

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

OCTOBER 7, 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 - 35)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 36)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** an Agreement with the Florida Atlantic University Board of Trustees (FAU) in the amount of \$84,243 to assist with the implementation of the Strategic Economic Development Plan. The term of this Agreement is from October 1, 2008, through September 30, 2009, with two (2) - one (1) year options for renewal at the sole discretion of the County. **SUMMARY:** On March 13, 2007, the Board of County Commissioners approved the Strategic Economic Development Plan. This Plan includes 67 action items envisioned to create \$1 billion in new revenue over a 20-year period in Palm Beach County. The Center for Urban and Environmental Solutions (CUES) Center at FAU will assist the Office of Economic Development in implementing the Strategic Plan by: **A)** assisting in the completion, evaluation, and/or implementation of twelve (12) additional projects: Regional Public Market, Eco-Tourism Development, Agricultural Incentive Fund, Alternative Energy Plan, Transit—Oriented Development, Sustainable Landscaping, Cluster Industries Development, Cultural Development, Downtown Revitalization in the Glades Area, and Development of a Northeast Everglades Natural Area (NENA) Economic Impact Model; **B)** identifying federal, state and private/not-for-profit funding sources to implement the Strategic Plan; **C)** collaborating with the Palm Beach County Equestrian Industry to find ways of promoting equestrian tourism through educational workshops and potential new projects; and **D)** assisting in the production of a televised Strategic Economic Report and generating two (2) semi-annual reports for the Board of County Commissioners and stakeholders. Funding is included in the 2009 budget. Countywide (DW)

2. **Staff recommends motion to receive and file:**

A) Resolution No. 96-2008 of the City of Boca Raton expressing concerns over the large population of green iguanas in the City and requesting that the Florida Fish and Wildlife Conservation Commission enact regulations governing the possession, distribution and release of green iguanas within the State;

B) Resolution No. 3204 of the City Commission of the City of Pembroke Pines, Florida, urging the 2009 Florida Legislature to equalize funding based on population to provide each region of Florida, including South Florida, its fair share of State funding; and

C) Resolution No. 08-08-01 of the Town of Pembroke Park, Florida, urging the Florida Legislature to equalize funding based on population to provide each region of Florida, including South Florida, its fair share of State funding.

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: None

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

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

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 August 2008. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a Contract Amendment of \$485,000 to the Annual Guardrail Contract, R2007-1457, Project No. 2008051, dated September 11, 2007 with the guardrail contractor, Southeast Attenuators, Inc. **SUMMARY:** Approval of the Amendment to the Annual Guardrail Contract extends the expiration date of the existing Contract retroactively from September 11, 2008, to September 30, 2009. The dollar value of the Contract is to be increased to a not to exceed amount of \$950,000. The Annual Guardrail Contract consists of furnishing and installing guardrail, guardrail products, removing and disposing of "old" guardrail and/or resetting of existing guardrail. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. The sole bidder, Southeast Attenuators, Inc., failed to achieve any SBE participation. Countywide (MRE)
2. Staff recommends motion to adopt: a Resolution to accept maintenance of Indian Creek Parkway, which is a thoroughfare road, from Central Boulevard to 1.31 miles west, at an estimated cost of \$8,122 annually. **SUMMARY:** Abacoa Development Company was required to construct Indian Creek Parkway as a condition of approval for the Abacoa development. District 1 (MRE)
3. Staff recommends motion to adopt: a Resolution to amend the assessment roll for the Dillman Road Improvement Project, which was approved on April 15, 2008. **SUMMARY:** Approval of this Resolution will amend the assessment roll by removing two (2) properties included on the original assessment roll. These two (2) properties have acquired separate access to their properties and no longer require the use of Dillman Road. These properties no longer exist as described before, as they were replatted and permitted. District 6/MSTU District B (MRE)
4. Staff recommends motion to approve: Supplemental Agreement No. 8 to Project Agreement 1997511C under contract R2001-0357 in the amount of \$8,032.88 with Metric Engineering, Inc. for professional services. **SUMMARY:** This Supplemental Agreement will provide the services necessary for the preparation of construction plans for a pedestrian pathway along the east side of Seminole Pratt Whitney Road from Seminole Ridge High School to Persimmon Boulevard. District 6 (PK)
5. Staff recommends motion to approve:
 - A) a Reimbursement Agreement in an amount up to \$100,000 with the City of South Bay (City) for resurfacing roadways and sidewalk repair within the City limits; and
 - B) a Budget Transfer of \$100,000 in the Transportation Improvement Fund from Reserves for District 6 to the City Street Improvements – District 6.**SUMMARY:** Approval of this Budget Transfer will reimburse the City in an amount up to \$100,000 for resurfacing roadways and sidewalk repair. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Amendment No. 2 to the Agreement (R2007-0477) with the law firm of Holland & Knight, LLP to provide bond counsel and related legal services for the not to exceed \$45 Million Public Improvement Revenue Bonds, Series 2008 (Max Planck Biomedical Research Project) (the "Bonds"). **SUMMARY:** The law firm was selected as bond counsel for the Bonds by the Board at the September 9, 2008 meeting. This Amendment No. 2 confirms that selection by amending the existing Agreement for bond counsel and related services between the County and the law firm. Payment to the law firm for the legal services in connection with the bond issuance will be as provided for in the Agreement. Countywide (PFK)

2. **Staff recommends motion to approve:** Amendment No. 2 to the Agreement (R2007-0021) with the law firm of Ruden McClosky Smith Schuster & Russell, P.A., to provide disclosure counsel and related legal services for the not to exceed \$45 Million Public Improvement Revenue Bonds, Series 2008 (Max Planck Biomedical Research Project) (the "Bonds"). **SUMMARY:** The law firm was selected as disclosure counsel for the Bonds by the Board at the September 9, 2008 meeting. This Amendment No. 2 confirms that selection by amending the existing Agreement for bond counsel and related services between the County and the law firm. Payment to the law firm for the legal services in connection with the disclosure counsel services will be at 50% of the amount paid to bond counsel for the Bonds. Countywide (PFK)

3. **Staff recommends motion to receive and file:** the official transcript for the closing of the \$6,473,000 Palm Beach County, Florida, Water & Sewer Revenue Refunding Bond, Series 2008 (the "Bonds"), as authorized by Resolution R2008-0466 adopted on March 11, 2008. **SUMMARY:** The closing occurred March 31, 2008. The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contracts with the following vendors for support services to homeless individuals for the period of October 1, 2008, through September 30, 2009:
 - A) Oakwood Center of the Palm Beaches, Inc. in an amount not to exceed \$42,330; and
 - B) Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) in an amount not to exceed \$42,330.

SUMMARY: Oakwood Center of the Palm Beaches, Inc. and Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) provide special population staffing that target homeless persons. Separate contracts are provided for these two(2) agencies. Each contract will receive \$42,330. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Contract with Oakwood Center of the Palm Beaches, Inc. for services to homeless individuals in an amount not to exceed \$73,318 for the period of October 1, 2008, through September 30, 2009. **SUMMARY:** Oakwood Center of the Palm Beaches, Inc. will provide supportive services through the Homeless Assertive Community Treatment Team to include case management, employment counseling, medication management, benefits counseling, peer counseling and group counseling. These services are provided to homeless individuals who are severely mentally ill or dually diagnosed and have been placed in permanent housing through the Housing and Urban Development (HUD) Shelter Plus Care grant programs. (Human Services) Countywide (TKF)

3. **Staff recommends motion to approve:** Contract with the United Way of Palm Beach County to support the Community Food Alliance in an amount not to exceed \$25,000 for the period October 1, 2008, through September 30, 2009. **SUMMARY:** The County continues to partner with the United Way to provide staff support of the Palm Beach County Community Food Alliance. This Alliance implements the countywide Community Food Security Action Plan to decrease hunger in Palm Beach County. This action plan was developed as a result of the 2004 Food Security Survey. Funding from the County will be matched by United Way for the support of the salary/benefits and related expenses of the Community Food Alliance Coordinator. (Human Services) Countywide (TKF)

4. **Staff recommends motion to approve:** Modification No. 001 to Contract No. 08EA-7B-10-60-01-023 (R2008-0502) Low Income Home Energy Assistance Program (LIHEAP) with the State of Florida Department of Community Affairs for the period March 1, 2008, through March 31, 2009 increasing the contract amount by \$34,277 for utility assistance to low-income families. **SUMMARY:** Palm Beach County received notification on July 29, 2008, that additional Low Income Home Energy Assistance Program (LIHEAP) funds are available under the current LIHEAP agreement, Contract No. 08EA-7B-10-60-01-023. The Modification incorporates an additional \$34,277 increase in the base allocation in the existing contract for a new grant total of \$1,186,238. The \$34,277 represents PBC Community Action's share of the increased Federal allocation. These additional funds will enable PBC Community Action to serve an additional 155 low-income households. No County funds are required. (Community Action Program) Countywide (TKF)

5. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Emmanuel Child Development Center, Inc., for the period of October 1, 2008, through September 30, 2009, in an amount of \$161,750, for services to Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Emmanuel Child Development Center, Inc. will provide services to 20 infants and toddlers at a rate of \$32.48 per child, per day for 249 days. Funding consists of \$105,138 in Federal funds, \$26,284 in required match County funds and \$30,328 overmatch. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve: Head Start Contracted Services Agreement with The Union Missionary Baptist Church, Inc. (Day Care Center), for the period of October 1, 2008, through September 30, 2009, in an amount of \$207,937 for services to Head Start children and families. **SUMMARY:** The Union Missionary Baptist Church, Inc. will provide services to 37 children for 249 days at a rate of \$22.57 per child/per day for 3 and 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$124,762 in Federal funds, \$31,191 in required match County funds and \$51,984 in overmatch. (Head Start) Countywide (TKF)

7. Staff recommends motion to approve: Head Start Contracted Services Agreement with Education Development Center, Inc. d/b/a My First Steps Preschool, for the period of October 1, 2008, through September 30, 2009, in an amount of \$493,911 for services to Head Start children and families. **SUMMARY:** Education Development Center, Inc. will provide services to 82 children for 249 days at a rate of \$24.19 per child/per day for 3 and four year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$296,346 in Federal funds, \$74,086 in required match County funds and \$123,479 in overmatch. (Head Start) Countywide (TKF)

8. Staff recommends motion to approve: Early Head Start Contracted Services Agreement with Hispanic Human Resources Council, Inc., for the period of October 1, 2008, to September 30, 2009, in an amount of \$204,678 for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start Contracted Services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Hispanic Human Resource Council, Inc. will provide services to 24 infants and toddlers at a rate of \$34.25 per child, per day for 249 days. Funding consists of \$133,041 in Federal funds, \$33,260 in required match County funds and \$38,377 in overmatch. (Head Start) Countywide (TKF)

9. Staff recommends motion to ratify: the Chairperson's signature on a revised Refunding Application SF424 for Federal assistance in the amount of \$14,331,041 (Head Start \$12,611,541 & Early Head Start \$1,719,500) to operate the Full Day/Full Year Head Start and Early Head Start programs for the period October 1, 2008, through September 30, 2009. **SUMMARY:** The Head Start Refunding Application was presented and approved by the BCC on June 17, 2008 (R2007-1270). The Motion and Title contained the correct amount for both Head Start & Early Head Start. However, the SF424 Application for Federal Assistance only included the Head Start amount. The corrected SF424 form had to be submitted by noon time the next business day. Therefore there was not enough time to submit through the regular agenda item process. The FY 2008/2009/Full Day/Full Year Head Start/Early Head Start Program will provide comprehensive child development services to 1,871 (3-5 years) and 180 pregnant women, infants/toddlers and economically disadvantaged children in Palm Beach County. Total funding of \$23,143,914 (for the Head Start /Early Head Start Program) consists of Federal funds of \$14,331,041; Children's Services Council funds of \$454,964 and Palm Beach County required funding of \$3,582,760) with overmatch funding of \$4,775,149. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

10. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Florence Fuller Child Development Centers, Inc., for the period of October 1, 2008, through September 30, 2009, in an amount of \$177,925 for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Florence Fuller Child Development Centers, Inc. will provide services to 22 infants and toddlers at a rate of \$32.48 per child, per day for 249 days. Funding consists of \$117,573 in Federal funds, \$34,286 in required match County funds and \$26,066 in overmatch. (Head Start) Countywide (TKF)

11. **Staff recommends motion to approve:** Head Start Delegate Agency Agreement with The School Board of Palm Beach County (Delray Full Service Center), for the period of October 1, 2008, through September 30, 2009, in an amount of \$1,091,661, for services to Head Start children. **SUMMARY:** The School Board of Palm Beach County (Delray Full Service Center) will provide services for up to 185 children for 180 days at an annual rate of \$5,900.87 per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into delegate agency contractual agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$659,450 in Federal funds, \$164,863 in required match County funds and \$267,348 in overmatch. (Head Start) Countywide (TKF)

12. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IZ007-9500 (R2007-1690) for the Alzheimer's Disease Initiative (ADI) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2007, through June 30, 2008, increasing the agreement amount by \$10,717 for a new total not-to-exceed the amount of \$281,063. **SUMMARY:** This Amendment will increase the ADI In-Home Respite Services by \$10,717. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides ADI services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road (TKF)

13. **Staff recommends motion to approve:** Amendment No. 002 with Consulting/Professional Services Contract with Caregiver Services, Inc., d/b/a Friends Assisting Seniors & Families (R2007-0931) to extend the Contract for an additional six (6) months beginning November 1, 2008, through April 30, 2009. **SUMMARY:** This Amendment extends the contract for an additional six (6) months to allow the Purchasing Department time to process a similar vendor contract through the competitive bid process. This vendor contract amendment allows the Division of Senior Services (DOSS) to provide Licensed Practical Nurse (LPN) and Home Health Aide (HHA) on call services on an as-needed basis at the Mid County Adult Day Care and the North County Adult Day Care. These services are needed to meet the Area Agency on Aging (AAA) and the Florida Department of Elder Affairs (DOEA) guidelines to provide adult day care and facility based respite services. There is no fiscal impact. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

14. **Staff recommends motion to ratify:** the Chairperson's signature on the FY 2008-2009 Community Services Block Grant Agreement with the State of Florida, Department of Community Affairs, for the period of October 1, 2008, through September 30, 2009, in an amount not-to-exceed \$1,068,932, for services to low income families. **SUMMARY:** The FY 2008-2009 Community Services Block Grant (CSBG) Agreement provides \$890,777 in Federal CSBG funds, and obligates \$178,155 in Palm Beach County ad valorem funds for a total of \$1,068,932. The funding provides for a range of services including employment counseling and placement, self sufficiency, utility assistance, income tax preparation assistance and transportation for kidney dialysis patients. CSBG funds will enable PBC Community Action Program to serve 4,038 low-income households countywide. (Community Action Program) Countywide (TKF)

15. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Family Central, Inc., for the period of October 1, 2008, through September 30, 2009, in an amount of \$115,284 for services to Early Head Start children and families. **SUMMARY:** Family Central, Inc. will recruit, contract and maintain four (4) licensed family child care Home providers in Belle Glade, Pahokee and South Bay for the Early Head Start program for a total of 16 children (ages 0-36 months). Family Central, Inc. will be reimbursed at a rate of \$24.41 per child/per day for 16 children that are approved for subsidized child care for a maximum of 249 days. Reimbursement costs for postage, mileage, training, conferences and substitutes shall not exceed \$18,035. Funding consists of \$69,170 in Federal funds, \$23,057 in required match County funds and \$23,057 in overmatch, for a total of \$115,284. (Head Start) Countywide (TKF)

16. **Staff recommends motion to approve:** Budget Amendment of \$16,767 in the General Fund to align a State Homeless Prevention grant with the County budget. **SUMMARY:** The Department of Children and Families (DCF) awarded the Division of Human Services a Homeless Prevention grant to provide rent/mortgage, utility assistance, food or clothing to households at risk of becoming homeless. The Budget Amendment will reconcile the FY '08 budget to the grant. A twenty-five percent (25%) match is required and is met through in-kind contributions. No additional County funds are needed. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve:

A) Agreement to Renew Development Site Lease Agreement with Vanguard Car Rental USA, Inc., extending the lease to September 30, 2014; and

B) Agreement to Renew Airport Ground Lease Agreement with Vanguard Car Rental USA, Inc., extending the lease to September 30, 2014.

SUMMARY: The Department and Vanguard Car Rental USA, Inc., desire to exercise the final option to renew the Development Site Lease Agreement dated December 7, 1993 (R93-1587D) and Airport Ground Lease Agreement dated December 7, 1993 (R93-1586D) ("Leases") for two (2) parcels located on Belvedere Road across from the Palm Beach International Airport. The parcel leased pursuant to the Development Site Lease Agreement is used for the purpose of operating rental car service and administrative facilities. The adjacent unimproved parcel is leased pursuant to the Airport Ground Lease Agreement for compensating water storage. The Leases will expire on September 30, 2014. The Leases provide for two (2) options to renew upon the mutual consent of the County and Vanguard. On September 9, 2003, the parties exercised the first option to renew the Leases. Approval of the Leases will provide for a continuation of annual rental revenue to the County in the amount of \$393,681.96. The Leases are subject to a rental adjustment on October 1, 2010. Countywide (JB)

2. Staff recommends motion to approve: Second Amendment to Airport Ground Lease Agreement with DTG Operations, Inc., d/b/a Dollar Rent A Car (Dollar), requiring Dollar to complete certain repairs to its on-airport rental car facility and providing for a \$52,000 payment in lieu of completing other repairs. **SUMMARY:** The Airport Ground Lease Agreement with Dollar (R88-315) for its on-airport rental car facility at the Palm Beach International Airport expires on October 23, 2008. The Amendment requires Dollar to repair structural damage to the existing car wash building and to remove the fueling system located on the property, which includes one (1) underground fuel storage tank. Dollar will pay the County \$52,000 in lieu of completing less significant repairs to the facility, which are primarily cosmetic in nature. The Amendment does not restrict use of the funds to completing the remaining repairs. The Department anticipates requiring the successor operator to complete the remaining repairs at no cost to the County and retaining the \$52,000 payment as revenue. The Amendment provides Dollar with an option to extend the lease on a month-to-month basis in order to ensure sufficient time is available to complete the repairs. Countywide (JB)

3. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,000,000 to replace aircraft rescue and fire fighting (ARFF) vehicles at Palm Beach International Airport (PBIA);

B) approve a Budget Amendment of \$300,000 in the Airports Renewal and Replacement Fund; recognizing the transfer receipt of \$150,000 from the Passenger Facility Charge (PFC) Fund, and the additional FDOT grant amount of \$150,000; and

C) approve a Budget Transfer of \$150,000 in the Airports PFC Fund of \$150,000 increasing the transfer to the Airports Renewal and Replacement Fund and decreasing Reserves.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,000,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,875,000 to acquire land for Runway 9L/27R at Palm Beach International Airport (PBIA). **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,875,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

5. Staff recommends motion to approve: the reading into the records for compliance with Florida Statutes 287.055 (Public Announcement in a Uniform and Consistent Manner), the Notice of General Consulting Services Desired by Palm Beach County Department of Airports to provide Environmental Assessment/Architectural/Engineering/Construction Management and Land Development Professional Services. The Department of Airports will execute an advertisement and selection process. **SUMMARY:** In accordance with Board established procedures referencing the Consultant's Competitive Negotiation Act (CCNA), this notice is required to be processed as the initial step of the selection process. A Disadvantaged Business Enterprise (DBE) goal of 25% has been established. Countywide (AH)

6. Staff recommends motion to receive and file: three (3) original Agreements for the Department of Airports:
 - A) Agreement to Terminate Hangar Lease Agreement with Daniel Lund, Unit 8, Building 11720 at North County Airport, terminating R2006-1251 on August 31, 2008 (JB);

 - B) North County General Aviation Airport Hangar Lease Agreement with Arthur J. Dreyer, Unit 8, Building 11720, for one (1) year, automatically renewed at one (1) year intervals, commencing on September 1, 2008 (JB); and

 - C) First Amendment to Executive Hangar Lease Agreement with Mustang Air, Inc. (R2007-1800), Unit 6, Building 11250 renewing for one (1) year, expiring August 31, 2009 (JB).

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2003-1047, R2004-1367 and R2007-1080. Countywide

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 1 to the annual Contract (R2007-1812) with Corzo Castella Carballo Thompson Salman, P.A. for professional design services on a continuing contract basis for Parks and Recreation Department capital improvement projects. **SUMMARY:** Corzo Castella Carballo Thompson Salman, P.A. was selected to provide professional design services for Parks and Recreation Department capital improvement projects. The original contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. Amendment No. 1 will provide for services during the first renewal period. Corzo Castella Carballo Thompson Salman, P.A has an SBE/M/WBE participation goal of 15%. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 1 to the annual Contract (R2007-1813) with Miller Legg & Associates, Inc., for professional design services on a continuing contract basis for Parks and Recreation Department capital improvement projects. **SUMMARY:** Miller Legg & Associates, Inc. was selected to provide professional design services for Parks and Recreation Department capital improvement projects. The original Contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. Amendment No. 1 will provide for services during the first renewal period. Miller Legg & Associates, Inc. has an SBE/M/WBE participation goal of 15%. During the first year of the Contract, Miller Legg & Associates, Inc. has achieved 15% participation. (Capital Improvements Division) Countywide (JM)

3. **Staff recommends motion to approve:**
 - A) Contract with West Construction, Inc., for the construction of Phil Foster Park multi-purpose building in the amount of \$1,042,000; and
 - B) Change Order No. 1 to the Contract with West Construction for the Palm Beach County Sheriff's Office (PBSO) Marine Unit Building in the amount of \$451,570.

SUMMARY: The Contract for Phil Foster multi-purpose building will authorize construction of a two (2) story building to provide concession space, a multi-purpose meeting room, and public restrooms. This project was originally bid with a second floor shell space for a future tenant build-out. Subsequently, the Board approved a transfer of funds for the build-out of the second floor for PBSO Marine Unit. Approval of Change Order No. 1 will authorize the build-out. The SBE goal for this project is 15%. West Construction, Inc.'s base bid includes a participation of 22% and including this Change Order a total of 22.5%. The contract time is 365 days to substantial completion. (Capital Improvements Division) District 1 (JM)

4. **Staff recommends motion to approve:** a First Amendment to Agreement of Lease (R2003-1246) with the Loggerhead MarineLife Center, Inc., f/k/a MarineLife Center of Juno Beach, Inc., for installation and maintenance of underground saltwater lines within the County's Loggerhead Park. **SUMMARY:** On August 19, 2003, the Board approved a thirty (30) year Lease Agreement with the Center to construct research and educational facilities on 1.28 acres within Loggerhead Park. Loggerhead Park is located between US Highway 1 and State Road A1A (Ocean Drive) in Juno Beach. Construction of the facilities was completed in December 2007. The Lease Agreement provided for the County to grant the Center a separate easement to install underground saltwater lines for the operation of its rehabilitation tank and exhibits. Instead, this First Amendment modifies the Lease to grant the Center the right to install these lines. The saltwater lines are installed in an area 20' to 40' wide by approximately 458 feet in length, containing 11,956 square feet (0.28 acres). The pipes run from the Atlantic Ocean through the Park property to the saltwater tanks located on the Center's leased premises. Upon termination of the Lease Agreement, the Center agrees to provide a gate valve for the lines or to cap off the lines in order to prevent backflow from the lines into the facility, or onto the property. This First Amendment also updates the Notice provision. All other terms and conditions of the Lease Agreement remain unchanged. (PREM) District 1 (JMB)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution approving the Westgate/Belvedere Homes Community Redevelopment Agency's (CRA) Fiscal Year 2009 budget for its:

A) Redevelopment Trust (Operating) Fund in the amount of \$3,085,058;

B) Construction Fund in the amount of \$10,055,000;

C) Sinking Fund in the amount of \$271,976; and

D) Reserve Fund in the amount of \$271,750.

SUMMARY: The budget is composed of four (4) sections. The first section, the Redevelopment Trust Fund, consists of the CRA's Annual Tax Increment Financing (TIF) and balance brought forward from previous years. The second section, the Construction Fund, consists of transfers from the operating fund, and balances of grants awarded to the CRA by County, State and Federal governments for construction activities. The third section is the Sinking Fund, which consists of one (1) annual payment from TIF revenues to repay the revenue bond reissued in 1999 to retrofit the physical infrastructure in the Westgate area. The last section is the Reserve Fund which consists of a one (1) year security payment (principal and interest) held in escrow for the March 1, 1999 Redevelopment Revenue Refunding Bonds for \$3,380,000. District 2 (TKF)

2. **DELETED**

3. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2007-2263) with the City of Greenacres, to extend the expiration date from September 30, 2008, to February 27, 2009, and modify the scope of the project. **SUMMARY:** This Amendment provides an extension of five (5) months to the term of the existing Agreement for the construction of a playground and an open recreational area in Ira Van Bullock Park in the City of Greenacres. The time extension is needed to accommodate additional time due to a prolonged planning and bidding phase. The scope of work to be funded through this Agreement originally included a playground, gazebo, playground equipment, open play area, picnic tables, fencing, trash receptacles, water fountains, lighting and landscaping. After bids were received, the City found that it would be more cost effective for it to directly purchase the gazebo and playground equipment through its own resources. The modification to the scope of work recognizes that these items will be separately purchased by the City rather than through this Agreement. **These are Federal funds that require no local match.** District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

4. Staff recommends motion to approve: a Conditional Grant Agreement with Community Land Trust of Palm Beach County, Inc. for \$390,000 in State Housing Initiative Partnership (SHIP) Single Family Home Ownership Development Program funds. **SUMMARY:** Palm Beach County Housing and Community Development (HCD) through its Commission of Affordable Housing (CAH) provides SHIP financing to local developers to facilitate increased affordable homeownership opportunities. This Agreement provides \$390,000 for the complete purchase of two (2) new single family homes. These homes were completed in June 2008. These are not foreclosed properties. They are appraised at \$212,000 (7818 Griswold Street, Lantana) and \$190,000 (1440 Brian Way, West Palm Beach). The purchase price is \$195,000 for each of the housing units. This project will provide homeownership for two (2) very low-income families for a ninety-nine (99) year affordability period. This Community Land Trust of Palm Beach County's project was reviewed and recommended by the Commission on Affordable Housing's Advisory Committee on May 29, 2008; and conceptually approved by the Palm Beach County Board of County Commissioners (BCC) on June 17, 2008. **These are State funds which require no local match.** District 2 (TKF)

5. Staff recommends motion to approve: a Conditional Grant Agreement with Adopt-A-Family of the Palm Beaches, Inc., for \$250,000 in State Housing Initiative Partnership (SHIP) Multifamily Rental Development Program funds. **SUMMARY:** Palm Beach County Housing and Community Development (HCD) through its Commission of Affordable Housing (CAH) provides SHIP financing to local developers to facilitate increased affordable rental housing opportunities. This Agreement provides \$250,000 in construction related expenses. This project will provide permanent rental housing for nine (9) extremely low and very low-income families. This Adopt-A-Family project was reviewed and recommended by the Commission on Affordable Housing's Advisory Committee on May 29, 2008; and conceptually approved by the Palm Beach County Board of County Commissioners (BCC) on June 17, 2008. The total project costs are \$1,800,000. **These are State funds which require no local match.** District 2 (TKF)

6. Staff recommends motion to approve: a Budget Amendment for \$456,140 in the Hurricane Housing Recovery Plan (HHRP) Fund. **SUMMARY:** This Budget Amendment is necessary to carry forward the remaining balance of the HHRP grant and establish the budget for FY2009. The HHRP grant was scheduled to end on June 30, 2008 and was not included in the proposed FY 2009 budget during the budget workshops. Since that time, the grant has been amended, with State of Florida approval, to extend the grant end date to June 30, 2009 so that the grant funds can be fully expended. **These are State funds that require no local match.** Countywide (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: Resolution amending the official schedule of fees to be charged for Planning, Zoning and PZB Administration to include, applications, administrative reviews, special permits, legal advertising, documents, and reproduction of records, as provided and authorized by the Palm Beach County Unified Land Development Code (ULDC) and other laws. **SUMMARY:** This Resolution updates the current fee schedule and adds new fees to be charged by PZB Administration. A cost of services study was conducted by staff to determine actual costs for specific services. The initial increase will begin January 1, 2009. Fees increasing over \$100 will increase using a phase in plan. After the phase in time period, fees will be adjusted annually starting January 1, 2012 using the Consumer Price Index (CPI). No change to Building Permit fees is proposed in this item. Unincorporated (RB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Amendment No. 1 to the Water Utilities Department Continuing Construction Contract (R2008-0769) with AKA Services, Inc. for installation of potable water, reclaimed water, and wastewater pipelines, increasing the contract not to exceed amount from \$2,104,187 to \$3,640,000. **SUMMARY:** On May 6, 2008, the Board awarded the Water Utilities Department Continuing Construction Contract (R2008-0769) to AKA Services, Inc. in the amount of \$2,104,187. This unit price contract is used to expedite utility special assessment projects and other pipeline projects where timing is critical. The Department received a number of favorable responses from areas petitioned for water service through the Special Assessment Program. In addition, the Department is assisting (through Federal funding) the City of Pahokee and the City of Belle Glade in utility improvement projects thereby encumbering this contract in a faster timeframe than originally projected. The Department will procure a new continuing construction contract with award projected for April 2009. In the interim, existing contract is recommended to be increased to utilize the favorable pricing and to meet construction deadlines on current special assessment and other capital improvement projects. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with AKA Services, Inc. provides for SBE-M/WBE participation of 15.63% overall. (WUD Project No. 08-017). Districts 1, 2, 3, 4, 5, 6 and 7 (JM)

2. **Staff recommends motion to approve:** a Termination of Developer Agreement with Majestic Land Holdings, Inc. **SUMMARY:** On December 9, 2002, Lake Wellington Professional Center, Inc. (Center) entered into a Developer Agreement (Agreement) with the Village of Royal Palm Beach (Village) to reserve potable water and wastewater capacity (Capacity) in order to develop an approximately 4-acre site (Site) along Royal Palm Beach Boulevard just north of Okeechobee Blvd. The Agreement was recorded in the Public Records of Palm Beach County on December 16, 2002, at Book 14539, Page 1544. Under the Agreement's terms, Center agreed to pay guaranteed revenue charges on a monthly basis to maintain reservation of the needed Capacity until such time as Center made the physical potable water and wastewater connections associated with the Capacity. On April 27, 2006, Palm Beach County purchased the Village's potable water and wastewater assets and assumed responsibility for all outstanding Developer Agreements and related monthly billings for potable water and wastewater capacity reserved for various sites within the Village's former service area. On February 28, 2007, Center assigned a portion of their Capacity for Lot 2 at the Site to Majestic Land Holdings, Inc. (Majestic), who then assumed responsibility for the related monthly billings. Majestic is significantly delinquent in the payment of the monthly guaranteed revenue charges and the reservation of the Capacity for Lot 2 has lapsed. The County notified Majestic of this delinquency by a certified letter dated August 1, 2008. While receipt of the certified letter was acknowledged, staff received no response from Majestic. This Termination will be recorded in the Public Records as notice that Capacity originally reserved for Lot 2 under the Agreement is no longer available to the Site. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to:

A) approve the Standard Reclaimed Water Service Agreement – Lake Discharge Irrigation System;

B) authorize the County Administrator or his designee to enter into the Agreement; and

C) incorporate the Agreement into Chapter 3 of the Department’s Uniform Policies and Procedures Manual.

SUMMARY: The recent expansion of the Palm Beach County Water Utilities Department’s (Department) reclaimed water system provides the opportunity for existing communities either to connect their irrigation systems directly to the Department’s reclaimed water mains or to install infrastructure to convey reclaimed water into a community’s lakes for subsequent irrigation through the community’s irrigation system. On November 20, 2007, the Board approved the use of a Standard Reclaimed Water Service Agreement – Lake Discharge Irrigation System (Agreement) and the incorporation of the Agreement into the Department’s Uniform Policies and Procedures Manual (UPAP). The Department has determined that certain modifications to the previous version of the Agreement are required. The modifications include a requirement that the communities monitor and report lake levels, as well as obtain Department approval of any modifications to the irrigation and lake level control systems. The Department recommends incorporating the Agreement into Chapter 3 of UPAP. The Agreement will also be utilized for new developments utilizing a lake discharge irrigation system. Any Reclaimed Water Service Agreement requiring special conditions not specifically authorized in the UPAP shall require approval by the Board of County Commissioners. Districts 1, 2, 3, 5 & 6 (MJ)

4. Staff recommends motion to receive and file: Unilateral Termination and Partial Release of Standard Potable Water and Wastewater Development Agreement Due to Non-Renewal for the following property owners:

Termination of Standard Development Agreements

A) 95 WHSE, Inc	(District 2)	01-01113-000
B) Hometown Lake Worth, LLC	(District 2)	02-01072-000
C) Desarrollos Xenabal Limitada	(District 3)	05-01055-000
D) Linton Boulevard Associates, Ltd.	(District 5)	09-01039-000

SUMMARY: The terms and conditions for Standard and Non-Standard Development Agreements are outlined in the Water Utilities Department’s Uniform Policies and Procedures Manual (UPAP). Development Agreements are valid for a period of five (5) years and may be renewed for an additional five (5) years by paying an additional Mandatory Agreement Payment (MAP). If the additional MAP is not paid or the Agreement has reached its ten-year expiration date, the Agreement is terminated. This agenda item recommends the Board receive and file the terminations. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to receive and file: one (1) Standard Development Agreement complete with executed documents received during the month of August 2008:

Standard Development Agreement

A) Woodwind 2007, LLC (District 2) 02-01122-000

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

6. **DELETED**

7. Staff recommends motion to approve: Change Order No. 6 to the Contract with John J. Kirlin Construction, Inc. (R2006-2470) for the Northern Region Pump Station increasing the contract price by \$104,854.38 and increasing the contract time by 79 days. **SUMMARY:** Change Order No. 6 authorizes the Contractor to perform Items 1 through 8 as outlined in the description of work for the Northern Region Pump Station Project. Total change orders to date, excluding \$1,445,412.56 sales tax recovery program change order, equals \$297,652.82 (3.80% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This Change Order includes zero SBE participation. The contract with John J. Kirlin Construction, Inc. provides for SBE participation of 15.09%. The cumulative SBE participation, including this Change Order, is 15.09% overall. (WUD Project No. 06-050) District 6 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) receive and file Task Assignments No. SE-124 and No. SE-125 to FDEP Contract No. SL898 (R2001-0772) totaling \$400,000 received from Florida Department of Environmental Protection (FDEP), under the Bureau of Invasive Plant Management Program (BIPM) to fund invasive plant removal at the Loxahatchee Slough Natural Area (\$200,000) and the Cypress Creek Natural Area (\$200,000);

B) approve Budget Transfer of \$330,355 in the Natural Areas Fund from Reserves to transfer to the Capital Outlay Fund to partially fund the \$400,000 County cost share; and

C) approve Budget Amendment of \$730,355 in the Capital Outlay Fund which establishes an \$800,000 budget for invasive plant removal at the Loxahatchee Slough (\$400,000) and Cypress Creek (\$400,000) Natural Areas comprised of \$400,000 from the FDEP Task Assignment SE-124 (\$200,000) and Task Assignment SE-125 (\$200,000) matched with a \$330,355 transfer from Natural Areas Fund Reserves and \$69,645 transferred within the Capital Outlay Fund from the Yamato Scrub, Hypoluxo Scrub, Lake Park Scrub, and Pond Cypress Projects which are capital complete.

SUMMARY: Task Assignments No. SE-124 and No. SE-125 to FDEP Contract No. SL898 (R2001-0772) totaling \$400,000 have been received from FDEP, under the Bureau of Invasive Plant Management Program (BIPM). These task orders are effective from August 5, 2008, through May 31, 2009, for invasive plant control in the Loxahatchee Slough and Cypress Creek Natural Areas. This item includes the establishment of revenues from FDEP and the provision of the County cost share match from the Natural Areas Fund and re-allocation of residual balances from capital complete projects. Districts 1, 3, 4, and 7 (SF)

2. Staff recommends motion to:

A) approve Task Order No. 0877-03 to continuing Contract (R2008-0877) with Coastal Planning and Engineering, Inc. (CPE) in the amount of \$443,304.80 to provide engineering, design and permitting services for the South Palm Beach & Lantana Erosion Control Project (Project); and

B) approve Budget Amendment of \$88,661 in the Beach Improvement Fund, South Palm Beach Dune Restoration Project, to recognize cost sharing revenue from the Town of South Palm Beach as authorized through an Interlocal Agreement (R2007-0796).

SUMMARY: The BCC approved the Contract with CPE on May 20, 2008 (R2008-0877). Under this Contract, three (3) task orders, including Task Order No. 0877-03, have been issued totaling \$492,631.05. Task Order No. 0877-03 authorizes CPE to continue the coastal engineering, design and permitting services required to further develop the suitable long-term shoreline protection response selected by the County for the eroded Project shoreline. CPE's SBE-MBE goal is 20%. There is 9.62% SBE-MBE subconsultant participation on this Task Order. To date, CPE's total SBE-MBE participation, including Task Order No. 0877-03, is 9.6%. It is anticipated that the Florida Department of Environmental Protection (FDEP) will reimburse 50% of the project costs through a future grant agreement. The Town of South Palm Beach, through Interlocal Agreement (R2007-0796), agreed to cost share twenty percent (20%) of the total eligible project costs which includes project management, engineering and design, permitting, construction, mitigation and environmental and project performance monitoring. District 4 (JM)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: Agreement with Boynton Beach Little League, Inc. for the period October 7, 2008, through March 31, 2009, in an amount not-to-exceed \$7,000 for funding of uniforms and equipment. **SUMMARY:** This funding is to help offset costs for the purchase of uniforms and equipment by the Boynton Beach Little League, Inc. The League's baseball programs serve approximately 500 participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to August 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
2. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Seminole Ridge High School in an amount not-to-exceed \$6,000 for funding of athletic equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
3. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Olympic Heights Community High School (\$5,000), West Boca Community High School (\$5,000), and Spanish River Community High School (\$2,500) in an amount not-to-exceed \$12,500 for funding of Project Graduation 2008. **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 5 Funds. District 5 (AH)
4. Staff recommends motion to approve: Amendment No. 014 to the Agreement with the School District of Palm Beach County (R94-1661D) for funding in the amount of \$277,488 to the Middle School After-School Program for the period October 1, 2008, through September 30, 2009. **SUMMARY:** This Amendment provides for the fifteenth year of funding and program support for the School District of Palm Beach County Middle School After-School Program. The Amendment decreases the last annual funding amount by \$10,512 in accordance with County budget reduction strategies. Each of the 36 middle schools within the district will receive \$7,708 to fund recreation related activities within their after-school program. Countywide (AH)
5. Staff recommends motion to approve: reallocation of \$100,000 previously proposed for the Pahokee Prince Theater renovations to Pahokee park improvement projects. **SUMMARY:** On September 10, 2002, the Board approved a proposed project list for the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum that included \$100,000 for renovations to Pahokee's Prince Theater. The City of Pahokee has indicated that the Prince Theater project is not feasible at this time, and has requested that the \$100,000 allocation from the Bond funding be reallocated for needed improvements to various City parks. The District 6 Commissioner supports the reallocation of these funds from the \$50 Million Recreation and Cultural Facilities Bond referendum. Upon approval of the Board to reallocate the \$100,000 to park improvement projects, staff will place the required Interlocal Agreement for Bond Funding for Pahokee park improvements on a subsequent agenda for approval by the Board. District 6 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. [Staff recommends motion to receive and file:](#) executed Independent Contractor Agreements received during the months of August and September.
- A) Modern Bujutsu Karate, Florida, Inc., Martial Arts, Therapeutic Recreation Center;
 - B) Jessica Doherty, Mommy and Me, Coconut Cove Water Park and Recreation Center.;
 - C) Michael Alford, Flag Football Referee, Westgate Park and Recreation Center;
 - D) Arthur Gibson, Flag Football Referee, Westgate Park and Recreation Center;
 - E) Caroline Andre, Cheerleading, Westgate Park and Recreation Center;
 - F) Richard Procyk, History Tours, Riverbend Park;
 - G) JKF GOJU KAI, Florida, Inc., Martial Arts, West Jupiter Recreation Center;
 - H) Arthur Gibson, Flag Football Referee, Westgate Park and Recreation Center;
 - I) Michael Alford, Flag Football Referee, Westgate Park and Recreation Center;
 - J) Caroline Andre, Cheerleading, Westgate Park and Recreation Center;
 - K) Gold Coast Gymnastics, Inc., Gymnastics, West Boynton Park and Recreation Center;
 - L) PBC Officials Association, Inc., Adult Flag Football, Westgate Park and Recreation Center;
 - M) Kathy Andio, Water Exercise Instructor, North County Aquatic Complex; and
 - N) Steve Vancoppenolle, Water Exercise Instructor, North County Aquatic Complex.

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 attached Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 1, 2, 3, & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to approve:

A) a Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserve for District 7 to the County Transportation Trust Fund;

B) a Budget Transfer of \$200,000 in the Transportation Trust Fund increasing the annual transfer from the Transportation Improvement Fund and decreasing the annual transfer from the General Fund;

C) a Budget Transfer of \$200,000 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

D) a Budget Amendment of \$200,000 in the Park Improvement Fund increasing the annual transfer from the General Fund and increasing the appropriation to the District 7 Recreation Assistance Program.

SUMMARY: This funding in the amount of \$200,000 is for budget transfers and a budget amendment to increase the gas tax support and decrease the ad valorem support of the County Transportation Trust Fund, thereby allowing for the allocation of \$200,000 from available ad valorem support to the District 7 Recreation Assistance Program. At the November 21, 2006, Board meeting, the flexibility of up to \$200,000 in transfers per District per year was approved for this purpose. This funding will be used for District 7 recreational or cultural projects that the District 7 Commissioner desires to fund during FY 2009. Individual Agreements for each RAP project will be brought to the Board for approval. With the approval of this allocation, the remaining balance available in transfers for District 7 for FY 2009 is \$0. District 7 (AH)

8. Staff recommends motion to approve: Budget Transfer of \$380,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from New Boat Ramp Park/Boynton Inlet to Santaluces Park Athletic Field Improvements.

SUMMARY: This Budget Transfer provides funding for major renovations to the athletic field facilities at Santaluces Park. These renovations include replacing sports lighting on two (2) major league fields, providing additional bleachers, and renovating the batting cages. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended – District 3. The District Commissioner supports this Budget Transfer. District 3 (AH)

9. Staff recommends motion to approve: Budget Transfer of \$225,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from New Boat Ramp Park/Boynton Inlet to Boynton Beach Congress Avenue Boundless Park (\$150,000) and Lake Clarke Shores Community Park (\$75,000).

SUMMARY: On September 10, 2002, the Board approved a proposed project list for the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended, that included \$1.8 million for a new boat ramp park in the Boynton Inlet vicinity. The cost of acquisition, design and development of this project is estimated to be substantially higher and this project is no longer feasible. The District 3 Commissioner supports this transfer from the \$50 Million Recreation and Cultural Facilities Bond referendum. District 3 (PK)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to approve:** an Interlocal Agreement for the period of October 1, 2008, through September 30, 2009 in the amount of \$380,000 with the City of West Palm Beach as a partner to implement the third year of funding for the Youth Violence Prevention Project in the targeted area. **SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of West Palm Beach, are beginning their third year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of West Palm Beach has committed \$561,193 to this project for FY 2009. The Youth Empowerment Centers in West Palm Beach are located at the Northwood Center, 729 Pinewood Avenue, located directly across from the DeGeorges Boys and Girls Club and a just recently added second Center in Gaines Park located at 1501 North Australian Avenue. These Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. Together the Centers serve over 400 youth regularly. Additionally, the formation of a Northwood Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. The City partners with the Community Justice Service Center at 2107 Tamarind Avenue for its Justice Service Center. District 7 (DW)

2. **Staff recommends motion to approve:** an Interlocal Agreement for the period of October 1, 2008, through September 30, 2009 in the amount of \$433,312 with the City of Riviera Beach as a partner to implement the third year of funding of the Youth Violence Prevention Project in the targeted area. **SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Riviera Beach, are beginning their third year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Riviera Beach has committed \$105,600 to this project for FY 2009. The Youth Empowerment Center in Riviera Beach is located directly West of Lindsey Davis at 1562 West 28th Street in a city-owned and refurbished building. Youth are being temporarily programmed at 100 W. 20th Street, Riviera Beach until final renovations are completed. The projected date for completion is November 1, 2008. The Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. The Center serves 400 youth regularly. Additionally, the formation of a Riviera Beach Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. The Justice Service Center is also located in the heart of the targeted area primarily serving ex-offenders with driver's license, civil rights reinstatement, and educational and employment services. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: an Interlocal Agreement for the period of October 1, 2008, through September 30, 2009 in the amount of \$277,170 with the City of Lake Worth as a partner to implement the third year of funding for the Youth Violence Prevention Project in the targeted area. **SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Lake Worth, are beginning their third year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Lake Worth has committed \$122,500 to this project for FY 2009. The Youth Empowerment Centers in Lake Worth are located at the Osborne Community Center, 1699 Wingfield Street and the Norman Whimbley Gymnasium, located at 1515 Wingfield Street located in the heart of the targeted area. Lake Worth has expanded to include the gymnasium for recruitment and recreational activities for the Center. These Youth Empowerment Centers incorporate teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. Together the Centers serve over 300 youth regularly. Additionally, the formation of a Lake Worth Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. District 7 (DW)

4. Staff recommends motion to approve: an Interlocal Agreement for the period of October 1, 2008, through September 30, 2009 in the amount of \$285,000 with the City of Boynton Beach as a partner to implement the third year of funding of the Youth Violence Prevention Project in the targeted area. **SUMMARY:** The Youth Violence Prevention Project and their primary partners, the five (5) cities at greatest risk for future violence which includes the City of Boynton Beach, are beginning their third year of implementation and funding. To date, the funds have established Youth Empowerment Centers in Riviera Beach, West Palm Beach, Lake Worth, and Boynton Beach and a Justice Service Center in Riviera Beach. In addition, an Assistant State Attorney for gun crimes, a juvenile violent offenders program, and joint law enforcement operations with multiple revenue sources completes the implementation plan. The City of Boynton Beach has committed \$380,000 to this project for FY 2009. The Youth Empowerment Center in Boynton Beach is located at the new Carolyn Sims Center at 311 NW 12th Avenue. The Youth Empowerment Center incorporates teen-specific programs such as: employment services, educational opportunities, tutoring, mentoring, audio visual production and marketing, computer hardware technology and the other components of the Youth Violence Prevention Plan. The Center serves over 200 youth regularly. Additionally, the formation of a Boynton Beach Youth Empowerment Center Teen Council has helped define the needs and wants of the teens in the community. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

5. **Staff recommends motion to adopt:** a Resolution amending Resolution No. R92-1803 providing for an update to the membership of the Palm Beach County Public Safety Coordinating Council in accordance with Section 951.26, Florida Statutes. **SUMMARY:** The Board of County Commissioners desires to revise the Resolution establishing the Palm Beach County Public Safety Coordinating Council to ensure consistency with the Florida Statutes. A representative from county and state jobs programs and other community groups who work with offenders and victims, will be appointed by the chairperson of the Board of County Commissioners to a four (4) year term. This Resolution also adds language providing four (4) year terms for the director of county probation or pretrial intervention program, the director of a local substance abuse treatment program or a member designated by the director, and the state probation circuit administrator. Countywide (DW)

6. **Staff recommends motion to approve:**
 - A) the Tenth Amendment to the Agreement (R99-2416D; dated December 21, 1999) with the Office of the State Attorney for the Community Based Anti-Crime Task Force (COMBAT) Unit to extend the agreement from October 1, 2008, through September 30, 2009, and provide FY 2009 funding of \$240,000 (\$180,000 from Edward Byrne Memorial Justice Assistance Grant (JAG) funds, and \$60,000 from the 2007/2011 JAG Local Law Enforcement Block Grant); and

 - B) the Seventh Amendment to the Agreement (R2001-2131; dated December 4, 2001) with the Public Defender's Office for the Ex-Offender ReEntry Program to extend the agreement from October 1, 2008, through September 30, 2009, and provide FY 2009 funding of \$95,500 (\$8,670 from Criminal Justice Reserve Funds, \$34,140 from 2007/2011 JAG funds, and \$52,690 from the Crime Prevention Fund).**SUMMARY:** An Amendment to the agreement with the State Attorney's Office is required for legal services in order to continue to assign four (4) prosecutors to the COMBAT Unit serving three (3) County Weed and Seed areas and for the Youth Violence Prevention and Gang Initiative. An Amendment to the agreement with the Public Defender's Office is required to allow for continued contractual services for two (2) positions in the Ex-Offender Re-Entry Program. Countywide (DW)

7. **Staff recommends motion to approve:** a Contract with the City of Riviera Beach Civil Drug Court in the amount of \$100,000 for the period October 1, 2008, through September 30, 2009. **SUMMARY:** On February 25, 2008, the Criminal Justice Commission (CJC) approved the use of \$100,000 in Drug Abuse Trust Fund (DATF) and Criminal Justice Reserve Fund monies to provide case management services and 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 is to contract with the Civil Drug Court to be for substance abuse services, and \$47,747 will be used for a Case Manager position. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

8. Staff recommends motion to approve:

A) a Contract with the Professional Training Association Corporation, Inc. (PTA), a not-for-profit agency, for an amount not to exceed \$33,000 for the period of October 1, 2008, through September 30, 2009, for the provision of substance abuse treatment services;

B) a Contract with the Comprehensive Alcoholism Rehabilitation Program, Inc. (CARP), a not-for-profit agency, for an amount not to exceed \$50,000 for the period of October 1, 2008, through September 30, 2009, for the provision of substance abuse treatment services; and

C) a Contract with the Drug Abuse Foundation, Inc. (DAF), a not-for-profit agency, for an amount not to exceed \$150,000 for the period of October 1, 2008, through September 30, 2009, for the provision of substance abuse treatment services.

SUMMARY: The Criminal Justice Commission (CJC) is requesting the use of a total not to exceed \$90,000 from the federal FY '07 Edward Byrne Memorial Justice Assistance Grant (JAG), \$87,000 from the Crime Prevention Fund, and \$56,000 from the Drug Abuse Trust Fund (DATF) to be used to pay for contracted substance abuse treatment referrals from the Community Justice Service Centers (previously known as Community Court). Services will be provided by PTA, CARP and DAF for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program. Countywide (DW)

9. **Staff recommends motion to approve:** the Second Amendment with the City of West Palm Beach (R2007-0706), for \$100,000 for the contract period from October 1, 2008, to September 30, 2009 to support the City of West Palm Beach "Weed and Seed efforts". **SUMMARY:** The Criminal Justice Commission (CJC) recommends the use of \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2009. District 7 (DW)

10. Staff recommends motion to approve: the Third Amendment with the City of Riviera Beach (R2005-2435), for \$100,000 for the contract period from October 1, 2008, to September 30, 2009 to support the City of Riviera Beach "Weed and Seed efforts". **SUMMARY:** The Criminal Justice Commission (CJC) recommends the use of \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2009. District 7 (DW)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve:

A) a Contract with the Department of Health (DOH) in the amount of \$2,330,510 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2008, through September 30, 2009; and

B) An Addendum to the Contract to clarify:

- 1) Paragraph 6.a. – as State employees/personnel, CHD employees are not “officers, agents, or employees of the County”;
- 2) Paragraph 7.c. – The County shall assure that insurance coverage for vehicles is available through either a self-insurance program or insurance purchased by the County except for insurance referenced in paragraph 7.e.;
- 3) Paragraph 7.d. – The County shall be named as additional insured on any agreement in which the CHD contracts or subcontracts any work to be performed on the premises to a third party; and
- 4) Paragraph 7.e. – As a State agency, the CHD agrees to be responsible for its own, its officers’, employees’, or agents’ negligent acts, or omissions, or tortuous acts, which result in claims or suits against the parties, and agrees to be liable for any damages proximately caused by said acts or omissions.

SUMMARY: This Contract sets forth the funding responsibilities of the DOH and the County for the operation of the Palm Beach County Health Department. The State and County share in the funding of the \$9,517,216 environmental health budget. The State’s share is \$4,312,298 (45.3%), primarily from State general revenue and fees. Funding from the County’s FY 2009 budget is \$2,330,510 (24.5%) that includes Childcare Enforcement & Control Funding of \$125,890. The remaining local share (30.2%) is comprised of County authorized fees of \$1,082,956 (11.4%), Federal funds of \$389,407 (4.1%), Department of Environmental Protection (DEP) funds of \$272,022 (2.9%), the Air Pollution Tag fees of \$926,250 (9.7%) and local contract and miscellaneous funding of \$203,773 (2.1%). County funding is used primarily for salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of child care and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control funding provides for a full-time Attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2009 budget. No additional funds are needed. County staff requested certain changes to the State’s standard contract in order to clarify the insurance and liability provisions. The State preferred including these in an Addendum instead of revising the standard contract. Countywide (GB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve: Interlocal Agreement with the City of Delray Beach (City) to place wireless communication antennas on the City's communications tower for an initial term of five (5) years, renewable for four (4) additional five (5) year periods, at no cost to the County. **SUMMARY:** This Interlocal Agreement with the City of Delray Beach will allow the placement of wireless communications antennas on City property for the provision of Internet services to several under-served areas of Delray Beach. This project is a key element of the agenda of the Palm Beach Broadband Task Force, a part of *Palm Beach Wireless*, organized February 27, 2007 (R2007-0351.1). This initiative attempts to bridge the "digital divide" by providing free wireless access to the Internet to qualifying families who might otherwise not have the ability to access the Internet. This Agreement is the result of cooperative efforts between the members of the Palm Beach Broadband Initiative. District 7 (PK)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: the purchase of airport liability insurance, for the period October 10, 2008, through October 10, 2009 purchased through the County's contracted broker, Arthur J. Gallagher & Co. for a total cost of \$220,421. **SUMMARY:** The estimated total cost of \$220,421 for airport liability insurance represents a 33% decrease over the expiring premium of \$327,285.45. Countywide (TKF)
2. Staff recommends motion to approve: Selection of Minnesota Life Insurance Company as the provider of the County's fully insured group basic and voluntary term life and accidental death & dismemberment (AD&D) life insurance program (RFP No. 08/102 – DL) at guaranteed rates for the three (3) year period of January 1, 2009, through December 31, 2011, at an estimated annual cost to the Board of \$380,219, and a full contract estimated cost (County paid basic and employee paid supplemental coverage) of \$1,266,314. **SUMMARY:** In response to an RFP for both County and employee-paid term life and AD&D insurance, three (3) proposals were evaluated by a selection committee of five (5). Minnesota Life Insurance Company was selected as the recommended carrier because of its competitive price proposal, which includes a three (3) year rate guarantee at a cost that is reduced from the premium currently being charged by the incumbent provider. Employees of Palm Tran, Inc., and the Supervisor of Elections will also participate in the group insurance plans. The Board provides active, full-time employees (excluding Fire Rescue) with \$25,000 of group term life insurance and \$15,000 in AD&D coverage. Employees may also purchase additional coverage on themselves, spouses and eligible children through payroll deduction. The proposed term life rate will fall to \$.245 per \$1,000 of benefit from \$.28 per \$1,000 of benefit, which is the rate currently being charged from the incumbent carrier, Standard Insurance Company. The voluntary (employee-pay-all) life rate for employees and dependents will fall to \$.41 per \$1,000 of benefit from \$.46 per \$1,000 of benefit which is the current in-force rate. Basic and voluntary AD&D coverage will remain at \$.02 per \$1,000 of benefit, and retiree rates will remain constant at \$5.00 per \$1,000 of benefit. Staff is recommending that employees be given the option of selecting up to \$300,000 in coverage for themselves, \$50,000 for their spouse or domestic partner and \$10,000 for their child(ren). Staff will return at a later date for contract approval. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

3. Staff recommends motion to approve:

A) Second annual option to renew the Amended and Restated Administrative Services Only Agreement (R2006 2287); dated October 17, 2006, with Connecticut General Life Insurance Company (CIGNA) for claims administration services for the County's self-funded triple option (HMO, POS, PPO) health insurance plan for the period January 1, 2009, through December 31, 2009;

B) CIGNA's proposed administrative fees and specific stop loss premiums for plan year 2009; and

C) Actuarial rates for plan year 2009

SUMMARY: Staff recommends Board approval for the second annual option to renew the Administrative Services Only Agreement with CIGNA for the period January 1 through December 31, 2009. For plan year 2009, projected premiums for the County's triple-option health plans (HMO, POS & PPO) reflect an overall increase in the amount of 6.9%. No increases to employee contributions or benefit changes are being recommended. Employees of Palm Tran, Inc., and the Supervisor of Elections will continue to participate in the group health insurance plan, however the Solid Waste Authority has provided notice of its intention to terminate its participation in the County's plan and the rates have been adjusted to reflect the Authority's departure from the plan. The total plan cost projected for all three (3) remaining entities is \$56,610,076, a \$3,637,140 increase over the projected cost for the expiring plan year. Sufficient funds have been budgeted to fund the program. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

4. Staff recommends motion to approve:

A) Selection committee's recommendation to select Assurant Employee Benefits as the provider for the County's triple-option, employee paid, dental insurance program (RFP No. 08/095 – DL);

B) Wrap Around Agreement with Union Security Insurance Company to provide fully insured, employee-paid dental plans;

C) Group Dental Service Agreement with Union Security Insurance Company to provide a Managed Care Dental Plan (under the "Plus Plan" with Ortho Specialty Benefit Amendment) for the period January 1, 2009, through December 31, 2011, with guaranteed rates for three (3) years and two (2) annual options to renew;

D) Policy No. G 5,303,634 – "Active/MAC" Network PPO Plan with Union Security Insurance Company to provide a maximum allowable cost network PPO Plan for the period January 1, 2009, through December 31, 2011, with guaranteed rates for three (3) years and two (2) annual options to renew the plan;

E) Policy No. G 5,303,634 – "True" PPO with Union Security Insurance Company to provide a true dental PPO plan for the period January 1, 2009, through December 31, 2011, with guaranteed rates for three (3) years and two (2) annual options to renew the plan; and

F) Group Dental Insurance Preliminary Application with Union Security Insurance Company to accompany Policy No. G 5,303,634, Active/MAC and True PPO plans.

SUMMARY: An RFP was issued for a voluntary, employee pay-all triple option managed care dental program (DHMO, PPO/Scheduled and True PPO) which would provide comprehensive dental benefits to County employees and their eligible dependents while maintaining affordable rates. Responses from Assurant Employee Benefits and Standard Insurance Company were evaluated by a five (5) member selection committee. Both companies offered PPO plans at comparable levels of benefits and associated rates, but Assurant Employee Benefits offered all three (3) plans, including an improved alternative to the currently offered PPO/Scheduled plan. The selection committee voted to recommend and negotiate with Assurant Employee Benefits. The plans being recommended for approval, include replacement of the existing PPO/Scheduled plan with an "Active/MAC" (maximum allowable cost) PPO plan, which provides improved coverage as compared to the expiring plan. The rates on all three (3) plans are guaranteed for three (3) years. Rates for all proposed plans are offered at small decrease or held at the rates currently in effect, depending on which tier of coverage is chosen by the employee. In addition to employees of Palm Beach County Board of County Commissioners, the employees of Palm Tran, Inc., and the Supervisor of Elections will also be eligible to participate in these plans. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. DELETED

2. Staff recommends motion to:

A) receive and file a Memorandum of Agreement Renewal Form amending the State grant funded agreement with the Circuit 15 Department of Children and Families Substance Abuse and Mental Health Program Office for contractual services for a Case Manager for the DCF Re-Entry Case Manager Program to extend the ending grant period from June 30, 2008 thru June 30, 2011;

B) accept on behalf of the Palm Beach County Sheriff's Office an increase in funding in the amount of \$141,000; and

C) approve a Budget Amendment of \$141,000 to the Sheriff's Grants Fund.

SUMMARY: The Board of County Commissioners (BOCC) accepted this grant for \$47,000 on February 5, 2008; the original period for this grant was July 1, 2007, through June 30, 2008 (R2008-0245). This agenda item will extend the grant period from June 30, 2008, through June 30, 2011. The Circuit 15 Department of Children and Families Substance Abuse and Mental Health Program Office is providing funding to the Palm Beach County Sheriff's Office in the amount of \$47,000 to support the hire of a full-time, Re-Entry Case Manager. This Re-Entry Case Manager will be tasked with assisting inmates of the Palm Beach County Jail who are near discharge and who have mental illness and/or substance abuse disorders to "re-enter" the community. One (1) PBSO position is created with this action. The Circuit 15 Department of Children and Families Substance Abuse and Mental Health Program Office will provide funding annually for this allocation contingent on funds availability. R2008-0245 dated February 5, 2008 noted grant period from October 1, 2007, through September 30, 2008 in error. The original grant period was July 1, 2007, through June 30, 2008. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. Staff recommends motion to:

A) ratify on behalf of the Palm Beach County Sheriff's Office the Chairperson's signature on the Drug Farm Phase II Enhancement grant award in the amount of \$50,000 for the period of July 1, 2008, through June 30, 2009; and

B) approve a Budget Amendment of \$50,000 increasing the Sheriff's Grant Fund.

SUMMARY: The purpose of the program is to assist units of local government to develop and implement residential substance abuse treatment programs in local correctional facilities in which prisoners are incarcerated from a period of time sufficient to permit substance abuse treatment. The Phase II segment of the Sheriff's Drug Farm will benefit from this continued funding by enhancing the treatment parameters to include: Domestic Violence Reduction, Anger and Stress Management, Effective Parenting, and Job Skills Enhancement. The PBSO will exceed the 25% match requirement by providing \$73,615 through its approved operating budget. No additional positions are needed and no additional County funds are required in FY 2008. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a U.S. Department of Justice Project Safe Neighborhood grant in the amount of \$40,000 for the Glade's Golf and Academic Program for the period of July 1, 2008, through September 30, 2009; and

B) approve a Budget Amendment of \$40,000 in the Sheriff's Grants Fund.

SUMMARY: On July 1, 2008, the Palm Beach County Sheriff's Office (PBSO) received an award under the Miami Coalition for a Safe and Drug-Free Community. These funds will be used to pay the expenses associated with the introduction of golf training and academic improvement program for the Okeechobee Center Housing community in Belle Glade. There is no required match by the funding agency; however the Sheriff's Office has committed to use salaries, benefits, and equipment as an in-kind match in the amount of \$133,622. No additional positions are needed and no additional County funds are required. District 6 (DW)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring October 2008 as “Disability Mentoring Month in Honor of National Disability Awareness Month” in Palm Beach County. (Sponsored by Commissioner McCarty)

- B.** Proclamation declaring October 7, 2008 as “Jupiter-Tequesta Youth Baseball 12-U All-Star Team Day” in Palm Beach County. (Sponsored by Commissioner Marcus)

- C.** Proclamation declaring October 16, 2008 as “Discover After-School Day” in Palm Beach County. (Sponsored by Commissioner Koons)

- D.** Proclamation declaring October 5 – 11, 2008 as “National 4-H Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)

- E.** Proclamation declaring November 6 – 22, 2008 as “National Hunger and Homeless Awareness Week” in Palm Beach County. (Sponsored by Commissioner Koons)

- F.** Proclamation declaring October 19 – 25, 2008 as “Character Counts Week” in Palm Beach County. (Sponsored by Commissioner Greene)

- G.** Certificate of Appreciation presented to C. David Goodlett for his distinguished eight years of service to the Health Care District of Palm Beach County. (Sponsored by Commissioner Marcus)

- H.** Proclamation recognizing Javon Jones, Samantha Rivera, Carl Ceance, Danielle Post, Dairon Giovany Arroyave, and the S.T.Y.L.E. (Saving the Youths’ Lives Everywhere) Super Group in Palm Beach County. (Sponsored by Commissioner Aaronson)

- I.** Proclamation declaring November 6 and 7, 2008 as “Oakwood Center of the Palm Beaches, Inc. Staff Appreciation Days” in Palm Beach County. (Sponsored by Commissioner Aaronson)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to:

A) adopt a Resolution supporting Campus Management Corp. for Florida's Qualified Target Industry (QTI) Tax Refund Program;

B) approve the Job Growth Incentive (JGI) Grant Agreement, as the required 20% QTI local match, with Campus Management Corp. in the amount of \$60,000 for the creation of 60 jobs in Palm Beach County at an average annual salary of \$75,000, excluding benefits;

C) approve a Budget Transfer of \$60,000 from the General Fund contingency reserve to the Economic Development Job Growth Incentive Fund (JGI); and

D) approve a Budget Amendment of \$60,000 to the Economic Development Office fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserve.

SUMMARY: Campus Management Corp., headquartered in Boca Raton, delivers integrated administrative and academic technology systems and services for higher education by providing software to career and online colleges in the United States. The JGI Agreement requires the company to retain 256 jobs, and create 60 new jobs, for a total of 316 jobs with an average salary of \$75,000, excluding benefits, by December 31, 2009; and maintain the jobs through December 31, 2011. The JGI incentive is recommended at \$1,000 per job created or \$60,000. The IMPLAN model forecasts that wages will increase by \$6 million as a result of Campus Management creating jobs.

Campus Management has filed a Qualified Target Industry (QTI) Tax Refund program application with Enterprise Florida. It is anticipated that the State will award up to \$300,000. The QTI requires a 20% local match or \$60,000. The 20% match will be achieved using the JGI. Funds are not allocated in the 2008-2009 budget for JGI. The BCC directed staff to bring qualified companies to the BCC for consideration. District 4 (DW)

B. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: additional State Housing Initiative Program (SHIP) funding in the amount of \$3,352 to Theresa Wildman, of unincorporated Palm Beach County, to complete an emergency rehabilitation project at her home, with a waiver to exceed the maximum funding amount of \$15,000, as established under the policies of the Emergency Rehabilitation Program. **SUMMARY:** On May 22, 2008, a bid for \$14,836 was received to perform work under the SHIP funded Emergency Rehabilitation Program at Theresa Wildman's house at 4175 Vicliff Road, West Palm Beach, FL 33406. Additional work, in the amount of \$3,516, is needed to complete this project. The total cost of the project will be \$18,352, thereby necessitating a waiver to exceed the funding limit of \$15,000 by \$3,352. The scope of work on Ms. Wildman's home, which was built in 1950, included a re-roof and replacement of a bath tub with a ceramic tile shower to accommodate her physical disability. During the execution of this work, substandard electrical wiring was discovered in the wall behind the bath tub. Damaged electrical wiring caused by the roof leak was also discovered during the construction. The additional work, will in part address the electrical wiring. This additional work will also relocate the other bathroom fixtures and their waste lines in order to meet minimum spacing between them as required by code. Approval of this request will enable HCD to further assist this homeowner to accommodate her physical disability. **The requested funds are SHIP funds that require no local match.** District 3 (TKF)

5. REGULAR AGENDA

B. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve:

A) a waiver of conflict of interest for Bill Sanders, Executive Director of the Delray Beach Community Development Corporation and member of the Commission on Affordable Housing; and

B) a Conditional Grant Agreement with Delray Beach Community Development Corporation, for \$150,000 in State Housing Initiative Partnership (SHIP) rehabilitation funds.

SUMMARY: Palm Beach County Housing and Community Development (HCD) through its Commission of Affordable Housing (CAH) provides SHIP financing to local developers to facilitate increased affordable homeownership housing opportunities. This Agreement provides \$150,000 in rehabilitation expenses for conversion of a six (6) unit rental development into a six (6) unit homeowner project. This project will provide homeownership for six (6) very low-income families. Bill Sanders is the executive director of the Delray Beach Community Development Corporation, and a member of the Commission on Affordable Housing. Mr. Sanders fills the required seat of a not-for-profit developer of affordable housing. Such a relationship may be considered a prohibited conflict of doing business with one's own agency pursuant to F.S. 112.313(3), but such conflict may be waived for an advisory board member by a two-thirds vote of the Board of County Commissioners F.S. 112.313(12). Mr. Sanders recused himself from all votes and discussion on this application, and made full disclosure to the Commission on Affordable Housing. This Delray Beach Community Development Corporation project was reviewed and recommended by the Commission on Affordable Housing's Advisory Committee on April 24, 2008; and conceptually approved by the Palm Beach County Board of County Commissioners (BCC) on June 17, 2008. This Agreement will reimburse the costs incurred on or after July 1, 2008 to coincide with the start of the 2008-2009 State SHIP Fiscal Year. The total project costs are \$1,125,000. **These are State funds which require no local match.** District 2 (TKF)

C. WATER UTILITIES

1. Staff recommends motion to adopt: a Resolution supporting creation of a Water Resources Task Force to identify and evaluate efficient and cost effective opportunities in the provision of future water supplies. **SUMMARY:** The purpose of the Water Resources Task Force will be to identify and evaluate opportunities and impediments to providing future water supply, conservation, wastewater treatment, and reuse or reclaimed water opportunities that are most efficient and cost effective. Unlike the Water Utilities Advisory Board, which advises on administrative operations and budget matters, this Task Force is anticipated to advise the Board directly on complex technical matters associated with the provision of water supply services within Palm Beach County. The Task Force will be composed of representatives of six (6) cities, the Palm Beach County Commission, Special Independent and Drainage Control Districts, the South Florida Water Management District, and an Environmental designee to achieve a membership of 11 voting members and their alternatives. Support to this Task Force will be provided by a Technical/Professional Work Group that will be chaired by Palm Beach County's Water Resources Manager and included on the Task Force as an Ex Officio, non-voting member. That position will be responsible for chairing the Technical/Professional Work Group of key stakeholders selected from among County and municipal governments, drainage and special districts, the South Florida Water Management District, the Florida Home Builders Association, the Florida Departments of Environmental Protection and Agriculture and Consumer Services, the County Health Department, and a citizen-at-large. This item is not funded by ad valorem taxes. Funding in the amount of \$1,500 per annum will come from the Water Utilities Department operating revenues. Countywide (MJ)

5. REGULAR AGENDA

D. PUBLIC AFFAIRS

1. Staff recommends motion to deny: the recommendation of the Centennial Committee that a bell be acquired for Palm Beach County's Centennial. **SUMMARY:** To commemorate the establishment of the County on July 1st, 1909, Palm Beach County is proposing a centennial celebration throughout 2009. To commemorate the Centennial with a legacy project, a permanent marker of a 37" diameter bronze bell that weighs 990 pounds is recommended by the Centennial Committee for Palm Beach County at a cost of \$25,218. Beginning in January 2009 Public Affairs would sanction events in the 38 municipalities of Palm Beach County. On July 4, 2009, the signature host event, Fourth on Flagler, will display the bell to coincide with the County's anniversary of incorporation of July 1, 1909. Funding for the bell could be taken from the Public Affairs promotional funds in the current budget in lieu of other possible needs for FY 2009. In mid-2009, a permanent stand for the bell will be designed by a local architect selected in a countywide contest. The cost for the construction of the mount is estimated at \$40,000 and would be requested from the FY 2010 budget. On-going maintenance costs may be incurred and will be determined upon the selection of the mount. Staff recommends not approving the construction of the bell due to immediate FY 2009, future FY 2010 and anticipated on-going maintenance cost of the project. The theme, "Rediscover Palm Beach County" is available for use by established events to promote the County's Centennial. A partnership packet has been sent to municipalities, historical societies, area chambers and several existing community events. The partnership packet identifies the theme, logo and historical facts of Palm Beach County to encourage incorporation of the Centennial theme into existing events for public awareness of the County's 100th anniversary. Countywide (SF)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

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

A. HEALTH DEPARTMENT

1. Staff recommends motion to authorize:

A) the initiation of legislation to amend Chapter 59-1698, Special Acts, Laws of Florida as amended by Chapter 77-620, Special Act, Laws of Florida, to adjust Child Boarding Home, Family Day Care and Child Care facility requirements and authorize the permitting of Large Family Child Care facilities; and

B) the initiation of amendments to the Palm Beach County Rules and Regulations Governing Child Care Facilities upon passage of the legislation.

SUMMARY: The Child Care Advisory Council and the Palm Beach County Health Department are recommending a number of changes to the Special Act applicable to the permitting of child care facilities. The proposed changes will:

- 1) Increase the maximum number of children allowed in Family Day Care homes from 5 to 6 provided that no more than 2 of the children are birth to 24 months of age.
- 2) Designate one of the private enterprise seats on the Child Care Advisory Council for a family day care provider.
- 3) Create a new permitting category for Large Family Child Care Facilities with a maximum capacity of 12 children and caregiver to child ratios of 1:4, 1:6 or 1:8 depending on the ages of children in care.

A detailed side-by-side comparison of current and proposed County regulations and Florida Department of Children & Families regulations is provided as Attachment 1 of the Agenda Item. Tables showing current and proposed staff to child ratios are provided as Attachment 2 of the Agenda Item. The proposed changes will provide greater consistency with State regulations and are endorsed by the Palm Beach County Family Day Care Association. The Special Act must be amended by the Florida Legislature to accomplish the changes. County Rules and Regulations Governing Child Care Facilities must also be amended to implement the proposed changes. Countywide (GB)

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ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. BOARD APPOINTMENTS

A. **ENVIRONMENTAL RESOURCES MANAGEMENT
(Natural Areas Management Advisory Committee)**

1. **Staff recommends motion to approve:** the reappointment of Fred Davis for Seat 1 and Richard Moyroud for Seat 2 to the Natural Areas Management Advisory Committee (NAMAC). The term of three (3) years for Seat 1 begins November 1, 2008, through October 31, 2011, and the term of three (3) years for Seat 2 begins October 20, 2008, through October 19, 2011:

<u>Nominee</u>	<u>Representing</u>	<u>Seat</u>	<u>Nominated by</u>
Fred Davis	Natural Area Manager	1	Comm. Karen Marcus Comm. Jeff Koons Comm. Robert Kanjian Comm. Addie Greene Comm. Burt Aaronson
Richard Moyroud	Biological Scientist	2	Comm. Karen Marcus Comm. Jeff Koons Comm. Robert Kanjian Comm. Addie Greene Comm. Burt Aaronson

SUMMARY: On August 16, 1994, the Board of County Commissioners (BCC) adopted Resolution No. 94-1051 which established NAMAC with seven (7) at-large members. The composition of the Committee shall be as follows: one (1) member with experience in the management of natural areas, one (1) biological scientist, one (1) professional educator with knowledge of South Florida ecosystems, one (1) representative of a local municipal government public recreation program, one (1) member of the Palm Beach County Parks and Recreation Department staff, one (1) citizen having an interest in natural areas, and one (1) member of the County's Environmentally Sensitive Lands Acquisition Selection Committee (ESLASC), for as long as this Committee is in existence. Upon sunset of ESLASC, this position shall be filled thereafter by a citizen with an interest in natural areas. A memorandum from Environmental Resources Management (ERM) was sent to the BCC on August 8, 2008 requesting nominations for Seat 1 and Seat 2. Mr. Davis expressed a desire to continue in Seat 1 and meets the necessary requirements. Mr. Moyroud expressed a desire to continue in Seat 2 and meets the necessary requirements. There were no other nominations. Countywide (SF)

B. **COMMISSION DISTRICT APPOINTMENTS**

OCTOBER 7, 2008

8. MATTERS BY THE PUBLIC – 2:00 P.M.

OCTOBER 7, 2008

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 7, 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

OCTOBER 7, 2008

<u>PAGE</u>	<u>ITEM</u>	
13	3E-16	<u>DELETED:</u> Staff recommends motion to approve: Budget Amendment for \$16,767 in the General Fund to align a State Homeless Prevention grant with the County budget. (Community Services) (Further staff review)
28	3Q-7	<u>DELETED:</u> Staff recommends motion to approve: a Contract with the City of Riviera Beach Civil Drug Court in the amount of \$100,000 for the period October 1, 2008, through September 30, 2009. (CJC) (Document won't be executed by City until 10/15/08)
29	3Q-9	<u>DELETED:</u> Staff recommends motion to approve: the Second Amendment with the City of West Palm Beach (R2007-0706), for \$100,000 for the contract period from October 1, 2008, to September 30, 2009 to support the City of West Palm Beach "Weed and Seed efforts". (CJC) (Further staff review)
36	4J	<u>ADD-ON:</u> Proclamation declaring October 2008 as "National Arts and Humanities Month" in Palm Beach County. (Sponsored by Commissioner Greene)
36	4K	<u>ADD-ON:</u> Proclamation declaring October 2008 as "National Domestic Violence Awareness Month" in Palm Beach County. (Sponsored by Commissioner McCarty)
37	5A-1	<u>REVISED SUMMARY:</u> Campus Management Corp., headquartered in Boca Raton, delivers integrated administrative and academic technology systems and services for higher education by providing software to career and online colleges in the United States. The JGI Agreement requires the company to retain 256 jobs, and create 60 new jobs, for a total of 316 jobs with an average salary of \$75,000, excluding benefits, by December 31, 2009 <u>2010</u> ; and maintain the jobs through December 31, 2011 <u>2012</u> . The JGI incentive is recommended at \$1,000 per job created or \$60,000. The IMPLAN model forecasts that wages will increase by \$6 million as a result of Campus Management creating jobs. Campus Management has filed a Qualified Target Industry (QTI) Tax Refund program application with Enterprise Florida. It is anticipated that the State will award up to \$300,000. The QTI requires a 20% local match or \$60,000. The 20% match will be achieved using the JGI <u>grants</u> . Funds are not allocated in the 2008-2009 budget for JGI. <u>This Agreement is retroactive to September 1, 2008.</u> The BCC directed staff to bring qualified companies to the BCC for consideration. (Admin/Economic Development)
33	5A-2	<u>ADD-ON: Staff recommends motion to approve:</u> an Agreement with Ocean Properties and its affiliates titled "Mutual Release and Termination of Convention Center Agreements." SUMMARY: On September 23, 2008, the Board of County Commissioners (BCC) directed Staff to initiate termination procedures with Ocean Properties to construct the Convention Center Hotel, Residential Condominiums, Garage and Tunnel. Staff has negotiated the above referenced Agreement. Under the terms of this Agreement, the County and Ocean Properties release all claims against one another as well as their rights to pursue legal action. Staff attempted to negotiate with Ocean Properties to obtain the plans for the garage at no cost to the County. Ocean Properties was unwilling to give the plans to the County. <u>Countywide</u> (JM and HF) (Admin)
39	5D-1	<u>DELETED:</u> Staff recommends motion to deny: the recommendation of the Centennial Committee that a bell be acquired for Palm Beach County's Centennial. (Public Affairs) (Further staff review)

ADD-ON: Staff recommends motion to:

A) ratify the July 14, 2008 termination of AFCO Constructors, Inc. (AFCO);

B) approve a Construction Manager Authorization for Task No. D-2.2 under the Construction Manager (CM) at Risk Contract with David Brooks Enterprises, Inc. in the amount of \$2,282,531 for Construction Phase Services to Remediate and Complete elements of the work that remains under the Concourse C Gate Expansion Project (Project) at Palm Beach International Airport (PBIA); and

C) approve a Budget Transfer of \$685,698 in the Airports Improvement and Development Fund from Reserves to provide additional budget to fund the construction contract.

SUMMARY: On July 14, 2008, pursuant to authority delegated by the Board, the Director of Airports terminated AFCO's right to complete the work under its February 28, 2006 contract (R2006-0338). This item asks the Board to ratify the termination. In addition, the Department is requesting Board approval of Task Authorization D-2.2 to David Brooks Enterprises, Inc. under the continuing contract for CM at Risk services approved May 20, 2008 (R2008-0848). Task No. D-1 for David Brooks Enterprises, Inc. was approved by the Board on May 20, 2008 (R2008-0849) in the amount of \$50,000. Tasks D-2 thru D-5 were approved by the Lead Department and the Contract Review Committee in the amount of \$294,412. The services provided in this Construction Manager Authorization Task No. D-2.2 is in the amount of \$2,282,531 and establishes a construction time of 150 calendar days. The Small Business Enterprise (SBE) goal for this contract was established at 15%. The SBE participation for this Task is 27.28%. The total SBE contract participation including Task D-2.2 is 31.06%. Countywide (JCM) (Airports)

DELETED: Staff recommends motion to authorize: A) the initiation of legislation to amend Chapter 59-1698, Special Acts, Laws of Florida as amended by Chapter 77-620, Special Act, Laws of Florida, to adjust Child Boarding Home, Family Day Care and Child Care facility requirements and authorize the permitting of Large Family Child Care facilities; and...(Health Department) (Further staff review)

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 (*).