

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

FEBRUARY 3, 2009

**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 6 - 23)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 24)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 25)**
- 6. REGULAR AGENDA (Pages 26 - 29)**
TIME CERTAIN 10:30 A.M. (Boat Trailer Parking Fee) (Page 28)
- 7. BOARD APPOINTMENTS (Pages 30 - 32)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution No. 08-298 of the City Commission of the City of Fort Lauderdale, Florida urging the Florida Legislature to equalize funding based on population to provide each jurisdiction of Florida, including South Florida, its fair share of State funding;

B) Resolution No. 08R-10-242 of the City Commission of the City of Lauderhill, 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;

C) Resolution No. 08R-11-263 of the City Commission of the City of Lauderhill, Florida relating to unfunded State mandates, utilizing any means necessary to require the Florida Legislature to eliminate unfunded State mandates on local governments, considering sponsorship on an initiative petition, to amend Article VII, Section 18(a) of the Florida Constitution to eliminate the clause that allows for unfunded mandates by a two-thirds majority, and to potentially amend other clauses of said subsection; and

D) Resolution No. 08R-11-264 of the City Commission of the City of Lauderhill, Florida supporting an amendment to Florida's Constitution to require the Florida Legislature to operate under the Florida Sunshine Law.

2. Staff recommends motion to approve:

A) Contract with L&M J Consulting, Inc. (Michael Jackson) to provide consulting services for general administration in the Glades area in an amount not to exceed \$62,685;

B) Budget Transfer of \$58,116 from District 6 personal services accounts to Economic Development Office to provide funding for the contract;

C) Budget Amendment of \$58,116 in the Economic Development Office budget to establish budget for the contract; and

D) waiving the purchasing requirements for the competitive selection as professional and consulting services.

SUMMARY: The Contract will provide for coordination of work effort between County and municipal governments and community organizations within the Glades area. The scope of work includes, but is not limited to, job training, redevelopment/revitalization projects, housing and economic development initiatives. Upon approval of the Contract, a total of \$58,116 will be transferred from District 6 personal services accounts to the Economic Development Office budget. Funds are available in District 6 personal services accounts due to a vacancy. Four thousand five hundred sixty-nine dollars (\$4,569) is currently budgeted in an Economic Development Office account entitled Glades Area Consulting Services. Purchasing Ordinance No. 05-062, gives the BCC authority to waive the requirements for competitive selection and approve professional or consulting services upon recommendation of the County Administrator.
District 6 (DSW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve:

A) an Amendment No. 1 to the Development Regions Grant Agreement R2007-1019 with the City of Belle Glade totaling \$50,228 to extend the expiration date from February 19, 2011, to August 19, 2011;

B) an Amendment No. 1 to the Development Regions Grant Agreement R2007-1021 with the Town of Lake Park totaling \$39,500 to extend the expiration date from February 19, 2011, to February 19, 2012;

C) an Amendment No.1 to the Development Regions Grant Agreement R2007-1022 with the Lake Worth Community Redevelopment Agency (CRA) totaling \$140,000 to extend the expiration date from February 19, 2011, to February 19, 2012;

D) an Amendment No.1 to the Development Regions Grant Agreement R2007-1024 with the City of Riviera Beach totaling \$124,000 to extend the expiration date from February 19, 2011, to February 19, 2012; and

E) an Amendment No.1 to the Development Regions Grant Agreement R2007-1025 with the West Palm Beach Community Redevelopment Agency (CRA) totaling \$120,000 to: 1) extend the expiration date from February 19, 2011, to February 19, 2012; and 2) revise Exhibit A reducing the contract by \$50,000.

SUMMARY: On June 19, 2007, the Board of County Commissioners approved Development Regions Grant Agreements with the City of Belle Glade, Town of Lake Park, Lake Worth CRA, City of Riviera Beach, and the West Palm Beach CRA for a total of 13 economic development projects to create fifty-three and one half (53.5) full-time equivalent (FTE) jobs. Seven (7) of the projects have been completed and are in the hiring phase. Five (5) of the projects: Belle Glade (BG) Deliverance Revival Center, Lake Park Facade Program, 10th Avenue Development, LLC in the Lake Worth CRA, Earl Pleasant Custom Ceramic Tile in Riviera Beach and 2915 East Tamarind, LLC in the West Palm Beach CRA, could not move forward due to the lack of financing which is now complete. One (1) business project, Absolute Plumbing, LLC, in the West Palm Beach CRA Agreement withdrew from the program due to the uncertain economy. These amendments will allow the five (5) uncompleted projects extensions ranging from six to 12 months as requested above for the construction/equipment reimbursement deadline, the hiring deadline and job maintenance period and eliminate \$50,000 awarded to Absolute Plumbing, LLC. Countywide (DW)

4. Staff recommends motion to approve: an Amendment No. 1 to the Department of Environmental Protection (DEP) Agreement No. S0266 (R2006-0291) State of Florida Grant Assistance Pursuant to Line Item 1771A of the 2005-2006 General Appropriations Act to extend the expiration date from March 15, 2009, to November 14, 2009. **SUMMARY:** On February 28, 2006, the Board of County Commissioners approved the DEP Agreement No. S0266 (R2006-0291) totaling \$1 million for the implementation of a Palm Beach County Lake Okeechobee Scenic Trail (LOST) Tourism Enhancement Master Plan. This funding has assisted in the completion of a five-year capital improvement plan (CIP), the construction of three (3) trailheads: Belle Glade Amphitheater on Torry Island, Pahokee Marina and Campground bathrooms/showers and the Northeast Everglades Natural Area (NENA) Trailhead and a Glades Public Farmer's Market business plan. This Amendment will allow for additional time needed to complete the construction of four (4) Lake Okeechobee Scenic Trail Entryways (kiosks) in Belle Glade, Pahokee, South Bay and Canal Point. Each entryway (kiosk) will depict the historic and nature based information of the area. District 6 (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. **Staff recommends motion to approve:** the allocation of \$1,957,000 by the Office of Community Revitalization/Countywide Community Revitalization Team (CCRT) for Fiscal Year 2009 for the implementation of the following projects and initiatives:

A) Roan Lane/Elmwood Estates - Funding toward paving and drainage improvements on Sun Court (\$217,800) (District 1);

B) Westgate - Funding toward a drainage and sanitary sewer flood mitigation project (\$500,000) (District 2);

C) Westgate - Funding toward landscaping, benches, and picnic tables for the Westgate Splashpad (\$50,000) (District 2);

D) Pine Ridge/Cherry Lane - Funding towards water improvements on Bimini Lane (\$87,700) (District 2);

E) Englewood Manor – Funding toward sewer improvements (\$84,000) (District 3);

F) Village of Palm Springs – Funding toward one-third of contribution toward the construction costs for a vacuum sewer system (\$304,163) (District 3);

G) Wallis Road Area – Funding toward water improvements on Wallis Road (\$235,200) (District 6);

H) Royal Palm Estates – Funding toward water improvements on Hach Lane (\$97,900) (District 6)

I) All Districts - Neighborhood Partnership Grant (NPG) Program (\$100,200);

J) All Districts – Funding toward the Neighborhood Home Beautification Program (NHBP) (\$100,000);

K) All Districts – Funding toward the Residents Education to Action Program (REAP) (\$30,037);

L) All Districts – Funding toward the Neighborhood Street Lighting Program (\$100,000); and

M) All Districts – Funding toward Putting Kids First (\$50,000)

SUMMARY: The above projects were reviewed and recommended for funding by the CCRT Committee on November 18, 2008. Details are provided under Attachment 1 of the Agenda Item. Districts 1, 2, 3, & 6/Countywide (AH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	September 9, 2008
Regular	September 23, 2008
Regular	October 7, 2008
Regular	October 21, 2008
Child Care Facilities	October 21, 2008
Final	November 18, 2008
Reorganization	November 18, 2008
Regular	November 18, 2008

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to approve:** the Bond of newly elected Supervisor of Elections Susan Bucher. **SUMMARY:** Following the elections, newly elected or re-elected officials must secure bonding for presentation to the Board of County Commissioners for approval pursuant to Ordinance No. 98-51. Payment for the costs of bond premiums is paid out of the County's General Revenue Fund pursuant to Chapter 113.07(4), Florida Statutes. Countywide (PFK)
5. **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 December 2008. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** the renewal of the structural engineering services annual agreement with Bridge Design Associates, Inc. The original Agreement was dated February 5, 2008, R2008-0159. **SUMMARY:** Approval of this Agreement will renew for one (1) year required professional services, on a task order basis. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve:

A) a Reimbursement Agreement (Agreement) in the amount of \$257,505.42 with the South Indian River Water Control District (SIRWCD); and

B) a Budget Transfer of \$257,506 in the Transportation Improvement Fund from Reserves - Road Program Sweeps to Storm Damaged Drainage Easements, Culverts, Outfall - Jupiter Farms.

SUMMARY: Approval of this Agreement and Budget Transfer will allow the County to share a portion of the cost with SIRWCD for storm damaged drainage easements, culverts and canal outfall caused by Hurricane Wilma, in the amount of \$257,505.42, funded from the County's Transportation Fund. District 1 (MRE)

3. **DELETED**

4. Staff recommends motion to approve:

A) a blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2009 projects as identified in the Five-Year Road Program Annual Update, as adopted on December 2, 2008; and

B) the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts, deemed necessary to appraise and acquire the before mentioned lands, rights-of-way, and easements.

SUMMARY: On December 2, 2008, the Board of County Commissioners adopted the Annual Update of the Five-Year Road Program for Fiscal Year 2009 through Fiscal Year 2013. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein. Countywide (PK)

5. Staff recommends motion to approve: the renewal of the surveying and mapping annual agreement with Brown & Phillips, Inc. The original Agreement was dated March 11, 2008, R2008-0317. **SUMMARY:** Approval of this Agreement will renew for one (1) year, required professional services, on a task order basis. Countywide (PK)

6. Staff recommends motion to approve: a Task Authorization to the Annual Agreement R2008-0164 in the amount of \$101,697.38 with Erdman Anthony of Florida, Inc. for professional services. **SUMMARY:** Approval of this Task Authorization will provide the professional services necessary for the preparation of design plans and construction bid documents for Congress Avenue and Park Avenue intersection improvements. District 1 (PK)

7. Staff recommends motion to approve: a Modification to Subgrant Agreement (Agreement) with the Florida Division of Emergency Management (DEM) to extend the expiration date of the Agreement to March 5, 2009. **SUMMARY:** The Federal Emergency Management Agency (FEMA) approved a Phase I grant (DEM Contract Number 08HM-3G-10-60-01-027) in the amount of \$153,000 for the Lakeside Mobile Home Park, PBC Project No. 2008910. The Agreement expired on June 5, 2008 and is being retroactively extended to March 5, 2009. District 2 (MRE)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Senior Community Service Employment Program (SCSEP) Host Agency Agreement, with no expiration date. **SUMMARY:** This Agreement will facilitate the utilization of seniors in work assignments throughout the Department of Community Services. Seniors will be given an opportunity to gain meaningful work experience as well as be compensated through Experience Works, the assigning agency. Seniors will be matched with work assignments based on their skills, experience, knowledge and abilities. There is no cost to the County to participate in the program. Countywide (TKF)

2. **Staff recommends motion to approve:** Amendment No. 003 to Standard Agreement No. IU008-9500 (R2008-0171) for the Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the period October 1, 2007, through September 30, 2008, increasing the maximum reimbursement by \$24,350.75 for a new total not-to-exceed amount of \$376,470.76 for various supportive services to seniors. **SUMMARY:** Additional funding has been granted under the NSIP grant. This Amendment will increase the new maximum reimbursement from \$352,120.01 to 376,470.76. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA 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)

3. **Staff recommends motion to:**

A) ratify the Chairperson's signature on:

- 1) the U.S. Department of Housing and Urban Development (HUD) renewal application for the Supportive Housing Program for the period of January 1, 2010, to December 31, 2010, in the amount of \$438,254;

- 2) the U.S. Department of Housing and Urban Development (HUD) Shelter Plus Care renewal application for the period of May 23, 2009, to May 22, 2010, in the amount of \$181,080;

- 3) the U.S. Department of Housing and Urban Development new Shelter Plus Care application effective upon approval for a five (5) year period in the amount of \$396,060; and

B) delegate authority to the County Administrator, or his designee to sign the U.S. Department of Housing and Urban Development Supportive Housing Program and Shelter Plus Care grant agreements.

SUMMARY: The Supportive Housing Program (SHP) will continue funding 30 transitional housing beds and supportive services, including specialized Case Management for the Homeless Outreach Teams (HOT). A cash match is required (20% Supportive Services - \$46,940 and 25% Operating - \$44,300) in the amount of \$91,240. This match will be budgeted in the FY 2010 budget process. The Shelter Plus Care Renewal Grant provides sponsor based rental assistance for 15 disabled individuals. The new Shelter Plus Care Grant will provide sponsor based rental assistance to seven (7) disabled individuals. There is no cash match requirement for either grant but an in-kind match is provided by the partner agency in the form of supportive services. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **Staff recommends motion to approve:** Provider Head Start Enhancement Initiative Agreement with Hispanic Human Resources Council, Inc., for the period of February 1, 2009, through August 14, 2009, in an amount of \$40,362 for services to Head Start children and families. **SUMMARY:** Hispanic Human Resources Council, Inc., will extend hours and provide Head Start services to approximately 15 children currently not enrolled or receiving only limited hours and services funded through Enhancement Initiative subsidized child care or parent fees. This Agreement will enhance school readiness for 4-year-old children. The County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$40,362 in County funds only. (Head Start) Countywide (TKF)

5. **Staff recommends motion to approve:** Carry Over Balance (COB) request to the Department of Health and Human Services, Administration for Children and Families (HHS), in the amount of \$92,281.46. **SUMMARY:** The Head Start Act as reauthorized December 2007 has new requirements for staff qualification. Head Start is requesting approval from the National Head Start Regional Office to reprogram FY 2007/2008 Competitive Training Grant (\$57,629) and FY 2007/2008 unobligated balance of \$34,652.46 (\$27,083.13 PA 20/HS and \$7,569.33 PA 1126/EHS) to be used towards furtherance of teacher education. No new County funds are required. (Head Start) Countywide (TKF)

6. **Staff recommends motion to approve:**
 - A) Payment of \$10,000 to The Center for Family Services of Palm Beach County, Inc. (R2007-1928) to reimburse funds advanced under the Traveler's Aide Program for the period of October 1, 2007, through September 30, 2008; and
 - B) Amendment No. 1 to the agreement with The Center for Family Services of Palm Beach County, Inc. (R2008-1445) for the period of October 1, 2008, through September 30, 2009, to increase the contract by \$75,000 for a total of \$122,514 for emergency shelter services.

SUMMARY: The Center for Family Services has partnered with the County to return homeless individuals to locations where they have family to accept them. The Center for Family Services was authorized by staff to expend an additional \$10,000 during the last quarter of FY 2008; however, the agency contract was not amended to reflect the increased expenditure amount. Contract No. R2008-1445 is for after-hours emergency shelter placement, food, transportation and ongoing case management to homeless persons until alternate placement can be arranged. Additional funds for this service were added to the Division's budget after initial contract approval. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) authorize commencement of negotiations with AT&T Corp. for a new Master Services Agreement (MSA) to be presented to the Board prior to the expiration of the current MSA on June 18, 2009; and

B) approve Master Agreement with AT&T Corp. (Construction Master Agreement) providing for the provision of development and installation of new communications systems and applications associated with construction projects where integration with AT&T provided network services pursuant to the Master Services Agreement is required.

SUMMARY: On June 18, 2002, the Board approved a MSA with AT&T (formerly Bell South Communications, R2002-0956) providing for the local telephone, ESSX and 911 services, as well as voice, data and radio circuits in order to improve accountability for network performance and achieve higher volume discounts. The MSA also enables AT&T to discount eligible services beyond those in its tariff offerings. In addition, the MSA provides a service guarantee and makes available a dedicated multiple person support team. The MSA will expire on June 18, 2009 and Staff requires direction to commence negotiation with AT&T on the replacement MSA as AT&T is the only vendor capable of meeting the County's need for this package of services delivered and maintained to all County facilities. The Construction Master Agreement provides the mechanism by which the County can approve individual task orders for the development, installation, integration of various communications systems associated with construction projects. Due to the comprehensive and critical network services provided and maintained by AT&T, AT&T, through its Network Integration Division, is uniquely qualified to develop, install, and integrate new communications systems and applications by providing for; 1) a high level of service, reliability, and resources for troubleshooting and timely repair of failures and 2) end to end performance responsibility. The term of the Construction Master Agreement is for three (3) years with two (2), two (2) year extensions, or the termination of the MSA; whichever comes first. The funding source(s) for each individual task order will be identified prior to the award of the individual task order. (FDO Admin & Purchasing) Countywide (JM)

2. Staff recommends motion to approve: Amendment No. 4 to Contract with C.R. Dunn, Inc. (R2006-0203) to implement the fourth and final renewal to the annual Electrical contract. **SUMMARY:** Amendment No. 4 is a renewal to the Annual Contract-Electrical which was awarded to C.R. Dunn, Inc. as one (1) of four (4) approved contractors. The contractor will continue to perform on projects for various facilities. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$800,000. The renewal term is 12 months or until \$800,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the Contract. Due to the volume of pending work, the total dollar value limit for each term is being increased from \$600,000 to \$800,000. All terms of the original Contract remain in effect. This is the fourth and final extension allowed by the Contract. SBE participation goals for the Electrical contracts are 15%. C.R. Dunn's participation for work orders issued to date is 0%. Work orders issued to date for all four annual contracts include a combined SBE participation of 95.1%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 09-014 with Industrial Roofing, Inc. (R2007-1102) in the amount of \$287,777 for a roof replacement on the Criminal Justice Complex (CJC) Building B. **SUMMARY:** The work consists of the removal of the existing coal-tar pitch roof systems and replacement with a new 3-ply modified bitumen roof system. This is a scheduled maintenance replacement as part of the approved repair and replacement budget. The source of funding is ad valorem. The SBE participation goal is 15%. Industrial Roofing's participation is 100%. Work Orders issued to date for all annual contracts include a combined SBE participation of 50.61%. The total construction duration is 90 days. This work will comply with all applicable local, state, and federal codes and regulations. (FDO Admin) District 2 (JM)

4. Staff recommends motion to approve: Contract with Ocean Gate General Contractors, Inc., in the amount of \$1,111,000 for the construction of West Palm Beach Head Start Expansion. **SUMMARY:** This Contract will provide for the construction of an approximately 7,100 sq. ft. Head Start addition located on Chillingworth Drive. The existing facility has been operating since 2005 at full capacity. The demand for these services has grown and has created a waiting list. This addition will help with a shortfall of space and ease some of the space constraints the program is experiencing by providing three (3) additional classrooms, restrooms, supporting areas, and future growth. The project will be funded by the Public Building Improvement Fund. The source of funding is ad valorem. The SBE goal for this project is 15%. Ocean Gate Contractors, Inc. will provide 20% participation. The contract time is 210 calendar days to substantial completion. (Capital Improvements Division) District 7 (JM)

5. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 1 to the contract with BRPH Architects-Engineers, Inc. (R2008-1305) in the amount of \$132,000 for Government Center Chiller Replacement design services. **SUMMARY:** CSA No. 1 acts to significantly reduce the scope of a previously approved capital project to include only the work necessary to replace the roof top cooling towers and chillers at the Government Center in lieu of the previously approved project to: 1) replace chillers at the Judicial Central Energy Plant, 2) provide new underground piping to Government Center and 1916 Courthouse, and 3) provide for a new Thermal Energy Storage Tank and equipment. The change in scope was made necessary primarily for operational reasons which were not known until a preliminary design was developed and the required approach to construction was determined by the Construction Manager. The change of scope is also necessary to not require a request for additional funding to complete the project as initially planned. CSA No. 1 is to provide design services and construction administration for the replacement of the chillers at the Government Center. The source of funding for this work is ad valorem. BRPH Architects-Engineers, Inc. has an annual contract for professional service for engineering which provides for an SBE participation goal of 20%. The participation in this CSA is 16.67%. BRPH's only SBE subconsultant performs construction administration services which are limited under this project. (Capital Improvements Division) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Change Order No. 22 to the contract with The Weitz Company (R2006-1542) in the amount of \$35,609 and a 17 day time extension for the Lantana Branch Library. **SUMMARY:** Change Order No. 22 provides for the costs and delays associated with unforeseen conditions when installing the 24-inch water main. An unidentified FPL line and an abandoned storm drain line were discovered during excavation and created conflicts. This Change Order is budgeted in the \$30.5M Library Improvements Bond Fund. As this change involves work related to a water line requested by the Water Utilities Department, the costs associated with this Change Order will be reimbursed by the Water Utilities Department. Change Order No. 22 must be approved by the Board as the funds requested exceeds the cumulative limits of the Department Director and Contract Review Committee. The SBE goal for this project is 15%. When combined with previous work under their Contract, the overall SBE participation is 20%. (Capital Improvements Division) District 3 (JM)

7. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in five (5) properties totaling .53 acres of surplus property to the City of West Palm Beach without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

B) approve five (5) County Deeds in favor of the City of West Palm Beach.

SUMMARY: The City of West Palm Beach has requested the conveyance of six (6) parcels of County-owned surplus properties acquired by tax deeds in 2005 and 2006. One (1) parcel is being retained for future consideration of a conveyance to the Community Land Trust of Palm Beach County (CLT). The five (5) parcels to be conveyed total 0.53 acres and are located within the City's municipal boundaries and have a total assessed value of \$193,408. Florida Statutes Section 197.592(3) requires the conveyance of surplus property acquired by tax deed to the municipality in which it is located. The subject properties have been declared surplus as they serve no present or future County purpose. The property located at 1102 Adams Street, identified as Parcel 3 on the Disposition Summary, is improved with a house and shed. The City proposes to utilize the properties for housing, landscaping or community-related programs and is aware of the house on Adams Street. Staff believes that these properties will be more appropriately developed, managed and maintained by the City. Housing & Community Development has reviewed this conveyance and has no objections. This conveyance will relieve the County of potential liability for occurrences on these properties and also the cost of continued maintenance. The County will retain mineral and petroleum rights in accordance with Section 270.11, F.S., without rights of entry and exploration. (PREM) District 7 (HJF)

8. Staff recommends motion to approve: a Second Amendment to Memorandum of Understanding (MOU) between the Department of Airports (DOA) and Facilities Development & Operations (FDO) (R2004-2589) to continue use of Building 1169 at Palm Beach International Airport. **SUMMARY:** On December 21, 2004, the Board approved the MOU allowing FDO to lease 51,200 sq. ft. of Building 1169 from the Department of Airports (DOA) until September 30, 2007. On August 21, 2007, the Board approved the First Amendment to the MOU extending the term to December 31, 2008 (R2007-1321). This Second Amendment to Memorandum of Understanding: i) reinstates the MOU; ii) extends the term for five (5) years until December 31, 2013; and iii) specifies that the 2nd floor is not included within the leased premises. The annual rental rate is calculated at \$6.66/sq. ft. building and \$0.65/sq. ft. ground through September 30, 2010. The total rent payable to DOA is \$411,927.80/yr. The rental rate will adjust at three (3) year intervals to reflect fair market rental value, but will not decrease. The next adjustment date is October 1, 2010. All other terms and conditions of the MOU remain unmodified. (PREM) District 2 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: a Concessionaire Service Agreement with Intuitive Investments, Inc. d/b/a Taste of Chicago for operation of a food concession building located in Ocean Inlet Park located at 6990 North Ocean Boulevard in Ocean Ridge. **SUMMARY:** The Parks and Recreation Department desires a food concession at the Ocean Inlet Park, just south of the Boynton Inlet. In October 2008, PREM advertised a Request for Proposals to operate a food concession service to sell food items, non-alcoholic beverages, and sundry items to the patrons at Ocean Inlet Park. Intuitive Investments, Inc. d/b/a Taste of Chicago (Taste of Chicago) submitted the only proposal. A Selection Committee consisting of two (2) representatives from the Parks and Recreation Department and one (1) from Property Real Estate Management (PREM) reviewed the proposal, deemed it responsive and voted unanimously to support Taste of Chicago's proposal. The initial term of the Agreement is for three (3) years commencing either the first day Concessionaire opens for business or sixty (60) days after the Effective Date of this Agreement, whichever occurs first. The Agreement includes two (2) options to renew, each for one (1) year. The annual rent is \$10,200 to be paid in equal monthly installments of \$850, with annual four percent (4%) increases. Taste of Chicago has posted the required \$1,000 security deposit. The owner/operators of Taste of Chicago, Mindy Lee and her husband, Ray Ilyavi, have executed personal guarantees of the Concessionaire Agreement. (PREM) District 4 (JMB)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 001 to an agreement (R2008-1482) with the City of Delray Beach, to extend the expiration date from December 31, 2008, to August 15, 2009, for the expenditure of \$980,000 in 2005 Disaster Recovery Initiative Program funds. **SUMMARY:** This Amendment provides an extension of eight and a half (8 1/2) months to the term of the existing Agreement for the implementation of a housing rehabilitation program. The modification to the Agreement involves the addition of a feature allowing the City to be reimbursed for the cost of the inspector who performs work on projects funded under this rehabilitation program. The modification also increases the amount of funding allowed per homeowner from \$37,000 to \$40,000, and incorporates certain reporting requirements emanating from the Florida Department of Community Affairs. The reallocation of funds reduces the amount allocated to rehabilitation costs and creates a new budget line item for the inspector's cost. **These are federal funds that require no local match.** District 7 (TKF)
2. Staff recommends motion to approve: an Agreement with Seagull Industries for the Disabled, Inc., for the renovation of its existing offices, in the amount of \$150,000 in Community Development Block Grant (CDBG) funds for the period of February 3, 2009, through December 31, 2009. **SUMMARY:** The project includes the interior redesign and renovation of the administrative office space in Seagull Industries for the Disabled's building located at 3879 West Industrial Way in Riviera Beach. Seagull Industries for the Disabled, Inc. provides services to developmentally disabled persons in various capacities including adult day habilitation, supported employment, transportation, and assisted living. **These are federal CDBG funds that require no local match.** District 1 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. **Staff recommends motion to approve:** an Agreement with the City of Greenacres for street improvements on Jennings Avenue, in the amount of \$89,356 in Community Development Block Grant (CDBG) funds for the period of February 24, 2009, through December 31, 2009. **SUMMARY:** The Agreement will provide funding for street improvements along Jennings Avenue from 10th Avenue North, to the L-10 Canal in the City of Greenacres. The work includes grading, paving, curbs, sidewalks, sodding, street lighting, and incidental fencing and driveway restoration. **These are federal CDBG funds that require no local match.** District 2 (TKF)

4. **Staff recommends motion to approve:** Amendment No. 003 to agreement (R2006-0354) with the City of Lake Worth, to extend the expiration date from December 31, 2008, to July 31, 2009, for the expenditure of \$452,527 in Community Development Block Grant (CDBG) funds. **SUMMARY:** This Amendment provides an extension of seven (7) months to the term of the existing Agreement for street improvements on Latona Avenue in the City of Lake Worth. The work will include installation of traffic calming measures, crosswalks, intersection handicap ramps, streetlights, trees and sidewalks. The project was delayed while the City held a public meeting for neighborhood residents in August 2008, allowing for comments on the preliminary design. The time extension requested is due to design modifications to incorporate the resident's desires. **These are federal funds that require no local match.** District 7 (TKF)

5. **Staff recommends motion to approve:** Amendment No. 001 to an agreement (R2008-0766) with the Comprehensive Community Care Network, Inc., to extend the expiration date from December 31, 2008, to August 31, 2009, for the expenditure of \$300,000 in Community Development Block Grant (CDBG) funds. **SUMMARY:** This Amendment provides an extension of eight (8) months to the term of the existing Agreement for the purchase and installation of an emergency generator at Comprehensive Community Care Network's community health care center located at 2330 South Congress Avenue, in the Village of Palm Springs. The time extension is requested to allow time to bid the project, obtain the necessary permits, coordinate with the power utility company, and install the generator. **These are federal funds that require no local match.** District 3 (TKF)

6. **Staff recommends motion to approve:** Amendment No. 002 to an agreement (R2008-1192) with the Community Land Trust of Palm Beach County, Inc. (CLT), to extend the expiration date from December 31, 2008, to March 31, 2009, for the expenditure of \$645,200 in Community Development Block Grant (CDBG) funds. **SUMMARY:** This Amendment provides an extension of three (3) months to the term of the existing Agreement for the CLT to complete the process of qualifying a new purchaser and closing on the sale of 7786 Griswold Street. The time extension is requested because the buyer who had previously qualified for a loan to purchase this home has become ineligible for financing and the next eligible home-buyer needs the requested time for processing. **These are federal funds that require no local match.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

7. **Staff recommends motion to approve:** an Agreement with the City of Riviera Beach for street improvements on West 23rd Street, in the amount of \$300,773, in Community Development Block Grant (CDBG) funds for the period of February 3, 2009, through January 31, 2010. **SUMMARY:** CDBG funds will be used for the reconstruction of West 23rd Street, between Avenue "O" and Avenue "R", in the City of Riviera Beach. The street improvements will include drainage pipes and inlet structures, curbs, sidewalks, paving, landscaping, driveway restoration and resetting of chain link fences, striping and signage. **These are federal CDBG funds that require no local match.** District 7 (TKF)

8. **Staff recommends motion to approve:** Amendment No. 001 to an agreement (R2008-0384) with McCurdy Senior Housing Corporation, to modify the scope of the project. **SUMMARY:** The Agreement with McCurdy Senior Housing Corporation provides \$250,000 in Community Development Block Grant (CDBG) funds for the purchase of certain items to be installed at the affordable rental housing project which is under construction at 1101 Dr. Martin Luther King, Jr., Boulevard West in the City of Belle Glade. The Agreement allows for the purchase of an emergency generator and air conditioning equipment. McCurdy Senior Housing Corporation wishes to change the items to be purchased with funding made available under the Agreement. This Amendment modifies the scope of the project by specifying a new list of items to be purchased. The new list of items includes an emergency generator, site lighting, landscaping, and irrigation system materials. **These are federal funds that require no local match.** District 6 (TKF)

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to:**
 - A) adopt** resolutions of the Board of County Commissioners of Palm Beach County, Florida, granting County tax exemptions for a total of five (5) historic properties located within the City of West Palm Beach; and
 - B) approve** restrictive covenants for each historic property, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The resolutions will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach:

Address: 416 55th Street
Address: 282 Barcelona Road
Address: 2421 S. Flagler Drive
Address: 322 Greymon Drive
Address: 736 New York Street

If granted the tax exemption shall take effect January 1, 2009, and shall remain in effect for ten (10) years, or until December 31, 2018. The exemption shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2009 County Government Millage rate, it is estimated that approximately \$9,271.26 tax dollars will be exempted annually. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 2 & 7 (RB)

3. **CONSENT AGENDA APPROVAL**

J. **PLANNING, ZONING & BUILDING (Cont'd)**

2. **Staff recommends motion to:**

A) adopt resolutions of the Board of County Commissioners of Palm Beach County, Florida, granting County tax exemptions for a total of three (3) historic properties located within the City of Delray Beach; and

B) approve restrictive covenants for each historic property, requiring the qualifying improvements be maintained during the period that the tax exemptions are granted.

SUMMARY: The resolutions will authorize a County tax exemption for the following historic properties located within the City of Delray Beach:

- Address: 515 North Swinton Avenue
- Address: 214 SE 7th Avenue
- Address: 1104 Nassau Street

If granted the tax exemptions shall take effect January 1, 2009, and shall remain in effect for ten (10) years, or until December 31, 2018. The exemptions shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2009 County Government Millage rate, it is estimated that approximately \$2,463.84 (tax dollars) will be exempted annually. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 4 (RB)

K. **WATER UTILITIES**

1. **Staff recommends motion to approve:** Change Order No. 2 with Southeast Drilling Services, Inc. for the Systemwide Wellfield Improvement Project increasing the Contract (R2006-2473) by \$724,971 and increasing the contract time by 150 calendar days. **SUMMARY:** On November 21, 2006, the Board of County Commissioners approved the contract (R2006-2473) for the Systemwide Wellfield Improvement Project with Southeast Drilling Services, Inc. for the construction of four (4) new Surficial Aquifer wells at WTP 8, re-drilling of five (5) existing wells, replacement of two (2) dual zone monitoring wellheads at ECR, and installing new pumps, motors and mechanical and electrical equipment on seven (7) existing wells. Change Order No. 1, provided for four (4) additional wells at WTP 3, the re-drilling and enlargement of four (4) existing wells at WTP 9, the repair of existing Well 5 at WTP 3, plugging and abandonment of 20 pad monitoring wells at the deep injection well systems, and miscellaneous site work, wellheads, well casings, well screens, electrical issues. Change Order No. 2 provides for additional well development time (air and pump) above the allotted 40 hours provided for in the original contract to meet the well acceptance criteria specified in the contract documents, replacement of numerous pumps, motors, electrical wiring, modifications to electrical panels, and miscellaneous site work. The contract time is being increased by 150 calendar days to accommodate the additional time required for completion of the aforementioned tasks. Total change orders to date equal \$1,903,856. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Contract with Southeast Drilling Services, Inc. provides for SBE participation of 19.32% overall. Following execution of this Change Order the SBE participation will be 14.64%. Southeast Drilling Services, Inc. has been recently approved as a Small Business Enterprise. (WUD Project No. 05-041) Districts 2, 3, & 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Agreement No. 4600001643/PO with the South Florida Water Management District (SFWMD) in the amount of \$308,000 for the permitting, repair and replacement construction of various projects in the Cities of South Bay, Pahokee and Belle Glade. **SUMMARY:** The Palm Beach County Water Utilities Department will execute various water main and water services repairs in the Cities of South Bay, Pahokee and Belle Glade. The funding is being provided by the SFWMD in the amount of \$308,000 with no matching funds required. The specific projects include: \$35,000 for the City of South Bay for watermain and service repair; \$133,000 for the City of Pahokee Morgan Road watermain replacement; and \$140,000 for the City of Belle Glade for watermain and service repair. District 6 (MJ)

3. **DELETED**

4. **Staff recommends motion to receive and file:** two (2) Standard Development Agreements and one (1) Reclaimed Water Service Agreement complete with executed documents received during the month of December 2008:

Standard Development Agreements

A) Diwatch International Consultants, Inc.	(District 3)	02-01123-000
B) Moroso Investment Partners & II, LLC	(District 1)	12-01001-000

Reclaimed Water Service Agreement

C) Vista Center Association, Inc.	(District 2)	01-90003-000
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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)

5. **Staff recommends motion to adopt:** a Resolution amending the Resolution (R2008-1810) 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 original resolution approved on October 7, 2008 called for the Task Force to 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. Additionally, the October 7, 2008 Resolution called for the Palm Beach County Water Resource Manager to be included on the Task Force as an ex-officio non-voting member. Support to this Task Force will be provided by a Technical/Professional Work Group that will be chaired by the Palm Beach County Water Resource Manager. The modified Resolution removes the Palm Beach County Water Resources Manager as a member of the Task Force. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Amendment No. 1 to the Florida Department of Environmental Protection (DEP) Contract No. GC680 for activities in the Pollutant Storage Tank Compliance Verification Program (PSTCVP); and

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

SUMMARY: On June 5, 2007, the Board of County Commissioners (BCC) approved the current ten (10) year Contract (R2007-0882) with the DEP for PSTCVP activities. Task assignments are executed annually which fund the Program. The Contract expires June 30, 2017. The Scope of Services has been modified by the DEP. Amendment No. 1: a) deletes the requirement to complete a Leak Autopsy Report for each discharge inspection; b) deletes the requirement to complete a Flex-Pipe Incident Form within ten (10) days of discovery; and c) extends the time frame for the County to provide the annual Statement of Revenue, Expenses and Fund Balance from 45 days to 60 days. There is no anticipated fiscal impact. Countywide (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Agreement with Delray Beach Arts, Inc. for the period February 3, 2009, through June 15, 2009, in an amount not-to-exceed \$6,500 for funding of the 2009 Delray Beach Garlic Fest. **SUMMARY:** This funding is to help offset costs for the 2009 Delray Beach Garlic Fest to be held in Old School Square on February 13 through 15, 2009. Approximately 30,000 people are anticipated to attend this event. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to January 1, 2009. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

2. Staff recommends motion to approve: Agreement with Juvenile Transition Center, Inc. for the period February 3, 2009, through December 30, 2009, in an amount not-to-exceed \$5,000 for the ESTEEM Program. **SUMMARY:** This funding is to assist with costs for the ESTEEM Program, which provides educational enrichment, entrepreneurial training, fitness programs, recreational, and college tour opportunities for youth. The ESTEEM Program serves approximately 20 youth annually. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to October 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. Staff recommends motion to approve: Agreement with Milagro Foundation, Inc. for the period February 3, 2009, through December 1, 2009, in an amount not-to-exceed \$5,000 for children's programs. **SUMMARY:** This funding is to assist with costs for Milagro Foundation's children's programs, which are offered at its center in Delray Beach. Milagro Foundation's cultural arts programs serve approximately fifty children from low income families and also impact an additional 500 children and adults through mentoring and volunteer programs. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to September 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. **Staff recommends motion to approve:** Agreement with Jesus and You Outreach Ministries, Inc. for the period February 3, 2009, through December 1, 2009, in an amount not-to-exceed \$7,000 for adult and youth recreational programs. **SUMMARY:** This funding is to assist with costs for the Jesus and You Outreach Ministries, Inc. (J.A.Y.) for adult and youth recreational programs for participants who predominantly reside in Riviera Beach. Approximately 50 adults and 20 five at-risk youth are served by these programs. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to December 15, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

5. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Pahokee Elementary School in an amount not-to-exceed \$2,000 for funding of a student field trip to a book store. **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)

6. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the month of December:
 - A) Robert Hein, Tennis Instructor, Okeeheelee Park.; and
 - B) East Coast Tennis Foundation, Inc., Tennis Instructor, Lake Lytal Park.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor 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 2 & 6 (DW)

7. **Staff recommends motion to receive and file:** original executed Amendment to Request for Funding Form for School Board Recreation Assistance Program project for Grassy Waters Elementary School (R2007-1350) to change the project scope from construction and installation of a fitness trail to playground development. **SUMMARY:** This fully executed Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747), as amended. District 2 (AH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve: an Interlocal Agreement with the Village of Wellington to connect to the Palm Beach County Wide Area Network at an annual cost of \$8,400 for the initial point of connection, for an initial term of one (1) year, with automatic one (1) year renewals unless notice given by either party. **SUMMARY:** The Information Systems Services (ISS) Department has negotiated the proposed Interlocal Agreement with the Village of Wellington. Both organizations desire to connect to the County's Network which provides access to the Florida LambdaRail. This interconnection will enable Wellington to connect to the County's Network and thereby also gain access to the Florida LambdaRail network. This will provide greater bandwidth for Internet access and disaster recovery programs while reducing the Village of Wellington's overall network costs. Wellington agrees to pay the County \$8,400 annually as the initial connection fee to access the Palm Beach County network. Per Exhibit A of the Interlocal Agreements, fees for additional connections are set at \$6,000 annually per connection. District 6 (PK)

X. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution amending Resolution R99-1396 to add one (1) additional Emergency Medical Services Council membership seat titled Hospital Chief Executive Officer (CEO) and to amend the seat requirement for Seat No. 7 changing the title from Hospital Administration, to Emergency Room Physician. **SUMMARY:** Per Resolution R99-1396, the Board of County Commissioners approved a representative make-up of the Emergency Medical Services Council to include 17 members. The current 17 member EMS Advisory Council is made up of a representative from each of the following: Fire Chief's Association; Private Ambulance Provider; Hospital Administration; Health Care District, Trauma Management; PBC Medical Society; Economic Council of PBC; Emergency Room Nurses Forum; EMS Educator; PBC EMS Medical Directors' Association; PBC Council of Firefighters; and a District Consumer appointed by each Commissioner. At the November 19, 2008 Emergency Medical Services Council meeting, the Council recommended that an "At Large" seat for a Hospital CEO be added to enhance the Council's expertise. It was also recommended that Seat No. 7 be changed from Hospital Administration to Emergency Room Physician thereby adding a front line emergency room worker. Countywide (DW)

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Presentation of a check in the amount of \$8,000 by Mr. Bruce Wigo, President of the Safe Water Instruction Mean Safety Foundation of Broward County to the Palm Beach County “Schools and Pools” Program.
- B.** Proclamation declaring February 3, 2009 as “Lou Alifano Day” in Palm Beach County. (Sponsored by Commissioner Greene)
- C.** Certificate of Appreciation to the Friends of Jupiter Beach in honor and with deep appreciation for 15 Years of dedicated service to preserving Jupiter Beach for dog owners and their best friends to enjoy. (Sponsored by Commissioner Marcus)
- D.** Proclamation celebrating February 9, 2009 as “Bethesda Memorial Hospital’s 50 Years of Caring Day” in Palm Beach County. (Sponsored by Commissioner Greene)
- E.** Presentation from the United Way of Palm Beach County recognizing County employees for their 2008-2009 United Way campaign contributions.
- F.** Proclamation declaring February 28, 2009 as “Rare Disease Day” in Palm Beach County. (Sponsored by Commissioner Aaronson)

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

CONTINUED FROM JANUARY 13, 2009

- A. **Staff recommends motion to adopt:** a Resolution confirming the special assessment process for the 3rd Place and 81st Avenue Water Main Extension. **SUMMARY:** Petitions in favor of the installation of a potable water main have been provided by 67% of the property owners in the 3rd Place and 81st Avenue project area. The project will serve 15 residential properties currently on private wells. Individual assessments of \$10,870.33 per acre are based on 100% of the assessable cost and may be paid over 20 years with equal annual payments of principal and 6½% interest. The total project cost is \$153,162.96, and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The project will be constructed utilizing a work authorization under the Water Utilities Department Continuing Construction Contract (R2008-0769). (WUD Project No. 06-139) District 6 (JM)

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6. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) Budget Transfer of \$100,000 from the General Fund Contingency Reserves to increase the transfer out to the Public Building Improvement Fund to create a project budget for the Homeless Resource Center Due Diligence Study; and

B) Budget Amendment of \$100,000 in the Public Building Improvement Fund recognizing funds transferred from the General Fund and establishing a project expense budget.

SUMMARY: This item provides the funding necessary to conduct a pre-purchase evaluation of a vacant privately owned property identified by staff and the Facilities Subcommittee of the Homeless Advisory Board as having a high potential for use as a Homeless Resource Center. The property is located at 1101 54th Street in West Palm Beach and was formerly an adult living facility known as Mission Palms. The \$100,000 budget for this due diligence study will include all services necessary to produce a pre-purchase due diligence report including; regulatory review (both land development and programmatic), building condition assessment (remedial and programmatic), preparation of possible building use plan, and preparation of statement of probable cost for pre-purchase decision making purposes only. The purchase and rehabilitation of a Homeless Resource Center will be funded from the County's allocation of \$28.8 million under the Federal Neighborhood Stabilization Program (NSP). The Board approved the allocation of \$7.5 million under the County's NSP Application for this purpose. The creation of regionally located homeless resource centers is a priority recommendation of the Ten-Year Plan to End Homelessness in Palm Beach County, approved by the Board on September 23, 2008. (FDO Admin) Countywide (JM)

2. Staff recommends motion to:

A) approve a Third Amendment to the Lease between Palm Beach County, the South Florida Water Management District (SFWMD) and Pero Family Farms, Inc. (R2002-1489); and

B) adopt a Resolution finding that the extension of the term of the Lease until May 31, 2012 and the reduction in rent from \$1,311.27/acre to \$500/acre is in the best interests of the County.

SUMMARY: The County and the SFWMD jointly own the 570-acre McMurrain property in the Ag Reserve. The property has been leased to Pero Family Farms, Inc. (Pero) since prior to the County's acquisition of the property in 2000. The Lease assigns responsibility for managing the County's and SFWMD's interest to SFWMD. The term of the Lease expires May 31, 2009. Rent is currently \$1,311.27/gross acre. This Third Amendment extends the term until May 31, 2012 and reduces the rent to \$500/gross acre. In preparation for the approaching expiration of the Lease, the SFWMD obtained an appraisal of the Fair Market Value rental rates for ag land in the Ag Reserve. The appraisal indicates that values have decreased to \$500/net acre. Because of the complexities involved in determining "net acreage" and because of the size of this reduction, Staff recommended, and SFWMD and Pero accepted, a rent of \$500/gross acre with three percent (3%) increases. Due to increased costs of production, and no increase in yields or crop prices, all farmers in the Ag Reserve are seeking to reduce the rents they pay. The extension of the term until 2012 coincides with SFWMD's timeframe for needing the property for their reservoir project. (PREM) Countywide (HJF)

6. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a Contract for Financial Advisory Services (Contract No. 09-005/DP) with Spectrum Municipal Services, Inc. for the three (3) year period through February 3, 2012 with the County having an option to extend the Contract for two (2) years at the sole discretion of the County. **SUMMARY:** On October 27, 2008, the County issued a Request for Proposal (RFP No. 09-005/DP) for Qualified Financial Advisors to provide financial advisory services as required to meet the County's financing needs during the contract period. A Selection Committee composed of representatives from County Administration, the Office of Financial Management & Budget and other departments involved in the issuance of County debt was established to discuss and evaluate proposals deemed responsive by the Purchasing Department. On December 10, 2008, the Selection Committee met to discuss and evaluate the two (2) proposals based on the evaluation criteria listed in the RFP. The Selection Committee was unanimous in its selection of Spectrum Municipal Services as the County's Financial Advisor. Countywide (PFK)

2. **Staff recommends motion to receive and file:** Status report on the FY 2010 budget development. The current plan is to bring to the first Budget Workshop on June 8, multi-level cutback scenarios so that the Board can consider impacts of various cuts versus revenue needs. An across the board 10% cut in General Fund operations seems to be required at a minimum. **SUMMARY:** This is the third year of a multi-year challenge to wisely deliver necessary services at a reasonable cost. The struggling economy, housing slump, reduction in major revenues, and an estimated 5% decrease in property values are challenges that will make this budget development process the most difficult ever. Developing the budget requires us to predict numerous factors, which during these economic times are continuously changing. Backup material provides information on these factors including historical trends and projections. Countywide (PK)

D. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:**
 - A)** an Interlocal Agreement with the Indian Trail Improvement District (ITID) regarding the acceptance of all ITID imposed permit conditions, including a one-time Palm Beach County payment of \$497,348.72 to offset the impacts to ITID maintained infrastructure; and

 - B)** dismissal of the lawsuit filed against ITID in the Fifteenth Judicial Circuit, case styled Palm Beach County v. ITID, Case No. 502006CA013222XXXXMB, filed originally due to the failure of the ITID to render a decision to issue a permit for the connection of Persimmon Extension/Acreage Access Road to ITID maintained roadways (Project).

SUMMARY: Approval of this motion will approve the Agreement and accept the ITID permit and its associated conditions. Funding for the lump sum payment is available in the Persimmon Extension account. Further, approval of this motion will allow dismissal of the lawsuit filed against ITID due to failure to render a decision to issue a permit for the Project. District 6 (MRE)

6. REGULAR AGENDA

E. PARKS & RECREATION

TIME CERTAIN - 10:30 A.M.

1. **Staff recommends motion to approve:** establishing a boat trailer parking fee at the County's five (5) saltwater boat ramps. **SUMMARY:** During the 2008/2009 budget process, the Board considered a proposal to establish a boat trailer parking fee at the County's saltwater boat ramps. Due to the opposition expressed by boating interests present at the budget meeting, staff was directed to meet with representatives of the Marine Industries Association (MIA), the West Palm Beach Fishing Club and other interested parties to receive their input, and bring the matter back for further consideration. Staff has met with the organizations identified by the Board and other boating interests and there continues to be strong opposition to the proposed fee. Based on input received at the meetings, Staff has modified their original proposal and is now recommending that the Board approve a \$10 per day parking fee to be collected year round at the County's five (5) saltwater boat ramp parks. It is further recommended that a \$75 annual parking permit be made available. Countywide (AH)

F. WATER UTILITIES

1. **Staff recommends motion to approve:** a Potable Water, Wastewater, and Reclaimed Water Utilities Franchise and Service Area Agreement with the Town of Loxahatchee Groves. **SUMMARY:** In accordance with the Charter of the Town of Loxahatchee Groves (Town) and Chapters 166 and 180, Florida Statutes, the Town is authorized to provide utility service within the Town's municipal limits. In order to avoid the duplication of pipelines and other facilities, the Town has agreed to allow the County to provide potable water, wastewater, and reclaimed water services within the Town's municipal limits in exchange for a 10% franchise fee to be collected by the County from utility customers located within the Town. The franchise fee would be added to the service initiation fees, monthly charges, and miscellaneous fees and remitted monthly to the Town less a 1% administrative fee to be retained by the County. The Agreement also provides that the County will not require mandatory hookups within the Town unless mandated by the County Health Department or the Florida Department of Environmental Protection or unless required by a change in use or intensity by existing residents or businesses. Also, any new or upgraded service to any property located within the Town must have the written consent of the Town Council or its designee. The Town will also have the authority to determine the circumstances under which special assessment projects will be initiated and will have the option to undertake the projects or request that the County perform the special assessment projects. Under the Agreement, the Town will irrevocably grant, assign, or otherwise transfer any future utility easements that may be required in the future for installing utility infrastructure. District 6 (MJ)

6. REGULAR AGENDA

G. PUBLIC AFFAIRS

1. Staff recommends motion to approve: an Agreement with Palm Beach County Cultural Council regarding the Centennial Bell Project. **SUMMARY:** Palm Beach County is celebrating its centennial in 2009. The BCC appointed Centennial Committee has proposed a legacy project to create and construct an artistic plaza area housing a large, bronze bell ("Bell") and pedestal in the plaza area between the Governmental Center and the 1916 Historic Courthouse. The Cultural Council ("Council") has agreed to raise the money to fund the design, manufacture, installation and maintenance of the Bell and the pedestal ("the Project"), which is estimated to cost \$112,631 ("Project Income"). Under this Agreement, Council shall raise at least Ninety Thousand Two Hundred and Eighteen Dollars (\$90,218) ("Minimum Project Income") which is 80.10% of the Project Income on or about August 1, 2009. Council understands and agrees that neither Council nor County shall enter into any contract related to the design or purchase of the Bell or Bell Pedestal until Council raises at least the Minimum Project Income. County shall have no obligation to perform any of its duties under this Agreement prior to the Council raising the Minimum Project Income.

If Council fails to raise at least the Minimum Project Income as provided herein, County shall not be responsible to any donor for any monies paid to Council for the Project, and Council shall indemnify and hold County harmless from and against any claims, actions, or damages arising out of failure to proceed with the Project. If the Project is successful, Council shall gift the Bell to the County for the use and benefit of the citizens of Palm Beach County and remit the balance of Project Income to the County for future maintenance of the Project. Countywide (SF)

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7. BOARD APPOINTMENTS

A. **CRIMINAL JUSTICE COMMISSION**
(Criminal Justice Commission)

1. **Staff recommends motion to approve:** the recommendations of the Economic Council to the Criminal Justice Commission for the following:

<u>Reappoint Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Mr. Max Davis	26	12/31/11
Mr. Wesley Lauer	27	12/31/11

<u>Appoint Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Ms. Marti LaTour	24	12/31/11
Mr. Lee Waring	25	12/31/11

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The 12 private sector members are nominated for three (3) year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council recommends the reappointments of Messrs. Max Davis and Wesley Lauer who desire to continue to serve and are in good standing as CJC members. The Council has nominated Ms. Marti LaTour to replace Mr. Harry Johnston, II and Lee Waring to replace Richard Staudinger effective February 3, 2009. Countywide (DW)

(Public Safety Coordinating Council)

2. **Staff recommends motion to approve:** the recommendations of the Criminal Justice Commission to the Public Safety Coordinating Council, effective February 3, 2009:

<u>Appoint Nominees</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Mr. Patrick Cannan	10	01/31/2013
Ms. Maureen Ferrill Brickous	8	01/31/2013
Mr. Alton Taylor	9	01/31/2013

SUMMARY: The Public Safety Coordinating Council is comprised of ten (10) members, including elected officials and representatives from state and local agencies. The Criminal Justice Commission recommends the appointment of Mr. Patrick Cannan of Workforce Alliance, Inc., Ms. Maureen F. Brickous of Pride Integrated Services, Inc. and Mr. Alton Taylor of the Drug Abuse Foundation of Palm Beach County who desire to serve as Public Safety Coordinating Council members, effective February 3, 2009. Countywide (DW)

7. BOARD APPOINTMENTS

B. ADMINISTRATION
(Small Business Assistance Advisory Committee)

1. Staff recommends motion to approve: reappointment/appointment of four (4) individuals to the Small Business Assistance Advisory Committee, for the terms indicated below.

<u>Reappoint Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated By</u>
John Elliott	10	Minority Contractor	2/3/09-2/24/2011	Comm. Greene Comm. Koons Comm. Marcus

<u>Appoint Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated By</u>
George Gentile	4	White Male Business Owner	2/3/09 – 6/20/2012	Comm. Greene Comm. Koons Comm. Marcus
Jorge Avellana	7	Hispanic Chamber of Commerce	2/3/09 - 2/24/2011	Comm. Greene Comm. Koons Comm. Marcus
Bernadette Russell	12	Small Business Dev. Center	2/3/09 - 6/20/2012	Comm. Greene Comm. Koons Comm. Marcus

SUMMARY: The SBA Advisory Committee was established by Ordinance 2002-064. The committee consists of 14 members representing one (1) black business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) white male business owner certified as a small business by the County; one (1) business owner domiciled in Palm Beach County; one (1) representative of the Palm Beach County Resource Center; one (1) representative of the Hispanic Chamber of Commerce; one (1) representative of the National Organization of Women in Construction; one (1) representative of a Women’s Business Organization; one (1) certified minority contractor; one (1) representative of the Associated General Contractors; one (1) representative of the Small Business Development Center; one (1) representative of the Business Loan Fund of the Palm Beaches; and one (1) representative of a black chamber of commerce.

Seat No. 10 is available because the incumbent was unable to attend meetings. The representative for Seat No. 10 has expressed a desire to continue in the same capacity and the SBA Advisory Committee supports this effort. Seat Numbers 7 and 12 are new appointments because the incumbents were replaced by another organizational staff person. Seat No. 4 is available because the incumbent resigned. Seat No.’s 4 and 12 are being appointed to complete previous member terms through June 20, 2009, plus an additional three (3) years. A memo was sent to the Board of County Commissioners on December 11, 2008 which requested nominations to the committee. No other nominations were received. Countywide (TKF)

7. BOARD APPOINTMENTS

C. **PLANNING, ZONING & BUILDING**
(Land Development Regulation Advisory Board)

1. **Staff recommends motion to approve:** appointment/reappointment of the following individuals to the Land Development Regulation Advisory Board (LDRAB):

A) appoint two (2) new members for the term, from February 3, 2009, to February 7, 2012.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Jose F. Jaramillo	11	Architect	American Institute of Architects
Michael Cantwell	13	Realtor	Realtor Association of the Palm Beaches

B) reappoint five (5) members for the term, from February 3, 2009 to February 7, 2012.

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Joni Brinkman	09	Municipal Rep	PBC League of Cities
Maurice Jacobson	15	Citizen Rep	Condominium/HOA Assn
C. Wesley Blackman	17	AICP Planner	PBC Planning Congress
Brian Waxman	18	Alternate No. 1	Comm. Koons/Greene
Frank Palen	19	Alternate No. 2	Comm. Koons/Greene

SUMMARY: Mr. Jose F. Jaramillo has been recommended by the American Institute of Architects as a new appointee to replace Mr. Edward Wronsky, Seat No. 11, who resigned from LDRAB. Mr. Michael Cantwell has been recommended by the Realtors Association of the Palm Beaches as a new appointee to replace Mr. Duane Bennett, Seat No. 13, who resigned from the LDRAB. The Palm Beach County League of Cities recommends the reappointment of Ms. Joni Brinkman and the Condominium/HOA Association recommends reappointment of Mr. Maurice Jacobson. The Palm Beach County Planning Congress recommends reappointment of Mr. C. Wesley Blackman. Commissioners John F. Koons and Addie L. Greene have both recommended reappointments of Mr. Brian Waxman and Mr. Frank Palen. All five (5) reappointments have indicated a willingness to continue for another term. These appointments/reappointments are consistent with the Unified Land Development Code requirements. Countywide (LB)

D. **COMMISSION DISTRICT APPOINTMENTS**

FEBRUARY 3, 2009

8. MATTERS BY THE PUBLIC – 2:00 P.M.

FEBRUARY 3, 2009

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

10. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, CHAIRMAN

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 -

E. District 5 - COMMISSIONER BURT AARONSON, VICE CHAIRMAN

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER ADDIE L. GREENE

Proclamation declaring February 7, 2009 as "National Black HIV/AIDS Awareness Day" in Palm Beach County.

Proclamation declaring February 2009 as "National Black History Month" in Palm Beach County.

11. ADJOURNMENT

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

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 3, 2009

<u>PAGE</u>	<u>ITEM</u>	
8	3A-5	<p>REVISED TITLE & SUMMARY: Staff recommends motion to approve: the allocation of \$1,957,000 <u>\$1,539,900</u> by the Office of Community Revitalization/Countywide Community Revitalization Team (CCRT) for Fiscal Year 2009 for the implementation of the following projects and initiatives:</p> <p>A) <u>Roan Lane/Elmwood Estates</u> - Funding toward paving and drainage improvements on Sun Court (\$217,800) (District 1);</p> <p>B) <u>Westgate</u> - Funding toward a drainage and sanitary sewer flood mitigation project (\$500,000) (District 2);</p> <p>C) <u>Westgate</u> - Funding toward landscaping, benches, and picnic tables for the Westgate Splashpad (\$50,000) (District 2);</p> <p>D) <u>Pine Ridge/Cherry Lane</u> - Funding towards water improvements on Bimini Lane (\$87,700) (District 2);</p> <p>E) <u>Englewood Manor</u> – Funding toward sewer improvements (\$84,000) (District 3);</p> <p>F) <u>Village of Palm Springs</u> – Funding toward one-third of contribution toward the construction costs for a vacuum sewer system (\$304,163) (District 3);</p> <p>G) <u>Wallis Road Area</u> – Funding toward water improvements on Wallis Road (\$235,200) (District 6);</p> <p>H) <u>Royal Palm Estates</u> – Funding toward water improvements on Hach Lane (\$97,900) (District 6);</p> <p>I) <u>All Districts</u> - Neighborhood Partnership Grant (NPG) Program (\$100,200);</p> <p>J) <u>All Districts</u> – Funding toward the Neighborhood Home Beautification Program (NHBP) (\$100,000);</p> <p>K) <u>All Districts</u> – Funding toward the Residents Education to Action Program (REAP) (\$30,037);</p> <p>L) <u>All Districts</u> – Funding toward the Neighborhood Street Lighting Program (\$100,000); and</p> <p>M) <u>All Districts</u> – Funding toward Putting Kids First (\$50,000)</p> <p>SUMMARY: The above projects were reviewed and recommended for funding by the CCRT Committee on November 18, 2008. Details are provided under Attachment 1 of the Agenda Item. <u>Districts 1, 2, 3, & 6/Countywide</u> (AH) (Admin/CCRT)</p>
10	3C-7	<p>REVISED SUMMARY: The Federal Emergency Management Agency (FEMA) approved a Phase I grant (DEM Contract Number 08HM-3G-10-60-01-027) in the amount of \$153,000 <u>\$117,810</u> <u>\$114,750</u> for the Lakeside Mobile Home Park, PBC Project No. 2008910. The Agreement expired on June 5, 2008 and is being retroactively extended to March 5, 2009. (Engineering)</p>

- 24 4B **DELETED:** Proclamation declaring February 3, 2009 as “Lou Alifano Day.” (Postponed by Commissioner Greene)
- 24 4G **ADD-ON:** Certificate of Commendation to Gary Solomon on his recent award from the National Public Lands Day organization as Volunteer of the Year. (Sponsored by Commissioner Koons)
- 24 4H **ADD-ON:** Proclamation declaring February 3, 2009 as “Pahokee Blue Devils Day” in Palm Beach County. (Sponsored by Commissioner Santamaria)
- 24 4I **ADD-ON:** Proclamation declaring February 19 – 22, 2009 as “Ann Norton Sculpture Gardens 30th Anniversary Exhibit” in Palm Beach County. (Sponsored by Commissioner Koons)
- 24 4J **ADD-ON:** Washington Update by Congressman Ron Klein **(to be heard first under Special Presentations)**
- 25 5A **REVISED MOTION:** **Staff recommends motion to adopt continue to February 24, 2009 at 9:30 a.m.:** a Resolution confirming the special assessment process for the 3rd Place and 81st Avenue Water Main Extension. (WUD)
- 26 6B-2 **REVISED SUMMARY:** The County and the SFWMD jointly own the 570-acre McMurrain property in the Ag Reserve. The property has been leased to Pero Family Farms, Inc. (Pero) since prior to the County’s acquisition of the property in 2000. The Lease assigns responsibility for managing the County’s and SFWMD’s interest to SFWMD. The term of the Lease expires May 31, 2009. Rent is currently \$1,311.27/gross acre. This Third Amendment extends the term until May 31, 2012 and reduces the rent to \$500/gross acre. In preparation for the approaching expiration of the Lease, the SFWMD obtained an appraisal of the Fair Market Value rental rates for ag land in the Ag Reserve. The appraisal indicates that values have decreased to \$500/net acre. Because of the complexities involved in determining “net acreage” and because of the size of this reduction, Staff recommended, and SFWMD and Pero accepted, a rent of \$500/gross acre with three percent (3%) increases. Rent will be retroactive to January 1, 2009 to coincide with the scheduled semiannual rental payment which has been withheld pending consideration of this item. Due to increased costs of production, and no increase in yields or crop prices, all farmers in the Ag Reserve are seeking to reduce the rents they pay. The extension of the term until 2012 coincides with SFWMD’s timeframe for needing the property for their reservoir project. (PREM) Countywide (HJF) (FDO)
- 27 6D-1 **REVISED SUMMARY:** **Staff recommends motion to approve: A)** an Interlocal Agreement with the Indian Trail Improvement District (ITID) regarding the acceptance of all ITID imposed permit conditions, including a one-time Palm Beach County payment of \$497,348.72 to offset the impacts to ITID maintained infrastructure; and **B)...** **SUMMARY:** Approval of this motion will ~~approve~~ ratify the Agreement and accept the ITID permit and its associated conditions for the connection of Persimmon Extension/Acreage Access Road to ITID maintained roadways. Funding for the lump sum payment is available in the Persimmon Extension account. Further, approval of this motion will allow dismissal of the lawsuit filed against ITID due to failure to render a decision to issue a permit for the Project. District 6 (MRE) (Engineering)

ADD-ON: Staff recommends motion to approve:

A) allocation of funding committed by Commissioner Mary McCarty for Boca Raton Champions Golf Charities, Inc. for the period February 5, 2009, through July 31, 2009, in an amount not-to-exceed \$50,000 for the 2009 Allianz Championship;

B) a Budget Transfer of \$50,000 in the Transportation Improvement Fund from Reserve for District 4 to the County Transportation Trust Fund;

C) a Budget Transfer of \$50,000 in the Transportation Trust Fund increasing the annual transfer from the Transportation Improvement Fund and decreasing the annual transfer from the General Fund;

D) a Budget Transfer of \$50,000 in the General Fund decreasing the annual transfer to the County Transportation Trust Fund and increasing the annual transfer to the Park Improvement Fund;

E) a Budget Amendment of \$50,000 in the Park Improvement Fund increasing the annual transfer from the General Fund and increasing the appropriation to the District 4 Recreation Assistance Program (RAP); and

F) authorization for the Chairman of the Board of County Commissioners to execute a standard Recreation Assistance Program (RAP) Agreement with Boca Raton Champions Golf Charities, Inc. for the 2009 Allianz Championship event upon completion of staff and legal review.

SUMMARY: This funding is to help offset the cost of 2009 Allianz Championship golf tournament being held at The Old Course at Broken Sound in Boca Raton from February 9, through February 15, 2009. The funding was earmarked as a transfer from the District 4 County Transportation Trust Fund to RAP funding on March 31, 2008, through an e-mail memo from Commissioner McCarty's office to the Engineering Department. It was formally requested by Boca Raton Champions Golf Charities, Inc. in a letter dated June 24, 2008, and was formally committed for the 2009 Allianz Championship by the Commissioner in her response letter to Boca Raton Champions Golf Charities, Inc. dated December 17, 2008. Funding of \$50,000 was previously allocated for this event for the 2008 and 2007 Allianz Championship tournaments.

The Agreement will allow for the reimbursement of eligible project costs incurred by Boca Raton Champions Golf Charities, Inc. subsequent to January 1, 2009. The budget transfers and budget amendment increase the gas tax support and decrease the ad valorem support of the County Transportation Trust Fund, thereby allowing for the allocation of the available ad valorem support to the District 4 Recreation Assistance Program. At the November 21, 2006, Board meeting, the flexibility of up to \$200,000 annually per district in transfers was approved for this purpose. With the approval of this project, the remaining balance available in FY 2009 transfers for District 4 is \$150,000.
District 4 (AH) (Parks)

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 (*).