

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

MAY 5, 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 - 28)**
- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 29)**
- 5. REGULAR AGENDA (Pages 30 - 33)**
TIME CERTAIN 11:30 A.M. (Executive Session) (Page 30)
- 6. BOARD APPOINTMENTS (Pages 34 - 35)**
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REGULAR AGENDA

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: Memorandum of Agreement with the United Way of Palm Beach County to support the Palm Beach County Prosperity Campaign Phase II in the amount not-to-exceed \$105,655 for the period of October 1, 2008, through September 30, 2009. **SUMMARY:** Staff recommends the continuation of the County's participation in the Palm Beach County Prosperity Campaign for the tax year 2008. Funds for this program are included in the FY 2009 General Fund. This Memorandum of Agreement is needed to facilitate the reimbursement of expenses to the United Way. Countywide (DN)

2. Staff recommends motion to:

A) adopt a Resolution authorizing the County Administrator or his designee to approve and sign on behalf of the Board of County Commissioners (BCC) all loan/grant documents and agreements with approved borrowers and/or grantees that meet the criteria of the Palm Beach County Section 108 Loan Program and the Brownfield Economic Development Initiative (BEDI) Grant Program; and

B) approve Amendment No. 4 to the Palm Beach County Section 108 Loan Program Criteria.

SUMMARY: This Resolution will expedite the Section 108 loans and agreements that meet the criteria of the Palm Beach County Section 108 Loan Program and the BEDI Grant Program, which are funded by the U.S. Department of Housing and Urban Development (HUD). The approval of the BEDI grants are linked to the approval of Section 108 loans only for eligible projects approved by HUD in specific areas. The proposed Amendment will modify the following elements of the Criteria: **Program Requirements:** (Section E, Board of County Commissioners approval) includes the County Administrator or his designee in the approval process of projects that require less than or up to \$1,000,000; and that meet all of the Program Criteria and do not require an exception to any of the criterion of the Section 108 Loan Program; and **Program Administration:** (Section D, Obtaining BCC and HUD Approval): includes the County Administrator or his designee in the approval process of projects that require less than or up to \$1,000,000; and that meet all of the Program Criteria, and do not require an exception to any of the criteria of the Section 108 Loan Program. Countywide (DW)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Budget	July 14, 2008
Regular	March 17, 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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Contract with H & J Contracting, Inc. (H & J), the lowest responsive, responsible bidder in the amount of \$750,377.11 for the construction of improvements/additions on the west leg of Forest Hill Boulevard and S.R. 7 (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County to issue a Notice to Proceed to begin construction of the Project. The Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by H & J is 23.66%. The time for the completion of all work under this Contract shall be no more than 160 calendar days. District 6 (MRE)

2. **Staff recommends motion to approve:**
 - A) a Reimbursement Agreement with the City of Boynton Beach (City) for Southeast 4th Street Improvements in an amount not to exceed \$300,000; and
 - B) a Budget Transfer of \$300,000 in the Transportation Improvement Fund from Reserve for District 4 to the City of Boynton Beach Southeast 4th Street Improvements – District 4.**SUMMARY:** Approval of the Reimbursement Agreement and Budget Transfer will provide funds to the City to pay for street improvements on Southeast 4th Street from Ocean Avenue to Southeast 12th Street. District 4 (MRE)

3. **Staff recommends motion to approve:**
 - A) an Amendment to Interlocal Agreement R2008-1419 with the Town of Mangonia Park for decorative street lights on Boardman Avenue in an amount not to exceed \$62,637; and
 - B) a Budget Transfer of \$62,637 in the Transportation Improvement Fund from Reserves for District 7 to Mangonia Park-Decorative Streets Lights for Boardman Avenue – District 7.**SUMMARY:** Approval of this Amendment to the Interlocal Agreement and Budget Transfer will provide funds to help pay for an additional six (6) decorative street lights at the entrance to Boardman Avenue. Approval of the original Interlocal Agreement provided funds for seven (7) decorative street lights along Boardman Avenue. District 7 (MRE)

4. **Staff recommends motion to approve:**
 - A) a Project Agreement with the U.S. Department of Agriculture Natural Resources Conservation Service (NRCS);
 - B) a Budget Transfer of \$52,500 in the County Transportation Trust Fund from Pavement Management/Roadway Striping to Disaster Related Debris Clean-up County Canals; and
 - C) a Budget Amendment of \$247,500 in the County Transportation Trust Fund to recognize a grant from the NRCS and appropriate it to Disaster Related Debris Clean-up County Canals.**SUMMARY:** This Project Agreement will provide reimbursement to the County of up to \$247,500 from the NRCS to assist in providing watershed protection measures in the form of canal embankment stabilization along the Stub Canal in Palm Beach County in an effort to relieve hazards and damage to the canal embankment. District 3 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to receive and file: a correction to maintenance limits of Yellow Brick Road, South 19th Drive, and South 19th Avenue. **SUMMARY:** On March 17, 2009 the Board approved the maintenance of the above roads with the distance of 112+/- feet, which was in error. Approval of this item will provide for the correct maintenance limits of 211+/- feet for these roads. District 3 (PK)

6. Staff recommends motion to approve: a Task Authorization to Project No. 2003502 under Annual Agreement R2008-0160 in the amount of \$161,363.72 with R. J. Behar & Company, Inc. for professional services. **SUMMARY:** Approval of this Task Authorization will provide the professional services necessary for the review of design plans and construction bid documents for Ocean Avenue (Lantana) Bridge over Intracoastal Waterway Bridge Replacement. Districts 4 & 7 (PK)

7. Staff recommends motion to adopt: a Resolution approving a Roadway Transfer Agreement with the State of Florida Department of Transportation (FDOT), to transfer SR-807 (Congress Avenue) from Lantana Road to SR-802 (Lake Worth Road) to Palm Beach County (County). **SUMMARY:** Approval of this Agreement will transfer all responsibility for the road right-of-way and for operation and maintenance of the roadway, including bridges, to the County. The FDOT gives up all rights to the roadway, including the right-of-way, except as may be specified in this agreement. District 3 (MRE)

8. Staff recommends motion to adopt: Six (6) Resolutions declaring the acquisition of property known as Parcels 101 and 103 as partial takes in fee simple for right-of-way, and Parcels 217, 219, 221 and 224 as temporary construction easements, for the improvement and construction of Stacy Street from Haverhill Road to the end, being Palm Beach County Project No. 2008904. **SUMMARY:** Approval of this action will adopt six (6) Resolutions to authorize the filing of eminent domain proceedings against six (6) parcels whose total appraised value is \$16,850. District 2 (PM)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: Amendment No. 4 to the Agreement (R2007-0019) with the law firm of Nabors, Giblin & Nickerson, P.A., to provide bond counsel and related legal services for the not to exceed \$16,200,000 Public Improvement Revenue Bonds (Four Points and Other Public Building Projects), Series 2009 (the "Bonds"). **SUMMARY:** The law firm was selected as bond counsel for the Bonds by the Board at the April 21, 2009 meeting. This Amendment No. 4 confirms that selection by amending the existing Agreement for bond counsel and related services between the County and the law firm. Payment to the law firm for the legal services in connection with the bond counsel services will be as provided for in the Agreement. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IH008-9500 (R2008-1620; dated September 23, 2008) for the Home Care for the Elderly (HCE) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2008, through June 30, 2009, decreasing the agreement amount by \$35,719 for a new total not-to-exceed the amount of \$104,383. **SUMMARY:** This Amendment will increase HCE case management services by \$350 and decrease HCE subsidy by \$36,069 for provisions of care in private homes as an alternative to nursing home or other institutional care. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides HCE 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)

2. **Staff recommends motion to approve:**
 - A) Amendment No. 001 to Standard Agreement No. IC008-9500 (R2008-1621; dated September 23, 2008) for the Community Care for the Elderly (CCE) Program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2008, through June 30, 2009, increasing the Agreement amount by \$83,536 for a new total not-to-exceed amount of \$1,091,014; and

 - B) Budget Amendment of \$21,362 in the DOSS – Administration Fund.**SUMMARY:** This Amendment will increase Case Management to \$15,037, Case Aide to \$1,670, and In-Home (Client) Services by \$66,829. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides CCE 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:** Amendment No. 002 to Standard Agreement No. IA008-9500 (R2008-0337; dated March 11, 2008) for the Older Americans Act (OAA) Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the period January 1, 2008, through December 31, 2008, increasing the Agreement amount by \$42,739.53 for a new total not-to-exceed amount of \$1,976,489.53 for various supportive services to seniors. **SUMMARY:** This Amendment provides reimbursement for 19,080 additional C2 Home Delivered Meals provided during the previous grant year totaling \$42,739.53. 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. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **Staff recommends motion to approve:** contracts with listed provider agencies for the period March 1, 2009, through February 28, 2010, totaling \$2,793,162 for Ryan White Part A HIV Emergency Relief Formula funds:

	<u>Formula</u>
A) Compass, Inc.	217,257
B) Comprehensive AIDS Program	597,563
C) Comprehensive Community Care Network, Inc.	366,874
D) Glades Health Initiative, Inc.	49,000
E) Gratitude House	17,196
F) Legal Aid Society of Palm Beach County	195,258
G) Minority Development & Empowerment, Inc.	51,398
H) Oakwood Center of the Palm Beaches, Inc.	60,000
I) Treasure Coast Health Council - Medical	215,231
J) Treasure Coast Health Council - CC Support	145,000
K) Health Care District	317,157
L) Palm Beach County Health Department	<u>561,228</u>
Total	\$2,793,162

SUMMARY: A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration (HRSA) was received on March 8, 2009, that conveys an award for partial formula funds (40%) for the contract period March 1, 2009, through February 28, 2010. The funding of \$3,115,485, consists of \$311,549 for Grantee Administration (which includes \$145,000 for Care Council Support subcontracted to Treasure Coast Health Council listed above); and \$155,774 for Quality Management. The grantee, Palm Beach County, is responsible for selecting and contracting with service providers. The HIV Council is charged with the sole responsibility of determining service priorities and the allocation of funding the service priorities. The grant award is for the provision of services related to HIV affected clients, such as medical case management, medical care, oral health care and substance abuse treatment. The agencies listed were selected through the Request for Proposal process and have been recommended to receive funding. (Ryan White) Countywide (TKF)

5. **Staff recommends motion to approve:** Standard Agreement No. IP009-9500 for the Emergency Home Energy Assistance Program (EHEAP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2009, through March 31, 2010, in the amount of \$167,523. **SUMMARY:** This Agreement will allow the Division of Senior Services (DOSS), as lead agency, to serve 264 eligible low-income households who meet 150% of the federal poverty guidelines, have at least one (1) person age 60 years or older and are experiencing a home energy emergency. Benefits include emergency assistance to prevent disconnection of utility services. EHEAP services which are funded with \$167,523 in Federal funds provided through the AAA Agreement and additional County funds in the amount of \$44,484 are needed to cover staff salaries and administrative costs not covered by the grant. 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. In the area south of Hypoluxo Road, Ruth Rales Jewish Family Service currently provides EHEAP services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. **Staff recommends motion to approve:** Amendment No. 1 with the Department of Children and Families (DCF) for the Grant-In-Aid Program (R2008-1040), for the period of July 1, 2008, through June 30, 2009, in an amount of \$3,700 for a total contract amount of \$70,768, to prevent homelessness for a minimum of 84 at risk homeless households. **SUMMARY:** On June 17, 2008, the Board of County Commissioners approved a contract with DCF in the amount of \$67,068 to provide security deposits, rent/mortgage assistance, utility assistance, or food vouchers to a minimum of 80 households who are either homeless or at risk of becoming homeless. DCF has awarded an additional \$3,700 to this program increasing the number to be assisted from 80 to 84 by June 30, 2009. A twenty five percent (25%) match is required and is met through in-kind contributions. (Human Services) Countywide (TKF)

7. **Staff recommends motion to approve:** Amendments to the Ryan White Part A HIV Health Support Services Contracts for the period March 1, 2008, through February 28, 2009 to change the unit cost rate of Medical Case Management and increase funding for Medical Case Management by \$115,133:
 - A) Amendment No. 2 to contract (R2008-0951; dated June 3, 2008) (Formula) with Comprehensive AIDS Program to increase funding for Medical Case Management by \$75,361 for a total not to exceed amount of \$ 1,322,535; and
 - B) Amendment No. 1 to contract (R2008-0952; dated June 3, 2008) (Supplemental) with Comprehensive AIDS Program to increase funding for Medical Case Management by \$39,772 for a total not to exceed amount of \$576,697.

SUMMARY: Ryan White HIV Health Support service dollars are reviewed and allocated to agencies in an attempt to spend 98% of Formula funds. Adjustments to the unit cost rate are necessary to better serve clients and more appropriately reflect the cost of Medical Case Management provided. A unit of service is defined as one fifteen minute encounter with a client. The amendments will change the cost per unit from \$13.50 to \$14.50. Funding of \$115,133 is being moved from the Administrative budget. No County funds are required. (Ryan White) Countywide (TKF)

8. **Staff recommends motion to approve:** Amendment No. 1, to the Contract with Ruth Rales Jewish Family Service of South Palm Beach County, Inc. (RRJFS) (R2009-0073) for the period January 13, 2009, through September 30, 2009 to adjust the contract scope of work. **SUMMARY:** This Amendment will allow RRJFS to provide seniors in-home direct services by contracting with qualified vendors to provide elder care homemaking, personal care, chore, respite, companionship services as an alternative to nursing home or other institutional care. RRJFS will be able to bill for approximately \$59,972 in in-home direct care services retroactively from the start date of the contract January 13, 2009 and case management will be reduced by the same amount. The contract amount of \$100,000 is unchanged. District 5 (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Fourth Amendment to Lease Agreement with Galaxy Aviation of Palm Beach, Inc. (Amendment), providing for: one (1) additional five (5) year option to renew; the lease of additional property for an initial annual rental of \$230,273; reimbursement of costs incurred by the County related to the termination of that certain Lease Agreement of Airport Property for Restaurant dated June 19, 1979 (R79-789) with Specialty Restaurants Corporation and its subsidiary, the 94th Aero Squadron of West Palm Beach (Specialty Restaurants); and demolition of certain improvements in the amount of \$802,263 payable in three equal annual installments; an option to lease additional real property; and reimbursement for certain costs to be incurred by the County associated with the construction of a taxilane. **SUMMARY:** Galaxy Aviation of Palm Beach Inc. (Galaxy) provides fixed-based operator services for general aviation aircraft at the Palm Beach International Airport (PBIA), pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067). This Amendment provides for the lease of approximately 354,140 square feet of additional unimproved ground, which includes one parcel consisting of approximately 327,282 square feet (Parcel S-5). Parcel S-5 does not have adequate access for aircraft to PBIA's airfield facilities; therefore, this Amendment provides for the construction of a public use taxilane by the County to serve Parcel S-5 as well as other properties located in the southwest corner of PBIA. Construction of the taxilane by the County is subject to receipt of sufficient state or federal grant funding for the project in an amount not less than 75% of the total cost of the project. Galaxy will be obligated to reimburse County for its local share of the project in amount not to exceed 25% of the total cost of the project. Galaxy will expend not less than \$3 million on the construction of improvements to Parcel S-5. Payment of rental for Parcel S-5 will commence upon substantial completion of the improvements or June 1, 2010, whichever occurs first. This Amendment provides Galaxy with one (1) additional option to renew for five (5) years. This Amendment also grants Galaxy an option to lease approximately 127,021 square feet of improved property located adjacent to Galaxy's existing leasehold, upon the expiration or earlier termination of that certain Development Site Lease Agreement with FlightSafety International, Inc. (R2000-0154) (FlightSafety Lease), for the then current fair market rental as determined by appraisal. The term of the FlightSafety Lease expires on January 31, 2020 with one (1) – ten (10) year option to renew. Countywide (JMB)

2. **Staff recommends motion to receive and file:** three (3) original Agreements for the Department of Airports:
 - A) Agreement to Terminate Hangar Lease Agreement with Tom Newman, Unit 5, Building 11350 at North County Airport, terminating R2003-1305 on March 31, 2009;

 - B) North County General Aviation Airport Hangar Lease Agreement with Maurice Cohen, Unit 15, Building 11740 for one (1) year, automatically renewed at one (1) year intervals, commencing on February 15, 2009; and

 - C) Hangar Lease Agreement with Nettles Enterprises, Inc. f/k/a Distant Harbours, Inc., Unit 5, Building 11350, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on April 1, 2009; terminating Hangar Lease Agreement with Distant Harbours, Inc. (R2004-0403) for Unit 10, Building 11200 at North County General Aviation Airport, same date.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2004-1367 and R2008-1845. Countywide (JB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) adopt a Resolution awarding the sale of the Palm Beach County's Public Improvement Revenue Bonds (Four Points and Other Public Buildings Project), Series 2009, pursuant to the solicitation for bids to purchase the Bonds; approving the terms of said Bonds; making certain findings in connection therewith; supplementing the authorizing Resolution in certain aspects in connection with the issuance of said Bonds; authorizing the Chairman and other County officials to take all necessary action in connection with the issuance and sale of said Bonds; and providing an effective date; and

B) approve a Budget Amendment of \$16,160,000 in the \$16.2 Million Public Improvement Revenue Bonds Four Point Facility Capital Fund to record bond proceeds, and appropriate funding for capital projects and cost of issuance and authorize OFMB to make minor changes in the budgets for bond proceeds and costs of issuance upon receipt of final bids.

SUMMARY: On April 21, 2009, the Board approved Resolution (R2009-0698) authorizing the issuance of not-to-exceed \$16.2 Million Public Improvement Revenue Bonds (Four Points and Other Public Building Projects) Series 2009 (the Bonds) in order to finance the cost of renovation, construction and equipping of public improvement facilities. The County will receive competitive bids from qualified lending institutions on April 29, 2009 and award the bid to the lowest bidder acceptable to the County. The costs of issuance are payable from bond proceeds. Closing on the Bonds will occur on May 20, 2009. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Amendment No. 2 to the Contract with Hedrick Brothers Construction (R2007-1056) in the amount of \$3,962,852 for construction management services and site improvements for the Palm Beach County Sheriff's Office (PBSO) Training Center located at Cherry Road. **SUMMARY:** Amendment No. 2 will provide for a Guaranteed Maximum Price (GMP) for the construction of the PBSO Training Center, comprised of interior renovations to the existing gymnasium and classroom building (32,600 sf), 153 new parking spaces, and drainage provisions for this development phase, as well as projected future phases. As part of the FY 2008 Capital Improvement Program (CIP) budget cuts, proceeding with this project allowed for the deferral of \$7.7M FY 2006 funding, the elimination of \$20M in FY 2009 funding, and the release of \$8M in FY 2007 funding. The Small Business Enterprise (SBE) goal for this project is 15%. Hedrick Brothers Construction will be providing 33.3% SBE participation in this Amendment. The duration of this work is 203 calendar days. Financing for this project is from a \$16.2M competitively bid bank loan authorized at the April 21, 2009 BCC meeting. (Capital Improvements Division) Countywide (JM)

2. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 9 to the Contract (R2007-0033) with Hellmuth, Obata & Kassabaum, Inc. in the amount of \$400,000 for additional design services for the Jail Expansion Program. **SUMMARY:** CSA No. 9 will provide design services to increase the square footage of the area to be renovated for the West County Court component of the Jail Expansion Program and provide a separate bid package for this work. The Small Business Enterprise (SBE) goal for this project is 15%. CSA No. 9 includes 19.7% participation. When combined with the previous work done under this Contract, the SBE participation is 16.0%. CSA No. 9 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008. (Capital Improvements Division) Countywide/District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Change Order No. 3 to the Contract with West Construction, Inc. (R2008-1747) in the amount of \$433,272 for Phil Foster Park Multi-Purpose Building and Docks. **SUMMARY:** Approval of Change Order No. 3 will authorize relocation of the existing Park's floating docks and construction of six (6) new boat docks with marine lifts for the Palm Beach County Sheriff's Office (PBSO) Marine Unit. The time frame for the dock work is 120 days; however, the time impact to the overall project will not be known until permits for the dock work are received. As such, the time extension associated with this Change Order is to be determined in the future, when the permit is received. This work could not be included with the original Contract as final design and Florida Department of Environmental Protection (FDEP) permit reviews were incomplete. The Small Business Enterprise (SBE) goal for this project is 15%. Due to the specialized nature of this work scope, SBE participation for this Change Order is 6%, which brings the overall Contract participation to 18.8%. The PBSO Marine Unit docks and lifts will be funded from Law Enforcement Impact fees whereas the Park's floating dock will be funded from the General Obligation Waterfront Access Bond and Park Improvement Fund. (Capital Improvements Division) District 1 (JM)

4. Staff recommends motion to approve: an Agreement with the United States Department of Homeland Security, Transportation Security Administration (TSA) allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** This Agreement provides the conditions under which the TSA can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the TSA. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The TSA is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The term of the Agreement is for five (5) years with three (3) - five (5) year renewals. The Agreement may be terminated by either party, with or without cause. (FDO/ESS) Countywide (JM)

5. Staff recommends motion to receive and file: a notice of exercise of the second option to extend the term of the Concessionaire Service Agreement (R2007-0958) with Kayak-King Watersports, Inc., for the continued operation of a water sports and recreational rental concession in Okeeheelee Park at an annual rate of \$5,191.68. **SUMMARY:** Kayak-King Watersports, Inc. has operated its concession in Okeeheelee Park since May 2008 (R2008-0761). Kayak-King Watersports, Inc. is exercising the second of four (4) - one (1) year extension options for the period of July 1, 2009 through June 30, 2010. The annual rent for this extension period is increased by four percent (4%) to \$5,191.68. The Board has no discretionary authority to deny the exercise of the option. However, either party may terminate this Agreement upon ninety (90) days written notice. Exercise of this option provides for the continuation of water sports and recreational rental operations by Kayak-King Watersports at Okeeheelee Park until June 30, 2010. (PREM) District 6 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve:

A) Amendment Number One to Lease Number 3887 with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) (R91-176D) to allow a Palm Tran bus service facility at the West County Jail expansion property in Belle Glade; and

B) a Declaration of Easement for maintenance of a littoral planting area covering approximately .37 acres at the West County Jail expansion property in Belle Glade.

SUMMARY: The County leases approximately 76 acres from TIITF for the West County Jail, Drug Farm and other correctional facilities. The property is located near the intersection of State Road 80 and State Road 15 in Belle Glade. This Amendment Number One modifies the Lease to allow for a Palm Tran bus facility. The co-location of this facility will offset the operational costs associated with fuel rotation or treatment for the 65,000 to 80,000 gallons of stored diesel fuel necessary to operate the emergency generators at the Jail. When completed, Palm Tran's bus service for Belle Glade, Pahokee, and South Bay will originate from this facility. The facility will also be used for bus storage and light maintenance. The co-location of this use with the Jail will also provide opportunities for expanding jail vocational programs into fleet training. The annual rent will continue to be \$1/year. All other terms and conditions of the Lease remain unchanged. As part of the development of the Jail expansion, the County is required to relocate and enlarge the stormwater management system. This Declaration of Easement identifies a .37 acre littoral planting area located within the relocated stormwater management tract on the eastern section of the property and is required as a condition of permitting the Jail development. (PREM) District 6 (HJF)

7. Staff recommends motion to approve: a Partial Release of Conservation Easement on the north half of the County's Haverhill Linear Park property located west of Drexel Road and extending from Belvedere Road to Southern Boulevard, in unincorporated West Palm Beach. **SUMMARY:** On May 6, 2008 (6E-1), the Board conceptually approved the donation of land for a portion of the County's Haverhill Linear Park property to the Boys & Girls Clubs of Palm Beach County. The Agreement transferring the land to the Boys and Girls Clubs will be presented to the Board in the next 2-3 months. The Boys and Girls Clubs is moving forward with their development approvals and as a requirement of its DRO Site Plan Approval, it is necessary to process this Partial Release of Conservation Easement at this time. This Partial Release of Conservation Easement will remove the restrictions only on the 13.29 acre portion of the Haverhill Linear Park property lying north of the canal bisecting the Park property. There is no significant vegetation on the north half of the Linear Park property. (PREM) District 6 (HJF)

8. Staff recommends motion to accept: an Easement from the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) for a public transit bus shelter boarding and alighting area located at the new Glades Hospital. **SUMMARY:** The Health Care District of Palm Beach County is currently developing the new Glades Hospital. The hospital is located near the intersection of Hooker Highway and State Road 80 in unincorporated Belle Glade. This Easement is for a bus stop boarding and alighting area along Hooker Highway in front of the new hospital. The Easement area is 10' wide by 60' long and contains 600 square feet. This is a 50 year non-exclusive Easement and is being granted to Palm Beach County at no charge. (PREM) District 6 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to receive and file:

A) Notice to exercise the second option to extend the term of the ATM Operating License Agreement (R2007-2243) dated December 18, 2007, with the PBC Credit Union for the operation of Automated Teller Machines (ATMs) within the South County Administrative Complex Office of the Tax Collector located at 501 South Congress Avenue, Delray Beach;

B) Notice to exercise the second option to extend the term of the ATM Operating License Agreement (R2007-2244) dated December 18, 2007, with the PBC Credit Union for the operation of ATMs within the Downtown West Palm Beach Office of the Tax Collector located at 301 N. Olive Ave, West Palm Beach;

C) Notice to exercise the second option to extend the term of the ATM Operating License Agreement (R2007-2245) dated December 18, 2007, with the PBC Credit Union for the operation of ATMs within the Midwestern Communities Service Center Office of the Tax Collector located at 200 Civic Center Way, Royal Palm Beach; and

D) Notice to exercise the second option to extend the term of the ATM Operating License Agreement (R2007-2246) dated December 18, 2007, with the PBC Credit Union for the operation of ATMs within the North County Courthouse Office of the Tax Collector located at 3188 PGA Blvd., Palm Beach Gardens.

SUMMARY: The PBC Credit Union currently leases ATM space within four (4) separate branch offices of the Tax Collector of Palm Beach County, for the operation of ATMs. The initial term of each ATM Operating License Agreement (Agreement) was for approximately six (6) months ending on May 31, 2008, with five (5) extension options, each for a period of one (1) year. The first extension of the Agreements expires on May 31, 2009 (R2008-1186 through 1189). This second option extends the term of the Agreements for one (1) year, from June 1, 2009, through May 31, 2010. The Agreement authorizes the County Administrator to approve renewals on behalf of the County. Either party may terminate this Agreement upon 30 days written notice. There is no annual rent for these Agreements. (PREM) Districts 1, 6, & 7 (HF)

10. Staff recommends motion to approve: a Sidewalk Easement in favor of the City of Lake Worth (City) across vacant County property located at 725 Latona Avenue, in the City of Lake Worth. **SUMMARY:** The County owns a .14 acre vacant lot on Latona Avenue in Lake Worth. The City requires a sidewalk easement for public access across the County lot to complete the sidewalk system along Latona Avenue as part of the City's Osborne Neighborhood Streetscape Plan. The Streetscape Plan is a project funded by the County's Housing and Community Development, Community Development Block Grant (CDBG) Program and will provide for the installation of continuous sidewalks on both sides of Latona Avenue. The Easement is 90' x 5' (450 square feet/.01 acres). This is a perpetual non-exclusive Easement and is being granted to the City at no charge as it will provide for a public sidewalk. (PREM) District 7 (JMB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in 0.07 acres of surplus property to the Town of Ocean Ridge, without charge and with a reservation of mineral and petroleum rights, but without rights of entry and exploration; and

B) approve a County Deed in favor of the Town of Ocean Ridge.

SUMMARY: The Town of Ocean Ridge has requested the conveyance of a 0.07 acre parcel of County-owned surplus property located on Douglas Drive for public beautification, landscaping, and maintenance purposes. There is no identified County use for this parcel and, pursuant to F.S. 125.38, the County is authorized to convey property to a municipality at no charge. PREM Ordinance 2002-067 requires that when the value of real property, as determined by the County Property Appraiser, is greater than \$25,000 that one appraisal must be obtained prior to the approval of the sale of the property by the Board. Although this parcel has an assessed value of \$30,000, Staff recommends that the Board approve the conveyance to the Town without being appraised for the following reasons: (i) the assessed value of the parcel is only \$5,000 above the threshold whereby an appraisal is required; (ii) the conveyance is to the Town at no charge; and (iii) the conveyance is subject to restrictions, conditions and a reverter in favor of the County. The conveyance to the Town is subject to the following: (i) the maintenance of unrestricted public access across the property to the beach; (ii) the property shall be planted only with native South Florida vegetation; and (iii) no improvements shall be constructed on the property other than the replacement of the existing pathway and bench. In the event the Town violates the restrictions set forth in the County Deed, title to the property shall automatically revert to the County. The County's Department of Environmental Resources Management has reviewed this conveyance and has no objections. Staff believes that this parcel will be more appropriately managed and maintained by the Town. The County will retain mineral and petroleum rights in accordance with F.S. 270.11, without rights of entry and exploration. (PREM) District 4 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 001 to Agreement (R2008-0871) with the City of Lake Worth, to extend the expiration date from March 31, 2009, to September 30, 2009. **SUMMARY:** This Amendment provides an extension of six (6) months to the term of the existing Agreement for the purchase and delivery of a prefabricated, American with Disabilities Act (ADA) compliant restroom building to be located in Howard Park in the City of Lake Worth. The time extension is requested due to project delays occurring while the City hired staff for project oversight. In the interim, the City has begun the installation of utilities that will be needed for the restrooms. **These are Federal Community Development Block Grant funds that require no local match.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve: Amendment No. 002 to Agreement (R2007-1329) with Oakwood Center of the Palm Beaches, Inc., to extend the expiration date from March 31, 2009, to December 31, 2009. **SUMMARY:** This Amendment provides an extension of nine (9) months to the term of the existing Agreement to complete the renovation of the heating, ventilation, and air conditioning (HVAC) system at their facility located at 1041 45th Street in the City of West Palm Beach. The work entails replacement equipment from when the building was constructed in the 1970's. Changes to the project and asbestos abatement work plans caused delays. The time extension will allow the work to be bid, work performed, and associated paperwork completed. **These are Federal Community Development Block Grant funds that require no local match.** District 7 (TKF)

3. Staff recommends motion to conceptually approve: a forgivable Loan in the amount of \$200,000 with Housing Trust Group, LLC, for the construction of "Crestwood Apartments," through the Commission on Affordable Housing's Special Needs-Barrier Free Assistance Program for the development of ten (10) special needs rental units. **SUMMARY:** Approval of this agenda item will authorize the allocation of State Housing Initiatives Partnership (SHIP) funding for the development of this affordable housing project. This allocation of \$200,000 will facilitate the development of ten (10) very low-income, special needs units. This funding is the required local match for Florida Housing Finance Corporation's Universal Cycle Tax Credit application. The final award of County funding is contingent upon the Crestwood Apartments project receiving tax credit funding. If the project is not awarded the tax credit funding, the \$200,000 in SHIP funding will not be allocated to this project. This project is to be located in unincorporated Palm Beach County on Purdy Lane, west of Haverhill Road. The Commission on Affordable Housing Advisory Committee reviewed this request and made the \$200,000 funding recommendation on February 26, 2009. Staff will present the County Agreement to the Board of County Commissioners for final approval at a later date. **These are State funds which require no local match.** District 2 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

4. **Staff recommends motion to conceptually approve:** the following six (6) Affordable Housing Projects through the Commission on Affordable Housing’s Multi-Family Rental Development Program allocating up to \$800,000 for the development of up to 627 affordable housing units:

	<u>Match Request</u>
A) Auburn Development, LLC for “Boynton Bay Towers I” (District 5) - 110 units	\$200,000
B) Auburn Development, LLC for “Boynton Bay Towers II” (District 5) – 70 units	\$200,000
C) Dakota Housing, Ltd. for “The Dakota Apts.” (District 1) – 120 units	\$200,000
D) The Richmon Group of Florida, Inc. for “Colonial Lakes Apts.” (District 2) – 120 units	\$200,000

ALTERNATES

E) Madison Terrace, Ltd. for “Madison Terrace Apts.” (District 7) – 112 units	\$200,000
F) HTG Lakeridge Greens, Ltd. “Banyan Station” (District 7) – 95 units	\$200,000

SUMMARY: These funding recommendations represent the required local government match/contribution necessary to qualify for the Housing Tax Credit Program with the Florida Housing Finance Corporation (FHFC). The Commission on Affordable Housing Advisory Committee heard presentations from each developer on April 20, 2009, and recommended the represented funding allocations. Projects actually receiving Tax Credits will be brought to the Palm Beach Board of County Commissioners for final approval of the requested match. The Multi-Family Rental Development Program provides assistance to developers of affordable rental housing serving extremely low, very low and low-income households. The goal of this strategy is to increase the number of affordable rental housing units available to lower income residents. The Tax Credit Program involves a competitive process which does not guarantee funding. Although the first four (4) listed projects (A through D) received the highest scores and rankings, two (2) alternative projects (E and F) were identified and recommended to receive a match request in the event one or more of the first four (4) projects are not funded by the FHFC. If none of these six (6) projects are selected by the FHFC, the \$800,000 in State Housing Initiative Partnership (SHIP) funding will be returned to the local housing trust for other eligible SHIP activities. Districts 1, 2, 5 & 7 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a piggyback unit price Contract in the amount of \$600,000 with Miller Pipeline Corporation for rehabilitation of wastewater gravity pipelines. **SUMMARY:** The piggyback contract is from the City of North Miami Beach (Sewer Collection System Rehabilitation Project No. 2002-14). It includes line items for cleaning and televising, root removal, joint sealing, point repairs and for furnishing and installation of fold and form liner for miscellaneous wastewater gravity pipelines. Each Work Authorization for the project will be issued by the Department Director or his designee. The Small Business Enterprise (SBE) participation goal established by SBE Ordinance (R2002-0064) of 15.00% overall does not apply to this Contract. (WUD Project No. 09-047) Countywide (JM)

2. **DELETED**

3. **Staff recommends motion to approve:**
 - A)** a Contract in the amount of \$498,027.58 with Sheltra & Son Construction Co., Inc. to construct a Low Pressure Sewer System Project; and

 - B)** Change Order No. 1 to this Contract reducing the amount by \$48,231.

SUMMARY: On February 18, 2009, seven (7) construction bids were received for the Canal Point Sanitary Sewer Extension – Phase I. Sheltra & Son Construction Co., Inc. was the low bidder in the amount of \$498,027.58. This Contract provides for the construction of a low pressure sewer system which consists of approximately 5500 linear feet of 2” and 1-1/4” HDPE pipe, including 17 grinder pump stations to serve commercial and multifamily properties throughout the Canal Point area. By approving Change Order No. 1, cost reductions recommended by the contractor can be achieved in the amount of \$48,231. Staff has reviewed the bid and recommends award to Sheltra & Son Construction Co., Inc. as the sole responsive and responsible bidder in the amount of \$449,796.58. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract provides for 15.05% SBE participation. (WUD Project No. 06-179) District 6 (MJ)

4. **Staff recommends motion to approve:** an Indemnity Agreement with the City of Greenacres. **SUMMARY:** The City of Greenacres agrees to indemnify County and hold the County harmless from and against any and all liability related to the encroachment of site lighting in an easement containing a County-owned force main. District 2 (MJ)

5. **Staff recommends motion to approve:** Work Authorization No. 9 in the amount of \$700,002 with AKA Services, Inc. (R2008-0769) for construction of the Hypoluxo Road 12” Force Main Extension (from Military Trail to E-3 Canal) Project. **SUMMARY:** On May 6, 2008, the Board awarded the Water Utilities Department Continuing Construction Contract (R2008-0769) to AKA Services. This Project involves the construction of approximately 8,100 linear feet of 12” wastewater force main within the right-of-way of Hypoluxo Road from Military Trail west to the Lake Worth Drainage District E-3 Canal. 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 20.28% overall participation. The cumulative SBE participation, including this Authorization, is 19.35% overall. (WUD Project No. 04-122) District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. **Staff recommends motion to approve:** a Wastewater Development Agreement with Lion Country Safari, Inc. (LCS). **SUMMARY:** While the Water Utilities Department (Department) normally utilizes standard development agreements that are executed at the Department level, nonstandard development agreements are sometimes required to handle special circumstances. Normally, the applicable number of Equivalent Residential Connections (ERCs) is set by the size of the potable water meter(s) used to provide potable water to a property. However, as potable water service is provided to this property by the Seminole Improvement District, this method of ERC calculation is not applicable. The Department and LCS agree to initially set the ERCs for this property at 81.0. The number of ERCs will be recalculated 12 months following service initiation based on actual meter readings, and appropriate adjustments made to the initiation fees. (WUD Project No. 09-520) District 6 (MJ)

7. **Staff recommends motion to approve:** a Reclaimed Water Service Agreement with Emerald Dunes Golf Course, LLC. **SUMMARY:** The recent expansion of the Palm Beach County Water Utilities Department's (Department) reclaimed water system provides the opportunity for existing developments and golf courses to install infrastructure to convey reclaimed water into lakes for subsequent irrigation through the existing irrigation system. The Board of County Commissioners adopted Standard Reclaimed Water Service Agreements (Standard Agreement on November 20, 2007 (3K-3), and permitted execution of Standard Agreements at the Department level. Conditions unique to this property location require modifications to the Standard Agreement. In exchange for required easement(s), the County is agreeing to reimburse out-of-pocket expenses associated with the preparation of the easement up to \$5,000. District 2 (MJ)

8. **Staff recommends motion to receive and file:** four (4) Standard Development Agreements complete with executed documents received during the month of March 2009:

Standard Development Agreements (Potable Water and Wastewater)

A) Anasca Acquisition, LLC (District 5) 03-01029-000

Standard Development Agreements (Reclaimed Water-Lake Discharge)

B) Palm Isles Master Association, Inc (District 5) 05-90020-000

C) Mizner Falls Homeowners Association Inc (District 5) 05-90021-000

D) St. Andrews Country Club, Inc. (District 5) 09-90008-000

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

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** Termination of Easement, which terminates a 0.99 acre Conservation Easement at the Whiteside Industrial Park based on receipt of a cash buy-out equivalent to the value of the native upland preserve. **SUMMARY:** The Whiteside Group, Inc. currently owns a 0.99 acre Conservation Easement within the Whiteside Industrial Park for an upland preserve that was executed and recorded as required by a permit condition under Article 14.C, Vegetation Protection and Preservation, of the Unified Land Development Code (ULDC), (Vegetation Permit No. V-290-01). The Whiteside Group, Inc. requests to terminate the existing Conservation Easement and provide a cash payment of \$85,000 to the County in lieu of retaining the upland preserve. The ULDC, Article 14.C., allows for a native upland preserve buyout option. The Whiteside group has chosen to exercise this option. Upon approval by the Board of County Commissioners (BCC), the Whiteside Group, Inc. will provide the County with a cash buy-out equivalent to the value of the native upland preserve for the property based upon the submitted January 10, 2009 appraisal. District 6 (SF)

2. **Staff recommends motion to receive and file:** Amendment No. 2 to the Interlocal Agreement with the City of West Palm Beach (City) (R2006-0880) to extend the completion date for the installation of Pollution Control Devices in the Lake Worth Lagoon to December 31, 2009. **SUMMARY:** On October 17, 2006, the BCC approved a \$2,000,000 Amendment No. 1 (R2006-2257) to the State's Department of Environmental Protection Grant Agreement No. LP6046 for the Lake Worth Lagoon Partnership Grant Program. Construction projects benefiting Lake Worth Lagoon habitat and water quality will be administered as subgrants via the Interlocal Agreements with the responsible municipal entities. The BCC approved the Interlocal Agreement with the City (R2006-0880) on May 16, 2006, and amended it on February 6, 2007 (R2007-0169). Delegation of the authority to amend the Interlocal Agreement was approved, pursuant to PPM No. CW-O-051, on November 20, 2006. District 7 (SF)

3. **Staff recommends motion to approve:** Budget Amendment of \$200,000 in the Natural Areas Fund to establish revenue budget for the Florida Fish and Wildlife Conservation Commission (FWC) to fund invasive plant removal with Task Assignment No. SE-128 (\$200,000) for the Hungryland Slough Natural Area. **SUMMARY:** Task Assignment No. SE-128 to FWC Contract No. 08157 for \$200,000 has been received from FWC, under the Invasive Plant Management Section. The Task Assignment is effective from January 30, 2009 through May 31, 2009, for invasive plant control in the Hungryland Slough Natural Area. This item will establish a budget for the Task Assignment. District 1 (SF)

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Interlocal Agreement with the City of Boynton Beach for the period May 5, 2009, through May 4, 2012, in an amount not-to-exceed \$150,000 for funding of the Congress Avenue Barrier Free Community Park Water Feature. **SUMMARY:** This Agreement provides funding for the water feature of the Congress Avenue Barrier Free Community Park being constructed at 3111 South Congress Avenue in Boynton Beach. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum, as amended - District 3. District 3 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to approve:** Agreement with Aid to Victims of Domestic Abuse, Inc. for the period May 5, 2009, through May 28, 2009, in an amount not-to-exceed \$2,500 for the AVDA 2008 5K Run/Walk by the Sea. **SUMMARY:** This funding is to assist with costs for a 5K run/walk sponsored by Aid to Victims of Domestic Abuse, Inc. (AVDA) on October 11, 2008. The event was held at Anchor Park in Delray Beach, and attracted approximately 500 participants. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to July 1, 2008. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. **Staff recommends motion to approve:** Agreement with the City of Lake Worth for the period May 5, 2009, through December 1, 2009, in an amount not-to-exceed \$1,080 for the Lake Worth Youth Basketball Program. **SUMMARY:** This funding is to offset the cost of program expenses for Lake Worth's Youth Basketball Program. The Program serves approximately 150 youth. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to March 1, 2009. Funding is from the Recreation Assistance Program (RAP) District 3 Funds. District 3 (AH)

4. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Boynton Beach Community High School for the period August 1, 2008, through June 30, 2009, in an amount not-to-exceed \$2,500 for the girls' basketball team travel expenses. **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)

5. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Olympic Heights Community High School (\$5,000), West Boca Community High School (\$5,000), and Spanish River Community High School (\$2,500) for the period January 1, 2009, through September 30, 2009, in an amount not-to-exceed \$12,500 for funding of Project Graduation 2009. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 5 Funds. District 5 (AH)

6. **Staff recommends motion to receive and file:** original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for JFK Middle School for the period March 1, 2009, through June 30, 2009, in an amount not-to-exceed \$5,000 for a band trip to Atlanta, Georgia, to perform at Six Flags. **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)

7. Staff recommends motion to:

A) ratify the signature of the Chairman on an Office of Greenways and Trails, Recreational Trails Program Grant Application, submitted to Florida Department of Environmental Protection (FDEP) on March 30, 2009, requesting \$250,000 for construction costs associated with trail development at Riverbend Park;

B) authorize the County Administrator or his designee to execute the 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 FDEP for this project.

SUMMARY: This Grant Application requests up to \$250,000 from the FDEP Office of Greenways and Trails Recreational Trails Program for construction costs associated with the development of trails at Riverbend Park. The total cost of the project is estimated at \$300,000. The grant will be matched with \$50,000 from Zone 1 Impact Fees. If awarded, the Grant Agreement requires the site be dedicated as an outdoor recreation area for the use and benefit of the general public for a period of 99 years. District 1 (AH)

8. Staff recommends motion to receive and file: executed Independent Contractor Agreement received during the month of March: Palm Beach County Officials Association, Inc., Flag Football, Westgate Park & Recreation Center. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and is now being submitted to the Board to receive and file. District 2 (AH)

9. Staff recommends motion to approve:

A) termination of the Agreement (R-2008-0552) with the City of Boca Raton in an amount not-to-exceed \$350,000 from the 2002 Recreation and Cultural Facilities Bond for the purchase of governmental channel television equipment; and

B) reallocation of the \$350,000 to the Boca Raton CRA and the Mizner Park Cultural Arts Association, Inc. for construction of a black box theater in the Boca Raton Cultural Center.

SUMMARY: Boca Raton has requested that this funding Agreement with the County for the purchase of governmental channel television equipment be terminated due to usage changes of Channel 19 that no longer allow the City to broadcast on that channel. The City has also requested that this \$350,000 be added to the \$1,200,000 currently allocated to the Boca Raton Cultural Center black box theater project to be constructed at the Boca Raton Cultural Center at Mizner Park (formerly the Cartoon Museum). The District 4 Commissioner supports the termination of the Agreement for the television equipment and the reallocation of these funds to the black box theater project. District 4 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

10. Staff recommends motion to approve: Second Amendment to Contract with Kiril Zahariev (R2007-0703), as amended, in an amount not-to-exceed \$450,000 for the period May 1, 2007, through April 30, 2010, for USA swimming coaching services at the North County Aquatic Complex. **SUMMARY:** For the past five (5) years, Kiril Zahariev has been the USA swimming coach at North County Aquatic Complex. The current contract expired on April 30, 2009; however, there were two (2) – one (1) year renewal options available under this contract. This Amendment exercises the final renewal option with Kiril Zahariev through April 30, 2010, in an amount not-to-exceed \$150,000 per year. This Amendment retroactively renews the contract for the period May 1, 2009, through April 30, 2010. This is a self sustaining program in which revenues exceed expenditures, with the County retaining 20% and the contractor receiving 80% of the fees collected. District 1 (AH)

11. Staff recommends motion to approve:

A) Budget Transfer of \$20,000 in the Park Improvement Fund from John Prince Golf Learning Center to Okeeheelee Golf Course Greens Renovation;

B) Budget Transfer of \$50,000 in the 2003 \$25M GO Parks and Cultural Facilities Bond Fund from Park Ridge Golf Course Maintenance Facility to Okeeheelee Golf Course Greens Renovation; and

C) Budget Transfer of \$20,000 in the 1999 \$25M GO Recreation & Cultural Bond Fund from Park Ridge Golf Course to Okeeheelee Golf Course Greens Renovation.

SUMMARY: This Budget Transfer from various golf course capital projects will fund the final phase of the greens renovation project at Okeeheelee Golf Course. The greens renovation project was initiated to replace contaminated Bermuda grass greens with a new variety that will improve playing conditions, lower maintenance costs, and support our environmental initiatives. District 6 (AH)

12. Staff recommends motion to:

A) approve the use of County park properties in support of the Tropic Thunder 2009 World Championship Invitational Offshore Powerboat Races to be held October 20, 2009, through October 25, 2009; and

B) authorize the County Administrator or his designee to develop and execute all necessary permits and forms associated with the use of Park properties for the Tropic Thunder 2009 World Championship Invitational Offshore Powerboat Races.

SUMMARY: Campbell Offshore Racing, LLC would like to conduct a for-profit event, the Tropic Thunder 2009 World Championship Invitational Offshore Powerboat Races, using Burt Reynolds Park as a day dock for storage of boats between races. This for-profit event requires a special events permit. In accordance with Ordinance 04-022, all permits requested for use of reserved park/facility areas for for-profit activities requires Board of County Commissioner approval. Campbell Offshore Racing, LLC will be required to meet all permit requirements and pay all fees associated with event coordination at Burt Reynolds Park and other affected properties. District 1 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to approve:** the Third Amendment to the Interlocal Agreement (R2007-0332) with Florida State University for a no cost extension from April 22, 2009, to June 22, 2009, to present the final report on the second year evaluation of the Youth Violence Prevention Project. **SUMMARY:** The Interlocal Agreement expired on April 22, 2009. This extension at no additional cost to the County will provide coverage for the Agreement until the final report is received. The extension is necessary due to presentation of the final report being on April 28, 2009 at the request of the County. Countywide (DW)

S. FIRE RESCUE

1. **Staff recommends motion to approve:** an Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the City of Greenacres (City). **SUMMARY:** In an effort to enhance the provision of fire-rescue services, the Board of County Commissioners authorized the Fire Rescue Department to provide countywide communications services effective June 1, 2005. This Agreement provides for contractual commitment for dispatch services to the City as part of the Countywide Common Dispatch program along with providing the mechanism for implementing mutual assistance/automatic aid (closest unit response). This Agreement further authorizes the parties' respective Fire Chiefs to enter into Letter(s) of Understanding to develop automatic aid/closest unit response plans and procedures. This Agreement with the City is for a ten (10) year period. District 2 (SB)

X. PUBLIC SAFETY

1. **Staff recommends motion to:**
 - A) receive and file** an executed Citizen Corps Grant (No. 09-CC-49-10-60-01-294) in the amount of \$5,000 with the Florida Department of Community Affairs for the period of September 1, 2008, through May 31, 2010; and
 - B) approve** a Budget Amendment of \$5,000 in the Emergency Management Fund to establish revenue and appropriations budget.

SUMMARY: The State Department of Community Affairs, Division of Emergency Management has awarded Palm Beach County Division of Emergency Management a grant to organize a Citizen Corps Council in Palm Beach County to coordinate the efforts of volunteer organizations through education, training, and volunteer service to make communities safer, stronger, and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all kinds. This is the third year that the County is receiving this grant. Resolution R2006-0401 gave authority to the County Administrator or his designee, to execute these agreements on behalf of the Board. No County match is required. Countywide (GB)

3. CONSENT AGENDA APPROVAL

BB. INTERNAL AUDITOR

1. Staff recommends motion to approve:

A) Amendment No. 5 to the Contract (R2004-1796) with Joseph Bergeron, Internal Auditor; extending said Contract for one (1) additional year ending on August 16, 2012; and

B) recommendations of the Audit Committee for salary adjustment for the period August 17, 2009, through August 16, 2010.

SUMMARY: The Audit Committee, at its March 11, 2009 meeting, unanimously approved recommending a 2.5% salary adjustment, the same percentage increase provided to other County employees for FY 2009 and a one (1) year extension of the Internal Auditor's Contract. The Audit Committee's recommendations result in a salary of \$146,008 and a contract expiration date of August 16, 2012. This item is presented to the Board at this time to comply with the 90-day notice requirement of the contract. Countywide (PFK)

CC. SHERIFF

1. Staff recommends motion to approve: a Budget Transfer of \$204,811 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 is \$160,462. 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 \$717,632. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$512,821. 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)

<u>Organization</u>	<u>Amount</u>
A Child is Missing, Inc.	\$ 5,000
Alzheimer's Community Care	\$ 10,000
Children's Case Management Organization, Inc.	\$ 15,000
Faith Hope Love Charity, Inc.	\$ 20,000
Florida Sheriff's Youth Ranches, Inc.	\$ 98,811
Inner City Youth Golfers', Inc.	\$ 25,000
Junior Achievement of the Palm Beaches, Inc.	\$ 25,000
Palm Beach County Coalition for Children, Inc.	\$ 2,500
Palm Beach County Crime Prevention Officers Association, Inc.	\$ 1,000
Safety Council of Palm Beach County, Inc.	\$ 2,500
Total Amount of Donations	\$204,811

3. CONSENT AGENDA APPROVAL

DD. MEDICAL EXAMINER

1. Staff recommends motion to receive and file: three (3) original standard Interim Associate Medical Examiner Agreements for the Medical Examiner's Office with the following pathologists:

A) Mark Shuman, M.D. for the period May 1, 2009, through October 30, 2009;

B) Linda R. O'Neil, M.D. for the period May 1, 2009, through October 30, 2009; and

C) Jennifer Park, M.D. for the period May 1, 2009, through October 30, 2009.

SUMMARY: Pursuant to Medical Examiner Ordinance No. 2008-041, Section 4.C., the Medical Examiner may appointment Associate Medical Examiners as are reasonably necessarily to fulfill the duties set forth herein. The County may permit the Medical Examiner to employ, contract or agree independently with each Associate Medical Examiner and be responsible for their remuneration. Pursuant to Resolution R2001-0118, the Medical Examiner may enter into Interim Associate agreements for a term of no more than six (6) consecutive months and the County Administrator has the authority to approve these agreements on behalf of the Board of County Commissioners. Countywide (DW)

* * * * *

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Certificate of Appreciation to Mr. John Flanigan for 20 years of distinguished and devoted service to Palm Beach County as an original member of the Groundwater and Natural Resources Protection Board. (Sponsored by Commissioner Marcus)

- B.** Certificate of Appreciation to Christina Orr Cahall for 19 years of exceptional service and success as Director and CEO of the Norton Museum of Art. (Sponsored by Commissioner Koons)

- C.** Proclamation declaring June 19, 2009 as “City of Atlantis Day” in Palm Beach County. (Sponsored by Commissioner Vana)

- D.** Proclamation declaring May 4 – 10, 2009 as “National Goodwill Week” in Palm Beach County. (Sponsored by Commissioner Abrams)

- E.** Proclamation declaring May 2009 as “Workforce Development Professionals Month” in Palm Beach County. (Sponsored by Commissioner Santamaria)

- F.** Proclamation declaring May 16 – 22, 2009 as “Safe Boating Week” in Palm Beach County. (Sponsored by Commissioner Marcus)

- G.** Proclamation declaring May 17 – 23, 2009 as “Emergency Medical Services Week” in Palm Beach County. (Sponsored by Commissioner Koons)

- H.** Proclamation declaring May 2009 as “Clean Air Month” in Palm Beach County. (Sponsored by Commissioner Abrams)

- I.** Proclamation declaring May 9, 2009 as “Palm Beach Spring Awareness for Music Education Day led by Young Singers of the Palm Beaches “Thank You for the Music” Spring Concert” in Palm Beach County. (Sponsored by Commissioner Aaronson)

- J.** Proclamation declaring May 2009 as “Better Hearing and Speech Month” in Palm Beach County. (Sponsored by Commissioner Aaronson)

5. REGULAR AGENDA

A. ADMINISTRATION

TIME CERTAIN 11:30 A.M.

CLOSED SESSION

1. Executive Session will be held in the McEaddy Conference Room (12th Floor) pursuant to Chapter 447, Florida Statutes, to discuss the negotiations with the Communications Workers of America and Amalgamated Transit Union.

B. CLERK & COMPTROLLER

1. Staff recommends motion to approve: a Budget Transfer of \$170,314 from the General Fund Contingency Reserve to supplement the 2009 Value Adjustment Board budget. **SUMMARY:** The 2009 Value Adjustment Board season set a new record in terms of the number of individuals filing petitions – 13,200. This was an increase of 1,875 from the year before, which was also a record-breaking year. With this increase in filed petitions, corresponding costs also went up. The Palm Beach County Value Adjustment Board requires \$170,314 to supplement its current budget in order to meet operating cost projections for the remainder of the fiscal year. The Board of County Commissioners will be reimbursed 40% of these funds by the School Board of Palm Beach County as mandated by State Statute. Countywide (PK)

C. COUNTY ATTORNEY

1. Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on May 19, 2009 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Section 6-21 through 6-23, codifying Palm Beach County Ordinance No. 95-51, pertaining to certain vessels in the Loxahatchee River, to include certain vessels in Little Lake Worth; amending Section 6-21, Declaration of Legislative Intent; amending Section 6-22, Definitions; amending Section 6-23, Prohibitions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for enforcement; providing for penalty; providing for captions; and providing for an effective date. **SUMMARY:** Residents of Palm Beach County have raised health, safety, and other concerns with regard to people living in boats in the Little Lake Worth area of the Lake Worth Lagoon. Accordingly, the Board of County Commissioners directed staff to draft an amendment to Ordinance 95-51 to prohibit the use of boats as living quarters and restricting commercial activity on boats in Little Lake Worth. Countywide (SF)

5. REGULAR AGENDA

D. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to:

A) approve the 10th Amendment to the FY 2008-2009 Action Plan;

B) adopt a Resolution authorizing the County Administrator or his designee to sign the Amendment to the FY 2008-2009 Annual Action Plan, Standard Form 424, General Consolidated Plan certificates, Homeless Prevention and Rapid Re-Housing Program (HPRP) Certifications, HUD Grant Agreement, Sub-grantee Agreements, and all other related HPRP documents; and

C) approve the Community Services Department to administer the County's HPRP Program.

SUMMARY: Palm Beach County was allocated \$2,823,871 in HPRP funding under the Federal Stimulus Plan. In order to access these funds, Palm Beach County is required to amend its FY 2008-2009 Action Plan and submit the amendment to HUD on or before May 18, 2009. The Amendment constitutes the County's application for use of these funds. The proposed 10th Amendment allocates the HPRP funds for the following activities: a) \$1,826,200 to provide Housing Relocation and Stabilization; b) \$800,000 for Homeless Prevention Services; c) \$56,477 for data collection and evaluation; and d) \$141,194 for administrative cost. The Family Empowerment Coalition (FEC) will coordinate the Housing Relocation and Stabilization component. The FEC is a non-profit agency that coordinates services and funding for multiple homeless service providers throughout the County. The FEC will expand their membership to ensure services to all homeless individuals and families. The fiscal agent for the FEC is Adopt-A-Family of the Palm Beaches. Palm Beach County's Community Services has been recommended to utilize HPRP dollars to augment its existing Homeless Prevention program. HPRP's record keeping and reporting must use HUD's Homeless Management Information System (HMIS) software, which currently is operated by 211 Palm Beach Treasure Coast. HUD expects to execute the grant agreement by September 1, 2009 and Palm Beach County must obligate all HPRP funds by September 30, 2009. In order to meet HUD's stringent deadlines the County Administrator or his designee is being asked to sign the Amendment and execute all related contracts and documents. **These are Federal funds that require no local match.** Countywide (TKF)

E. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on May 19, 2009 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 14, Article 1, Division 3, Sections 14-31 and 14-32 of the Palm Beach County Code; providing for general requirements; providing for securing of vacant structures and limiting the height of overgrowth on developed property; providing for applicability; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The Ordinance amends the Property Maintenance Code to provide for the option of a vacant structure being secured by boarding up in those instances where repeated vandalism occurs or there is evidence of unauthorized access. It also amends the section addressing maintenance of exterior property areas, i.e. overgrowth, to be consistent with the provisions set forth in the lot clearing section of the Code which prohibits overgrowth of more than seven (7) inches on developed lots. Countywide (GB)

5. REGULAR AGENDA

F. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: a Resolution supplementing Resolution R84-1206 of the County, as amended and supplemented, authorizing the issuance, in one or more series of the County's Water and Sewer Revenue Bonds (FP&L Reclaimed Water Project) in an aggregate principal amount of not exceeding \$90,000,000 (the Bonds) to finance the cost of acquisition, construction and installation of additions, extensions and improvements to the County's existing water and sewer system; providing for the payment of such Bonds from net revenues of the County water and sewer system and connection charges on a parity with certain outstanding water and sewer obligations of the County; appointing a paying agent and registrar; approving the form of and authorizing the execution and delivery of a bond purchase agreement and providing a method for determining the terms of such Bonds and for awarding the sale of such Bonds to the underwriters identified herein and making certain findings in connection therewith; approving the form of a preliminary official statement and authorizing its use in the marketing of the Bonds; authorizing the execution and delivery of an official statement to be used in connection with the sale of the Bonds; approving the form of and authorizing the execution and delivery of a registrar and paying agent agreement in connection therewith; providing for certain continuing disclosure obligations consistent with Rule 15c2-12 of the Securities and Exchange Commission; providing certain other details with respect to the Bonds; and providing an effective date. **SUMMARY:** On November 18, 2008, the Board conducted a TEFRA public hearing and adopted a reimbursement resolution (R2008-2153) for certain capital expenditures incurred by the County and FP&L prior to the sale of the Bonds. On April 8, 2009, the County received the remaining allocation for Private Activity Bonds from the Florida First Business allocation pool and is now in a position to move forward with the issuance of the Bonds. Pursuant to the Reclaimed Water Agreement, FP&L is obligated to pay the debt service on the Bonds. The County has scheduled the sale of the Bonds in July. Countywide (PFK)

5. REGULAR AGENDA

G. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) Palm Beach County's electronic submittal and approval of the FY 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation Application, previously called the Local Law Enforcement Block Grant (LLEBG), for the period October 1, 2008, to September 30, 2012, totaling \$1,246,822 in Federal funds; and

B) Authorization for the County Administrator or his designee to execute electronically all related documents for Palm Beach County's FY 2009 JAG and to execute all necessary forms and documents as required by the U.S. Department of Justice, Office of Justice Programs.

SUMMARY: Palm Beach County is eligible to receive a direct award of \$1,246,822 for the following nine (9) proposals: 1) the State Attorney's Office for \$60,000 for the Community-Based Anti-Crime Unit (COMBAT); 2) the Public Defender's Office for \$34,140 for the Ex-Offender Re-Entry Program; 3) the Fifteenth Judicial Circuit, Court Administration for \$64,000 for a Court Analyst; 4) the Fifteenth Judicial Circuit, Court Administration for \$54,271 for a County Court Criminal Case Manager; 5) the Fifteenth Judicial Circuit, Court Administration for \$55,000 for a Juvenile Court Case Advisor; 6) Palm Beach County Public Safety Department for \$163,000 for Adult Pre-Trial Drug Court; 7) the Public Defender's Office for \$58,000 for a Countywide Re-entry Coordinator; 8) the Palm Beach County Justice Services Division for \$53,000 for a Court Program Specialist position, and Pre-Trial Services Program expansion; and 9) the Palm Beach County Sheriff's Office for \$82,000 for the Strategically Targeting Online Predators (STOP) Program. The proposals above total \$623,411 and are planned to be funded for two (2) years. The one (1) grant-funded County position in the proposals above will be eliminated at the expiration of the grant period. There is no requirement for match with the JAG funds. Countywide (DW)

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6. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES**
(Homeless Advisory Board)

1. **Staff recommends motion to approve:** appointment of the following community and business representative to the Homeless Advisory Board effective May 5, 2009, filling an unexpired term ending November 5, 2009, and a full two (2) year term, ending November 5, 2011:

<u>Seat No.</u>	<u>Appointment</u>	<u>Member Category</u>
36	Rev. Dr. Gary Leopard	General Representative

SUMMARY: On May 1, 2007, the Board of County Commissioners approved a resolution establishing the Homeless Advisory Board. The Advisory Board consists of 16 core members who are principally elected officials or agency heads (or their designees) and 20 community and business members. The community and business member seats are broken down as follows: seven (7) business representatives; three (3) private foundation representatives; four (4) formerly homeless representatives; one (1) faith based community representative; one (1) philanthropist; one (1) housing authority representative; one (1) hospital executive officer; and two (2) general members. In accordance with the establishing resolution, the community and business representatives to this advisory board are nominated by the core members. The Rev. Dr. Leopard will complete the term of the seat vacated by Rev. Andrew Sherman. This nomination was approved by the core members on February 18, 2009. (Human Services) Countywide (TKF)

(Head Start/Early Head Start Policy Council)

2. **Staff recommends motion to approve:** appointment of the following Parent Representatives to the Head Start/Early Head Start Policy Council for a term of three (3) years or less, as indicated on the Board Appointment Information Form, effective May 5, 2009:

PARENT REPRESENTATIVE AND ALTERNATE(S) BY CENTER
(R) = Representative (A) = Alternate

<u>Seat ID</u> 12	<u>South Bay-HS</u> Kenyea Glaze (R)	<u>Seat ID</u> 15	<u>Pahokee</u> Debra Jones (R)
<u>Seat ID</u> 27	<u>A Step Above</u> Hudson Lafaille (A)	<u>Seat ID</u> 28	<u>Emmanuel EHS</u> Tiffany Hodges Nicole (R)

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

6. BOARD APPOINTMENTS

B. PALM TRAN
(Palm Tran Service Board)

1. [Staff recommends motion to approve:](#) reappointment of three (3) at-large members from the following categories to the Palm Tran Service Board:

<u>Nominee</u>	<u>Category & Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Jayne King	Representative with Multi-cultural Experience Seat No. 6	5/06/2011	Comm. Koons Comm. Marcus Comm. Vana Comm. Aaronson
Frank Stanzione	Fixed Route Bus Operator Seat No. 10	5/06/2011	Comm. Koons Comm. Marcus Comm. Vana Comm. Aaronson
Dave Evans	Certified Paratransit User Seat No. 8	06/18/2011	Comm. Koons Comm. Marcus Comm. Vana Comm. Abrams Comm. Aaronson

SUMMARY: The Palm Tran Service Board was established December 18, 2001 (R2001-2241), as amended April 2, 2002 (R2002-0485), and is currently comprised of 13 at-large voting members from 11 categories appointed by the Palm Beach County Board of County Commissioners. Members may serve two (2) year terms with no limit on reappointments. The above incumbents of Seats 6, 8, and 10, are members in good standing and have indicated their desire to continue to serve subsequent terms. A memo dated March 2, 2009, was circulated to the Board of County Commissioners along with the Board Appointment Nomination Forms. Countywide (DR)

C. COMMISSION DISTRICT APPOINTMENTS

MAY 5, 2009

7. MATTERS BY THE PUBLIC – 2:00 P.M.

MAY 5, 2009

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

MAY 5, 2009

9. 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 STEVEN L. ABRAMS

E. District 5 - COMMISSIONER BURT AARONSON, VICE CHAIRMAN

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER

10. 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

MAY 5, 2009

<u>PAGE</u>	<u>ITEM</u>	
10	3E-4	<u>DELETED:</u> Staff recommends motion to approve: contracts with listed provider agencies for the period March 1, 2009, through February 28, 2010, totaling \$2,793,162 for Ryan White Part A HIV Emergency Relief Formula funds:...(Community Services) (Further staff review)
13	3G-1	<u>DELETED:</u> Staff recommends motion to: A) adopt a Resolution awarding the sale of the Palm Beach County's Public Improvement Revenue Bonds (Four Points and Other Public Buildings Project)....(OFMB) (Further staff review)
13	3H-1	<u>DELETED:</u> Staff recommends motion to approve: Amendment No. 2 to the Contract with Hedrick Brothers Construction (R2007-4056 <u>1506</u>) in the amount of \$3,962,852 for construction management services and site improvements for the Palm Beach County Sheriff's Office (PBSO) Training Center located at Cherry Road. (FDO) (Further staff review)
22	3L-1	<u>DELETED:</u> Staff recommends motion to approve: Termination of Easement, which terminates a 0.99 acre Conservation Easement at the Whiteside Industrial Park based on receipt of a cash buy-out equivalent to the value of the native upland preserve. (ERM) (Contract Issue)
25	3M-12*	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to: A) approve the use of County park properties in support of the Tropic Thunder 2009 World Championship Invitational Offshore Powerboat Races to be held October 20, 2009, through October 25, 2009, <u>subject to the satisfaction of the rules and regulations of the Parks and Recreation Department and the issuance of a permit pursuant to Section 21-37 of the Palm Beach County Parks and Recreation Ordinance.</u> ; and B) authorize the County Administrator or his designee to develop and execute all necessary permits and forms associated with the use of Park properties for the Tropic Thunder 2009 World Championship Invitational Offshore Powerboat Races. SUMMARY: Campbell Offshore Racing, LLC would like to conduct a for-profit event, the Tropic Thunder 2009 World Championship Invitational Offshore Powerboat Races, using Burt Reynolds Park as a day dock for storage of boats between races. This for-profit event requires a special events permit. In accordance with Ordinance 04-022, all permits requested for use of reserved park/facility areas for for-profit activities requires Board of County Commissioners approval. Campbell Offshore Racing, LLC will be required to meet all permit requirements and pay all fees associated with event coordination at Burt Reynolds Park and other affected properties. <u>The permit will be scheduled for BCC approval at a later date.</u> (Parks)
29	4K	<u>ADD-ON:</u> Proclamation declaring May 2009 as "Haitian Heritage Month" in Palm Beach County. (Sponsored by Commissioner Vana)
29	4L	<u>ADD-ON:</u> Proclamation declaring May 2009 as "Mental Health Month" in Palm Beach County. (Sponsored by Commissioner Santamaria)
38	9B-1	<u>ADD-ON:</u> Proclamation declaring May 11 – 15, 2009 as "Community Action Week" in Palm Beach County. (Sponsored by Commissioner Koons)

- 38 9B-2 **ADD-ON:** Proclamation declaring May 10, 2009 as “World Lupus Day” in Palm Beach County. (Sponsored by Commissioner Koons)
- 38 9D **ADD-ON:** Proclamation declaring May 2009 as “Meet the Blind Month” in Palm Beach County. (Sponsored by Commissioner Abrams)

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