

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

SEPTEMBER 15, 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 - 33)**
- 4. SPECIAL PRESENTATIONS – 9:30 A.M. (Page 34)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 35 - 36)**
- 6. REGULAR AGENDA (Pages 37 - 42)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) an Agreement with Barbara Cheives in an amount not-to-exceed \$1,200 for expenses related to the race relations dialogue project;

B) an Agreement with County Club Acres Association, Inc. in an amount not-to-exceed \$1,375 for expenses related to the community outreach program project;

C) an Agreement with Country Club Acres Association, Inc. in an amount not-to-exceed \$2,000 for expenses related to the media enhancement project;

D) an Agreement with Demetrius Jacques in an amount not-to-exceed \$625 for expenses related to the neighborhood outreach project;

E) an Agreement with Homes at Lawrence HOA, Inc. in an amount not-to-exceed \$1,000 for expenses related to the community outreach project;

F) an Agreement with Lake Worth West Resident Planning Group, Inc. in an amount not-to-exceed \$400 for expenses related to the outreach project;

G) an Agreement with Lynne Hubbard, an individual representing Riviera Beach Revitalization in an amount not-to-exceed \$2,000 for expenses related to the landscaping project;

H) an Agreement with Salvation Army, Inc. in an amount not-to-exceed \$1,000 for expenses related to the community outreach project;

I) an Agreement with Claudia Williams, an individual representing Schall Circle in an amount not-to-exceed \$2,200 for expenses related to the landscaping project;

J) an Agreement with Thomas McKissack, an individual representing Townhouse Court Estates Homeowner's Association, Inc. in an amount not-to-exceed \$1,800 for expenses related to the landscaping project;

K) an Agreement with Beth Weeks, an individual representing Westwood in an amount not-to-exceed \$2,000 for expenses related to the landscaping project;

L) an Agreement with Young Ladies of Grace, Inc. in an amount not-to-exceed \$100 for expenses related to the community outreach project;

M) an Agreement with St. James Missionary Baptist Church, Inc. in an amount not-to-exceed \$2,000 for expenses related to the computer lab project; and

N) an Agreement with The Glades Initiative, Inc. in an amount not-to-exceed \$2,500 for expenses related to the community outreach project.

SUMMARY: The Resident Education to Action Program (REAP) is a six (6) week session which provides organizational and technical support to residents and neighborhood organizations that are seeking to improve the quality of life within their communities. On February 3, 2009, the Board of County Commissioners authorized the allocation of \$30,037 by the Office of Community Revitalization (OCR) for Fiscal Year 2009-2010 for the implementation of REAP. The Agreements being submitted represent the REAP projects selected by the OCR Director to receive grant funding. Countywide (AH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:**
 - A)** a Contract with Palm Beach Grading, Inc., (Palm Beach Grading), the lowest responsive, responsible bidder in the amount of \$947,791.27 for the construction of Lawrence Road from south of C. Stanley Weaver Canal to north of C. Stanley Weaver Canal (Project); and
 - B)** a Budget Amendment of \$45,040 in the Road Impact Fees – Zone 4 Fund to recognize reimbursement funding from the City of Boynton Beach - \$43,040 and AT&T - \$2,000 and appropriate it to the 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 Palm Beach Grading is 46.46%. The time limit for the completion of all work under this contract shall be no more than 180 calendar days. District 3 (MRE)
2. **DELETED**
3. **Staff recommends motion to approve:**
 - A)** a blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2009 and Fiscal Year 2010 projects as identified in the Mid Year Adjustment to the Five Year Road Program, as adopted on July 21, 2009; and
 - B)** the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts deemed necessary to appraise and acquire the before mentioned lands, rights-of-way and easements.

SUMMARY: On July 21, 2009, the Board of County Commissioners adopted the Mid Year Adjustment to the Five Year Road Program for Fiscal Year 2009 through Fiscal Year 2013. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein. Countywide (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4 Staff recommends motion to approve:

A) a Budget Transfer of \$45,000 in the Unincorporated Improvement Fund from Reserves to Wallis Road, Sunbeam Avenue, 1st, 2nd, and 3rd Streets (Project) for contingencies not considered in the original Agreement; and

B) a Task Agreement for \$8,188.98 to the Annual Municipal Service Taxing Unit Districts "A through E" approved by Resolution Number R2007-0462 and renewed February 24, 2009, Resolution No. R2009-0269, with Civil Design, Inc. for additional services for the design of traffic calming measures for the Project.

SUMMARY: Approval of the Budget Transfer and Task Agreement will fund the additional services which include the contingency amounts, along with legal advertising and staff charges for the Project. Contingencies, such as the additional services necessary for the design of traffic calming measures, were not funded in the previously approved Board Action (3C-1) of April 7, 2009. It is anticipated that once the roads are paved in this residential community, there will be a necessity to discourage local traffic from using them for cut-through driving. District 6 (MRE)

5. Staff recommends motion to approve: a Contract not to exceed the total value of \$570,000 for task orders which may be issued for the Annual Pavement Marking Contract (Project), Project No. 2009058, with Transmark, Inc., the lowest responsive, responsible bidder. **SUMMARY:** The Project includes furnishing and installing pavement marking material, raised reflectorized pavement markers, and traffic paint on Palm Beach County roadways. The Small Business Enterprise (SBE) goal for the Project is 15%. None of the three (3) lowest bidders, including Transmark, Inc., achieved any SBE participation. The fourth lowest bidder met the SBE goal, but fell outside the range for ranking of responsive bidders. The contract is effective for 18 months from the date awarded by the Palm Beach County Board of County Commissioners. Countywide (MRE)

6. Staff recommends motion to approve: a Takeover Agreement with Liberty Mutual Surety (Liberty) concerning the funding and construction of improvements to PGA Boulevard (State Road 786) at Prosperity Farms Road (Project). **SUMMARY:** Approval of this Takeover Agreement will allow Liberty to fund and construct the Project in their role as surety provider for required improvements to PGA Boulevard (State Road 786) at Prosperity Farms Road. District 1 (MRE)

7. Staff recommends motion to adopt: a Resolution abandoning the 15 foot wide utility easement along the south line of Lot 3, less the east 10 feet thereof, lying within the plat of Leelan West Industrial Park, recorded in Plat Book 62, Page 133, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located on the south side of Belvedere Road, approximately 0.2 miles west of Benoist Farms Road. The petitioner is requesting the vacation to allow development of the site to be consistent with the approved site plan. District 6 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to approve:

A) a Reimbursement Agreement with the Lake Worth Community Development Corporation/Hammon Park (CDC) in an amount not to exceed \$250,000; and

B) a Budget Transfer of \$250,000 in the Transportation Improvement Fund from Reserve for District 7 to the Lake Worth Community Development Corporation/Hammon Park – District 7.

SUMMARY: Approval of the Reimbursement Agreement and Budget Transfer will provide funds to the CDC to pay for reconstructing the curbs and gutters, landscaping, and sidewalks along the boundaries of Hammon Park. District 7 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement as to Parcels 816, 816A, 817, and 817A in the amount of \$192,536.26, inclusive of attorney's fees, experts' fees and costs, and clerk's fees, in the eminent domain proceeding entitled Palm Beach County v. Raymudo Salazar, et al, Case No.: 502009CA004697XXXXMB AO, for the improvement of West Atlantic Avenue, from west of Lyons Road to Starkey Road. **SUMMARY:** This action would authorize a settlement of the compensation for the acquisition of four (4) permanent exclusive easements for the construction and improvement of West Atlantic Avenue, from west of Lyons Road to Starkey Road (Project No. 2004602), by paying \$192,536.26 for the four (4) permanent exclusive easements acquired, any and all damages to the remaining property and costs to cure such damages, attorney's fees, experts' fees and costs, and \$170 fee to the clerk of the court. District 5 (PM)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) Standard Agreement for the American Recovery and Reinvestment Act Senior Nutrition Services (ARRA-SNS) grant for Federal funds totaling \$279,499 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period May 1, 2009, through September 30, 2010 for congregate and home delivered meals to the elderly;

B) FY 2009 Budget Amendment of \$90,469 in DOSS - Administration Fund; and

C) FY 2010 Budget Amendment of \$271,408 in DOSS - Administration Fund.

SUMMARY: The Agreement will allow DOSS, as an Area Agency on Aging (AAA) Community Care for the Elderly lead agency, to provide screening/assessment to determine client eligibility for home delivered meals. DOSS contracts with vendors to provide congregate and home delivered meals, which are funded with \$279,499 in Federal funds, \$43,229 in Nutrition Services Incentive Program funds, \$31,055 in County required funds, \$217 in additional County funds, and \$7,877 in Program Income funds (Private Donations). Preference shall be given to those with the greatest economic and social needs, with particular attention to low-income older individuals, including those that are minorities, have limited English proficiency, and older individuals residing in rural areas. The Agreement spans two (2) County fiscal years, therefore budget amendments are needed to align the budget with the funding. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides ARRA 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)

2. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IA009-9500 (R2009-0405; dated March 17, 2009) for the Older Americans Act (OAA) Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. for the period January 1, 2009, through December 31, 2009, increasing the agreement amount by \$143,390 for a new total not-to-exceed amount of \$2,068,207 for various supportive services to seniors. **SUMMARY:** This Amendment will increase C2 Home Delivered Meals by \$143,390 and required County funds by \$15,932. County funds are currently in the budget. 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:** Delegate Agency Agreement with Florence Fuller Child Development Centers, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$981,791, for services to Head Start children and families. **SUMMARY:** Florence Fuller Child Development Centers, Inc. will provide services for up to 156 children for 249 days at an annual rate of \$6,293.53, per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into delegate agency agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$644,163 in Federal funds, \$161,041 in required match County funds and \$176,587 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

4. **Staff recommends motion to approve:** Delegate Agency Agreement with The YWCA of Palm Beach County, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$528,657, for services to Head Start children and families. **SUMMARY:** The YWCA of Palm Beach County, Inc. will provide services for up to 84 children for 249 days at an annual rate of \$6,293.53 per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into delegate agency agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$326,097 in Federal funds, \$81,524 in required match County funds and \$121,036 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

5. **Staff recommends motion to approve:** Delegate Agency Agreement with Hispanic Human Resources Council, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$1,642,611, for services to Head Start children and families. **SUMMARY:** Hispanic Human Resources Council, Inc. will provide services for up to 261 children for 249 days at an annual rate of \$6,293.53 per child. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into delegate agency agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$1,013,356 in Federal funds, \$253,339 in required match County funds and \$375,916 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. **Staff recommends motion to approve:** Standard Agreement No. IR009-9500 for the Respite for Elders Living in Everyday Families (RELIEF) program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period July 1, 2009, through June 30, 2010, in an amount not-to-exceed \$91,763, for In-Home Respite services to the elderly. **SUMMARY:** The Agreement will allow the Division of Senior Services (DOSS), a lead agency to expand its In-Home Respite, specifically evening and weekend Respite. This will increase the ability of a family unit to continue to care for a homebound elderly individual beyond the basic provisions of current public programs. Under this Agreement, DOSS will directly provide 12,657 volunteer service hours at a unit reimbursement rate of \$7.25 for each hour of in-home respite and each hour of training provided to the volunteers. Beginning July 1, 2009, through September 30, 2009, the unit rate provides a stipend for the RELIEF volunteers of \$2.55 per hour, plus \$2.50 daily for meal expense and \$.55 a mile for travel allowance. Beginning October 1, 2009, the unit rate provides a stipend for the RELIEF volunteers of \$6 per hour only. There will be no mileage or meal allowances. RELIEF services are funded with \$91,763 in State funds and \$42,626 in additional County funds. The Agreement spans two (2) County fiscal years. Sufficient funding is available in the FY2009 budget to meet County obligations. County match and additional funding required to meet FY 2010 obligations is included in the proposed FY 2010 budget. (DOSS) Countywide (TKF)

7. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with The Union Missionary Baptist Church, Inc. (Day Care Center), for the period of October 1, 2009, through September 30, 2010, in an amount of \$215,492, for services to Head Start children and families. **SUMMARY:** The Union Missionary Baptist Church, Inc. will provide services to 37 children for 249 days at a rate of \$23.39 per child/per day for 3 and 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$132,316 in Federal funds, \$33,079 in required match County funds and \$50,097 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

8. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Florence Fuller Child Development Centers, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$184,225, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Florence Fuller Child Development Centers, Inc. will provide services to 22 infants and toddlers at a rate of \$33.63 per child, per day for 249 days. Funding consists of \$123,856 in Federal funds, \$30,964 in required match County funds and \$29,405 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with A Step Above Learning Center, Inc. (d/b/a A Step Above Early Learning Center), for the period of October 1, 2009, through September 30, 2010, in an amount of \$116,482, for services to Head Start children and families. **SUMMARY:** A Step Above Learning Center, Inc. will provide services to 20 children for 249 days at a rate of \$23.39 per child/per day for 3 and 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$71,521 in Federal funds, \$17,880 in required match County funds and \$27,081 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

10. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with Apostolic Child Development Centers, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$485,744, for services to Head Start children and families. **SUMMARY:** Apostolic Child Development Centers, Inc. will provide services to 78 children for 249 days at a rate of \$25.01 per child/per day for 3 and 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$164,760 in Federal funds, \$41,190 in required match County funds and \$279,794 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

11. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Apostolic Child Development Centers, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$211,550, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Apostolic Child Development Centers, Inc. will provide services to 24 infants and toddlers at a rate of \$35.40 per child, per day for 249 days. Funding consists of \$139,895 in Federal funds, \$34,974 in required match County funds and \$36,681 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

12. **Staff recommends motion to approve:** Head Start Contracted Services Agreement with Education Development Center, Inc. (d/b/a My First Steps Preschool), for the period of October 1, 2009, through September 30, 2010, in an amount of \$477,577, for services to Head Start children and families. **SUMMARY:** Education Development Center, Inc. will provide services to 82 children for 249 days at a rate of \$23.39 per child/per day for 3 and 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$164,760 in Federal funds, \$41,190 in required match County funds and \$271,627 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

13. Staff recommends motion to approve: Early Head Start Contracted Services Agreement with Emmanuel Child Development Center, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$167,477, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Emmanuel Child Development Center, Inc. will provide services to 20 infants and toddlers at a rate of \$33.63 per child, per day for 249 days. Funding consists of \$110,850 in Federal funds, \$27,713 in required match County funds and \$28,914 overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

14. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Family Central, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$119,866, for services to Early Head Start children and families. **SUMMARY:** Family Central, Inc. will recruit, contract and maintain four (4) licensed family child care Home providers in Belle Glade, Pahokee and South Bay for the Early Head Start program for a total of 16 infants and toddlers. Family Central, Inc. will be reimbursed at a rate of \$25.56 per child/per day for 16 children that are approved for subsidized child care for a maximum of 249 days. Reimbursement costs for postage, mileage, training, conferences and substitutes shall not exceed \$18,035. Funding consists of \$73,740 in Federal funds, \$18,435 in required match County funds and \$27,691 in overmatch, for a total of \$119,866. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

15. Staff recommends motion to approve: Head Start Contracted Services Agreement with The King's Kids Early Learning Center, Inc., for the period of October 1, 2009, through September 30, 2010, in an amount of \$192,196, for services to Head Start children and families. **SUMMARY:** The King's Kids Early Learning Center, Inc. will provide services to 33 children for 249 days at a rate of \$23.39 per child/per day for 3 and 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children 3 and 4 years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$118,011 in Federal funds, \$29,503 in required match County funds and \$44,682 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

16. Staff recommends motion to approve: Early Head Start Contracted Services Agreement with Hispanic Human Resources Council, Inc., for the period of October 1, 2009, to September 30, 2010, in an amount of \$211,550, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start Contracted Services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Hispanic Human Resource Council, Inc. will provide services to 24 infants and toddlers at a rate of \$35.40 per child, per day for 249 days. Funding consists of \$139,896 in Federal funds, \$34,974 in required match County funds and \$36,680 in overmatch. County funding is contingent on budget approval and has been requested in the FY 2010 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

17. Staff recommends motion to ratify: the Chairman's signature on a Head Start Expansion Grant Application to the U.S. Department of Health and Human Services (HHS), Administration for Children and Families, for the period of October 1, 2009, through September 30, 2010, in the amount of \$1,504,599. **SUMMARY:** The HHS has announced the availability of the Head Start Expansion grant. These funds will be used to serve an additional 154 preschoolers and their families. This will extend services to homeless and immigrant groups. The emergency signature process was used because there was insufficient time to submit the item through the regular agenda process. The total amount of the request for a 12-month period, including startup expenses is \$1,203,679 (Federal) and \$300,920 (Non-Federal), \$98,473 of Non-Federal match will be provided as in-kind from Children's Services Council and Cooperative Extension and the balance from present County overmatch. No new County funds are required. (Head Start) Countywide (TKF)

18. Staff recommends motion to ratify: the Chairman's signature on an Early Head Start Expansion Grant Application to the U.S. Department of Health and Human Services (HHS), Administration for Children and Families, for the period of October 1, 2009, through September 30, 2010 in the amount of \$1,859,016. **SUMMARY:** The HHS has announced the availability of the Early Head Start Expansion grant. These funds will be used to serve an additional 15 pregnant women and 76 infants and toddlers. The emergency signature process was used because there was insufficient time to submit the item through the regular agenda process. The total amount of the request for a 12-month period, including startup expenses is \$1,487,213 (Federal) and \$371,803 (Local). Local funding includes \$41,762 in-kind from Children's Services Council, \$8,473 from Cooperative Extension, and \$321,568 from the County. County in-kind match requirement will be satisfied using expansion cost of the West Palm Beach Center. No new County funds are required. (Head Start) Countywide (TKF)

19. Staff recommends motion to ratify: the Chairman's signature on a One-Time Program Improvement Grant Application to the U.S. Department of Health and Human Services (HHS), Administration for Children and Families, for the period of October 1, 2008, through September 30, 2009, in the amount of \$90,316. **SUMMARY:** The HHS has announced the availability of One-Time Program Improvement Grant for Head Start/Early Head Start programs. These funds will be used to purchase replacements for 67 out-of-warranty computer systems. The application was submitted through the emergency signature process because there was not sufficient time to submit through the regular Board of County Commissioners agenda process. Funding is comprised of \$72,253 (80%) Federal and non-Federal match of \$18,063. The non-Federal match can be provided from present County overmatch. No new County funds are required. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** a list of 12 charitable organizations to benefit from the proceeds (coins) from the fountain at Palm Beach International Airport during the period October 1, 2009, through September 30, 2010. **SUMMARY:** On March 14, 1989, the Board approved the concept of collecting contributions from the Airport's fountain on a monthly basis and contributing the funds to a different charitable organization recommended by the Department of Airports in conjunction with the Community Services Department and approved by the Board. The Department of Airports recommends the non-profit organizations listed on Attachment "A" of the Agenda Item, provided by the Community Services Department to receive contributions for the forthcoming fiscal year commencing October 1, 2009. Average monthly contributions for the past year have been approximately \$100. In addition, the list will be provided to the Paradies Shops, the Airport's retail operator, who will send the contribution from the fountains in its gift shop areas along with an additional contribution of \$250 to the recommended recipients pursuant to its concession agreement. Countywide (AH)

2. **Staff recommends motion to approve:** Utility Easement Agreement with Florida Power & Light Company (FPL) for utility service to the new Federal Aviation Administration (FAA) Air Traffic Control Tower on the Palm Beach International Airport (PBIA). **SUMMARY:** FPL requires an easement to provide electrical service to the new Air Traffic Control Tower being constructed by the FAA at PBIA. Countywide (HJF)

3. **Staff recommends motion to approve:** a Memorandum of Agreement with the Federal Aviation Administration (FAA) establishing procedures to allow West Palm Beach Air Traffic Facility's ASR-11 automated data to be used in support of Palm Beach International Airport (PBIA) Noise and Operations Monitoring System. **SUMMARY:** This Memorandum of Agreement provides the conditions under which PBIA can access and utilize the FAA ASR-11 automated data in a more effective and time efficient manner. The terms of the agreement are standard to the industry and allow a 15 minute delay in transference of data. The Agreement will remain in force until terminated by either party and may be terminated with or without cause. Countywide (AH)

4. **Staff recommends motion to approve:** an Airport Baggage Cart and Massage Chair Concession Agreement (Agreement) with Smarte Carte, Inc., for an initial term of one (1) year and concession fee of 5% of gross revenues from baggage cart rentals and 20% of gross revenues from massage chair services. **SUMMARY:** Smarte Carte will be required to provide self-service baggage carts and mechanical massage chairs for use by passengers at the Palm Beach International Airport (PBIA). The Agreement will commence on October 1, 2009 and will expire on September 30, 2010, with one (1) additional one (1) year option to renew. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to receive and file: two (2) original Agreements for the Department of Airports:

A) Hangar Lease Agreement with Walter Korabiak, Unit 15, Building 11300, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on August 6, 2009; terminating Hangar Lease Agreement with Jerry Peterson and Walter Korabiak (R2007-2074) for Unit 13, Building 11730 at North County General Aviation Airport, same date; and

B) License Agreement with Aircraft Service International Group, Inc. for sole and exclusive handling, check in and servicing one (1) charter flight at Palm Beach International Airport, commencing May 23, 2009, expiring October 30, 2009.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2007-2070 and R2008-1845. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a Use Agreement with the Sheriff of Palm Beach County (Sheriff) for the use and occupancy of space at three (3) County parks by the Sheriff Marine Unit. **SUMMARY:** The Parks Department has partnered with the Sheriff for the location of the Sheriff's Marine Unit at two (2) County parks and may expand that partnership to three (3) parks in the future. The Use Agreement provides the terms by which the Sheriff will occupy space at: (i) Phil Foster Park in Riviera Beach, (ii) Ocean Inlet Park in Ocean Ridge, and (iii) DuBois Park in Jupiter, if and when docks/slips are constructed. On May 20, 2008, the Board approved, using law enforcement impact fee funding, building and dock improvements made on the Sheriff's behalf at Phil Foster Park. The improvements at Phil Foster Park are currently under construction. At Ocean Inlet Park, the Sheriff and Parks Department have historically shared a building and utilized an existing dock. This Use Agreement provides for the Sheriff and Parks Department to swap space to better align the space needs with the staffing at that location. At DuBois Park, the Use Agreement requires a discussion on the ability to provide a law enforcement slip at DuBois Park in the future, prior to finalizing the design for that park. At all locations, the Sheriff shall not be charged for use of dock and office space at the parks and the County shall be responsible for maintaining the buildings and docks at its expense. The Sheriff shall provide office equipment and furniture, maintain and fund replacement of their boat lifts, and provide custodial services to its office space at its expense. The term of the Use Agreement is 20 years, with the possibility of extending it for two (2) additional five (5) year terms upon mutual agreement. (FDO Admin) Districts 1, 4, & 7 (JM)
2. Staff recommends motion to approve: JOC Work Order No. 09-147 with H.A. Contracting Corp. (R2007-0944), in the amount of \$750,855.27 for replacement air conditioning units at the Palm Beach County Sheriff's Office (PBSO) Administration Building. **SUMMARY:** The work consists of the installation of two (2) new 45-ton chillers with cooling modules for PBSO's main computer room which includes all associated mechanical, plumbing, and electrical, revisions to the ceiling grid and lighting, and other associated work. The Small Business Enterprise (SBE) participation in this Work Order is 64.3%. When the participation for this Work Order is added to H.A.'s total participation-to-date, the resulting values are 37.78%. The SBE goals are 15%. The total construction duration is 270 days. The County is funding the portion of the project which is renewal/replacement from its Countywide Renewal/Replacement Fund. The remainder of the project (\$440,000) is being funded by PBSO since equipment with greater capacity is necessary due to the placement of additional IT equipment and the associated heat load. (FD&O Admin) Countywide/District 2 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** a Use Agreement with The School Board of Palm Beach County (School Board) for the operation of a Palm Tran Transit Transfer Station on School Board property at West Technical Educational Center for a one-time use fee of \$100,000. **SUMMARY:** Palm Tran desires a Transit Transfer Station to operationally meet the needs of the various routes serving the Glades communities including the Route 40/48 between the Glades and the coast whose ridership is expected to increase with the Hospital and the West County Detention Center expansion. Palm Tran and the School Board concur that an upgrade to an existing bus stop to a Transfer Station at the School Board's West Technical Educational Center furthers the objectives of both organizations. West Tech is located at 2625 State Road 715 in Belle Glade. The Use Agreement gives the County the right to install a new shelter, construct ADA-compliant sidewalks, install wheelchair ramps and security gates, and use 42 existing parking spaces and the access drive for a \$100,000 one-time use fee. The term of the Use Agreement is 20 years. The Agreement gives the School Board the right to require the County relocate the Transfer Station to another location on the West Tech campus at the County's cost if the School Board needs the property for its development objectives. If the School Board requires the relocation of the Transfer Station in Years 11-20 of the Lease term, then the School Board will fund 50% of the relocation costs. Palm Tran will use State funding to pay the use fee. The estimated \$125,000 for site improvements will be funded from Federal Transit Enhancement funding. (FDO Admin) District 6 (HJF)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 3 to Contract with Heery International, Inc. (R2006-2219) for commissioning services for the West County Detention Facility in the amount of \$232,650. **SUMMARY:** CSA No. 3 will provide commissioning services for the new expansion to the West County Detention Center. Commissioning services provide an independent oversight and evaluation of mechanical and electrical systems to ensure the systems are contract compliant, exceed or meet all standards, and are operating as designed and intended. The services also include demonstrating the performance of equipment and systems. These services are critical for this project as once the facility is occupied there are no opportunities to take it out of service for repairs, replacements, etc. The Small Business Enterprises (SBE) participation for this project is 15%. Heery International, Inc. will be providing 0% in this CSA. Overall SBE participation is 13.5%. CSA No. 3 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008. (Capital Improvements Division) Countywide/District 6 (JM)

5. **Staff recommends motion to approve:** Amendment No. 2 to the Contract (R2007-1813) with Miller Legg & Associates, Inc., for professional design services on a continuing contract basis for Parks and Recreation Department's capital improvement projects. **SUMMARY:** Miller Legg & Associates, Inc. was selected to provide professional design services for Parks and Recreation Department capital improvement projects. The original Contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. Amendment No. 2 will provide for services during the second renewal period. Miller Legg & Associates, Inc. has a Small Business Enterprise/Minority/Women Business Enterprise (SBE/M/WBE) participation goal of 18% and 2%. During the two (2) years of the Contract, Miller Legg & Associates, Inc. has achieved 12.5% SBE and 6.9% M/WBE participation. The SBE goal was not achieved as the projects assigned under this annual contract did not always fully utilize Miller Legg's SBE sub-consultants. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Amendment No. 2 to the Contract (R2007-1812) with Corzo Castella Carballo Thompson Salman, P.A. for professional design services on a continuing contract basis for Parks and Recreation Department's capital improvement projects. **SUMMARY:** Corzo Castella Carballo Thompson Salman, P.A. was selected to provide professional design services for Parks and Recreation Department capital improvement projects. The original Contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. Amendment No. 2 will provide for services during the second renewal period. Corzo Castella Carballo Thompson Salman, P.A. has a Small Business Enterprise/Minority/Women Business Enterprise (SBE/M/WBE) participation goal of 2% and 100%. During the two (2) years of the Contract, Corzo Castella Carballo Thompson Salman, P.A. has achieved 1.4% and 100% participation. (Capital Improvements Division) Countywide (JM)

7. Staff recommends motion to approve: Amendment No. 2 to the Contract (R2006-2228) with L.D. Astorino Architects, Inc., for professional architectural services on a continuing contract basis. **SUMMARY:** L.D. Astorino Architects, Inc., was selected to provide professional architectural services for small construction projects generally with construction values less than \$1,000,000. The original Contract provided for an initial two (2) year term with three (3) – one (1) year renewal options. Amendment No. 2 will provide for services during the second renewal period. L.D. Astorino Architects, Inc., has a Small Business Enterprise/Minority/Women Business Enterprise (SBE/M/WBE) participation goal of 35%. During the three (3) years of the Contract, L.D. Astorino Architects, Inc., has achieved 29.8% participation. (Capital Improvements Division) Countywide (JM)

8. Staff recommends motion to approve: Amendment No. 1 to the Contract (R2007-1809) with Dunkelberger Engineering & Testing, Inc., for environmental assessment services on a continuing contract basis. **SUMMARY:** Dunkelberger Engineering & Testing, Inc. was selected to provide professional consulting services for Annual Environmental Assessment Services. The original Contract provided for an initial two (2) year term with (2) two - one (1) year renewal options. Amendment No. 1 will provide for services during the first renewal period. Dunkelberger Engineering & Testing, Inc. has a Small Business Enterprise (SBE) participation goal of 15%. During the two (2) years of the Contract, Dunkelberger Engineering & Testing, Inc. has achieved 25.1% participation. (Capital Improvements Division) Countywide (JM)

9. Staff recommends motion to approve: Amendment No. 1 to the Contract (R2007-1808) with REP Associates, Inc., to provide environmental assessment services on a continuing contract basis. **SUMMARY:** REP Associates, Inc. was selected to provide professional consulting services for Annual Environmental Assessment Services. The original Contract provided for an initial two (2) year term with two (2) - one (1) year renewal options. Amendment No. 1 will provide for services during the first renewal period. REP Associates, Inc. has a Small Business Enterprise (SBE) participation goal of 85%. During the two (2) years of the Contract, REP Associates, Inc. has achieved 93.9% participation. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: Amendment No. 1 to the Contract (R2007-1807) with Handex Consulting & Remediation – Southeast, LLC. for environmental assessment services on a continuing contract basis. **SUMMARY:** Handex Consulting & Remediation – Southeast, LLC. was selected to provide professional consulting services for Annual Environmental Assessment Services. The original Contract provided for an initial two (2) year term with two (2) - one (1) year renewal options. Amendment No. 1 will provide for services during the first renewal period. Handex Consulting & Remediation – Southeast, LLC. has a Small Business Enterprise (SBE) participation goal of 20%. During the two (2) years of the Contract, Handex Consulting & Remediation – Southeast, has achieved 44.6% participation. (Capital Improvements Division) Countywide (JM)

11. Staff recommends motion to approve: a First Amendment to Easement Agreement (R2007-1716) with South Florida Regional Transportation Authority (SFRTA) for the construction of County improvements associated with the development of the Intermodal Transfer Facility located in West Palm Beach. **SUMMARY:** The County has recently constructed the Intermodal Transfer Facility located adjacent to the Tri-Rail Station in West Palm Beach. In October 2007, the Board approved an Easement Agreement with SFRTA for the County's use of portions of the SFRTA property in the development of the Intermodal Transfer Facility. The final construction design of a bus shelter and fencing (improvements) requires an additional easement area from SFRTA. This First Amendment expands the easement area to the east to include a 9' to 11' wide by 185' long strip of land containing 1,841 square feet (.04 acres). This is a perpetual, non-exclusive easement and all other terms and conditions of the Easement Agreement remain unchanged. (PREM) District 7 (HJF)

12. Staff recommends motion to approve: a Declaration of Easement in favor of Palm Beach County Water Utilities Department for a water line servicing the Royal Palm Beach Library. **SUMMARY:** The County is currently expanding the Royal Palm Beach Library located near the southwest corner of Royal Palm Beach Boulevard and Okeechobee Boulevard in Royal Palm Beach. Development of the Library requires the County to install a water line leading to a fire hydrant adjacent to the Library's property. The water line will follow a path from Civic Center Way to the fire hydrant for a distance of approximately 225 feet. The easement area is 20' wide and contains 4,510 square feet (.10 acres). The Declaration of Easement will be recorded to provide notice of the existence and location of the water line. (PREM) District 6 (HJF)

13. Staff recommends motion to approve: an Underground Electrical Utility Easement in favor of United Civic Organization, Inc. (UCO) to provide electrical service to UCO's office building located in unincorporated West Palm Beach. **SUMMARY:** On June 24, 2003 (R2003-0912), the County sold UCO 1.21 acres, including an office building which was in need of major renovations, located on Okeechobee Boulevard adjacent to the Okeechobee Branch Library, in unincorporated West Palm Beach. Due to renovations to the office building, it is necessary for UCO to obtain a perpetual non-exclusive easement for an underground electrical cable across a portion of the adjacent County property to allow for the connection to a Florida Power & Light (FPL) transformer. The easement area is approximately 12' wide and 73.50' long, and contains 882 square feet (.02 acre) running across a small portion of the western area of the County property. This Utility Easement is being granted to UCO at no charge to allow UCO access to the FPL transformer to finalize the renovations to the building, which will serve the residents of Century Village. UCO is a not-for profit corporation and is the Master Association at Century Village. (PREM) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. **Staff recommends motion to approve:** Exercise of the first option to extend the term of the Lease Agreement (R97-2126D), as amended, with Aspen Skees Road, LLC, for the County's continued used of 6,000 square feet of office and warehouse space, for the Palm Beach County Sheriff's Office at an annual rate of \$68,820. **SUMMARY:** Since January 1, 1998, the County has leased office and warehouse space at 1438 Skees Road in West Palm Beach for the Palm Beach County Sheriff's Office. The current term of the Lease Agreement, as amended, expires on December 31, 2009, and provides for three (3) extension options, each for a period of one (1) year. This option will extend the term of the Lease Agreement for one (1) year, from January 1, 2010, through December 31, 2010. The annual rent for this extension period will increase five percent (5%) to \$68,820 (\$11.47/SF). All other terms of the Lease Agreement remain unchanged. (PREM) District 2 (HJF)

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Work Authorization No. 6 to the Optimization and Improvements Design/Build Services with Globaltech, Inc. (R2008-2323) for the Belle Glade Wastewater Treatment Plant Grit Removal Project in the amount of \$235,567. **SUMMARY:** On December 16, 2008, the Board of County Commissioners approved the Water Utilities Department Optimization and Improvements Design/Build Services Contract with Globaltech, Inc. for treatment plant and regional pump station projects. Funding for the project is from a Community Development Block Grant (CDBG) made available through the Department of Housing and Community Development. This Work Authorization is a guaranteed maximum price for the construction of the Belle Glade Wastewater Treatment Plant Grit Removal Project. The contract and its administration by Water Utilities Department (WUD) fall under the Glades Utility Authority Operating Agreement approved on August 18, 2009 (R2009-1345). 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 86.05% overall participation. The cumulative SBE participation, including this Work Authorization, is 70.76% overall. **These are Federal CDBG funds which require no local match.** (WUD Project No. 09-040) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve:

A) Contract with Shenandoah General Construction Company for the City of South Bay Inflow and Infiltration Program in the amount of \$585,367.60; and

B) a Budget Amendment of \$792,000 in the Water Utilities Department Capital Improvement Fund to recognize funding from the City of South Bay.

SUMMARY: On July 23, 2009, six (6) bids were received for the City of South Bay Inflow and Infiltration Program, with Shenandoah General Construction Company being the lowest responsive bidder in the amount of \$585,367.60. The project consists of repairing the South Bay gravity wastewater system to prevent inflow and infiltration which will reduce the operational costs for the Glades Utility Authority (GUA). This Contract and its administration by Water Utilities Department fall under the GUA Operating Agreement approved on August 18, 2009 (R2009-1345). The project has received stimulus funding from the American Recovery and Reinvestment Act of 2009 (ARRA). A condition of the ARRA funding requires award of the construction prior to October 1, 2009. On July 7, 2009, the Board of County Commissioners approved a Clean Water State Revolving Fund Construction Loan Agreement (No. WW501000) (R2009-1127) with the City of South Bay, and the State of Florida Department of Environmental Protection, which provides for a total of \$792,000 in ARRA funding. Staff has reviewed the bid and recommends award to Shenandoah General Construction Co. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with Shenandoah General Construction Company provides for SBE participation of 18.91% overall. The Contract has been sent to the Florida Department of Environmental Protection for review of the ARRA requirements and they have approved the award. **These are Federal ARRA funds which require no local match.** (WUD Project No. 09-055) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

A) Contract with AKA Services, Inc. for the City of Pahokee Inflow and Infiltration Program and Wastewater Pump Stations in the amount of \$4,801,412.25; and

B) a Budget Amendment of \$5,511,570 in the Water Utilities Department Capital Improvement Fund to recognize funding from the City of Pahokee.

SUMMARY: On July 28, 2009, three (3) bids were received for the City of Pahokee Inflow and Infiltration Program and Wastewater Pump Stations, with AKA Services, Inc. being the lowest responsive bidder in the amount of \$4,801,412.25. The project consists of repairing the Pahokee gravity wastewater system to prevent inflow and infiltration and upgrades to 23 lift stations which will reduce the operational costs for the Glades Utility Authority (GUA). This Contract and its administration by Water Utilities Department fall under the GUA Operating Agreement approved on August 18, 2009 (R2009-1345). The project has received stimulus funding from the American Recovery and Reinvestment Act of 2009 (ARRA). A condition of the ARRA funding requires award of the construction prior to October 1, 2009. On July 7, 2009, the Board of County Commissioners approved a Clean Water State Revolving Fund Construction Loan Agreement (No. WW501100) (R2009-1125) with the City of Pahokee (City) and the State of Florida Department of Environmental Protection and a Clean Water State Revolving Fund Construction Loan Agreement No. WW501101 (R2009-1126) with the City which provides for a total of \$5,511,570 in ARRA funding. Staff has reviewed the bid and recommends award to AKA Services, Inc. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with AKA Services, Inc. provides for SBE participation of 16.12% overall. The Contract has been sent to the Florida Department of Environmental Protection for review of the ARRA requirements and they have approved the award. **These are Federal ARRA funds which require no local match.** (WUD Project No. 09-057) District 6 (JM)

4. **DELETED**

5. Staff recommends motion to approve: Amendment No. 1 to Agreement No. 4600001643/PO with the South Florida Water Management District (SFWMD) for permitting, repair and construction of various projects in the Cities of South Bay, Pahokee and Belle Glade. **SUMMARY:** On February 3, 2009, the Board of County Commissioners approved Agreement No. 4600001643/PO with SFWMD (R2009-0233). Palm Beach County Water Utilities Department will complete various watermain and water services repairs in the Cities of South Bay, Pahokee and Belle Glade. This Amendment is required by SFWMD to revise the Statement of Work and the Payment and Deliverable Schedule in the Agreement. The specific projects include: \$35,000 for the City of South Bay for water main and 19 water services repair; \$133,000 for the City of Pahokee Morgan Road water main replacement and repair; and \$140,000 for the City of Belle Glade for the repair of five (5) water mains, and 66 water services. The funding is being provided by SFWMD in the amount of \$308,000 with no matching funds required. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **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-146 (\$200,000) for the Pine Glades Natural Area. **SUMMARY:** Task Assignment No. SE-146 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 July 24, 2009 through June 1, 2010, for invasive plant control in the Pine Glades Natural Area. This item will establish a budget for the Task Assignment. District 1 (SF)

2. **Staff recommends motion to:**

A) approve Amendment No. 1 to the Primary Contract for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2008ERM04 (R2008-1667) with M&J Construction Company of Pinellas County, Inc. (M&J) to increase the Contract by \$478,525.40 to a not-to-exceed amount of \$4,470,960.86, extend the Contract for one (1) year and add revised bid schedule;

B) approve Amendment No. 1 to the Secondary Contract for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2008ERM04 (R2008-1667.1) with The Murphy Construction Co. (Murphy) to extend the Contract for one (1) year;

C) authorize M&J to complete additional construction of the Riviera Beach Mitigation Reef in the amount of \$436,517.40, including a time extension of 60 days after the Notice to Proceed for the additional work under Work Supplement No. 1667-01A, in accordance with M&J's annual Contract, as amended; and

D) authorize the County Administrator, or his designee, to sign Work Supplement No. 1667-01A for Riviera Beach Mitigation Reef Project.

SUMMARY: The BCC approved two (2) annual construction Contracts for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2008ERM04 (R2008-1667, -1667.1) on September 23, 2008. M&J was issued six (6) work orders totaling \$3,634,913.77; Murphy has not been issued any work orders to-date. Staff requests BCC approval of Amendment No. 1 to extend the M&J and Murphy Contracts, to increase the amount of work for the M&J Contract (R2008-1667) by \$478,525.40, and add a Revised Bid Schedule to M&J's Contract. The increased Contract amount is based on estimated expenses for permit required projects funded by grants, including Work Supplement No. 1667-01A. Small Business Enterprise (SBE) goals of 21.04% as set forth in the M&J Contract and 14.99% as set forth in the Murphy Contract will remain in effect. M&J's SBE participation to-date is 21.03%. In addition, staff seeks BCC authorization to execute Work Supplement No. 1667-01A for the construction of the Riviera Beach Mitigation Reef Project. This project was obligated as a permitting requirement for mitigation for work previously performed in the areas of Juno Beach and Jupiter Inlet District Projects. The Riviera Beach Mitigation Reef is funded from a combination of Jupiter Inlet District revenues, Tourist Development taxes, ad valorem and interest earnings in the Beach Improvement Fund. Countywide (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to approve:

A) Employee Interchange Agreement (Agreement) with the U.S. Army Corps of Engineers (COE) in an amount not-to-exceed \$175,000 to fund a COE staff position dedicated to reviewing County permit applications through September 30, 2010;

B) Budget Transfer of \$14,700 in the Transportation Improvement Fund from Road Program Sweep Reserves to Agreement with the COE on behalf of Engineering and Public Works Department; and

C) Waiver of advance payment prohibition cited in County Policy and Procedure Memorandum No. CW-F-049 for this Agreement.

SUMMARY: Proposed is a one (1) year extension of an existing two (2) year Agreement with the COE which expires September 30, 2009. User Departments have indicated a significant benefit from the existing Agreement during the last two (2) years. Airports, Engineering & Public Works, Environmental Resources Management and Water Utilities all cite time and cost savings as well as making grant application deadlines that otherwise may have been missed as benefits of the existing Agreement. The County is required to advance the estimated salary cost associated with the Agreement. Typically, an advance is not authorized by County contracts. However, staff is seeking a Board waiver of this policy because these permitting services are deemed necessary for County business, and the Agreement mitigates risk of loss by requiring periodic reconciliations. For this Agreement extension, the first payment is prorated for the period ending December 31, 2009. Currently, the COE's authority to accept funds expires on that date. It is anticipated that the COE's authority will be extended. A second payment would then be made to carry the Agreement through to September 30, 2010. Should the COE's authority not be extended, the Agreement will expire on December 31, 2009. The Agreement may be renewed annually. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

A) approve an Interlocal Agreement with the Town of Palm Beach (Town) to include the Town in the Central Palm Beach County Comprehensive Erosion Control Project (Breakwater Project), expiring upon completion of the project for an estimated cost share of \$417,339;

B) approve an Interlocal Agreement with the Town to cost share on shoreline protection tasks along eligible portions of shoreline within the municipal limits of the Town, expiring December 31, 2034 (Shoreline Protection Project);

C) approve a Budget Amendment of \$417,339 in the Beach Improvement Fund to recognize the estimated revenue from the Breakwater Project agreement; and

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

SUMMARY: The Interlocal Agreement for the Breakwater Project expands the original project area along Manalapan, Lantana, and South Palm Beach to the north to include a portion of the Town's shoreline in the design and permitting of the proposed project. This Agreement provides a 37.7% cost-share for the Environmental Impact Study (EIS) and design, permitting, and management of the Breakwater Project. In addition, the Agreement recognizes the need for additional coordination on any future construction, monitoring, and mitigation costs. This cost-share represents the Town's proportional share of linear shoreline contained within the Breakwater Project area. The remaining 62.3% of project costs is currently funded by a combination of Tourist Development Tax, interest, ad valorem and a 20% cost-share by the Town of South Palm Beach (as per Interlocal Agreement No. R2007-0796).

The Interlocal Agreement involving the Shoreline Protection Project continues cooperation between the Town and County on funding shoreline protection tasks such as design, permitting, construction, mitigation, and environmental and performance monitoring. This Interlocal Agreement provides for 20% reimbursement of total costs associated with eligible portions of shoreline protection tasks incurred by either Party as defined in future agreements. Districts 1, 4 & 7 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: a month-to-month lease agreement with resident caretaker, Steven Ryan, at Morikami Park. **SUMMARY:** Palm Beach County owns various park sites throughout the County that have facilities for employees who reside on the premises as a condition of their employment. These caretakers maintain and repair the property on which they reside and are on-call 24 hours per day. The Agreement shall remain in full force and effect until terminated as provided in Section 18 of the Agreement. District 4 (AH)

2. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Royal Palm Beach Community High School for the period July 1, 2008, through October 31, 2009, in an amount not-to-exceed \$6,000 for Athletic Department programs and equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: executed Independent Contractor Agreement received during the month of July: Cindy Davidson, Fishing Instructor, Daggerwing Nature 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 5 (AH)

4. Staff recommends motion to approve: Agreement with Community Back to School Bash, Inc. for the period September 15, 2009, through December 30, 2009, in an amount not-to-exceed \$10,000 for funding of the annual Community Back to School Bash event. **SUMMARY:** This funding is to assist with the cost of the 2009 Community Back to School Bash event which was held at the Palm Beach County Convention Center and various other locations throughout the County on August 8, 2009. The event served approximately 9,500 participants. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to May 27, 2009. Funding is from the Recreation Assistance Program (RAP) District 2 (\$5,000) and District 3 (\$5,000) Funds. Countywide (AH)

5. Staff recommends motion to approve: Interlocal Agreement with the Town of Mangonia Park for the period September 15, 2009, through September 14, 2010, in an amount not-to-exceed \$202,238 for funding of the 53rd Street Park Sportsfield Lighting Project. **SUMMARY:** Funding for this project was previously approved by the Board, and the attached Interlocal Agreement is now being presented for Board approval. The budget transfers approved by the Board on April 21, 2009 (agenda item 6F2) and the attached Interlocal Agreement provide funding for the construction of lighting facilities at the Mangonia Park 53rd Street Park and Baseball Field. The Agreement allows for the reimbursement of eligible project expenses incurred subsequent to April 1, 2009. Funding is from the 1999 \$50M Recreation and Cultural Facilities Bond and the 2002 \$50M Recreation and Cultural Bond. District 7 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to approve:

A) Interlocal Agreement with the City of Boca Raton and Mizner Park Cultural Arts Association, Inc. (MPCAA) for the period September 15, 2009, through September 14, 2011, in an amount not-to-exceed \$1,550,000 for funding of a black box theater at the Mizner Park Cultural Arts Center in Boca Raton;

B) Budget Transfer of \$1,200,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2005 from Reserves to Boca Raton Mizner Park Cultural Center Black Box Theater; and

C) Budget Transfer of \$350,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Boca Raton Television Channel Equipment to Boca Raton Mizner Park Cultural Center Black Box Theater.

SUMMARY: This Agreement provides funding for design and construction of a black box theater within the Mizner Park Cultural Arts Center. The Agreement allows for reimbursement of pre-Agreement expenses incurred subsequent to November 5, 2002. On February 27, 2007 (Agenda Item 5I1), the Board reallocated \$1,550,000 from the Boca Raton Cultural Center to the Boca Raton black box theater (\$1,200,000) and Boca Raton governmental television equipment (\$350,000). An Interlocal Agreement for the television equipment project was approved by the Board on April 1, 2008 (R2008-0552), and subsequently terminated by the Board on May 5, 2009 (R2009-0790) at the City's request. Also, on May 5, 2009, the Board reallocated the \$350,000 for the governmental television equipment to the black box theater project, increasing the black box theater project funding to \$1,550,000. District 4 (PK)

N. LIBRARY

1. Staff recommends motion to approve: the County Library's Long-Range Plan for FY 2010-2012. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY 2010 through FY 2012. This annual process of strategic planning is done in conjunction with the State's requirements for libraries receiving state aid funds and with the County's budget process. The Library Advisory Board has endorsed this Plan with Resolution 09-01; dated June 22, 2009. Countywide (TKF)

S. FIRE RESCUE

1. Staff recommends motion to approve: Emergency Services Agreement for Mutual Assistance and Automatic Aid with each of the following agencies:

- A)** City of Boca Raton
- B)** City of Boynton Beach
- C)** City of Delray Beach
- D)** Town of Palm Beach
- E)** City of Riviera Beach

SUMMARY: The current Emergency Services Agreements for Mutual Assistance and Automatic Aid with each of the above agencies will expire on September 30, 2009. The proposed Agreements are for a seven (7) year period through September 30, 2016. These Agreements provide for fire suppression, emergency medical services, and other emergency services during extraordinary emergency events. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. **Staff recommends motion to approve:** a First Amendment to the Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the Village of Tequesta (Village). **SUMMARY:** On April 5, 2005, the Board approved a ten (10) year Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the Village of Tequesta (R2005-0685) to provide for a contractual commitment for dispatch services to the Village as part of the Countywide Common Dispatch program along with providing the mechanism for implementing mutual assistance/automatic aid (closest unit response). The Agreement authorized the parties' respective Fire Chiefs to enter into Letter(s) of Understanding to develop automatic aid/closest unit response plans and procedures. The parties now mutually desire to extend that term through September 30, 2021 and add Section 5 providing for primary fire rescue response by the Village to certain County geographical areas. These areas were previously served by Palm Beach County Fire Rescue Station 11, which is scheduled to close effective October 1, 2009. For the period October 1, 2009, through September 30, 2012, the County shall pay \$168,000 annually to the Village for services under Section 5. Prior to September 30, 2012, the parties shall meet to negotiate a contract amendment addressing the amount and terms of payment for the remaining duration of the Agreement. If no agreement can be made prior to September 30, 2012, Section 5 shall expire and the remainder of the Agreement will continue through September 30, 2021. District 1 (SB)

3. **Staff recommends motion to approve:** a First Amendment to the Contract for Fire Protection and Emergency Medical Services with the Town of Jupiter (R2002-1210). **SUMMARY:** On July 23, 2002, the Board approved a seven (7) year agreement with the Town of Jupiter (Town) for fire rescue and emergency medical services through September 30, 2009. The proposed Contract Amendment will extend the term for an additional four (4) years through September 30, 2013. The Town adopted Ordinance Number 18-09 to extend inclusion in the Fire Rescue Municipal Service Taxing Unit (MSTU) through tax year 2012 to fund service through September 30, 2013. However, the Amendment allows the Town the option to provide the County notice prior to November 1, 2011 if they choose not to participate in the Jupiter MSTU for the 2012 tax year, thereby terminating the Agreement as of September 30, 2012. The contract price for the additional years is based on the Full-Cost Allocation methodology. Effective October 1, 2009, the County will close Station 11 and the County's obligation to provide 20 on-duty personnel to the Jupiter service area shall be reduced to 17. The County will supplement this reduced staffing with emergency response agreements with the Village of Tequesta and Martin County. Countywide (SB)

4. **Staff recommends motion to approve:** the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc., Battalion Chiefs' Supervisory Unit, for the period October 1, 2009, through September 30, 2012. **SUMMARY:** This Agreement was ratified by the Union membership. The major elements of this Agreement are as follows: across-the-board (ATB) increases in 2nd and 3rd year; annual increase of 7% for health insurance contributions; and changes in pay policy for hours worked above normal 40-hour work schedule. The three (3) year cumulative fiscal impact amounts to \$166,143 and includes ATB increases as follows:

FY 2010	October 1, 2009	0%
FY 2011	October 1, 2010	2%
	April 1, 2011	1%
FY 2012	October 1, 2011	1%
	April 1, 2012	2%

Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. **Staff recommends motion to approve:** Donation of 300 obsolete tape cartridges to the School Board of St. Lucie County and authorize future donations to other government agencies which may submit similar requests. **SUMMARY:** The Information Systems Services (ISS) Department recently modernized the mainframe computer data storage system to reduce cost and free up valuable floor space in the computer center on the fourth floor of the Government Center. The new storage system uses modern high density data storage media that can store significantly more information making the several generations of old tape cartridges obsolete. ISS currently owns approximately 10,000 storage tapes purchased over the last five (5) to seven (7) years. The tapes have nominal value with a resale value of approximately \$0.05 each. These cartridges were used to store backup copies of application files from the County's mainframe computer. ISS was recently contacted by the School Board of St. Lucie County which still uses the old storage configuration and plans to continue to do so for several more years. Their current tape media is aging and they require reliable units to maintain backup files in case of a system failure. The School Board of St. Lucie County has submitted a request for 300 tapes for their backup operations. ISS also requests Board approval to donate tapes to other governmental agencies as may be identified prior to transferring the remaining tapes to the Solid Waste Authority for disposal. Board approval at this time will avoid the requirement for submitting additional requests. Countywide (PK)

2. **Staff recommends motion to:**

A) approve Supplement to IBM Corporation Customer Agreement (ICA) for IBM S/390 software programs and support for the period October 1, 2009, through September 30, 2010, in the amount \$308,679; and

B) authorize the County Administrator or his designee, ISS Director, to increase services, not to exceed 10% of the contract value (\$30,868), in order to provide for any unforeseen changes to the inventory that could arise during the contract period.

SUMMARY: This Supplement to the IBM ICA (R94-247D) provides for the ongoing annual software license charge for our current mainframe processor and data storage equipment. The configuration of the IBM mainframe system software for the coming contract period has been thoroughly reviewed prior to developing this Agreement. The maximum amount is structured in two (2) portions: 1) \$308,679 based on the current inventory of IBM S/390 software; and 2) a 10% contingency, \$30,868 to provide for any unforeseen changes to the inventory that could arise during the contract period. Countywide (PK)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** a \$200,000 increase in the previously approved total not-to-exceed cost of \$12,280,000 for 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. **SUMMARY:** The Excess Property & Liability Insurance Program currently provides property insurance totaling \$150 million inclusive of the County's \$1,000,000 self insured retention and liability insurance totaling \$6 million inclusive of the County's \$500,000 self-insured retention. The program also includes various ancillary insurance policies covering damage to County-owned property resulting from flood, terrorism, boiler & machinery, and employee dishonesty. Additional funding approval is needed to reflect the additional cost resulting from a \$32 million (1.6%) increase in reported values as well as the value of new construction projects expected to come on line prior to the expiration of our current property insurance policies. Sufficient funds are budgeted for this coverage. Countywide (TF)

2. **Staff recommends motion to approve:**

A) Third annual option to renew the Amended and Restated Administrative Services Only Agreement (R2006-2287; dated October 17, 2006) with Connecticut General Life Insurance Company (CIGNA) for claims administration services for the County's self-funded triple option (HMO, POS, PPO) health insurance plan for the period January 1, 2010, through December 31, 2010; and

B) CIGNA's proposed administrative fees and specific stop loss premiums for plan year 2010

SUMMARY: Staff recommends Board approval for the third annual option to renew the Administrative Services Only Agreement with CIGNA for the period January 1, 2010, through December 31, 2010. For plan year 2010, projected Board and employee premiums for the County's triple-option health plans (HMO, POS & PPO) do not reflect an increase over the expiring plan year. Prior year plan gains due to less than expected claims experience have left the fund with a balance accumulation sufficient to negate a need to increase premiums. Eligible employees of Palm Tran, Inc. and the Supervisor of Elections will continue to participate in the health insurance plans along with the eligible employees of the Palm Beach County Board of County Commissioners. The total plan cost projected for all three entities is \$59,852,341, a \$4,008,506 increase over the projected cost for the expiring plan year. Sufficient funds have been budgeted to fund the program. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a pass-through contribution from Hartford Life Insurance Company in the amount of \$38,125, which represents reimbursement of a portion of administrative cost paid by Sheriff employees for FY 2008; and

B) approve a Budget Amendment of \$38,125 in the Sheriff's Grant Fund.

SUMMARY: As contracted, Hartford Life Insurance Company is responsible to pay fees incurred in the administration of the Palm Beach County Sheriff's Office (PBSO) 12-b-1 Employee Deferred Compensation Plan. On March 25, 2009, the PBSO received a reimbursement of a portion of this administrative cost paid by employees for FY 2008. Once accepted, the funds will be transferred to the employee welfare organization 501(c)(4). There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

2. Staff recommends motion to approve: a Budget Transfer of \$10,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO) to provide funding to the Gulf Stream Council of Boy Scouts of America, Inc. **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 \$1,783,661. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,773,661. The year-to-date transfer for all donations after approval of this item is \$898,594. 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)

Gulf Stream Council of Boy Scouts of America, Inc.	<u>\$10,000</u>
Total Amount of Donations	\$10,000

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to receive and file: on behalf of the Palm Beach County Sheriff's Office, a Grant Adjustment Notice extending the Department of Justice Office of Justice Programs Edward Byrne Memorial Discretionary grant period from September 30, 2009, to December 31, 2009. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$1,650,000 on November 6, 2007; the original period for this grant was October 1, 2007, through September 30, 2008 (R2007-2051). On May 6, 2008, the BCC received and filed an agenda item extending the grant period from September 30, 2008, through March 31, 2009 (R2008-0814). On April 7, 2009, the BCC received and filed an agenda item extending the grant period from March 31, 2009, to September 30, 2009 (R2009-0598). This agenda item will extend the grant period from September 30, 2009, to December 31, 2009. The objective of this program is to create safer communities by reducing the violence and gang problem in Palm Beach County through the coordinated law enforcement response informed by data and real-time intelligence. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. No additional positions are needed and no additional County funds are required. Countywide (DW)

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SEPTEMBER 15, 2009

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring September 19, 2009 as “Caribbean-American for Community Involvement Day” 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)

CONTINUED FROM AUGUST 18, 2009

A. [Staff recommends motion to:](#)

A) adopt a Resolution confirming the special assessment process for Cinquez Park Area Paving and Drainage Improvement;

B) adopt a Resolution confirming the special assessment process for Cinquez Park Area Water Distribution System;

C) adopt a Resolution confirming the special assessment process for Cinquez Park Area Sanitary Sewer Collection System Project;

D) accept an Ordinance from the Town of Jupiter to authorize Palm Beach County (County) to assess property owners for Cinquez Park Area Improvements within the Town of Jupiter;

E) approve a Contract with Sheltra & Son Construction Company, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$967,512.75 for the above Cinquez Park Area Paving and Drainage, Water Distribution System, and Sanitary Sewer Collection System Improvements (Project); and

F) approve a Budget Transfer of \$960,125 in the Municipal Services Taxing Unit Improvement Fund from Reserves to Cinquez Park Area Improvements.

SUMMARY: Adoption of these three (3) Resolutions will allow the County to collect 50% of the project costs for the paving and drainage portion and 100% of the project costs for the water and sewer systems portion for the improvements to Cinquez Park. Assessments will be payable in 20 equal annual installments. The Ordinance passed by the Town of Jupiter will permit the County to assess the property owners that are within the municipal boundaries that receive a benefit from the improvements. Approval of the construction contract will authorize the contractor to build the sanitary sewer collection system, the water distribution system, the storm water system and pave the roads. The Small Business Enterprise participation committed for the Project by the Contractor is 15.32% overall. District 1 (MRE)

B. [Staff recommends motion to:](#)

A) adopt a Resolution confirming the special assessment process for Sun Court Paving and Drainage Improvement (Project);

B) approve a Contract with Palm Beach Grading, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$346,577.50 for the above Project; and

C) approve a Budget Transfer of \$195,759 in the Municipal Services Taxing Unit Unincorporated Improvement Fund from Reserves to the Project.

SUMMARY: Adoption of the Resolution provides for collection of 50% of the costs for the Project. Assessments will be payable in 20 equal annual installments. Approval of the construction contract will authorize the Contractor to build the paving and drainage improvements for Sun Court. The Office of Community Revitalization is partially funding this Countywide Community Revitalization Team project to keep the costs for the property owners at \$25/abutting foot. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 16.64% overall. District 1 (MRE)

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

- C. **Staff recommends motion to adopt:** a Resolution rescinding Resolution No. R2007-0586 abandoning a portion of the proposed extension of University Drive from Palmetto Park Road south 3,500 feet ± to Hillsboro Canal, as described in Official Record Book 3600, Page 1624, and abandoning a portion of the proposed extension of Riverside Drive from the Hillsboro Canal north 2,240 feet ±, as described in Official Record Book 3600, Page 1627, Public Records of Palm Beach County, Florida; authorizing the Board of County Commissioners (Board) to execute a utility easement to the Palm Beach County Water Utilities Department; reserving a pathway easement; reserving a drainage easement; abandoning a portion of the proposed extension of University Drive from Palmetto Park Road south 3,500 feet ± to Hillsboro Canal, as described in Official Record Book 3600, Page 1624 and abandoning a portion of the proposed extension of Riverside Drive from the Hillsboro Canal north 2,240 feet ±, as described in Official Record Book 3600, Page 1627, Public Records of Palm Beach County, Florida, which includes the utility easement and the reservation of the pathway and drainage easements. **SUMMARY:** Adoption of this Resolution rescinds R2007-0586, allows for the abandonment of University Drive and a portion of Riverside Drive between Palmetto Park Road and the Hillsboro Canal and provides for a utility easement, as well as a reservation of drainage and pathway easements. District 5 (PK)

- D. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Ordinance No. 04-042, as codified in Sections 2-166 through 2-172 of the Palm Beach County Code; which re-established the Administering Board of the Community Action Council; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** On September 1, 2009, the Board of County Commissioners held preliminary reading of this Ordinance and authorized advertising for public hearing. Based on recommendations from a consultant, the Community Action Council will be re-established by resolution. Countywide (TKF)

- E. **Staff recommends motion to conduct:** a Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing concerning the issuance of up to \$24,000,000 Recovery Zone Facility Bonds (the Bonds) for the benefit of Oxygen Development, LLC (the Company). **SUMMARY:** On August 18, 2009, the Board of County Commissioners (BCC) approved a Resolution (R2009-1344) authorizing the issuance of American Recovery and Reinvestment Act tax-exempt, private activity Recovery Zone Facility Bonds and providing for the legal process, including application, fees, policy and procedures consistent with Federal Treasury Department Regulations. On September 1, 2009 (R2009-1443), the BCC approved the Company's application for the issuance of the Bonds in an amount not to exceed \$24,000,000. This transaction will be a tax-exempt, private activity for the financing of a manufacturing/global headquarters facility located at 1525 South Congress Avenue in Palm Springs. The Company will create 800 new full-time equivalent jobs within five (5) years of which 51% will be offered to persons with low to moderate income. If issued, the Bonds will be the sole obligation of the Company or its affiliate Oxygen Holdings, LLC, a real estate alter ego company. **The Bonds will be payable solely from revenues derived from the Company. Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 3 (PK)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to approve:** The Census Partners Public Information Plan for Palm Beach County to promote the 2010 Census as defined by the Executive Steering Committee for Palm Beach County. **SUMMARY:** The Census, mandated by the U.S. Constitution, is completed every ten (10) years to count every person living in the United States, and the next Census occurs in 2010. Census questionnaires will be mailed or delivered to every household in the United States in March 2010. Residents are expected to provide information that is accurate for their household as of April 1, 2010. Census data is used by the federal government to distribute Congressional seats to states, to make decisions about what community services to provide, and to distribute \$400 billion in federal funds to local, state and tribal governments each year. The County's Executive Steering Committee, comprised of Palm Beach County staff and representatives of the League of Cities, School District, United Way, Glades Liaison, Urban League (also a member of the Statewide Complete Count Committee) and U. S. Census Bureau, has endorsed the Census Partner Public Information Plan for Palm Beach County ("Plan"). The Plan includes a community outreach strategy that will reach every possible resident of the County. The Steering Committee has identified a list of individuals and groups that will be asked to form a Complete Count Committee to implement the locally-based outreach and awareness campaign that is part of the Plan for the 2010 Census. Countywide (SF)

B. COMMUNITY SERVICES

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, designating the Board of County Commissioners as the Community Action Council; establishing the Community Action Advisory Board; designating the Community Action Advisory Board as the Community Services Block Grant Advisory Committee; providing for roles and responsibilities; providing for an effective date. **SUMMARY:** During the first week in February 2009, the Florida Department of Community Affairs conducted a monitoring site visit of the Palm Beach County Community Action Program. The outcome of this monitoring required that the County address numerous compliance issues and recommended hiring a consultant, to assist with the corrective action plan development and implementation. One of the recommendations made by the Consultant was to repeal the current ordinance that formed the Community Action Advisory Board and replace it with a Resolution. (Community Action Program) Countywide (TKF)

6. REGULAR AGENDA

C. FIRE RESCUE

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the County Administrator or his designee (Fire-Rescue Administrator), to execute standard License Agreements for training at the Palm Beach County Fire Rescue Regional Training Center; providing for effective date. **SUMMARY:** The County Fire Rescue Department can provide outside fire rescue agencies, other public safety agencies and other authorized entities, certain specific access to conduct hands-on fire rescue training for public safety personnel. It is anticipated this training will improve the quality of emergency response to the public while promoting public health, safety and welfare. This Resolution will authorize the County Administrator, or his designee, to execute, on the County's behalf, annual standard License Agreements with outside agencies for use of the Regional Training Center for a one (1) year term. During that term, the Fire-Rescue Administrator, or his designee, will be authorized to approve or disapprove, standard Use Agreements, for specific training events requested by an outside agency during their one (1) year License Agreement term. The standard License Agreement provides that fees for use of the Regional Training Center shall be in accordance with a fee schedule established and updated annually pursuant to Palm Beach County Fire Rescue Operational Procedure No. VIII-7. Countywide (SGB)

2. **Staff recommends motion to approve:** an Interlocal Agreement with the Village of Palm Springs for the provision of fire protection and emergency medical services. **SUMMARY:** The Village of Palm Springs opted into the Fire Rescue Municipal Service Taxing Unit (MSTU) for the provision of County fire rescue services within the Village for ten (10) years beginning October 1, 2009. This Interlocal Agreement outlines certain parameters of these services. The Village employees will be hired by the County and added to the Fire Rescue complement and have been included in the current Palm Beach County Fire Rescue budget proposal for FY 2010. The Village will lease to the County its fire station for \$50,000, annually. All Village Fire Rescue apparatus and related equipment, staff vehicle, reserve equipment, maintenance and support equipment, and appliances/furnishings, shall be transferred to, and become the property of the County on October 1, 2009. The former Village employees will be enrolled as new employees under the Florida Retirement System, effective October 1, 2009. The Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services (R2007-0904) between the parties dated June 5, 2007, shall terminate upon the County's commencement of fire-rescue services within the Village. Countywide (SB)

3. **Staff recommends motion to approve:**
 - A) an addendum to the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local No. 2928, IAFF, Inc. regarding former employees of the City of Lake Worth; and
 - B) an addendum to the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local No. 2928, IAFF, Inc. regarding former employees of the Village of Palm Springs.

SUMMARY: Both parties are requesting side agreements to the current Collective Bargaining Agreement, October 1, 2008, through September 30, 2011 (R2008-2254). These side agreements address the terms and conditions of employment for the employees of the City of Lake Worth and the Village of Palm Springs who will become County employees on October 1, 2009. These agreements were developed jointly by Fire Rescue staff and Union Leadership. Countywide (SB)

6. REGULAR AGENDA

D. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: an Amended and Restated Agreement (R2007-1622) with the Palm Beach County Cultural Council, Inc. (the "Cultural Council") for the provision of services under the County's Tourist Development Plan during the period of October 1, 2008, through September 30, 2012 in the amount of \$728,133 (includes \$34,500 of rollover stimulus funds). **SUMMARY:** The Amended and Restated Agreement updates for the Fiscal Year 2010: Exhibit "A" – Annual Budget; Exhibit "E" – Performance Measures; revises Exhibit "G" – Salary Ranges; and Exhibit "H" – Organizational Chart. This will be the third year of the five (5) year agreement. Contract changes have been reviewed and approved by the Tourist Development Council. Cultural Council will continue to administer category B grants totaling \$1,729,054 (includes \$165,054 of rollover stimulus funds) and category C II grants totaling \$237,582 (includes \$27,582 of rollover stimulus funds) for the County and indirect cost of \$276,813 for a budget totaling \$2,971,582. Countywide (MC)

2. Staff recommends motion to approve: an Amended and Restated Agreement (R2007-1624) with the Palm Beach County Film and Television Commission (the "PBCFTC") for the provision of services under the County's Tourist Development Plan during the period of October 1, 2008, through September 30, 2012 in the amount of \$515,700 (includes stimulus funds of \$132,500). **SUMMARY:** The Amended and Restated Agreement updates for Fiscal Year 2010: Exhibit "A" – Annual Budget, Exhibit "F" - Performance Measures and Exhibit "I" – Salary Ranges; and Exhibit "J" – Organizational Chart. This will be the third year of the five (5) year agreement. Contract revisions have been reviewed and approved by the Tourist Development Council. In addition, indirect cost and reserves totaling \$125,292 are under the purview of the PBCFTC for a budget totaling \$640,992. Countywide (MC)

3. Staff recommends motion to approve: an Amended and Restated Agreement (R2007-1623) with Discover Palm Beach County, Inc. d/b/a Palm Beach County Convention & Visitors Bureau (the "CVB") marketing contract for the provision of services under the County's Tourist Development Plan during the period of October 1, 2008, through September 30, 2012 in the amount of \$8,711,892 (includes rollover stimulus funds of \$2,170,287). **SUMMARY:** The Amended and Restated Agreement updates for the Fiscal Year 2010: Exhibit "A" –Annual Budget; Exhibit "G" – Performance Measures; Exhibit "J" - Organizational Chart; and increases the upper limit of a purchase from \$10,000 to \$25,000, which requires three (3) written quotes and increases lower limit of a purchase from \$10,001 to \$25,001 that requires the approval of the Tourist Development Council (TDC) Director for Exhibit "C". This will be the third year of the five (5) year agreement. Contract changes have been reviewed and approved by the TDC. In addition indirect cost totaling \$594,000 are under the purview of the CVB for a budget totaling \$9,305,892. Countywide (MC)

6. REGULAR AGENDA

E. WATER UTILITIES DEPARTMENT

1. Staff recommends motion to:

A) approve a Utility Easement Agreement with Lion's Holding Company, LLC providing compensation in the amount of \$5,000;

B) approve a Utility Easement and Temporary Construction Easement from Palm Beach Aggregates Holdings, Inc. (PBA);

C) approve a Memorandum of Understanding with the South Florida Water Management District (SFWMD) and Florida Power and Light (FPL);

D) approve a Right-of-Way Consent Agreement with FPL;

E) approve a Utility Easement and Temporary Construction Easement with FPL;

F) approve a License Agreement with the City of West Palm Beach (WPB); and

G) adopt Resolutions declaring the acquisition of property designated as Parcel 100W, 100E, and 101 as permanent utility easements; Parcels 200E, 200W, and 200S as permanent access easements; and Parcels 300W, 300E, and 301 as temporary construction easements, necessary for the construction, installation, and maintenance of a reclaimed water pipeline and related appurtenances, to be a public necessity, and authorizing the employment of appraisers and other experts, and authorizing the filing of eminent domain proceedings.

SUMMARY: On May 20, 2008, the Board of County Commissioners approved a Reclaimed Water Agreement (R2008-0906) with FPL to supply reclaimed water for the West County Energy Center (Center). Construction of the pipeline to deliver reuse water from the East Central Regional Wastewater Reclamation Facility to the Center to requires the acquisition of several utility easements and licenses. Lions Holding Company, LLC is granting a utility easement and a temporary construction easement in return for compensation in the amount of \$5,000. PBA Holdings, Inc. is granting a utility easement and temporary construction easement at no cost. The Memorandum of Understanding with the SFWMD and the FPL includes the granting of a utility easement and temporary construction easement from SFWMD to the County at no cost. FPL is granting the Right-of-Way Consent Agreement, the Utility Easement and the Temporary Construction Easement at no cost. The Form of the License Agreement with City of West Palm Beach was approved by the Board on May 20, 2008 (R2008-0908). While the Palm Beach County Water Utilities Department may accept standard easements in accordance with its Uniform Policies and Procedures Manual, these easements/licenses contain modifications to the Standard Easement Form and/or require separate agreements between the parties, and are therefore being brought to the Board for approval. Approval of the eminent domain resolutions will authorize the filing of eminent domain proceedings for Parcels 100W, 100E, 101, 200E, 200W, 200S, 300W, 300E, and 301. The permanent utility easements and access easements (Parcels 100W, 100E, 101, 200E, 200S, 200W) are perpetual, while the temporary construction easements (Parcels 300W, 300E, and 301) will expire two (2) years from the date of execution, or upon the final completion of construction, whichever occurs first. (WUD Project No. 08-031) District 6 (MJ)

6. REGULAR AGENDA

E. WATER UTILITIES DEPARTMENT (Cont'd)

2. Staff recommends motion to approve: Purchase Orders with vendors for the Florida Power and Light (FPL) Reclaimed Water Project (Project) in the amount of \$12,340,442.68. **SUMMARY:** The project provides for reclaimed water to become the primary source of cooling water supply to FPL's West County Energy Center (Center) beginning in FY 2011. The project components include the construction of a 27 million gallon per day reclaimed water treatment facility at the East Central Regional Wastewater Reclamation Facility (ECRWRF) and a pipeline to deliver the reclaimed water from the ECRWRF to the Center. FPL competitively bid the Project components. FPL entered into a construction contract with Wharton-Smith, Inc., for the construction of the reclaimed water treatment facility at the ECRWRF and with Garney Companies, Inc. and Felix Associates, LLC, for construction of the reclaimed water pipelines from the ECRWRF to the Center. The Contractors selected the vendors for the materials and equipment during the bidding process. The Reclaimed Water Agreement (R2008-0906) with FPL requires the County to procure materials for the construction of the Project. Florida Statute Section 212.08(6) and Florida Administrative Code Rule 12A-1.094 provides for an exemption of sales tax if the purchaser is a governmental entity. By purchasing materials and equipment directly from the vendors listed in the Purchase Orders, total sales tax savings of \$740,701.56 can be achieved. FPL will reimburse the County the total cost of the Purchase Orders. The County Attorney's Office has submitted a Technical Assistance Advisement request to the Florida Department of Revenue to confirm eligibility for sales tax exemption. If the State of Florida determines the project is not eligible for sales tax exemption, then FPL will pay the cost of the sales tax. (WUD Project No. 08-031) Districts 2 & 6 (JM)

6. REGULAR AGENDA

E. WATER UTILITIES DEPARTMENT (Cont'd)

3. Staff recommends motion to:

A) authorize the Chairman of the Board of County Commissioners (BCC) to execute any and all documents necessary to effect the transfer of the Lake Region Water Treatment Plant (LRWTP), and related real property, easements, and agreements, to the Glades Utility Authority (GUA);

B) adopt a Resolution approving and concurring in the findings of the Director of the Water Utilities Department and the Consulting Engineer of the Water Utilities Department that the LRWTP, and related real property and easements, are not necessary or useful or profitable in the operation of the Palm Beach County Water and Sewer System, and authorizing the conveyance of said property to the GUA (Transfer Resolution); and

C) adopt a Resolution providing a covenant to budget and appropriate legally available non-ad valorem revenues in an amount not-to-exceed \$10,000,000 for certain debt service, operations, and maintenance obligations of the GUA (Covenant Resolution).

SUMMARY: On June 16, 2009, the BCC approved an Interlocal Agreement (R2009-1034) creating the GUA and a Transition Agreement (R2009-1035) setting forth the conditions for the transition of certain utility assets and services to the GUA. Pursuant to the Interlocal Agreement and the Transition Agreement, the County shall transfer ownership of the LRWTP, related real property, easements, and agreements to the GUA on the transfer date, which is to occur on or before October 1, 2009. As part of this transfer, the County will be required to execute a deed, bill of sale, and certain other assignment documents. These documents have not yet been finalized, and, in order to meet the October 1, 2009 deadline, the Water Utilities Department (Department) requests that the BCC authorize the Chairman to execute the necessary documents at a later date. The Transfer Resolution is required pursuant to bond covenants of the Department for the transfer of certain assets of the Department. The Covenant Resolution is in accordance with Section 6.10 of the Interlocal Agreement in which the BCC committed to provide a back-up covenant for the operation, maintenance, and management of the GUA system, and is required in order for Wachovia Bank to loan the GUA up to \$10,000,000 for start-up funds and the assumption of a previous loan made by Wachovia to the City of Belle Glade. Countywide (MJ)

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7. BOARD APPOINTMENTS

A. **ADMINISTRATION**
(Fire Rescue Level of Service Committee)

1. **Staff recommends motion to approve:** appointment of Chief Steve Jerauld as a member to the Fire Rescue Level of Service Committee for a permanent appointment of Seat No. 2 in the category of County Fire Chief. **SUMMARY:** Palm Beach County Resolution R2004-0494 established the Fire Rescue Level of Service Committee. It consists of nine (9) members representing specific categories, each serving a term of three (3) years except the appointments for County Administrator (or designee) and County Fire Chief, which may be permanent appointments. Chief Jerauld is the County's new Fire Chief. Countywide (SB)

B. **COMMUNITY SERVICES**
(Citizens Advisory Committee on Health & Human Services)

1. **Staff recommends motion to approve:** reappointment of five (5) members to the Palm Beach County Citizens Advisory Committee on Health and Human Services for a three (3) year term as indicated:

<u>Nominee</u>	<u>Category/Seat No.</u>	<u>Term Expire</u>	<u>Nominated by:</u>
Thomas A. Arnedos	Health Services/Seat 1	10/01/2009-9/30/12	Comm. Marcus
Cynthia R. Smith	Human Services/Seat 4	10/01/2009-9/30/12	Comm. Marcus
Debby Walters	Human Services/Seat 5	10/01/2009-9/30/12	Comm. Marcus
Barbara Jacobowitz	Support Services/Seat 7	10/01/2009-9/30/12	Comm. Marcus
Col. Michael G. Gauger	Support Services/Seat 10	10/01/2009-9/30/12	Comm. Marcus Comm. Abrams

SUMMARY: The Citizens Advisory Committee on Health and Human Services consists of 11 members with at least one (1) member being a resident west of the 20 Mile Bend and at least one (1) member being a representative of the Palm Beach County League of Cities. Founding members were appointed for 1, 2 and 3 year terms with subsequent terms for three (3) years. Resolution R2001-0913 requires the Executive Committee of the Citizens Advisory Committee to solicit and recommend member nominations for transmittal to the Board of County Commissioners. The Board of County Commissioners was notified by memo dated July 31, 2009, when requested to provide nominations for appointment. Term dates reflect lapses in reappointments, which are being corrected by the item. Countywide (TKF)

7. BOARD APPOINTMENTS

B. COMMUNITY SERVICES
(Community Action Advisory Board)

2. [Staff recommends motion to approve:](#) appointment of the following representatives to the Community Action Advisory Board for terms beginning October 1, 2009, with staggered ending terms.

<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>
Yvette Coursey	Pub Sector Rep (At-Large)	September 30, 2012	Comm. Marcus Comm. Taylor Comm. Santamaria
Vince Goodman	Pub Sector Rep (At-Large)	September 30, 2010	Comm. Marcus Comm. Taylor Comm. Santamaria
Pamela Williams	Pub Sector Rep (At-Large)	September 30, 2011	Comm. Marcus Comm. Taylor Comm. Santamaria

SUMMARY: Today, a Public Hearing will be held to request the repeal of Ordinance No. 04-042. This Ordinance will be replaced by a Resolution establishing the Community Action Advisory Board. With adoption of the Resolution, a new fifteen member tripartite board is established. A nominating committee is meeting to identify potential members. One-third of the members are elected public officials or their representatives beginning their term on the date of appointment. The remaining Board will consist of one-third representing private sectors and one-third representatives of low-income individuals and families residing in the identified target areas. On August 10, 2009, written notice was sent to each Commissioner to request nominations. The nominees above meet all applicable guidelines and requirements outlined in the Community Services Block Grant Contract establishing the ordinance. The Nominating Committee of the current Community Action Advisory Board has reviewed and approved the nominees listed above. (Community Action Program) Countywide (TKF)

7. BOARD APPOINTMENTS

C. **FACILITIES DEVELOPMENT & OPERATIONS**
(Public Art Committee)

1. [Staff recommends motion to approve:](#) reappointment of seven (7) members to the Public Art Committee for a three (3) year term:

Member	Public Art Committee Seat	Term
Brian Cheguis	Urban Planner or Architectural Design Professional	9/15/2009 – 9/14/2012
Bill Nix	PBC Cultural Council	9/15/2009 – 9/14/2012
F. Joan Goldberg W. Rod Faulds	PBC Professional Non-profit Visual Art Administrator	9/15/2009 – 9/14/2012
Kara Walker Tome` Lucy Keshavarz	PBC resident with significant visual art background	9/15/2009 - 9/14/2012
Jo Ellen Leisinger	Landscape Architect	9/15/2009 – 9/14/2012

SUMMARY: Palm Beach County Resolution No. 2009-1164 established terms for the members of the Public Art Committee. Each of the seven (7) Committee members recommended for reappointment to the Public Art Committee are being asked to serve a second term to continue their involvement and to provide expertise in advising the Commissioners as to: a) overall art policy and integration of artistic elements into the planning, design and engineering process of County facilities; b) set the direction and conduct the selection of all County works of art, whether loaned, donated or purchased, and c) develop educational programs to expand the traditional definition and perception of art and the benefit of incorporating artwork into public design projects. (FDO Admin) Countywide (MJ)

7. BOARD APPOINTMENTS

D. PLANNING, ZONING & BUILDING
(Construction Board of Adjustment & Appeals)

1. [Staff recommends motion to approve:](#) the reappointment of the following named individual to the Construction Board of Adjustment and Appeals (CBAA) for a one (1) year term from November 23, 2009, to November 22, 2010:

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>
Arnold Rich	8 (Alternate)	At-Large from the Public	Comm. Karen T. Marcus

SUMMARY: Palm Beach County Ordinance 89-31 created the Construction Board of Adjustment and Appeals. The term of office for an alternate is one (1) year. Arnold Rich is nominated by Commissioner Karen T. Marcus. The nomination represents the member at-large from the public of the Board as required by the Palm Beach County Ordinance 2002-005, as amended, Palm Beach County Amendments to the Florida Building Code, 2007 Edition. The Board is comprised of seven (7) members consisting of one (1) registered architect; one (1) registered engineer; one (1) general contractor; one (1) electrical contractor; one (1) HVAC contractor; one (1) plumbing contractor and any other contractor licensed category. In addition to the seven (7) members, there should be two (2) alternate members, one (1) member with the qualifications referenced above and one (1) member at-large from the public. A memorandum from the Building Division was sent to the BCC on April 9, 2009 requesting nominations for Seat 8. There were no other nominations. (Building Division) Countywide (DW)

E. COMMISSION DISTRICT APPOINTMENTS

SEPTEMBER 15, 2009

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

SEPTEMBER 15, 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 PRISCILLA A. TAYLOR

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

SEPTEMBER 15, 2009

<u>PAGE</u>	<u>ITEM</u>	
7	3A-1*	<p><u>REVISED TITLE:</u> Staff recommends motion to approve: A) thru L).....</p> <p>M) an Agreement with St. James Missionary Baptist Church, Inc. in an amount not-to-exceed \$2,000 for expenses related to the computer lab project; and</p> <p><u>N)</u> <u>an Agreement with Steve White in an amount not-to-exceed \$875 for expenses related to the development of community organization project; and</u></p> <p><u>N) O)</u> an Agreement with The Glades Initiative, Inc. in an amount not-to-exceed \$2,500 for expenses related to the community outreach project. (Admin/OCR)</p>
10	3C-8	<p><u>REVISED TITLE:</u> Staff recommends motion to approve: A) a Reimbursement Agreement with the <u>City of Lake Worth and the Lake Worth Community Development Corporation/Hammon Park (CDC)</u> in an amount not to exceed \$250,000;..(Engineering)</p>
10	3E-1	<p><u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: A) Standard Agreement for the American Recovery and Reinvestment Act Senior Nutrition Services (ARRA-SNS) grant for Federal funds totaling \$279,499 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period May 1, 2009, through September 30, 2010 for congregate and home delivered meals to the elderly; <u>and</u></p> <p>B) a FY 2009 Budget Amendment of \$90,469 <u>\$330,605</u> in DOSS - Administration Fund <u>to establish grant budget, contingent upon the grant award.</u> 4006; and</p> <p>C) FY 2010 Budget Amendment of \$271,408 in DOSS – Administration Fund 4006.</p> <p>SUMMARY: The Agreement will allow DOSS, as lead agency, to provide screening/assessment. DOSS also contracts with vendors to provide congregate and home delivered meals, which are funded with \$279,499 in Federal funds, \$43,229 in Nutrition Services Incentive Program (NSIP), \$31,055 in County required funds, \$217 in additional County funds, and \$7,877 in Program income funds (Private Donations). <u>The NSIP is already in place and the ARRA program will generate additional NSIP funds.</u> Preference shall be given to those with the greatest economic and social needs, with particular attention to low-income older individuals, including those that are minorities, have limited English proficiency, and older individuals residing in rural areas. <u>In FY 2010 a Grant carry over is needed to move all unused funds in DOSS – Administration Fund. The Agreement spans two (2) County fiscal years, therefore budget amendments are needed to align the budget with the funding.</u> In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides ARRA services under a similar grant from the AAA. (DOSS) <u>Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF) (Community Services)</u></p>
12	3E-6	<p><u>REVISED TITLE:</u> Staff recommends motion to approve: Standard Agreement No. IR009-9500 for the Respite for Elders Living in Everyday Families (RELIEF) program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period July 1, 2009, through June 30, 2010 <u>October 1, 2010</u>, in an amount not-to-exceed \$91,763, for In-Home Respite services to the elderly. (Community Services)</p>

- 14 3E-14 **DELETED: Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Family Central, Inc....(Community Services) (Further staff review)
- 37 6B-2 **ADD-ON, REVISED TITLE: Staff recommends motion to:**
- A) receive and file** the Ryan White Part A HIV Emergency Relief grant award from Human Services Health Resources and Services Administration (HRSA) for the period March 1, 2009, through ~~February 29, 2010~~ February 28, 2010 in the amount of \$4,892,639; and
- B) approve** a Budget Amendment of \$1,795,047 in the Ryan White Care Program fund to reconcile the budget to the actual grant award.
- SUMMARY:** Ryan White Part A received from the Department of Health and Human Services Health Resources and Services Administration additional funds in the amount of \$4,892,639. Countywide (TKF) (Community Services)
- 39 6D-1 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** an Amended and Restated Agreement (R2007-1622) with the Palm Beach County Cultural Council, Inc. (the "Cultural Council") for the provision of services under the County's Tourist Development Plan during the period of October 1, ~~2008~~ 2009, through September 30, ~~2012~~ 2010 in the amount of \$728,133 (includes \$34,500 of rollover stimulus funds). This is the third year of a five (5) year agreement. **SUMMARY:** The Amended and Restated Agreement updates for the Fiscal Year 2010: Exhibit "A" – Annual Budget; Exhibit "E" – Performance Measures; revises Exhibit "G" – Salary Ranges; and Exhibit "H" – Organizational Chart. This will be the third year of the five (5) year agreement. Contract changes have been reviewed and approved by the TDC. Cultural Council will continue to administer category B grants totaling \$1,729,054 (includes \$165,054 of rollover stimulus funds) and category C II grants totaling \$237,582 (includes \$27,582 of rollover stimulus funds) for the County. In addition, indirect cost and reserves of \$400,326 are included for a total budget of \$3,095,095. and indirect cost of \$276,813 for a budget totaling \$2,971,582. Countywide (MC) (TDC)
- 39 6D-2 **REVISED TITLE: Staff recommends motion to approve:** an Amended and Restated Agreement (R2007-1624) with the Palm Beach County Film and Television Commission (the "PBCFTC") for the provision of services under the County's Tourist Development Plan during the period of October 1, ~~2008~~ 2009, through September 30, ~~2012~~ 2010 in the amount of \$515,700 (includes stimulus funds of \$132,500). This is the third year of a five (5) year agreement. (TDC)
- 39 6D-3 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** an Amended and Restated Agreement (R2007-1623) with Discover Palm Beach County, Inc. d/b/a Palm Beach County Convention & Visitors Bureau (the "CVB") marketing contract for the provision of services under the County's Tourist Development Plan during the period of October 1, ~~2008~~ 2009, through September 30, ~~2012~~ 2010 in the amount of \$8,711,892 (includes rollover stimulus funds of \$2,170,287). This is the third year of a five (5) year agreement. **SUMMARY:** The Amended and Restated Agreement updates for the Fiscal Year 2010: Exhibit "A" –Annual Budget; Exhibit "G" – Performance Measures; Exhibit "J" - Organizational Chart and increases the upper limit of a purchase from \$10,000 to \$25,000 which requires three (3) written quotes and increases lower limit of a purchase from \$10,001 to \$25,001 that requires the approval of the TDC director for Exhibit "C". This will be the third year of the five (5) year agreement. Contract changes have been reviewed and approved by the TDC. In addition, administrative costs, reserves and other costs totaling \$1,770,822 are included for a total budget of \$10,482,714. indirect cost totaling \$594,000 are under the purview of the CVB for a budget totaling \$9,305,892. Countywide (MC) (TDC)

43 7B-1 **REVISED TITLE: Staff recommends motion to approve:** reappointment of five (5) members to the Palm Beach County Citizens Advisory Committee on Health and Human Services for a three (3) year term as indicated: (Community Services)

<u>Nominee</u>	<u>Category/Seat No.</u>	<u>Term Expire</u>	<u>Nominated by:</u>
Thomas A. Arnedos	Health Services/Seat 1	10/01/2009-9/30/12	Comm. Marcus <u>Comm. Taylor</u> <u>Comm. Koons</u>
Cynthia R. Smith	Human Services/Seat 4	10/01/2009-9/30/12	Comm. Marcus <u>Comm. Taylor</u> <u>Comm. Koons</u>
Debby Walters	Human Services/Seat 5	10/01/2009-9/30/12	Comm. Marcus <u>Comm. Taylor</u> <u>Comm. Koons</u>
Barbara Jacobowitz	Support Services/Seat 7	10/01/2009-9/30/12	Comm. Marcus <u>Comm. Taylor</u> <u>Comm. Koons</u>
Col. Michael G. Gauger	Support Services/Seat 10	10/01/2009-9/30/12	Comm. Marcus Comm. Abrams <u>Comm. Taylor</u> <u>Comm. Vana</u> <u>Comm. Koons</u> <u>Comm. Aaronson</u>

44 7B-2 **REVISED TITLE: Staff recommends motion to approve:** appointment of the following representatives to the Community Action Advisory Board for terms beginning October 1, 2009, with staggered ending terms. (Community Services)

<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>
Yvette Coursey	Pub Sector Rep (At-Large)	September 30, 2012	Comm. Marcus Comm. Taylor Comm. Santamaria <u>Comm. Koons</u>
Vince Goodman	Pub Sector Rep (At-Large)	September 30, 2010	Comm. Marcus Comm. Taylor Comm. Santamaria <u>Comm. Koons</u>
Pamela Williams	Pub Sector Rep (At-Large)	September 30, 2011	Comm. Marcus Comm. Taylor Comm. Santamaria <u>Comm. Koons</u>

48 9C **ADD-ON:** Proclamation declaring Monday, October 6, 2009 as "German-American Day" in Palm Beach County. (Sponsored by Commissioner Vana)

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 (*).