

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

JANUARY 12, 2010

**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 - 36)**

- 4. SPECIAL PRESENTATIONS - 9:30 A.M. (Page 37)**

- 5. PUBLIC HEARINGS - 9:30 A.M. (Pages 38 - 39)**

- 6. REGULAR AGENDA (Pages 40 - 46)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to receive and file:

A) Resolution R-1294-09 of the Miami-Dade Board of County Commissioners, urging the Florida Legislature to pass legislation providing a dedicated funding source for Tri-Rail through a new \$2 rental care surcharge or other new dedicated funding source; and

B) Resolution No. 2010-54 of the City Commission of the City of Pompano Beach, Florida, supporting the enactment of a \$2 per day car rental surcharge to save Tri-Rail from default. Countywide

B. CLERK & COMPTROLLER

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

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	February 24, 2009
Budget	June 29, 2009
Zoning	June 29, 2009
Comp Plan	July 15, 2009
Regular	July 21, 2009
Regular	August 18, 2009
Regular	October 06, 2009
Regular	October 20, 2009

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

4. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during October 2009. Countywide

5. Staff recommends motion to review for sufficiency and to receive and file: Report of County Officials Bonds for the Board's examination as to the sufficiency of the sureties, dated January 2010. **SUMMARY:** Ordinance 98-51 sets various bond amounts for specified county officers and provides for examination of the sufficiency of all the bonds at the regular meeting of the Board of County Commissioners, in January and June of each year. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: an Interlocal Agreement with the Lake Worth Drainage District (LWDD) to allow an existing Palm Beach County (County) pathway to remain within the LWDD's E-2W Canal right-of-way, adjacent to Boca Rio Road between Southwest 18th Street and Glades Road. **SUMMARY:** Approval of this Interlocal Agreement with the LWDD will allow an existing County pathway to remain within the LWDD's E-2W Canal right-of-way, adjacent to Boca Rio Road from Southwest Street to Glades Road, when the segment of Boca Rio Road from Palmetto Park Road to north of Boca Lago Drive is built. The County agrees to remove the pathway when Boca Rio Road is expanded in the future. District 5 (PK)

2. **DELETED**

3. Staff recommends motion to approve: a \$3,000 payment to the Abacoa Development Company for the cost of processing a development order amendment. **SUMMARY:** Approval of this action will reimburse Abacoa Development Company for the cost of processing a development order amendment, requested by Palm Beach County, extending the time requirement for two (2) intersection improvements. District 1 (MRE)

4. Staff recommends motion to approve:
 - A) a Reimbursement Agreement with the Northwest Riviera Beach Community Redevelopment Corporation (RBCRC) and the City of Riviera Beach (City) in an amount not to exceed \$150,000; and
 - B) a Budget Transfer of \$150,000 in the Transportation Improvement Fund from Reserves for District 7 to Riviera Beach Brooks Subdivision.**SUMMARY:** Approval of the Reimbursement Agreement and Budget Transfer will provide funds to help pay for public improvements around Brooks Subdivision on S Avenue, R Avenue, and 26th Street in the City. District 7 (MRE)

5. 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 2010 projects as identified in the Five Year Road Program Annual Update, as adopted on November 17, 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 November 17, 2009, the Board of County Commissioners adopted the Annual Update of the Five Year Road Program for Fiscal Year 2010 through Fiscal Year 2014. 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)

6. Staff recommends motion to approve: a Release of Drainage Easement Rights on parcels adjacent to Amelia Street as requested by the Department of Airports (DOA). **SUMMARY:** Approval of this item will release the County's interest in drainage easements within a future DOA development site, lying west of the Palm Beach International Airport, between Military Trail and Haverhill Road. District 6 (PFK)

7. Staff recommends motion to approve:
 - A) a Contract with J.W. Cheatham, LLC (Cheatham), the lowest responsive, responsible bidder in the amount of \$14,646,240.35 for the construction of 45th Street from Jog Road to East of Haverhill Road and Jog Road from South of 45th Street to North of 45th Street (Project);

 - B) a Budget Amendment of \$2,473,687 in the Road Impact Fee Fund – Zone 3 to recognize reimbursement funding from the Florida Department of Transportation - \$2,168,796; and the City of West Palm Beach - \$304,891; and appropriate it to the Project; and

 - C) a Budget Amendment of \$3,889,248 in the Road Impact Fee Fund – Zone 2 to recognize reimbursement funding from the Florida Department of Transportation - \$3,700,000; the City of West Palm Beach - \$148,948; the City of Riviera Beach - \$34,960 and AT&T - \$5,340 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 Cheatham, a Palm Beach County Contractor, is 15.02%. Completion of all work under this Contract shall be no more than 730 calendar days. Districts 6 & 7 (MRE)

8. Staff recommends motion to approve: the renewal of the Structural Engineering Services Annual Agreements with Bridge Design Associates, Inc., whose original Agreement was dated February 5, 2008 (R2008-0159); Corzo Castella Carballo Thompson Salman, P.A., whose original Agreement was dated February 5, 2008, R2008-0161 and R. J. Behar & Company, Inc., whose original Agreement was dated February 5, 2008, R2008-0160. **SUMMARY:** Approval of these Renewal Agreements will extend required professional services for one (1) year, on a task order basis. Countywide (PK)

9. Staff recommends motion to approve: an Interlocal Agreement with the School Board of Palm Beach County (School Board) regarding drainage of Lawrence Road fronting the Royal Palm Beach school facility. **SUMMARY:** The School Board requested a permit to construct a turn lane in Lawrence Road which required drainage to go through the Royal Palm School. The School Board has requested to be bound by the terms and conditions of this Interlocal Agreement in lieu of providing a drainage easement. District 3 (MRE)

10. Staff recommends motion to approve: Supplemental Agreement No. 3 to Project Number 2004506 under Agreement R2005-0632 in the amount of \$336,524.46 with American Consulting Engineers of Florida, LLC, for professional services. **SUMMARY:** Approval of this Supplemental Agreement will provide the services necessary for the preparation of design plans and construction bid documents for Old Dixie Highway from Park Avenue to Northlake Boulevard. Districts 1 & 7 (PK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to adopt: a Resolution approving Amendment Number Three to the Joint Participation Agreement (JPA) with the State of Florida Department of Transportation (FDOT), approved on June 7, 2005 (R2005-1064), to allow for interim invoicing for the Blue Heron Boulevard and Congress Avenue intersection improvements project. **SUMMARY:** Approval of Amendment Number Three to the JPA will allow Palm Beach County to submit interim invoices to FDOT rather than one final invoice after construction is complete. District 7 (MRE)

12. Staff recommends motion to adopt: a Resolution approving Amendment Number One to the Joint Participation Agreement (JPA) with the State of Florida Department of Transportation (FDOT), approved on April 1, 2008 (R2008-0498), to allow for interim invoicing for the Alternate A1A/SR-811 from north of Donald Ross Road to Center Street project. **SUMMARY:** Approval of Amendment Number One to the JPA will allow Palm Beach County to submit interim invoices to FDOT rather than one final invoice after construction is complete. District 7 (MRE)

13. **DELETED**

14. Staff recommends motion to approve: the renewal of the Surveying and Mapping Annual Agreements with Brown & Phillips, Inc., whose original Agreement was dated March 11, 2008 (R2008-0317) and Dennis J. Leavy & Associates, Inc., whose original Agreement was dated January 15, 2008 (R2008-0020). **SUMMARY:** Approval of these Renewal Agreements will extend required professional services for one (1) year, on a task order basis. Countywide (PK)

15. **DELETED**

16. Staff recommends motion to approve: the renewal of the Intersection Improvement Annual Agreements with Arcadis U.S., Inc., whose original Agreement was dated March 11, 2008 (R2008-0305) and Erdman Anthony of Florida, Inc., whose original Agreement was dated February 5, 2008 (R2008-0164). **SUMMARY:** Approval of these Renewal Agreements will extend required professional services for one (1) year, on a task order basis. Countywide (PK)

17. Staff recommends motion to approve: a Contract Amendment to the Annual Pavement Marking Contract (Contract) (R2008-1423), Project No. 2009051, dated September 9, 2008, with Southwide Industries, Inc. (Contractor) to extend the expiration date, add dollar value and lower the unit prices on certain bid items. **SUMMARY:** Approval of this Amendment to the Contract will extend the expiration date from March 9, 2010, to September 9, 2011. The Contract amount will increase by \$1,500,000, to a total of \$2,665,000. The Contractor has voluntarily reduced the unit prices of approximately 2% of the existing bid items and added several items that may be used in future task authorizations. These reductions lower the unit prices by 6%. The Contractor did not propose any SBE goals in the original contract and no SBE participation occurred during the first year. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

18. Staff recommends motion to adopt: a Resolution to approve Amendment Number One to the Joint Participation Agreement (JPA) (FM No. 403605-2-58-01) with the Florida Department of Transportation (FDOT) for the construction of a traffic signal at Boynton Beach Boulevard and Old Boynton Road. **SUMMARY:** This JPA provides \$264,389 for the construction of a traffic signal at the intersection of Boynton Beach Boulevard and Old Boynton Road. Amendment Number One modifies the language of paragraph five in the original Agreement allowing Palm Beach County to bill quarterly based on actual costs incurred instead of a monthly basis based on the percentage of completion. District 7 (MRE)

19. Staff recommends motion to:

A) finalize assessment roll for the Dillman Road Paving Improvement Project (Project);

B) authorize Tax Collector's Office to process and collect the assessment payments; and

C) approve the transfer of Dillman Road from courtesy to County maintenance, from Lyons Road west approximately 2,000 feet and delete the remaining western portion of Dillman Road from courtesy maintenance due to the previous abandonment.

SUMMARY: Finalization of the assessment roll for the Project, from Lyons Road west to Whippoorwill Way, Section 7 and 8, Township 44 South, Range 42 East, will allow the assessment payments to be processed and collected by the Tax Collector's Office. Dillman Road has been constructed to Palm Beach County (County) standards. The assessment remains \$3,773.77 per lot. Approval of the Dillman Road transfer will make the Road County maintained for the first 2,000 feet west of Lyons Road. The abandonment of the remaining portion of Dillman Road west of this point was approved by the Board of County Commissioners on February 24, 2009 (R2009-0342) and will no longer be courtesy maintained by the County. District 6 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file:

A) copy of the Letter of Acknowledgement dated December 1, 2009 by Citibank attesting that Bond R-1 in the amount of \$35,075,000 for the Palm Beach County, Florida Public Improvement Revenue Bonds (Law Enforcement Information Technology Project) Series 2008 was assigned to Citibank by CitiCapital Municipal Finance, the original purchaser of the Bond; and

B) a copy of the replacement Bond No. R-1A.

SUMMARY: CitiCapital Municipal Finance, the original purchaser of the \$35,075,000 Bonds, assigned its interest in these Bonds to Citibank. The original bond No. R-1 has been replaced by replacement Bond No. R-1A. The documents should now be received and filed in the Board's official records. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. Staff recommends motion to approve: the execution, delivery and performance by the Housing Finance Authority of Palm Beach County, Florida (the "Authority") of that certain Interlocal Agreement to be entered into by and between the Authority and the Housing Finance Authority of Manatee County, Florida (the "Manatee Authority") in substantially the form attached hereto, with such changes as deemed necessary and appropriate by the Authority and its general counsel for furtherance of the purposes thereof (the "Interlocal Agreement") as required by Section 159.603(3), Florida Statutes (the "Statute"). **SUMMARY:** Pursuant to its authority under Section 163.01, Florida Statutes and the Florida Housing Finance Authority Law encoded in Part IV, Chapter 159, Florida Statutes (the "Act"), the Authority may enter into interlocal agreements with other governmental bodies to make the most efficient use of their respective powers, resources and capabilities in the exercise of those powers common to them. The Authority plans to enter into the Interlocal Agreement with the Manatee Authority to authorize the Manatee Authority to finance qualifying single family mortgage loan programs within the territorial limits of Palm Beach County, Florida (the "County") and Manatee County, Florida, which will be financed from the proceeds of the \$16,610,000 Housing Finance Authority of Manatee County, Florida Single Family Mortgage Revenue Bonds, Series 2009 (New Issue Bond Program - Small Issue) (the "Manatee Bonds") issued by the Manatee Authority. Pursuant to the Statute, the governing body of the County must provide approval for the use of proceeds of the Manatee Bonds pursuant to the Interlocal Agreement for the financing of single family mortgage loans within the County. Countywide (PFK)

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file:
 - A) the State of Florida, Department of Community Affairs (DCA), FY 2010 Community Services Block Grant (CSBG) – American Recovery and Revitalization Act (ARRA) grant in the amount of \$1,461,906, for the period July 1, 2009, through September 30, 2010; and
 - B) Sub-Grant Agreement with Gulfstream Goodwill Industries, Inc. (Goodwill), in an amount not-to-exceed \$1,086,225 for the period of October 1, 2009, through September 30, 2010.

SUMMARY: On September 1, 2009 (R2009-1444), the Board of County Commissioners delegated authority to the County Administrator to sign the sub-grant agreement with Goodwill resulting from the 2010 CSBG-ARRA grant funds. The Agreement will allow for provision of a range of services to low-income households in Palm Beach County to support job creation and preservation. No match is required. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Amendments to renew six (6) contracts with financially assisted agencies totaling \$727,601, for the indicated activities, for the period October 1, 2009, through September 30, 2010:

A) Amendment No. 2, Building Blocks/A Project of Neighbors Organized for Adequate Housing (NOAH), Inc. (R2007-1927) in the amount of \$227,107, for early childhood education and parenting classes;

B) Amendment No. 2, Florida Outreach for the Blind, Inc. (R2008-0505) in the amount of \$22,436 for training and outreach services for the visually-impaired;

C) Amendment No. 2, Glades Area Association for Retarded Citizens, Inc. (R2007-1943) in the amount of \$159,293, for food services, supported living and supported employment services;

D) Amendment No. 2, Mental Health Association of Palm Beach County, Inc. (R2007-1951) in the amount of \$39,074, for a mental health support drop-in center;

E) Amendment No. 2, Parks and Recreation Department, Inc. City of Pahokee (R2008-0033) in the amount of \$132,691, for a social recreational program providing before and after care services to at-risk children and their families; and

F) Amendment No. 2, Glades Initiative, Inc. (R2007-1944) in the amount of \$147,000 for coordination of health and human services in the Glades community.

SUMMARY: On September 8, 2009, the Board of County Commissioners (BCC) approved the list of agencies and funding allocations under the Financially Assisted Agencies Program. These amendments are the final renewal options, as agreed to under the contract terms, and the information submitted reflects part of the total \$12,042,722 funding approved by the BCC for FY 2010. Other contracts will be forthcoming upon receipt of all the required information. (Financially Assisted Agencies Program) Countywide (TKF)

3. **Staff recommends motion to approve:** Amendments to contracts with the following agencies, totaling \$1,316,675 for the period October 1, 2009, through September 30, 2010, for services as indicated:

A) Amendment No. 2OCS, 211 Palm Beach/Treasure Coast, Inc. (R2007-2065), in the amount of \$141,075, for crisis and outreach services; and

B) Amendment No. 2, Mae Volen Senior Center, Inc. (R2007-2066), in the amount of \$1,175,600, for services which include transportation, in-home services, congregate meals, home delivered meals, nutrition education, screening and assessment to eligible seniors.

SUMMARY: On September 8, 2009, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agency Program, and subsequently adopted a budget for FY 2010 that included funds for Other County sponsored programs. The contract amendments being recommended for approval reflect the funding amounts previously approved by the Board. Additional contract amendments will be forthcoming upon receipt of all required information. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **Staff recommends motion to approve:** Standard Agreement No. IU010-9500 for the Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period October 1, 2009, through December 31, 2010, for a total not-to-exceed amount of \$349,591. **SUMMARY:** NSIP funds are available to supplement the cost of meals in the Division of Senior Services (DOSS) Congregate and Home Meals Programs. NSIP provides reimbursement for the purchase of United States produced agricultural and other food commodities for use in nutrition projects operating under the approved Older Americans Act (OAA) Title III agreement. The maximum number of meals to be reimbursed is 582,651 at the rate of \$.60 per meal for a total of \$349,591. 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)

5. **Staff recommends motion to approve:** Amendment No. 1 (R2009-0406) with Nonprofits First, Inc. for the period October 1, 2009, through September 30, 2010, in an amount of \$105,000, for training, education and technical assistance. **SUMMARY:** Nonprofits First developed and produced the 2007 Certification Assessment Tool, a self-assessment manual, and will offer an array of training, education and technical assistance resources and programming to Financially Assisted Agency (FAA) grantees. Department staff and Nonprofit First staff are working diligently to make sure the services will be delivered as contracted. This contract is funded under County Sponsored Programs and is separate from the FAA funding, but managed by the same program monitoring staff. Countywide (TKF)

6. **Staff recommends motion to approve:** Agreement with Workforce Alliance for the Next Generation Workforce Internship Program, with no expiration date, to provide young adults with job training experience. **SUMMARY:** This Agreement will facilitate the utilization of young adult interns ages 18-21, aging out of foster care, of a job training experience. The U.S. Department of Labor has outlined a list of criteria that must be met in order for an internship to be unpaid. The participants do not displace regular employees, but work with employees under close supervision to increase their employability skills. The intended goal is eventual placement into unsubsidized paid employment, leading to economic self-sufficiency for the individual and/or family. As a result of the agreement the County will use these volunteers to provide general clerical office duties. There is no cost to the County to participate in the program. (DOSS) Countywide (TKF)

7. **Staff recommends motion to approve:** Amendment No. 001 to Standard Agreement No. IP009-9500 (R2009-0745) for the Emergency Home Energy Assistance Program (EHEAP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2009, through March 31, 2010, increasing the agreement amount by \$11,691 for a new total not-to-exceed amount of \$179,214. **SUMMARY:** This Amendment will increase the spending authority by \$9,897 and outreach by \$1,794 for a total of \$11,691. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides EHEAP services under a similar agreement from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to:

A) receive and file an Agreement with the State of Florida, Department of Community Affairs, for the period of October 1, 2009, through September 30, 2010, in an amount not-to-exceed \$1,074,889, for FY 2009-2010 Community Services Block Grant (CSBG); and

B) approve a Budget Amendment of \$5,426 in the Community Action Program Fund to reconcile the budget to the actual grant award.

SUMMARY: The Agreement (R2009-1396) has been signed by the State and returned to the Community Action Program. As required, the fully executed contract is being submitted to allow the Clerk's office to note and file it in the official records. The FY 2009-2010 CSBG agreement will provide a range of services to low-income households in Palm Beach County. Funds will enable Palm Beach County Community Action to help stabilize low income families through assistance with utility, shelter, transportation, and child care costs. It will also support assistance to low-income persons seeking to acquire and maintain employment. (Community Action Program) Countywide (TKF)

9. Staff recommends motion to approve: Contract Renewal No. 1 to Standard Contract No. LD903 (R2008-2182) for the Brief Intervention and Treatment for Elders (BRITE) Program with the Florida Department of Children and Families for the period December 1, 2009, through November 30, 2010, for a new total not-to-exceed amount of \$150,000. **SUMMARY:** BRITE is a substance abuse/mental health, brief intervention and treatment program that targets seniors age 55 and older. BRITE focuses on providing services within primary and emergency health care settings, public health clinics, elder homes, and other aging service sites. Clients may be offered screening, brief intervention and brief treatment by the Division of Senior Services (DOSS) or they may be offered more intensive care by a substance abuse/mental health specialist provider agency. (DOSS) Countywide (TKF)

10. **DELETED**

11. Staff recommends motion to approve: Early Head Start Contracted Services Expansion Agreement with Life Span of Palm Beach County, Inc., for the period of December 1, 2009, through September 30, 2010, in an amount of \$112,012, for services to Early Head Start children and families. **SUMMARY:** Early Head Start has received monies through the American Recovery and Reinvestment Act (ARRA) Early Head Start Expansion Grant. As a result, the Division is contracting with Life Span of Palm Beach County, Inc to provide services to 16 infants and toddlers for 171 days at a rate of \$33.63 per child/per day for a total of \$92,012, with an additional \$20,000 for start-up expenses. No County funding is required. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Change Order No. 2 to Task Authorization No. D-1.1: Construction Phase Services for the Addressable Fire Alarm Project at Palm Beach International Airport (PBIA), under the Construction Manager (CM) at Risk Contract with David Brooks Enterprises, Inc. for a time extension of 97 calendar days and no change in the Guaranteed Maximum Price (GMP). **SUMMARY:** The Department of Airports is requesting Board approval of Change Order No. 2 to Task Authorization D-1.1 to David Brooks Enterprises, Inc. under the continuing contract for CM at Risk services approved May 20, 2008 (R-2008-0849). Task No. D-1: Preconstruction Services for the Addressable Fire Alarm Project was approved by the Board on May 20, 2008 (R2008-0849) in the amount of \$50,000. Task D-1.1: Construction Phase Services for the Addressable Fire Alarm Project was approved by the Board on December 19, 2008 (R2008-2298) in the amount of \$1,397,974 and established a construction time to complete the task within 305 calendar days. Change Order No. 1 was approved by the Contract Review Committee on August 27, 2009 and increased the GMP in the amount of \$44,496 and extended the time to complete the work by 40 Calendar Days. Approval of Change Order No. 2 will extend the construction time by 97 calendar days with no change in the GMP. The Small Business Enterprise (SBE) goal for this contract was established at 15%. The SBE participation for this Change Order is 0%. The total SBE contract participation including Change Order No. 2 to Task D-1.1 is 27.92%. Countywide (JCM)

2. **Staff recommends motion to:**

A) approve an internal Memorandum of Understanding (MOU) for Property Exchange between the Department of Airports (DOA) and Parks & Recreation Department (Parks) providing for the exchange of approximately 7.48 acres of vacant property located along the west side of the Palm Beach County Park Airport (Lantana Airport) (Park Property) and a declaration of an access easement at the intersection of Congress Avenue and John F. Kennedy Drive (Easement), in exchange for approximately 6.05 acres of unimproved DOA property located along the north and west sides of the Lantana Airport and approximately 2.57 acres of improved DOA property at the Palm Beach County Glades Airport (Pahokee Airport) (collectively, Airport Property);

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida; determining that the Airport Property is not necessary for airport purposes and that the disposition of the property shall not impair the operating efficiency of the airport system or reduce the revenue producing capability of the County's Airport System; and

C) authorize the County Administrator or his designee (the DOA Director) to execute any necessary documentation for the release of the Airport Property from Airport Improvement Program (AIP) Grant Assurances with the Federal Aviation Administration.

SUMMARY: The MOU provides for the exchange of the Airport Property for the Park Property and the declaration of an access easement to enhance access to DOA property on the west side of the Lantana Airport. The exchange will allow DOA to use the Parks Property for future airport development, and Parks to use the Lantana Airport Property for general county purposes. The Parks Property and Easement are vacant and undeveloped. The Airport Property located on Pahokee Airport is improved with a vehicle maintenance building. The MOU is contingent on approval by the Federal Aviation Administration (FAA). Upon approval of the exchange, the FAA will require the County to execute a letter acknowledging the release of the Airport Property from AIP Grant Assurance requirements. The Resolution is required for purposes of documenting the Airport Property has been released from the Airport System Revenue Bond Resolution (R84-427) requirements. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. **Staff recommends motion to approve:** a Contract with Rosso Paving & Drainage, Inc. in the amount of \$4,928,215.55 for the Taxiway F Extension Project at Palm Beach International Airport (PBIA). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On October 20, 2009, eight (8) bids were received for the Taxiway F Extension Project at PBIA. Of the eight (8) bids, Rosso Paving & Drainage, Inc., a Palm Beach County company, has been identified as a responsible/responsive bidder in the amount of \$4,928,215.55. In addition to the construction contract, project expenditures also include design costs, permitting fees and contingency funding. The Small Business Enterprise (SBE) Goal for this project was established at 15.00%. Rosso Paving & Drainage, Inc. SBE participation is 43.12%. Florida Department of Transportation (FDOT) grant funding of \$2,464,107 and Passenger Facility Charge (PFC) funds of \$2,464,108 are funding this project. Countywide (JCM)

4. **Staff recommends motion to receive and file:** six (6) original Agreements for the Department of Airports:
 - A)** Hangar Lease Agreement with A. Kim Gartmann, Unit 4, Building 11720, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on November 21, 2009;

 - B)** Hangar Lease Agreement with A. Kim Gartmann, Unit 8, Building 11720, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on November 21, 2009;

 - C)** Agreement Covering the Operation of Aircraft at PBIA with Vision Airlines, Inc., commencing September 1, 2009, expiring September 30, 2010 and automatically extended on a year-to-year basis (October 1st through September 30th);

 - D)** Automobile Transport Operator Permit with Triple Express, Inc. d/b/a Connecticut Auto Transport, Inc., commencing November 17, 2009, terminating September 30, 2010, automatically renewed on a yearly basis (October 1st through September 30th);

 - E)** General Aeronautical Services Agreement with Rivera Aircraft Detailing, LLC, commencing December 1, 2009, expiring September 30, 2010, automatically renewed on a year-to-year basis (10/1 through 9/30); and

 - F)** First Amendment to Airline-Airport Use and Lease Agreement with Airtran Airways, Inc. (R2007-0137), replacing Exhibits "B" and "D", effective August 20, 2009.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R93-801, R2006-1906, R2008-1845 and R2009-1960. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated Settlement Offer in the amount of \$15,000 for the full satisfaction of a Code Enforcement Lien that was entered against Karla Mansfield on April 7, 2004. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on October 1, 2003 giving Karla Mansfield until January 29, 2004 to obtain proper building permits for constructing a screen enclosure and carport or remove the unpermitted structures. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Karla Mansfield on April 7, 2004. The cited code violations were fully corrected as of February 12, 2007 by removal of the structures. The total accumulated lien amount through July 10, 2009, the date settlement discussions resumed, totaled \$85,985.35, of which Ms. Mansfield has agreed to pay the County \$15,000 (17.5%) for full settlement of her outstanding Code Enforcement Lien. District 2 (PGE)

2. **Staff recommends motion to approve:** a negotiated Settlement Offer in the amount of \$6,500 for the full satisfaction of a Code Enforcement Lien that was entered against Mike & Kim Pinto on March 5, 2008. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on September 5, 2007 giving the Pintos until November 4, 2007 to obtain the required building permit for their swimming pool barrier. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against the Pintos on March 5, 2008. The cited code violations were fully corrected as of July 29, 2009. The total accumulated lien amount through October 15, 2009, the date settlement discussions began, totaled \$41,857.02, of which the Pintos have agreed to pay the County \$6,500 (15%) for full settlement of their outstanding Code Enforcement Lien. District 5 (PGE)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an annual Contract with Precision Air Systems, Inc. for installation, repair, and/or replacement of Heating Ventilation Air Conditioning (HVAC) systems on an as needed basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$2,000,000. The Contract will terminate when a total of \$2,000,000 in work orders are issued among the pool of six (6) approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$2,000,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. Precision Air Systems, Inc. is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** an annual Contract with Farmer & Irwin Corp. for installation, repair, and/or replacement of Heating Ventilation Air Conditioning (HVAC) systems on an as needed basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$2,000,000. The Contract will terminate when a total of \$2,000,000 in work orders are issued among the pool of six (6) approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$2,000,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. Farmer & Irwin Corp. is a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. **Staff recommends motion to approve:** an annual Contract with Horizon Air Conditioning, Inc. for installation, repair, and/or replacement of Heating Ventilation Air Conditioning (HVAC) systems on an as needed basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$2,000,000. The Contract will terminate when a total of \$2,000,000 in work orders are issued among the pool of six (6) approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides up to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$2,000,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. Horizon Air Conditioning, Inc. is a certified SBE Contractor and a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to approve:** an annual Contract with Stokes Mechanical Contractors for installation, repair, and/or replacement of Heating Ventilation Air Conditioning (HVAC) systems on an as needed basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$2,000,000. The Contract will terminate when a total of \$2,000,000 in work orders are issued among the pool of six (6) approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$2,000,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. Stokes Mechanical Contractors is a certified SBE Contractor and a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

5. **Staff recommends motion to approve:** an annual Contract with Kerney & Associates, Inc. for installation, repair, and/or replacement of Heating Ventilation Air Conditioning (HVAC) systems on an as needed basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$2,000,000. The Contract will terminate when a total of \$2,000,000 in work orders are issued among the pool of six (6) approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$2,000,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. Kerney & Associates, Inc. is a certified SBE Contractor and a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** an annual Contract with The Airtex Corporation for installation, repair, and/or replacement of Heating Ventilation Air Conditioning (HVAC) systems on an as needed basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$2,000,000. The Contract will terminate when a total of \$2,000,000 in work orders are issued among the pool of six (6) approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for to four (4) – one (1) year renewals, each for a not-to-exceed amount of \$2,000,000 at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The Small Business Enterprise (SBE) goal is 15%, and will be tracked cumulatively for each work order issued. The Airtex Corporation is a certified SBE Contractor and a Palm Beach County company. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

7. **Staff recommends motion to approve:** JOC Work Order No. 10-020 with Holt Contractors, Inc. (R2007-0947) in the amount of \$309,819.42 to provide the required ongoing maintenance to maintain the proper drainage at the Four Squares (Mecca Farms) site. **SUMMARY:** The work consists of annual mowing maintenance (mow site completely once annually, mow slopes of impound along with top of dike once annually, and mow roadways, perimeter canals, top of impound, common areas and along Pratt Whitney Road six (6) times annually); annual canal cleaning (clean all critical canals that feed the impound area including all perimeter canals twice annually, and clean all canals once annually); and annual road maintenance (maintain roads including washouts and culvert replacement). This project is funded from the General Fund. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Work Order is 100%. When the participation for this Work Order is added to Holt Contractors, Inc.'s total participation-to-date, the resulting values are 100%. The total construction duration is 365 days. Holt Contractors, Inc. is a Palm Beach County company. (FD&O Admin) Countywide/District 1 (JM)

8. **Staff recommends motion to approve:** JOC Work Order No. 10-014 with HA Contracting, Corp., (R2007-0944) in the amount of \$594,867.84 to provide Heating Ventilation Air Conditioning (HVAC) replacement at the Delray Civic Center. **SUMMARY:** The work consists of removing existing conventional HVAC system (excluding ductwork) and replacing with new chilled water HVAC system (excluding ductwork) and all associated plumbing and electrical. The new HVAC system will benefit the existing facility by decreasing overall energy costs utilizing variable air volume equipment versus the less efficient constant air volume split system and allowing for additional load controls which will allow for varying the usage. These measures will provide for a reduction in energy and operating costs. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Work Order is 23.05%. When the participation for this Work Order is added to HA Contracting Corp.'s total participation-to-date, the resulting values are 43.17%. The total construction duration is 60 days. HA Contracting Corp. is a Miami-Dade County company. (FD&O Admin) District 5 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. **Staff recommends motion to approve:** Change Order No. 23 to the Contract (R2003-1543) with Catalfumo Construction, Ltd., decreasing the Guaranteed Maximum Price (GMP) for PBSO Aviation Facility by \$214,903.70. **SUMMARY:** Construction of the new PBSO Aviation Facility is complete. The GMP included \$56,500 in contingency. The final contingency amount is \$214,903.70 due to buy-out savings and other credits. The \$214,903.70 will be released from encumbrance and returned to the project budget. Change Order No. 23 accomplishes that reduction. The Small Business Enterprise (SBE) goal is 15% and the final SBE participation is 27.9%. (Capital Improvements Division) Countywide (JM)

10. **Staff recommends motion to approve:** a Utility Easement Agreement in favor of the Florida Power & Light Company (FPL) for underground electrical services to the County's Operations & Support Center (OSC) Warehouse at Vista Center in unincorporated West Palm Beach. **SUMMARY:** The County is constructing a warehouse within the Vista Center on the western portion of the OSC on the north side of Vista Parkway. FPL requires an easement for the installation of underground electrical services at this new facility. The easement area is approximately 151.77 feet long and varies in width from 10.14 feet to 14.00 feet and contains 1,478 square feet (0.03 acres). This non-exclusive easement is being granted at no charge as it will provide electrical service solely for the benefit of the County facility. (PREM) District 2 (HJF)

11. **Staff recommends motion to:**
 - A) adopt** a Resolution authorizing the conveyance of the County's interest in a 0.06 acre vacant parcel of County-owned land located on Military Trail, north of Atlantic Avenue, in unincorporated Palm Beach County to Ruben Jaen and Livia Jaen for \$10,000 with reservation of mineral and petroleum rights, but without rights of entry and exploration;

 - B) approve** a Deposit Receipt and Contract for Sale and Purchase with Ruben Jaen and Livia Jaen for the sale of 0.06 acres of County surplus property; and

 - C) approve** a County Deed in favor of Ruben Jaen and Livia Jaen.

SUMMARY: The County acquired a 0.06 acre parcel of vacant land in unincorporated Palm Beach County by Tax Deed in April 2004. The parcel is located on Military Trail, north of Atlantic Avenue. This property was deemed surplus because it serves no present or future County purpose. The 2009 assessed value of the parcel is \$10,094. Pursuant to Florida Statutes Section 125.35(2), the Board may effect a private sale of the parcel upon a finding that the value of a parcel is \$15,000 or less, as determined by the County Property Appraiser, and when due to its size, shape, location and value it is of use to only one or more adjacent property owners. In accordance with Florida Statutes Section 125.35(2), notice of the County's intent to sell this parcel was sent to adjacent property owners who were given the opportunity to bid on this parcel. Proposals were received from two (2) adjacent property owners: (i) Ruben and Livia Jaen and (ii) Robert B. Moffie, with proposed purchase prices of \$10,000 and \$1,050, respectively. Staff recommends a finding by the Board that due to the parcel's size, shape, location and value that it is of use to only one or more adjacent property owners, and that the Board convey this parcel to Ruben and Livia Jaen. Staff recommends the sale of this parcel as it will: (i) lessen the County's potential liability and maintenance responsibilities; and (ii) return the parcel to the tax roll. The County will retain mineral rights in accordance with Florida Statutes Section 270.11, but will not retain rights of entry and exploration. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to approve: a Third Amendment to Memorandum of Understanding (MOU) (R2004-2589) between the Department of Airports (DOA) and Facilities Development & Operations (FDO) for use of Building 1169/Skychef at PBIA to retroactively decrease the square footage and rent payable by FDO and terminate the MOU as of December 31, 2009. **SUMMARY:** The term of the current MOU for use of Building 1169/Skychef extends until December 13, 2013. The Supervisor of Elections (SOE) and other general government users, primarily PBSO occupied the building through December 2009. SOE vacated 23,570 sq. ft. of Building 1169/Skychef in December 2009, for its leased Voter Equipment Center. The remainder of the users were relocated into County-owned space, vacating the remaining 27,630 sq. ft. of Building 1169/Skychef as of December 31, 2009. This Third Amendment to MOU for Building 1169/Skychef provides for: (i) a decrease of square footage of the SOE premises, effective as of the date SOE surrenders the SOE premises; (ii) the retroactive decrease in FDO's rental obligations for December 2009 to \$18,662.65, plus a per diem rental fee of \$515 calculated from December 1, 2009, through the date of surrender of the SOE premises; and (iii) the termination of the MOU on December 31, 2009. The early surrender of Building 1169/Skychef allows the remaining annual rent of approximately \$320,000 for FY 2010 and the annual rent of \$453,871.04 for FY 2011-FY2013 to be re-directed to offset a portion of the annual rental payments for the SOE at its new leased Voter Equipment Center. (PREM) District 2 (HJF)

13. Staff recommends motion to approve: a Declaration of Public Purpose acknowledging that a 3.65 acre parcel of land conveyed to the City of Boynton Beach (City) may be used for the development of a public school. **SUMMARY:** In May of 1977, the Board approved the conveyance of 3.65 acres of land to the City (R77-458). The property is located north of Boynton Beach Boulevard and east of I-95 on Galaxy Way within the municipal boundaries of the City. The County Deed contained a reverter restricting use to public purposes. The property is currently used as a City Park and provides recreation facilities for the Galaxy Elementary School located adjacent to and east of the City Park. The City and the School Board are in the process of planning the redevelopment of the City Park parcel and the Galaxy Elementary School. The plan is to construct the new school on the Park, tear down the old school, and replace the recreation facilities on the old school site. This Declaration of Public Purpose affirms that the use of the City Park parcel for use as a public school is consistent with the public purpose use restriction contained in the County Deed and such use will not trigger a reverter of the parcel to the County. This Declaration of Public Use will be recorded in the Public Records of Palm Beach County. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in a 0.16 acre parcel of County-owned land in Pahokee to Christ Fellowship Healing Temple Community Development Corporation, for \$1,000 with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

B) approve a County Deed in favor of Christ Fellowship Healing Temple Community Development Corporation.

SUMMARY: The County acquired a 0.16 acre parcel of vacant land, located at 798 Joe Lewis Avenue in unincorporated Pahokee, by Tax Deed in July 2006. The parcel was deemed surplus since it serves no present or future County purpose. The assessed value of the parcel is \$4,250. The Christ Fellowship Healing Temple Community Development Corporation (Temple), a not-for-profit corporation, owns the property immediately adjacent to and south of the County-owned vacant parcel. The Temple plans to renovate its facility to provide for community services, such as afterschool programs, job placement referrals, counseling and recreational activities for the elderly. However, the renovations require additional land for the expansion of its facility and for parking. The Temple has requested the conveyance of the County's parcel. Notices were sent to all adjacent owners and the Temple was the only respondent, which offered a purchase price of \$1,000. Pursuant to Section 125.38, Florida Statutes, the County is authorized to convey property to a non-profit organization. The County will retain mineral and petroleum rights in accordance with Section 2701.11, Florida Statutes, but without rights of entry and exploration. Staff recommends the sale of this parcel as it will: (i) lessen the County's potential liability and maintenance responsibilities; and (ii) provide social services to the community. The property is being conveyed to the Temple subject to an automatic reverter should the property not be used in conjunction with the community service activities of the adjacent church, and its successors in title, provided the successor in title is a not-for-profit organization. (PREM) District 6 (HJF)

15. Staff recommends motion to approve: a Second Amendment to Memorandum of Understanding (MOU) (R2008-0961) between Department of Airports (DOA) and Facilities Development & Operations (FDO) for use of the Belvedere Road/5th Street property to provide for FDO's early surrender of a portion of the property and extended use of a portion of the property. **SUMMARY:** The current MOU for use of the Belvedere Road property provides for FDO's use of critical buildings through December 31, 2009, and other buildings through December 31, 2010. This Second Amendment to MOU provides for the realignment of the surrender dates for the individual buildings to correspond with the completion dates of the replacement facilities, specifically: (i) FDO's early surrender of Buildings 507b and 509; (ii) the extension of the term of FDO's use and occupancy of Buildings 502, 505 and 508; and (iii) FDO's provision of maintenance and security for the unoccupied portions of the Belvedere Road property from January 1, 2010, through December 31, 2010. This Second Amendment to MOU also provides for FDO's payment of an \$85,548.75 rental fee for the term extension, which is being offset by: (i) a \$62,899.90 rental credit for the early surrender of Buildings 507b and 509; and (ii) DOA's acceptance of FDO's provision of maintenance and security for the property in lieu of the remaining \$22,747.85 rental fee, which results in a zero dollar net fiscal impact. The Second Amendment also acknowledges that the DOA and FDO have agreed to enter into a new agreement to provide for FDO's use and occupancy of Building 508 from January 1, 2011, through December 31, 2014, at a fair market rental rate. (PREM) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. Staff recommends motion to approve: Amendment Number Four to Lease Agreement (R2000-2059) with Palm Coast Plaza, Inc., for the County's continued use of 12,625 sq. ft. of office space in the Palm Coast Plaza at 3040-3044 South Military Trail in Lake Worth. **SUMMARY:** Palm Tran currently leases 12,625 sq. ft. of office space within the Palm Coast Plaza for the operation of Palm Tran Connection (PTC). The current term of the Lease Agreement expires March 31, 2010, with two (2) remaining renewal options of two (2) years each. This Amendment Number Four: i) exercises the renewal option extending the term of the Lease to March 31, 2012; ii) maintains the current rental rate through March 31, 2011, with 2% increases thereafter; iii) documents Palm Coast Plaza, Inc., as the current owner of the Palm Coast Plaza and updates the Notice provisions; iv) updates the Lease Agreement to include the Disclosure of Beneficial Interests standard provision; and v) incorporates fourteen (14) Federal Transit Administration (FTA) clauses in compliance with the County's 2008 Master Grant Agreement with the FTA. The County has the right to terminate the Lease Agreement upon ninety (90) days written notice and payment of a three (3) month rental penalty, in the event the County is no longer obligated to provide special transportation services for individuals not physically able to use regular County buses. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 3 (HJF)

17. Staff recommends motion to approve: a County Deed in favor of Alro Metals Service Center Corp. (Alro) reconveying real property located at 6200 Park of Commerce Boulevard in Boca Raton in accordance with the terms of an Installment Sale Agreement with Alro dated November 1, 1994, regarding payment of a County-issued industrial development revenue bond. **SUMMARY:** Recently, Staff became aware that title to the property located at 6200 Park of Commerce Boulevard is held by the County. Upon investigation, Staff determined that the County issued a \$3,000,000 Industrial Development Revenue Bond, 1984 Series (Bond) to finance an industrial development project by Alro with a final maturity date of March 1, 2000. As security for the Bond, Alro deeded the property underlying the project to the County. Property and Real Estate Management (PREM) did not handle the Bond transaction and therefore, Staff obtained confirmation from the County Attorney's Office that Alro has paid off the Bond and has satisfied all of its obligations in connection with the Bond. In order to comply with the terms of the Installment Sale Agreement, the County must reconvey the property to Alro. The County will reconvey the property to Alro without reservation of mineral rights since the property was conveyed to the County as security for the bond. (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

18. Staff recommends motion to approve: First Amendment to Temporary Construction Easement (TCE) in favor of the City of Boynton Beach for the installation of a sewer force main within the County's Caloosa Park. **SUMMARY:** The County's Caloosa Park is located south of Woolbright Road on the east side of Congress Avenue in Boynton Beach. On January 13, 2009, the County approved a Temporary Construction Easement (R2009-0097) in favor of the City of Boynton Beach to install a sewer force main on the eastern portion of the Park property. The term of the TCE was for a period of one (1) year and will expire on January 13, 2010. Due to unforeseen project development and funding issues, the project has been delayed. The City is therefore requesting an extension of the Temporary Construction Easement until July 13, 2011, which should provide ample time to work through all construction issues and complete the project. In exchange for granting the easements to the City at no charge, the City has extended its reclaim waterline to the Park boundary and will allow the County to connect without charge. The City will also install a new landscape buffer along the western boundary of the easement. Except for extension of the expiration date, all terms and conditions of the TCE shall remain in full force and effect. (PREM) District 3 (HJF)

19. Staff recommends motion to approve: Work Order No. 09-177 with Robling Architecture Construction, Inc. (R2007-1099) in the amount of \$239,000.12 to remove the existing bus shelter and construct a new bus shelter. **SUMMARY:** On October 8, 2009, the County entered into a License Agreement with the School Board of Palm Beach County for the purpose of creating a transit transfer station for the western communities adjacent to West Tech on State Road 715 in Belle Glade. The work contained in this Work Order consists of removal of the existing bus shelter and the provision of all design, civil and structural engineering, complete site work and construct a new bus shelter approximately 18' x 17' including two (2) ADA compliant sidewalks. This project is funded from the Federal Transit Administration Section 5307 Formula Funds. All applicable Federal certifications and representations are required to meet grant specifications. This project also has a Davis-Bacon requirement with a Disadvantaged Business Enterprise (DBE) goal of 10%. The DBE participation in this Work Order is 31%. The total construction duration is 90 days. Robling Architecture Construction, Inc. is a Palm Beach County company. (FD&O Admin) Countywide/District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

20. Staff recommends motion to:

A) approve a Second Amendment to Lease Agreement with Bedner Farm, Inc. (R2001-0582);

B) approve a Second Amendment to Lease Agreement with Bowman Growers, Inc. (R2001-0519);

C) approve a Second Amendment to Lease Agreement with Bowman Growers, Inc. (R2001-0517);

D) approve a Second Amendment to Lease Agreement with Bowman Growers, Inc. (R2001-0518);

E) approve a Third Amendment to Lease with South Florida Water Management District (SFWMD) and Pero Family Farms, LLC (R2002-1489);

F) approve a First Amendment to Lease Agreement with Pero Family Farms, LLC (R2001-1541);

G) approve a First Amendment to Lease Agreement with Floral Acres, LLC (R2002-0889);

H) approve a First Amendment to Agricultural Lease Agreement with K and M Nursery, Inc. (R2008-1009); and

I) adopt eight (8) Resolutions authorizing the reduction of rent for each of the foregoing Lease Amendments.

SUMMARY: Last year, the farmers and nurserymen who lease property in the Ag Reserve from the County requested reductions in the rent they pay the County. On July 21, 2009 (R2009-1214), the Board approved rent reductions in the Ag Reserve property to \$500/acre for row crops (Bedner Farm, Bowman Growers and Pero Family Farms) and \$1,000/acre for nurseries (Floral Acres and K and M Nursery). Pursuant to Board direction, the rent reductions were implemented in July of 2009, and these Lease Amendments formalize the reductions. The County shall have the right each year to obtain an appraisal of the current market rental rate and adjust the rent to the then current market rate. The farmers will also be required to furnish their row crop yields at the end of each harvest season to provide further information with which to assess the profitability of farming operations and the ability to pay rent. The Third Amendment to the Lease with SFWMD and Pero Family Farms requires re-execution. On February 3, 2009 (R2009-0249), the Third Amendment was approved; however, prior to executing this document, Pero Family Farms converted its corporate status to that of a limited liability company. (PREM) Districts 3 & 5 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** Agreement with the City of Pahokee for activity delivery costs in the amount of \$85,032 for the period of October 1, 2009, to September 30, 2010. **SUMMARY:** The Fiscal Year 2009-2010 Action Plan approved by the Board of County Commissioners on July 21, 2009 (R2009-1207) allocated \$85,000 of Community Development Block Grant (CDBG) funds to the City of Pahokee for activity delivery costs associated with the implementation of eight (8) CDBG funded housing rehabilitations and five (5) CDBG funded demolitions within the City. Staff has evaluated the activity proposed to be funded under this Agreement to, among other things, ensure that the service to be provided is not duplicated by activities funded under any other County Program or Agreement. This Agreement is retroactive to October 1, 2009, the start of Federal Fiscal Year 2009-2010. **These are Federal CDBG funds that require no local match.** District 6 (TKF)

2. **Staff recommends motion to approve:** Agreement with the Comprehensive Community Care Network, Inc., for renovations to their community health care center, in the amount of \$300,000 for the period of December 15, 2009, through December 15, 2010. **SUMMARY:** The renovation work will include the replacement of roof-top air conditioning units, a new roof, fencing, cabinetry, sinks, interior partitions, an elevator keypad control panel, an overhead paging system, an electric entrance door, and a bike rack. The building is located at 2330 South Congress Avenue, in the Village of Palm Springs. **This Agreement will provide \$300,000 in Federal Community Development Block Grant funds which do not require local matching funds.** District 3 (TKF)

K. WATER UTILITIES

1. **Staff recommends motion to approve:** the Temporary Deferral of the capital reimbursement portion of the Lake Region Water Treatment Plant (LRWTP) billing to the Glades Utility Authority (GUA) for the 2009-2010 fiscal year. **SUMMARY:** On February 3, 2004, the Board of County Commissioners approved Agreements (R2004-0245, R2004-0246 and R2004-0247) with the Cities of Belle Glade, Pahokee and South Bay (Cities) for the construction and operation of the LRWTP. The Agreements required the Cities to reimburse the County for the operational costs of the plant and to pay any capital costs not paid through grants. The remaining capital cost (\$24,800,000) was to be paid over 50 years at 2% interest. The monthly capital cost for Belle Glade was \$45,794.05 and \$9,813.01 for both South Bay and Pahokee. On October 21, 2008, the Board approved the deferral of the capital cost reimbursements for a one-year period in order to assist the cities during the transition to the GUA. On October 1, 2009, the GUA was formed and the ownership of the LRWTP and the liability for the capital payments were transferred to the GUA. The GUA Business Plan assumed that the deferral would continue through FY 2009-2010, and the revenue from the capital cost reimbursement was not included in the Water Utilities Department's budget. However, specific authority from the Board is needed to defer the capital cost reimbursement for an additional year to assist the GUA in maintaining sufficient operating funds in accordance with the Business Plan. Interest will continue to accrue, and the capital payments will be reinstated beginning in October 2010. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** an Interlocal Agreement with the Seacoast Utility Authority (Authority) for the temporary provision of potable water and wastewater service to the North County Airport (NCA). **SUMMARY:** This Agreement permits the Water Utilities Department (WUD) to provide potable water and wastewater service to the NCA, which is located in the Authority's service area. WUD currently operates and maintains the on-site water plant, wastewater plant, and sewage lift stations under an operating agreement with the Department of Airports (DOA) at a cost of approximately \$135,000 per year. However, the NCA's facilities will soon require significant capital improvements which can be avoided by obtaining potable water and wastewater service directly from WUD's nearby lines. DOA has agreed to pay the cost of the line extensions (approximately \$1,231,000), which will be partially funded through a federal grant. Under the Agreement with the Authority, WUD will collect connection fees (\$160,296.30) from DOA at the Authority's rates and hold the fees until such time as the Authority may reclaim its service rights to the area. Interest on the connection fees will be retained by WUD. DOA will pay WUD's normal monthly charges for base facility fees and commodity fees. District 1 (MJ)

3. **Staff recommends motion to approve:** a First Amendment to the Agreement (R2008-0208) with Cen West Communities, Inc. for Water Quality Monitoring (Agreement) for an on-site water distribution system at Century Village – Boca Raton. **SUMMARY:** On February 5, 2008, the County and Cen West Communities, Inc. (Century) entered into the Agreement (R2008-0208) for an initial term of two (2) years. The Agreement is scheduled to expire on February 4, 2010; however, the County and Century have the option to extend the Agreement for two (2) additional years if Century requests an extension in writing sixty (60) days prior to expiration. Century has fulfilled this requirement. The Water Utilities Department requests Board approval in order to amend the Agreement and extend the expiration date through February 4, 2012. Capital improvements required at the facilities are not included in this Agreement and either party may cancel the Agreement with a 90-day written notice. District 5 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to:**
 - A) approve** a Contract (S0485) with the Florida Department of Environmental Protection (FDEP) for the County to perform contamination cleanup activities in accordance with the Petroleum Contamination Site Cleanup Program (PCSCP) effective upon execution until June 30, 2015; and
 - B) authorize** the County Administrator, or his designee, to sign all future task assignments, change orders to task assignments, settlement agreements, certifications, and other forms associated with this contract, and necessary minor amendments that do not change the scope of work or terms and conditions of this contract.

SUMMARY: On June 19, 2001, the BCC approved a contract (R2001-941) with FDEP authorizing the County to perform PCSCP activities in Palm Beach County on behalf of the State. The existing contract expires on December 31, 2009. Under Contract S0485, the County, through the Department of Environmental Resources Management, will continue administering the PCSCP upon execution or January 1, 2010 through June 30, 2015. On an annual or semi-annual basis, the FDEP will issue task assignments to the County for specific job tasks necessary to carry out cleanup services at the local level. No ad valorem support is required for this contract. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to approve: Contract with Sunshine Land Design, Inc. in the amount of \$772,735.05 for the construction of the Bluegill Trail from Riverbend Park to Sandhill Crane Park (FM No. 423809-1-58-01) Project No. 2009ERM08 (Project) in Palm Beach Gardens. **SUMMARY:** Thirteen eligible bids were received to construct this 5.3 mile-long bicycle, pedestrian and equestrian portion of the Northeast Everglades Natural Area (NENA). Sunshine Land Design, Inc., a Martin County company, was the lowest responsive, responsible bidder. The Disadvantaged Business Enterprise (DBE) goal for this Project is 8.18%. The Project is 100% federally funded with an American Recovery and Reinvestment Act (Stimulus) grant administered through the Florida Department of Transportation (R2009-1006). District 1 (JM)

3. Staff recommends motion to approve: Work Order No. 1666-04 to the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666) with Eastman Aggregate Enterprises, LLC (Eastman), a Palm Beach County company, in the amount of \$344,621.94 to provide restoration services for the Pondhawk Natural Area Restoration Project. **SUMMARY:** The BCC approved the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666) on September 23, 2008. Work Order No. 1666-04 authorizes Eastman to provide excavation and grading services for the Pondhawk Natural Area Restoration Project. The Work Order is funded by the Natural Areas Project Fund, a non ad valorem source and the Parks Improvement Fund. Eastman's Small Business Enterprise (SBE) participation on this Work Order is 11.39%. Their SBE contract goal is 16.14%. Eastman's SBE participation to-date is 18.76%. District 4 (JM)

4. Staff recommends motion to approve:
 - A) Amendment No. 1 to Grant Agreement No. 08PB3 with the Florida Department of Environmental Protection (FDEP) for increased cost-sharing on the Ocean Ridge Beach Nourishment (Project) from \$492,302 to \$517,994 and extension of the grant to June 30, 2012; and

 - B) Budget Amendment of \$25,692 to recognize the revenue increase in the Beach Improvement Fund.

SUMMARY: FDEP Grant Agreement No. 08PB3 was executed by the Board of County Commissioners on January 13, 2009 (R2009-0115) for cost share on the design and permitting of the Project (up to \$492,302). Under the terms of this grant, FDEP will reimburse 50% of the non-federal project costs. Amendment No. 1 authorizes FDEP to reimburse the County an additional \$25,692 for physical monitoring costs on the Project and extends the grant expiration date through June 30, 2012. Local matching funds of \$25,692 are required for Amendment No. 1, of which the County's share is funded from a combination of tourist development tax and interest. District 4 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to approve:

A) Amendment No. 1 to Grant Agreement No. 09PB1 with the Florida Department of Environmental Protection (FDEP) for increased cost-sharing on the Jupiter/Carlin Shore Protection Project (Project) from \$37,310.50 to \$103,500 and extension of the grant to June 30, 2012; and

B) Budget Amendment of \$66,189 to recognize the revenue increase in the Beach Improvement Fund.

SUMMARY: FDEP Grant Agreement No. 09PB1 was executed by the Board of County Commissioners on September 9, 2008 (R2008-1509) for cost share on the design and permitting of the Project (up to \$37,310.50). Under the terms of this grant, FDEP will reimburse 50% of the non-federal project costs. Amendment No. 1 authorizes FDEP to reimburse the County an additional \$66,189.50 for design and permitting costs on the Project and extends the grant expiration date through June 30, 2012. Local matching funds of \$66,189.50 are required for Amendment No. 1, of which the County's share is funded from a combination of tourist development tax and interest. District 1 (JM)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: First Amendment to Agreement (R2009-1191) with Palm Beach County PAL, Incorporated for First Tee of the Glades golfing program to extend the project completion date from July 30, 2009, to August 30, 2009. **SUMMARY:** This fully executed First Amendment to Agreement extends the project completion date for this completed project in order to allow the County to continue with the reimbursement process. The reimbursement request was received before the deadline date of October 30, 2009, but the project end date needs to be extended to allow for reimbursement of all eligible project expenses. All other terms of the Agreement, including the funding amount of \$1,000, remain the same. Funding for the project is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

2. Staff recommends motion to approve: Agreement with the City of South Bay for the period January 12, 2010, through November 30, 2010, in an amount not-to-exceed \$10,000 for the Glades Bay Bulldogs football program and youth basketball program. **SUMMARY:** This funding is to offset the cost of youth football and basketball programs offered by the City of South Bay. The programs serve approximately 30 youth from ages 11 through 15. The Agreement allows for reimbursement of eligible project costs incurred subsequent to September 1, 2009. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to approve:** the Fourth Amendment with the City of Riviera Beach (R2005-2435), for \$100,000 for the contract period from October 1, 2009, to September 30, 2010 to support the City of Riviera Beach "Weed and Seed" efforts. **SUMMARY:** The Criminal Justice Commission recommends the use of \$100,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2010. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to approve:

A) a Contract with the non-profit corporation known as The Children's Coalition, Inc., for \$37,411 to provide juvenile intervention services for the period from October 1, 2009, to September 30, 2010; and

B) a Budget Transfer of \$37,411 in the Criminal Justice Reserve Fund to establish budget for the project.

SUMMARY: Alternatives to secure detention will serve a targeted population of youth and families from low income, high crime neighborhoods that are between the ages of 13 to 18 who are in a "revolving door syndrome" with secure detention in Palm Beach County. The project will also serve youth that are returning to the community from residential commitment programs that are in need of additional services. Countywide (DW)

3. Staff recommends motion to:

A) receive and file a Grant from the Florida Department of Law Enforcement for the Edward Byrne Memorial Justice Assistance Grant Program: State Solicitation for the Young Women's Christian Association (YWCA) of Palm Beach County, a not-for-profit agency, for \$20,000;

B) receive and file a Grant from the Florida Department of Law Enforcement for the Edward Byrne Memorial Justice Assistance Grant Program: State Solicitation for the NOPE Task Force, Inc. (NOPE), a not-for-profit agency, for \$40,000,

C) receive and file a Grant from the Florida Department of Law Enforcement for the Edward Byrne Memorial Justice Assistance Grant Program: State Solicitation for the City of Pahokee for \$132,000;

D) approve a Contract with the YWCA for \$20,000 for the period of October 1, 2009, through September 30, 2010, for the provision of empowering girls and diverting them from the juvenile justice system;

E) approve a Contract with NOPE for \$40,000 for the period of October 1, 2009, through September 30, 2010, for the provision of substance abuse education to middle and high school students;

F) approve an Interlocal Agreement with the City of Pahokee for \$132,000 for the period of October 1, 2009, through September 30, 2010, for the provision of violence reduction and employment skills; and

G) approve a Budget Amendment of \$192,000 in the General Fund to establish budget for the projects.

SUMMARY: The Criminal Justice Commission is requesting the use of \$192,000 from the federal FY '09 Edward Byrne Memorial Justice Assistance Grant (JAG). Crime prevention services as described below are being provided by the three (3) above named providers. The grant applications were executed by the Board of County Commissioners on August 18, 2009 as resolutions: R2009-1321 (for the YWCA); R2009-1317 (for NOPE); and R2009-1314 (for the City of Pahokee). There is no match requirement for JAG funds. Countywide (DW)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: Emergency Services Agreement for Mutual Assistance and Automatic Aid with Martin County. **SUMMARY:** On September 10, 2002, the County entered into an Emergency Services Agreement for Mutual Assistance and Automatic Aid with Martin County (R2002-1589). The Agreement providing for fire suppression, emergency medical services and other emergency services during extraordinary emergency events has expired. This new Agreement shall take effect upon execution by both parties and expire September 30, 2016. Approval of the Agreement authorizes the parties' Fire Chiefs to meet and develop automatic aid plans and procedures, to be set forth in Letter(s) of Understanding between the Fire Chiefs, consistent with the Agreement. Countywide (SB)

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to approve: renewal of Microsoft Enterprise Agreement with Software House International, Inc. (R2006-2755), pursuant to the State of Florida Term Contract Number 255-001-01-1, to provide software assurance in the amount of \$389,469.30 per year, for a three (3) year period from October 1, 2009, to September 30, 2012. **SUMMARY:** The Microsoft Enterprise Agreement for software assurance provides the County with the right to the latest version of the software products purchased under the original Agreement. The County is requesting software assurance for the User Client Access Licenses which are necessary for users to access Active Directory, Exchange and SharePoint, and for various server software licenses previously purchased by the County. Due to budgetary limitations, the County will not be continuing coverage for the Operating System and Office Application licenses at this time. This will result in a reduction of \$662,639 annually from the previous agreement amount, with the overall savings to the County of \$1,987,917 over the three (3) year term of the Agreement. The Enterprise Agreement expired on October 1, 2009, however due to the uncertainty surrounding the funding of this item in the FY 2010 budget, Microsoft agreed to extend the renewal period to January 28, 2010. Software House International is not a Palm Beach County, nor a Florida-based business. Countywide (PK)
2. Staff recommends motion to approve: an Interlocal Agreement with the City of Boynton Beach to connect to the Palm Beach County Wide Area Network at an annual cost of \$8,400 for the initial point of connection, for an initial term of one (1) year, with automatic one (1) year renewals thereafter unless notice is given by either party. **SUMMARY:** The Information Systems Services (ISS) Department has negotiated the proposed Interlocal Agreement with the City of Boynton Beach. This interconnection will enable Boynton Beach to connect to the County's Network and thereby also gain access to the Florida LambdaRail network. This will provide greater bandwidth for Internet access and disaster recovery programs while reducing the City of Boynton Beach's overall network costs. The City of Boynton Beach agrees to pay the County \$8,400 annually as the initial connection fee to access the Palm Beach County network. Per Exhibit A of the Interlocal Agreements, fees for additional connections are set at \$6,000 annually per connection. District 3 (PK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to adopt:** a Resolution to approve the revised 2009 Palm Beach County Unified Local Mitigation Strategy (LMS) Plan. **SUMMARY:** The Federal Emergency Management Agency has mandated that all LMS programs revise their plans every five (5) years to bring them into compliance with federal guidelines established in response to the Disaster Mitigation Act of 2000. Palm Beach County has successfully completed its 2009 revision process and, pending evidence of formal adoption by the Board of County Commissioners and its municipalities, participating local jurisdictions will be eligible to apply for and receive federal pre-disaster and post-disaster mitigation assistance funds. Countywide (GB)

2. **Staff recommends motion to:**

A) adopt a Resolution authorizing the County Administrator or his designee to sign and forward to the Florida Department of Health, Bureau of Emergency Medical Services, the FY 2010 annual EMS County Grant Application and County Distribution Agreement for \$459,254;

B) authorize the County Administrator or his designee to sign state budget transfer forms related to the grant;

C) approve a Budget Amendment of \$151,787 in EMS Grant Fund to adjust budget to actual grant award.

SUMMARY: This is an annual grant provided to Palm Beach County from the State of Florida Department of Health, Bureau of Emergency Medical Services, to improve and expand the EMS system. The funds are distributed as reimbursement to the EMS providers and will also fund the Palm Beach County Medical Communications System. The EMS County Grant Award Program begins October 1, 2009 and concludes September 30, 2010. No County match is required. Countywide (DW)

AA. PALM TRAN

1. **Staff recommends motion to approve:** Interlocal Agreement with the Village of Wellington to reimburse, in part, Palm Beach County for the delivery of door-to-door paratransit transportation services to Village of Wellington residents with American with Disabilities Act (ADA) eligibility, in an amount of \$40,000 for the period of October 1, 2009, through September 30, 2010. **SUMMARY:** This Interlocal Agreement with the Village of Wellington will provide paratransit services to residents who are no longer eligible for Americans with Disabilities Act (ADA) paratransit services due to the redefinition of the ADA core area. This Agreement takes effect as of October 1, 2009, and expires September 30, 2010, in the amount of \$40,000. Countywide (DR)

2. **Staff recommends motion to approve:** the First Amendment to the Contract with WTC Backgrounds & Drug Testing, Inc., (R2007-0712) exercising the County's option to extend the Contract for one (1) additional year, with a remaining one (1) year option to renew. WTC provides professional medical consultation, specimen collection and laboratory and Medical Review Officer (MRO) services for Palm Tran's drug free workplace program in an amount not to exceed \$21,000 per year. **SUMMARY:** The contractor will provide, on an as needed basis, specimen collection, alcohol breath testing, specimen analysis, and MRO services. Unit pricing for the various services shall remain the same throughout the performance period of the Contract. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALMTRAN (Cont'd)

3. Staff recommends motion to adopt: Resolution approving a Grant Application with the Florida Department of Transportation (FDOT) to provide operating funding for mass transit in the amount of \$252,687 of Federal funds passed through the State for the Lakes Region of Palm Beach County for the period of July 1, 2010, to June 30, 2011. **SUMMARY:** FDOT has notified Palm Tran that the tentative allocation of Section 5311 funds for Palm Beach County is \$252,687 for non-urbanized areas for mass transit operating assistance. This is used to partially offset the operating costs of mass transit in the Lakes Region of Palm Beach County. The operating costs of mass transit to the Lakes Region include operating, maintenance, and administrative costs. This is the maximum amount of FDOT operating assistance available to Palm Beach County for FY 2011 for mass transit services. The Grant Application for \$505,374 requires 50% local match (\$252,687 State, \$252,687 Local funds) and execution of a section 49 USC§ 5333 (b) assurance. Palm Beach County provides the local funding from the local option gas tax. Grant and match are included in the FY 2010 budget. Countywide (DR)

4. Staff recommends motion to:

A) adopt Resolution approving a Florida Department of Transportation (FDOT) Five-Year Joint Participation Agreement (JPA) (FM No. 407184-1-84-06) in the initial amount of \$505,374 for FY 2010 (\$252,687 State - \$252,687 Local Match) amount to be increased by the yearly allocations for the next five (5) years. This JPA provides operating funding for mass transit of Federal Transit Administration (FTA) Section 5311 funds passed through the State for the non-urbanized (Lakes Region) areas of Palm Beach County, and authorizes the County Administrator or Palm Tran Director as the appropriate staff to sign the interim year Notification of Funding form, on behalf of the Board;

B) approve downward Budget Amendment of \$125,967 in the Palm Tran Grants Fund in order to reconcile the FY 2010 budget to the actual grant award from the Florida Department of Transportation 5311 Program; and

C) approve downward Budget Amendment of \$125,967 in the Palm Tran Operating Fund in order to reconcile to the transfer made from the Palm Tran Grants Fund.

SUMMARY: FDOT is providing a grant in the amount of \$252,687 for non-urbanized areas for mass transit operating assistance to Palm Beach County for FY 2010. This is used to partially offset the operating costs of mass transit in non-urbanized areas of the County. The operating costs include operating, maintenance, and administrative costs. The JPA will become effective upon execution, with expiration date of December 31, 2014, unless an extension is requested and granted. The JPA requires a 50% match of \$252,687 with local funds. The local match for this JPA is already included in Palm Tran's FY 2010 budget. FDOT implemented Multi-Year JPAs for FTA Section 5311 since FY 2005. A new JPA will be created every five (5) years and in the interim years, an annual Notification of Funding form is signed by FDOT and the Agency. The downward budget amendments, items B and C, are due to a reduction of Statewide allocations in 5311 funding. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a National Association of Drug Diversion Investigators, Inc. award, in the amount of \$10,000 for the Prescription Drug Abuse Enforcement Project FY 2009; and

B) approve a Budget Amendment of \$10,000 increasing the Sheriff's Grants Fund.

SUMMARY: On October 8, 2009, the Palm Beach County Sheriff's Office (PBSO) received an award from the National Association of Drug Diversion Investigators, Inc. (NADDI) for the PBSO Public Service Campaign Project. The funds provided will be used by PBSO's Narcotics Division to conduct drug diversion investigations and increase public awareness. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Agreement with the City of West Palm Beach for reimbursement of overtime cost, in the amount of \$16,585, associated with the Gramercy Village Weed and Seed Project FY 2010 for the period of October 1, 2009, to September 30, 2010; and

B) approve a Budget Amendment of \$16,585 in the Sheriff's Grant Fund.

SUMMARY: The City of West Palm Beach, received an award from the United States Department of Justice Office of Justice Programs for the Gramercy Village Weed and Seed Project FY 2010. On November 2, 2009, the Palm Beach County Sheriff's Office (PBSO) and the City of West Palm Beach entered into an agreement to continue the Gramercy Village Community Area Multi-Agency Law Enforcement Unit (MALEU). The objective of the MALEU is to prevent, control, and reduce violent crime, drug abuse, and gang activity in the Gramercy Village Community Area. Under this Agreement, the Palm Beach County Sheriff's Office will receive \$16,585 in reimbursable funds for overtime costs associated with the program. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. District 7 (DW)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Agreement with the City of Miramar, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to provide \$336,900 in reimbursable funding for the Regional Virtual Fusion Center effective until May 31, 2011; and

B) Approve a Budget Amendment of \$336,900 in the Sheriff's Grant Fund.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds and related equipment will be used for the regional Virtual Fusion Center hosted by PBSO. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation honoring the South Florida Super Bowl Host Committee in Palm Beach County. (Sponsored by Commissioner Aaronson)

- B.** Proclamation declaring February 21 – 28, 2010 as “Palm Beach County Saves Week” in Palm Beach County. (Sponsored by Commissioner Vana)

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

A. Staff recommends motion to:

A) adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article VII (Ordinance No. 2005-009); to be known as the Palm Beach County Towtruck Ordinance; providing for a title; providing for definitions; providing for towtruck class specifications; providing for required operating permit; providing for new applications/renewals and issuance of towing operating permit and fees; providing for inspection of storage yards and public offices; providing for insurance requirements, providing for towtruck registration, standards and decals; providing for inspection procedures and requirements; providing for non-consent manifest, towing invoice or tow sheet; providing for advertisements; providing for records requirements; providing for an operating permit required to do business with the county; providing for non-consent towing with prior express instruction of real property owner or authorized agent and/or law enforcement agency; providing for notice requirements for non-consent tow services at request of real property owners; providing for non-consent towtruck company requirements; providing for consent-only towtruck company requirements; providing for maximum non-consent towing and storages rates for non-consent tow services; providing for towtruck driver requirements and failure to comply; providing for fraudulent transfer of towtruck companies; providing for deceptive and unfair trade practices, providing for cease and desist orders, providing for assurances of voluntary compliance; providing for enforcement and civil/criminal penalties; providing for administrative enforcement, denial, revocation and suspension of operating permits; providing for additional penalties; providing for hearings and appeals; providing for scope; providing for repeal of laws in conflict; providing for a savings clause; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date;

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida; establishing maximum rates for services related to non-consent towing and recovery in Palm Beach County; establishing fees required by the towing ordinance; establishing civil fines required by the towing ordinance; establishing minimum levels of insurance required by the towing ordinance and rescinding and repealing Resolution No. R2005-1023; and

C) approve the addition of one (1) non-ad valorem part-time compliance officer position (Pay Grade 24) to assist in the enforcement of the Towing Ordinance.

SUMMARY: The two (2) main objectives of the proposed Ordinance revisions are: 1) require all towing companies in Palm Beach County to be licensed and meet minimum safety, insurance and operating rules; and 2) require all towtruck drivers to secure an I.D. Badge and pass a basic criminal and driving background check (similar to the requirements for vehicle-for-hire drivers). The proposed revisions also improve issues related to the existing towing Ordinance. Currently, only towing companies performing non-consent tows (police involved accidents or illegally parked vehicles) are required to be licensed. The revised Ordinance would return Palm Beach County to licensing requirements that were in place from 1992 – 2002 when all towing companies were required to be licensed. Towtruck drivers have considerable interaction with the public and often provide transportation for individuals whose inoperable vehicles must be towed. All of the proposed revisions involve public safety issues. Staff and an industry advisory committee have worked to develop this proposal. **Part B - Resolution** establishes or revises fees, maximum rates non-consent towing companies can charge consumers, citation fines and minimum insurance levels. **Part C** – Requests one additional part-time compliance officer position to assist inspecting towing vehicles and providing follow-up to towing investigations during peak periods. Countywide (GB)

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

B. Staff recommends motion to adopt:

A) Ordinance rescinding Ordinance No. 2008-02 (which amended Ordinance No. 2006-029); and

B) Ordinance rescinding Ordinance No. 2006-28, consistent with the Administration Commission's Final Order in the administrative challenge styled, Department of Community Affairs, et al. vs. Palm Beach County et al., DOAH Case No. 06-4544GM, relating to the site-specific Comprehensive Plan Amendments adopted for the Balsamo property and the Lantana Farms property, respectively.

SUMMARY: Palm Beach County adopted Comprehensive Plan Amendment Nos. LGA 2006-00002 ("Balsamo Amendment") by Ordinance No. 2006-028 and LGA 2006-00010 ("Lantana Farms Amendment") by Ordinance No. 2006-029 on August 21, 2006. The Balsamo Amendment re-designated approximately 97.55 acres of land located on the north side of Northlake Boulevard approximately 4,000 feet east of Coconut Boulevard from Rural Residential-10 ("RR-10") to Low Residential – 1 ("LR-1") and included the property within the Urban/Suburban Tier. The Lantana Farms Amendment re-designated approximately 26.23 acres of land located on Lantana Road and SR 7/US 441 from Rural Residential to Low Residential and included the property within the Urban/Suburban Tier. Both amendments were successfully challenged and the Administration Commission issued a Final Order on December 10, 2009, concluding that the amendments were "not in compliance." The Final Order directed the County to rescind both ordinances or face sanctions. District 6 (ATP)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. [211 Service Delivery Report](#)
2. [Staff recommends motion to approve:](#) the Scripps Florida Phase II/Briger Proportionate Share Agreement with the Lester Family Investments L.P., Richard Thall, Robert Thall, Peter L. Briger, Paul H. Briger, and the David Minkin Florida Realty Trust, collectively referred to as "Lester", with The City of Palm Beach Gardens (City), The Florida Department of Transportation (FDOT) and the Florida Turnpike Enterprise (FTE) subject to execution by each agency. **SUMMARY:** On May 2, 2006, the Board of County Commissioners (BCC) approved the Grant Agreement with The Scripps Research Institute. On February 28, 2006, the BCC approved an Agreement (R2006-0423) for the donation and purchase and sale with Lester for 70 acres of property within the Briger Property to be utilized by Scripps Florida. The Grant Agreement requires the County to obtain entitlements on the 70 acres to facilitate the construction of an additional 1.6 million square feet (SF) of bioscience use. All required development order applications have been submitted to the required corresponding agencies. It is anticipated that the final approval of the Development of Regional Impact (DRI) will go before the City of Palm Beach Gardens City Council on January 14, 2010. The County and Lester desire to provide for proportionate share mitigation payments pursuant to Section 163.3180(12) and Section 380.06, Florida Statutes, and Rule 9J-2.045(7), Florida Administrative Code, to address the traffic impacts anticipated from development of the 863 acre project throughout build-out. The County, FDOT, FTE and City have agreed to accept the proportionate share payment in the amount of \$22,206,098 as adequate mitigation for the transportation impacts of the project on significantly impacted state and regional roadways. Lester and the County have agreed that their respective share of the total proportionate share obligation under this Agreement shall be 79.74% (\$17,707,142) for the Lester Property and 20.26% (\$4,498,955) percent for the County/Scripps Property. To further advance the Bioscience Cluster, the Agreement anticipates that the County will immediately initiate a project at Donald Ross Road and I-95 with an estimated value of \$6 Million. This will satisfy the total proportionate share obligations for the 70 acre property. The County will be fully repaid through road impact fees or other appropriate mechanism when development occurs. Under the Grant Agreement, it is the responsibility of Scripps to fund all costs related to the development of the property. Funding of the Donald Ross Road/I-95 Improvements will come from available District 1 Roadway Impact Fees. District 1 (MRE)
3. [Staff recommends motion to approve:](#) a Countywide Community Revitalization Team (CCRT) Area Reassessment Study and its recommendations. **SUMMARY:** The CCRT Area Reassessment Study provides an update of the CCRT Community Needs Analysis (a/k/a 1997 Potential Target Areas Report) and outlines the Office of Community Revitalization and CCRT recommendations regarding continuing and future revitalization efforts based on the analysis presented within the report. Countywide (AH)

6. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. Staff recommends motion to approve: a Contract with Palm Beach Community College Small Business Development Center (SBDC) in the amount of \$94,000 to provide technical assistance and training to small businesses in Palm Beach County for the period of October 1, 2009, through September 30, 2010. **SUMMARY:** This Contract provides Palm Beach County's Small Business Enterprise firms with technical assistance and training in the form of direct consulting services in the areas of finance, marketing, management, construction, human resources, business plans and international trade. In addition, SBDC provides local SBE's with services that result in federal certifications, such as 8(a), HUBZone and Small Disadvantaged Business; identify federal contract opportunities for local small businesses; and assist local businesses in submitting bids to local, state, and federal agencies. The total amount of this proposed Contract for FY 2010 is \$94,000 and is being made retroactive to October 1, 2009. An audit has been completed for contracted services in FY 2009 and resulted in satisfactory performance. The FY 2009 performance and FY 2010 contracted performance is listed below. Countywide (TKF)

	Deliverables	FY09 Contracted	Achieved As of 9/30/09	FY10 Contracted
	SBDC			
1	Management & Technical Assistance Clients	440	756	500
2	Loans Approved	\$1,750,000	\$1,800,000	\$1,750,000
3	SBDC Seminars	4	4	4
	PTAC			
4	Management & Technical Assistance Clients	65	355	125
5	Procurement Approved	\$3,500,000	\$20,139,808	\$5,000,000
6	Government Procurement Seminars	16	17	16
7	Certification Training	8	8	8
8	Review of RFP/Bid Process	6	7	6
	PBCC			
9	Quarterly Report and Client Profile	4	4	4

6. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

5. Staff recommends motion to:

A) adopt a Resolution supporting Signature HealthCARE LLC, and Signature Payroll Services LLC, a wholly owned subsidiary, and entities leased to Signature Payroll Services LLC, including but not limited to Signature Clinical Consulting Services LLC, Signature Consulting Services LLC, SHC Construction Services LLC, Signature Recruitment LLC, Integritas Professional Development Services LLC, and Serenity Healthcare LLC, all hereinafter referred to as "Signature," for Florida's Qualified Target Industry (QTI) Tax Refund Program;

B) approve the Job Growth Incentive (JGI) Grant Agreement, as the required 20% QTI local match, with Signature in the amount of \$30,000 for the creation of 50 jobs with an average salary of \$45,564 excluding benefits, and retention of 96 existing jobs in Palm Beach County;

C) approve a Budget Transfer of \$30,000 from the General Fund Contingency Reserve to the Economic Development Job Growth Incentive Fund; and

D) approve a Budget Amendment of \$30,000 to the Economic Development Office Fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserve.

SUMMARY: Signature's headquarters in Palm Beach Gardens is the base for the executive leadership and functional departments that support 66 skilled nursing facilities providing long-term care nursing services throughout the southeastern United States. The JGI Agreement requires the company to create 50 new jobs by December 31, 2013, with an average salary of \$45,564 excluding benefits; and maintain the 50 new jobs and 96 existing jobs through December 31, 2015. The JGI grant is recommended at \$600 per job created or \$30,000. Signature's investment in our local economy is expected to produce total economic impacts from direct, indirect and induced dollars as follows: \$51 million in output, \$13 million in wages, and \$1.3 million in taxes over the period of the grant. Under the Qualified Target Industry (QTI) Tax Refund program application with Enterprise Florida, it is anticipated that the State will award up to \$150,000. The QTI requires a 20% local match or \$30,000. The 20% match will be achieved using the JGI grant. Funds are not allocated in the current budget for JGI. The Board of County Commissioners (BCC) directed Staff to bring qualified companies to the BCC for consideration. Florida is competing with Kentucky and Tennessee for Signature's headquarters expansion. Signature's expansion involves an approximate \$9.9 million land/building purchase. District 1 (DW)

6. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, establishing a policy on time limits for the development of facility projects owned and/or operated by a non-County entity, funded in part or in whole by the County. **SUMMARY:** This Resolution was developed at the request of Commissioner Aaronson with the approval of the Board of County Commissioners. The County periodically funds in part or in whole the development of facilities, including but not limited to parks and museums, which will be the ownership responsibility of other public or non-profit entities. It is wasteful to allocate funds to such projects if they do not proceed in a timely manner. The Board wishes to establish a policy to assure reasonable implementation timeframes. The Board hereby establishes a policy that requires the non-county owner/operator to submit an application for funding and to adhere to milestones for development. Countywide (PFK)

6. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

7. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners creating the Palm Beach County Inspector General and Commission on Ethics Implementation Advisory Committee. **SUMMARY:** During the development of the Inspector General, Ethics Commission and Code of Ethics ordinances, staff worked with community groups that provided input throughout the process. Various members of these groups recommended the creation of an advisory committee to assist staff during the implementation of the ordinances. The committee would be advisory in nature and would sunset in one (1) year unless extended by the Board of County Commissioners. Countywide (LB)

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) approve a Termination of Deposit Receipt and Contract for Sale and Purchase dated May 6, 2008, with National Land Company, Inc. (National Land) (R2008-0759); and

B) accept an Access and Utility Easement from National Land Company, Inc.

SUMMARY: On May 6, 2008, the Board approved a Deposit Receipt and Contract for Sale and Purchase for the sale of 4.85 acres of vacant landlocked County-owned surplus land at the north end of Lake Ida Park to the adjacent landowner, National Land Company, Inc., for \$1,600,000. Pursuant to the terms of the contract, National Land deposited with the County \$160,000 and was required to close on the property by June 5, 2008. Although the contract was not contingent on the buyer obtaining financing, National Land notified Staff that it was having difficulty in obtaining financing and requested a delay in closing. To date, National Land has been unable to close on the contract. The County's parcel does not have legal access, and National Land has offered to grant the County an Access and Utility Easement across National Land's adjoining property in exchange for the return of its \$160,000 deposit and termination of the contract. This Easement provides the County a perpetual non-exclusive easement for utilities and access to the public right-of-way at Diane Drive which will increase the marketability of the County property. Staff obtained an appraisal dated January 30, 2008, that valued the 4.85 acre County property at \$1,994,000 assuming legal access, and at \$1,237,000 without legal access. In May of 2009, Staff obtained an addendum to the appraisal, which valued the Access and Utility Easement at \$92,000, assuming the worst case scenario where the County would have to construct the road and install the utilities. Although the Board has the right to retain the \$160,000 deposit as liquidated damages as its sole remedy under the contract, Staff recommends that the Board accept the Access and Utility Easement in exchange for the return of the deposit. This termination is contingent upon National Land providing a title policy insuring the priority of the County's interest in the Access and Utility Easement. (PREM) Districts 3 & 4 (HJF)

2. Staff requests Board direction: regarding a request by Mecca Farms, Inc. for the Board to reconsider the effective date of termination of the Lease with Mecca Farms of the 215-acre Amestoy property in the Ag Reserve (R2006-0906). **SUMMARY:** On July 21, 2009, the Board agreed to terminate the Lease with Mecca Farms effective as of September 1, 2007. Mecca Farms did not make the payment due in June of 2007, and would be required to pay rent for June, July and August of 2007, totaling \$122,838.98 (through the effective date of termination). Mecca Farms is asking the Board to reconsider its prior decision, and to terminate the Lease effective as of June 1, 2007. Due to water management permitting issues, Mecca Farms ceased farming operations in May of 2007. Termination of the Lease effective as of June 1, 2007, would coincide with cessation of farming operations. (PREM) District 5 (HJF)

6. REGULAR AGENDA

C. HOUSING AND COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Short Sale Policy Guidelines for the State Housing Initiatives Partnership (SHIP) and the federal HOME first-time home buyer assistance programs. **SUMMARY:** The State Housing Initiatives Partnership (SHIP) and the federal HOME first-time home buyer assistance programs provide second mortgage subsidy assistance to eligible households who are first-time homebuyers. The SHIP program provides up to \$150,000 in second mortgage subsidy assistance, while the HOME program provides up to \$85,000. All assisted SHIP and HOME properties are encumbered with a 30 year lien which requires full repayment of the second mortgage subsidy if the assisted property is sold, transferred, or abandoned prior to the expiration of the County's 30 year lien. Recently an increasing number of SHIP and HOME assisted home owners are seeking to sell their properties through a "Short Sale" process. These homeowners are in dire financial straits and are seriously at risk of losing their homes to foreclosure. Staff is recommending these Short Sale Policy Guidelines which require the first mortgage lender to repay the County \$3,000 or eight percent (8%) of the remaining balance owed on the County's second mortgage, whichever is less. Alternatively, the County's encumbrance can be carried to a subsequent property or subsequent eligible purchaser. Countywide (TKF)

2. Staff recommends motion to approve: Neighborhood Stabilization Program (NSP) residential first and second mortgage assistance in the amount of \$213,100 to Sylvia L. Sharps, a County employee. **SUMMARY:** Sylvia L. Sharps is a single female who has been employed with Palm Beach County's Water Utilities Department since March 2005. She is now seeking to purchase a home in the amount of \$188,100, which is one percent (1%) below appraised value. The home is located at 8276 Blue Cypress Drive, Lake Worth, Florida 33467. The home contains 1,974 square feet with three (3) bedrooms and three (3) baths. Total cost for this residential purchase and repair is \$221,430.47. This amount includes the purchase price of \$188,100; repair costs of \$22,030; and closing costs of \$11,300.47. The applicant, Ms. Sharps, will provide \$3,762 as her mandatory 2% down payment, plus \$4,568.47 towards closing costs. Palm Beach County will provide a first mortgage loan of \$188,100 for 30 years at four percent (4%) interest and a second mortgage of \$25,000. The second mortgage requires no repayment if Ms. Sharps lives in the home as her principal place of residence for 30 years. **These are Federal Funds that require no local match.** District 7 (TKF)

6. REGULAR AGENDA

D. WATER UTILITIES

1. **Staff recommends motion to approve:** a Two-Year Extension to all Water Utilities Department Development Agreements and Renewal Agreements that were originally scheduled to expire between September 1, 2008, and January 1, 2012. **SUMMARY:** Developers who meet certain criteria as outlined in the Water Utilities Department's Uniform Policies and Procedures Manual (UPAP) are required to enter into Development Agreements (Agreement) to reserve potable water, wastewater, and/or reclaimed water capacity (Capacity) for their projects. The terms of the Agreement require the submittal of a Mandatory Agreement Payment (MAP) to reserve Capacity for a period of five years. Any unused Capacity remaining in the Agreement after five (5) years can be renewed for one (1) additional five (5) year term upon payment of another MAP and execution of a Renewal Agreement. No further renewals are available after ten (10) years. The ten (10) year expiration provision puts a significant obstacle in the way of economic development in the current economic environment. On January 13, 2009, the Board approved a one (1) year extension for Agreements and Renewal Agreements expiring between September 1, 2008, and September 30, 2013. The recently enacted Section 14(1), Chapter 2009-96, Laws of Florida, provides for a two (2) year extension for development orders and building permits expiring between September 1, 2008, and January 1, 2012. Although the County Attorney's Office has determined that the law does not apply to Water Utilities Department (WUD) Development Agreements, granting an additional two (2) year extension will assist the development community while not significantly impacting WUD's operations. Countywide (MJ)

2. **Staff recommends motion to ratify:** the signature of the County Administrator on an application for Federal Assistance (SF-424) as "Co-Applicant" with the Glades Utility Authority (GUA) for federal grant funding from the Department of Commerce, Economic Development Administration, at no cost to Palm Beach County. The application has been signed and submitted due to time constraints. **SUMMARY:** On August 5, 2009, the GUA submitted an application to the Department of Commerce, Economic Development Administration (EDA) for funding, estimated to total \$5,320,000 that will be used to engineer and construct critical wastewater infrastructure improvements to the existing infrastructure system in Belle Glade and South Bay. The grant from the EDA in the amount of \$3,990,000 is planned to be matched with state and local grants received from the Florida Department of Environmental Protection (WUD 09-1127), the South Florida Water Management District (WUD 09-233), and Housing and Community Development, Community Development Block Grants (WUD 07-099, WUD 09-041, and WUD 09-040), in the amount of \$3,990,000 of which all are approved. On November 13, 2009, the EDA informed the GUA that its grant application merited further consideration and requested additional information by December 21, 2009. The EDA asked for the County to be a co-applicant because of the extensive involvement by Palm Beach County in the creation of the GUA. Due to this time constraint the County Administrator has signed the application. District 6 (MJ)

E. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to deny:** a request from the Village of Royal Palm Beach (Village) to permit the Village to construct an extension of the berm across the Madrid Street connection along Palm Beach County's State Road 7 (SR 7) Extension and to remove the paving and drainage improvements related to this connection. **SUMMARY:** Denial of this permit request would prohibit the Village from removing any improvements related to the Madrid Street connection at SR 7 Extension and would not allow the Village to construct a berm across this connection, within the SR7 Extension right of way. Districts 2 & 6 (MRE)

6. REGULAR AGENDA

F. COMMUNITY SERVICES

1. Staff recommends motion to:

A) receive and file American Recovery and Reinvestment Act (ARRA) Early Head Start Expansion (EHS) grant for the period of December 1, 2009, through September 29, 2010, in the amount of \$1,214,364;

B) receive and file Child Care Food Program (CCFP) contract from the State of Florida Department of Health for the period of October 1, 2009, through September 30, 2010, in an amount of \$950,000;

C) approve Budget Amendment of \$1,411,175 in the Head Start Fund to establish and reconcile the grant budget with the County budget;

D) approve 16 new grant funded positions.

SUMMARY: The ARRA EHS expansion award (R2009-1495) and CCFP contract (R2009-1266) have been signed by their respective entities and returned to Head Start. As they are now fully executed documents they are required to be submitted to the Clerk's office to note and file them in the official records. As a result of the ARRA funding, the EHS program will expand to serve an additional 91 infants, toddlers and pregnant women. In addition, 16 new positions as outlined are needed to ensure the program's continued quality of care. The positions are approved for the length of the grant award and will be eliminated September 29, 2011, unless other funding is secured. A budget amendment is needed to establish the budget which consists of \$1,214,364 from the ARRA EHS award and a required match of \$303,591 (which includes a cash match of \$196,811 reallocated from the CCFP, \$33,489 in-kind from the Children's Services Council, and County Cooperative Extension Services and \$73,291 from County in-kind generated from expansion costs of the West Palm Beach Head Start Center). (Head Start) Countywide (TKF)

<u>Needed</u>	<u>Position</u>	<u>Pay Grade</u>	<u>FTE</u>
4	Family Services Specialist 1	18	4
1	Curriculum Specialist	24	1
5	Child Development Assistant	11	5
3	Child Development Associate 1	13	3
1	Fiscal Specialist 1	15	.5
1	Clerical Specialist	12	.5
1	Head Start Training Specialist	26	.5

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7. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES**

(Palm Beach County HIV Comprehensive AIDS Resources Emergency Care Council)

1. **Staff recommends motion to approve:** reappointment/appointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council with expiration dates as indicated:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
9	Kimberly Rommel-Enright	Social Service Provider	02/17/11
14	Rosalyn Collins	Substance Abuse Provider	12/17/11
19	Chris LaCharite	Affected Community	12/ 17/11
28	Rafael Abadia	Affected Community	12/17/11

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
3	Donald Yost	Community Based Organization	07/17/11
5	Dr. Marlinda Jefferson	Community Based Organization	12/17/11
7	Rechee Huff	Social Service Provider	07/17/11
8	Melissa Jenkins	Social Service Provider	12/17/11
12	Hugo Rocchia	Social Service Provider	12/17/11
31	Donald Hilliard	Non-Elected Community Leader	12/17/11
32	Orlando Carrasquillo	Non-Elected Community Leader	07/17/11
35	Brian Sprague	Non-Elected Community Leader	07/17/11
37	Cindy Barnes	Non-Elected Community Leader	07/17/11
39	William Albury	State Medicaid Agency	07/17/11

SUMMARY: The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than 45 and no less than 21 members. Founding members were appointed for one (1) and two (2) year terms with subsequent terms of two (2) years. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. The four (4) reappointments and ten (10) appointments successfully completed the HIV CARE Council nominations process, and the HIV CARE Council has recommended their reappointment/appointment. (Ryan White) Countywide (TKF)

7. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES (Cont'd)**
(Community Action Advisory Board)

2. **Staff recommends motion to approve:** appointment of the following representatives to the Community Action Advisory Board with staggered ending terms as indicated:

<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>
Deirdre Jacobs	Public Sector (At-Large)	9/30/2011	Comm. Taylor, Comm. Koons
Gary Hawkins	Private Sector	9/30/2010	Comm. Taylor, Comm. Koons
Sheila Horne	Private Sector	9/30/2010	Comm. Taylor, Comm. Koons
Teresa Johnson	Private Sector	9/30/2011	Comm. Taylor, Comm. Koons
Candace Walker	Private Sector	9/30/2011	Comm. Taylor, Comm. Koons
Lomax Harrelle	Private Sector	9/30/2012	Comm. Abrams, Comm. Taylor, Comm. Koons
Elaine Gulley	Low Income	9/30/2010	Comm. Taylor, Comm. Koons
Carol Jennings	Low Income	9/30/2010	Comm. Taylor, Comm. Koons
Theresa Jackson	Low Income	9/30/2011	Comm. Taylor, Comm. Koons
Sharon Odums	Low Income	9/30/2012	Comm. Taylor, Comm. Koons
David Rolling	Low Income	9/30/2012	Comm. Taylor, Comm. Koons

SUMMARY: On September 15, 2009, the Board of County Commissioners approved a resolution (R2009-1549) establishing the 15 member Community Action Advisory Board. The Board consist of one-third elected public officials or their representatives, one-third private sector representation and one-third representation of low-income individuals and families residing in the identified target areas. On November 20, 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 met on September 15, 2009 and November 17, 2009 to review and approve the nominees listed above. (Community Action Program) Countywide (TKF)

7. BOARD APPOINTMENTS

**B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET
(Investment Policy Committee)**

1. [Staff recommends motion to approve:](#) appointment of one (1) new member to the Investment Policy Committee:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Allyson DuPree Smith	3	Commissioner Taylor

SUMMARY: Barry Weiss has vacated his seat on the Investment Policy Committee (IPC) and his seat on the Committee needs to be filled. The Committee is comprised of seven (7) members, including a current member of the Board of County Commissioners, four (4) representatives from the private sector approved by the Board of County Commissioners, a designee of the Palm Beach County Sheriff's Office, and an employee of the Office of Financial Management and Budget selected by the County Administrator. Commissioner Aaronson currently serves as the Board's representative and as the Committee's Chairman. Countywide (PK)

**C. PLANNING, ZONING AND BUILDING
(Construction Industry Licensing Board)**

1. [Staff recommends motion to approve:](#) appointment of one (1) new member to the Construction Industry Licensing Board (CILB):

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Ezra Saffold	11	Building Contractor	1/12/10-9/30/11	Comm. Abrams Comm. Taylor

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended. The Special Act sets forth the membership of the Board, which consists of two (2) general contractors, one (1) member of the following categories; building; residential; electrical; plumbing; HARV, roofing; swimming pool; architect; engineer and a building official. In addition, F.S. § 489.131 requires that we have three (3) consumer representatives. Mr. Saffold has been recommended by the Associated General Contractors of America, Inc. to complete the term for Mr. John Albert who resigned due to family and business conflicts. The nomination represents the seat for a Building Contractor member as cited in the Special Act. A memorandum was sent to the Board of County Commissioners on December 1, 2009 advising of the vacant position; No other nominations were received. Countywide (GB)

7. BOARD APPOINTMENTS

D. CRIMINAL JUSTICE COMMISSION
(Criminal Justice Commission)

1. [Staff recommends motion to approve:](#) the recommendations of the Economic Council to the Criminal Justice Commission for the following:

<u>Reappoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Randy Johnson	31	12/31/12
Gerald Richman	28	12/31/12

<u>Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>
Ms. Beth Kigel	29	12/31/12

SUMMARY: The Criminal Justice Commission is comprised of 33 members including elected officials and representatives from private and public sectors. The 12 private sector members are nominated for three (3) year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated Ms. Beth Kigel for appointment, effective January 12, 2010. Countywide (DW)

E. COMMISSION DISTRICT APPOINTMENTS

JANUARY 12, 2010

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS, VICE CHAIR

B. District 2 - COMMISSIONER JEFF KOONS

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

Certificate of Commendation to Bruno Faviero in honor and recognition for receiving the highest score in the nation on the Cambridge International AS Level Marine Science Exam.

E. District 5 - COMMISSIONER BURT AARONSON, CHAIR

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

JANUARY 12, 2010

<u>PAGE</u>	<u>ITEM</u>																			
7	3B-2*	<p><u>REVISED TITLE:</u> Staff recommends motion to approve: the following final minutes of the Board of County Commissioners' meetings: (Clerk & Comptroller)</p> <table><thead><tr><th><u>Meeting Type</u></th><th><u>Meeting Date</u></th></tr></thead><tbody><tr><td>Regular</td><td>February 24, 2009</td></tr><tr><td>Budget</td><td>June 29, 2009</td></tr><tr><td>Zoning</td><td>June 29, 2009</td></tr><tr><td>Comp Plan</td><td>July 15, 2009</td></tr><tr><td>Regular</td><td>July 21, 2009</td></tr><tr><td>Regular</td><td>August 18, 2009</td></tr><tr><td>Regular</td><td>October 06, 2009</td></tr><tr><td>Regular</td><td>October 20, 2009</td></tr></tbody></table>	<u>Meeting Type</u>	<u>Meeting Date</u>	Regular	February 24, 2009	Budget	June 29, 2009	Zoning	June 29, 2009	Comp Plan	July 15, 2009	Regular	July 21, 2009	Regular	August 18, 2009	Regular	October 06, 2009	Regular	October 20, 2009
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15	3E-11	<p><u>REVISED SUMMARY:</u> Early Head Start has received monies through the American Recovery and Reinvestment Act (ARRA) Early Head Start Expansion Grant. As a result, the Division is contracting with Life Span of Palm Beach County, Inc to provide services to 16 infants and toddlers for 171 days at a rate of \$33.63 per child/per day for a total of \$92,012, with an additional \$20,000 for start-up expenses. <u>Funding consists of \$89,610 in Federal funds and \$22,402 in required County match. No County funding is required.</u> (Head Start) <u>Countywide</u> (TKF) (Community Services)</p>																		
23	3H-13	<p><u>DELETED:</u> Staff recommends motion to approve: a Declaration of Public Purpose acknowledging that a 3.65 acre parcel of land conveyed to the City of Boynton Beach (City) may be used for the development of a public school. (FDO) (Further staff review)</p>																		
31	3Q-1*	<p><u>DELETED:</u> Staff recommends motion to approve: the Fourth Amendment with the City of Riviera Beach (R2005-2435), for \$100,000 for the contract period from October 1, 2009, to September 30, 2010 to support the City of Riviera Beach "Weed and Seed" efforts. (CJC) (Further staff review)</p>																		
37	4B	<p><u>DELETED:</u> Proclamation declaring February 21 – 28, 2010 as "Palm Beach County Saves Week" in Palm Beach County. (Sponsored by Commissioner Vana)</p>																		
37	4C	<p><u>ADD-ON:</u> Proclamation declaring January 15, 2010 as "Arbor Day" in Palm Beach County. (Sponsored by Commissioner Vana)</p>																		

ADD-ON: Staff recommends motion to approve: the following in connection with the acquisition of a commercial condominium property at 1000 45th Street in the City of West Palm Beach and its conversion into a homeless resource center:

A) an Agreement for Purchase and Sale with Crittenden Sokoloff Investments, LLC (Unit No. 1);

B) an Agreement for Purchase and Sale with Hand Surgery Institute, Inc. (Unit No. 2), contingent upon execution by the seller without alteration;

C) a Lease Agreement with Hand Surgery Institute, Inc. (Unit No. 2), contingent upon execution by the lessee without alteration;

D) an Agreement for Purchase and Sale with Koral Saritas and Perran Saritas (Units No. 3 and No. 4), contingent upon execution by the seller without alteration;

E) a Lease Agreement with David Kashuba, P.A. (Unit No. 4), contingent upon execution by the lessee without alteration;

F) an Interlocal Agreement with the City of West Palm Beach (for the purchase of Units No. 5 through No. 17);

G) an Interlocal Agreement with the City of West Palm Beach (for participation in the project);

H) Delegation of authorization to the County Administrator, or designee, to exercise the County's rights under the leases between Palm Beach County and the tenants in Units No. 2, No. 3, and No. 4, at 1000 45th Street in the City of West Palm Beach;

I) a Budget Transfer of \$7,500,000 from the Neighborhood Stabilization Program to the Public Building Improvement Fund for the purchase and rehabilitation of the facility;

J) a Budget Transfer of \$953,000 from the Community Development Block Grant Fund to the Public Building Improvement Fund for the purchase and rehabilitation of the facility;

K) a Budget Transfer of \$394,750 from the General Fund to the Public Building Improvement Fund for the purchase and rehabilitation of the facility;

L) a Budget Amendment of \$9,212,750 in the Public Building Improvement Fund to recognize revenue of \$365,000 from the City of West Palm Beach, the transfer of \$7,500,000 from the Neighborhood Stabilization Program Fund, \$953,000 from the Community Development Block Grant Fund, \$394,750 from the General Fund and to establish a project expense budget; and

M) in the event the owners and/or the tenants of Units No. 1 through No. 4 do not execute and close on Agreements for Purchase and Sale and/or Lease Agreements, authorization is provided to the Department of Housing and Community Development and to the County Attorney's Office to institute eminent domain proceedings, including the hiring of any required experts necessary to acquire Units No. 1 through No. 4, through eminent domain, as more fully set forth in the Resolutions attached hereto as Attachments 14–17, to Agenda Item, which are approved for this purpose.

SUMMARY: Staff has identified the commercial condominium complex at 1000 45th Street in the City of West Palm Beach as an appropriate location for the establishment of a homeless resource center. The proposed site comprising eight (8) buildings with 34,035 square feet of improved space, on 3.83 acres of land, contains seventeen (17) commercial condominium units. Fourteen (14) of these units are vacant, one (1) unit is owner-occupied, and two (2) units are tenant-occupied. The County is in receipt of Federal Neighborhood Stabilization Program Funds pursuant to a Grant Agreement between the U.S. Department

- 44 6C-3 **ADD-ON (SUMMARY CONTINUED):** of Housing and Urban Development and the County. The Grant Agreement provides \$7,500,000 for the acquisition of vacant property and the development of at least one (1) homeless resource center. Neighborhood Stabilization Program funds must be encumbered by September 4, 2010, and must be expended by March 4, 2013. The use of these funds requires that the facility provide the intended services for a period not less than five (5) years after the Neighborhood Stabilization Program grant closeout. Since Neighborhood Stabilization Program funding is limited to the acquisition of vacant property, \$953,000 in Federal Community Development Block Grant funds have been allocated towards the acquisition of the occupied units. The City of West Palm Beach has agreed to contribute \$365,000 at closing towards project costs. In addition, \$394,750 from the County's general fund contingency will be required. The \$394,750 assumes that all agreements are executed as envisioned and that no condemnation actions are required. Project costs to be funded from the above stated sources include property acquisition and closing costs, renovation costs, furniture/fixtures/equipment, staff costs, design and relocation consultants, and relocation costs required under the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). Staff recommends purchasing the entire site from its four present owners and subsequently renovating the buildings in order to establish a homeless resource center. It is anticipated that the facility will be complete in the second quarter of 2011, and that the annual operating costs will range between \$1.5 - \$2.0 million. **The portion of the project funded with Federal Community Development Block Grant and Federal Neighborhood Stabilization Program funds require no local match.** District 7 (TKF) (HCD)
- 44 6C-4 **ADD-ON: Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 4 to Architectural Continuing Services Contract with MPA Architects, Inc. (R2007-0394) in the amount of \$299,722 for architectural, engineering and construction administration services for a new Palm Beach County Homeless Resource Center. **SUMMARY:** The project involves design, development of construction documents, permitting, bidding and construction administration services for the renovation of property for a new Homeless Resource Center to be located at 1000 45th Street, West Palm Beach. The construction budget is estimated at \$4.6 million which includes renovation costs, contingency, testing, special inspections, permit fees, and communications infrastructure and hardware. Design of this project is being funded from Federal Neighborhood Stabilization Program (NSP) Grant Money. Staff originally estimated that design needed to commence no later than early October in order to meet the grant deadline of September 4, 2010 for commencement of construction, so it is not recommended that the commencement of design be held until closing. MPA Architects is a Palm Beach County firm using 100% Palm Beach County subconsultants. The Small Business Enterprise (SBE) participation for this work is 67.7%. When added to MPA's participation to date, the resulting SBE participation is 72.7%. The consultant's goal is 80%. (Capital Improvements Division) District 7 (JM) (FDO/HCD)
- 45 6D-2 **REVISED SUMMARY:** On August 5, 2009, the Glades Utility Authority submitted an application to the Department of Commerce, Economic Development Administration (EDA) for funding, estimated to total \$5,320,000 that will be used to engineer and construct critical wastewater infrastructure improvements to the existing infrastructure system in Belle Glade and South Bay. The grant from the EDA in the amount of \$3,990,000 is planned to be matched with state and local grants received from the Florida Department of Environmental Protection (WUD 09-1127), the South Florida Water Management District (WUD 09-233), and Housing & Community Development, Community Development Block Grants (WUD 07-099, WUD 09-041, & WUD 09-040), in the amount of ~~\$3,990,000~~ **\$1,330,000** of which all are approved. On November 13, 2009, the EDA informed the GUA that its grant application merited further consideration and requested additional information by December 21, 2009. The EDA asked for the County to be a co-applicant because of the extensive involvement by Palm Beach County in the creation of the GUA. Due to this time constraint the County Administrator has signed the application. District 6 (MJ) (WUD)

REVISED TITLE: Staff recommends motion to approve: reappointment/appointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council with expiration dates as indicated: (Community Services)

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
9	Kimberly Rommel-Enright	Social Service Provider	02/17/11 <u>01/11/12</u>
14	Rosalyn Collins	Substance Abuse Provider	12/17/11 <u>01/11/12</u>
19	Chris LaCharite	Affected Community	12/17/11 <u>01/11/12</u>
28	Rafael Abadia	Affected Community	12/17/11 <u>01/11/12</u>
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
3	Donald Yost	Community Based Organization	07/17/11 <u>01/11/12</u>
5	Dr. Marlinda Jefferson	Community Based Organization	12/17/11 <u>01/11/12</u>
7	Rechee Huff	Social Service Provider	07/17/11 <u>01/11/12</u>
8	Melissa Jenkins	Social Service Provider	12/17/11 <u>01/11/12</u>
12	Hugo Rocchia	Social Service Provider	12/17/11 <u>01/11/12</u>
31	Donald Hilliard	Non-Elected Community Leader	12/17/11 <u>01/11/12</u>
32	Orlando Carrasquillo	Non-Elected Community Leader	07/17/11 <u>01/11/12</u>
35	Brian Sprague	Non-Elected Community Leader	07/17/11 <u>01/11/12</u>
37	Cindy Barnes	Non-Elected Community Leader	07/17/11 <u>01/11/12</u>
39	William Albury	State Medicaid Agency	07/17/11 <u>01/11/12</u>

ADD-ON: Proclamation declaring January 10, 2010 as "Special Olympics Day" in Palm Beach County. (Sponsored by Commissioner Abrams)

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