

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

APRIL 1, 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
- 3. CONSENT AGENDA (Pages 7 - 31)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 32)**
- 5. REGULAR AGENDA (Pages 33 - 38)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 39)**
- 7. BOARD APPOINTMENTS (Pages 40 - 42)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** a six (6) month time extension of a federally funded subgrant agreement ending June 27, 2008 with the Florida Division of Emergency Management (DEM) to complete the design of drainage improvements as part of the Hazard Mitigation Grant Program. **SUMMARY:** FEMA has approved a Phase I grant in the amount of \$48,750 for the design of a drainage system serving the Grove Street area located along Military Trail between Southern Boulevard and Belvedere Road. The grant requires a 25% cost share with the County, meaning the total design costs are \$65,000. Additionally, a Phase II grant for construction of the drainage facilities has been approved contingent upon the Cost-Benefit ratio meeting FEMA's requirements after the completion of the design. The Phase II approval will be brought back to the Commission at the conclusion of the Phase I contact. Due to the long amount of time it took to receive FEMA approval for the Phase I project, a six (6) month extension to complete the project design work was requested and granted from DEM. District 6 (MJ)

2. **Staff recommends motion to approve:** Amendment No.1 to Agreement R2006-1168 with the City of Belle Glade to: a) extend the expiration date from February 20, 2010, to February 20, 2011; and b) revise Exhibit A to the agreement. **SUMMARY:** On June 20, 2006, the Board of County Commissioners approved the Grant Agreement with the City of Belle Glade (R2006-1168) for three (3) economic development projects, Downtown Mainstreet Plaza, Lake Welding Supplies, Inc. and Modern Beauty Salon UNISEX. One (1) project, Downtown Mainstreet, has been completed. The remaining two (2) projects, Lake Welding Supplies, Inc. and Modern Beauty Salon UNISEX, completed their developments without the need for County funds totaling \$18,900. This Amendment will allow for the reallocation of the \$18,900 to facilitate renovations of the old (historic) city hall building and a twelve-month extension for the construction reimbursement deadline, the hiring deadline and job maintenance period for the project. The total project cost is \$381,400, of which \$362,500 is a Florida Cultural Facilities grant and \$18,900 is County funds. The project will create a total of four (4) full-time or equivalent jobs and is located in the "Core" (20% or greater poverty) area of the Development Regions. District 6 (DW)

3. **Staff recommends motion to approve:** Amendment No.1 to Agreement (R2006-1169) with the Delray Beach Community Redevelopment Agency (CRA) to: a) extend the term of the expiration date from February 20, 2010, to February 20, 2011; and b) revise Exhibit A to the agreement. **SUMMARY:** On June 20, 2006, the Board of County Commissioners approved the Grant Agreement with the Delray Beach Community Redevelopment Agency (R2006-1169) for three (3) economic development projects; City Limits (SCRAM LLC), Dental Office of Jonathan Freed, DDS, and BADI d/b/a Community Market Store and Hammad Plaza. City Limits (SCRAM LLC) has been completed. The Dental Office of Jonathan Freed, DDS, did not want to proceed with its project. The remaining project, BADI d/b/a Community Market Store and Hammad Plaza, experienced delays due to a project size and cost increase which is now moving forward and is in the final permitting phase. This Amendment will allow for a twelve-month extension to the construction reimbursement deadline, the hiring deadline and job maintenance period for the BADI project, and eliminate the \$50,000 earmarked for the Dental Office of Jonathan Freed, DDS. All projects are located in the "Core" (20% or greater poverty) area of the Development Regions. District 7 (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

4. **Staff recommends motion to approve:** a Contract with the Treasure Coast Regional Planning Council in the amount of \$3,000 to prepare a regional application to the U.S. Department of the Treasury for the New Markets Tax Credit (NMTC) Program Calendar Year 2008. **SUMMARY:** The Treasure Coast Regional Planning Council, in concert with Farm Credit of South Florida, Palm Beach County and other public/private sector groups have formed a partnership, known as the Florida Economic Development Fund, LLC, to apply for \$125 million in tax credit allocation under the 2008 New Markets Tax Credit (NMTC) Program of the U.S. Department of the Treasury. This Community Development Entity (CDE) will raise funds by providing tax credits to private investors in exchange for equity investments, which are then invested in low-income communities. If the \$125 million is approved, 60% of the tax credits will be used for projects in non-metro (rural) areas and the remaining 40% will be used for projects located within the Treasure Coast Region. Projects identified for potential New Markets Tax Credit financing will include community facilities, infrastructure and mixed-use projects. Palm Beach County projects include, but are not limited to, the Lake Region Water Treatment Plant, the City of Pahokee Skills Accelerator and the Palm Beach County Public Market. If the Florida Economic Development Fund, LLC receives a tax credit allocation, all application costs will be reimbursed. Countywide (DW)

5. **Staff recommends motion to approve:** Amendment No.1 to Agreement R2007-0360 with Tripp Electric Motors, Inc. to: a) extend the expiration date from December 31, 2007 to December 31, 2008; and b) revise Exhibit A to the Agreement. **SUMMARY:** On March 13, 2007, the Board of County Commissioners approved a Community Development Block Grant (CDBG) Economic Set-Aside Agreement with Tripp Electric Motors, Inc. totaling \$400,000 for the purchase and installation of specialized equipment and parking lot improvements. Through this funding, Tripp Electric Motors, Inc. will create twenty-seven (27) full-time equivalent jobs for low-and moderate income residents in the Lake Okeechobee region. This Amendment will allow for a twelve (12) month extension to the existing agreement and a revision in the project. **These are federal funds that require no local match.** District 3 (DW)

6. **Staff recommends motion to approve:** Golf Tournament Agreement with Trump International Golf Club, L.C. and the Lupus Foundation, Inc. for a one (1) day charitable golf tournament to be held on May 14, 2008. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (Trump), approved September 3, 1996 (R96-1277D), allows use of the golf course during the months of May through October for the County to host either a single two (2) day, or two (2) – one (1) day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on May 14, 2008. Proceeds from the golf tournament will benefit the Lupus Foundation, Inc., which was selected by Commissioner McCarty, who was next on the rotation list. District 2 (AH) (Admin)

7. **Staff recommends motion to approve:** Golf Tournament Agreement with Trump International Golf Club, L.C. and the Stand Among Friends, Inc. for a one (1) day charitable golf tournament to be held on May 19, 2008. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (Trump), approved September 3, 1996 (R96-1277D), allows use of the golf course during the months of May through October for the County to host either a single two (2) day, or two (2) – one (1) day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on May 19, 2008. Proceeds from the golf tournament will benefit the Stand Among Friends, Inc., which was selected by Commissioner Aaronson, who was next on the rotation list. District 2 (AH) (Admin)

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>
Budget Public Hearing	September 20, 2007
Comprehensive Plan	November 26, 2007
Zoning	November 29, 2007
Environmental Control Board	December 18, 2007
Child Care Facilities	December 18, 2007
Regular	January 15, 2008
Zoning	January 24, 2008

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 January 2008. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** the Third Amendment to Agreement (R2004-1620), for professional consulting services with Kimley-Horn and Associates, approved on July 13, 2004. **SUMMARY:** This agreement provides for professional services to develop a database showing the traffic from all approved unbuilt projects Countywide (Project). This Amendment will extend the date for completion of the work from July 31, 2007, to March 31, 2008 and reallocate budget amounts between Labor Task H and reimbursable expenses to better match actual Project effort and expenses. Countywide (LB)
2. **Staff recommends motion to adopt:** a Resolution authorizing execution of a Tri-Partite Agreement with the Florida East Coast Railway (FEC) and the Florida Department of Transportation (FDOT) for installation and maintenance responsibility of the FEC grade crossing on S.E. 23rd Avenue, Boynton Beach (Milepost 313+848). **SUMMARY:** The FDOT has set aside Federal Rail Title II Signal Safety Funding for safety improvements to this crossing. The FEC will install these improvements and the FDOT will reimburse the FEC for all construction costs. Palm Beach County will assume the maintenance responsibility of this railway crossing after the work is done. District 7 (MRE)
3. **Staff recommends motion to approve:** a County Deed conveying to the Florida Department of Transportation (FDOT) a certain road right-of-way parcel located at the northwest quadrant of Camino Real and Powerline Road. **SUMMARY:** This action conveys to FDOT a right-of-way parcel for Powerline Road right-of-way that was conveyed to Palm Beach County in 2004. District 4 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. [Staff recommends motion to adopt:](#) a Resolution authorizing execution of a Tri-Partite Agreement with the Florida East Coast Railway (FEC) and the Florida Department of Transportation (FDOT) for installation and maintenance responsibility of the FEC grade crossing on 45th Street, West Palm Beach (Milepost 296+3012). **SUMMARY:** The FDOT has set aside Federal Rail Title II Signal Safety Funding for safety improvements to this crossing. The FEC will install these improvements and the FDOT will reimburse the FEC for all construction costs. Palm Beach County will assume the maintenance responsibility of this railway crossing. District 7 (MRE)

5. [Staff recommends motion to approve:](#) the renewal of the Landscape Architectural Services Annual Agreements with the following firms: Gentile, Holloway, O'Mahoney & Associates, Inc., original Agreement dated May 1, 2007 (R2007-0617); Roy-Fisher Associates, Inc., original Agreement dated April 10, 2007 (R2007-0466). **SUMMARY:** These Agreements are being considered for a one (1) year renewal for required professional services, on a task order basis. Countywide (PK)

6. **DELETED**

7. [Staff recommends motion to adopt:](#) a Resolution of the Board of County Commissioners of Palm Beach County, Florida, re-designating County-owned land as right-of-way, as needed to comply with a zoning condition for the construction of Fire Station No. 14 at the northeast corner of the intersection of Indiantown Road and 120th Trail North, rescinding Resolution No. 2007-2222 and providing an effective date. **SUMMARY:** This action will allow the Property and Real Estate Management Division to satisfy a condition of zoning approval for Fire Station No. 14 (R2007-1433), by which Palm Beach County (County) is required to re-designate a parcel of County owned land as right-of-way. The parcel consists of 319 square feet at the northeast corner of Indiantown Road and 120th Trail North. District 1 (PK)

8. [Staff recommends motion to:](#)
 - A) approve** a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for improvements of Alt. A1A/SR 811 from north of Donald Ross Road to Center Street (Project); and
 - B) adopt** a Resolution concerning this Agreement.

SUMMARY: The Project involves the widening (to a six-lane divided roadway) and resurfacing of Alt. A1A/SR 811 from north of Donald Ross Road to Indiantown Road and resurfacing from Indiantown Road to Center Street. Through this JPA, FDOT will reimburse Palm Beach County (County) an amount not-to-exceed \$4,482,304 for the improvements of the Project. In addition, the JPA addresses the necessary cooperation and coordination between FDOT and the County. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to approve:

A) a request to honor Beryl M. Woolbright by dedicating the Woolbright Road Intracoastal bridge to him; and

B) a Budget Transfer of \$1,000 in the Transportation Improvement Fund from Reserve for District 4 to Woolbright Road Bridge Dedication Plaque – District 4.

SUMMARY: This Budget Transfer will fund up to \$1,000 toward the cost for a dedication plaque, in memory of Beryl M. Woolbright, Sr., to be installed on the Woolbright Road Intracoastal bridge by the Road and Bridge Division in accordance with the intent of the Countywide PPM involving honoring individuals. At the request of the family, Commissioner McCarty agrees to sponsor this dedication. District 4 (MRE)

10. **DELETED**

11. Staff recommends motion to approve:

A) a Contract with Ranger Construction Industries, Inc. (Ranger), the lowest responsive, responsible bidder in the amount of \$29,840,659.52 for the widening of Okeechobee Boulevard from Royal Palm Beach High School entrance to east of Florida's Turnpike to an eight (8) lane facility (Project);

B) a Budget Amendment of \$16,840,945 in the Road Impact Fee Fund – Zone 3 to recognize funding from the County Incentive Grant Program (CIGP) Agreement with the Florida Department of Transportation consisting of CIGP funding of \$6,500,000 plus Transportation Regional Incentive Program (TRIP) funding of \$10,340,945 and appropriate it to Okeechobee Boulevard from west of SR 7 to east of Florida's Turnpike; and

C) a Budget Amendment of \$134,640 in the Road Impact Fee Zone – Zone 3 to recognize municipal participation from the City of West Palm Beach and appropriate it to Okeechobee Boulevard from west of SR 7 to east of Florida's Turnpike.

SUMMARY: This Contract will provide all the work necessary to construct the Project. The Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the project by Ranger is 15.02%. The time limit for the completion of all work under this contract shall be 720 calendar days (with Phase 1 to be completed within 90 calendar days and Phase 2 to be completed within 210 calendar days as further described in Special Provisions). Districts 2 & 6 (MRE)

12. Staff recommends motion to approve: a Release of two (2) removal agreements on the north side of State Road 80 between Sunshine Road and Fairgrounds Road. **SUMMARY:** This action approves a Release of two (2) removal agreements granted in 1974 and 1986 for the placement of signs on State Road 80 between Sunshine Road and Fairgrounds Road. District 6 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

13. Staff recommends motion to approve:

A) a Budget Transfer of \$340,000 in the Transportation Improvement Fund from Reserve for District 4 to Congress Avenue from Clint Moore Road to Delray Beach City Limits; and

B) a Reimbursement Agreement with the City of Boca Raton (City) for the installation of street lighting along Congress Avenue within the City Limits.

SUMMARY: Approval of the Budget Transfer will provide the funds to pay for the installation of street lights along Congress Avenue within the City Limits. Approval of this Reimbursement Agreement will allow the Palm Beach County to reimburse the City funds up to \$340,000. District 4 (MRE)

14. Staff recommends motion to approve:

A) a Budget Transfer of \$13,000 in the Transportation Improvement Fund from Reserve for District 7 to Cabana Colony Local Drainage; and

B) a Budget Transfer of \$13,000 in the Capital Outlay Fund from Cabana Colony Local Drainage to Mangonia Park Lift Station/Water Plant Generator Design – District 7.

SUMMARY: Approval of these Budget Transfers will provide funds to help pay for the cost of the electrical design of the Town of Mangonia Park Lift Station and Water Plant Generators. District 7 (MRE)

15. Staff recommends motion to approve:

A) a Budget Transfer of \$10,000 in the Transportation Improvement Fund from Reserve for District 6 to Loxahatchee Groves Water Control District – Open Emulsion to pave south 'F' Road; and

B) an Amendment to the Interlocal Agreement (R2007-1919) with Loxahatchee Groves Water Control District for the purchase of open grade emulsion to pave south 'F' Road.

SUMMARY: Approval of this Budget Transfer and the Amendment will provide additional funds of \$10,000 to the approved November 6, 2007 Agreement in the amount of \$179,000 for a total of \$189,000. Additional cost incurred was due to the unforeseeable change of general contractor. District 3 (MRE)

16. Staff recommends motion to approve: a Removal of Boston Court from further consideration from the Municipal Services Taxing Unit (MSTU) project list. **SUMMARY:** At the December 19, 2006 Board of County Commissioners (Board) meeting, the direction of the Board was to re-petition the property owners of all existing projects in the MSTU project list. The re-petitioning for Boston Court revealed that out of the eight (8) property owners, four (4) voted not in favor of the Project, and four (4) did not respond at all. District 3/MSTU District C (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

17. Staff recommends motion to approve:

A) a Financial Assistance Agreement with Bonaire Village Condominium Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$35,000; and

B) a Budget Transfer of \$35,000 in the Transportation Improvement Fund from Reserve for District 5 to Jog Road fence and buffer beautification from South Oriole Boulevard to 1,020 feet north of South Oriole Boulevard.

SUMMARY: This Agreement provides funding to reimburse the Association up to a maximum of \$35,000 of the cost to install beautification improvements along Palm Beach County's right-of-way for Jog Road from South Oriole Boulevard to 1,020 feet north of South Oriole Boulevard. The Association will be responsible for the perpetual maintenance of these improvements. District 5 (MRE)

18. Staff recommends motion to approve: Supplemental Agreement No. 10 to Project Agreement (R2001-1619) in the amount of \$37,349 with K-F Group, Inc. for professional services. **SUMMARY:** This Supplemental Agreement will provide the services necessary for the preparation of a wetland and uplands tie-in survey for Jog Road from Roebuck Road to 45th Street (Project). Districts 2 & 6 (PK)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Contract for the Financially Assisted Agency Program, Florida Outreach for the Blind, Inc. for the period October 1, 2007, through September 30, 2008 in the amount of \$25,000, for services to visually-impaired persons. **SUMMARY:** On July 11, 2007, and September 20, 2007, the Board of County Commissioners (BCC) approved the list of agencies and funding allocations under the Financially Assisted Agency Program. The information submitted in this item reflects part of the final funding approved by the Board of County Commissioners for FY 2008, which is \$13,749,311. This last contract was not processed until this date due to the agency's inability to secure the required insurance. The insurance is now in place. (Financially Assisted Agency Program) Countywide (TKF)
2. Staff recommends motion to ratify: the Chairperson's signature on the FY 2008-2009 Low Income Home Energy Assistance Grant Application (LIHEAP) with the State of Florida Department of Community Affairs for the period March 1, 2008, through March 31, 2009, in the amount of \$1,151,961, for utility assistance to low-income families. **SUMMARY:** The FY 2008-2009 LIHEAP grant application package was received on January 29, 2008 with instructions to complete and return the application as soon as possible, but no later than February 11, 2008. Sufficient time was not available to schedule the item on the regular agenda. LIHEAP funds in the amount of \$1,151,961 will enable Community Action to serve an estimated 3,552 low-income households. Benefits will include assistance with energy bills and crisis assistance to prevent disconnection of service. No County funds are required. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: travel for Head Start /Early Head Start Policy Council Members, Edward H. Gaynes and Sharon Watson Grant, for the period of April 19, 2008, through April 24, 2008, at an estimated cost of \$4,286, to attend the National Head Start Association 35th Annual Training Conference in Nashville, Tennessee. **SUMMARY:** Travel approval is requested for two (2) Head Start/Early Head Start Policy Council members to attend the National Head Start Association 35th Annual Training Conference in Nashville, Tennessee. The grantor agency requires that Head Start parents and community representatives receive training in order to take an active role in the program. The estimated cost of \$4,286 provides for conference registration, lodging, ground transportation, airfare and meals for two participants. Funding consists of \$3,429 (80%) in Federal funds and \$857 (20%) in County funds. (Head Start) Countywide (TKF)

4. Staff recommends motion to approve: a one (1) year renewal option to the Lease Agreement with Susan Stechnij and Santiago Boiton for the period of June 1, 2008, through May 30, 2009, in an amount of \$27,900, to provide transitional housing for Community Action clients in the Glades. **SUMMARY:** The Community Services Department Community Action Program currently leases two (2) – two (2) room suites with Susan Stechnij and Santiago Boiton, at 164 E. 2nd Street in Pahokee to provide temporary housing for low-income individuals. The term of the original Lease Agreement was for one (1) year with one (1) - one (1) year renewal option. The total annual cost of the lease is \$27,900, which consists of \$23,250 in Federal funds and \$4,650 in County funds. The lease spans two (2) fiscal years. County match is included in the FY 2008 budget and is being requested in the FY 2009 budget. (Community Action Program) District 6 (TKF)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:
 - A) adopt** a Resolution authorizing the conveyance of a 1999 Chevrolet 2500 4x4 Pickup Truck (VIN 1GCGK24R0XR715170; asset number 10124786) to the City of South Bay;

 - B) approve** a Budget Transfer of \$6,347 in the Transportation Improvement Fund from Reserve for District 6 to the Cabana Colony; and

 - C) approve** a Budget Transfer of \$6,347 in the Capital Outlay Fund from Cabana Colony - Local Drainage to Chevrolet 2500 Pickup Truck/City of South Bay - District 6.

SUMMARY: These actions will result in the conveyance of a pickup truck that is no longer needed by the County to the City of South Bay for the nominal sum of one dollar (\$1). The truck will be used as a mosquito spray vehicle. The associated budget transfers increase the gas tax support and decrease the ad valorem support for the Cabana Colony Drainage Project, freeing up ad valorem funds that will be used to reimburse Fleet Management Division for the value of the truck. Commissioner Santamaria has requested that the truck be conveyed to the City at nominal cost. Countywide (PK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Amendment No. 2 to Contract with Precision Air Systems, Inc. (R2006-2091) to implement the second renewal of an annual HVAC contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–HVAC which was awarded to Precision Air Systems, Inc. as one (1) of eight (8) approved participants. The contractor will continue to perform on projects for various facilities. This annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 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 for the HVAC contracts are 15%. Precision Air’s participation for work orders issued to date is 100%. Work orders issued to date for all eight (8) annual contracts include a combined SBE participation of 75.4%. (FD&O Admin) Countywide (JM)

2. **Staff recommends motion to approve:** Amendment No. 2 to Contract with Siemens Building Technologies, Inc. (R2006-2103) to implement the second renewal of an annual HVAC contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract–HVAC which was awarded to Siemens Building Technologies, Inc. as one (1) of eight (8) approved contractors. The contractor will continue to perform on projects for various facilities. This annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,000,000. The renewal term is twelve (12) months or until \$1,000,000 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 for the HVAC contracts are 15%. Siemens’ participation for work orders issued to date is 0%. Work orders issued to date for all eight (8) contracts include a combined SBE participation of 75.4%. (FD&O Admin) Countywide (JM)

3. **Staff recommends motion to approve:** Amendment No. 1 to Contract with Hi-Tech Roofing & Sheetmetal, Inc. (R2007-0941) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to Hi-Tech Roofing & Sheetmetal, Inc., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. Hi-Tech Roofing’s participation for work orders issued to date is 100%. Work Orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Amendment No. 1 to Contract with Murton Roofing Corp. (R2007-0942) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to Murton Roofing Corp., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. Murton Roofing’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

5. Staff recommends motion to approve: Amendment No. 1 to Contract with Roofing Concepts Unlimited/Florida, Inc. (R2007-0943) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to Roofing Concepts Unlimited/Florida, Inc., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. Roofing Concept’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

6. Staff recommends motion to approve: Amendment No. 1 to Contract with Certified Roofing Specialists, Inc. (R2007-1101) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to Certified Roofing Specialists, Inc., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. Certified Roofing’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 1 to Contract with Advanced Roofing, Inc. (R2007-1102) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to Advanced Roofing, Inc., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. Advanced’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

8. Staff recommends motion to approve: Amendment No. 1 to Contract with The Roof Authority, Inc. (R2007-1301) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to The Roof Authority, Inc., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. The Roof Authority’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

9. Staff recommends motion to approve: Amendment No. 1 to Contract with Industrial Roof Repairs, Inc. (R2007-1302) to implement the first renewal of an annual roofing contract. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract–Roofing which was awarded to Industrial Roof Repairs, Inc., as one (1) of seven (7) approved roofing contractors. The contractor will continue to perform as an annual roofing contractor for roofing of various facilities. This annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 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 first of four (4) extensions allowed by the contract. SBE participation goals for the roofing contracts are 15%. Industrial’s participation for work orders issued to date is 0%. Work orders issued to date for all seven (7) annual contracts include a combined SBE participation of 31.7%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: Amendment No. 16 to the Contract with Catalfumo Construction Ltd. (R2003-1543) in the amount of \$2,145,984.81 for construction management services for the Okeechobee Branch Library establishing a Guarantee Maximum Price (GMP) for renovations of the existing 17,000 sq. ft. library and site. **SUMMARY:** Amendment No. 16 is for the Okeechobee Branch Library and establishes a GMP of \$2,145,984.81 and 124 calendar days to complete the building renovation and site work. The GMP includes the cost of work and the construction manager's fee associated with the work and contingency. The SBE goal for this contract is 15% and this project participation is 31.0%. (Capital Improvements Division) District 2 (JM)

11. Staff recommends motion to approve: Contract with Brang Construction, Inc. in the amount of \$1,559,000 for the construction of the Belvedere Animal Care & Control Incinerator & Kennel Replacement. **SUMMARY:** This Contract will provide for the removal and replacement of the existing incinerator, removal and replacement of existing flooring and kenneling systems, and miscellaneous interior alterations. The existing facility was constructed in 1990 and the kenneling systems, flooring and incinerator have deteriorated, are no longer maintainable, and need replacement. The SBE goal for this project is 15%. Brang Construction, Inc. bid includes participation of 18%. The Contract time is 330 calendar days to substantial completion. (Capital Improvements Division) District 6 (JM)

12. Staff recommends motion to approve: an Easement Agreement with the Solid Waste Authority of Palm Beach County and the Loxahatchee River Environmental Control District ("Encon") to allow each party ingress, egress and utilities. **SUMMARY:** The County and SWA recently purchased the 230-acre Hatcher/Halperin property on Indiantown Road. Title and survey review during the acquisition process revealed a vague legal description of a 30' roadway easement shared by the prior owners, the Hatcher's, and Encon. This 30' roadway provides ingress and egress to/from Indiantown Road. At Closing, it was agreed that a new Easement Agreement would be executed to more accurately define the easement. The new easement is 15' wide on each side of the centerline of the roadway and approximately 1986.85' long (1.368 acres). The Easement Agreement is being granted at no cost in that it benefits the three (3) governmental entities. This Easement Agreement was approved by the Encon and the Solid Waste Authority. (PREM) District 1 (JMB)

13. **DELETED**

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 7 to Contract (R2002-1981) with BRPH Architects-Engineers, Inc. in the amount of \$550,000 for design services for Purchasing/Fixed Assets Warehouse. **SUMMARY:** On November 12, 2002, the Board entered into a Contract with BRPH Architects-Engineers, Inc. for professional architectural and engineering services for Phase I of the Operations & Support Center. CSA No. 7 provides for the remainder of design services which includes architectural, mechanical, electrical, and civil engineering services to support the design development, construction documents, bidding as well as construction administration for the Purchasing/Fixed Assets Warehouse at the Operations & Support Center. The estimated construction cost of the project is \$12M and funding for the construction was approved as part of the FY '08 Capital Improvement Program (CIP). The SBE goal for this phase of the project is 15%. The SBE participation in this CSA is 15%. Including this CSA, the overall SBE participation is 15%. This is the final phase of construction at Operations & Support Center (OSC) and will complete the Public Buildings Development Program. Upon completion of the facility, all County industrial users will have been relocated from Belvedere Road. (Capital Improvements Division) District 2 (JM)

15. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 5 to the Contract (R2003-1753) with Pierce Goodwin Alexander & Linville (PGAL) in the amount of \$232,554 for planning, design and construction administration services for the renovations of the Southwest County Regional Library. **SUMMARY:** The scope of services provides for architectural and engineering services for building planning, design, permitting and construction administration for renovation of the existing 24,000 sq. ft. building and associated site changes. The construction cost estimate for this project is \$4,680,000. The SBE goal for this project is 15%. PGAL will provide 25.1% SBE participation. (Capital Improvements Division) District 5 (JM)

16. Staff recommends motion to approve: a Utility Easement Agreement in favor of BellSouth Telecommunications, Inc., d/b/a AT&T Florida for installation of underground communication lines adjacent to Dick Moroso Waterway Park. **SUMMARY:** The County is developing Dick Moroso Waterway Park on 3.70 acres on the east side of U.S. Highway 1, in Riviera Beach. Construction of the access drive into the Park requires the relocation of electric and telephone lines along U.S. Highway 1. This Agreement provides for the relocation of the existing telephone lines along U.S. Highway 1 within a new 5' x 161' underground easement. The easement is being granted at no charge as the lines are being relocated at the request of the County. (PREM) District 7 (JMB)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2006-1348) with the Housing Partnership, Inc., to: a) extend the expiration date from December 31, 2007, to December 31, 2008; and b) increase the amount funded under the Agreement by \$53,136 from \$2,450,930 to \$2,504,066, in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Agreement provided the Housing Partnership, Inc. (the Partnership), \$2,400,000 in funding to purchase approximately 7.29 acres of land located on Davis Road just south of Melaleuca Lane in unincorporated Palm Beach County. The purchase of the land was intended for the construction of affordable housing. The Agreement presently provides the Partnership a payment for services and costs incurred while it holds the property until a final decision is made for its use. The amount allocated for this purpose was fully spent by December 31, 2007. This Amendment provides an additional year to the term of the Agreement, and allocates \$53,134 to continue to compensate the Partnership. During the extension year, the Community Land Trust will evaluate the feasibility of developing the land for affordable housing, and will advise HCD of its decision on whether it desires to request the County for the receipt of title to the land. **These are federal funds that require no local match.** District 3 (TKF)

2. Staff recommends motion to:

A) adopt a Resolution approving the Second Amendment to the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) (R2006-0735) for fiscal years 2007-2008 and 2008-2009 authorizing the new Owner-Occupied Rehabilitation Program; and authorizing various technical revisions to the LHAP for Florida Housing Finance Corporation compliance; and

B) approve the allocation of \$2,500,000 in SHIP program income for implementation of the new Owner Occupied Rehabilitation Program.

SUMMARY: The State Housing Initiatives Program provides funding to the Commission on Affordable Housing for various programs designed to assist in the development and preservation of affordable housing. This new initiative will provide financial assistance to eligible extremely-low, very low, and low income households to make needed repairs to their individually owned residences. Assistance in the amount of \$5,000 or less will be provided in the form of a conditional grant with guarantees required by the homeowner. Assistance in amounts greater than \$5,000 will be provided as a deferred payment zero interest loan secured by a lien for up to thirty (30) years. The technical revisions to existing Commission on Affordable Housing (CAH) programs are necessary to address recent recommendations by the Florida Housing Finance Corporation (FHFC) and the Florida Housing Coalition (FHC). This new initiative and these technical revisions were presented to the Commission on Affordable Housing on March 28, 2008. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** contracts for engineering/professional services with the following firms:

- | | |
|---|--|
| A) Carollo Engineers | Water Plant and Water Resources Engineering Services |
| B) Jordan, Jones & Goulding, Inc. | Wastewater Consulting Services |
| C) Mock, Roos & Associates, Inc. | Utility Hydrogeologic and Water Resources Engineering Services |
| D) Mathews Consulting, Inc. | General Utility, Architectural and Value Engineering Services |
| E) A.D.A. Engineering, Inc. | Utility Distribution & Collection System Consulting Services |
| F) Boyle Engineering Corp. | Utility Distribution & Collection System Consulting Services |
| G) Hillers Electrical Engineering, Inc. | Electrical Instrumentation & Telemetry Consulting Services |

SUMMARY: These continuing contracts will be used by the Water Utilities Department to obtain engineering/professional services for utility related projects. Consultant Service Authorizations will be negotiated and issued against these contracts on a task basis at the sole discretion of the County. Each contract has a term of three (3) years, subject to annual performance review. All of the firms have agreed to meet, or exceed, a 15% small business participation goal. Each consultant has included a list of certified small business (SBE) subcontractors which they intend to use to meet their goal. Countywide (JM)

2. **Staff recommends motion to approve:** Agreement No. 4600001317 with the South Florida Water Management District (SFWMD) for the Regional Aquifer Storage and Recovery (ASR) Pilot Project along the Hillsborough Canal, providing for transfer of ownership of the ASR, potable water wells and raw water piping to Palm Beach County. **SUMMARY:** The County has successfully constructed the ASR project and began operation of the project in October of 2004. Agreement No. 4600001317 provides for transfer of ownership of the ASR project from the SFWMD to the County including one (1) – five (5) million gallon per day aquifer ASR well, a Floridan aquifer monitor well, five (5) raw water wells and a raw water transmission main along the Hillsboro Canal west of State Road 7. The Agreement requires the County to collaborate with the SFWMD on the ASR operation for a five (5) year period, which ends on October 14, 2009. (WUD Project No. 98-66) District 5 (MJ)

3. **Staff recommends motion to approve:** Change Order No. 6 to the Contract with Poole and Kent Company, Inc. (R2005-1928) for the Lake Region Water Treatment Plant (LRWTP) increasing the contract price by \$500,000. **SUMMARY:** This Change Order authorizes the Contractor to accelerate construction of certain portions of the Water Treatment Plant in order to make potable water available for distribution to the three (3) cities by March 31, 2008 and funded by the South Florida Water Management District (SFWMD). Total change orders to date equal a credit of \$6,922,908.40 (35.09% decrease). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. The contract with the Poole and Kent Company, Inc. provides for SBE participation of 15.92% overall. This Change Order includes zero overall SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 25.16% overall. (WUD Project No. 03-169) District 6 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

1. Staff recommends motion to:

A) accept Modification No. 2 to Purchase Order No. GA133F-06-SE-3414 with the U.S., Department of Commerce/National Oceanographic and Atmospheric Administration (NOAA) extending the due date to September 30, 2008 for seagrass mapping in the Lake Worth Lagoon (LWL) in the amount of \$16,077 that was previously budgeted in FY 2006-2007;

B) accept Purchase Order No. WC133F-07-SE-4909 in the amount of \$10,000 from NOAA for seagrass mapping in the LWL, expiring March 31, 2009;

C) approve Budget Amendment of \$26,077 in the General Fund to recognize revenue from both Purchase Orders; and

D) authorize the County Administrator, or his designee, to sign all future time extensions task assignments, certifications, and other forms associated with Purchase Order No. 133F-06-SE-3414 and No. WC133F-07-SE-4909, and necessary minor amendments that do not change the scope of work or terms and conditions of Purchase Orders.

SUMMARY: The Budget Amendment recognizes both Purchase Orders from NOAA to fund LWL monitoring program costs for the 2007 Seagrass and Mangrove Mapping project. No local match required. Districts 1, 2, 3, 4, & 7 (SF)

2. Staff recommends motion to approve: Amendment No. 1 to the Florida Department of Environmental Protection (FDEP) Contract No. SL898 (R2001-0772) for the Palm Beach County Department of Environmental Resources Management (ERM) to perform upland invasive exotic plant control services on a task assignment basis and expiring June 30, 2011. **SUMMARY:** Amendment No. 1 provides a revision of paragraph 4.A. for payment through a fixed price/cost reimbursement/fee schedule as specified in each executed task assignment. Authorized fee schedule costs will be identified in the task assignment. Travel costs are not eligible for reimbursement under this revised contract. State share of any task assignment costs would be allocated to the County on a reimbursement basis. Also, Amendment No. 1 provides for the addition of paragraph 4.E. which stipulates requirements for invoicing and supporting documents when subcontractors are used to do the exotic vegetation removal work. These requirements are included in the Contract Payment Requirements portion of the contract. In addition, the Task Assignment Notification Form and the Task Assignment Change Order Form of the original contract are deleted in their entirety and replaced with revised forms which document the task assignment work. In all other respects, the contract and attachments relative thereto will remain in full force and effect. Countywide (SF)

3. Staff recommends motion to approve: the revised Management Plan for the Rosemary Scrub Natural Area. **SUMMARY:** The Rosemary Scrub Natural Area Management Plan was originally approved by the Board on March 4, 1997. The Management Plan was revised in 2007 to include additional information regarding the history of the site and its biological resources, a chronology of significant events and activities occurring since the County's acquisition, improvements in management techniques, and other new information. The County continues to manage the natural area with the assistance of the City of Boynton Beach. District 4 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to receive and file:

- A) Interlocal Agreement with the Town of Lantana (Districts 4 & 7)
- B) Interlocal Agreement with the City of Boynton Beach (District 4)
- C) Interlocal Agreement with the Town of Jupiter (District 1)
- D) Interlocal Agreement with the Village of Tequesta (District 1)
- E) Interlocal Agreement with the City of West Palm Beach (Districts 2 & 7)
- F) Interlocal Agreement with Palm Beach County Sheriff Office (Countywide)

SUMMARY: As part of the Manatee Protection Plan, the County has committed to annually provide \$200,000 of funding for additional on-water law enforcement in the County's waterways. On December 18, 2007, the Board of County Commissioners approved a Resolution (R2007-2277) with a standard form Interlocal Agreement with law enforcement agencies for an increased law enforcement presence in estuarine waters of Palm Beach County. Delegation of the authority to execute these standard form Interlocal Agreements was approved, pursuant to PPM No. CW-O-051, on January 2, 2008. Districts 1, 2, 4, 7 and Countywide (SF)

5. Staff recommends motion to approve:

A) Budget Transfer of \$600,000 in the Natural Areas Fund from Reserves to transfer to the Capital Outlay Fund to support capital activities on the Loxahatchee Slough Project; and

B) Budget Amendment of \$600,000 in the Capital Outlay Fund to recognize a transfer from the Natural Areas Fund to the Loxahatchee Slough Project.

SUMMARY: A Budget Transfer in the Natural Areas Fund will provide \$600,000 in funding from Reserves for vegetation control activities in the Loxahatchee Slough Natural Area for the remainder of the fiscal year by transferring budget to the Capital Outlay Fund where the project account exists. A Budget Amendment in the Capital Outlay Fund will recognize the transfer from the Natural Areas Fund. District 1 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: executed Independent Contractor Agreement received during the month of February: First Choice Basketball Association, Caloosa Park. **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 Agreement has 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 is now being submitted to the Board to receive and file. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Palm Beach Lakes Community High School in an amount not-to-exceed \$9,200 for the girl's basketball team tournaments. **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), as amended. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
3. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Atlantic Community High School in an amount not-to-exceed \$20,000 for the purchase of band uniforms. **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), as amended. Funding is from the Recreation Assistance Program (RAP) District 4 Funds. District 7 (AH)
4. Staff recommends motion to receive and file: original executed Amendment to Request for Funding Form for School Board Recreation Assistance Program project for Golden Grove Elementary School for the purchase and installation of fitness trail equipment (R2007-0991) to extend the project completion date from January 31, 2008, to June 30, 2008. **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), as amended. District 6 (AH)
5. Staff recommends motion to receive and file: original executed Amendment to Request for Funding Form for School Board Recreation Assistance Program project for John I. Leonard Community High School for the purchase of football team academic and athletic equipment (R2007-1347) to extend the project completion date from January 31, 2008, to June 30, 2008. **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), as amended. District 2 (AH)
6. Staff recommends motion to approve: Agreement with Ruth Rales Jewish Family Service of South Palm Beach County, Incorporated for the period April 1, 2008, through May 28, 2009, in an amount not-to-exceed \$5,000 for funding of the 2008 Diamond Club Senior Recreational Program. **SUMMARY:** This funding is to assist with expenses for the Diamond Club Senior Recreational Program offered by Ruth Rales Jewish Family Service of South Palm Beach County, Incorporated. The program serves approximately 120 senior citizens aged seventy-five (75) years and older. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to March 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)
7. Staff recommends motion to approve: Agreement with Young Singers of the Palm Beaches, Inc. for the period April 1, 2008, through August 31, 2008, in an amount not-to-exceed \$2,000 for funding of a performance tour to the Children in Harmony Choral Festival. **SUMMARY:** This funding is to help offset costs for Young Singers of the Palm Beaches, Inc.'s performance tour to the Children in Harmony Choral Festival at Walt Disney World from May 22 through May 25, 2008. Approximately 50 children and youth will participate in the tour. Funding is from Recreation Assistance Program (RAP) District 2 Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

8. Staff recommends motion to receive and file: First Amendment to Agreement (R2007-2204) with Hold My Hand, Inc. for funding of a tennis tournament. **SUMMARY:** This fully executed First Amendment to Agreement in an amount not-to-exceed \$2,000 extends the project completion date from August 30, 2007, to April 1, 2008, and the term of the Agreement from December 30, 2007, to April 1, 2008, 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, including the funding amount, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

9. Staff recommends motion to approve: Agreement with Glades Glen Browns Youth Football League, Inc. for the period April 1, 2008, through July 31, 2008, in an amount not-to-exceed \$5,000 for funding of operational expenses. **SUMMARY:** This funding is to help offset costs incurred by Glades Glen Browns Youth Football League, Inc. for operational expenses for its football program. The league serves approximately 100 youth from the western communities. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to January 4, 2008. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

10. Staff recommends motion to approve: Agreement with the Greater Delray Beach Chamber of Commerce, Inc. for the period April 1, 2008, through December 1, 2008, in an amount not-to-exceed \$2,000 for funding of the Delray Beach pop-up book. **SUMMARY:** This funding is to help offset costs paid by the Greater Delray Beach Chamber of Commerce, Inc. for a "pop-up" book celebrating the history, culture, and recreational opportunities in the City of Delray Beach. The book will be distributed at a variety of venues in Delray Beach, and is anticipated to be viewed by approximately 20,000 people annually. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to January 1, 2007. Funding is from Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

11. Staff recommends motion to approve:
 - A) Agreement with the City of Boca Raton for the period April 1, 2008, through March 31, 2011, in an amount not-to-exceed \$350,000 for Boca Raton's governmental television channel equipment; and

 - B) Budget Transfer of \$350,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Boca Raton television channel equipment.

SUMMARY: This Agreement provides funding for the purchase and installation of equipment for Boca Raton's television channel. The Agreement allows for the reimbursement of pre-Agreement expenses incurred subsequent to February 27, 2007. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum - District 4. District 4 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

12. Staff recommends motion to approve:

A) First Amendment to Agreement (R2008-0082) with Loggerhead Marineline Center, Inc. for decking, walkways, and landscape improvements to increase funding from \$57,185 to \$62,185, and to extend the project completion date from April 30, 2008 to July 30, 2008, and the reimbursement request date from July 30, 2008, to September 30, 2008;

B) a Budget Transfer of \$5,000 in the Transportation Improvement Fund from Reserve for District 1 to the County Transportation Trust Fund;

C) a Budget Transfer of \$5,000 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 \$5,000 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 \$5,000 in the Park Improvement Fund increasing the annual transfer from the General Fund and increasing the appropriation to the District 1 Recreation Assistance Program (RAP).

SUMMARY: This Amendment increases the amount of funding for the Loggerhead Marineline Center by \$5,000 for a total project amount not-to-exceed \$62,185, and extends the project completion date from April 30, 2008, to July 30, 2008 and the reimbursement request date from July 30, 2008 to September 30, 2008. The remainder of the Agreement remains the same. 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 1 Recreation Assistance Program (RAP). At the November 21, 2006, Board meeting, the flexibility of up to \$200,000 in transfers was approved for this purpose. With the approval of this project, the remaining balance available in transfers for District 1 will be \$35,315. District 1 (AH)

13. Staff recommends motion to:

A) **ratify** the Chairperson's signature on a State of Florida Department of Environmental Protection (DEP) Land and Water Conservation Fund (L&WCF) Grant Application submitted for the South County Regional Park Parcel "A" Phase III Development Project;

B) **authorize** the County Administrator or his designee to execute the grant project agreement, time extensions, task assignments, certifications, standard forms, or amendments to the agreement that do not change the scope of work or terms and conditions of the agreement, if the grant is approved; and

C) **authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with the Florida DEP for this project.

SUMMARY: This Grant Application requests \$200,000 from the L&WCF for the South County Regional Park Parcel "A" Phase III Development Project. The project elements include a dog park with a large and small dog area, gazebos, drinking fountains (dog & people), two (2) ADA compliant playgrounds, age appropriate swing sets, a restroom, bike trail, and a freshwater boat ramp with parking. If the grant is awarded, and once the project is complete, the grant project agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

14. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Suncoast Community High School in an amount not-to-exceed \$10,000 for a band trip. **SUMMARY:** This fully executed Request for Funding Form is for a School Board RAP allocation made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

15. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Forest Hill Community High School in an amount not-to-exceed \$5,000 for Environmental Academy field trips. **SUMMARY:** This fully executed Request for Funding Form is for a School Board RAP allocation made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 2 (AH)

16. Staff recommends motion to approve: Budget Transfer of \$64,380 in Park Improvement Fund from the Florida Boating Improvement Program reserve to Stub Canal boat ramp improvements. **SUMMARY:** This budget transfer will provide the funding necessary to renovate the two existing boat ramps. Funding is from the Park Improvement Fund Florida Boating Improvement Program reserve. District 2 (AH)

17. Staff recommends motion to approve:
 - A) Budget Transfer of \$90,375 in Park Improvement Fund from Reserves to Okeehelée Golf Course Greens Renovation; and
 - B) Budget Transfer of \$80,268 in the \$25M GO Parks & Cultural Improvements Bond Fund - 2005 from Okeehelée Park Fencing to Okeehelée Golf Course Greens Renovation.**SUMMARY:** This budget transfer will provide the funding necessary to renovate 18 holes at the Okeehelée Park Golf Course. Funding is from the Park Improvement Fund reserve and the 2002 \$50M GO Parks & Cultural Improvements Bond referendum. District 6 (AH)

18. **Staff recommends motion to approve:** Agreement with ACCESSPORTAMERICA, INC. to develop and implement outrigger canoeing and windsurfing programs for people with disabilities. **SUMMARY:** This Agreement provides for the development and implementation of an outrigger canoeing and windsurfing program with instruction for citizens with disabilities in Palm Beach County. ACCESSPORTAMERICA, INC. will provide the County with boats, equipment and instructors. The County will provide assistance with supervision of program, docks and a storage area within Okeehelée Park. This Agreement is for one (1) year with the option to renew on an annual basis if agreed upon by both parties. ACCESSPORTAMERICA, INC. will provide instruction to the Therapeutic Recreation Section program participants free of charge. District 6 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** Grant Agreement with Community Caring Center of Boynton Beach, Inc. d/b/a Ocean Avenue GreenMarket for an amount not-to-exceed \$10,000 as start-up funding for a new seasonal farmers' market in Boynton Beach. **SUMMARY:** Ocean Avenue GreenMarket is a newly established farmers' market located in Boynton Beach. Ocean Avenue GreenMarket will operate a seasonal GreenMarket in Boynton Beach and will provide retail outlets for over 30 small growers and businesses from October to May. This Agreement will help assist Ocean Avenue GreenMarket with start-up funding to operate a GreenMarket in Boynton Beach. Countywide (AH)

2. **Staff recommends motion to approve:** Grant Agreement with the Western Palm Beach County Farm Bureau in an amount not-to-exceed \$24,975 from Agricultural Economic Development Program funds to assist in conducting the 2008 Palm Beach County Sweet Corn Fiesta in West Palm Beach. The timeframe for this grant is from the date of BCC approval to September 30, 2008. **SUMMARY:** The 2008 Palm Beach County Sweet Corn Fiesta will be held on April 27, 2008, with expenses incurred after April 1, 2008 being eligible for reimbursement. This event will increase public awareness of local agriculture on a regional and statewide basis. It provides an opportunity for a local agricultural organization, the Western Palm Beach County Farm Bureau, to stage an event that will make our residents more aware of the significance of our largest vegetable row crop in our County's billion-dollar agricultural industry while bringing in people from surrounding counties. This is the eighth year for the event. The Palm Beach County Agricultural Enhancement Council has reviewed the request and met with representatives of the Western Palm Beach County Farm Bureau. The Agricultural Enhancement Council recommends approval of this request. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to adopt:** an Amendment to Resolution 2007-1639, adding six (6) members to the Criminal Justice, Mental Health and Substance Abuse Planning Council membership. **SUMMARY:** On September 25, 2007, the Board of County Commissioners (BCC) adopted Resolution 2007-1639 establishing the Palm Beach County Criminal Justice, Mental Health and Substance Abuse Planning Council. After holding its initial meeting the Planning Council recommends adding members to the Council from the following agencies: Palm Beach County Health Department, Children's Services Council, Palm Beach County School District, a practicing Psychiatrist, Chief Judge of 15th Judicial Circuit, and the Area Agency on Aging Palm Beach/Treasure Coast, Inc. The amended resolution reflects the added members. Countywide (DW)

2. **Staff recommends motion to approve:** an Amendment to the Interlocal Agreement (R2007-0332) with Florida State University for a no cost extension from February 27, 2008, to April 22, 2008, to present the final report on the first year evaluation of the Youth Violence Prevention Project. **SUMMARY:** The Interlocal Agreement expired on February 26, 2008. This extension, at no additional cost to the County, will provide coverage for the Agreement until the final report is received. The extension is necessary due to presentation of the final report being moved from February 26 until April 22 at the request of the County. On February 27, 2007, the Board of County Commissioners approved the Criminal Justice Commission to develop a comprehensive evaluation of the Youth Violence Prevention Project, including the commitment to participate from Florida State University's Center for Criminology and Public Policy Research. The six (6) month update was presented on June 19, 2007. On April 22, 2008, the first year evaluation will be presented to the Board of County Commissioners. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: an Amendment to the Interlocal Agreement with the City of Riviera Beach (R2007-2287) from October 1, 2007, through September 30, 2008, to increase the amount by \$9,000 to purchase equipment in order for law enforcement to operate their new surveillance system. **SUMMARY:** The City of Riviera Beach purchased License Plate Recognition Cameras as a part of the Youth Violence Prevention Project. This system requires an additional laptop and server to operate the system that was not previously budgeted. The cameras are used to identify stolen vehicles and can also be used for special operations to identify gang members. Additional equipment is also needed to expedite the processing of ballistics evidence. The total amount is not-to-exceed \$9,000. This equipment is used in conjunction with the Violent Crimes Task Force and the Countywide law enforcement effort to solve violent crimes. District 7 (DW)

4. **DELETED**

5. Staff recommends motion to approve: a Contract with the City of Riviera Beach Civil Drug Court in the amount of \$47,747 for the period of October 1, 2007, through September 30, 2008, which will permit the City to hire a case manager position. **SUMMARY:** On May 29, 2007, the Criminal Justice Commission Board approved the use of \$100,000 in Drug Abuse Trust Fund (DATF) monies to contract for residential and outpatient substance abuse services for indigent clients, court ordered to treatment through the Civil Drug Court Program located in the City of Riviera Beach. Of this amount, \$52,253 has already been contracted for substance abuse services and \$47,747 will be used to contract with the Civil Drug Court for a case manager position. District 7 (DW)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one (1) original standard Interlocal Agreement for Swimming Lessons with the City of Riviera Beach. **SUMMARY:** Pursuant to Countywide PPM CW-O-051, one (1) standard County Agreement that has been executed by the County Administrator, or his designee (the Fire Rescue Administrator) is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. This Agreement provides swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim program. Countywide (SB)

3. CONSENT AGENDA APPROVAL

V. METROPOLITAN PLANNING ORGANIZATION

1. **Staff recommends motion to approve:** Joint Participation Agreement with the Palm Beach Metropolitan Planning Organization for Intergovernmental Coordination and Review, and Public Transportation Coordination. **SUMMARY:** The Joint Participation Agreement provides for coordination of Metropolitan Planning Organization (MPO) planning activities with the regional planning council and major transportation service providers. The Florida Department of Transportation (FDOT) provides a standard agreement, which is updated periodically to reflect new Federal transportation acts and changes to State Statutes. The County last entered into this agreement with the Metropolitan Planning Organization in July 1999 prior to the passage of SAFETEA-LU. Countywide (DR)

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** three (3) standard Court Psychology contracts with the 15th Judicial Circuit for the period July 1, 2007, to June 30, 2008 to compensate the County for psychological services:
 - A) Agreement for Expert Witness Professional Services for Adult Competency Evaluations;
 - B) Agreement for Expert Witness Professional Services for Juvenile Competency and Psychological Evaluations; and
 - C) Agreement for Expert Witness Professional Services Related to Appointment as an Examining Committee Member relating to Guardianship Matters.

SUMMARY: R2005-0792 authorizes the County Administrator or his designee to sign future contracts to provide psychological services to the 15th Judicial Circuit. These contracts compensate the County for the services listed above provided to the 15th Judicial Circuit by the Court Psychology Section of the Justice Services Division of the Department of Public Safety. Countywide (DW)

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** purchase of an endorsement, covering the West County Detention Facility project, to the three (3) year Master Builders Risk Insurance Program ("MBRIP") approved on February 26, 2008 as Agenda Item 7C-2, through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, for a total not-to-exceed cost of \$1,200,000. **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. By adding this project to the recently purchased Master Builders Risk Insurance Program the County will realize a savings of approximately \$800,000. Payments are based on the construction timetable for commencement of work on the various phases of this project. Sufficient funds are budgeted in FY 2008 for this coverage. (Capital Improvements Division) District 6 (JM)

3. CONSENT AGENDA APPROVAL

BB. INTERNAL AUDITOR

1. **Staff recommends motion to approve:** an Interlocal Agreement with the Palm Beach County Health Care District (District) for the County to provide internal auditing services to the District beginning April 1, 2008. Total annual billings to the District shall not exceed \$50,000 in any fiscal year without approval by the District. **SUMMARY:** This Agreement allows for the provision of internal audit services to the District on an on-going basis until terminated by the parties. Billings are based on actual payroll hours multiplied by a predetermined rate. Provision of internal Audit services to the District has been approved by the Audit Committee. Countywide (PFK)

CC. 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)

DD. SHERIFF

1. **Staff recommends motion to approve:** a Budget Amendment of \$261,356 in the General Fund for additional services provided by the Palm Beach County Sheriff's Office to the Village of Wellington for the period of October 1, 2007, through September 30, 2008. **SUMMARY:** The Budget Amendment include the cost for two (2) additional motor deputies and eleven (11) additional school crossing guards, as set forth in the renewal to the contract between the Palm Beach County Sheriff's Office and the Village of Wellington, effective October 1, 2007. No County funds are required. Countywide (DW)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring April 2008 as “Drowning Prevention Awareness Month” in Palm Beach County. (Sponsored by Commissioner Kanjian)

- B.** Proclamation declaring June 2008 as “Palm Beach Multi-Culture Organizational, Inc. Early Detection and Treatment of Autism Month” in Palm Beach County. (Sponsored by Commissioner Kanjian)

- C.** Proclamation declaring April 2008 as “Water Conservation Month” in Palm Beach County. (Sponsored by Commissioner Koons)

- D.** Proclamation declaring April 27 – May 4, 2008 as “Days of Remembrance of the Victims of the Holocaust” in Palm Beach County. (Sponsored by Commissioner Aaronson)

- E.** Proclamation declaring May 1, 2008 as “Yom Hashoah Remembrance Day” in Palm Beach County. (Sponsored by Commissioner Aaronson)

- F.** Proclamation declaring April 2008 as “Fair Housing Month” in Palm Beach County. (Sponsored by Commissioner Greene)

- G.** Proclamation declaring April 2008 as “Pets are Wonderful Month” in Palm Beach County. (Sponsored by Commissioner Greene)

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5. REGULAR AGENDA

A. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve the 2008 Lake Worth Lagoon (LWL) Management Plan Update;

B) adopt a Resolution to support the establishment of a LWL Initiative in cooperation with the South Florida Water Management District (SFWMD);

C) approve an Environmental Analyst Position at Environmental Resources Management (ERM) to facilitate the development of a LWL Initiative;

D) approve a Budget Transfer of \$72,524 in the Department of Environmental Protection (DEP) LWL Fund from contractual services, to provide financial support for the position; and

E) approve a Budget Transfer of \$72,524 in the General Fund to establish a charge off from the LWL Grant Program.

SUMMARY: The 2008 LWL Management Plan is an update to the Plan that was originally adopted by the Board of County Commissioners on December 7, 1999 (R99-2330). The 2008 LWL Management Plan Update includes an Action Plan for the development of a LWL Initiative, in cooperation with the SFWMD. The SFWMD will approve the 2008 LWL Management Plan Update and support the establishment of a LWL Initiative, by Resolution, on April 10, 2008. The Initiative will promote stakeholder adoption of the Plan to generate an increase in participation, commitment and funding support for the LWL. The Environmental Analyst Position is necessary to facilitate the LWL Initiative. The position will secure grant funding and increase public awareness of this regionally important waterbody in need of protection and restoration. The position is funded by the LWL Partnership Grant Program. Countywide (SF)

5. REGULAR AGENDA

A. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve a Management Plan for the Pondhawk Natural Area;

B) approve a Budget Transfer of \$262,677 in the Natural Areas Fund from Reserves to transfer to the Capital Outlay Fund to support restoration activities on the Pondhawk Natural Area;

C) approve a Budget Amendment of \$262,677 in the Capital Outlay Fund to recognize a transfer from the Natural Areas Fund to the Pondhawk Natural Area account; and

D) authorize the Chairperson to sign Deeds of Conservation Easement to the South Florida Water Management District (SFWMD) and The Nature Conservancy (TNC) on behalf of the County, provided that the Deeds of Conservation Easement for the Pondhawk Natural Area do not substantially change the terms and conditions of the form Deed of Conservation Easement as previously approved by the Board on September 13, 2005 (R2005-1770).

SUMMARY: The Pondhawk Natural Area Management Plan (Plan) was developed by the Department of Environmental Resources Management (ERM) and provides guidelines for proposed land management activities on the Pondhawk Natural Area. It was recommended for approval by the Natural Areas Management Advisory Committee (NAMAC) on September 21, 2007, after careful consideration of public comments received at a public hearing held on October 26, 2006 and subsequent comments received from the City of Boca Raton. Budget documents provide funding necessary to complete various capital activities through the end of the fiscal year. The Pondhawk Natural Area is comprised of approximately 79 acres. The site was acquired from the City of Boca Raton in July 2002. Funds for the acquisition were provided from the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999, and from matching funds from the Florida Communities Trust in 2004. This site will be managed by ERM as part of the County's Natural Areas System, which is currently comprised of 36 sites. District 4 (SF)

5. REGULAR AGENDA

A. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve a Management Plan for the Pine Glades Natural Area; and

B) authorize the Chairperson to sign Deeds of Conservation Easement to the South Florida Water Management District (SFWMD) and The Nature Conservancy (TNC) on behalf of the County, provided that the Deeds of Conservation Easement for the Pine Glades Natural Area do not substantially change the terms and conditions of the form Deed of Conservation Easement as previously approved by the Board on September 13, 2005 (R2005-1770).

SUMMARY: The Pine Glades Natural Area Management Plan (Plan) was developed by the Department of Environmental Resources Management (ERM). The Plan provides guidelines for proposed land management activities and public use facilities development on the Pine Glades Natural Area. It was recommended for approval by the Natural Areas Management Advisory Committee (NAMAC) on August 17, 2007, after careful consideration of public comments received at a public hearing held on July 25, 2007. The Pine Glades Natural Area is comprised of approximately 6,413 acres. This site was acquired by purchases in 1999, 2000, 2001, 2004 and 2005, a conservation easement for deed exchange in 2005, and acquisitions made through eminent domain proceedings in 2005 and 2006. Funds for the acquisitions were provided from the Palm Beach County Environmentally Sensitive Lands Bond Issue Referendum of March 12, 1991, the Palm Beach County Lands for Conservation Purposes Bond Issue Referendum of March 9, 1999, the County's Natural Area Stewardship fund and from matching funds from the Florida Communities Trust. This site will be managed by ERM as part of the County's Natural Areas System, which is currently comprised of 36 sites. District 1 (SF)

5. REGULAR AGENDA

A. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

A) approve an Interlocal Agreement with the City of West Palm Beach (City) and the South Florida Water Management District (SFWMD) for construction of a bridge over the Grassy Waters Preserve at Northlake Boulevard with project cost shares of up to \$1.6 million from the City; up to \$800,000 from the SFWMD and up to \$700,000 from the County to be matched with \$1.5 million from the State;

B) approve Budget Amendment in the Capital Outlay Fund of \$1,600,000 to recognize the contribution from the City to the Loxahatchee Slough Bridge Project;

C) approve Budget Amendment in the Capital Outlay Fund of \$800,000 to recognize the contribution from SFWMD to the Loxahatchee Slough Bridge Project;

D) request Board direction regarding a Budget Transfer of \$800,000 from General Fund Contingency Reserve to the Capital Outlay Fund for the bridge project in the event that the SFWMD fails to execute the Agreement;

E) approve a Budget Amendment of \$800,000 in the Capital Outlay Fund to recognize the transfer from Contingency Reserves and reduce Other Physical Environment Revenues previously identified with SFWMD as the source in the event that the SFWMD fails to execute the Agreement, contingent upon budget transfer approval described in D above; and

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

SUMMARY: A nearly identical Interlocal Agreement came before and was approved by the BCC on December 4, 2007. Since that time, the SFWMD has become a more reluctant partner. It is unknown at this time whether the SFWMD will sign the Agreement. As a result, both the City and County staff want to clarify how the Agreement will be implemented if the District ultimately does not become a partner. Should the District not become a partner, the County will provide the \$800,000 that was contemplated to come from the District. The County's total contribution toward the \$4,600,000 bridge would then become \$1,500,000. If the County does not make up the District's \$800,000 share, then \$1,500,000 in State grants to the County and another \$1,600,000 in State grants to the City could not be utilized. Also, both grants will need to be extended. Should they not be extended, the Agreement would terminate absent other funding sources. At the same time, the County's expression of willingness to utilize contingency reserves may cause the District to be less compelled to execute the Agreement, thereby increasing the likelihood that contingency funds would be needed. District 6 (SF)

B. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: allowing previously installed paver brick sidewalks within the Pheasant Walk development to remain, with the requirements that the individual property owners provide appropriate insurance coverage and indemnify the County. **SUMMARY:** Approval of this item will allow the homeowners of Pheasant Walk to have their previously installed paver bricks remain in the sidewalk portion of their driveways, and prevent further action by Palm Beach County Code Enforcement. District 4 (MRE)

5. REGULAR AGENDA

C. CLERK & COMPTROLLER

1. Staff recommends motion to approve: a Budget Transfer of \$176,000 from the General Fund contingency reserve to supplement the 2008 Value Adjustment Board Budget. **SUMMARY:** The 2008 Value Adjustment Board season was in fact a record-setting season in terms of the number of properties disputing their assessment – 14,314. This was an increase of 3,886 from the year before, which was also a record-breaking year. With this increase in filed petitions, corresponding costs also went up. The Palm Beach County Value Adjustment Board requires \$176,000 to supplement its current budget in order to meet operating cost projections for the remainder of the fiscal year. Countywide (PK)

D. WATER UTILITIES

1. Staff recommends motion to approve on preliminary reading and to advertise for Public Hearing on April 15, 2008 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing a water restriction surcharge; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Water Utilities Department (WUD) is recommending a 15% Water Restriction Surcharge due to the fiscal impact that has resulted from mandatory water restrictions enacted by the South Florida Water Management District. The surcharge would apply to potable water base facility fees, potable water commodity fees, wastewater base facility fees, and wastewater commodity fees. Royal Palm Beach customers would be exempt from the surcharge since their rates are fixed for ten (10) years as part of the agreement to purchase the Royal Palm Beach utility in 2006. The proposed surcharge would add \$4.95 to the monthly bill of a residential customer with combined water and wastewater service using 6,000 gallons of water per month (an increase from \$35.50 to \$40.45). For the twelve (12) months ended September 30, 2007, potable water sales were three (3) billion gallons less than expected resulting in a \$4.7 million loss of revenue. Due to the fact that wastewater charges are based on water usage levels, diminished wastewater sales amounted to \$1.4 million. With the imposition of Phase III water restrictions in January 2008, the Department expects water sales to further be reduced. Recovery of this lost revenue is necessary to provide sufficient funds to adequately pay for current year operating expenses, provide for renewal and replacement of facilities and equipment, and to maintain reserve levels for a reasonable margin of safety. The surcharge will become effective on May 1, 2008, and will remain in effect until repealed or otherwise amended by the Board of County Commissioners. The recommended Water Restriction Surcharge has been reviewed and unanimously approved by the Water Utilities Advisory Board on February 29, 2008. Countywide (MJ) (WUD)

5. REGULAR AGENDA

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** a Resolution authorizing the issuance of Public Improvement Revenue Refunding Bonds, Series 2008A in the principal amount of not-to-exceed \$30,000,000 to refund certain outstanding obligations of the issuer; providing that the bonds shall be a limited obligation of the issuer payable from a covenant to budget and appropriate non-ad valorem revenues; delegating certain responsibilities with respect to the sale of the bonds to the Chairperson; providing for the rights, securities and remedies for the owner of the Bonds; making certain covenants and agreements in connection therewith; providing for severability; and providing for an effective date. **SUMMARY:** Over the past three (3) months, the rating agencies have downgraded the insurance financial strength rating of the major municipal bond insurance companies. Those issuers with existing insured loan obligations in the short-term variable rate markets have been impacted with substantial increases in interest rates on the bonds. The County primarily has its variable rate loans with the Sunshine State Governmental Financing Commission and three of those loans are structured with municipal bond insurance. Over the past three (3) years, interest rates have averaged approximately 3%; however, the current rates have more than doubled. Because the County received very attractive fixed rate bids from local banks in the past year, staff and the County's financial advisor recommend that the County refund the bonds with fixed rate bonds from a local bank. Requests for Proposals were sent out on March 21 and are expected to be returned on April 9. The Bank with the lowest bid will be selected and the closing on the refunding bonds is scheduled for April 23, 2008. Bryant Miller and Olive previously served as the County's bond counsel on the Sunshine State loans and we recommend that they be appointed as bond counsel for the Refunding Bonds. Countywide (PFK)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

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

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: reappointment/appointment of the following members to the Environmental Appeal Board for a term of three (3) years:

Reappointment:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
Michael Bechtold	4	Drinking Water Engineer	Dept. of Environmental Protection

Appointment:

<u>Name</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Recommended By</u>
David Colangelo	2	Water Resource Professional	South Florida Water Management District

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 Gold Coast Builders Association (formerly known as 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. Countywide (GB)

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ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. BOARD APPOINTMENTS

A. **ADMINISTRATION**
(Workforce Alliance, Inc. Board of Directors)

1. **Staff recommends motion to approve:** new appointment of one (1) board member to the Workforce Alliance, Inc. (Alliance) Board of Directors for the period April 1, 2008, through March 31, 2011 as follows:

<u>Nominee/ Appointment</u>	<u>Seat No.</u>	<u>Area of Representation</u>	<u>Position/Employer</u>	<u>Nominated By</u>
James W. Poppell	36	Business	Florida Power & Light Company	Economic Council of Palm Beach County

SUMMARY: The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. The Alliance Board of Directors is comprised of a minimum of thirty-five (35) members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, one-stop partners and may include such other individuals or representatives of entities as the Chief Elected Official may determine to be appropriate. Countywide (TKF)

B. **CRIMINAL JUSTICE COMMISSION**
(Palm Beach County Criminal Justice Commission)

1. **Staff recommends motion to approve:** the following appointments to the Criminal Justice Commission, effective April 1, 2008:

<u>Appoint Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Mr. Douglas Duncan	21	December 31, 2010
Mr. Wesley Lauer	27	December 31, 2008
Mr. Joseph Bernadel	29	December 31, 2009

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve (12) private sector members are nominated by the Economic Council of Palm Beach County, Inc., and appointed by the Board of County Commissioners. The Council has nominated Douglas Duncan for a three (3) year term. Wesley Lauer and Joseph Bernadel are completing unexpired terms. Countywide (DW)

7. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** the appointment of two (2) at-large members to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning April 5, 2008, through April 4, 2011:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
William P. Snow	Professional Engineering	1	Palm Beach Chapter - Florida Engineering Society
AND			
Pamela L. Pannozzo	Member of a Environmental Organization	3	Treasure Coast Chapter – Florida Association of Environmental Professionals

SUMMARY: Ordinance 92-20 and Article 17.C.7. of the Unified Land Development Code (ULDC) provide for a seven (7) member GNRPB. The membership consists of one (1) professional engineer, one (1) attorney, one (1) hydrologist, one (1) business person, one (1) biologist or chemist, one (1) citizen of PBC, and one (1) member of an environmental organization. Ordinance 92-20 and Article 17.C.7 of the ULDC requires Seat No. 1 to be filled by a Professional Engineer and Seat No. 3 to be filled by a Member of an Environmental Organization. No other nominations were received. Countywide (SF)

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

1. **Staff recommends motion to approve:** the appointment of one (1) individual to the Building Code Advisory Board (BCAB) to complete the unexpired term of Gary Sullivan, Electrical Contractor, who resigned, and whose term expires on January 1, 2009:

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>
William R. Higgins	13	Electrical Contractor	CIMC

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. William R. Higgins is nominated by the Construction Industry Management Council of Palm Beach County to fill the unexpired term of Gary Sullivan, Seat 13. This action will fill the above-referenced seat until January 1, 2009. 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)

7. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** appointment of the following Parent Representatives to the Head Start/Early Head Start Policy Council for a term of April 1, 2008 through September 26, 2009.

PARENT REPRESENTATIVE AND ALTERNATE(S) BY CENTER

(R) = Representative		(A) = Alternate	
<u>Seat ID #</u> 10	<u>Boynton Beach</u> Torlande Saintizaire (R) Eunice Hernandez (A)	<u>Seat ID #</u> 11	<u>Jupiter</u> Edward H. Gaynes (R) Terry A. Smith (A)
<u>Seat ID #</u> 13	<u>Palm Glades</u> Marcus Saddler (R) Marlene Cardova (A) Maria Galvan (A)	<u>Seat ID #</u> 14	<u>Delray Beach HS</u> Frances Young (R) Valentia Valceus (A) Miglaise Mythil (A)
<u>Seat ID #</u> 15	<u>Pahokee</u> Lorraine Fulton (R) Joenisha Miller (A)	<u>Seat ID #</u> 16	<u>Westgate</u> Blondsha Harris (R) Rosetta Saez (A)
<u>Seat ID #</u> 17	<u>Lake Worth</u> Gary A. Moorner (R) Featger A. Kemp (A)	<u>Seat ID #</u> 18	<u>Riviera Beach</u> Toya A. Wilson (R) Lenora Price (A) Tawania L. Nubin Sr. (A)
<u>Seat ID #</u> 20	<u>Union Baptist</u> Shelly-Ann M. Blake (R) Tonya L. Adams (A) Bulmore Santico (A)	<u>Seat ID #</u> 21	<u>Delray Beach EHS</u> Crystal L. Scott (R)
<u>Seat ID #</u> 23	<u>Family Child Care Home</u> Nancy Lopez (R)	<u>Seat ID #</u> 26	<u>Apostolic CDC, Inc.</u> Latresa Chapelle (R) Erica Williams (A)
<u>Seat ID #</u> 27	<u>A Step Above</u> Danielle S. Herbert (R)	<u>Seat ID #</u> 28	<u>Emmanuel EHS</u> Zaveka Miller (R) Stephanie Baker (A)
<u>Seat ID #</u> 29	<u>King's Kids</u> Joscelyn I. Walker (R) Mary L. Joseph (A) Mary Christie (A)	<u>Seat ID #</u> 31	<u>San Castle</u> Elda Molina (R) Annette Hamilton (A) Patricia Rosales (A)
<u>Seat ID #</u> 32	<u>South Bay, EHS</u> Sharicia V. Allen (R) Johnathan Bolanos (A)		

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

F. **COMMISSION DISTRICT APPOINTMENTS**

APRIL 1, 2008

8. MATTERS BY THE PUBLIC – 2:00 P.M.

APRIL 1, 2008

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

APRIL 1, 2008

10. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR

C. District 3 - COMMISSIONER ROBERT J. KANJIAN

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

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

APRIL 1, 2008

<u>PAGE</u>	<u>ITEM</u>	
14	3E-3	<u>REVISED TITLE:</u> Staff recommends motion to approve: travel for Head Start /Early Head Start Policy Council Members, <u>Tawania Nubin</u> Edward H. Gaynes and Sharon Watson Grant, for the period of April 19, 2008, through April 24, 2008, at an estimated cost of \$4,286, to attend the National Head Start Association 35 th Annual Training Conference in Nashville, Tennessee. (Community Services)
20	3I-2	<u>REVISED SUMMARY:</u> The State Housing Initiatives Program provides funding to the Commission on Affordable Housing for various programs designed to assist in the development and preservation of affordable housing. This new initiative will provide financial assistance to eligible extremely-low, very low, and low income households to make needed repairs to their individually owned residences. Assistance in the amount of \$5,000 or less will be provided in the form of a conditional grant with guarantees required by the homeowner. Assistance in amounts greater than \$5,000 will be provided as a deferred payment zero interest loan secured by a lien for up to thirty (30) years. <u>The New Owner Occupied Rehabilitation Program and the technical revisions to the LHAP were recommended by the Florida Housing Finance Corporation (FHFC) and the Florida Housing Coalition (FHC) to assure compliance with the State SHIP rules regarding required expenditure rates for extremely-low and very-low income households.</u> The technical revisions to existing Commission on Affordable Housing (CAH) programs are necessary to address recent recommendations by the Florida Housing Finance Corporation (FHFC) and the Florida Housing Coalition (FHC). This new initiative and these technical revisions were presented to the Commission on Affordable Housing on March 28, 2008. (HCD)
27	3M-18	<u>DELETED:</u> Staff recommends motion to approve: Agreement with ACCESSPORTAMERICA, INC. to develop and implement outrigger canoeing and windsurfing programs for people with disabilities. (Parks & Recreation) (Further staff review)
35	5A-3	<u>DELETED:</u> Staff recommends motion to: A) approve a Management Plan for the Pine Glades Natural Area; and...(ERM) (to allow for further public comment)
37	5C-1	<u>REVISED SUMMARY:</u> The 2007 2008 Value Adjustment Board season was in fact a record-setting season in terms of the number of properties disputing their assessment – 14,314...(Clerk & Comptroller)
38	5F-1	<u>DELETED (was Add-on):</u> Presentation by the Corps of Engineers – Water Conservation Area Elevation Regulatory Schedule (Admin) (Per request from Corps)

ADD-ON (to be heard immediately following Special Presentations): Staff recommends motion to:

A) receive and file a mid-session update on Palm Beach County's State Legislative Agenda; and

B) request Board direction regarding a resolution to support Senate Bill 2724 and 2782 by Senator Jeff Atwater and House Bill 1011 and 1243 by Representatives Jack Seiler and Maria Sachs which enact laws that require the Department of Health (DOH) to establish a comprehensive prescription monitoring program for controlled substances initially within Palm Beach and Broward Counties and eventually statewide and provides for exemption from public records requirements from records reported to the DOH.

SUMMARY:

A) See report for Summary of the latest session actions regarding County Legislative issues.

B) SB 2724 by Atwater requires the DOH to establish an electronic system to monitor the prescribing and dispensing of controlled substances listed in Schedule II, Schedule III, or Schedule IV in two (2) counties, Broward and Palm Beach. Requires the DOH to implement the expansion of the system to the remaining counties in the state. **SB 2782 by Atwater** exempts from public records requirements information and records reported to the DOH under the electronic monitoring system for prescription of controlled substances listed in Schedules II-IV. **HB 1011 by Representatives Seiler and Sachs** requires DOH to establish comprehensive prescription monitoring system initially within Broward and Palm Beach Counties; requires DOH to phase in implementation statewide; requires DOH to establish criteria for dispensing of certain controlled substances; requires dispensing of such controlled substances to be reported through this system. **HB 1243 by Representatives Seiler and Sachs** exempts from public records requirements information and records reported to DOH under electronic monitoring system for prescription of controlled substances listed in Schedules II-IV; authorizes certain persons and entities access to patient-identifying information; provides guidelines for use of such information and penalties for violations. Countywide (DW) (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 (*).