

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

MARCH 17, 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 7 - 35)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 36)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 37)**
- 6. REGULAR AGENDA (Pages 38 - 42)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution No. 2009-003 of the Town of Loxahatchee Groves, Florida expressing its support for the Florida Legislature to repeal Section 10(5) of Chapter 2007-67, Laws of Florida, which enacted a moratorium on the ability of a municipality, county, or other unit of local government's right to adopt regulations governing the right to purchase, sell, use, or possess consumer fireworks;

B) Resolution No. 58-08 of the City Commission of the City of Delray Beach, Florida, opposing and protesting the efforts of Palm Beach County to deny the City's water and sewer utility the same rate-setting authority granted to all municipalities in the State of Florida that operate water or sewer utilities outside their municipal boundaries; and

C) Resolution No. 2009-1682 of the City Commission of the City of Lighthouse Point, Florida, supporting House Bill 189 and Senate Bill 922, pertaining to the regulation of specific breeds of dogs, urging municipalities throughout Broward County and the State of Florida to support House Bill 189 and Senate Bill 922; urging greater efforts to protect the general public from dangerous dogs; directing the City Clerk to transmit a copy of this Resolution to the Governor, the Broward Legislative Delegation, and other members of the Florida Legislature, as well as all municipalities located within Broward and Palm Beach counties and the Board of County Commissioners for Palm Beach and Broward counties.

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, urging the Florida Legislature to provide an annual dedicated funding source for the South Florida Regional Transportation Authority through a new \$2 rental car surcharge. **SUMMARY:** At the February 24, 2009 Board of County Commissioners Meeting, Commissioner Burt Aaronson requested this Resolution be drafted for adoption by the Board at their next meeting. At that time, the Board members present agreed to the Resolution. Countywide (DW)

3. Staff recommends motion to approve: a \$100,000 Film & TV Technical Preparation Grant Agreement with The Palm Beach County Film & Television Commission (FTC) commencing March 17, 2009 and ending March 17, 2010. **SUMMARY:** The objectives of the PBC Film & TV Technical Preparation Program are to prepare high school students for a career pathway; to create a future workforce in the film & television industry; to provide educational, financial and logistic resources for high school, college students and teachers through the Palm Beach County Film & Television Commission (FTC). This \$100,000 Agreement with FTC will provide funding for operational, education and equipment expenses for conducting the Program, which is entering its 13th year of operation. This Grant will continue to develop the Film & TV Industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. FTC provides \$100,000 in-kind match through staff and service support, oversight services, and office space and computers. **This Grant Agreement has been approved for the current budget year and represents a 33% funding reduction from the previous year.** Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

4. Staff recommends motion to:

A) approve a Declaration of Unity of Control for the Briger/Scripps Phase II Property as required by the City of Palm Beach Gardens; and

B) authorize the County Administrator or his designee to execute all applicable forms related to joint applications for Development Approvals on the Briger/Scripps Phase II Property.

SUMMARY: The City of Palm Beach Gardens is requiring the execution of this form as part of the Application for a Planned Community Development. On November 6, 2007, the Board of County Commissioners approved an Agreement (R2007-1888) in the amount of \$716,662 with the Lester Family Investments L.P., Richard Thall, Robert Thall, Peter L. Briger, Paul H. Briger and the David Minkin Florida Realty Trust to jointly fund professional services related to a joint application for a Development of Regional Impact, Future Land Use Amendment, Concurrence Approval, Planned Community Development and a Conceptual Environmental Resource Permit for the 683 acre Briger site, including 70 acres, 1.6 million square feet for Scripps use, and 100 acres for 2.4 million square feet of additional bioscience use. The execution of this document has no fiscal impact. District 1 (RB)

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>
Zoning	October 23, 2008
Zoning	January 29, 2009

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

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 10 in the amount of \$36,450 to Contract No. R2007-1057 with Charles S. Whiteside, Inc., for construction of Westgate North Infrastructure Phase 3 (Project). **SUMMARY:** Approval of Change Order No. 10 will provide compensation for removal and disposal of additional unsuitable material from excavation areas of this Project. This Change Order is being brought to the Board of County Commissioners for approval due to the previous combined approvals of the Lead Department and the committee reaching the \$200,000 threshold pursuant to PPM-CWF-50. District 2 (MRE)

2. Staff recommends motion to approve: Supplemental Agreement No. 14 to Project Number 2000503 under Agreement R2000-1737 in the amount of \$48,987.73 with Greenhorne & O'Mara, Inc. for professional services. **SUMMARY:** Approval of this Supplemental Agreement will provide additional permitting effort required to address Florida Department of Transportation comments, provide plan revisions and additional structural analysis, and post design services for Okeechobee Boulevard from Royal Palm Beach High School to east of Jog Road. Districts 2 & 6 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. DELETED

4. Staff recommends motion to:

A) adopt a Resolution to enter into a Local Agency Program (LAP) Agreement FPN 423189-1-38/58-01 with the Florida Department of Transportation providing Federal Safe Routes to School (SRTS) funding for the design and construction of five (5) overhead mast arm school zone flashers; and

B) approve a Budget Amendment of \$467,500 in the Transportation Improvement Fund to recognize a Federal SRTS grant for the design and construction of five (5) overhead mast arm school zone flashers.

SUMMARY: This LAP Agreement will allow Palm Beach County to receive \$467,500 in Federal grants to fund the design and construction of overhead mast arm school zone flashers at five (5) elementary school locations. No matching funds are required. This Agreement will expire December 31, 2010. Districts 2, 3 & 5 (MRE)

5. Staff recommends motion to receive and file: Final Contract Summary for Final Acceptance and Final Payment of \$89,450 for Phil Foster Boat Ramp Maintenance Dredging and Stub Canal Boat Ramp Improvements, Project No. 2008059 (Contract), R-2008-1397, with Murray Logan, Inc. (Contractor). **SUMMARY:** The Contract included maintenance dredging and reconstruction of boat ramp facilities at two (2) Palm Beach County parks. Work was performed in accordance with the Annual General Contracting Services Agreement, between Northern Palm Beach County Improvement District and the Contractor, which was incorporated by reference. Department of Parks and Recreation reviewed the work as substantially complete in accordance with the Contract and recommended payment to the Contractor on November 20, 2008. Final payment was approved by the Deputy County Engineer on January 21, 2009. Districts 1 & 2 (MRE)

6. Staff recommends motion to approve: the renewal of the Landscape Architectural Services annual agreements with Gentile, Holloway, O'Mahoney & Associates, Inc., whose original Agreement, was dated May 1, 2007 (R2007-0617) and Roy-Fisher Associates, Inc., whose original Agreement, was dated April 10, 2007 (R2007-0466). **SUMMARY:** Approval of these renewal agreements will extend for one (1) year, required professional services on a task order basis. Countywide (PK)

7. Staff recommends motion to adopt: a Resolution to accept maintenance of Island Way, which is a thoroughfare road, between Indiantown Road and the Palm Beach County/Martin County line, including the C-18 Canal Bridge, at an estimated cost of \$13,200 annually. **SUMMARY:** Island Way was platted as a County Road and has been built as a four (4) lane divided road from Indiantown Road to the Palm Beach County/Martin County Line by Schickedanz Capital Group, LLC, the developer of Jupiter Isles. Palm Beach County provided funds towards the construction of a section of this road. The construction is complete and the developer is requesting the Board of County Commissioners accept maintenance of the road. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. **Staff recommends motion to adopt:** six (6) Resolutions declaring the acquisition of properties designated as Parcels 106 and 110 as permanent right-of-way easements and Parcels 206, 209, 210 and 217 as permanent embankment easements necessary for the widening and construction of improvements for the intersection of Seminole Pratt Whitney Road and Northlake Boulevard. **SUMMARY:** This action will adopt six (6) Resolutions to authorize the filing of eminent domain proceedings against six (6) parcels whose total appraised value is \$70,300. District 6 (PM)

9. **Staff recommends motion to receive and file:** a report of plat recordations from October 1, through December 31, 2008. **SUMMARY:** This is a quarterly summary of subdivision plats recorded during the past fiscal quarter as required by Department of Engineering and Public Works Policies and Procedures Manual Item No. ED-O-11, governing administrative approval of plats by the County Engineer. Countywide (MRE)

10. **Staff recommends motion to adopt:** a Resolution vacating a portion of a five (5) foot wide utility easement over the westerly five (5) feet of Lot 53A, Plat No. 1-A, Old Port Village, as recorded in Plat Book 28, Page 130, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located north of RCA Boulevard, on the east side of Old Harbour Road. The petitioner is requesting the vacation to resolve an error in the location of the house in relation to the utility easement. District 1 (PK)

11. **Staff recommends motion to approve:** acceptance of Yellow Brick Road, South 19th Drive, from Yellow Brick Road north 112 feet +/-, and South 19th Avenue, from Yellow Brick Road north 112 feet +/-, for maintenance, at a cost of \$16,380 to bring the roads up to Palm Beach County standards, and at a projected cost of \$350 per year to maintain them. **SUMMARY:** Approval of this acceptance will provide for maintenance of Yellow Brick Road, a portion of South 19th Drive, and a portion of South 19th Avenue. District 3 (PK)

12. **Staff recommends motion to approve:**
 - A)** an Interlocal Agreement with the City of Boca Raton to reimburse \$100,000 for improvements to the Boca Raton Inlet;
 - B)** a Budget Transfer of \$100,000 in the Transportation Improvement fund from Reserve for District 4 to S.E. 15th Avenue Bascule Bridge; and
 - C)** a Budget Transfer of \$100,000 in the Capital Outlay Fund from S. E. 15th Avenue Bascule Bridge to Boca Raton Inlet Dredging – District 4.

SUMMARY: The Budget Transfers will allow Palm Beach County to enter into an interlocal agreement with the City of Boca Raton to fund the dredging of the Boca Raton inlet. District 4 (MRE)

13. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

14. Staff recommends motion to approve:

A) a \$216,836.50 Task to the Annual Civil Engineering Agreement (R2007-0460) with Keshavarz & Associates, Inc. for engineering, surveying, permitting and printing services for design and construction plans for Lakeside Mobile Home Park (Park) Drainage System Improvement (Project); and

B) a Budget Amendment of \$144,761 in the Capital Outlay Fund to recognize funding from Westgate/Belvedere Community Revitalization Agency and appropriate it to the Project.

SUMMARY: This Project will provide drainage improvements for the Park, primarily by the installation of a storm water pump on the L-2 Canal. The Federal Emergency Management Agency has approved this Project for funding reimbursement through their grant program. District 2 (MRE)

15. Staff recommends motion to receive and file: an executed Modification Number One to Subgrant Agreement, 08HM-3G-10-60-01-042, with the State of Florida, Division of Emergency Management, to extend the grant retroactively through December 15, 2008. **SUMMARY:** On December 18, 2007, the Palm Beach County Board of County Commissioners received and filed the original Subgrant Agreement. The Subgrant will reimburse the Westgate/Belvedere Homes Community Redevelopment Agency for a currently complete engineering study - Project No. 2009054 - to improve drainage in the northern area of the Westgate subdivision. District 2 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: Amendment No. 12 to the Contract (R96-0714D) for the employment of Denise M. Nieman as County Attorney for a term ending September 14, 2014. **SUMMARY:** This Amendment provides for the services of Denise M. Nieman as County Attorney through September 30, 2014. The contract was automatically extended an additional one (1) year to March 26, 2014; however, this Amendment provides for the term to extend to September 30, 2014 to coincide with the County's fiscal year (October 1st through September 30th). No salary increase is being sought this year; the current annual salary is \$199,513. Any future increases will be limited to those provided other County employees. Countywide (DMN)

2. Staff recommends motion to approve: Settlement in the total amount of \$794,025 inclusive of all attorneys fees, but excluding costs, as to Parcels 3180, 3450, 5660, 6140, 6150, 7200, 7210, 7390, 7570, 7770, and 7790, in the case of Palm Beach County v. Claude E. Jordan, et al., Case No. 50 2004CA005207AA (consolidated with Case Nos.: 50 2004CA005573AA, 50 2003CA008659AA and 50 2004CA007464AA). **SUMMARY:** Between November 2003 and August 2004, the County condemned these 11 parcels of land through eminent domain for conservation purposes, in an area known as "Unit 11," located in the northern section of the Acreage. Since the County has already taken the property, the issue in the case is the amount of full compensation due to the owner of each parcel. The County's cost is provided by the Unit 11 Acquisition/Enhancement Fund supported by mitigation dollars. There is no ad valorem impact. Countywide (DRO)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contract with Area Agency on Aging Palm Beach/Treasure Coast, Inc., for the period October 1, 2008, through September 30, 2009, for an amount of \$229,900. **SUMMARY:** Contract with this non-profit agency is budgeted as a County-Sponsored Program. Area Agency on Aging Palm Beach/Treasure Coast, Inc. will provides services through staff which will employ monitoring, technical assistance and training to ensure that provider agencies provide high quality service, and comply with all contract terms, as well as applicable state and federal laws. Countywide (TKF)

2. **Staff recommends motion to approve:** Standard Agreement No. IA009-9500 for the Older Americans Act (OAA) program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2009, through December 31, 2009, in the amount of \$1,924,817 for various services to the elderly. **SUMMARY:** The Agreement will allow the Division of Senior Services (DOSS), as lead agency, to provide Adult Day Care, Interpreter/Translating, Screening/Assessment and Outreach. DOSS also contracts with vendors to provide Adult Day Care, Escort, In-Home Services (Homemaker, Personal Care, Respite, Companionship and Chore), Congregate Meals, Home Delivered Meals, Nutrition Education, Nutrition Counseling, and Specialized Medical Equipment, Services & Supplies, which are funded with \$1,924,817 in Federal funds, \$213,869 in County required funds, \$2,520,006 in additional County funds, \$361,091 in NSIP Meal funds and \$98,271 in Program Income funds (Private Donations). The Agreement spans two (2) County fiscal years. Sufficient funding is available in the FY 2009 budget to meet County obligations. County match and additional funding required to meet FY 2010 obligations will be requested in the FY 2010 budget process. OAA funds administered and managed by the AAA will allow DOSS to provide assistance to the elderly population and caregivers and is the only federal supportive services program directed solely toward improving the lives of the elderly population and caregivers. 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 approve:** Contract with Nonprofits First/Executive Service Corps of Southeast Florida, Inc., for the period October 1, 2008, through September 30, 2009, in an amount of \$100,000, for training, education and technical assistance. **SUMMARY:** Contract with this non-profit agency is budgeted as a County-Sponsored Program. The Center for Nonprofit Excellence, a program of the Executive Service Corps of Southeast Florida, Inc., developed and produced the 2007 Certification Assessment Tool, a Self-Assessment Manual, and will offer an array of training, education and technical assistance resources and programming to Financially Assisted Agencies grantees. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve: Amendment No. 2 to Children's Case Management Organization, Inc. d/b/a Families First (R2008-2125) for the period October 1, 2008, through September 30, 2009, to change the unit of service definition. **SUMMARY:** Adjustments to the unit of service definition is necessary in order for Families First to be able to bill for each unit of service provided. The unit is currently defined as one (1) hour of service and may include one (1) home visit, one (1) face to face, one (1) telephone call, one (1) school visit, one (1) collateral visit, or one (1) workshop. The unit will now be defined as 15 minute increments of service delivery that may include home visits, face to face contacts, school visits, collateral visits, workshops, or supervision to discuss case consultations and direction for the needs of the family served. The service description is not changing and they will continue to provide the same services as contracted for in September 2008. There is no change to the contract amount and no additional funding is being requested. Countywide (TKF)

5. Staff recommends motion to approve: an upward Budget Amendment of \$19,823 in the General Fund to reconcile the Human Service's Emergency Food and Shelter budget to the actual grant award. **SUMMARY:** For FY 2009, a budget of \$90,000 was projected for the Emergency Shelter Grant Funds. However, the actual amount awarded is \$109,823. A Budget Amendment of \$19,823 is needed to align the County budget with the grant award. No match is required for these funds. (Human Services) Countywide (TKF)

6. Staff recommends motion to approve: Supplemental funding request to Office of Head Start, for the period of October 28, 2008, through October 31, 2008, in an amount of \$2,500, for cost incurred for staff attendance at the Dual Language Institute. **SUMMARY:** On September 23, 2008, the Office of Head Start issued Information Memorandum ACF-IM-HS-08-17 offering funding support of \$2,500 towards expenses related to attending the conference the Dual language Institute held October 28, 2008, through October 31, 2008. Four (4) staff attended the conference at a total cost of \$5,462.81. This supplemental application requests \$2,500 towards the actual costs for attending the Institute. No County funds are required. (Head Start) Countywide (TKF)

F. AIRPORTS

1. Staff recommends motion to approve:
 - A) a Contract with West Construction, Inc. in the amount of \$2,983,687.99 for the Corporate Hangar Buildings E & F Project at North Palm Beach County General Aviation Airport; and

 - B) a Budget Amendment of \$2,386,958 in the Airports Improvement and Development Fund to recognize Florida Department of Transportation (FDOT) grant funding and \$2,983,688 in the expenditure budget for construction of the project, including a transfer of \$596,730 from Airport Reserves.

SUMMARY: This project was advertised utilizing the County's competitive bid process. On November 25, 2008, ten (10) bids were received for the Corporate Hangar Buildings E & F Project at North Palm Beach County General Aviation Airport. West Construction, Inc. has been identified as a responsible/responsive bidder in the amount of \$2,983,687.99. The Small Business Enterprise (SBE) Goal for this project was established at 15.00%. West Construction, Inc. bid contained 80.17% SBE participation. Matching funds of \$596,730 (20%) are required from Airport revenues. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Air Cargo Building Lease and Operating Agreement (Agreement) with Federal Express Corporation (FedEx) for the lease of cargo space at the Palm Beach International Airport (PBI) for initial annual rental and fixed aircraft parking fees in the amount of \$337,511. **SUMMARY:** The Agreement provides for the lease of approximately 29,914 square feet of interior cargo space to FedEx for office administration, shipping, receiving and sorting of parcels, freight and cargo. The Agreement also provides FedEx with the preferential right to utilize one (1) aircraft parking position, which will result in annual aircraft parking fees of \$36,000 per year. The term of the Agreement is five (5) years with one (1) – five (5) year renewal at FedEx's option. FedEx has agreed to expend a minimum of \$425,000 on the design, construction and installation of leasehold improvements in exchange for a rental credit of \$42,500 per year. In addition to fixed rental and fees, FedEx will be obligated to pay aircraft landing fees and other variable fees based on its operations at PBI. FedEx will be required to complete construction of its improvements within one year of the effective date of the Agreement. Payment of rental will commence on substantial completion of the leasehold improvements or November 1, 2009, whichever occurs first. Countywide (JMB)

3. Staff recommends motion to approve: an Assignment of Rights Agreement with Jet Aviation Associated LTD (Jet) for sales tax collected on lease payments from Jet between November 2005 and November 2008. **SUMMARY:** Jet leases real estate from the County Department of Airports as a Fixed Base Operator serving general aviation customers. In accordance with the lease agreement between Jet and the County, Jet remits lease payments and sales tax on a monthly basis to the County. The County, in turn, remits sales tax collected to the State Department of Revenue (DOR). Jet, under the terms of the County lease, sub-leases County-owned real estate to sub-tenants, collects sales tax from sub-tenants, and remits tax collected to the DOR, resulting in double taxation on the same property. Jet has sought and recently received the designation of a re-seller from the DOR; Jet is therefore entitled to recover excess sales tax paid over the prior three (3) years from the DOR, calculated at \$216,602. The DOR requires the County's consent to Assignment of Rights in order to refund the tax overpayment to Jet. Airport staff and the County Attorney have reviewed the DOR Resale Certification by the DOR and discussed Jet's case with DOR staff to verify Jet's exempt status. With annual re-certification by the State, Jet is also exempt from paying sales tax to the County on the affected property going forward. Under the terms of the Agreement, Jet is indemnifying the County for any actions arising from the Assignment. Countywide (JB)

4. Staff recommends motion to receive and file: two (2) original Agreements for the Department of Airports:
 - A) North County General Aviation Airport Hangar Lease Agreement with Fly/Fishing Adventures, Inc. and Thomas A. Mavracic, Unit 11, Building 11300, for one (1) year, automatically renewed at one (1) year intervals, commencing on December 15, 2008; and
 - B) North County General Aviation Airport Hangar Lease Agreement with Hensel Aviation, LLC, Unit 8, Building 11730, for one (1) year, automatically renewed at one (1) year intervals, commencing on February 1, 2009.**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2008-1845. Countywide (JB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: the write-off of 262 uncollected non-sufficient funds checks with a total face value of \$25,603.02 plus County added service fees of \$7,264.24 for a cumulative total of \$32,867.26. **SUMMARY:** The Office of Financial Management and Budget's Collections Coordinator has reviewed the listings of uncollected non-sufficient funds checks (NSF) received by the Finance Department during the fiscal years of 2002 through 2004 and has concluded that they should be written off the County's active Advantage accounts receivable ledger. These checks were for various County programs and services that patrons received. All collections efforts to recover these funds have been exhausted. The write-off of these receivables to an uncollectible receivables database is not a forgiveness of the debt and if the opportunity to collect on any of these checks should arise, the County will take appropriate action to collect on same. The approval of this item will allow the County's Finance Department to remove these receivables from the County's active Advantage accounts receivable ledger and transfer them to an uncollectible debts database. Countywide (PGE)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a Third Restated Agreement (R2004-0257) with The Historical Society of Palm Beach County (Society). **SUMMARY:** In 2004, the Board approved a thirty (30) year Agreement with Society for the operation of a museum and occupancy of a portion of the 1916 Courthouse that commenced on January 1, 2008. The parties now wish to provide further definition and in some cases add guidelines for use of the 1916 Courthouse by the County, Society and other third party users via this Third Restated Agreement. This Third Restated Agreement limits: (i) use of the 1916 Courthouse for third party non-County activities to those activities which are either: (a) educational in nature; (b) directly related to the court or judicial system or (c) require a courtroom setting; (ii) Society's use of the Leased Premises for its Special Events and Fund Raising Activities to those that are approved by the County via issuance of a County Facility Use Permit; and (iii) Society's right to enter into any agreements for the use and/or sale of images of the restored 1916 Courthouse without the County's consent which may be granted or denied at the County's sole discretion. This Third Restated Agreement clarifies that Society may request a revocable County Facility Use Permit, which may be granted, conditioned or denied at the County's sole discretion, for Society's use of: (i) additional parking within the County's 4th Street Parking Lot; (ii) common areas within the 1916 Courthouse; (iii) the outdoor areas surrounding the 1916 Courthouse; and (iv) the Leased Premises for Society Special Events. This Third Restated Agreement provides a tailored version of the County's standard Facility Use Permit for the Society. Other than the changes set forth herein and a few minor changes all other terms and conditions remain the same. (FDO Admin) Countywide/District 7 (HJF)
2. Staff recommends motion to approve: Amendment No. 4 to Contract with B.K. Electric, Inc. (R2006-0205) to implement the fourth and final renewal of an annual Electrical contract. **SUMMARY:** Amendment No. 4 is a renewal to the Annual Contract-Electrical which was awarded to B.K. Electric, Inc. as one of four (4) approved contractors. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$800,000. The renewal term is twelve (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 goal for the Electrical contracts is 15%. BK Electric's participation for work orders issued to date is 100%. The total participation for work orders issued-to-date is 95.1%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Amendment No. 4 to Contract with Knight Electric Company, Inc. (R2006-0206) to implement the fourth and final renewal of an annual Electrical contract. **SUMMARY:** Amendment No. 4 is a renewal to the Annual Contract–Electrical which was awarded to Knight Electric Company, Inc. as one of four (4) approved contractors. The annual Electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$800,000. The renewal term is twelve (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 goal for the Electrical contracts is 15%. Knight Electric's participation for work orders issued to date is 100%. The total participation for work orders issued-to-date is 95.1%. (FD&O Admin) Countywide (JM)

4. Staff recommends motion to approve: Amendment No. 4 to Contract with S&F Construction, Inc. (R2005-1871) to implement the fourth and final renewal to the annual pavilions, shelters and sheds contract. **SUMMARY:** Amendment No. 4 is a renewal to the Annual Contract–Pavilions, Shelters and Sheds which was awarded to S&F Construction, Inc. The annual pavilions contract is an indefinite-quantity (work orders) contract and this renewal has a maximum value of \$400,000. The renewal term is twelve (12) months or until \$400,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the contract. The total dollar value limit for each term is \$400,000. All terms of the original contract remain in effect. This is the fourth and final renewal allowed by the Contract. SBE participation goals are 15%. S&F Construction, Inc.'s participation, for work orders issued-to-date, is 91.33%. (FD&O Admin) Countywide (JM)

5. Staff recommends motion to approve: a Budget Amendment of \$413,506 in the Public Improvement Fund recognizing revenue to be received from Florida Power & Light and increasing the Jail Expansion Program II (JEP2) project budget. **SUMMARY:** This Budget Amendment is for a reimbursement from FPL for site earthwork performed by Palm Beach County for the new Wheeler Substation located at the West County Detention Facility. In order to properly sequence the earthwork between the two (2) projects (Jail Expansion and Substation), Palm Beach County proceeded with the work on FPL's behalf. These funds increase the Jail Expansion Program Phase 2 funds which were used to pay for the work which is now complete. (Capital Improvements Division) Countywide/District 6 (JM)

6. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 to the Contract with Colome & Associates, Inc. (R2007-0392) in the amount of \$191,674.15 to provide architectural/engineering services for renovations to the Greenacres Library. **SUMMARY:** CSA No. 4 will provide architectural and engineering services for permitting, design and construction phase services for the renovation of Greenacres Library which includes mechanical, plumbing, electrical, and interior design upgrades. This project is funded from the 22.3M GO '06 Library Improvement Bond Issue. Colome & Associates, Inc. has an annual contract for architectural services which provides for an overall SBE participation goal of 70%. The participation on this CSA is 72.8%. When added to the consultant's participation to date, the SBE participation is 74%. (Capital Improvements Division) District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: a First Amendment to the Interlocal Agreement (R2004-0791) with the West Palm Beach Veterans Affairs Medical Center (Hospital) allowing for interoperable communications through the Countywide and EMS common groups of the County's 800MHz Radio System. **SUMMARY:** The Agreement which provides the terms and conditions under the Hospital can directly access the County's 800MHz Radio System will expire on May 4, 2009. The Agreement provides for three (3) – five (5) year renewals but renewals require approval by both parties. The Hospital has approved a renewal to extend the term of the Agreement through May 3, 2014. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies. The Agreement may be terminated by either party, with or without cause. (ESS) Countywide (JM)

8. Staff recommends motion to approve: Interlocal Agreement with the Village of Wellington (Village) for the County to lease and maintain a fuel control reader at the Village's public works facility. **SUMMARY:** Since 1990, Fleet Management has leased fuel management equipment to the Village of Wellington. The terms of the Lease require the County to provide and maintain the fuel control reader, provide fuel access cards, and monthly fuel accounting to the Village. In exchange, the Village pays equipment rental fees and for any services provided by the County. In addition, the Agreement provides that the Village will allow PBSO to fuel at this location, which benefits law enforcement efforts. The term of this Agreement commences on May 20, 2009 and continues for a five (5) year period and provides for two (2) – five (5) year renewals upon request by the Village and acceptance by the BCC. (Fleet Management) District 6 (JM)

9. Staff recommends motion to approve: a First Amendment to Lease Agreement (R99-570D) with the Town of Jupiter (Town) for the Town's continued use of 1.5± acres for its Pine Garden Park, at an annual rate of \$1. **SUMMARY:** Since 1999, the Town has leased 1.5± acres from the County for its Pine Garden Park. This neighborhood park is located adjacent to the County's Jupiter Branch Library at 705 Military Trail. The Lease Agreement will expire April 5, 2009. This First Amendment: (i) extends the term for one (1) year and provides for automatic annual renewals thereafter, unless canceled by either party upon six (6) months prior written notice; (ii) amends Section 4 to include a non-discrimination clause; and (iii) updates the Notice provisions. The annual rental rate will continue to be \$1/year. The Town is fully responsible for the operation and maintenance of the Park. All other terms and conditions of the Lease remain unmodified. (PREM) District 1 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. DELETED

11. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 7 to the Contract (R2007-0033) with Hellmuth, Obata & Kassabaum, Inc. (HOK) in the amount of \$1,001,595 for the construction administration services on the West County Detention Center. **SUMMARY:** At the February 24, 2009 BCC meeting, construction of the West County Detention Facility was approved. CSA No. 7 will authorize construction administration services of the design professional for the West County Detention Center Facility. CSA No. 7 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008. The SBE goal for this project is 15%. CSA No. 7 includes 5.8% participation. When combined with the previous work done under this Contract, the SBE participation is 18.7%. (Capital Improvements Division) Countywide/District 6 (JM)

12. **Staff recommends motion to approve:** a sole source procurement with SimplexGrinnell LP for \$440,750 for a retrofit of the Fire Alarm System for the Judicial Center, SA/PD, and the Central Energy Plant at the Government Center Complex in West Palm Beach. **SUMMARY:** The existing fire alarm system is out of production and no longer supported by the system sole authorized servicing agent. The County needs to replace the system but at the same time not experience any loss of coverage in order to avoid a cost prohibitive 24/7 dedicated fire watch per floor as mandated by the Fire Marshall for coverage losses greater than four (4) hours. The Simplex product is the only product that is compatible with the existing system and can be incrementally replaced to avoid loss of coverage. SimplexGrinnell is the sole authorized servicing agent and factory authorized source of this product. All funding for this project is from the five (5) year Capital Improvement Project (CIP) replacement/renewal of electronic systems. The SBE participation for this contract is 0%. The total construction duration is 180 days. (FD&O Admin) District 7 (JM)

13. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 8 to the Contract (R2007-0033) with Hellmuth, Obata & Kassabaum, Inc. (HOK) in the amount of \$3,404,406 for the Jail Expansion Program II (JEP) Stockade Redevelopment. **SUMMARY:** CSA No. 8 will provide authorized services associated with design development and construction documents for the Stockade Redevelopment. A future Authorization will provide for the construction administration services on the Stockade project. STH Architectural Group is the local architect working in conjunction with HOK. CSA No. 8 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008. The SBE goal for this project is 15%. CSA No. 8 includes 8.6% participation. When combined with the previous work done under this contract, the SBE participation is 15.9%. (Capital Improvements Division) Countywide/District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to:

A) approve an Agreement for Conveyance, Use and Maintenance with G.L. Homes of Boca Raton Associates V, Ltd. (G.L. Homes);

B) approve a Drainage Easement and Maintenance Agreement with G.L. Homes of Boca Raton Associates V, Ltd;

C) adopt a Resolution authorizing the exchange of property with G.L. Homes of Boca Raton Associates V, Ltd.;

D) approve a County Deed in favor of G.L. Homes of Boca Raton Associates V, Ltd. conveying .86 acres of County owned property; and

E) accept a Quit-Claim Deed from G.L. Homes of Boca Raton Associates V, Ltd. conveying 2.36 acres.

SUMMARY: G.L. Homes is developing a 44-acre subdivision known as the Collier P.U.D., located adjacent to the northern boundary of South County Regional Park Parcel A. The County has developed Samuel Friedland Park in the Acreage which is adjacent to property owned by G.L. Homes and is planned for future development. Both the County and G.L. Homes have long narrow strips of property which are essentially unusable by them, but which can be incorporated into the other party's development. Pursuant to these Agreements, the County will convey .86 acres adjacent to South County Regional Park to G.L. Homes and grant G.L. Homes a Drainage Easement. In exchange, G.L. Homes will convey 2.36 acres adjacent to County's Samuel Friedland Park to the County and will maintain a 50' strip of the County's South County Regional Park property. The intent of these Agreements is to realign the boundary lines of both the County and G.L. Homes properties to create more efficient development characteristics and maintenance responsibilities between the respective land owners. The 2.36 acre G.L. Homes parcel was appraised at \$85,000, and the County's .86 acre parcel was appraised at \$105,000. The appraisal did not value the obligation of G.L. Homes to maintain the 50' strip of County property, nor did it value the easement in favor of G.L. Homes. Staff believes that the maintenance obligation offsets the easement value and that overall this is a fair exchange. (PREM) Districts 5 & 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve:

A) a \$15,000 increase in the maximum State Housing Initiative Partnership (SHIP) housing purchase assistance subsidy for moderate income households from \$15,000 to \$30,000; and

B) reducing the threshold housing debt ratio for moderate income households from 32.50 to 30.00.

SUMMARY: The SHIP Program provides funding to Palm Beach County for various programs designed to assist in the development and preservation of affordable housing. These funds are administered by the County's Commission on Affordable (CAH) Housing. The housing purchase assistance program provides financial assistance to eligible extremely-low, very low, low and moderate income homebuyers. To ensure the CAH meets the State mandated expenditure goals, the CAH Advisory Board recommended that the purchase assistance subsidy for moderate income households be increased from \$15,000 to \$30,000. Also, the CAH recommended reducing the minimum housing debt ratio from 32.50 to 30.00. "Housing debt ratio" is the percentage of an applicant's monthly income compared to the proposed monthly housing related expenses (principal, interest, taxes, insurance, and HOA where applicable). Under current SHIP guidelines, an applicant's housing debt ratio must equal at least 32.50 in order to qualify for the maximum subsidy amount. By reducing the required threshold for the housing debt ratio, additional moderate income applicants can qualify for housing purchase assistance. Currently, the maximum subsidy for applicant moderate income households with a minimum housing debt ratio of 32.50 is \$15,000. These recommendations only impact subsidy requests for the 2008/2009 SHIP grant year. All other subsidy assistance amounts will remain unchanged. **These are state dollars that require no local match.** Countywide (TKF)

2. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2008-0201) with the City of Pahokee, to extend the expiration date from December 31, 2008, to June 30, 2009, for the expenditure of \$27,817 in Community Development Block Grant (CDBG) funds. **SUMMARY:** This Amendment provides an extension of six (6) months to the term of the existing Agreement for the construction of a passive courtyard and parking area located at the corner of Adams Place and Rardin Avenue in the City of Pahokee. The time extension is requested due to the past lack of City resources to complete this project within the time allotted by Agreement. The City will now be able to pursue the completion of this project. **These are Federal funds that require no local match.** District 6 (TKF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

A) adopt resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting County tax exemptions for a total of two (2) historic properties located within the Town of 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 Town of Palm Beach:

Address: 442 Seaspray Avenue

Address: One South County Road

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 \$60,627.06 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 1 (RB)

K. WATER UTILITIES

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, superseding and replacing Resolution No. R-98-719, as amended by Resolution No. R2000-0553, concerning the Palm Beach County Water Utilities Department's Deferred Payment Plan. **SUMMARY:** On March 8, 1998, the Board adopted Resolution No. R98-719, which superseded and replaced Resolution Nos. R93-51, R96-109, and R97-643. Resolution No. R98-719 provided for a Deferred Payment Plan to assist property owners converting from private wells, septic tanks, and/or private irrigation supply systems to defer certain fees, and to have the deferred fees billed on the customer's monthly billing. Resolution No. R98-719 was amended by Resolution No. R2000-553 to provide for an interest rate reduction from 8% to 6½%. This new Resolution will clarify certain provisions of Resolution No. R98-719 and add the Department's Fire Sprinkler System Connection Fee (Connection Fee) to the fees which may be deferred, where the building being connected to County fire line facilities is preexisting, and where the building's existing fire protection system utilized a non-public water supply, or the building had no existing fire protection system. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Work Authorization No. 7 to the Water Utilities Department continuing construction contract with AKA Services, Inc. (R2008-0769) for construction of the Seminole Pratt-Whitney Road Water Main Stub-Out & Fire Hydrant Installations (S.R. 80 to south of Okeechobee Blvd.) in the amount of \$298,699. **SUMMARY:** This Work Authorization provides for construction of eight (8) inch DIP potable water main extensions (stub-outs) and 18 fire hydrant installations. The additional fire hydrants will provide increased fire protection to the commercial and residential properties along Seminole Pratt-Whitney Road and the water main stub-outs will be installed to allow future connection to the County's potable water system to potential customers in the service area and satisfy requirements as per Interlocal Agreement (R2008-0461 & R2008-0462) with Indian Trails Improvement District (ITID). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. The contract with AKA Services, Inc. provides for SBE participation of 15.00% overall. This Authorization includes 26.28% overall participation. The cumulative SBE participation, including this Authorization, is 19.02% overall. (WUD Project No. 08-049) District 6 (MJ)

3. **Staff recommends motion to approve:** Work Authorization No. 14 to the Optimization and Improvements Design/Build Services with Globaltech, Inc. (R2008-2323) for replacement of the Town of Mangonia Park elevated water storage tank bowl and riser pipe in the amount of \$427,636. **SUMMARY:** On December 16, 2008, the Board approved the Water Utilities Department Optimization and Improvements Design/Build Services Contract with Globaltech, Inc. for treatment plant and regional pump station projects. This Work Authorization is a guaranteed maximum price for replacement of the Mangonia Park 100,000 gallon elevated water storage tank bowl and riser pipe utilizing Community Development Block Grant (CDBG) funds from Housing and Community Development (HCD). The elevated water storage tank bowl and riser pipe must be replaced to insure integrity under hurricane conditions prior to the start of the hurricane season. In addition, the tank legs will be stiffened and the entire tank painted. The Mangonia Park Town Council approved the recommendations for repairs and replacement on January 22, 2009. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75.00% overall. This Authorization includes 36.60% overall participation. The cumulative SBE participation, including this Work Authorization, is 55.30% overall. (WUD Project No. 09-032) District 1 (JM)

4. **Staff recommends motion to approve:** a Partial Release of Utility Easement on land owned by American Heritage School of Boca Delray, Inc. formerly known as G.H.S., Inc. **SUMMARY:** This document will release the County's interest in two (2) portions of a utility easement recorded in the Official Records of Palm Beach County in Book 9967 Page 790 on land owned by American Heritage School of Boca Delray, Inc. The Water Utilities Department has determined that these two (2) portions of the easement are no longer needed, and therefore recommends the release. District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to approve:

A) Contract with Electron Corporation of South Florida for the FP&L Load Control at Southern Region Operations Center (SROC), Central Region Operations Center (CROC), and 9S Regional Pumping Facility; the Southern Region Water Reclamation Facility (SRWRF) Generator Switchgear; and the Electrical System Reliability Improvements in the amount of \$1,252,353; and

B) Change Order No. 1 to this Contract is the deducted amount of \$152,051.26 for cost reductions.

SUMMARY: On December 17, 2008, one (1) bid was received for the FP&L Load Control at SROC, CROC, and 9S Regional Pumping Facility; the SRWRF Generator Switchgear; and the Electrical System Reliability Improvements, with Electron Corporation of South Florida being the sole bidder in the amount of \$1,252,353. Implementation of the FP&L load control at SROC will save an estimated \$38,000 annually, and operational testing must be completed by August 1, 2009. The SRWRF electrical improvements will duplicate critical equipment, which is necessary to assure uninterrupted wastewater treatment in the event of a crisis. By approving Change Order No. 1, cost reductions recommended by our consultant can be achieved in the amount of \$152,051.26. Staff and consultants have reviewed the bid and recommend award to Electron Corporation of South Florida as the sole responsive and responsible bidder in the amount of \$1,252,353. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with Electron Corporation of South Florida provides for SBE participation of 100% overall. (WUD Project No. 07-018 and WUD No. 07-133) Districts 2, 5, & 6 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Interlocal Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) in an amount not to exceed \$250,000 for infrastructure improvements to the North Westgate stormwater drainage basin through the Chain of Lakes Partnership Grant Program (COLPGP); and

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

SUMMARY: On April 10, 2007, the BCC approved a \$1,250,000 Amendment No. 1 (R2007-0531) to the State's Department of Environmental Protection (FDEP) Grant Agreement No. LP6077 for the COLPGP. Construction projects benefiting Chain of Lakes habitat and water quality will be administered as subgrants via Interlocal Agreements with the responsible entities. The total grant funding for the projects is \$2,050,000. A 100% match is required from the local entities. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve Agreement No. 4600001636 with the South Florida Water Management District (SFWMD) for the Sandhill Crane East - Loxahatchee Slough Restoration Phase II, commencing upon execution in FY2009 for a period of one (1) year in an amount not to exceed \$750,000;

B) approve Budget Amendment of \$750,000 in the Natural Areas Fund to recognize the Agreement revenue and includes a Transfer from Reserves to serve as match for a total project cost of \$1,500,000; and

C) 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: The Loxahatchee River Preservation Initiative (LRPI) grant provides \$750,000 in funding administered by the SFWMD for the Project on a reimbursement basis. The County's share of the \$1,500,000 project cost is \$750,000 in non-ad valorem revenues earned in the Natural Areas Fund. The proposed restoration activities for Phase II of the Project include backfilling agricultural ditches, and ground control treatment of exotic vegetation (primarily Brazilian pepper, climbing fern, and Australian pine). District 1 (SF)

3. Staff recommends motion to:

A) approve Budget Amendment of \$617,682 in the Capital Outlay Fund decreasing the Transfer from the Natural Areas Fund;

B) approve Budget Transfer of \$617,682 in the Natural Areas from a Transfer to the Capital Outlay Fund to a Transfer to the Environmental Resources Capital Fund; and

C) approve Budget Amendment of \$617,682 in the Environmental Resources Capital Fund to recognize the Transfer from the Natural Areas Fund.

SUMMARY: A Budget Amendment in the Capital Outlay Fund will reduce funding for Juno Dunes Natural Area (\$98,418), Delaware Scrub (\$174,567), Pondhawk Natural Area (\$304,312) and Ocean Ridge Natural Area (\$40,385) as provided through a transfer from the Natural Areas Fund. A Budget Amendment in the Environmental Resources Capital Fund will provide funding for Juno Dunes Natural Area (\$98,418), Delaware Scrub (\$214,952), and Pondhawk Natural Area (\$304,312) through a transfer from the Natural Areas Fund. Ocean Ridge Natural Area is capital complete and the residual budget balance is used to increase the allocation for Delaware Scrub by \$40,385. These adjustments move the project budgets from the Countywide Capital Outlay Fund to the Environmental Resources Capital Fund to improve accounting and reporting for Natural Areas projects. Districts 1 & 4 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. **Staff recommends motion to approve:** Work Order No. 1666-02 to Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666) with Eastman Aggregates Enterprises, LLC (Eastman) (Primary) in the amount of \$261,118 to provide restoration services for the Lake Ida Restoration Project. **SUMMARY:** The BCC approved the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666) on September 9, 2008. Work Order No. 1666-02 is the second of two (2) Work Orders, which authorizes Eastman to complete the excavation portion associated with the Lake Ida Restoration Project. The overall \$880,000 project is funded by grants from the Florida Fish and Wildlife Conservation Commission, \$400,000 (R2008-1661), Chain of Lakes Partnership Grant Program, \$240,000 (R2008-0783) and Vessel Registration Fees. There is 19% Small Business and Minority Business Enterprise (SBE-MBE) subcontractor participation on this Work Order. Eastman committed to an overall 16.14% SBE-MBE participation in the Contract. Eastman has achieved 33.37% cumulative SBE-MBE participation on the Contract. District 3 (JM)

5. **Staff recommends motion to approve:** Amendment No. 1 to the Contract (R2008-0404) with Harbor Branch Oceanographic Institute at Florida Atlantic University (FAU/HBOI) to conduct oyster monitoring in Lake Worth Lagoon (LWL), and to extend the Contract twelve (12) months to June 30, 2010 at an increase of \$74,000. **SUMMARY:** The Amendment No. 1 authorizes FAU/HBOI to monitor three (3) oyster reef sites located within the Lake Worth Lagoon (LWL), for an additional year, as part of the monitoring efforts described in the revised Lake Worth Lagoon Management Plan (LWLMP) 2007. In South Florida, restoration of oyster populations is an important component and metric for the northern estuaries within Comprehensive Everglades Restoration Program (CERP). Funding is provided through the Florida Department of Environmental Protection (FDEP) Contract No. LP6046 (R2006-0583, R2007-2279). The fifty percent (50%) required match is provided through in-kind staff time. Countywide (SF)

6. **Staff recommends motion to approve:** Amendment No. 1 to incorporate a revised scope of work to the Contract (R2009-0106) with the Loggerhead Marineline Center, Inc. (LMC) for additional sea turtle monitoring services in association with the Juno Beach Shoreline Protection Project and the Jupiter Inlet District (JID) Jupiter Inlet Maintenance Dredging Project. **SUMMARY:** This Amendment incorporates a revised Scope of Work to the Contract for sea turtle monitoring services with LMC, approved by the Board on January 13, 2009, to include permit required monitoring tasks for the JID Jupiter Inlet Maintenance Dredging Project (scheduled for March/April 2009), and a reduction in monitoring tasks associated with the Juno Beach Shoreline Protection Project. This Amendment will result in no net increase to the Contract not-to-exceed amount of \$592,365. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Agreement with the City of Delray Beach for the period March 17, 2009, through October 1, 2009, in an amount not to exceed \$5,000 for Delray Divas Step Team, and Delray Diamonds and Pearls Dance Team program expenses. **SUMMARY:** This funding is to offset the cost of program expenses for Delray Divas Step Team and Delray Diamonds and Pearls Dance Team program expenses. These programs are sponsored by the City of Delray Beach and serve approximately 75 youth annually. 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 Expanding and Preserving Our Cultural Heritage, Inc. (EPOCH) for the period March 17, 2009, through December 30, 2009, in an amount not to exceed \$8,000 for funding of the Spady Kids Cultural Club programs. **SUMMARY:** This funding is to help offset costs for Spady Kids Cultural Club programs sponsored by EPOCH at the Spady House Cultural Heritage Museum and the Delray Full Service Center. Approximately 300 children and youth participate in these programs. The Agreement allows for the reimbursement of eligible expenses 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 Inlet Grove Community High School, Inc. for the period March 17, 2009, through June 30, 2009, in an amount not to exceed \$13,650 for a student trip to Washington, D.C. **SUMMARY:** This funding is to help offset costs paid by Inlet Grove Community High School, Inc. for a student trip to Washington, D.C. to attend presidential inauguration ceremonies. Thirty students participated in the trip. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to January 15, 2009. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
4. **Staff recommends motion to approve:** Agreement with Third and Division, Inc. for the period March 17, 2009, through May 2, 2010, in an amount not to exceed \$5,000 for the recreational program for youth. **SUMMARY:** This funding is to assist with costs for the recreational program for youth held on Friday nights at the Third and Division Recreation Center in West Palm Beach. Approximately 20 youth participate at each weekly session. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to February 2, 2009. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
5. **Staff recommends motion to approve:**
 - A) Budget Transfer of \$50,000 within the \$25 Million GO Parks and Cultural Improvements Bond Fund - 2003 from Phil Foster Fishing Pier to Jupiter Beach Park Seawall; and
 - B) Budget Transfer of \$50,000 within the \$25 Million GO Parks and Cultural Improvements Bond Fund - 2005 from Phil Foster Fishing Pier to Jupiter Beach Park Seawall.

SUMMARY: These budget transfers totaling \$100,000 to the Jupiter Beach Park Seawall project are necessary to provide funding to replace the lift station destroyed as a result of Subtropical Storm Andrea. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to:

A) ratify the signature of the Chairman of the Board of County Commissioners on a National Park Service's American Battlefield Protection Program (ABPP) grant application submitted on January 19, 2009, requesting \$41,000 for the development of a battlefield site identification plan at Riverbend Park;

B) authorize the County Administrator or his designee to execute the grant funding Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement, if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with the National Park Service for this project.

SUMMARY: The American Battlefield Protection Program makes federal funds from the National Park Service available to local governments for the protection of battlefield land, and sites associated with battlefields, that are located on American soil. The purpose of this program is to provide seed money for projects that lead directly to the preservation of battlefield land and/or their associated sites. If awarded, this grant funding will become available in August 2009. The grant will be matched with \$2,500 of in-kind service of staff time. District 1 (AH)

7. Staff recommends motion to approve: Interlocal Agreement with the Village of Palm Springs in an amount not to exceed \$103,000 for the period March 17, 2009, through March 16, 2012, for funding of the Village Center Complex ballfield re-lighting project. **SUMMARY:** This Agreement provides funding for the removal of existing lighting and the purchase and installation of ballfield lighting and lighting control system on the Major Field at the Village Center Complex ballfields in Palm Springs. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to November 5, 2002. Funding is from the 2002 \$50 Million Recreation and Cultural Facilities Bond referendum. District 3 (PK)

8. Staff recommends motion to approve: Interlocal Agreement with the City of Pahokee for the period March 17, 2009, through December 1, 2009, in an amount not to exceed \$150,000 for funding of design and permitting for the Pahokee Eco-Islands project. **SUMMARY:** This funding is for design and permitting of the Pahokee Eco-Islands project which will construct environmental barrier islands within the city limits of Pahokee in Lake Okeechobee. Approximately 600,000 users will benefit from the Eco-Island project when completed. The Agreement allows for the reimbursement of expenses incurred subsequent to January 1, 2009. Funding is from the 2005 \$50 Million General Obligation Waterfront Access Bond referendum. District 6 (PK)

9. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Washington Elementary School in an amount not to exceed \$5,000 for the purchase of musical instruments. **SUMMARY:** This fully executed Request for Funding Form is for a School Board RAP allocation made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

10. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Glades Central Community High School in an amount not to exceed \$3,000 for funding of football program travel expenses. **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)

11. **DELETED**

12. Staff recommends motion to approve:
 - A) a Budget Transfer of \$200,000 in the Transportation Improvement Fund from Reserve for District 3 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 3 Recreation Assistance Program.

SUMMARY: The budget transfers and budget amendment recommended in this item 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 3 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 3 recreational or cultural projects that the District 3 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 3 for FY 2009 is \$0. District 3 (AH)

13. Staff recommends motion to approve: First Amendment to Independent Contractor Agreement (R2008-0439) with Gordon Andrews for USA Competitive Head Swim Coach services at Lake Lytal Pool for the period February 1, 2008, through January 31, 2009. **SUMMARY:** On January 18, 2008, the Parks and Recreation Department entered into an independent Contractor Agreement with Gordon Andrews to provide coaching services for the USA Swimming program at Lake Lytal Pool. Under this original Agreement, the total amount to be paid by the County for all services and materials was not to exceed \$70,000. This First Amendment increases the total contract amount by \$880 to \$70,880. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

14. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the months of January and February:
- A) Michael Alford, Basketball Referee, Westgate Park and Recreation Center;
 - B) Arthur Gibson, Basketball Referee, Westgate Park and Recreation Center;
 - C) Caroline Andre, Cheerleading Coach, Westgate Park and Recreation Center;
 - D) Rising Stars Gymnastics, Inc., Gymnastics and Cheerleading Instructor, Coconut Cove Recreation Center;
 - E) Palm Beach County Officials, Inc., Volleyball Official, West Boynton Park & Recreation Center; and
 - F) Swing with the King, Inc., Tennis Instructor, John Prince 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, 3 & 5 (AH)

15. Staff recommends motion to approve: Third Amendment to the Contract with The ICEE Company (R2004-1360), as amended, for the provision of frozen carbonated beverage drinks and dispensing equipment to County waterparks and Lake Lytal Pool for the period June 8, 2008, through June 7, 2009. **SUMMARY:** On June 8, 2004, the Board approved a Contract with The ICEE Company (R2004-1360) to provide frozen carbonated beverage drinks and dispensing equipment to County waterparks. The original Contract provided for an initial three (3) year term, with two (2) one (1) year renewal options. The Contract will expire June 7, 2009. This Third Amendment adds Lake Lytal Pool to The ICEE Company's service locations and renews the final pricing period by increasing the per item amount the County will pay to The ICEE Company for frozen carbonated beverages (FCB) for the period March 1, 2009, through June 7, 2009. All other terms of the Agreement remain the same. Districts 2, 5 & 6 (AH)
16. Staff recommends motion to approve: Budget Transfer of \$200,000 in the Park Impact Fees Zone 2 Reserves for District Park F to Okeeheelee South Park Development Phase III. **SUMMARY:** This Budget Transfer will fund the additional site work necessary to complete wetland creation and exotic removal as required under permits issued by the Army Corps of Engineers (ACOE) and the South Florida Water Management District (SFWMD) for construction of the recreational lake system in Okeeheelee South Park. It will also provide the funding needed to construct equestrian, bike and pedestrian trails, as well as to continue our exotic plant removal and reforestation program. District 6 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

A) receive and file Grant Agreement in the amount of \$942,876 awarded by the Florida Department of State, Division of Library and Information Services for FY 2009 State Aid to Libraries; and

B) approve a downward Budget Amendment of \$395,659 in the County Library Fund to reconcile the State Aid to Libraries Grant budget to the actual award amount.

SUMMARY: The Application was approved and the Agreement was signed by the BCC on September 9, 2008 (R2008-1535 and R2008-1536). Notification of the award was issued on February 6, 2009. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2009 budget. Countywide (TKF)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: Grant Agreement with the Western Palm Beach County Farm Bureau in an amount not to exceed \$24,975 from Agricultural Economic Development Program funds to assist in conducting the 2009 Palm Beach County Sweet Corn Fiesta in West Palm Beach. **SUMMARY:** The 2009 Palm Beach County Sweet Corn Fiesta will be held on April 26, 2009, with expenses incurred after April 1, 2009 being eligible for reimbursement. This event will increase public awareness of local agriculture on a regional and statewide basis. It provides an opportunity for a local agricultural organization, the Western Palm Beach County Farm Bureau, to stage an event that will make residents more aware of the significance of the largest vegetable row crop in the County's billion-dollar agricultural industry while bringing in people from surrounding counties. This is the 9th year for the event. The Palm Beach County Agricultural Enhancement Council has reviewed the request and met with representatives of the Western Palm Beach County Farm Bureau. Countywide (AH)

2. Staff recommends motion to approve: reallocation of \$30,000 from the Citrus Garden Redevelopment Project (AG04-101 AG 04-CA-6505) to the Mounts Botanical Garden Entrance Project (AG 05-101 AG 05-CA-6301) for the purpose of reconstructing two (2) damaged gazebo structures in the parking area and front entrance of the Mounts Botanical Garden. **SUMMARY:** In 2008, the gazebo structures in the parking area and front entrance of the Mounts Botanical Garden were partially demolished due to deterioration causing unsafe conditions. Reallocation of these funds will enable these structures to be repaired. District 6 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) an Interlocal Agreement in the amount of \$49,000 with the Palm Beach County Sheriffs Office (PBSO) to implement the law enforcement component of the Youth Violence Prevention Project;

B) a Budget Transfer of \$49,000 in the General Fund; and

C) a Budget Amendment of \$49,000 in the Sheriff's Grant Fund to establish budget for the project.

SUMMARY: The Law Enforcement Planning Council, representing the Law Enforcement component of the Youth Violence Prevention Project (YVPP), has approved up to \$49,000 for overtime to support the YVPP Gun Show Initiative. This initiative is focused on stopping the illegal sales and purchases of guns at gun shows which are a major source of firearms for youthful offenders. Countywide (DW)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: three (3) original standard Agreements for the Fire Rescue Department:

A) Interlocal Agreement for Swimming Lessons with the City of West Palm Beach;

B) Interlocal Agreement for Swimming Lessons with the City of Delray Beach; and

C) Interlocal Agreement for Swimming Lessons with the City of Palm Beach Gardens.

SUMMARY: On September 27, 2005, the Board adopted Resolution No. R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard Agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, three (3) standard County Agreements that have been executed by the County Administrator, or his designee (the Fire Rescue Administrator) are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

3. CONSENT AGENDA APPROVAL

V. METROPOLITAN PLANNING ORGANIZATION

1. Staff recommends motion to:

A) receive and file Joint Participation Agreement (JPA) Number AOI82 with the State of Florida Department of Transportation for Independent Transportation Network for seniors; and

B) approve a Budget Amendment of \$100,000 in the Metropolitan Planning Organization (MPO) Fund to recognize the Joint Participation Agreement (JPA) Number AOI82 with the State of Florida Department of Transportation for Independent Transportation Network for seniors.

SUMMARY: This amendment is necessary to reflect a \$100,000 grant from the State of Florida Department of Transportation (FDOT) for a Senior One-Stop Transportation Program to assist seniors to become and stay mobility independent. The MPO desires to provide funds from the FDOT to assist in the development of a program that will increase awareness of transportation alternatives available for seniors, provide guidance and direction for seniors mobility needs, and provide seniors assistance in the usage of mobility options. The program will be administered by Area Agency on Aging of Palm Beach/Treasure Coast, Inc. Required matching funds of \$100,000 (50%) are being provided by Area Agency on Aging of Palm Beach/Treasure Coast, Inc. Countywide (DR)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the executed grant contract with the State of Florida, Department of Community Affairs to receive emergency management grant funds in the amount of \$98,726 from October 1, 2008, through September 30, 2009. **SUMMARY:** This is an annual grant that the Division of Emergency Management receives to enhance emergency management plans and programs of the County consistent with the State Comprehensive Emergency Management Plan and Programs. Resolution R2006-0401 gave authority to the County Administrator or his designee to execute these agreements on behalf of the Board. No cash match is required. Countywide (GB)

2. Staff recommends motion to:

A) receive and file the executed grant agreement with Florida Department of Community Affairs to receive Emergency Management Performance Grant funding in the amount of \$73,058 from August 1, 2008, through July 31, 2009; and

B) approve a Budget Amendment of \$73,058 in the EM grant fund to establish grant budget.

SUMMARY: This grant consists of residual funds that have been dispersed by U.S. Department of Homeland Security through the Florida Department of Community Affairs. This grant will be used to partially pay for a Palm Beach County WebEOC Regional Web-Based Information Sharing System which will be located at the EOC. Resolution R2006-0401 gave authority to the County Administrator or his designee to execute these agreements on behalf of the Board. No cash match is required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** Renewal of the Property Insurance Policy from National Union Fire Insurance Company, purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, in an amount not to exceed \$575,000 for the designated properties of Water Utilities for the period April 1, 2009, through April 1, 2010. **SUMMARY:** This policy from National Union Fire Insurance Company provides \$200,000,000 of "all-risk" coverage excess of a \$1,000,000 deductible. A reduced sublimit of \$50,000,000 applies to losses from "named windstorms" subject to a 5% of insured values deductible. Insured values for the renewal period have increased by 18.98% over those for the current policy period. The not to exceed renewal premium is \$575,000; an increase of 3.6%. Sufficient funds are budgeted in FY 2009 for this coverage. Countywide (TF/MJ)

2. **Staff recommends motion to approve:** Renewal of the Excess Automobile Liability Insurance Policy from State National Insurance Company, purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, in an amount not to exceed \$369,000 for the operation of Palm Tran, Inc.'s bus fleet for the period April 1, 2009, through April 1, 2010. **SUMMARY:** This policy from State National Insurance Company provides \$2,000,000 of coverage excess of a \$100,000 per claimant/\$200,000 per occurrence self-insured retention that is provided by the Self-Insured Retention Plan. The not to exceed renewal premium is \$369,000; an increase of 2.3%. This premium is not subject to adjustment for changes in the size of the fleet during the policy period. Sufficient funds are budgeted in FY 2009 for this coverage. Countywide (TF/DR)

3. **Staff recommends motion to approve:** Renewal of the Excess Property & Liability Insurance Program for the period April 1, 2009, through March 31, 2010 purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, for a total cost not to exceed \$12,280,000. **SUMMARY:** The Excess Property & Liability Insurance Program currently provides excess layers of property insurance totaling \$150 million inclusive of the County's \$1,000,000 self insured retention and excess layers of liability insurance totaling \$6 million inclusive of the County's \$500,000 self-insured retention. The program also includes various ancillary excess insurance covering damage to County-owned property resulting from flood, terrorism, boiler & machinery, and employee dishonesty. The total not to exceed cost of \$ 12,280,000 is inclusive of anticipated mid-year charges for newly added properties and represents a \$1,356,170 (12.4%) increase over the actual expiring premium of \$10,923,830. The County's total insurable values have increased 12.9 % this year to approximately \$1.95 billion. The increase in cost is also impacted by a variety of State mandated surcharges and assessments. Sufficient funds are budgeted in FY 2009 for this coverage. Countywide (TF)

AA. PALM TRAN

1. **Staff recommends motion to approve:** Interlocal Agreement with the Village of Wellington to reimburse, in part, Palm Beach County for the delivery of door-to-door paratransit transportation services to the Village of Wellington residents with Americans with Disability Act (ADA) eligibility in an amount not to exceed \$40,000 for the period October 1, 2008, through September 30, 2009. **SUMMARY:** This Interlocal Agreement with the Village of Wellington will provide paratransit services to residents no longer eligible for Americans with Disabilities Act (ADA) paratransit services due to the redefinition of the ADA core area. This agreement takes effect October 1, 2008, and expires September 30, 2009, in an amount not to exceed \$40,000. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to approve:

A) Standard Agreement with the Area Agency on Aging (AAA) in the amount of \$363,283 to fund transportation services for the Division of Senior Services (DOSS) program from January 1, 2009, through December 31, 2009; and

B) Budget Amendment of \$240 in the Palm Tran Operating budget to recognize a reduction in funding.

SUMMARY: The Standard Agreement with the AAA includes information required by the AAA for transportation services to be provided by Palm Tran Connection for senior citizens who are clients of DOSS nutritional programs north of Hypoluxo Road. The AAA funds in the amount of \$363,283 and the local match has already been accounted for in Palm Tran Connection's approved FY 2009 budget. Countywide (DR)

BB. SHERIFF

1. Staff recommends motion to:

A) accept a Florida Department of Law Enforcement Florida Consortium "2008 Paul Coverdell National Forensic Sciences Improvement Grant" in the amount of \$41,785 for the period of October 1, 2008, through September 30, 2009; and

B) approve a Budget Amendment of \$41,785 in the Sheriff's Grant Fund.

SUMMARY: The National Institute of Justice (NIJ) awarded these funds to the Florida Department of Law Enforcement (FDLE) for the "2008 Paul Coverdell National Forensic Sciences Improvement Grant". On December 19, 2008, the Palm Beach County Sheriff's Office (PBSO) was awarded funds to improve the quality of forensic services. The PBSO's Technical Services Division will use the funds provided for overtime, training, and the purchase of a high speed scanner. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2008 Grant in the amount of \$304,715 for the purchase of computer software and hardware for Corrections Detention Center Facilities; and

B) approve a Budget Amendment of \$304,715 in the Sheriff's Grants Fund.

SUMMARY: The Bureau of Justice Assistance (BJA) has made funds available to be used for correctional purposes only. These funds will be used for the purchase, and installation of new software and hardware for the Corrections Detention Center Facilities. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required in FY 2009. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an Agreement with the Area Agency on Aging Palm Beach/Treasure Coast, Inc., in the amount of \$10,200, for the Elderly Abuse Training Project FY 2009 for the period of October 1, 2008, to September 30, 2010; and

B) approve a Budget Amendment of \$10,200 in the Sheriff's Grant Fund.

SUMMARY: The Area Agency on Aging Palm Beach/Treasure Coast, Inc. received an award from the United States Department of Justice, Office on Violence Against Women to create a universal, coordinated, countywide response through enhanced training and strengthened partnerships to address violence and abuse against women in later life. The Palm Beach County Sheriff's Office and the Area on Aging Palm Beach County/Treasure Coast, Inc. entered into an agreement to create a local community-based program developed to assist law enforcement, prosecutors, investigators, and judges in recognizing, addressing, investigating, and prosecuting instances of elder abuse, neglect, and exploitation of women who are 50 years of age or older. Under this Agreement, the Palm Beach County Sheriff's Office will receive quarterly payments in the amount of \$2,550 for training costs associated with the program. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

4. Staff recommends motion to approve: a Budget Transfer of \$343,348 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO).

SUMMARY: Florida Statute 932.7055 requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2009 estimated donation requirement will not be finalized until year-end close-out. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETF balance is \$1,105,980. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$726,632. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (DW)

ORGANIZATION	AMOUNT
State Attorney's Office – 15th Circuit (LETF will be used to fund two (2) Assistant State Attorneys that will be assigned to the Gang & Gun Unit to assist the Sheriff's Office with issues during the investigation, intake and prosecution of gang and gun related crimes)	\$343,348
Total Amount of Donations	\$343,348

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring March 2009 as “Women’s History Month” in Palm Beach County. (Sponsored by Commissioner Marcus)

- B.** Proclamation declaring March 2009 as “Bicycling Month in Palm Beach County and Southeast Florida.” (Sponsored by Commissioner Koons)

- C.** Proclamation declaring March 22, 2009 as “Darrell Gwynn Foundation Day” in Palm Beach County. (Sponsored by Commissioner Marcus)

- D.** Proclamation declaring March 25, 2009 as “Kick Butts Day” in Palm Beach County. (Sponsored by Commissioner Koons)

- E.** Proclamation declaring April 5 – 11, 2009 as “Contract Management Week” in Palm Beach County. (Sponsored by Commissioner Santamaria)

- F.** Proclamation declaring April 2009 as “Water Conservation Month” in Palm Beach County. (Sponsored by Commissioner Santamaria)

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

- A. **Staff recommends motion to adopt:** a Resolution abandoning a portion of Genessee Avenue within the plat of Westgate Estates, as recorded in Plat Book 8, Page 38, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located south of Okeechobee Boulevard, lying between Seminole Boulevard and Osceola Drive. The petitioner is requesting the abandonment to accommodate a storm water management system in conjunction with the construction of infrastructure improvements anticipated by the Westgate Belvedere Homes Community Redevelopment Agency (CRA) North Westgate Improvement Project. District 2 (PK)

- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 07-003, providing a revised schedule of rates, fees, and charges for potable water, wastewater, and reclaimed water services; providing for inclusion in the Water Utilities Department's Uniform Policies and Procedures Manual; providing for repeal of laws in conflict; providing for severability; and providing for an effective date. **SUMMARY:** On April 15, 2008, the Board of County Commissioners approved an ordinance (Ordinance No. 2008-010) establishing a 15% surcharge on potable water and wastewater fees to offset the fiscal impact resulting from mandatory water restrictions. The ordinance provided that the surcharge would remain in effect until April 30, 2009. Despite receiving \$6.2 million in surcharge revenue, the Water Utilities Department (Department) sustained an operating loss of \$4.9 million for the fiscal year ending September 30, 2008. In order to meet the escalating operating costs, maintain adequate reserves, and provide for adequate debt service coverage, the Department has completed a rate study to determine its revenue requirements. The rate study recommends that the 15% surcharge on the monthly bills be replaced with a rate increase of approximately 11.75%. The rate study also recommends an increase in guaranteed revenue fees, connection fees, deposits, and other miscellaneous fees. For reclaimed water, the Department is recommending a new connection fee for new reclaimed water customers and an increase in the base facility fees and commodity fees. In the past, reclaimed water customers paid no connection fees, and the revenue from reclaimed water service has not covered the cost of the service. Under the revised rates, new reclaimed water customers will pay a connection fee, but will pay lower base facility fees than the existing customer who have not paid connection fees. Countywide (MJ)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, to reduce youth smoking and improve the health of Florida citizens. **SUMMARY:** At the February 24, 2009 Board of County Commissioners Meeting, Commissioner Jeff Koons requested this Resolution be considered by the Board at their next meeting. This Resolution also supports increasing the Cigarette Excise Tax in Florida by \$1 per pack, which will reduce smoking, especially among children and fund critical healthcare priorities such as Medically Needy health insurance, emergency room care, disease prevention, and medical research. Countywide (DW)

2. **Staff requests Board direction regarding:**

A) authorizing the relocation of the Tax Collector of Palm Beach County's principal office from the Governmental Center to 4349 Forest Hill Boulevard, also replacing the current suburban Lake Worth office;

B) authorizing the scheduling of two (2) Public Hearings to expand the boundaries of the County seat to include 4349 Forest Hill Boulevard; and

C) adopting a Resolution ratifying and affirming the Tax Collector's other existing branch offices.

SUMMARY: The Tax Collector's suburban Lake Worth facility, on Military Trail just north of Lake Worth Road, eventually needs replacement. The Tax Collector desires to have built and lease back a new facility at 4349 Forest Hill Boulevard to provide more parking, office space, services and better business processing. When this building is completed, the Tax Collector would move the principal offices to the new location and out of the Governmental Center. The Florida Constitution requires the Board of County Commissioners to adopt a Resolution approving the location of branch offices for the Tax Collector for the conduct of County business. In addition, if the Tax Collector's principal offices are to be moved, this Board would have to modify the current boundaries of the County seat to include the Forest Hill Boulevard property. The Office of the Tax Collector funds its budget from service fees, the unspent balance of which are passed on to the County and other governments. To the extent the Tax Collector uses those fees to fund the new building they will not be available to the County and other agencies. The timing and budget for the new building could be a factor in Board consideration of this item. District 2 (JM)

B. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving revisions to the Investment Policy for Surplus County Funds; adopting the revised and restated Investment Policy; rescinding all conflicting Investment Policy Resolutions; and providing for an effective date. **SUMMARY:** On January 15, 2009, the Investment Policy Committee recommended several revisions to the County's Investment Policy. Those revisions include limitations on the purchase of securities with lower than AA ratings; adding wording regarding the disqualification of companies doing business with Iran's energy sector and the Sudan; revising the criteria for the selection of authorized brokers/dealers; and providing for the disposition of unauthorized investment types received by the County due to settlement of local proceeding. Staff recommends that the Investment Policy be restated, due to the many amending resolutions approved over 20 years. Countywide (PFK)

6. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) adopt a Resolution to approve Amendment Number Five, for the enhancement of the operation of the Palm Beach County (County) computerized signal system, per Joint Participation Agreement with the Florida Department of Transportation (FDOT) R2000-0744, to increase FDOT's grant for the salaries to \$500,000 per year; and

B) approve an additional position of a Professional Engineer.

SUMMARY: FDOT is increasing the grant for the salaries from \$400,000 to \$500,000 per year, through the FY 2009/2010 with this Amendment, which has already been programmed to be funded under the Transportation Improvement Program through FY 2013. Approval of this Amendment will allow the County to avail itself of an additional \$100,000 per year to add a Signal Timing Engineer's position. This will enhance the operation of the computerized signal system in the County. If the grant agreement is not extended to 2013, the additional position will be eliminated. Countywide (MRE)

D. PUBLIC SAFETY

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners, Palm Beach County, Florida establishing and approving the new MVP Program through the Department of Public Safety, Consumer Affairs Division; and

B) authorize the County Administrator or his designee to execute a standard MVP Program agreement including its terms and conditions on behalf of the Board of County Commissioners.

SUMMARY: The proposed Resolution implements the new MVP Program. The program is designed to recognize businesses which voluntarily agree to meet high standards with the purpose of increasing consumer confidence. The general public will be able to recognize an MVP business member as a company which is committed to fairness and ethical treatment of consumers who need the valuable products and services those businesses provide. Funds from annual MVP subscriptions will offset the ad valorem cost for operating the Consumer Affairs' mediation, education and consumer protection programs. The proposed MVP fees are identified in the Resolution and the MVP Application. Countywide (GDB)

6. REGULAR AGENDA

E. WATER UTILITIES

1. **Staff recommends motion to adopt:** a Resolution revising various chapters of the Water Utilities Department's Uniform Policies and Procedures (UPAP) Manual. **SUMMARY:** The UPAP is a codification of the Department's fees, standards, standard legal documents, policies, and procedures governing the provision of potable water, reclaimed water, and wastewater services. The Department performs a review of the UPAP from time to time to ensure the continued effective and efficient delivery of utility services. The proposed revisions include: a requirement for new customers to apply for service in person and pay the deposit and activation fee; a requirement for an account deposit equal to 150% of the normal deposit if service has been terminated twice in any 12-month period; deletion of language relating to bi-monthly meter reading; revised procedures for Administrative Hearings; revised formula for calculating excessive usage credits; requirement that permanent disconnects be allowed only if the dwelling no longer exists on the property and that the permanent disconnect be recorded; new penalties for moving construction meters; clarification of language relating to Utility Concurrency Letters; expansion of the approved materials list; new standards for lake discharge of reuse water for irrigation purposes; revision of pavement restoration details to match PBC Engineering standards; update of the pretreatment program's response plan; clarification of requirements for reduced pressure assemblies; new requirement that backflow re-certification be received by WUD prior to the expiration of the previous certification; and deletion of references and tables relating to water restrictions since they are available in the Florida Administrative Code and Water Management District regulations; and various other miscellaneous revisions and corrections. Countywide (MJ)

F. FACILITES DEVELOPMENT & OPERATIONS

TIME CERTAIN – 11:00 A.M.

1. **Staff:**
 - A) recommends motion to approve** in concept a land swap exchanging the County's holdings in a portion of the Evernia/Fern Block for private holdings in a portion of the Datura/Evernia Block; and
 - B) request Board direction** regarding the issuance of an RFP for development of the "wedge" and limited adjacent property next to the Tri-Rail station, not the entire Transit Oriented Development (TOD), in West Palm Beach.

SUMMARY: The Board has had multiple presentations over years on development scenarios for the Transit Oriented Development (TOD) site around the Tri-Rail station. The County owns much of the targeted land. In the current economic environment, it is unlikely that the financial benefits of proceeding with the TOD projected by the most active development interest (Michael Massanoff) will be realized. Staff continues to pursue a land exchange with the State to consolidate governmental ownership on the Clematis/Datura Block, which is an essential precondition to the County being able to sell the remainder of our holdings for TOD development. Due to the length of time it is taking to effectuate the consolidation of governmental ownership, Mr. Massanoff is requesting a new project structure involving less land that could proceed more quickly. The balance of the TOD could be developed in the future. Staff is concerned that splitting the TOD by doing multiple RFP's east of Tamarind Avenue diminishes the future value of County property and that current market conditions (downtown vacancies and lack of financing) do not lend themselves to competitive proposals and financial value. The Board is reminded that staff, except for developing the "wedge", has never endorsed the overall TOD because of potential costs, future government needs for the property and staff time required to further the TOD. In any event, the proposed land exchange (motion A) is in the County's long term interest because it creates a more usable piece of County property. Countywide (PFK)

6. REGULAR AGENDA

F. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) a Interlocal Agreement with South Florida Regional Transportation Authority (SFRTA) providing for the cooperative development of the West Palm Beach Intermodal Transit Facility (ITF);

B) a Easement Agreement in favor of SFRTA for shared employee parking and public parking;

C) a License Agreement in favor of the County for use of SFRTA's restrooms;

D) Amendment No. 2 to the Contract with Catalfumo Construction, Ltd. (R2007-1217) in the amount of \$1,006,446.88 establishing a Guaranteed Maximum Price (GMP) for the SFRTA parking lot at the West Palm Beach ITF contingent on SFRTA approving the Interlocal Agreement on March 27, 2009; and

E) a Budget Amendment of \$1,006,447 in the Public Building Improvement Fund recognizing revenue from SFRTA and creating a project budget.

SUMMARY: The County owns a 5.76-acre parcel of property at the southeast corner of Banyan Boulevard and Clearwater Drive, adjacent to the Tri-Rail Station, which is being developed as an Intermodal Transit Facility (ITF). The County is cooperating with SFRTA to make available 1.94 acres for development of a parking lot with 163 spaces for Tri-Rail riders and both SFRTA and Palm Tran employees. Catalfumo Construction is constructing the ITF for the County and SFRTA is contracting with the County to utilize the County's contract with Catalfumo for construction of the parking lot. SFRTA will fund the design and construction of the parking lot at a not-to-exceed cost of \$1,006,446.88, and the County will fund \$15,000 for security modifications to SFRTA's building required for the County's use. All previous Agreements with SFRTA for construction and use of the parking lot are being terminated and replaced with the Interlocal Agreement, Easement Agreement and License Agreement. Pursuant to Catalfumo's annual CM-at-Risk Contract, Amendment No. 2 will implement the construction of the SFRTA parking lot with associated drainage, lighting, landscaping and irrigation on the northern portion of the ITF property. The SBE participation goal is 15%. Catalfumo's GMP includes participation of 13.4%. The construction duration is 120 calendar days. The County will provide SFRTA with construction administration services for a fee of \$15,000 and SFRTA will be responsible for acquisition of all necessary permits prior to construction. SFRTA has scheduled the Agreements to be approved by their Governing Board on March 27, 2009. Staff will not issue the Notice to Proceed to Catalfumo until the Agreements are approved and executed by SFRTA. (PREM/CID) District 7 (HJF/JM)

6. REGULAR AGENDA

F. FACILITES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to:

A) approve a Budget Transfer in the amount of \$3,460,917 from Reserves in the 80.705M NAV 01, Convention Center Fund which reallocates monies within the fund to increase the Renewal/Replacement Line from \$2,400,000 to \$5,860,917;

B) authorize staff to prepare an Amendment to the Tourist Development Plan/Ordinance to allow for the use of the 4th cent revenues for renewal/replacement at Roger Dean Stadium;

C) allocate \$13,000,000 from the Bed Tax 4th and 1st Cent General Reserves to establish a Renewal/Replacement Restricted Reserve within the same fund; and

D) authorize staff to commence negotiations with the Jupiter Stadium LTD (Teams) on an Amendment to the Use Agreement for Roger Dean Stadium to address the Team's annual contribution to the Renewal/Replacement Restricted Reserve, establish procedures for the use of the funds as well as any other terms that the Teams and the County believe need to re-addressed.

SUMMARY: FDO staff in conjunction with Global Spectrum and the Teams conducted a comprehensive condition analysis to update its ten (10) year forecast of renewal/replacement requirements at both the Convention Center and Roger Dean Stadium; the two (2) County-owned facilities funded with Bed Tax Revenues. A total of \$18,000,000 in renewal/replacement expenditures are forecasted for the two (2) facilities over the next ten (10) years. Staff also looked at other issues which impact the establishment of a renewal/replacement project line when using bed tax revenues as the funding source, and the legalities associated with funding a renewal/replacement fund for Roger Dean Stadium compliant with the private activity restrictions of bonds which were used to fund Roger Dean Stadium. FDO staff presented its recommendations to the Tourist Development Council (TDC) on February 12, 2009. The TDC concurred with all recommendations but for the amount of funding to be set aside for this purpose (Motion C). FDO staff recommends that a Renewal/Replacement Fund Restricted Reserve be allocated in the amount of \$13,000,000 from the 1st and 4th Cent Bed Tax General Reserve to be used solely for renewal/replacement at the Convention Center and Roger Dean Stadium. The \$13,000,000 set aside now, combined with interest to be accrued, as well as, annual revenues received from the Teams should be sufficient to meet the estimated \$18,000,000 in renewal/replacement needs at the two (2) facilities over the next ten (10) years. The TDC's alternate recommendation was: 1) a one-time transfer of \$6,400,000 from 1st Cent Reserves to the Renewal/Replacement Restricted Reserve for the Convention Center and the Stadium; and 2) begin annual contributions of \$675,000 annually in 2014 from the 4th and/or 1st Cent Annual Reserves to the Renewal/Replacement Restricted Reserve. Staff is recommending that the Board proceed with its recommendation as the TDC's recommendation: 1) does not result in a sufficient source funding for the renewal/replacement account over the ten (10) year period; 2) does not address any of the policy issues associated with providing funding to protect the existing assets prior to taking on or creating new monetary obligations; 3) leaves sufficient general reserve balances (approximately \$9,000,000) for future capital projects; and 4) leaves excess annual revenues of approximately \$600,000-\$900,000 for building the general reserve balance or for allocation to other allowed uses/purposes. (FDO Admin) Countywide/Districts 1 & 7 (MC)

7. BOARD APPOINTMENTS

A. ADMINISTRATION
(Overall Economic Development Program (OEDP))

1. Staff recommends motion to approve: the appointment of the following representative to the Overall Economic Development Program (OEDP) Committee for a term of four (4) years:

Seat No.	The Glades Communities	Term Expires
21	Ashley T. Tripp	March 16, 2013

SUMMARY: On July 11, 2000, the Board of County Commissioners approved the Resolution R2000-0992 providing for the creation of the Overall Economic Development Program (OEDP) Committee. The OEDP Committee has 31 members, made up of local government officials and representatives of business, industry, finance, agriculture, the professions, organized labor, education, public health agencies, racial/ethnic minorities, and the unemployed and underemployed. The new appointment, Ashley T. Tripp, will replace former member, Kenneth Lutz. This recommendation was made by the OEDP Committee on February 5, 2009. Countywide (DW)

B. FIRE RESCUE
(Fire Rescue Advisory Board)

1. Staff recommends motion to approve: the appointment of one (1) out of two (2) individuals to replace Mr. Kevin Justice beginning on March 17, 2009, through March 16, 2012:

Appoint:

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Harold Ostrow	Financial Rep.	3	Commissioner Marcus

OR

Geoffrey Kasher	Financial Rep.	3	Commissioner Vana
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SUMMARY: The Fire Rescue Advisory Board was created by Resolution No. R89-1661 and revised by No. R92-596 on April 28, 1992. This Board consists of seven (7) (at-large) members with specific fields of expertise and serve a three (3) year term. On December 29, 2008, a memo was distributed to the County Commissioners requesting nominations to this Board. No other nominations have been received. Countywide (SGB)

C. COMMISSION DISTRICT APPOINTMENTS

MARCH 17, 2009

8. MATTERS BY THE PUBLIC – 2:00 P.M.

MARCH 17, 2009

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

MARCH 17, 2009

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 - COMMISSIONER

E. District 5 - COMMISSIONER BURT AARONSON, VICE CHAIRMAN

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER ADDIE L. GREENE

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

MARCH 17, 2009

<u>PAGE</u>	<u>ITEM</u>	
7	3A-1	<u>DELETED (PART B) ONLY</u> : Staff recommends motion to receive and file: A) ...B) Resolution No. 58-08 of the City Commission of the City of Delray Beach, Florida, opposing and protesting the efforts of Palm Beach County to deny the City's water and sewer utility the same rate-setting authority granted to all municipalities in the State of Florida that operate water or sewer utilities outside their municipal boundaries; and C)... (Admin) (City sent in error)
11	3D-1	<u>REVISED TITLE</u> : Staff recommends motion to approve: Amendment No. 12 to the Contract (R96-0714D) for the employment of Denise M. Nieman as County Attorney for a term ending September 14 <u>30</u> , 2014. (County Attorney)
12	3E-3	<u>REVISED TITLE</u> : Staff recommends motion to approve: Contract with Nonprofits First/Executive Service Corps of Southeast Florida, Inc., for the period October 1, 2008, through September 30, 2009, in an amount of \$100,000 <u>\$95,000</u> , for training, education and technical assistance. (Community Services)
13	3E-4	<u>REVISED TITLE & SUMMARY</u> : Staff recommends motion to approve: Amendment No. 2 to Children's Case Management Organization, Inc. d/b/a Families First (R2008-2125) (<u>R2007-1939</u>) for the period October 1, 2008, through September 30, 2009, to change the unit of service definition. <u>SUMMARY</u> : Adjustments to the unit of service definition is necessary in order for Families First to be able to bill for each unit of service provided. The unit is currently defined as one (1) hour of service and may include one (1) home visit, one (1) face to face, one (1) telephone call, one (1) school visit, one (1) collateral visit, or one (1) workshop. Amendment 1 extended the contract through FY 2009 and the unit pricing was based on ¼ hour of service as the billable unit of service. However, the definition of a unit of service was inadvertently not revised from the one (1) hour originally stated in the contract. The unit will now be defined as 15 minute increments of service delivery that may include home visits, face to face contacts, school visits, collateral visits, workshops, or supervision to discuss case consultations and direction for the needs of the family served. The service description is not changing and they will continue to provide the same services as contracted for in September <u>November</u> 2008. There is no change to the contract amount and no additional funding is being requested. <u>This correction is retroactive to October 1, 2008.</u> <u>Countywide</u> (TKF) (Community Services)
18	3H-12	<u>DELETED</u> : Staff recommends motion to approve: a sole source procurement with SimplexGrinnell LP for \$440,750 for a retrofit of the Fire Alarm System for the Judicial Center, SA/PPD, and the Central Energy Plant at the Government Center Complex in West Palm Beach. (FDO) (Further staff review)
19	3H-14	<u>DELETED</u> : Staff recommends motion to: A) approve an Agreement for Conveyance, Use and Maintenance with G.L. Homes of Boca Raton Associates V, Ltd. (G.L. Homes);...(FDO) (Not advertised as required)
22	3K-3	<u>DELETED</u> : Staff recommends motion to approve: Work Authorization No. 14 to the Optimization and Improvements Design/Build Services with Globaltech, Inc. (R2008-2323) for replacement of the Town of Mangonia Park elevated water storage tank bowl and riser pipe in the amount of \$427,636. (WUD) (Further staff review)

- 31 3Q-1 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:**
- A)** an Interlocal Agreement in the amount of \$49,000 with the Palm Beach County Sheriffs Office (PBSO) to implement the law enforcement component of the Youth Violence Prevention Project;
- B)** a Budget Transfer of \$49,000 in the General Fund from the Youth Violence Prevention Project to the Sheriff's Grant Fund; and **C)**...
- SUMMARY:** The Law Enforcement Planning Council, representing the Law Enforcement component of the Youth Violence Prevention Project (YVPP), has approved up to \$49,000 for overtime to support the YVPP Gun Show Initiative. The additional law enforcement activities at the gun shows will be coordinated by the Violent Crimes Task Force, which is made up of municipal police departments as well as the PBSO. This initiative is focused on stopping the illegal sales and purchases of guns at gun shows which are a major source of firearms for youthful offenders. Countywide (DW) (CJC)
- 35 3BB-4 **REVISED SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the Law Enforcement Trust Fund (LETf) previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations....Approval of this request will reduce the State Law Enforcement Trust Fund balance to ~~\$726,632~~ \$762,632. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. (PBSO)
- 36 4F **DELETED:** Proclamation declaring April 2009 as "Water Conservation Month" in Palm Beach County. (Sponsored by Commissioner Santamaria) (To be presented at the April 7, 2009 Meeting)
- 36 4G **ADD-ON:** Proclamation declaring April 5, 2009 as "Parents and Children's Day" in Palm Beach County. (Sponsored by Commissioner Santamaria)
- 38 6A-2 **DELETED: Staff requests Board direction regarding: A) authorizing** the relocation of the Tax Collector of Palm Beach County's principal office from the Governmental Center to 4349 Forest Hill Boulevard, also replacing the current suburban Lake Worth office;...(Admin)
- 42 6G-1 **ADD-ON: Staff recommends motion to approve:**
- A)** Budget Transfer of \$900,000 from the \$20,045,000 Public Improvement Revenue Bond Anticipation Note (BAN), Series 2007(Jail Facilities Expansion Program) Capital Fund to reimburse the Public Building Improvement Fund for project expenditures made prior to the issuance of the BAN.
- B)** Budget Amendment of \$900,000 in the Public Building Improvement Fund to record the transfer of funds from the \$20,045,000 Public Improvement Revenue Bond Anticipation Note, Series 2007 Capital Fund.
- SUMMARY:** On September 11, 2007, the Board approved a Resolution (R2007-1502) authorizing the issuance a Public Improvement Revenue Bond Anticipation Note, Series 2007 in principal amount of not exceeding \$20,100,000 to pay for or reimburse the County for initial project costs for the jail expansion program. The above Transfer and Amendment are required to reimburse the Public Building Improvement Fund for preliminary expenditures incurred prior to the issuance of the BAN. Countywide (PFK) (OFMB)

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