

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

FEBRUARY 26, 2008

**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

WORKSHOP SESSION

- 3. **9:30 A.M.** [Priorities and Funding Needs of the Natural Areas Program \(ERM\)](#)
- 4. **10:30 A.M.** [Comprehensive Plan Round Reduction \(PZ&B\)](#)
- 5. **2:00 P.M.** Proposed City of Boca Raton Multi-modal Transportation District –
Presentation by the City of Boca Raton
- 6. **3:00 P.M.** [Western Communities Overlay \(PZ&B\)](#)

7. REGULAR AGENDA

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A. CLERK & COMPTROLLER

1. Staff recommends motion to approve: Warrant List.
2. [Staff recommends motion to approve:](#) Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

B. SPECIAL PRESENTATION (Note: To be presented at a later date)

1. Proclamation welcoming Ambassador Dr. Samuel Assefa to Palm Beach County. (Sponsored by Commissioner Aaronson)

C. FACILITIES DEVELOPMENT & OPERATIONS

1. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on March 11, 2008 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 2 of the Palm Beach County Code (Ordinance 2003-030) pertaining to Criminal History Record Checks; amending Section 2-373 of the Palm Beach County Code (definitions); amending Section 2-375 of the Palm Beach County Code (Criminal History Record Checks); amending Section 2-377 of the Palm Beach County Code (enforcement); providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The Criminal History Record Check Ordinance (Ordinance No. 2003-030) established the County's program for conducting criminal history record checks on contractors, vendors, repair and delivery persons who require unescorted access to County facilities determined to be critical to public safety or security and established a list of disqualifying criminal offenses. The Ordinance defined a disqualifying criminal offense as a conviction of certain crimes unless the person convicted had been pardoned or had their civil rights restored. At the time, felons were only restored their civil rights after an individual application and hearing. In April 2007, however, Florida's Rules of Executive Clemency were changed to provide for automatic restoration of civil rights for most felons upon completion of their sentences. Given the change, the Ordinance needs to be amended so that the automatic restoration of civil rights by the State does not affect the County's ability to consider a conviction a disqualifying offense. (FDO Admin) Countywide (JM)

7. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

2. **Staff recommends motion to approve:** purchase of a three (3) year Master Builders Risk Insurance Program ("MBRIP") through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, for a total not-to-exceed cost of \$275,000. **SUMMARY:** Typically, contractors are required to purchase builder's risk insurance as part of the contract price and therefore ultimately paid for by the County through project funds. The construction manager responsible for the Jail Expansion Program 2 projects estimated a price of \$2,000,000+ to furnish builder's risk coverage for the West County Detention Facility portion of the project. Risk Management was asked to provide a quote for this project and the quote from Risk Management's contracted broker is \$1,200,000, a savings of \$800,000. The broker also proposed, for an upfront fee of \$250,000 plus fees for an estimated total of \$275,000, a blanket policy to cover all future County projects including Water Utilities Department (WUD) and the Department of Airports (DOA). The MBRIP, from the Lexington Insurance Company, provides coverage for reported construction and renovation projects commencing on or after the effective date of the policy. During the term of this policy, projects with total costs of \$5,000,000 or less that are reported to the insurer during the policy period are covered at no additional cost to the County. In addition to the West County Detention Facility project, projects with total costs in excess of \$5,000,000 and commencing during the three (3) year policy period can be added, at the option of the County, to the policy. The additional cost for each of these large projects is based on the construction cost of the project, the duration of the project, and the type of construction. Projects will be added to the policy by reporting the project to Risk Management along with the appropriate funding source who will in turn notify the insurance broker. The rates vary by construction type and are guaranteed in advance for the three (3) year policy period, and Risk Management feels that each project covered by the MBRIP will save 10-20% in insurance premiums. The initial \$275,000 payment will be funded from general government funding, WUD and DOA. (Capital Improvements Division) Countywide (JM)

D. WATER UTILITIES

1. **Staff recommends motion to approve:** Joint Funding Agreement No. 4600001315, in the amount of \$500,000, with the South Florida Water Management District (SFWMD) to accelerate construction of the Lake Region Water Treatment Plant (LRWTP), to endeavor to meet a March 31, 2008 deadline to supply water to Belle Glade, Pahokee, and South Bay. **SUMMARY:** This Agreement represents an acceleration of the construction of the LRWTP project. The Agreement, requested by the SFWMD, defines the scope of work to accelerate construction and produce potable drinking water to the cities of Belle Glade, Pahokee and South Bay by March 31, 2008. It is expressly understood that technical issues and difficulties may arise that would impact the County's successful completion of this project by the March 31st deadline. The District has expressly acknowledged that the County will incur additional expenses to accelerate the construction of the project to meet the required deadline and agrees to reimburse the County based on its best efforts to complete all deliverables detailed within the Agreement. Project acceleration, although not expected to exceed \$500,000, is being funded by the SFWMD's alternative water supply program. Palm Beach County will provide the required matching funds through funds already committed by the existing Poole & Kent Contract (No. R2005-1928). The project is being managed and primarily funded by PBC Water Utilities Department (PBCWUD). The table of Tasks and Deliverables to the Agreement in accordance with Exhibit "B" will be made a part of this Agreement. (WUD Project No. 03-169) District 6 (MJ)

7. REGULAR AGENDA

E. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to:

A) adopt a Resolution approving the First Amendment to the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) (R2006-0735) for Fiscal Year 2007-2008 authorizing the implementation of the new Rental Housing Entry Assistance Program; and

B) approve the allocation of \$250,000 in SHIP recaptured funds and program income for implementation of the new Rental Housing Entry Assistance Program.

SUMMARY: This initiative will allocate \$250,000 in SHIP funding to provide financial assistance to eligible extremely-low, very-low, and low income households to pay for rental security deposits, utility deposits and connection fees. Eligible recipients can receive up to \$5,000 in assistance. The assistance will be in the form of a grant with no requirements for repayment. Recipients will be selected on a first come-first qualified basis within the eligible income groups. Recipients will receive financial assistance only once through this SHIP funded program. Countywide (TKF)

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BOARD OF COUNTY COMMISSIONERS

**BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 26, 2008

<u>PAGE</u>	<u>ITEM</u>	
1	1:30 P.M.	<u>ADD-ON:</u> Executive Session scheduled for 1:30 p.m. in McEaddy Conference Room to discuss collective bargaining with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. (County Attorney)
1	2:00 P.M.	<u>DELETED:</u> Proposed City of Boca Raton Multi-modal Transportation District (Presentation by the City of Boca Raton) (Postponed per request by City of Boca Raton)
1	2:00 P.M.	Regular Agenda to be heard.
3	7D-2	<u>ADD-ON: Staff recommends motion to approve:</u> adding proposed reclaimed water legislation to Palm Beach County, Board of County Commissioners FY 2008 State Legislative Program as a Legislative Priority. <u>SUMMARY:</u> The proposed legislation provides that reclaimed water is the preferred water source for non-potable water uses where it is economically, technically, and environmentally feasible. This legislation is a response to problems reclaimed water providers have had finding customers, especially in regions of the state where water management districts issue water use permits for raw water when reclaimed water is available to non-potable uses. The legislation defines reuse of reclaimed water; authorizes the designation of mandatory reclaimed water zones and directs water management districts to require the use of reclaimed water outside of mandatory reclaimed water zones. It also requires that economic feasibility of reclaimed water be measured against the cost of potable water for an equivalent use; directs that water management districts shall not approve a permit for non-potable water use within a mandatory reclaimed water zone unless an applicant proves reclaimed water is not available; requires water management districts to create a rule by January 1, 2009 to assign reclaim water offsets available to reclaimed water providers; and authorizes water management districts to allow supplementation of reclaimed water with surface water, groundwater or storm water. <u>Countywide</u> (MJ) (WUD)
4	7F-1	<u>ADD-ON: Staff requests Board direction:</u> on SB 1512 relating to Transportation and Transit Authorities. <u>SUMMARY:</u> SB 1512 filed by Senator Geller requires that 80% of the proceeds from the rental car surcharge collected in each county served by the South Florida Regional Transportation Authority to be deposited in an account held by the authority, providing that the Department of Transportation and the counties are relieved of certain funding obligations if a recurring funding source, including the rental car surcharge, is dedicated to the South Florida Regional Transportation Authority (SFRTA). These funding obligations include the requirement that each county dedicate not less than \$2.67 million to the authority annually in addition to an amount not less than \$1.565 million annually to fund the operations of the SFRTA. <u>Countywide</u> (DR) (Admin./Legislative Affairs)

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 (*).