitional housing and homeless prevention services through the 2008 Homeless Challenge Grant. DCF will allocate funds based on the applicant's score up to a maximum of \$150,000. Upon receipt of a grant award, the County will contract with service providers as follows:

<u>Maximum Funding Level Allocation</u>			
<u>\$150,000</u>	<u>Sub-Contractor</u>	<u>Type of Service</u>	<u>No. to be Served</u>
\$37,500	Salvation Army	Transitional Housing	60
\$37,500	Faith Hope Love Charity	Transitional Housing	20
\$37,500	Families First	Homeless Prevention	50
\$37,500	Coalition for Independent Living Options, Inc.	Homeless Prevention	50

Should the funding level be below the maximum, the allocations would be reduced to amounts agreed to in advance amongst the providers. No County funds are required. (Human Services) Countywide (TKF)

4. Staff recommends motion to approve: Contract with the Children's Home Society for the period August 22, 2007 to September 30, 2007, in an amount not-to-exceed \$15,000 for clothing and school supplies for youth in foster group homes. **SUMMARY:** Community Services Block Grant (CSBG) funds of \$15,000 will enable Palm Beach County Community Action Program (CAP) to provide assistance with clothing and back to school supplies for 25 youth in foster care. Funds for this program are included in the current CSBG budget. No additional County funds are required. (Community Action Program) Countywide (TKF)

5. Staff recommends motion to ratify: the Chairperson's signature on Modification No. 001 to the Community Services Block Grant FY 2006-2007 contract (R2006-1528) with the State of Florida, Department of Community Affairs to incorporate \$79,255 in carryover funds and a funding increase of \$23,280 for a revised not-to-exceed amount of \$991,516. **SUMMARY:** The Community Services Block Grant (CSBG) contract executed on August 22, 2006, provided funding of \$888,981 to provide a range of services to low income households in Palm Beach County. Modification No. 001 incorporates carry over funds of \$79,255 and a funding increase of \$23,280 for a revised CSBG contract amount of \$991,516. Additional funds will enable PBC Community Action to provide services to an additional 342 low income families, including payment of water bills to prevent disconnection. No additional County funds are required. (Community Action Program) Countywide (TKF)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. **Staff recommends motion to ratify:** the Chairperson' signature on a Refunding Application for Federal assistance for the period of October 1, 2007, through September 30, 2008, in an amount of \$14,331,041 (Head Start \$12,611,541 & Early Head Start \$1,719,500) to operate the Full Day/Full Year Head Start and Early Head Start programs. **SUMMARY:** The FY 2008 Full Day/Full Year Head Start/Early Head Start programs will provide comprehensive child development services to 1,871 economically disadvantaged 3-5 year olds and 180 pregnant women, infants and toddlers in Palm Beach County. Total funding of \$23,119,640 consists of Federal funds of \$14,331,041; Children's Services Council funds of \$454,964; County required funding of \$3,582,760 and County overmatch of \$4,750,875. The emergency authorization process was utilized because there was not sufficient time to submit the application through the regular agenda process, as it was due to the Administration for Children, Youth, and Families (ACYF), U.S. Department of Health & Human Services by July 20, 2007. The County's portion has been requested in the FY 2008 budget process. (Head Start) Countywide (TKF)
  
7. **Staff recommends motion to approve:**
  - A) Child Care Food Program (CCFP) Contract for the period of October 1, 2007, through September 30, 2008, in the amount of \$1,018,801 for meals served to Head Start/Early Head Start children; and
  - B) the Child Care Food Program Delegation of Signing Authority document, authorizing the Department of Community Services Director to sign program documents required by the Department of Health (DOH).

**SUMMARY:** This Contract will enable the Head Start Program to participate in the FY 2007/2008 Child Care Food Program (CCFP) by providing 976 infants, toddlers and children with breakfast, lunch, and a snack each day. The Delegation of Signing Authority form will allow for one representative, other than the Chairperson, to sign any additional forms from the DOH during the contract period. Head Start staff projects reimbursement of \$740,039 from the Florida Department of Health (DOH). County support of \$278,762 is required for a total amount of \$1,018,801 for the CCFP contract. The application was received at the DOH training workshop on August 2, 2007. The County funds are included in the proposed FY 2008 budget (Head Start) Countywide (TKF).
  
8. **Staff recommends motion to approve:** Amendment No. 001 to the Contracted Services Agreement with Education Development Center, Inc. (d/b/a My First Steps Pre-School) (R2006-1885), for the period of August 1, 2007, though September 30, 2007, to increase enrollment from 74 to 82 children and increase funding by \$9,816, for a new not-to-exceed amount of \$552,418. **SUMMARY:** This Amendment is necessary to fund an additional eight (8) children displaced from another child care provider. Education Development Center, Inc. (d/b/a My First Steps Pre-School) has been successfully operating a Head Start facility for the County. The agency has the infrastructure in place to begin services immediately, which is critical as it will ensure the Head Start program is at full capacity. Education Development Center, Inc. (d/b/a My First Steps Pre-School) will be reimbursed at a rate of \$29.213 per day/per child for 42 days. Funding consists of \$7,853 (80%) in Federal funds and \$1,963 (20%) in County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. **Staff recommends motion to approve:** Amendment No. 001 to the Delegate Agency Agreement with Florence Fuller Child Development Center, Inc. (R2006-1891), for the period of August 1, 2007, though September 30, 2007, to increase enrollment from 146 to 156 children and increase funding by \$11,285 for a new total of \$999,836. **SUMMARY:** This Amendment is necessary to fund an additional ten (10) children displaced from another child care provider. Florence Fuller Child Development Center, Inc. has been successfully operating a Head Start facility for the County. The agency has the infrastructure in place to begin services immediately, which is critical as it will ensure the Head Start program is at full capacity. Florence Fuller Child Development Center, Inc. will be reimbursed at a rate of \$564.24 per child/per month for the remaining term of the Agreement. Funding consists of \$9,028 (80%) in Federal funds and \$2,257 (20%) in County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)
  
10. **Staff recommends motion to approve:** Amendment No. 001 to the Delegate Agency Agreement with the YWCA of Palm Beach County, Inc. (R2006-1895), for the period of August 1, 2007, though September 30, 2007, to increase enrollment from 78 to 84 children and increase funding by \$6,741 for a new total amount of \$532,569. **SUMMARY:** This Amendment is necessary to fund an additional six (6) children displaced from another child care provider. YWCA of Palm Beach County, Inc. has been successfully operating a Head Start facility for the County. The agency has the infrastructure in place to begin services immediately, which is critical as it will ensure the Head Start program is at full capacity. The YWCA of Palm Beach County, Inc. will be reimbursed at a rate of \$561.79 per child/per month for the remaining term of the Agreement. Funding consists of \$5,393 (80%) in Federal funds and \$1,348 (20%) in County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)
  
11. **Staff recommends motion to approve:** Amendment No. 001 to Contract Services Agreement with Union Missionary Baptist Church, Inc. (Day Care Center) (R2006-1094; dated June 20, 2006) for the period of August 1, 2007, though September 30, 2007, to increase enrollment from 32 to 37 children and increase funding by \$5,670 for a new total amount of \$274,374. **SUMMARY:** This Amendment is necessary to fund an additional five (5) children displaced from another child care provider. Union Missionary Baptist Church, Inc. (Day Care Center) has been successfully operating a Head Start facility for the County. The agency has the infrastructure in place to begin services immediately, which is critical as it will ensure the Head Start program is at full capacity. Union Missionary Baptist Church, Inc. (Day Care Center) will be reimbursed at a rate of \$27 per child/per day for 42 days. Funding consists of \$4,536 (80%) in Federal funds and \$1,134 (20%) in County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)
  
12. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Caregivers, Inc., d/b/a Friends Assisting Seniors and Friends, for the period of August 1, 2007, though September 30, 2007, in an amount of \$10,000, for health services to Early Head Start children. **SUMMARY:** Caregivers, Inc. will provide ongoing well baby and well child health services as established in accordance with the Head Start Act. This Contract will enable Caregivers, Inc. to provide specialized Licensed Practical Nurse services in the Early Head Start program for the pregnant women and children (ages 0-36 months) who are in need of services to ensure healthy outcomes. Funding consists of \$8,000 (80%) in Federal funds and \$2,000 (20%) in County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

13. Staff recommends motion to approve:

**A)** Home and Community Based Services Medicaid Waivers (MW) Case Management Referral Agreement; and

**B)** Home and Community Based Services Assisted Living for the Frail Elderly (ALE) Medicaid Waiver Case Management Referral Agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), with no expiration.

**SUMMARY:** As a service provider under the Home and Community Based Services program, the Division of Senior Services (DOSS) will bill the State of Florida's Medicaid fiscal agent directly on a negotiated unit rate basis of \$11.25 per 15 minutes for MW Case Management, \$5.25 per 15 minutes for Case Aide, and \$100 per client per month for ALE Case Management. Under these referral agreements, DOSS will accept referrals from other case management agencies and provide quality services to the waiver participants as specifically outlined in the participants' Plan of Care so as to promote the development of a coordinated service delivery system to meet the needs of the aged or disabled adults who are at risk of premature nursing home placement. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides the same services under similar agreements with the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

14. Staff recommends motion to ratify: the Chairperson's signature on a Grant Application to the U.S. Department of Health & Human Services, Administration for Children and Families, for the period of October 1, 2006, through September 30, 2007, in the amount of \$218,399 for Cost Of Living Allowance (COLA) and Training & Technical Assistance (T/TA). **SUMMARY:** The COLA increase will be used to help maintain the quality of Head Start services by supporting the grantee and its delegates in efforts to attract and retain qualified staff and offset higher operating costs. The emergency signature process was used because there was insufficient time to submit the item through the regular agenda process and meet the submission deadline of July 1, 2007. County match funds of \$54,600 are required and are included in the current budget. (Head Start) Countywide (TKF)

15. Staff recommends motion to:

**A) terminate** Contract with United Way of Palm Beach County, Inc. (United Way) and Palm Beach County Disaster Recovery Coalition, Inc. (Disaster Recovery Coalition) (R2007-0379) to provide disaster recovery services; and

**B) approve** a \$125,000 payment to United Way in accordance with the terms of the contract.

**SUMMARY:** On March 13, 2007, the Board of County Commissioners approved a contract with United Way and Palm Beach Disaster Recovery Coalition. The Coalition was unable to secure insurance due to the Coalition's utilization of volunteers to perform home repairs as part of the long-term recovery work. United Way confirmed volunteer workers were insured through Christian Reaching Out to Society (CROS) Ministries. This payment to United Way supports staffing and related expenses which United Way provided to the Disaster Recovery Coalition. United Way provided oversight as the fiscal agent for the Coalition, direct supervision of coalition personnel and ensured the Coalition provided disaster response and recovery services in support of the Palm Beach County Comprehensive Emergency Management Plan. A new contract for \$25,000 with a modified scope of services will be presented to the Board upon approval of the FY 2008 budget. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

16. **Staff recommends motion to approve:** FY 2007-2008 Community Services Block Grant (CSBG) Award Agreement with the State of Florida Department of Community Affairs for the period October 1, 2007, through September 30, 2008, in the amount of \$890,315 in State funding for various services to low income families. **SUMMARY:** CSBG funding of \$890,315 and County matching funds of \$178,066 will provide total funding of \$1,068,381 to provide services to approximately 5,000 low income households countywide. Services include: employment counseling and placement, family self-sufficiency, transportation of kidney dialysis patients, utility assistance, rent assistance, back to school vouchers and emergency food. The County matching funds are included in the Department's FY 2008 budget request. (Community Action Program) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** the Seventh Amendment to the Lease and Concession Agreement with Host International, Inc., for the food and beverage concession at the Palm Beach International Airport (PBIA), extending the expiration date of the Agreement to October 17, 2024 and providing for further capital investment by Host. **SUMMARY:** On August 18, 1998, the Board approved the Lease and Concession Agreement (R98-1293D) with Host to operate the food and beverage concession at PBIA. This Amendment provides for the extension of the expiration date of the Agreement for an additional ten (10) years to October 17, 2024 in consideration of Host refurbishing existing facilities and introducing new food and beverage concessions at PBIA. On February 7, 2006, the Board approved the negotiation of an extension to the Lease and Concession Agreement due to the Concourse "C" expansion, which would provide new concession space. As part of the negotiations, staff required an additional capital investment in the new and existing concession space. Host proposes to invest not less than \$3,850,000 in its leased premises in consideration of an extension to its Agreement. This Amendment also provides Host with the ability to operate in temporary concession areas, as authorized by the Department, in order to adequately serve passengers using the Airport. Further, this Amendment authorizes the County to reclaim any portion of the leased premises in the event that space is needed by the Airport in the future for other purposes. Countywide (AH)
2. **Staff recommends motion to approve:** First Amendment to License Agreement with Verizon Wireless Personal Communications LP d/b/a Verizon Wireless (Verizon) extending the term for an additional five (5) years to August 31, 2012 for an initial license fee of \$47,750. **SUMMARY:** Verizon provides cellular service to the public at the airline terminal facility by operating and maintaining wireless personal communication service facilities pursuant to a License Agreement dated August 20, 2002 (R2002-1339). Verizon is solely responsible for the maintenance and operation of the facility, which includes a base station and eighteen (18) microcell antennas. The First Amendment provides for the following: 1) an additional five (5) year term with three (3) – five (5) year options to renew; and 2) an increase in annual license fee to \$47,750 with annual increases of 3%. The First Amendment will become effective on September 1, 2007. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. **Staff recommends motion to approve:** Change Order No. 9 to the Contract with AFCO Constructors, Inc. in the amount of \$132,229 for the Concourse C Gate Expansion Project at Palm Beach International Airport (PBIA). **SUMMARY:** On February 28, 2006, the BCC approved the Construction Contract (R2006-0338) with AFCO Constructors, Inc. for construction services for the Concourse C Gate Expansion Project at PBIA in the amount of \$17,433,942. Change Orders 1-8 were approved for a net increase to the contract of \$419,418 and a time extension of 52 calendar days. Approval of this Change Order will allow AFCO Constructors, Inc. to complete the necessary work as described. There is no change in contract time associated with this Change Order. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The total SBE contract goal including all change orders is 15.06%. Countywide (JCM)
  
4. **Staff recommends motion to approve:** Change Order No. 11 to the Contract with James A. Cummings, Inc. increasing the contract in the amount of \$840,988 and increasing the contract time by 34 calendar days for the Long Term Parking Garage No. 2 at Palm Beach International Airport (PBIA). **SUMMARY:** On May 16, 2006, the BCC approved the construction contract (R2006-0842) with James A. Cummings, Inc. for construction services for the Long Term Parking Garage at PBIA in the amount of \$61,666,000. Change Orders 1-10 were approved for a net decrease to the contract in the amount of \$26,165,716 which included deleting more than \$26 million in materials from the contract so they could be purchased directly by the owner to capture the tax savings. Approval of Change Order No. 11 in the amount of \$840,988 will provide funds to complete required changes related to the electrical, fire protection and emergency generator installations. The Small Business Enterprise (SBE) participation for this Change Order is 6.7%. The total SBE contract goal including all change orders is 16.00%. Countywide (JCM)
  
5. **Staff recommends motion to approve:** Change Order No. 10 to the Contract with David Brooks Enterprises, Inc. in the amount of \$24,477 for the Administration Building and Communications Facility Project at Palm Beach International Airport (PBIA). There is no change in contract time in Change Order No. 10. **SUMMARY:** On August 15, 2006, the BCC approved the construction contract (R2006-1408) with David Brooks Enterprises, Inc. for construction services for the Administration Building and Communications Facility Project at PBIA in the amount of \$10,997,000. Change Orders 1-9 were approved for an increase to the contract in the amount of \$188,882 and an increase in time of 86 calendar days. Approval of Change Order No. 10 in the amount of \$24,477 will provide funds for modifications to roof drains and framing for the second story vestibule. This Change Order is being brought to the BCC for approval due to the combined approvals of the Lead Department and the Committee exceeding the \$200,000 threshold pursuant to revised PPM CW-F-50. The Disadvantaged Business Enterprise (DBE) participation for this Change Order is 93.06%. The total DBE contract goal including all change orders is 8.65%. Countywide (JCM)
  
6. **Staff recommends motion to approve:** a Contract with Brang Construction, Inc. in the amount of \$2,429,000 for the Terminal Skylight Replacement Project at Palm Beach International Airport (PBIA). **SUMMARY:** This project was advertised utilizing the competitive bid process. On June 28, 2007, four (4) bids were received for the Terminal Skylight Replacement Project at PBIA. Brang Construction, Inc. has been identified as a responsible/responsive bidder in the amount of \$2,429,000. The Disadvantaged Business Enterprise (DBE) goal for this project was established at 17.00%. Brang Construction, Inc. met the DBE requirement. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 10 to the Contract with PBS&J, Inc. for consulting/professional services in the amount of \$602,852 for the Department of Airports. **SUMMARY:** On February 6, 2001, the County entered into a Consulting Agreement (R2001-0194) with PBS&J, Inc. for general airport planning and design for the amount of \$985,730.50. The agreement was for two (2) years with two (2) – one (1) year renewal options. Amendments 1-9 were approved for a net increase in the amount of \$9,898,535. Approval of Amendment No. 10 in the amount of \$602,852 will provide funds to continue construction administration services for projects that were started under previous amendments that remain under construction. The Disadvantaged Business Enterprise (DBE) participation for this Amendment is 22%. The total DBE contract goal including all amendments is 34.7%. Countywide (JCM)

8. Staff recommends motion to approve:

**A)** Amendment No. 1 to the Agreement with URS Corporation Southern for consulting/professional services in the amount of \$1,338,041 for the Department of Airports for the completion of additional services relative to the Environmental Impact Statement (EIS) for the Airfield Improvement Project at Palm Beach International Airport (PBIA); and

**B)** a Budget Amendment of \$1,003,531 in the Airport's Improvement and Development Fund to establish budget for consulting/professional services.

**SUMMARY:** On August 15, 2006, the BCC approved the Agreement (R2006-1406) with URS Corporation Southern in the amount of \$2,873,952 for the completion of an EIS for the County's proposed Airfield Improvement Project (AIP) at PBIA. Through the Phase 1 scoping process, several additional items were identified through public comment and agreed to by the Federal Aviation Administration (FAA) for inclusion in subsequent phases of the analysis. Following is a brief summary of additional items to be included and addressed in Phase 2: inclusion of a Hazardous Air Pollutants (HAPs) emissions inventory; inclusion of a soot assessment study; expansion of the historic resources Area of Potential Effects (APE) for the enhanced evaluation of historic and archaeological resources; expansion and enhancement of the noise analysis, including but not limited to the use of supplemental noise metrics for further assessment, as well as an estimation of structural vibration effects; inclusion of a Spanish-language Executive Summary in the pre-Draft and Draft EIS (DEIS) documents and the development of Section 508 compliant versions of the DEIS and the Executive Summary; enhanced public involvement opportunities, including County Commission/Municipal Leader briefings, focus groups meetings and an Alternatives Workshop; and additional public comment analysis services based on the increased opportunities for public comment through the expanded public involvement sessions. As such, the Scope of Services details the original Phase 2 scope as well as the additional items for inclusion in Phase 2. A detailed description of the tasks contained in the scope is contained in Exhibit "A" Scope of Services. The fee for this Amendment is \$1,338,041. This effort will be eligible for State and Federal grant participation. The proposed fee was verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (CH2M Hill, Inc.) for the work that is eligible for grant funding. The DBE participation for this Amendment is 22.5%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to adopt: a Resolution authorizing the County Administrator or his designee to approve adjustments to rental rates for properties within the County's Airports System, which will become effective upon adoption. **SUMMARY:** Rental rates for properties within the County's Airports System (Airport Properties) are generally adjusted every three (3) years based on Federal Aviation Administration guidelines. The majority of leases for Airport Properties provide for an adjustment to rental rates every three (3) years based on the fair market rental value of the property as determined by appraisal, a percentage change in the Consumer Price Index or a combination of both. Although the majority of the lease agreements for Airport Properties specifically provide the method for adjusting rental rates, some of the older lease agreements require a resolution or other action of the Board prior to the new rental rates becoming effective. The Resolution authorizes the County Administrator or his designee to approve rental rate adjustments in accordance with applicable provisions of any lease agreement approved by the Board or executed by the County Administrator or his designee pursuant to a delegation of signature authority. Countywide (AH)
  
10. Staff recommends motion to adopt: a Resolution authorizing the County Administrator or his designee to terminate lease and concession agreements managed by the Department of Airports for certain defaults and authorizing the County Attorney to initiate appropriate legal action, if necessary, as a result of the termination of such agreements. **SUMMARY:** Termination of lease or concession agreements for default typically requires Board approval. In the event a tenant or concessionaire fails to vacate the leased premises after termination of its agreement with the County, legal action may become necessary. In order to expedite the process of removing tenants and concessionaires in default of their agreements with the County and collecting unpaid rentals, fees and charges, staff is requesting the Board to authorize the County Administrator or his designee to terminate lease and concession agreements on behalf of the County for certain defaults, including failure to pay rental, charges and fees when due. The Resolution would also authorize the County Attorney to initiate appropriate legal proceedings without further Board action to remove tenants and concessionaires in default, which may include eviction proceeding and claims for unpaid rent. Countywide (AH)
  
11. Staff recommends motion to receive and file: seven (7) original Agreements for the Department of Airports:
  - A) North County General Aviation Airport Hangar Lease Agreement with Paul Boritzer, Hangar No. 11730-07, effective June 14, 2007;
  - B) North County General Aviation Airport Hangar Lease Agreement with Phillip M. Gross, Hangar No. 11730-12, effective July 17, 2007;
  - C) North County General Aviation Airport Hangar Lease Agreement with John Sager, Hangar No. 11720-14, effective July 10, 2007;
  - D) General Aeronautical Services Agreement with Jetstream Ground Services, Inc. at PBI, effective June 29, 2007;
  - E) Airline Operating and Lease Agreement with Flying Boat, Inc. d/b/a Chalk's International Airlines, effective May 18, 2007;
  - F) Fourth Amendment to Terminal Building Lease Agreement with General Services Administration, effective June 20, 2007, amending R2003-0355; and
  - G) Consent to Sublease between Piedmont Hawthorne Aviation, Inc. d/b/a Landmark Aviation (R2004-1798) and Cloud 9 Helicopters, effective July 10, 2007.**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R93-801, R94-1453, R2003-0355 and R2003-1047. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

**A) approve** request by Palm Beach County Tax Collector, Anne M. Gannon, for Board of County Commissioners to order the 2007 tax roll to be extended prior to completion of the Value Adjustment Board hearings; and

**B) direct** the Value Adjustment Board to certify the assessment roll as required by State Statutes.

**SUMMARY:** Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2007, and will permit the collection of property taxes prior to completion of the Value Adjustment Board hearings. Countywide (PFK)

2. Staff recommends motion to receive and file: a Resolution of the City of Boynton Beach (City) terminating an Interlocal Agreement between Palm Beach County and the City that authorized the County to collect impact fee revenues for permits issued by the City. **SUMMARY:** Article 13, Impact Fees of the Unified Land Development Code, authorizes municipalities issuing development orders to collect impact fees on behalf of Palm Beach County. As an option, municipalities may execute an Interlocal Agreement and require direct payment of impact fees to the County. The City of Boynton Beach executed an Interlocal Agreement (R2004-2237) on October 19, 2004. This Resolution terminates the existing Interlocal Agreement. By terminating the Interlocal Agreement, the City can resume impact fee collections. Districts 3, 4 & 7 (LB)

3. Staff recommends motion to approve: a \$26,892 Budget Transfer from the Northlake Boulevard Improvement Fund Reserve Account to the Northlake Boulevard Improvement Fund-Contributions to Other Governmental Agencies, for payment to the Northern Palm Beach County Improvement District. **SUMMARY:** Estimated impact fees budgeted in reserve accounts cannot be appropriated until funds have been collected. This Budget Transfer allows for the appropriation of collected impact fees and allows the County to remit funds to the Northern Palm Beach Improvement District in accordance with the Impact Fee Agreement (R93-1613D) between Palm Beach County, Northern, PGA National Venture, Ltd. and Ibis Landing Venture, Ltd. District 1 (LB)



3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve:

**A)** a Budget Amendment of \$4,856,500 in the \$4.838 Million Sunshine Loan Health Department Administration Building 2007 Debt Service Fund to set up loan proceeds, interest and recurring charges payments, and transfers to the debt service reserve fund and the general fund for additional capital funding of the Health Department Administration Building;

**B)** a Budget Amendment of \$82,710 in the \$4.838 Million Sunshine Loan Health Department Administrative Building 2007 Debt Service Reserve Fund to record the transfer of reserves for future debt service payments from the \$4.838 Million Sunshine Pool Health Department Administrative Building 2007 Debt Service Fund;

**C)** a Budget Amendment of \$4,752,451 in the General Fund contingency reserves to record the transfer from the \$4.838 Million Sunshine Loan Health Department Administration Building 2007 Debt Service Fund to replenish monies advanced for the additional funding toward the design and construction of the Health Department Administration Building; and

**D)** a Budget Transfer of \$18,500 in the \$50.87 Million Sunshine Loan No. 1 1987 Debt Service Fund to transfer funds to the \$4.838 Million Sunshine Loan Health Department Administration Building 2007 Debt Service Fund for the payment of interest and recurring charges.

**SUMMARY:** On February 6, 2007, the Board approved a request from the Florida Department of Health for \$4,752,451 in additional capital funding toward the design and construction of the proposed Palm Beach County Health Department Administration Building. The \$4.838 Million Sunshine Loan to reimburse the General Fund for the monies advanced to the Florida Department of Health will close on August 28, 2007. The above Budget Amendments and Transfer are necessary to record the loan, payments of interest and recurring charges and the transfers to the debt service reserve fund and the general fund. Countywide (PFK)

5. Staff recommends motion to approve: a negotiated Settlement Offer in the amount of \$25,000 for the full satisfaction of a Code Enforcement Lien that was entered against Richard R. Reville, Jr. on January 25, 2000. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on September 1, 1999 giving Richard R. Reville, Jr. until December 30, 1999 to obtain building permits, inspections and Certificates of Completion for the installation/construction of a utility structure and a wood deck on his property, which were constructed without permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Richard R. Reville, Jr. on January 25, 2000. The cited code violations were corrected as of May 24, 2006. The total accumulated lien amount through May 24, 2007, the date settlement discussions began, totaled \$214,264.52, of which the new property owner has agreed to pay the County \$25,000 (11.67%) for full settlement of the outstanding Code Enforcement Lien. District 6 (PE)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Contract with The Roof Authority, Inc. in an amount not-to-exceed \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of seven (7) approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$1,500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis to perform remedial roofing projects, roof maintenance, and roof replacements on an "as-needed" basis for projects typically under \$100,000 each. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15%, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)
  
2. **Staff recommends motion to approve:** a Contract with Industrial Roof Repairs, Inc. in an amount not-to-exceed \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of seven (7) approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$1,500,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis to perform remedial roof repairs, roof maintenance, and roof replacements on an "as-needed" basis for projects typically under \$100,000 each. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)
  
3. **Staff recommends motion to approve:**
  - A) a Budget Transfer of \$225,000 from reserves in the Library Expansion Program Fund to Clarence E. Anthony (South Bay) Branch Library project to fund construction costs; and
  - B) JOC Work Order No. 07-109 with H.A. Contracting Corp., (R2005-0541) in the amount of \$234,780.62 to provide renovations to the South Bay Library.**SUMMARY:** The work consists of the replacement of the roof, exterior painting, interior painting, carpet replacement, HVAC replacement, landscaping, and parking lot repairs. The SBE participation in this Work Order is 5.7%. When the participation for this Work Order is added to H.A.'s total participation-to-date, the resulting values are 18.1%. The SBE goals are 15%. The total construction duration is 90 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide/District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 16 to the Contract with STH Architectural Group, Inc. (R2001-0063), in the deductive amount of \$136,338 for architectural/engineering design of the 2300 Vista Office Building. **SUMMARY:** CSA No. 16 is for the reduction to the contract for cost estimating, parking analysis, and additional construction administration services that were not needed. This reduction includes 86% M/WBE. When added to the Consultant's participation-to-date, the resulting M/WBE participation is 29.2%. The Consultant's contract goal is 27%. (Capital Improvements Division) District 2 (JM)
5. **Staff recommends motion to approve:** Amendment No. 13 to the annual contract with Catalfumo Construction, Ltd. (R2003-1543) for construction management services for library expansion program and various government buildings. **SUMMARY:** Catalfumo Construction, Ltd. was selected to provide construction management services associated with the design and construction of new libraries, additions to libraries, renovations to libraries, and other various government building. The original contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. This Amendment would provide for services during the third and final renewal period. Catalfumo Construction has an SBE participation goal of 15%. During the first four (4) years of the contract, Catalfumo Construction has achieved 14.4% participation. (Capital Improvements Division) Countywide (JM)
6. **Staff recommends motion to approve:** Amendment No. 11 to the annual contract with The Weitz Company, LLC (R2003-1542) for construction management services for library expansion program and various government buildings. **SUMMARY:** The Weitz Company was selected to provide construction management services associated with the design and construction of new libraries, additions to libraries, renovations to libraries, and other various government buildings. The original contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. This Amendment would provide for services during the third and final renewal period. The Weitz Company has an SBE participation goal of 15%. During the first four (4) years of the contract, The Weitz Company has achieved 16.7% participation. (Capital Improvements Division) Countywide (JM)
7. **Staff recommends motion to approve:**
  - A) Change Order No. 8 to the Contract with Southeast Contracting Services, Inc. (R2005-1171) in the amount of \$157,987.14 and a 244 calendar day time extension for the Southwinds Clubhouse and Golf Course;
  - B) Budget Transfer of \$157,988 in the Southwinds Golf Course Fund from Southwinds-Capital Improvements to transfer to the Park Improvement Fund; and
  - C) Budget Amendment of \$157,988 in the Park Improvement Fund to recognize the transfer from Southwinds Golf Course Fund and to establish budget for the Southwinds Modular Clubhouse.

**SUMMARY:** Change Order No. 8 provides for the costs associated with production and delivery of two (2) modular buildings for restrooms and a concession area to serve the golf course patrons and staff. The existing clubhouse was heavily damaged by Hurricane Wilma and declared unoccupiable. These modular buildings will provide for temporary space to conduct day to day business for the golf course operations until a new clubhouse can be constructed. It is anticipated that FEMA and/or insurance will cover a majority of the cost for the new construction. The SBE goal for this contract is 15%. This Change Order includes 17.9% participation and when combined with previous work under this contract, the overall SBE participation is 32.6%. The Budget Transfer and Budget Amendment are necessary to establish budget in an appropriate capital fund for proper accounting. (Capital Improvements Division) District 5 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 1 to Contract with Saltz Michelson Architects, Inc. (R2007-0393) in the amount of \$231,300 for professional services related to a replacement golf course clubhouse and renovation of the existing cart barn at Southwinds Golf Course. **SUMMARY:** This supplement authorizes the consultant to proceed with design, development of construction documents, bidding, and construction services for the replacement clubhouse. This Authorization will provide for a design to replace the old 17,500 sq. ft. golf course clubhouse which was heavily damaged beyond repair during Hurricane Wilma and subsequently demolished. The new 10,000 sq. ft. clubhouse includes a pro shop, concession, administration, and other services currently in temporary spaces. A claim with FEMA for reimbursement costs has been submitted. The construction cost estimate is \$2.25M. The SBE goal for this project is 15%. Saltz Michelson Architects is providing 34% in this CSA. (Capital Improvements Division) District 5 (JM)
9. Staff recommends motion to approve: Contract with McTeague Construction, Inc., in the amount of \$1,845,000 for the construction of Fire Station No. 44. **SUMMARY:** This Contract will provide for the construction of a 5,500 sq. ft. fire station located on Flavor Pict Road between Jog Road & Hagen Ranch Road. The SBE goal for this project is 15%. McTeague Construction bid includes participation at 17.9%. The Contract time is 365 calendar days to substantial completion. (Capital Improvements Division) District 5 (JM)
10. Staff recommends motion to approve: Amendment No. 3 to Contract with The BG Group, LLC (R2004-1729) to implement the third and final renewal of an annual Demolition contract. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Contract–Demolition which was awarded to The BG Group, LLC. The contractor will continue to perform on demolition projects for various facilities. The annual Demolition contract is an indefinite-quantity contract and this renewal has a maximum value of \$400,000. The renewal term is twelve (12) months or until \$400,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the existing term. This is the third and final extension allowed by the Contract. All terms of the original contract remain in effect. The BG Group’s SBE participation for work orders issued to date is 100%. SBE participation goals for the contract are 15%. The BG Group, LLC is a certified SBE contractor. (FD&O Admin) Countywide (JM)
11. Staff recommends motion to approve: Amendment No. 2 to Contract with S&F Construction, Inc. (R2005-1871) to implement the second renewal of an annual pavilions, shelters and sheds contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–Pavilions, Shelters and Sheds which was awarded to S&F Construction, Inc. The annual contract is an indefinite-quantity (work orders) contract and this renewal has a maximum value of \$400,000. The renewal term is twelve (12) months or until \$400,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the contract. All terms of the original contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE participation goals are 15%. S&F Construction, Inc.’s participation, for work orders issued-to-date, is 82.61%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. **Staff recommends motion to approve:** Supplement No. 1 to Consultant Services Authorization (CSA) No. 3 to contract with LBFH, Inc. (R2003-1898) in the amount of \$151,943 to provide additional planning and engineering services for Waterway Park. **SUMMARY:** Supplement No. 1 will include preliminary planning and engineering services for the development of a new park located east of Jonathan's Harbour Drive in Jupiter, providing public boat access to the Intracoastal Waterway. These services will provide the preliminary design development necessary for acquisition of critical environmental permits and site plan approval. Additional authorizations are anticipated for further development. LBFH, Inc. will provide SBE participation of 23.3% for this Authorization. When combined with all previous authorizations, the cumulative SBE participation is 42.5%, exceeding the 15% goal. (Capital Improvements Division) District 1 (JM)
  
13. **Staff recommends motion to approve:** JOC Work Order No. 07-124 with All-Site Construction, Inc., (R2005-0536) in the amount of \$462,358.58 to provide the replacement of laundry equipment for the Main Jail. **SUMMARY:** The work consists of the replacement of the two (2) pieces of laundry finishing equipment, including all utilities (gas, compressed air and electric), relocation of three (3) existing smaller gas dryers, removal of surplus equipment, and necessary wall and floor repairs. One piece of equipment is being upsized as part of the replacement in order to process the laundry within a single shift; reducing on-going operating costs. The SBE goals are 15%. All-Site Construction is a certified SBE contractor. The total construction duration is 90 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) Countywide/District 2 (JM)
  
14. **Staff recommends motion to approve:** the Moroso Park plat. **SUMMARY:** The County is developing Dick Moroso Waterway Park located on the east side of Broadway/US Highway 1 between 17<sup>th</sup> and 20<sup>th</sup> Streets in Riviera Beach. The total area to be platted is approximately 3.7 acres. The Plat imposes the following: i) reservation of a Landscape Buffer Easement for the County; ii) dedication of a Limited Access Easement in favor of the City of Riviera Beach (City); and iii) dedication of a Utility Easement in favor of the City of Riviera Beach. The Park will be developed with boat ramps, docks, restrooms, a gazebo, and parking for cars and boat trailers. The County is required to execute the plat as the property owner. The plat will then be scheduled for approval by the City, which is anticipated to be on September 19, 2007, before it is recorded. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve:

**A)** a Second Amendment to Lease Agreement (R92-471D) with Shiraz, Inc., (R92-471) for the Airport Center Hilton Hotel; and

**B)** a Bill of Sale conveying the County's interest in the Records Storage Building to Shiraz, Inc.

**SUMMARY:** On February 7, 2006 (R2006-0273), the Board approved an Amendment to Lease Agreement which implemented a settlement of the apportionment of condemnation award in the condemnation lawsuit between FDOT, the County and Shiraz involving the widening of Southern Boulevard in front of the County's Airport Center Complex. The Amendment to Lease Agreement requires the County to transfer ownership of the former Records Storage Building to Shiraz upon vacation thereof by the County and payment by Shiraz of \$327,000. As the County has now vacated the Records Storage/Health Club Building, this Second Amendment adds the Records Storage Building into the hotel's leased premises and the Bill of Sale transfers title to the Records Storage Building. Shiraz will pay \$327,000 to the County upon approval of the Second Amendment. Also, Shiraz will be required to maintain the current fire system water line and pump serving the Airport Center Building II (Building II) until such time that the County installs a separate system. (PREM) District 2 (HJF)

16. Staff recommends motion to approve: the Notice of Cancellation of Sublease Agreement (R2003-0529) with Easter Seals Florida, Inc. **SUMMARY:** The County, on behalf of the Community Services Department's Division of Head Start, subleases approximately 1,520 sq. ft. of space, within the Easter Seals building at 213 South Congress Avenue in West Palm Beach for the operation of two (2) Head Start classrooms. The Sublease Agreement will expire on April 14, 2008. However, due to budget constraints, funding for continued lease of this space will not be available in the FY '08 budget commencing October 1, 2007. The two (2) classrooms and 35 children will be relocated to an adjacent County-owned Head Start facility that recently had its licensed capacity increased to accommodate the two (2) classrooms of children from Westgate Head Start while that facility was renovated. The County has the right to cancel the Sublease Agreement by providing sixty (60) days written notice. In order to provide the required advance notice and cancel the Lease prior to the new fiscal year, staff sent a Notice of Cancellation to the landlord on July 3, 2007. This Notice of Cancellation of Sublease Agreement will ratify the cancellation. (PREM) District 7 (HJF)

17. Staff recommends motion to receive and file: Notice of Exercise of the first extension option under the Lease Agreement (R2002-1464) with Verizon Wireless Personal Communications L.P. for the continued use of six (6) rooftop antennas at the Southern Region Water Reclamation Facility in Boynton Beach. **SUMMARY:** On August 20, 2002, the Board approved the Lease Agreement with Verizon for its use of six (6) rooftop wireless communication antennas at the Southern Region Water Reclamation Facility located at 12751 Hagen Ranch Road in Boynton Beach. The initial term of the Lease Agreement was for five (5) years ending on August 19, 2007, with five (5) extension options, each for a period of five (5) years. Exercise of this first option will extend the term of the Lease from August 20, 2007 through August 19, 2012. The annual rent for this extension period is \$34,778.24, with annual three percent (3%) increases. Pursuant to the terms of the Lease Agreement, Verizon has the right to exercise its option and the Board has no discretionary authority to not allow the exercise of the option. All other terms and conditions of the Lease Agreement will remain unchanged. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

18. Staff recommends motion to approve: an Amendment to Utility Easement Agreement (R92-1853D) with Florida Power & Light (FP&L) for electrical service in connection with upgrades at the PBSO K-9 facility in Okeehetee South/Cholee Park. **SUMMARY:** On December 8, 1992, the County granted a Utility Easement Agreement to FPL to provide electrical service to the PBSO's K-9 facility located just east of the Florida Turnpike within Okeehetee South/Cholee Park. Due to the proposed expansion of the K-9 facility, an additional easement is required by FPL prior to installation of the electrical service to the new facilities. While reviewing this new easement, it was discovered that the original Easement Agreement did not correctly describe the location of FPL's existing poles, and this Amendment corrects the legal description. The easement area varies from 10-12' wide and runs along the northern and western portions of the property to the proposed buildings on the southern end of the property for a total of approximately 24,172 sq. ft. (.55 acres). This Amendment to Utility Easement Agreement is being granted to FPL at no charge, as it will provide electrical service to the County facilities and is required as a condition of service. (PREM) District 6 (HJF)

19. **DELETED**

20. Staff recommends motion to:

**A) adopt** a Resolution authorizing the conveyance of a .065-acre portion of County-owned land to Dinesh Desai and Champa Desai for \$170,000 with reservation of mineral rights and without rights of entry and exploration;

**B) approve** a Deposit Receipt and Contract for Sale and Purchase with Dinesh Desai and Champa Desai for the sale of 0.065 acres of land in Jupiter; and

**C) approve** a County Deed in favor of Dinesh Desai and Champa Desai.

**SUMMARY:** On April 24, 1990, the Board accepted the donation of approximately .15 acres of vacant land located along the Intracoastal Waterway approximately ½ mile south of Indiantown Road behind the Best Western Intracoastal Inn. Prior to the donation of the property to the County, the hotel's previous owners had constructed a pool, pool deck and a wooden dock which encroached onto a portion of the donated property. Additionally, a portion of the property is encumbered with a perpetual easement in favor of the Town of Jupiter for construction of a pedestrian boardwalk which will provide public access to the Intracoastal Waterway as part of the Riverwalk project. The Desais are fully cooperating with this project and have agreed to remove the wooden dock and terminate the existing State Submerged Lands Lease. The remaining improvements (pool and deck) encroach on .065 acres. Staff obtained an appraisal which valued the property at \$170,000 (\$60/sq. ft.; rounded to \$170,000). As the Desais are the only adjacent property owner to this .065-acre portion of the County-owned property, Florida Statutes Section 125.35(2) allows for a negotiated sale to the Desais. Closing is anticipated to occur within thirty (30) days of Board approval. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. The sale of this property will lessen the County's potential liability and maintenance responsibilities and will resolve the hotel's encroachment issues. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

21. **Staff recommends motion to approve:** the Notice of Lease Cancellation with AMCO Properties (R91-716D). **SUMMARY:** The Community Services Department's Division of Senior Services leases approximately 1,928 sq. ft. of office space in the Woodbridge Shopping Plaza, located at 6623-6625 Forest Hill Boulevard in Greenacres, for use as an adult day care center. The County services provided at this facility will be relocated to the new Mid-County Senior Center located in Lake Worth currently under construction and expected to open mid-November. The Lease with AMCO is scheduled to expire on June 30, 2009. The County has the right to cancel the Lease Agreement, for any reason, upon ninety (90) days written notice. This Notice will cancel the Lease effective November 30, 2007. (PREM) District 2 (HJF)
22. **Staff recommends motion to approve:** a Temporary Easement in favor of the Florida Inland Navigation District at the County's Carlin and Jupiter Beach Parks, in Jupiter. **SUMMARY:** The Florida Inland Navigation District (FIND) is requesting a Temporary Easement in connection with the pumping, transmission and placement of beach compatible sand in connection with maintenance dredging of the Intracoastal Waterway. The U.S. Army Corps of Engineers (COE) has applied for a permit from the Florida Department of Environmental Protection for routine maintenance dredging of the Intracoastal Waterway. FIND will assign the Temporary Easement to the COE who will complete the maintenance dredging work. The dredged material will be deposited along an approximately 1.1 mile stretch of beach lying south of the Jupiter Inlet, which includes portions of Carlin and Jupiter Beach Parks. The Temporary Easement is non-exclusive and is for a term of ten (10) years or until project completion, whichever is sooner. The County may terminate the Temporary Easement if the permit is not issued within nine (9) months from Board approval. The Easement is being granted to FIND at no charge as it will provide shoreline restoration and beach renourishment to the Parks. (PREM) District 1 (JMB)
23. **Staff recommends motion to approve:**
- A)** First Amendment to Internal Memorandum of Understanding (R2004-2589) between Department of Airports (DOA) and Facilities Development & Operations (FD&O) to extend FD&O's use and occupancy of Building 1169 until December 31, 2008; and
- B)** Use Agreement with the Supervisor of Elections (Supervisor) that provides for the Supervisor to use and occupy 23,570 sq. ft. of Building 1169 for warehouse space from August 1, 2007 to December 31, 2008.
- SUMMARY:** The Internal Memorandum of Understanding between DOA and FD&O for use of Building 1169 at PBIA will expire on September 30, 2007. FD&O wants to continue use of the building until December 31, 2008. The Supervisor will be using part of Building 1169 for warehouse storage. No improvements are required to render the premises safe for use as warehouse storage prior to occupancy by the Supervisor. The Supervisor shall pay rent in the amount of \$172,420 annually. (FDO Admin) District 2 (JB)



3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2006-0559) with the City of Pahokee, to extend the expiration date from April 30, 2007 to April 30, 2008, for the expenditure of \$150,000 in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Amendment provides an extension of one (1) year to the term of the existing Agreement for the construction of a solid waste facility. The time extension is requested due to delays in the design phase of the project. **These are Federal funds that require no local match.** District 6 (TKF)

2. Staff recommends motion to receive and file:

**A)** an Agreement with the City of Delray Beach to provide \$252,500 under the 2005 Disaster Recovery Initiative (DRI) Program for the Mango Drive and S.W. 7th Avenue extensions in the City of Delray Beach;

**B)** an Agreement with the City of Delray Beach to provide \$10,500 under the 2005 Disaster Recovery Initiative (DRI) Program for hurricane protection of the Neighborhood Resource Center in the City of Delray Beach;

**C)** an Agreement with In the Pines, Inc. to provide \$3,300,000 under the 2005 Disaster Recovery Initiative (DRI) Program for the construction of a townhouse rental housing project in unincorporated Delray Beach; and

**D)** an Agreement with the Town of Mangonia Park to provide \$66,208 under the 2005 Disaster Recovery Initiative Program for the purchase and installation of two (2) generators in the Town of Mangonia Park.

**SUMMARY:** On February 16, 2007, Palm Beach County entered into an Agreement with the Florida Department of Community Affairs (DCA) to receive up to \$19,035,920, for various projects to be funded under the 2005 Disaster Recovery Initiative (DRI) Program. The four (4) Agreements provided herein are funded under this Agreement with the Department of Community Affairs (DCA). Under the authority provided to the County Administrator by the Palm Beach County Board of County Commissioners on July 18, 2006, via Resolution No. R2006-1351, the County Administrator executed these four (4) Agreements on June 15, 2007. **These are Federal CDBG funds which do not require local matching funds.** Districts 5 & 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. **Staff recommends motion to approve:** the creation of two (2) time-limited positions with the Department of Housing & Community Development – a Disaster Recovery Specialist (pay grade 29) and a Capital Improvements Project Specialist (pay grade 32) to terminate upon the exhaustion of Federal grant funds appropriated for recovery from Presidentially declared disasters and made available to the County through the State of Florida, to cover existing and future concurrent grant awards. **SUMMARY:** Both time-limited positions will be required to carry out technical and administrative work connected with two (2) grants awarded to Palm Beach County as a result of Federal funds appropriated under the Defense Department Act of 2006, namely: a \$19.035 million CDBG DRI grant awarded by the State to Palm Beach County in March 2007 and a \$16.729 million award, which will be awarded by the State within the next twelve (12) months. Each position will terminate upon the exhaustion of Federal funds appropriated under the Defense Department Act of 2006, which were made available to the County. However, authorization is also being sought for the continuation of the Disaster Recovery Specialist and the Capital Improvement Project Specialist positions in the event of future awards of other Federal disaster related funding if these run concurrently or consecutively to funds now available under the Defense Department Act of 2006. The specific tasks to be undertaken by the Disaster Recovery Specialist under this grant and any other subsequent grants received include: review funding applications; prepare environmental reviews; prepare and monitor of contracts; review invoices; prepare State required reports; provide advice and disseminate information to municipalities and agencies; and, prepare and administer program procedures and guidelines to ensure the State's contractual terms are met. The specific tasks to be undertaken by the Capital Improvement Project Specialist under this current grant and under any grant subsequently received include: prepare agreements and Agenda regulations, where applicable; payment request review; expenditure tracking; and budget reconciliation. An amount of \$346,666 was budgeted under the \$19.035 million grant award to cover program administration, inclusive of the salaries, benefits and related costs associated with the positions and tasks to which this agenda refers. Similar allocations will be made from all other grants received in the future. Existing workload will preclude current staff from absorbing tasks associated with this program. **These are federal funds and require no local match.** Countywide (TKF)
  
4. **Staff recommends motion to approve:** an Agreement with Villa Lago Development, Inc., and Centro Campesino Farmworker Center, Inc. for the partial rehabilitation of seven (7) residential properties in the City of South Bay, in the amount of \$183,856 in Community Development Block Grant (CDBG) funds for the period of August 21, 2007 to July 31, 2008. **SUMMARY:** Villa Lago Development, Inc., a subsidiary of Centro Campesino Farmworker Center, Inc., presently owns seven (7) duplexes in the Villa Lago housing development in South Bay. This Agreement will provide funding towards the partial rehabilitation of these vacant dwelling units. As part of the rehabilitation process, each duplex will be combined to form a single family house resulting in seven (7) houses. The partial rehabilitation includes asbestos and lead-base paint abatement, roofing, and demolition. After this work is completed, the units will be sold to low income homeowners approved by Housing & Community Development. Each homeowner will then complete the rehabilitation using a combination of private financing and homeownership assistance funds provided under available County programs. Each homeowner will also execute a mortgage in favor of the County for \$26,265 (representing one seventh of the amount funded under this Agreement), requiring the homeowner to reside in the house for a period of ten (10) years. **This Agreement will provide Federal CDBG funds which do not require local matching funds.** District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. **Staff recommends motion to approve:** an Agreement with the Oakwood Center of the Palm Beaches, Inc., for renovation of the heating, ventilation, and air conditioning (HVAC) system in their main facility, in the amount of \$200,000, in Community Development Block Grant (CDBG) funds for the period of August 21, 2007, through June 30, 2008. **SUMMARY:** The renovation work of the HVAC system will take place at the facility located at 1041, 45<sup>th</sup> Street in the City of West Palm Beach. The work entails replacement of certain aged components that are the original equipment from when the building was constructed in the 1970's, such as replacing circulation pumps and air handlers with chilled water fan coils, installing an outside air fan coil, an exhaust fan with its duct system, and a computerized control unit. This project will improve the facility's interior building climate, and reduce operating and maintenance costs. **This Agreement will provide \$200,000 in Federal CDBG funds which do not require local matching funds.** District 7 (TKF)
  
6. **Staff recommends motion to approve:** an Agreement with the City of Pahokee to provide up to \$40,000 in FY 2004-2005 Community Development Block Grant (CDBG) funds for the period August 1, 2007 to July 31, 2008 for salaries and benefits for a Community and Economic Development Coordinator. **SUMMARY:** The Community and Economic Development Coordinator will undertake work aimed at expediting the implementation of CDBG and Disaster Recovery Initiative (DRI) funded projects which are located in the City of Pahokee or its service area. Funds will be used exclusively for salary (\$37,157.46) and FICA (\$2,842.54). Funding for this activity was made available under the 11<sup>th</sup> Amendment to the FY 2004-2005 Annual Consolidated Plan which reprogrammed \$40,000 from the city's water main replacement projects. The municipality will be reimbursed once it has proved to HCD that designated tasks, as specified in the Work Program Narrative of the Agreement, have been successfully completed. The activities will be undertaken by the City's Community and Economic Development Department. **These are Federal CDBG funds that require no local match.** District 6 (TKF)
  
7. **Staff recommends motion to approve:** Amendment No. 001 to an Agreement (R2006-2447) with Community Caring Center of Boynton Beach, Inc., (CCCBB) to increase funding by \$1,457 in Emergency Shelter Grant Program (ESGP) funds to increase the amount funded from \$14,000 to \$15,457 and to transfer \$3,250 from their "Hotel/Motel Vouchers" program to their "Emergency Rent, Mortgage, and Utility Assistance" program. **SUMMARY:** CCCBB has an Agreement with the County for \$14,000 to provide the following: emergency shelter through a hotel/motel voucher program with participating facilities (\$4,000) and homeless prevention through emergency rent, mortgage and utility assistance (\$10,000). The additional funds, in conjunction with the realignment of funds under their Emergency Rent, Mortgage, and Utility Assistance Program, will enable CCCBB to increase its funding to prevent homelessness through emergency rent, mortgage, and utility assistance by \$4,707 for a total of \$14,707. **These are federal ESGP funds and the required match will be met by the agency. No match from County General Fund is required.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

8. **Staff recommends motion to approve:** an Agreement with Northwest Riviera Beach Community Redevelopment Corp. (NWRBCRC), Inc., to provide \$420,000 in Federal HOME funds for the development of affordable housing and operating expenses for the period of September 1, 2007 to August 31, 2008. **SUMMARY:** Approval of this item will reserve funding for NWRBCRC, a Community Housing Development Organization (CHDO), located at 2001 Broadway, Suite 501, Riviera Beach, Florida, 33404. The NWRBCRC was selected as a CHDO via Request for Proposal (RFP) No. 04-05, which was made available on July 26, 2006. The RFP review committee recommended funding in the amount of \$350,000 to be used toward the construction of at least nine (9) affordable housing units to be purchased by eligible first-time homebuyers, participating in Palm Beach County's First-time Homebuyer Program; and \$70,000 for NWRBCRC operating expenses. **This Agreement provides Federal HOME funds for which there is not a requirement for local matching funds.** District 7 (TKF)

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Change Order No. 7 to the Contract with Garney Companies, Inc. (R2005-2072) for the Northern Region Utility Improvement Project Phase 2B increasing the contract price by \$4,786.16. **SUMMARY:** Change Order No. 7 authorizes the Contractor to construct water main and force main extensions along Southern Boulevard and Okeechobee Boulevard and system connections at Sycamore Drive, Okeechobee Boulevard, 140<sup>th</sup> Street North, and 40<sup>th</sup> Street North. The cost for the additional work totals \$94,786.16. Since the contractor's schedule will not enable him to earn the early completion bonus for Substantial or Final Completion, he has agreed to eliminate the potential bonuses, resulting in a \$90,000 reduction in the contract price. The net impact of this Change Order given the additional work and credits for non-utilized contract bonuses is \$4,786.16. The total change orders to date equal \$206,076.90 (1.51% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This Change Order includes zero SBE participation. The contract with Garney Companies, Inc. provides for SBE participation of 15.93% overall. (WUD Project No. 04-227 B) District 6 (JM)
2. **Staff recommends motion to approve:** Change Order No. 2 to the Contract with Lanzo Construction, Inc. (R2006-1003) for the Northern Region Utility Pipeline Phase III increasing the contract price by \$98,944.78 and providing a five (5) day time extension. **SUMMARY:** Change Order No. 2 authorizes the Contractor to address utility conflicts, replace unsuitable materials encountered during construction, and stabilize the slope of the C-18 Canal as required by the South Florida Water Management District. The Contractor has requested a 5-day time extension to complete these improvements. Total change orders to date, excluding the \$3,631,703.07 sales tax recovery program change order, equal \$98,944.78 (1.07% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This Change Order includes zero SBE participation. The contract with Lanzo Construction Co. provides for SBE participation of 15.65%. (WUD Project No. 05-061) District 1 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Change Order No. 2 to the Contract with Globe Tec. Construction, Inc. (R2006-1949) for the Lake Region Water Treatment Plant Pipeline increasing the contract price by \$74,330 and providing a 25-day time extension. **SUMMARY:** Change Order No. 2 authorizes the Contractor to revise water meter installations, install utilities across Hooker Highway, and construct additional service lines along State Road 715. The Contractor has requested a 25-day time extension to complete these improvements. Total change orders to date, excluding the \$4,663,128.08 sales tax recovery program change order, equal \$74,330 (0.50% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This Change Order includes zero SBE participation. The contract with Globe Tec, Inc. provides for SBE participation of 15.19% overall. (WUD Project No. 03-169) District 6 (JM)
  
4. **Staff recommends motion to approve:** Work Authorization No. 6 to the Water Utilities Department continuing construction contract with AKA Services, Inc. (R2007-0357) for construction of the Aberdeen Reclaimed Water Pipeline Project in the amount of \$1,776,823.89. **SUMMARY:** On March 13, 2007, the Board approved the Water Utilities Department Continuing Construction Contract with AKA Services, Inc. (R2007-0357). This Work Authorization provides for construction of the Aberdeen Reclaimed Water Pipeline Project. The reclaimed water main will be installed along Hagen Ranch Road from Boynton Beach Boulevard to north of Gateway Boulevard and east and west of Hagen Ranch Road connecting to existing pipelines on Boynton Beach Boulevard. This pipeline will provide future reclaimed water service to surrounding communities for landscape irrigation purposes. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with AKA Services, Inc. provides for SBE participation of 15.21% overall. This Authorization includes 15.77% overall participation. The cumulative SBE participation, including this Authorization, is 19.60% overall. (WUD Project No. 06-183) District 5 (MJ)
  
5. **Staff recommends motion to:**
  - A) **approve** an Interlocal Agreement between Palm Beach County and the Village of Royal Palm Beach Relating for coordination of road and utility construction; and
  - B) **authorize** the County Administrator or designee to execute a reimbursement memorandum, which is attached to the Interlocal Agreement as Exhibit "A", for future road improvement projects subject to the Interlocal Agreement.

**SUMMARY:** Palm Beach County Water Utilities Department (PBCWUD) owns and operates the public water and wastewater facilities within the limits of the Village of Royal Palm Beach (Village). Certain road improvement projects within the limits of the Village may impact existing or proposed PBCWUD facilities. This Interlocal Agreement provides for coordination between PBCWUD and the Village in the planning and construction of Village road improvement projects, so that construction, relocation or adjustment or PBCWUD facilities by the road contractor is included within said road improvement projects. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. Staff recommends motion to approve: annual renewal of the Contract for Disaster Recovery Design/Build Services with CH2M Hill, Inc. (R006-1934). **SUMMARY:** On September 12, 2006, the Board approved a Contract for Disaster Recovery Design/Build Services with CH2M Hill, Inc. (R006-1934). The Contract has a term of one (1) year, subject to two (2) annual renewals. To date, the Consultant has been issued four (4) design authorizations and two (2) construction authorizations for work related to hurricane hardening of the Department's water and wastewater treatment plants. The contract with CH2M Hill includes the 15.0% overall Small Business Enterprise (SBE) participation goal established by the Palm Beach County SBE Ordinance (No. 2002-064). The consultant's cumulative SBE participation is 36.68% overall. The Department requests this contract be renewed as prudent planning to ensure the integrity of the County's water and wastewater infrastructure prior to, during and immediately following natural disasters. (WUD 06-103) Countywide (JM)
  
7. Staff recommends motion to approve: a Partial Release of Utility Easement on land owned by Woolbright Lantana Square, LLC. **SUMMARY:** This document will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County in Book 05720, Pages 1872 through 1904. During the redevelopment of the Pinewood Square Plaza, on the southeast corner of Jog Road and Lantana Road, it was determined that new development plans place buildings over portions of the existing easement. The property owner now requests release of the portion of the original easement which would inhibit the new construction. The Water Utilities Department concurs with this request, and therefore, recommends the partial release. There is no cost to the property owner for this partial release of easement. (WUD 07-073) District 5 (JMB)
  
8. Staff recommends motion to approve: the First Amendment to the Standard Potable Water and Wastewater Development Agreement with Coral Lakes Apartments, Inc. refunding \$3,721.08 in overpayments made by the Property Owner. **SUMMARY:** On May 10, 2004, the County entered into Standard Potable Water and Wastewater Development Agreement (SDA No. 02-01087-000) with Coral Lakes Apartments, Inc. (Coral Lakes) for reservation of potable water and wastewater capacity for a small commercial project. Coral Lakes subsequently modified their project and on August 31, 2006, entered into another Standard Potable Water and Wastewater Development Agreement (SDA No. 02-01113-000) to reserve potable water and wastewater capacity for a 180 unit apartment complex. Both SDAs required payment of a Mandatory Agreement Payment (MAP) based on the reserved potable water and wastewater capacity. As Coral Lakes proceeded through the development process the project's units were reduced to from 180 to 169. Staff recommends Board approval of a refund of the MAP associated with the reduction of the 11 units in the amount of \$3,721.08. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

9. Staff recommends motion to receive and file: one (1) Agreement for Emergency Generator Purchase, Operation and Maintenance received during the month of May 2007 with Moon Lake Master Homeowners Association. **SUMMARY:** On March 14, 2006, the Board of County Commissioners delegated the authority to execute Emergency Generator Purchase, Operation and Maintenance Agreements (Agreements) to the County Administrator or his designee. The County Administrator has delegated this approval to the Palm Beach County Water Utilities Department Director. These Agreements provide property owners with the ability to donate funds to purchase emergency generators for lift stations located within their community. The Department will assign the community its generator(s), locate the generator(s) on-site during hurricane season, and operate and maintain the generator(s) during emergencies. By executing such Agreements, the Department is able to expedite its goal of providing a higher level of emergency response service throughout its service area. Power outages that occur during hurricanes and other emergencies require the Department to operate a system of emergency generators at wastewater pump stations to prevent wastewater from backing up into streets, swales, and residents' homes. Due to the great number of lift stations and limited staffing resources, the Department is not able to place an emergency generator at every lift station. These Agreements will increase the number of generators available to the Department during emergencies. Countywide (MJ)
10. Staff recommends motion to approve: State of Florida Department of Transportation Local Agency Program (FDOT LAP) Agreement FPN 418040-1-18-01 for the Wakodahatchee to Green Cay Wetlands Trail planning study in the reimbursable amount not-to-exceed \$60,000. **SUMMARY:** FDOT District 4 has included the Wakodahatchee to Green Cay Wetlands Trail planning study in their fiscal year 2008 budget. This project will serve as part of a regional greenway trail while providing visitors scenic wetland views, access to the Green Cay nature center along with parking and restroom facilities. The County will be fully reimbursed as the cost to complete the planning study is \$59,917 which is less than the Agreement not-to-exceed amount of \$60,000. (WUD Project No. 07-110) District 5 (MJ)
11. Staff recommends motion to receive and file: one (1) Standard Development Agreement and one (1) Standard Development Renewal Agreement complete with executed documents received during the months of May and June 2007.

**Standard Development Agreement**

A) Palm Isles West Association, Inc. 05-90016-000

**Standard Development Renewal Agreement**

B) Albanese-Popkin The Oaks Development Group, Inc. 09-01029-R04

**SUMMARY:** The terms and conditions for Standard Development Agreements are outlined in the Water Utilities Department's Uniform Policies and Procedures Manual. The Board of County Commissioners delegated the authority to execute various types of Standard Development Agreements to the Department Director including potable water and wastewater agreements (R93-1619); reclaimed water agreements (R96-0228); and additional conditions for potable water, wastewater, and reclaimed water agreements (R2003-0539). After these agreements are executed by the developer and the Department, they must be recorded by the County Clerk's Office. This agenda item recommends the Board receive and file the agreements so they may be properly recorded. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

**A)** Amendment to the Interlocal Agreement with the City of West Palm Beach (City) and the South Florida Water Management District (SFWMD) (R2006-0140) for the C-51 Canal Sediment Management Project, increasing SFWMD's and the County's project cost share from \$1 Million up to \$1.5 Million; and

**B)** Budget Amendment of \$500,000 in the Capital Outlay Fund to recognize revenue from the Agreement.

**SUMMARY:** The Amendment will provide for additional \$500,000 from the SFWMD for the C-51 Canal Sediment Management Project bringing the SFWMD cost share to \$1.5 Million. The County's matching share of \$1.5 Million is already budgeted in the Project budget. Districts 2 & 3 (SF)

2. Staff recommends motion to:

**A) adopt** a Resolution authorizing the Clerk and Comptroller to Palm Beach County Board of County Commissioners (BCC) to disburse \$75,000 from the Environmental Enhancement Fund to provide funding for the enhancement of the Highland Beach Mangrove Preserve; and

**B) approve** a Budget Transfer of \$75,000 from reserves within the Environmental Enhancement Fund to recognize the disbursement authorized by the above Resolution.

**SUMMARY:** With BCC approval, the \$75,000 will be used to cover the costs of removing dead limbs that have accumulated within the mangrove ditches as a result of the aftermath of recent hurricanes. These limbs have significantly impeded the flow of tidal water resulting in stagnate water conditions. The removal of deadfall will result in improvements to the water flows and water quality as well as increase the overall benefits of the mangroves within the Highland Beach Mangrove Preserve. This is an appropriate use of Environmental Enhancement Funds supported by Vessel Registration Fees. District 4 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for John I. Leonard High School, in an amount not-to-exceed \$5,000 for football team academic and athletic equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 2 funds. District 2 (AH)

2. Staff recommends motion to receive and file: original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Glades Central Community High School, in an amount not-to-exceed \$3,000 for the purchase of musical instruments. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 6 funds. District 6 (AH)



### 3. CONSENT AGENDA APPROVAL

#### M. PARKS & RECREATION (Cont'd)

3. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Park Vista Community High School, in an amount not-to-exceed \$5,000 for the Flying Cobra's Rocket Team Trip to Virginia. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 3 funds. District 3 (AH)
4. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Grassy Waters Elementary School, in an amount not-to-exceed \$15,000 for the construction and installation of a fitness trail. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 2 funds. District 2 (AH)
5. **Staff recommends motion to receive and file:** original executed Amendment to Request for Funding Form for a School Board Recreation Assistance Program project for Alexander W. Dreyfoos, Jr. School of the Arts Artist-in-Residence Program (R2006-2746) to extend the project completion date from July 31, 2007 to December 31, 2007. **SUMMARY:** This fully executed Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 2 funds. District 2 (AH)
6. **Staff recommends motion to receive and file:** First Amendment to Agreement (R2006-2486) with Royal Palm Beach Youth Softball Association, Inc. for the purchase of uniforms and equipment for the Blue Thunder Softball Team. **SUMMARY:** This fully executed First Amendment to Agreement extends the project completion date from January 31, 2007 to May 31, 2007, and the Agreement ending date from May 1, 2007 to September 30, 2007, in order to allow additional time to accommodate dates of payment and completion of the reimbursement process. The Amendment is in accordance with Resolution R2005-1738, authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 6 funds. District 6 (AH)
7. **Staff recommends motion to receive and file:** original executed Amendment to Request for Funding Form for a School Board Recreation Assistance Program project for Boynton Beach Community High School's participation in the Washington, D.C. Presidential Classroom Project (R2007-0999) to extend the project completion date from June 30, 2007, to September 30, 2007, and to increase the project funding amount from \$3,000 to \$4,300 to include an additional \$1,300 allocation from District 7. **SUMMARY:** This fully executed Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747) approved by the Board on October 21, 2003. The additional funding is from the Recreation Assistance Program (RAP) District 7 funds. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

8. **Staff recommends motion to approve:** Agreement with the Village of Palm Springs for the period August 21, 2007, through December 30, 2007, in an amount not-to-exceed \$25,000 for the Lillian Road Passive Park development project. **SUMMARY:** This funding is to help offset construction costs for the Lillian Road Passive Park development project. The completed park is estimated to be utilized by approximately 500 visitors each month. The Agreement allows for the reimbursement of eligible project costs incurred by Palm Springs subsequent to May 21, 2007. Funding is from the Recreation Assistance Program (RAP) District 3 funds. District 3 (AH)
9. **Staff recommends motion to approve:** Agreement with Youth Enrichment Services, Inc. for the period August 21, 2007, through December 14, 2007, in an amount not-to-exceed \$7,500 for basketball summer camp scholarships. **SUMMARY:** This funding is to help offset the cost of basketball summer camp scholarships for at-risk youth sponsored by Youth Enrichment Services. The scholarships will allow 30 youth to attend the Top Performance Basketball Academy summer camp from June 28, 2007, through July 14, 2007. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to June 28, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 funds. District 7 (AH)
10. **Staff recommends motion to approve:** Agreement with Museum of Lifestyle and Fashion History, Inc. for the period August 21, 2007, through August 31, 2007, in an amount not-to-exceed \$7,500 for 2007 programming and exhibits. **SUMMARY:** This funding is to help offset operational expenses for 2007 programming and exhibits for the Museum of Lifestyle and History, Inc. (MLFH)'s Children & Parents Day Winter Wonderland and Swedish Enchantment Gala events. The Events were attended by approximately 500 participants. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to May 1, 2006. Funding is from the Recreation Assistance Program (RAP) District 7 funds. District 7 (AH)
11. **Staff recommends motion to approve:** Agreement with Cultural Trust of the Palm Beaches, Inc. for the period August 21, 2007, through October 15, 2007, in an amount not-to-exceed \$5,000 for the Jazz for Kids project. **SUMMARY:** This funding is to help offset costs of Cultural Trust's Jazz for Kids project held at the Cultural Campus at Wellington Green on April 14 and 15, 2007. Approximately 3,000 to 5,000 children attended the event. The Agreement allows for the reimbursement of eligible project costs incurred by Cultural Trust subsequent to April 10, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 funds. District 6 (AH)
12. **Staff recommends motion to approve:** Agreement with Omnipotent Outreach Ministry, Inc. for the period August 21, 2007, through December 30, 2007, in an amount not-to-exceed \$5,000 for the Omnipotent Summer Camp program. **SUMMARY:** This funding is to help offset expenses for the Omnipotent Summer Camp program offered by Omnipotent Outreach Ministry, Inc. The program serves approximately 40 youth. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to July 2, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

13. Staff recommends motion to approve: Agreement with The Busch Wildlife Sanctuary, Inc. for the period August 21, 2007, through December 30, 2007, in an amount not-to-exceed \$5,000 for environmental recreation activity programs. **SUMMARY:** This funding is to help offset expenses for environmental recreation activity programs offered by The Busch Wildlife Sanctuary, Inc. The activities offered through these programs serve approximately 16,000 – 20,000 participants annually. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to October 1, 2006. Funding is from the Recreation Assistance Program (RAP) District 1 funds. District 1 (AH)
  
14. Staff recommends motion to approve: Agreement with Bob Carter's Actors Workshop & Repertory Company, Inc. for the period August 21, 2007, through January 15, 2008, in an amount not-to-exceed \$10,000 for the production of "Loquacious and Bodacious, The Life and Times of Zora Neale Hurston." **SUMMARY:** This funding is to help offset expenses for the production of a play about Zora Neale Hurston to be produced by Bob Carter's Actors Workshop & Repertory Company, Inc. at the Cuillo Center for the Performing Arts for three (3) days each weekend during the month of September 2007. Approximately 2,000 people are anticipated to attend the play. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to August 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 funds. District 7 (AH)
  
15. Staff recommends motion to approve: Agreement with Florida Atlantic University for the period August 21, 2007, through March 31, 2008, in an amount not-to-exceed \$5,000 for the Pine Jog Public Trail project. **SUMMARY:** This funding is for improvements to the public trails at Florida Atlantic University's Pine Jog Environmental Education Center on Summit Boulevard in West Palm Beach. The trails at Pine Jog are used by approximately 15,000 annually. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to January 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 2 funds. District 6 (AH)
  
16. Staff recommends motion to approve:
  - A) Budget Transfer of \$570,000 in the General Fund from Parks and Recreation Operating Budget for Maintenance to Park Ridge Golf Course; and
  - B) Budget Amendment of \$570,000 in the Park Ridge Golf Course Special Revenue Fund.

**SUMMARY:** Uncontrollable construction delays prevented the timely completion of the Park Ridge Golf Course. This facility was scheduled to open in August 2006, but was delayed until March 26, 2007. As a result, this facility suffered a reduction in revenue during the peak season for golfing. The budget transfer and budget amendment are necessary to provide adequate funding to the Park Ridge Golf Course to cover the revenue loss. The budget transfer from the Parks and Recreation Department General Fund budget is from attrition in the Parks Maintenance budget. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

17. **Staff recommends motion to approve:** Interlocal Agreement with the City of Belle Glade for the period August 21, 2007, through August 20, 2010, in an amount not-to-exceed \$2,463,600 for funding of the Belle Glade Marina Project – Phase I. **SUMMARY:** This Interlocal Agreement provides funding for construction of Phase I of the Belle Glade Marina project. The project includes design and construction of improvements to the Belle Glade Marina, situated on Torry Island at the southeast corner of Lake Okeechobee. Project elements include design, engineering and permitting fees, contract administration, renovation of existing boat ramps and picnic area, improvements to the Pavilion Lake area consisting of a pedestrian trail, bridges, floating docks, fishing pier and boat/trailer storage area, fish cleaning station, pedestrian walks, park furniture, and landscaping. The Interlocal Agreement allows for the reimbursement of expenses incurred subsequent to December 1, 2006. Funding is from the 2004 \$50 Million GO Waterfront Access Bond referendum. District 6 (PK)
18. **Staff recommends motion to approve:**
- A)** Agreement with Florida Stage, Inc. for the period August 21, 2007, through August 20, 2010, in an amount not-to-exceed \$30,000 for funding of sound and lighting equipment; and
- B)** Budget Transfer of \$30,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 to Florida Stage sound and lighting equipment.
- SUMMARY:** This Agreement provides funding for the purchase and installation of sound and light fixtures in Florida Stage, Inc.'s theatre space in Manalapan. The Interlocal Agreement allows for the reimbursement of expenses incurred subsequent to February 27, 2007. Funding is from the 2002 \$50 Million Recreation and Cultural Facilities Bond referendum – District 4. District 4 (PK)
19. **Staff recommends motion to approve:** Agreement with Royal Palm Beach Soccer, Inc. for the period August 21, 2007, through January 6, 2008, in an amount not-to-exceed \$1,000 for tournament, uniform, and equipment costs. **SUMMARY:** This funding is to help offset the cost of tournaments, uniforms, and equipment for the Royal Palm Beach Soccer, Inc. Girls Striker U-14 Team. The team has 18 players. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to September 9, 2006. Funding is from the Recreation Assistance Program (RAP) District 6 funds. District 6 (AH)
20. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the month of June.
- A)** Clare Buckland, Yoga Instructor, Therapeutic Recreation Center (BUCK11215207075204A); and
- B)** Lauren Brown, Senior Water Aerobics Instructor, Therapeutic Recreation Center (BROW11205807075204A).
- SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

21. Staff recommends motion to:

**A) approve** Termination Agreement for Interlocal Agreement and Lease Agreement (R2000-0560) with the City of Palm Beach Gardens (City) for the development and operation of the 82 acres of County-owned land known as Palm Beach Gardens District Park; and

**B) authorize** staff to include the park as a future project in the County Parks & Recreation Department's 10 Year Capital Improvement Program to be developed and operated as a district park with active recreation facilities on the property.

**SUMMARY:** On July 11, 2006, staff submitted an agenda item (7F1) recommending the termination of the County's Interlocal and Lease Agreement with the City of Palm Beach Gardens for the development and operation of the 82 acres of County-owned land known as Palm Beach Gardens District Park (R2000-0560). In response, the Board directed staff to schedule a workshop to discuss the potential impact of this decision on Parks and Recreation Department's future capital program. At the January 23, 2007 BCC Workshop, the Department presented an overview of its 10 Year Capital Improvement Program, and after discussion, the Board directed staff to move forward with the termination agreement and to place the project at the end of the Department's 10 Year Capital Improvement Program. District 1 (AH)

22. Staff recommends motion to approve:

**A)** Agreement with Florida Atlantic University for the period August 21, 2007, through March 31, 2008, in an amount not-to-exceed \$25,000 for funding of a portable housing unit for the Everglades Youth Conservation Camp;

**B)** a Budget Transfer of \$25,000 in the Transportation Improvement Fund from Reserve for District 2 to the County Transportation Trust Fund;

**C)** a Budget Transfer of \$25,000 in the Transportation Trust Fund increasing the annual transfer from the Transportation Improvement Fund and decreasing the annual transfer from the General Fund;

**D)** a Budget Transfer of \$25,000 in the General Fund decreasing the annual transfer to the County Transportation Trust Fund and increasing the annual transfer to the Park Improvement Fund; and

**E)** a Budget Amendment of \$25,000 in the Park Improvement Fund increasing the annual transfer from the General Fund and increasing the appropriation to the District 2 Recreation Assistance Program (RAP).

**SUMMARY:** This funding is for the purchase and installation of a portable housing unit for the Everglades Youth Conservation Camp (EYCC) managed by Pine Jog Environmental Center and located in the J.W. Corbett Wildlife Management Area. Approximately 20,000 participants utilize the EYCC facilities annually. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to January 1, 2007. The budget transfers and budget amendment increase the gas tax support and decrease the ad valorem support of the County Transportation Trust Fund, thereby allowing for the allocation of the available ad valorem support to the District 2 Recreation Assistance Program. At the November 21, 2006, Board Meeting, the flexibility of up to \$200,000 in transfers was approved for this purpose. This project uses available balance in transfers for District 2 funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

23. Staff recommends motion to approve:

**A)** West Delray Regional Park as the official name of the new County park located at the western terminus of Atlantic Avenue; and

**B)** signage that recognizes the efforts of three (3) south County homeowner association umbrella organizations supporting this cooperative effort between the County and the South Florida Water Management District (District).

**SUMMARY:** On February 26, 2006, the Board approved a lease agreement with the District to use portions of the former Palm Beach Downs property for park purposes. Improvements to this property are nearing completion and a number of new recreational opportunities will soon be available to the public. In an effort to avoid confusion with the adjoining Palm Beach Downs horse training center, it is recommended that the new park be named West Delray Regional Park which is in conformance with Facility Naming PPM No. CW-O-044(A). In addition, it is requested that signage be erected that recognizes the efforts and support of three (3) south County homeowner association umbrella organizations in making this park a reality. Countywide (AH)

24. Staff recommends motion to approve: Budget Transfer of \$35,000 in Park Improvement Fund from the Florida Boating Improvement Program reserve to Juno Park Boat Ramp Improvements. **SUMMARY:** This budget transfer will provide the additional funding necessary to repair the existing finger pier on the south side of the boat ramp, as well as the addition of a new finger pier on the north side of the boat ramp. Funding is from the Park Improvement Fund Florida Boating Improvement Program reserve. District 1 (AH)

N. LIBRARY

1. Staff recommends motion to approve: the County Library's Long-Range Plan for FY 2008-2010. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY 2008 through FY 2010. This annual process of strategic planning is done in conjunction with the State's requirements for libraries receiving state aid funds and with the County's budget process. The Library Advisory Board has endorsed this Plan with Resolution 07-2; dated July 9, 2007. Countywide (TKF)

2. Staff recommends motion to:

**A) approve** a Community Library in Caring (CLIC) Grant Application totaling \$10,000 to the Florida Department of State, Division of Library and Information Services, for the Belle Glade branch library; and

**B) authorize** the Chairperson to execute the grant agreements and any other necessary forms and certifications.

**SUMMARY:** This grant, if approved, will provide monthly teen programs and teen paperbacks, and create a dedicated teen area at the Belle Glade Branch Library. In addition, the library will purchase and add teen materials and program opportunities at a migrant family center in Pahokee, where the Library has an established partnership through a deposit collection and programs. No matching funds are required. District 6 (TKF)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

**A)** Ninth Amendment to the Agreement (R99-2416D; dated December 21, 1999) with the Office of the State Attorney for the Community Based Anti-Crime Task Force (COMBAT) Unit to extend the agreement through September 30, 2008 and provide funding for FY 2008 for \$240,000 from Edward Byrne Memorial Justice Assistance Grant (JAG) funds (\$20,000 from April 2008 JAG, \$15,000 from May 2009 JAG and \$205,000 from June 2010 JAG); and

**B)** the Sixth Amendment to the Agreement (R2001-2131; dated December 4, 2001), with the Public Defender's Office for the Ex-Offender Re-Entry Program to extend the agreement through September 30, 2008 and provide funding for FY 2008 for \$97,500 (\$15,197 from Criminal Justice Reserve Funds and \$82,303 from June 2010 JAG funds).

**SUMMARY:** An Amendment to the Agreement with the State Attorney's Office is required for legal services in order to continue to assign four (4) prosecutors to the COMBAT Unit serving three (3) County Weed and Seed areas, and for the Youth Violence Prevention and Gang Initiative. An Amendment to the Agreement with the Public Defender's Office is required to allow for continued contractual services for two (2) positions in the Ex-Offender Re-Entry Program. Countywide (DW)

S. FIRE RESCUE

1. Staff recommends motion to approve and ratify: four (4) Side Agreements to the Collective Bargaining Agreement between Palm Beach County and Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. **SUMMARY:** Both parties are requesting four (4) Side Agreements to the current Collective Bargaining Agreement, October 1, 2005 through September 30, 2008 (R2005-1925). These Side Agreements address changes to Article 18-Promotions, for the next Operational Captain promotional process; changes to Article 19-Pay Plan, amending the pay plan for the Apparatus Maintenance Superintendent; changes to Article 21-Overtime, amending the hourly rate an employee shall be compensated for hours worked during a special event; and changes to Article 30-Funeral Leave, clarifying leave benefits and eligibility in the event of the death of an immediate family member. Countywide (SB)

2. Staff recommends motion to approve: an Agreement for Pharmaceutical Supplies and Medications with the Health Care District of Palm Beach County in the amount of \$1,400,000. The term of this Agreement is from October 1, 2007 through September 30, 2010. **SUMMARY:** Palm Beach County has been purchasing pharmaceutical supplies and medications from the Health Care District since January 1992 (R92-63D). The existing Agreement (R2005-1908) expires on September 30, 2007. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to approve: the Chairperson to certify the non-ad valorem assessment roll for the MSBU (Municipal Service Benefits Unit) for Fire Hydrant Maintenance and Rental-Riviera Beach and for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** MSBU's for fire hydrant maintenance and rental for Riviera Beach and Boca Raton were established in February, 1993, by Ordinance No. 93-5. The current rates as established by Resolutions are \$52.86 per parcel for Riviera Beach (R98-1023) and \$26 per parcel for Boca Raton (R2006-0894). Every year the assessment roll must be certified by the Chairperson of the Board, and the State Department of Revenue form DR-408A must be signed by the Chairperson for each MSBU. These forms and the tape of the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 5 & 7 (SB)
  
4. Staff recommends motion to approve: Memorandum of Agreement with the Children's Services Council of Palm Beach County providing the County funding of up to \$50,000 for the Drowning Prevention Coalition effective October 1, 2007 for the period October 1, 2007 to September 30, 2008. **SUMMARY:** The Drowning Prevention Coalition Program is managed by Palm Beach County Fire Rescue. However, the Program is funded by multiple sources including the Children's Services Council (CSC) of Palm Beach County and the County's general fund. This Memorandum of Agreement provides the terms and conditions of the Children's Services Council of Palm Beach County's agreement to provide funding to the County of up to \$50,000 for the Drowning Prevention Coalition Program. The additional funding of this Program for FY 2008 is being provided from the County's general fund in the amount of \$150,000. Countywide (SB)
  
5. Staff recommends motion to approve: an Interlocal Agreement relating to the Sale of Fire Rescue vehicles and equipment with Fentress County, Tennessee. **SUMMARY:** Fire Rescue currently has four (4) apparatus (1991 Pierce Pumper; VIN No. 4P1CT02D8MA000405, Asset No. 10169628; 1992 Emergency-One Cyclone Pumper, VIN No. 4ENDBAA88N1009777, Asset No. 10169663; 2001 Kenworth-Sutphen Tanker, VIN No. 2NKMHD8X21M860892, Asset No. 10169631; and 1997 Ferrara Pumper, VIN No. 1FV6JLCB4VH722963, Asset No. 10112674) that are scheduled to come out of our fleet. The estimated fair market value of the apparatus is \$140,000. Approval of this Agreement will authorize the sale and title transfer of the vehicles to Fentress County, Tennessee, to be used to respond to fire emergencies within their response area. Countywide (SB)

T. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2007/2008 budget for the Air Pollution Control Program. **SUMMARY:** This Resolution is required by the August 21, 1984, Agreement between the Board of County Commissioners and the Palm Beach County Health Department (PBCHD) to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This program is solely supported by motor vehicle license registration fees. The proposed FY 2007/2008 budget for the Air Pollution Control Program from this funding source is \$885,000 which is a 1.6% increase over the current year. Countywide (GB)



3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT (Cont'd)

2. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing funds to support a study to characterize the emissions from sugar cane burning in order to establish air toxic emission factors. **SUMMARY:** The Health Department's air pollution control program received a special federal award from the U.S. Environmental Protection Agency to contract with a Florida University to conduct laboratory study. The purpose of the study is to develop air toxic emission factors for sugar cane field burning. This information is important in order to estimate countywide air toxics emissions from all sources to better assess public health impacts. This Resolution will enable the Health Department to utilize \$20,000 from the Air Pollution Control Trust Fund to cover approximately 21% of the cost for the \$94,113 special study. The Air Pollution Control Trust Fund is supported solely by motor vehicle license registration fees collected in Palm Beach County. Subsequent to this action, the net Trust Fund balance will have sufficient cash reserves to operate the air program. Countywide (GB)

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve:

**A)** Sixth Amendment to the Contract with CGI-AMS (formerly named American Management Systems, Inc.) (R2002-1782), to extend the ending date of this contract from December 31, 2007 to December 31, 2008, at no additional cost to the County;

**B)** Seventh Amendment to in the Contract with CGI-AMS (R2002-1782), to delete modifications that have been incorporated into the AMS Advantage Financial software, reducing the contract amount by \$28,000; and

**C)** Statement of Work (Exhibit A) pursuant to contract with CGI-AMS (R2002-1782), for development and installation of enhancements to the functionality of the County's Advantage Financial System, in an amount not-to-exceed \$599,000.

**SUMMARY:** The Sixth Amendment is for a contract extension to allow additional time for completion of the installation of the Vendor Self Service module. The Seventh Amendment will eliminate modifications related to the invoicing and fixed asset modules. The Statement of Work will add functionality to various modules in the Advantage System as approved by the Financial System Administration Team (FSAT). Countywide (PK)

2. Staff recommends motion to receive and file: Amendments No. 1 and No. 2 to Microsoft Consulting Services Agreement (R2006-2756), to extend the ending date of this Agreement from September 30, 2007 to December 31, 2007, and to add 100 additional hours of consulting services at no additional cost to the County. **SUMMARY:** The First Amendment is for an agreement extension to allow additional time for completion of consulting services to assist the County with the migration to Microsoft Active Directory as the single enterprise directory service and Microsoft Exchange as the single enterprise e-mail environment. The Second Amendment is an agreement for Microsoft to provide 100 additional hours of consulting services as gratuitous services. Microsoft Consulting Services Agreement (R2006-2756) approved by the BCC on December 19, 2006 authorized the County Administrator to execute Amendments up to \$25,000 per occurrence up to a maximum of \$50,000 in total project costs. Countywide (PK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. DELETED

2. Staff recommends motion to receive and file: Animal service contracts for the period October 1, 2006 to September 30, 2007 with the following:

- |  |  |
|--|--|
| <b>A)</b> Buddies Thru Bullies         | <b>J)</b> Busch Wildlife Sanctuary         |
| <b>B)</b> Stray No More                | <b>K)</b> Boynton Beach Animal Control     |
| <b>C)</b> LuvAPet                      | <b>L)</b> Animal Rescue League             |
| <b>D)</b> Greyhound Pets of America    | <b>M)</b> Animal Rescue Force of South Fl. |
| <b>E)</b> Folke Peterson Wildlife      | <b>N)</b> Adopt a Cat Foundation           |
| <b>F)</b> Doberman Rescue Concern      | <b>O)</b> Tri-County Humane Society        |
| <b>G)</b> Safe Harbor Animal Sanctuary | <b>P)</b> Puppies Under Protection         |
| <b>H)</b> Pet Haven Rescue             | <b>Q)</b> Paws 2 Help                      |
| <b>I)</b> Palm Beach Pet Rescue        |  |

**SUMMARY:** These contracts reimburse the animal agencies for services provided that pertain to the treatment, care, and sheltering of animals. The County Administrator or his designee has authority to sign on behalf of the Board of County Commissioners (Agenda Item 6H2 – November 19, 2002). Countywide (SF)

AA. PALM TRAN

1. Staff recommends motion to:

- A) adopt** a Resolution authorizing the conveyance of one (1) 30' 1997 Gillig Phantom bus and transference of vehicle title to a non-profit organization;
- B) approve** a Budget Transfer of \$4,900 from the District Improvement Fund to Palm Tran's Operating Fund;
- C) approve** a Budget Amendment of \$4,900 in Palm Tran's Operating Fund;
- D) approve** an Agreement with Glades Glen Browns Youth Football League, Inc.; and
- E) adopt** a Resolution declaring one (1) transit style 1997 Gillig Phantom bus excess County property.

**SUMMARY:** Palm Tran needs to dispose of one (1) 30' Gillig Phantom bus. This bus has reached its useful life and in accordance with the Federal Transit Administration (FTA) guidelines may be disposed of. If Palm Tran would have offered the bus up for disposal by auction, Palm Tran could have realized \$4,900 in revenue. The County Commissioner from District 6 has agreed to utilize his respective District Improvement funds to reimburse Palm Tran for loss of revenue. The revenue from these funds will be used for Palm Tran's operation. Commissioner Santamaria is sponsoring this one (1) bus to Glades Glen Browns Youth Football League, Inc. The recipient is a non-profit organization. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to approve:

**A)** acceptance of the designation of Palm Beach County as the Community Transportation Coordinator as defined in Chapter 427, Florida Statutes; and

**B)** a Memorandum of Agreement (MOA) with the State of Florida Commission for the Transportation Disadvantaged to serve as the designated Community Transportation Coordinator for the period of October 1, 2007, through June 30, 2012.

**SUMMARY:** Since 1999, the Palm Beach County Board of County Commissioners (BCC), doing business as Palm Tran, has been the designated Community Transportation Coordinator (CTC) for Palm Beach County. It has fulfilled the responsibilities as required to coordinate transportation disadvantaged services in the most cost effective and efficient manner. Palm Tran Connection has assumed responsibilities for the implementation, scheduling, and monitoring of the paratransit transportation of seniors, individuals with disabilities and the transportation disadvantaged. In light of these efforts, the Metropolitan Planning Organization (MPO) Board recommended Palm Beach County as the CTC. The Commission for the Transportation Disadvantaged (CTD) approved the designation subject to acceptance by the BCC and approval of the CTD Board on August 6, 2007. The proposed designation is effective October 1, 2007, through June 30, 2012. Countywide (DR)

3. Staff recommends motion to:

**A) approve** a Florida Commission for the Transportation Disadvantaged (CTD) Trip and Equipment Grant in the amount of \$2,274,718 for FY 2007/2008 to provide non-sponsored trips in accordance with the Transportation Disadvantaged Trust Fund in Chapter 427 Florida Statutes and Rule 41-2 Florida Administrative Code;

**B) authorize** the Executive Director of Palm Tran, through the County Administrator, or his designee to file and execute the Trip and Equipment Grant Agreement with the CTD;

**C) approve** Budget Amendment of \$167,659 in Palm Tran Grants Fund to receive state grant funding; and

**D) approve** Budget Amendment of \$167,659 in Palm Tran Operations to receive grant funding and appropriate it to Contractual Services.

**SUMMARY:** On May 1, 2007, the Board of County Commissioners approved a resolution (R2007-0713) authorizing the filing of a Transportation Disadvantaged Trust Fund (TDTF) Application with the CTD and delegating authority to the Palm Tran Executive Director to execute the Standard Coordination/Operator contracts, on behalf of Palm Beach County. Based on that approval, the Trip and Equipment Grant Agreement was developed. The Grant provides approximately 90% of the funding for Palm Beach County's TD program. Palm Beach County has been allocated funds for FY 2007/2008: Trip and Equipment Grant: \$2,271,638; Total State Grant: \$2,044,474; Local Match: \$227,164; Voluntary Dollar Contributions: \$2,772; In-Kind Match for Voluntary Dollar: \$308; Total Grant: \$2,274,718. The local match has already been budgeted in Palm Tran's FY 2007/2008 operating budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. HOUSING FINANCE AUTHORITY

1. Staff recommends motion to approve: the nomination of Judy F. Irwin as the Chairperson of the Housing Finance Authority of Palm Beach County (H.F.A. Board) for the term of June 2007 through May 2008. **SUMMARY:** At the regular H.F.A. meeting of June 8, 2007, the H.F.A. nominated Judy F. Irwin as its Chairperson to serve a term of one (1) year, in accordance with Ordinance No. 2002-022. The Ordinance requires the nomination of the Chairperson be done in June of each year. The Ordinance further requires the nomination be submitted to the Board of County Commissioners for approval. Countywide (TKF)

CC. SHERIFF

1. Staff recommends motion to:
  - A) approve** a Budget Amendment for the Community Oriented Policing Services (COPS) grant increasing the Sheriff's Grant Fund in the amount of \$416,308;
  - B) rescind** the action of Agenda Item 3BB5 (R2007-0718; dated May 1, 2007);
  - C) approve** a grant match in the amount of \$185,445 from the State Law Enforcement Trust Fund; and
  - D) approve** a Budget Transfer of \$185,445 from the State Law Enforcement Trust Fund.

**SUMMARY:** The Board approved the acceptance of this grant award on April 16, 2002. The purpose for this agenda item is to fully expend the funds. The grant allows for the hiring of ten (10) deputies, increasing the number of deputies working as School Resource Officers (SRO's) in Palm Beach County District Schools. PBSO hired three (3) deputies in FY 2002 and an additional four (4) deputies in FY 2004 and the remaining three (3) deputies in FY 2005. Of the \$1,250,000 originally awarded for the grant, \$1,019,137 was expended as of September 30, 2006. The PBSO is requesting the amount of \$13,942 currently in deferred revenue from FY 2006 and the amount of \$216,921 from the final year of funding to fully spend the remaining grant funding. The PBSO intends to use a total of \$185,445 in State LETF funds to provide the required match. Approval of this request will reduce the LETF balance to \$947,878. Countywide (DW)
2. Staff recommends motion to approve: a Budget Amendment of \$1,600,000 in the General Fund for off-duty permit security services provided through contractual agreements by the Palm Beach County Sheriff's Office to private and public organizations. **SUMMARY:** The Budget Amendment is requested to recognize the additional revenues and associated expenses generated from off-duty permit activity. The revenues from this service for FY 2007 were established in the adopted budget at \$3,000,000. As of the end of May 2007, revenues generated were \$3,275,664 for the first eight (8) months of the year, which are representative of an increase in demand for services and the impact of an increase in pricing. Based on prior year trends, it is projected that the demand for off-duty permit services will continue at the historical level through the end of the fiscal year. Annualized revenues are projected at \$4.6M, which is \$1.6M over the current budget. The recognition of additional revenues will provide for the budget required to pay the associated expenses for those services. No County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

DD. SUPERVISOR OF ELECTIONS

1. [Staff recommends motion to approve:](#) Precinct boundary changes submitted by Dr. Arthur Anderson, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** Precinct boundary changes as indicated. Countywide (LSJ)

\* \* \* \* \*

**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A.** Presentation of plaques to Senator Aronberg and Representative Brandenburg in recognition for their leadership as the Chairman and Vice Chair of the Palm Beach County Legislative Delegation.
  
- B.** Certificate of Appreciation to C. Stanley Weaver on his retirement from the Lake Worth Drainage District after a 45-year tenure. (Sponsored by Commissioner McCarty)
  
- C.** Proclamation declaring the week of August 27, 2007 - September 3, 2007 as “Palm Beach County Firefighter Appreciation Week”. (Sponsored by Commissioner Greene)

\* \* \* \* \*

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

A. Staff recommends motion to:

**A) adopt** a Resolution abandoning portions of a 30 and a 50 foot wide unimproved right-of-way, lying between Blocks 80 and 81, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45-54, Public Records of Palm Beach County, Florida; and

**B) approve** authorization for the Chairperson to execute the Utility Easement as requested by Palm Beach County Water Utilities Department.

**SUMMARY:** This petition site is located south of Palmetto Park Road, east of Lyons Road, lying between Sandalfoot Cove Sections 7 and 8 and Boca Rio Heights developments. The County Engineer is requesting the abandonment to release the public interest in these unimproved rights-of-way. District 5 (PFK)

B. Staff recommends motion to adopt: a Resolution abandoning those portions of the platted thirty (30) foot unimproved roads, lying in Sections 14, 15, and 22, Township 47 South, Range 41 East, within the plat of Florida Fruit Lands Company's Subdivision No. 2, as recorded in Plat Book 1, Pages 102, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located on the northeast corner of Ponderosa Drive and Palmetto Park Road. The requested abandonment is to accommodate the construction within the South County Regional Park. District 5 (PFK)

C. Staff recommends motion to:

**A) adopt** a Resolution confirming the special assessment process for Cooley Court from the dead end north to Lake Worth Road Paving Improvement Project (Project), Section 25, Township 44 South, Range 42 East, Palm Beach County Atlas Page Number 90, E-25, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program; and

**B) approve** a Budget Transfer of \$33,000 in the MSTU District C Fund from Reserves to Cooley Court from the dead end north to Lake Worth Road.

**SUMMARY:** Adoption of the Resolution provides for the collection of fifty percent (50%) of the MSTU funds expended on the Project Assessments will be payable in twenty (20) equal annual installments. The Project consists of the construction of paving improvements for Cooley Court from the dead end north to Lake Worth Road (Project). District 3 MSTU District C (MRE)

5. PUBLIC HEARINGS - 9:30 A.M. CONTINUED

D. Staff recommends motion to adopt:

A) a Resolution confirming the special assessment process for the Kidd Street, 2<sup>nd</sup> Street & McConnell Street Paving Improvement Project (Project), Section 24, Township 44 South, Range 42 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program; and

B) a Resolution confirming the special assessment process for the Clinton Boulevard & Cambridge Street Paving Improvement Project (Project), Section 24, Township 44 South, Range 42 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program.

**SUMMARY:** Adoption of the Resolutions provides for the collection of fifty percent (50%) of the MSTU Funds expended on each Project. Assessments will be payable in twenty (20) equal annual installments. The Projects consist of the construction of paving improvements on Kidd Street, 2<sup>nd</sup> Street, 2<sup>nd</sup> Street & McConnell Street, and Clinton Boulevard & Cambridge Street. Construction of the road improvements will be accomplished by Palm Beach County, utilizing the low bidder for the Projects. Bids were received on June 26, 2007, and the apparent low bidder is J.W. Cheatham, LLC. Fifty percent (50%) of the MSTU Funds will be recovered from assessments levied on properties benefiting from the improvements. Districts 2 & 3 (MRE)

E. Staff recommends motion to:

A) **approve** the Application of Caron Foundation of Florida, Inc. for the issuance of not-to-exceed \$9,500,000 Tax-Exempt Adjustable Mode Revenue Bonds (Caron Foundation of Florida, Inc. Project) Series 2007 (the "Bonds"); and

B) **conduct** a TEFRA public hearing regarding the Bonds.

**SUMMARY:** Caron Foundation of Florida, Inc. (the "Company") has applied for the issuance of the Bonds by the County in an amount not-to-exceed \$9,500,000. Proceeds of the Bonds will be used to: i) pay the costs of acquisition, construction, installation and furnishing of certain leasehold improvements to the apartment facilities known as Fairways on the Green located at 2101 Lawson Boulevard, Delray Beach, Florida; ii) pay the costs of the acquisition, build-out, installation and furnishing of an office and outpatient treatment facility known as Beacon Square located at 8051 Congress Avenue, Boca Raton, Florida; and iii) pay the costs of issuance of the Bonds. Prior to the issuance of the Bonds the Internal Revenue Code requires that the County conduct a public hearing. The Bonds will be payable solely from revenues derived from the Company. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 4 (PFK)

F. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 26-51, Paragraph (b), of Chapter 26, Article II, Division 3, Palm Beach County Code (Codifying Ordinance No. 2005-064); recognizing the inclusion of the Town of Loxahatchee Groves within the boundaries of the Fire Rescue MSTU (Municipal Service Taxing Unit); providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; providing for effectiveness. **SUMMARY:** Chapter 2006-328, Laws of Florida, created the Town of Loxahatchee Groves and established its Charter. Properties located within the newly created municipal boundaries were previously included in the Fire Rescue MSTU as unincorporated Palm Beach County. Chapter 2006-328, Laws of Florida, authorized the continuation of the Fire Rescue MSTU within the newly formed Town until the Town adopts an Ordinance to the contrary. The proposed Ordinance formally recognizes the inclusion of the Town within the boundaries of the Fire Rescue MSTU. Countywide (SB)

\* \* \* \* \*



6. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to accept:** Presentation of the 2007 Legislative Session final report. **SUMMARY:** A presentation of the final legislative report reviewing Palm Beach County's 2007 Legislative Agenda priorities and appropriations with the Board of County Commissioners. Countywide (DW)
  
2. **Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 11, 2007 at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing for an amendment to the Palm Beach County Charter concerning the transfer or limit of a service, function, power or authority of a municipality; providing for charter amendment language; providing for referendum and ballot language; providing for form of notice; providing for adoption by the Board of County Commissioners; providing for severability; providing for inclusion in the Charter; and providing for an effective date. **SUMMARY:** This Ordinance will place a proposed Charter Amendment on the November 4, 2008 general election ballot that will revise how and where future charter amendments will be implemented. If passed, this Charter Amendment would provide that any approved charter amendment that transfers or limits a service, function, power or authority of a municipality shall be effective in a municipality only if the amendment is also approved by a majority of voters in that municipality voting in the referendum. Countywide (LB)
  
3. **Staff recommends motion to discuss and approve:** Commission appointments to various advisory boards/committees:

<u>Board/Committee</u>	<u>Interested in Appointment</u>
A) Artificial Reef and Estuarine Enhancement Committee	Comm. Koons
B) Audit Committee (Alternate)	
C) Budget Advisory Board (as Chair)	
D) *County Coalition for Responsible Management of Lake Okeechobee and St. Lucie and Caloosahatchee and Estuaries and Lake Worth Lagoon	
E) Criminal Justice Commission	
F) *Intergovernmental Coordination Program/Executive Committee	
G) *Kravis Center Board of Directors (Ex-Officio Member)	Comm. McCarty
H) *Treasure Coast Regional Planning Council (Alternate)	

**\* Non-County sanctions board/committee, but requires Commission representation.**

**SUMMARY:** The Board of County Commissioners has a number of advisory boards/committees, several of which require a County Commissioner. Following the resignation of former Commissioner Warren H. Newell, the above boards/committees were left without Commission representation. These boards/committees must now be filled. In some cases, a Commissioner has expressed an interest in serving and this has been noted next to the board/committee name. Countywide (DN)

6. REGULAR AGENDA

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) adopt** a Resolution to approve the final Palm Beach County Manatee Protection Plan (MPP) which has been revised and approved by the Florida Fish and Wildlife Conservation Commission (FWC); and

**B) authorize** the County Administrator or his designee to make minor edits to the MPP that do not significantly change the implementation of the MPP.

**SUMMARY:** The draft MPP approved by the Board in June 2006 (R2006-1184) was not acceptable to the FWC and the United States Fish and Wildlife Service. FWC made changes to the MPP with additional input from stakeholders and has approved a revised Plan contingent upon Board approval and adequate funding of the final plan. The MPP is intended to serve as a resource and planning tool for agencies involved in manatee conservation issues and provide guidance for review of permits for proposed boat facilities. The MPP includes a Boat Facility Siting Plan that determines the number of new slips that can be constructed on waterfront properties. To offset and mitigate for impacts associated with the new boat slips likely to be approved, the MPP provides annual funding to be used for improving public education, gathering data, enforcing existing boat speed zones, and restoring habitat. Approval of the MPP is expected to provide greater predictability and shorter permitting times for boat ramps, marinas and docks. Countywide (SF)

C. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to:

**A) approve** Change Orders (Nos. 162 and 164) to the existing software development contract with Affiliated Computer Services, Inc. (ACS) (R98-1540D) at an aggregate cost of \$12,000 to provide additional functionality for the JIS Banner Criminal and Traffic Courts System; and

**B) receive and file** Change Orders (Nos. 166 and 168) to be paid for by the Clerk & Comptroller in the amount of \$14,250.

**SUMMARY:** A highly customized criminal and traffic system developed by ACS was implemented in October 2006. Since the system "go-live" date, the principal users (Clerk & Comptroller, Court Administration, State Attorney, and Public Defender) have encountered numerous challenges in using the system to process court cases. These Change Orders are necessary to provide additional system functionality, including resend capability for suspended driver's licenses, error correction for traffic citation accounting, modification of screens to associate fees, and ability to select cases by filing date. Change Order Nos. 162 and 164 totaling \$12,000 were approved by the JIS Policy Board during their meeting on May 10, 2007. The Clerk agreed to pay for Change Order Nos. 166 and 168 during a meeting of the JIS Budget Subcommittee on June 27, 2007 and these items will be presented to the JIS Policy Board during their next meeting on August 23, 2007. Countywide (PK)

6. REGULAR AGENDA

D. PALM TRAN

1. **Staff recommends motion to approve:** Amendment Number 1 to MV Transportation, Inc., Contract R2004-2636, which will reduce the overall program service hours; allow the use of taxi vehicles; increase the billable service hourly rate; eliminate the provider boundary service areas; and modify several other provisions of the contract. **SUMMARY:** The Board of County Commissioners approved the award of a seven (7) year contract to MV Transportation, Inc., to provide paratransit services within Palm Beach County on December 21, 2004 (R2004-2636). As a result of certain service modifications in our paratransit service program, such as the reduction in service program hours; elimination of the provider service boundaries; the use of taxi vehicles in lieu to paratransit vans; the impact of an adverse local labor market and Palm Tran's desire to amend several areas within the Contract, Palm Tran entered into negotiations with MV to address the cost impact(s) of the various changes. The negotiations resulted in an agreement to increase the hourly rate paid to MV as a result to the contract changes. The total impact of these changes for the duration of this contract will result in an overall reduction in the total estimated contract value from \$84,724,097 to \$71,972,512, an overall reduction of \$12,063,074. Countywide (DR)

E. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** a loan of \$34,000 for the purchase of a condominium home for a moderate income employee of Housing and Community Development. The funding sources and amounts are as follows:
  - A) \$121,050 first mortgage from HSBC Bank repaid over 30 years at 5.625% interest;
  - B) \$34,000 from the State Housing Initiatives Partnership Program, at zero percent (0%) interest with no monthly payment required; and
  - C) \$6,349.82 in down payment and closing costs from Kimberly Spence.**SUMMARY:** Kimberly Spence is a single woman employed with Palm Beach County since January of 2007. She is a Planner I working exclusively with the Community Development Block Grant (CDBG) and Federal Emergency Shelter Grant Program (ESG) funded by the U.S. Department of Housing and Urban Development (HUD). ESG funds are not a component of this financing. The existing condominium is 923 square feet with, 2 bedrooms and 2 baths and is selling for \$153,000. This home appraised at \$155,000. This application was presented to and recommended for funding by the Commission on Affordable Housing's Advisory Committee on June 29, 2007. **These are SHIP funds which do not require a local match.** Countywide (TKF)
2. **Staff recommends motion to approve:** an Assignment and Assumption Agreement with the Hamlet, Ltd. and Boynton Bay, Ltd., for the assignment to and assumption of by Boynton Bay, Ltd. all obligations of the Hamlet Ltd. pursuant to the County loan agreement (R90-1842D). **SUMMARY:** On June 23, 1990, the Board of County Commissioners approved a loan in the amount of \$1,000,000 to the Hamlet, Ltd. for the construction and permanent financing of 240 units of multifamily attainable housing. This Agreement requires the new partner Boynton Bay, Ltd. to comply with all the requirements of the original County loan agreement. District 7 (TKF)

6. REGULAR AGENDA

F. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) Budget Amendment of \$12,417,477 in the General Fund as a result of removing budgeted utility tax revenues of \$28,124,750 and recognizing a transfer of \$15,707,273 from the Utility Tax - Electricity Fund; and

B) Budget Amendment of \$28,124,750 establishing the Utility Tax - Electricity fund to account for the revenues from the utility tax on electricity.

**SUMMARY:** In an effort to enhance the provision of fire rescue services, the Board authorized the Fire Rescue Department to provide countywide communications services effective June 1, 2005. The Board also approved the use of countywide ad valorem tax revenue to fund countywide common dispatch services. The municipalities of Delray Beach and Boca Raton (Cities) filed a lawsuit challenging this practice. In June 2007, the Court agreed with the Cities and the County is now required to fund dispatch services and the traffic signal preemption project from unincorporated revenues. The utility tax on electricity is revenue derived solely from the unincorporated area and will now be utilized as the funding source for central dispatch and the traffic light preemption project. These Amendments reallocate the budget to allow for this new funding arrangement. There is no net fiscal impact to the County. Countywide (PFK)

G. PUBLIC SAFETY

1. Staff recommends motion to approve: an Interlocal Agreement with the School Board of Palm Beach County concerning the payment of overtime for school employees working at hurricane shelters. **SUMMARY:** Due to changes in the manner in which the American Red Cross reimburses hurricane shelter costs, the School Board is no longer eligible to obtain overtime reimbursement of costs to open, staff, and operate schools used as hurricane shelters. With the approval of this Agreement, the Board of County Commissioners will pay the overtime costs of the School Board staff and seek reimbursement of those costs from the Federal Emergency Management Agency. Countywide (DW)

\* \* \* \* \*

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. COUNTY ATTORNEY  
(Environmental Appeal Board)

- 1. Staff recommends motion to approve: appointment of one (1) member to the Environmental Appeal Board, to complete the unexpired term of Robert J. Kanjian, who resigned and whose term expires on July 27, 2008.

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>
Frank M. Keiser, II	3	Member of Gold Coast Builders Assoc.

**SUMMARY:** The Board is composed of five (5) members. Membership must consist of one (1) lawyer recommended by the Palm Beach County Bar Association; one (1) person recommended by the Home Builders and Contractors Association; one (1) professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers; one (1) water resource professional employed by the South Florida Water Management District; and one (1) drinking water engineer employed by the Department of Environmental Protection. This action will fill the above-referenced seat until July 27, 2008. Countywide (GDB)

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ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

8. BOARD APPOINTMENTS

A. **ADMINISTRATION**  
**(Handicap Accessibility & Awareness Grant Review Committee)**

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

**A)** reappointments of seven (7) at-large members to the Handicap Accessibility and Awareness Grant Review Committee (Grant Review Committee) for a two (2) year period beginning August 28, 2007, through August 27, 2009; and

<b><u>Reappointments:</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated by:</u></b>
Roberta Van Sickle	1	Commissioners Greene and Koons
Daniel G. Riley	2	Commissioners Greene and Koons
Scott Shoemaker	5	Commissioners Greene and Koons
Sandy White	6	Commissioners Greene and Koons
Johnny Charlisle	7	Commissioners Greene and Koons
Bobbie Valentine	8	Commissioners Greene and Koons
Allen Preston	9	Commissioners Greene and Koons

**B)** appointment of two (2) new at-large members for a two (2) year term beginning August 28, 2007 through August 27, 2009:

<b><u>New Appointments:</u></b>	<b><u>Seat No.</u></b>	<b><u>Nominated by:</u></b>
Andrea Bryant	3	Staff
William Lapp	4	Staff

**SUMMARY:** These appointments are necessary to fill vacancies on the Grant Review Committee. All terms expired on July 17, 2007. The Committee meets once a year to review proposal and make recommendations on the award of Handicapped Accessibility Grants funds. All appointments are for a term of two (2) years and are at-large. Countywide (TKF)

8. BOARD APPOINTMENTS

B. **ENVIRONMENTAL RESOURCES MANAGEMENT**  
**(South Lake Worth Inlet Advisory Committee)**

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

**A)** appointment of two (2) regular members for three (3) year terms, beginning August 21, 2007 through August 20, 2010; and

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Representing</u></b>	<b><u>Nominated by</u></b>
Gregory L. Dunham	1	Town of Manalapan	Town of Manalapan
Geoffrey Pugh	2	Town of Ocean Ridge	Town of Ocean Ridge

**B)** one (1) alternate member to complete an unexpired term (August 21, 2007 through June 16, 2009) on the South Lake Worth Inlet Advisory Committee (SLWIAC).

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Representing</u></b>	<b><u>Nominated by</u></b>
Tom Thornton, Jr.	1 Alt.	Town of Manalapan	Town of Manalapan

**SUMMARY:** The SLWIAC was established under the provisions of Chapter 96-466, Laws of Florida, Resolutions R96-807 and R2000-0631. The Board consists of one (1) regular and one (1) alternate member nominated by the Town of Manalapan, one (1) regular and one (1) alternate member nominated by the Town of Ocean Ridge, one (1) member in a boating-related industry, one (1) member from an environmental organization, one (1) member with expertise in coastal-related matters, one (1) member with experience in parks and recreation administration, and one (1) member of the general public. Mr. Tom Gerrard, Town of Manalapan Commissioner, currently holds Seat No. 1 on the SLWIAC, but is not seeking re-appointment at the end of his term. Gregory L. Dunham, Town Manager of Manalapan is currently the Alternate for Seat No. 1. He will become the Town's new regular representative. The Town of Manalapan nominated Mr. Tom Thornton, Jr., Town Commissioner to become the new Alternate. The Town of Ocean Ridge nominated Geoffrey Pugh, Town of Ocean Ridge Commissioner as their regular representative. Following approval by the Board of County Commissioners, the Palm Beach County Legislative Delegation must confirm the appointments. District 4 (SF)

8. BOARD APPOINTMENTS

C. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**  
**(Impact Fee Appeals Board)**

1. **Staff recommends motion to approve:** the reappointment of the following individuals who have expressed an interest in continuing to serve on the Impact Fee Appeals Board for the time period September 1, 2007, through August 31, 2010:

<b><u>Reappoint Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Requirement</u></b>
Richard Sapir	1	Attorney
Thomas Workman	4	Accountant
Richard Kleisley	5	Builder

**SUMMARY:** The Impact Fee Appeals Board is composed of five (5) members. The membership of the Board includes one (1) traffic engineer, one (1) accountant, one (1) attorney, one (1) representative of the general public, and one (1) developer/builder. Impact Fee Appeals Board members must be qualified electors of Palm Beach County at least two (2) years prior their appointment. The current term of these members has already expired. This agenda item provides for the reappointment of these members to a three (3) year term that will expire August 31, 2010. The terms of the remaining members of this Board are still active. Countywide (LB)

D. **PALM TRAN**  
**(Palm Tran Service Board)**

1. **Staff recommends motion to approve:** reappointment of one (1) At-Large member from the following category to the Palm Tran Service Board:

<b><u>Nominee</u></b>	<b><u>Category &amp; Seat Number</u></b>	<b><u>Term to Expire</u></b>	<b><u>Nominated By</u></b>
Maurice Jacobson	Municipal Representative Seat No. 4	7/9/2009	League of Cities

**SUMMARY:** The Palm Tran Service Board is composed of eleven (11) at-large members. The League of Cities on June 27, 2007, appointed Maurice Jacobson to satisfy the requirement of Seat No. 4, Municipal Representative. Countywide (DR)



8. BOARD APPOINTMENTS

E. **PLANNING, ZONING & BUILDING**  
**(Building Code Advisory Board)**

1. **Staff recommends motion to approve:** reappointment of the following individuals to the Building Code Advisory Board (BCAB) for a three (3) year term from August 21, 2007 to August 20, 2010:

<b><u>Nominee</u></b>	<b><u>Seat</u></b>	<b><u>Requirement</u></b>	<b><u>Nominated By</u></b>
Drew Duncan	09	Roofing Contractor	CIMC
Scott Worley	10	General Contractor	CIMC
David Stewart	11	Engineer	Florida Engineering Society

**SUMMARY:** The Building Code Advisory Board was established by Special Act of Florida Legislature in 1974, and amended in 2001. The term of office is three (3) years; with no limit to the number of terms a member may serve. Drew Duncan, Scott Worley and David Stewart are reappointed by the Construction Industry Management Council of Palm Beach County. These nominations represent the roofing contractor, general contractor and engineer cited in the Special Act establishing the Building Code Advisory Board. The Board comprises of sixteen (16) members: seven (7) regional building officials (nominated by the Building Official Association of Palm Beach County); seven (7) members who must be appointed from nominations submitted by the Construction Industry Management Council of Palm Beach County; one (1) member who must be a registered Architect nominated by the Palm Beach County Chapter of the American Institute of Architects; and one (1) member who must be a Professional Engineer nominated by the Palm Beach County Chapter of the Florida Engineering Society. Countywide (GB)

F. **TOURIST DEVELOPMENT COUNCIL**  
**(Tourist Development Council Board)**

1. **Staff recommends motion to approve:** reappointment of Commissioner Bill Moss, from the most populous municipality, to the Tourist Development Council Board for a four (4) year term, effective retroactive from May 1, 2007 to April 30, 2011. **SUMMARY:** The Tourist Development Council is composed of nine (9) voting members: one (1) member of the County shall be the Chair of the BCC of PBC or any other member of the Board of County Commissioners, as designated by the Chair who shall also serve as the Chair of the Council. The remaining eight (8) members of the Council shall be appointed by the BCC and shall have the following representative classifications: two (2) members shall be elected municipal officials, one (1) of whom shall be from the most populous municipality in Palm Beach County; three (3) members who are owners or operators of motels, hotels, or other tourist accommodations in Palm Beach County and subject to the tourist development tax; and three (3) members who are involved in the tourist industry and who have demonstrated an interest in tourist development, but who are not owners or operators of motels, hotels, or other tourist accommodations in the county and subject to the tax. All members of the Council shall be electors of Palm Beach County. The appointment of the seven (7) members which are not the BCC Chair and the municipal appointment from the most populated municipality shall be district appointments. All members shall serve staggered terms of four (4) years. Countywide (MC)

G. **COMMISSION DISTRICT APPOINTMENTS**

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**AUGUST 21, 2007**

**9. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

Ratification of Lisa De La Rionda as Public Affairs Department Director

**B. COUNTY ATTORNEY**

**AUGUST 21, 2007**

**10. COMMISSIONER COMMENTS**

**A. District 1 - COMMISSIONER KAREN T. MARCUS**

**B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR**

**C. District 3 - COMMISSIONER**

**D. District 4 - COMMISSIONER MARY MCCARTY**

**E. District 5 - COMMISSIONER BURT AARONSON**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER ADDIE L. GREENE, CHAIRPERSON**

Proclamation declaring August 6 – 14, 2007 as “Florida Water Professional’s Week” in Palm Beach County.

**11. ADJOURNMENT**

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

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**AUGUST 21, 2007**

<u>PAGE</u>	<u>ITEM</u>	
14	3C-19	<b><u>REVISED SUMMARY:</u></b> The Amendment to the Annual Traffic Signal Contract extends the expiration date of the existing contract with STI, retroactively, from August 7, 2007 to February 7, 2009. The dollar value of the Contract will not be changed from the original contract amount of \$8,340,500. The Annual Traffic Signal Contract consists of furnishing and installing various signal components for traffic control devices throughout the County. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount, <u>and at that time STI Signal Technology and Installation Corporation committed 15.8% SBE participation. Countywide</u> (MRE) (Engineering)
15	3D-4	<b><u>REVISED TITLE:</u></b> <b>Staff recommends motion to approve:</b> a <u>Second Amended Amendment between Palm Beach County and Law Offices of</u> <del>to contract for legal services with de la Parte &amp; Gilbert, P.A. (R2005-1394).</del> The original contract began on March 1, 2005 (R2005-0484). <u>This increases the amount to be paid for support services by \$50,000 for is amended to an amount not-to-exceed \$200,000 and an amount not-to-exceed \$40,000 for reimbursable costs. (Co. Atty)</u>
29	3H-12	<b><u>DELETED:</u></b> <b>Staff recommends motion to approve:</b> Supplement No. 1 to Consultant Services Authorization (CSA) No. 3 to contract with LBFH, Inc. (R2003-1898) in the amount of \$151,943 to provide additional planning and engineering services for Waterway Park. (Further staff review) (FD&O)
49	3T-2	<b><u>DELETED:</u></b> <b>Staff recommends motion to adopt:</b> a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing funds to support a study to characterize the emissions from sugar cane burning in order to establish air toxic emission factors. (Further staff review) (Health Dept.)
49	3U-2	<b><u>REVISED TITLE &amp; SUMMARY:</u></b> <b>Staff recommends motion to receive and file:</b> Amendments No. 1 and No. 2 to Microsoft Consulting Services Agreement (R2006-2756), to extend the ending date of this Agreement from September 30, 2007 to December 31, 2007, and to <u>modify the heading of Section 3 of the Contract and</u> add 100 additional hours of consulting services at no additional cost to the County. <b>SUMMARY:</b> The First Amendment is for an agreement extension to allow additional time for completion of consulting services to assist the County with the migration to Microsoft Active Directory as the single enterprise directory service and Microsoft Exchange as the single enterprise e-mail environment. The Second Amendment <u>will modify the heading and first sentence of Section 3 of the original contract and is an agreement for Microsoft to provide 100 additional hours of MCS Principal consulting services at no additional cost to the County as gratuitous services.</u> Microsoft Consulting Services Agreement (R2006-2756) approved by the BCC on December 19, 2006 authorized the County Administrator to execute Amendments up to \$25,000 per occurrence up to a maximum of \$50,000 in total project costs. <u>Countywide</u> (PK)

**REVISED TITLE: Staff recommends motion to discuss and approve:**  
Commission appointments to various advisory boards/committees: (Adm.)

<u>Board/Committee</u>	<u>Interested in Appointment</u>
A) Artificial Reef and Estuarine Enhancement Committee	Comm. Koons
<del>B) Audit Committee (Alternate)</del>	
<del>G) B) Budget Advisory Board (as Chair)</del>	
<del>D) C) *County Coalition for Responsible Management of Lake Okeechobee and St. Lucie and Caloosahatchee and Estuaries and Lake Worth Lagoon</del>	
<del>E) D) Criminal Justice Commission</del>	
<del>F) E) *Intergovernmental Coordination Program/Executive Committee</del>	
<del>G) F) *Kravis Center Board of Directors (Ex-Officio Member)</del>	Comm. McCarty
<del>H) G) *Treasure Coast Regional Planning Council (Alternate)</del>	

**REVISED SUMMARY:** The Board of County Commissioners approved the award of a seven (7) year contract to MV Transportation, Inc., to provide paratransit services within Palm Beach County on December 21, 2004 (R2004-2636). As a result of certain service modifications in our paratransit service program, such as the reduction in service program hours; elimination of the provider service boundaries; the use of taxi vehicles in lieu of of ~~to~~ paratransit vans; the impact of an adverse local labor market and Palm Tran's desire to amend several areas within the Contract, Palm Tran entered into negotiations with MV to address the cost impact(s) of the various changes. The negotiations resulted in an agreement to increase the hourly rate paid to MV as a result to the contract changes. The total impact of these changes for the duration of this contract will result in an overall reduction in the total estimated contract value from \$84,724,097 to \$71,972,512, an overall reduction of \$12,762,073 ~~\$12,063,074~~. (Palm Tran)

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