

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

**MARCH 23, 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 - 27)**
- 4. SPECIAL PRESENTATION - 9:30 A.M. (Page 28)**
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 29 - 30)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to:

**A) receive and file** the U.S. Department of Housing and Urban Development (HUD) Approval Letter for a new Section 108 Loan in the amount of \$2,824,000, for the Pahokee Downtown Revitalization Project;

**B) approve** a Budget Amendment of \$2,824,000 in the Economic Development Fund to appropriate the award and recognize the revenue; and

**C) authorize** the County Administrator or his designee to sign all documents related to this grant/loan application.

**SUMMARY:** On June 2, 2009 the Palm Beach County Board of County Commissioners adopted a Resolution (R2009-0902) authorizing the submittal of a Brownfield Economic Development Initiative (BEDI) grant application and a Section 108 Loan Program application to fund the Pahokee Downtown Revitalization Project. In June of 2009, the Economic Development Office (EDO) submitted requests for \$1,058,971 BEDI Grant funds and \$2,824,000 Section 108 funds to HUD. EDO has received letters of approval for both sources of funds from HUD. **These are federal funds that require no local match.** District 6 (DW)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
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 December 2009. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file: a report of plat recordations from October 1, through December 31, 2009. **SUMMARY:** This is a quarterly summary of subdivision plats recorded during the past fiscal quarter as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. ED-O-11, governing administrative approval of plats by the County Engineer. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: a Task for \$109,709.08, under the Annual Civil Engineering Services Agreement approved by Resolution Number R2007-0461, with Last Devenport, Inc. for basic engineering, surveying, geotechnical, design and permitting for Seminole Colony East Drainage Improvement (Project), Project No. 2010054. **SUMMARY:** Approval of the Task will authorize Last Devenport, Inc. to perform engineering design, surveying, geotechnical, and permitting services to prepare construction plans for the Project. Once constructed, this Project will provide drainage improvements, including storm sewers and a dry detention facility, serving areas north of Okeechobee Boulevard between the Seminole Colony Mobile Home Park and the Village Commerce Center on Palm Beach Lakes Boulevard. District 2 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the executed Resignation, Appointment and Acceptance Agreement dated December 23, 2009, by and among First-Citizens Bank & Trust Company ("First-Citizens"), U.S. Bank National Association ("U.S. Bank"), Palm Beach County, Florida (the "Issuer") and FlightSafety International, Inc. (the "Company"). **SUMMARY:** Resolution No. R2000-0707 authorized issuance of bonds for the FlightSafety International, Inc. project. Under the terms of the bond documents First-Citizens Bank & Trust Company served as Trustee. First-Citizens Bank & Trust Company resigned as Trustee and U.S. Bank National Association became the Successor Trustee. The parties (including the County as Issuer) then executed the Resignation, Appointment and Acceptance Agreement. The fully executed Resignation, Appointment and Acceptance Agreement should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file:

**A)** State of Florida Department of Children and Families (DCF) Homeless Challenge Grant Agreement for the period of October 28, 2009, through June 30, 2010, in an amount of \$57,600, for provision of transitional housing to homeless individuals;

**B)** Amendment No. 0001 to State of Florida DCF Homeless Challenge Grant Agreement;

**C)** Contract with Salvation Army, a Georgia Corporation for the period of October 28, 2009, to June 30, 2010, in the amount of \$28,800, for provision of transitional housing to homeless individuals; and

**D)** Contract with Faith, Hope, Love, Charity, Inc. for the period of October 28, 2009, to June 30, 2010, in the amount of \$28,800, for provision of transitional housing to homeless individuals.

**SUMMARY:** On August 18, 2009 (R2009-1248), the Board of County Commissioners delegated authority to the County Administrator or his designee to sign the State of Florida DCF Homeless Challenge Grant Agreement and to sign contracts with the Salvation Army, A Georgia Corporation and Faith, Hope, Love Charity Inc., for a period no longer than one year, to end June 30, 2010. This authorization and designation was necessary to expedite the contracts and thereby avoid gaps in service delivery to homeless individuals. The total amount of funds, \$57,600, is for a one (1) year period and is non-recurring. An amendment to the agreement was signed by DCF on November 30, 2009, to change the dates on the "Release of Funds Schedule" in Attachment IV of the agreement to allow the final draw down request by April 1, 2010 in order to receive the balance of the funds and fully expend all grant funds by June 30, 2010, as required in the grant. No match is required for these funds. (Human Services) Countywide (TKF)

2. Staff recommends motion to approve: Agreement with the Courts of the 15<sup>th</sup> Judicial Circuit for defendants to perform community services hours at the Palm Beach County Department of Community Services, with no expiration date. **SUMMARY:** This agreement will facilitate the utilization of defendants from the Courts of the 15<sup>th</sup> Judicial Circuit to perform community services hours. The participants do not displace regular employees, but work with employees under close supervision to perform community service work. The County will monitor and oversee the work performed by defendants and report the number of hours each defendant works. As a result of the agreement the County will use these defendants to provide general clerical office duties. There is no cost to the County to participate in the program. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to adopt: a Resolution adopting an administrative fee schedule for the Disadvantaged Business Enterprise Program; providing for adjustment of the fee schedule by the County Administrator or his designee; and becoming effective upon adoption. **SUMMARY:** The County is required to implement a Disadvantaged Business Enterprise (“DBE”) Program pursuant to Title 49, Parts 23 and 26 of the Code of Federal Regulations as a recipient of federal grant funding. The Department of Airports administers the DBE Program and incurs certain costs associated with the administration of the program, including labor costs associated with processing new certification applications, recertification applications and mandatory site visits. This Resolution establishes a fee schedule, which will allow the Department to recover a portion of its costs in administering the program. The Resolution provides for a \$150 fee for new certification applications and \$50 for recertification applications. The Resolution authorizes the County Administrator or his designee to increase the fees by an amount not to exceed 5% per year. Countywide (TKF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 4 to the Contract with Andrea Construction, Inc. to implement the fourth renewal of an annual handyman contract. **SUMMARY:** Amendment No. 4 is a renewal to the Annual Contract–Handyman which was awarded to Andrea Construction, Inc., as one (1) of six (6) approved contractors. The renewal term is twelve (12) months or until \$199,999.99 in work orders are issued. All terms of the original contract remain in effect. This is the fourth and final extension allowed by the contract. The Small Business Enterprise (SBE) goal for the handyman contracts are 15%. Andrea Construction’s participation for work orders issued to date is 100%. The annual handyman contract is a prequalification contract wherein each job is competitively quoted among all six (6) general contractors. Amendment No. 4 requires Board approval because Andrea Construction, Inc., has reached a work order capacity totaling \$196,565 of the available \$199,999.99 capacity since August 24, 2009, and this is the second Amendment within a twelve (12) month period which exceeds the authority accorded the Director of Facilities Development and Operation under the Purchasing Ordinance. (FD&O Admin) Countywide (JM)
2. Staff recommends motion to approve: Amendment No. 3 to Contract with Hi-Tech Roofing & Sheetmetal, Inc. (R2007-0941) to implement the third renewal of an annual roofing contract. **SUMMARY:** Amendment No. 3 is a renewal to the annual roofing contract awarded to Hi-Tech Roofing & Sheetmetal, Inc., as one (1) of six (6) prequalified roofing contractors. The contract provides for planned work to be bid among the six (6) roofing contractors with the award being made to the lowest responsible, responsive bidder and taking into account SBE and local status, per County policy. Work authorized in response to active leaks and other emergent repairs is offered on a rotating basis to the six (6) contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the roofing contracts are 15% and across all six (6) contracts 46.23% SBE participation has been achieved. Hi-Tech Roofing is the only SBE of the six (6) prequalified contractors. Their participation for work orders issued to date is 100%. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Amendment No. 3 to Contract with Roofing Concepts Unlimited/Florida, Inc. (R2007-0943) to implement the third renewal of an annual roofing contract. **SUMMARY:** Amendment No. 3 is a renewal to the annual roofing contract awarded to Roofing Concepts Unlimited/Florida, Inc., as one (1) of six (6) prequalified roofing contractors. The contract provides for planned work to be bid among the six (6) roofing contractors with the award being made to the lowest responsible, responsive bidder and taking into account SBE and local status, per County policy. Work authorized in response to active leaks and other emergent repairs is offered on a rotating basis to the six (6) contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the roofing contracts are 15% and across all six (6) contracts 46.23% SBE participation has been achieved. (FD&O Admin) Countywide (JM)
  
4. Staff recommends motion to approve: Amendment No. 3 to Contract with Advanced Roofing, Inc. (R2007-1102) to implement the third renewal of an annual roofing contract. **SUMMARY:** Amendment No. 3 is a renewal to the annual contract awarded to Advanced Roofing, Inc., as one (1) of six (6) prequalified roofing contractors. The contract provides for planned work to be bid among the six (6) roofing contractors with the award being made to the lowest responsible, responsive bidder and taking into account SBE and local status, per County policy. Work authorized in response to active leaks and other emergent repairs is offered on a rotating basis to the six (6) contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the roofing contracts are 15% and across all six (6) contracts 46.23% SBE participation has been achieved. (FD&O Admin) Countywide (JM)
  
5. Staff recommends motion to approve: Amendment No. 3 to Contract with Certified Roofing Specialists, Inc. (R2007-1101) to implement the third renewal of an annual roofing contract. **SUMMARY:** Amendment No. 3 is a renewal to the annual roofing contract awarded to Certified Roofing Specialists, Inc., as one (1) of six (6) prequalified roofing contractors. The contract provides for planned work to be bid among the six (6) roofing contractors with the award being made to the lowest responsible, responsive bidder and taking into account SBE and local status, per County policy. Work authorized in response to active leaks and other emergent repairs is offered on a rotating basis to the six (6) contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the roofing contracts are 15% and across all six (6) contracts 46.23% SBE participation has been achieved. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Amendment No. 3 to Contract with The Roof Authority, Inc. (R2007-1301) to implement the third renewal of an annual roofing contract. **SUMMARY:** Amendment No. 3 is a renewal to the annual contract awarded to The Roof Authority, Inc., as one (1) of six (6) prequalified roofing contractors. The contract provides for planned work to be bid among the six (6) roofing contractors with the award being made to the lowest responsible, responsive bidder and taking into account SBE and local status, per County policy. Work authorized in response to active leaks and other emergent repairs is offered on a rotating basis to the six (6) contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the roofing contracts are 15% and across all six (6) contracts 46.23% SBE participation has been achieved. (FD&O Admin) Countywide (JM)
  
7. Staff recommends motion to approve: Amendment No. 3 to Contract with Murton Roofing Corp. (R2007-0942) to implement the third renewal of an annual roofing contract. **SUMMARY:** Amendment No. 3 is a renewal to the annual contract awarded to Murton Roofing Corp., as one (1) of six (6) prequalified roofing contractors. The contract provides for planned work to be bid among the six (6) roofing contractors with the award being made to the lowest responsible, responsive bidder and taking into account SBE and local status, per County policy. Work authorized in response to active leaks and other emergent repairs is offered on a rotating basis to the six (6) contractors. The annual roofing contract is an indefinite-quantity contract and this renewal has a maximum value of \$1,500,000. The renewal term is twelve (12) months or until \$1,500,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal for the roofing contracts are 15% and across all six (6) contracts 46.23% SBE participation has been achieved. (FD&O Admin) Countywide (JM)
  
8. Staff recommends motion to approve: Change Order No. 6 to the Contract with Malphrus Construction Company, Inc. (R2006-2099) in the amount of \$505,366.50 and establishment of a new substantial completion date for the South County Regional Park Phase II Golf Course. **SUMMARY:** On August 18, 2009, the Board approved (R2009-1283 & R2009-1284) the re-commencement of construction for the Osprey Point Golf Course by approving budget transfers for the consultant fees and construction modifications. The project was delayed in May 2007, due to the South Florida Water Management District rescinding the water use permit. Change Order No. 6 will provide for multiple changes to the scope of the construction contract, due to re-design required by the re-issued permit. These changes include turf selection and treatment, cart path and storm drainage adjustments, landscape and environmental enhancements, capping sand credit and hauling, re-design assistance and remobilization efforts. The new completion date is necessary to complete the construction and accounts for the duration of time the project was on hold due to the permitting concerns. The Small Business Enterprise (SBE) participation for this Change Order is 0%. When combined with previous work done under this contract, the resulting SBE participation is 0%. In order to reduce the water consumption of the irrigation system, the type of turf utilized for the golf course was changed from a common Bermuda turf to a specialty, patented turf, only provided by a few growers. The SBE grower originally contracted to provide the turf is not a licensed grower of the new specialty turf. In addition, the SBE firm was also contracted to provide capping sand. In order to reduce costs, the County was able to obtain capping sand from another County project at no charge, thus eliminating the SBE firm's work from the project. The SBE goal for this project is 15%. This work is funded by 2006 \$6.1M and \$8.1M Sunshine Funds. (Capital Improvements Division) District 5 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: Amendment No. 3 to annual contract with Corzo Castella Carballo Thompson Salman (R2007-1812) for professional design services to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
10. Staff recommends motion to approve: Amendment No. 3 to annual contract with Miller Legg & Associates, Inc. (R2007-1813) for professional design services to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
11. Staff recommends motion to approve: Amendment No. 2 to annual professional mechanical, electrical, and plumbing engineering services Contract with Gartek Engineering Corporation (R2008-1304) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
12. Staff recommends motion to approve: Amendment No. 2 to annual professional mechanical, electrical, plumbing engineering contract with BRPH Architects-Engineers, Inc. (R2008-1305) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
13. Staff recommends motion to approve: Amendment No. 3 to annual property development evaluation services contract with Gentile, Holloway, O'Mahoney & Associates, Inc. (R2007-1104) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
14. Staff recommends motion to approve: Amendment No. 3 to annual property development evaluation services contract with Cotleur & Hearing, Inc. (R2008-0965) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve: Amendment No. 3 to annual property development evaluation services contract with Urban Design Studio, LLC, dba Urban Design Kilday Studios (R2008-1006) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
16. Staff recommends motion to approve: Amendment No. 2 to annual environmental assessment services contract with Dunkelberger Engineering & Testing, Inc. (R2007-1809) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
17. Staff recommends motion to approve: Amendment No. 2 to annual environmental assessment services contract with REP Associates, Inc. (R2007-1808) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
18. Staff recommends motion to approve: Amendment No. 2 to annual environmental assessment services contract with Handex and Consulting & Remediation – Southeast, LLC (R2007-1807) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)
19. Staff recommends motion to approve: Amendment No. 3 to annual architectural services contract with L.D. Astorino, Inc. (R2006-2228) to incorporate the requirements and fee for the Office of the Inspector General into the Contract. **SUMMARY:** This Amendment will add the necessary language to the consultant's contract regarding the applicability of the Inspector General Ordinance ("IG Ordinance") and the inclusion of the Inspector General fee into future task orders to the consultant. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

20. Staff recommends motion to receive and file: a notice of exercise of option to extend the term of the Lease Agreement with the State of Florida Department of Juvenile Justice (DJJ), (R2000-0755) for DJJ's continued use of a building and adjacent land at 1025 Northwest Avenue D in Belle Glade for their juvenile probation administration program for \$1/year. **SUMMARY:** The State of Florida Department of Juvenile Justice has leased 0.47 acres of land containing a 2,000± SF building and adjacent parking area in Belle Glade since June 2000. The Lease Agreement has been amended to revise the use of the facility from a site only for girls to a facility for both boys and girls (R2001-1033), and to modify the insurance requirements in order for the DJJ to secure property coverage (R2003-1208). The Lease Agreement requires the DJJ to notify the County 180 days prior to the June 5, 2010, expiration date to exercise the ten (10) year extension option. As the DJJ satisfied this requirement by requesting the extension option in a letter dated December 3, 2009, the Board has no discretionary authority to deny the exercise of the extension. Rent of \$1/year continues for the ten (10) year extension period and the DJJ is responsible for the maintenance, utilities, taxes and assessments of the facility. Extension of this Lease will allow DJJ to continue to administer their juvenile probation program. (PREM) District 6 (HJF)
21. Staff recommends motion to approve: a Declaration of Easement in favor of the Palm Beach County Water Utilities Department for a water main to serve a relocated fire hydrant at the County's Operations & Support Center (OSC) Warehouse at Vista Center in unincorporated West Palm Beach. **SUMMARY:** The Palm Beach County Water Utilities Department installed an underground water main for a relocated fire hydrant at the new warehouse that the County is constructing on the western portion of the OSC. The OSC is located on the north side of Vista Parkway, north of Okeechobee Boulevard and west of Florida's Turnpike in unincorporated West Palm Beach. Except for the above-ground fire hydrant, all improvements associated with this easement are located underground. The easement area varies in length from 62.93 feet to 78.46 feet and is approximately 20 feet wide and contains 1,289 square feet (0.03 acres). The Declaration of Easement will be recorded to provide notice of the existence and location of the water main. (PREM) District 2 (HJF)
22. Staff recommends motion to approve: a Unity of Title for the new Fire Rescue Station No. 31 located in the Village of Palm Springs (Village). **SUMMARY:** Fire Rescue Station No. 31 is located on Lake Worth Road east of Davis Road, in the Village of Palm Springs. The County will construct a new station to replace the existing station which will be demolished upon the completion of the new fire station. As a condition of the development approval, the Village is requiring the County to record a Unity of Title over the existing two (2) County parcels which will create one (1) legal lot of record for the two (2) parcels of land. (PREM) District 3 (HJF)
23. Staff recommends motion to approve: exercise of the final option to extend the term of the Lease Agreement (R2002-0957), dated June 18, 2002, with the Milagro Foundation, Inc., for the County's continued use of a 2,100+/- square foot child care facility and surrounding land for the Delray Beach Early Head Start Program, at an annual rate of \$39,552/yr. **SUMMARY:** The County, on behalf of Community Services Head Start, currently leases approximately 2,100 square foot child care facility and surrounding land at 346 Southwest 6th Avenue in Delray Beach, for the operation of the Delray Beach Early Head Start Program. The County has leased this facility since 2005 and the current term will expire on April 30, 2010. This final remaining option will extend the term of the Lease Agreement for one (1) year, from May 1, 2010, through April 30, 2011. The annual rent for this extension period will increase three percent (3%) to \$39,552 (\$18.83/sf). All other terms of the Lease Agreement remain unchanged. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

24. Staff recommends motion to:

**A) approve** a Termination Agreement with Mecca Farms, Inc. of the 215-acre Amestoy property in the Ag Reserve (R2006-0906); and

**B) adopt** a Resolution authorizing the Termination of the Mecca Farms, Inc. Lease Agreement.

**SUMMARY:** This Termination Agreement formalizes the Board's direction of January 12, 2010 to terminate the Lease Agreement effective as of June 1, 2007 to coincide with Mecca Farms' cessation of farming operations in May of 2007. (PREM) District 5 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: an Agreement with the City of Riviera Beach for street improvements on West 34<sup>th</sup> Street, in the amount of \$309,944, for the period of March 23, 2010, through February 28, 2011. **SUMMARY:** CDBG funds will be used for the reconstruction of West 34<sup>th</sup> Street, between Avenue "R" and Avenue "O", in the City of Riviera Beach. The street improvements will include drainage pipes, inlet structures, curbs, sidewalks, paving, landscaping, striping and signage. **These are Federal Community Development Block Grant funds that require no local match.** District 7 (TKF)

2. Staff recommends motion to approve: an Agreement with the Town of Jupiter for purchase and installation of playground equipment for Daily Park, in the amount of \$70,565.90, for the period of March 23, 2010, through December 31, 2010. **SUMMARY:** The Agreement will fund the Town of Jupiter for the purchase of playground equipment and safety surfacing at Daily Park in the Town of Jupiter. **These are Federal Community Development Block Grant funds that require no local match.** District 1 (TKF)

3. Staff recommends motion to:

**A) adopt** a Resolution approving the Eighth Amendment to the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) for Fiscal Years 2007-2008, 2008-2009 and 2009-2010 to provide funding of \$700,000 for the Rental Housing Entry Assistance Program in fiscal year 2008-2009; and

**B) approve** the allocation of \$700,000 in SHIP program income for the 2008-2009 Rental Housing Entry Assistance Program.

**SUMMARY:** This initiative is administered by PBC Department of Community Services, Human Services Division for PBC Department of Housing and Community Development. This Amendment will provide an additional \$700,000 of financial assistance to eligible extremely low, very low and low income households to pay for rental security deposits, utility deposits and connection fees. Of the \$700,000, \$35,000 will be used for Program Administrator delivery costs and \$665,000 for direct program assistance. Eligible recipients can receive up to \$5,000 in assistance. The assistance will be in the form of a grant in exchange for certain guarantees by the renter and landlord. Recipients will be selected on a first come-first qualified basis within the eligible income groups. Recipients will receive financial assistance only once through this SHIP funded program. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

4. Staff recommends motion to approve:

**A)** the 26<sup>th</sup> Amendment to the FY 2007-2008 Action Plan to amend the Neighborhood Stabilization Program (NSP1); and

**B)** an Interlocal Agreement between the City of West Palm Beach and Palm Beach County.

**SUMMARY:** The 26<sup>th</sup> Amendment to the FY 2007-2008 Action Plan will add zip codes 33401 and 33407 to the list of zip codes already approved by HUD as “areas of greatest need” in the County’s NSP application. This will allow for the expenditure of County NSP funds in the following West Palm Beach neighborhoods: Coleman Park, Pleasant City, Greater Northwest and Pinewood. Execution of this Interlocal Agreement between the County and the City of West Palm Beach is required by NSP regulations. **These are federal Neighborhood Stabilization Program funds that do not require a local match.** Countywide (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

**A) adopt** resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for two (2) historic properties located within the Town of Palm Beach; and

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

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

Address: 4 El Bravo Way

Address: 1170 South Ocean Blvd

If granted the tax exemptions shall take effect January 1, 2010, and shall remain in effect for ten (10) years, or until December 31, 2019. The exemption shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. (Please see attached resolutions.) Based on the 2010 countywide operating millage rate, it is estimated that approximately \$3,408.90 tax dollars will be exempted annually. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 2 & 7 (RB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: one (1) Standard Development Agreement complete with executed documents received during the month of February 2010:

Standard Development Agreements

A) C. Bruce Pearson (District 5) 05-01103-000

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

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** Grant Agreement FWC-09111 with the Florida Fish and Wildlife Conservation Commission (FFWCC) to provide \$60,000 State funding for construction of an artificial reef at Jupiter Inlet artificial reef site, expiring August 31, 2010;

**B) approve** Budget Amendment of \$60,000 in the Environmental Enhancement Saltwater Fund, including a transfer from Reserves of \$75,000 for a total of \$135,000 in project funding for the Jupiter Inlet artificial reef site;

**C) adopt** Resolution authorizing the Clerk of the Board to disburse \$75,000 from the Vessel Registration Fee Trust Fund to cover the matching funds for this artificial reef project; and

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

**SUMMARY:** This FFWCC Grant Agreement will reimburse the County \$60,000 for placement of about 900 tons of limestone rock at the Jupiter Inlet artificial reef site. The estimated total project cost is \$135,000. The Resolution and Budget Transfer from County Vessel Registration Fees will cover the County's 55% cost share of the project, a non-ad valorem source. The Grant begins upon execution by both parties and expires August 31, 2010. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

**A)** Change Order No. 1 to Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666, R2009-1181) with Eastman Aggregate Enterprises, LLC (Eastman) authorizing adding sand screening for the Juno Beach Renourishment Project; and

**B)** Work Order No. 1666-05 to Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666, R2009-1181) with Eastman in the amount of \$985,488.87 for the Juno Beach Renourishment Project, which includes sand screening.

**SUMMARY:** The BCC approved an annual construction Contract for the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2008ERM02 (R2008-1666, R2009-1181) on September 23, 2008. Amendment No. 1 (R2009-1181) was approved on July 21, 2009 and increased the contract price to \$4,603,334. Eastman was issued four (4) work orders totaling \$1,962,095.88. Change Order No. 1 will authorize Eastman to use a mobile track screening plant to remove rock debris from the Juno Beach Renourishment Project. Work Order No. 1666-05 will authorize the screening and removal of the rock debris. This Work authorization brings the cumulative Contract amount to \$2,947,584.75. The Small Business Enterprise (SBE) goal of 16.14% as set forth in the Eastman Contract will remain in effect. Eastman's SBE participation to-date is 12.37%. The work is funded by a combination of Tourist Development Taxes, interest, and a State grant in the Beach Improvement Fund. District 1 (JM)

M. PARKS & RECREATION

1. Staff recommends motion to:

**A) ratify** the Vice Chair's signature on a 2009-2011 Forest Health Improvement Initiative Grant application submitted to the Florida Division of Forestry on February 10, 2010, requesting \$23,788.56 for a tree planting project at John Stretch Memorial Park;

**B) adopt** a Resolution to enter into a Grant Memorandum of Agreement with the State of Florida, Department of Agriculture and Consumer Services, Division of Forestry, if the grant is approved;

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

**D) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with Florida Division of Forestry for this project.

**SUMMARY:** This Grant Application requests \$23,788.56 from the Florida Division of Forestry for a tree planting project at John Stretch Memorial Park in order to create additional tree canopy in the park and to enhance the park's landscape buffer along U.S. Highway 27. The grant money is being made available as part of a Federal Stimulus Grant Program and does not require matching funds. If the grant is awarded, the County will be required to enter into a Grant Memorandum of Agreement which outlines project costs, status reports, timelines and reimbursement procedures. The County will also be required to enter into a Grant Maintenance Memorandum of Agreement which requires the County to maintain the plant material established as a part of the project for a period of three (3) years. The project and related expenditures must be completed by July 31, 2011. All reimbursement claims must be submitted by September 30, 2011. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the month of February:

A) Arthur Gibson, Basketball Referee, Westgate Park and Recreation Center for the period February 13, 2010, through April 18, 2010, in an amount not-to-exceed \$703;

B) George Tillman, Basketball Referee, Westgate Park & Recreation Center for the period February 13, 2010, through April 18, 2010, in an amount not-to-exceed \$703; and

C) Caroline Andre, Cheerleading Coach, Westgate Park & Recreation Center for the period February 16, 2010, through April 18, 2010, in an amount not-to-exceed \$682.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. District 2 (AH)

3. Staff recommends motion to approve: a Professional Services Contract with Kiril Zahariev in an amount not-to-exceed \$150,000 for one year, with two (2) additional 12 month renewal options, effective May 1, 2010, through April 30, 2011, for USA swimming coaching services at the North County Aquatic Complex. **SUMMARY:** Recreation instructors and sports officials are exempt from the Purchasing Ordinance. Resolutions 94-422, as amended, granted Departmental authority to sign independent contractor agreements with recreation instructors and sports officials. Kiril Zahariev contracted with the County over the past six (6) years as a swim coach for the Jupiter Dragons Swim Team at the North County Aquatic Complex. Due to the term of the contract coupled with the size of the program, this contract now exceeds the intent of authority originally delegated, so staff recommends that the coaching services with Kiril Zahariev be approved through the use of a professional services contract. This is a self sustaining program in which revenues exceed expenditures, with the County retaining 20% and the contractor receiving 80%, for a total contract amount not-to-exceed \$150,000 per year. District 1 (AH)

4. Staff recommends motion to approve: Budget Transfer of \$22,239 in Park Improvement Fund from CCRT Neighborhood Parks Unallocated to Westgate Recreation Center Splashpad. **SUMMARY:** This Budget Transfer will provide the additional funding necessary to complete construction of the Westgate Recreation Center splash playground project. The splash playground will be an interactive facility which will be open year round with no admission charge. The splash playground will serve residents of Westgate and Belvedere Homes, as well as children attending the Head Start facility and summer camp on site. Current funding is from multiple sources including a Palm Beach County Housing and Community Development Community Development Block Grant (\$152,286); Countywide Community Revitalization Team (CCRT) Capital Outlay Fund (\$125,000); Park Improvement Fund CCRT (\$275,000), and Payments in Lieu of Onsite Recreation (\$18,305). District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. **Staff recommends motion to approve:** Agreement with West Jupiter Community Group, Inc. for the mutual operation of the West Jupiter Recreation Center after-school program. **SUMMARY:** The Parks and Recreation Department operates an after-school program at West Jupiter Recreation Center ("Recreation Center") that serves approximately 40 youth ages 6-12. The West Jupiter Community Group, Inc. ("Community Group") operates an after-school program that serves approximately 45 youth, ages 6-11. The Agreement being presented to the Board of County Commissioners ("Board") allows the after-school program at the Recreation Center to more than double the number of children served to 85, while maintaining quality and licensing standards at no additional cost to the County. The Agreement provides for the County to provide transportation for 45 children and two (2) employees from Community Group's center to the Recreation Center. The County will receive \$45 per child from the Community Group and recreation supplies valued at \$200 per session. The Agreement has been executed by West Jupiter Community Group, Inc., and now needs to be approved by the Board of County Commissioners. District 1 (AH)
  
6. **Staff recommends motion to approve:** Budget Transfer of \$140,000 within the Park Improvement Fund from the Florida Boating Improvement Program reserve to South County Regional Park Boating Center. **SUMMARY:** This Budget Transfer will provide the funding necessary to complete construction of the South County Regional Park Boating Center. Funding is from the Park Improvement Fund Florida Boating Improvement Program reserve. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to:

**A) adopt** a Resolution authorizing the County to accept the reassignment of the Florida Department of Transportation's South Bay Transportation Enhancement Grant FM#416139-1-58-01 from the City of South Bay to Palm Beach County;

**B) authorize** the County Administrator or his designee to execute the subsequent Florida Department of Transportation's South Bay Transportation Enhancement Funding Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement; and

**C) authorize** the Director of the Parks and Recreation Department to serve as a Liaison Agent with the Florida Department of Transportation.

**SUMMARY:** In 2003, the City of South Bay applied for and was awarded a \$500,000 Transportation Enhancement grant from the Florida Department of Transportation (FDOT) for the Lake Okeechobee Scenic Trail Gateway Trailhead Enhancements project. The grant application requested funding for construction of the Crossroads Depot, renovations of the Railroad Cottage, South Florida Water Management District design, engineering, and permitting for the marina and landscaping. The City of South Bay's grant application indicated that \$795,800, or 61% of the total project cost would come from local funds. Due to budgetary constraints and rising project costs, the City returned the partially completed Depot building and property to the County in 2009, and requested that FDOT reassign the grant to the County. The amount of the grant remains at \$500,000, however, no matching funds are now required. The scope of the grant has been modified to include renovation of the historic railroad cottage; construction of sidewalks and pathways to interconnect the Crossroads Depot; the South Bay RV Campground; the Lake Okeechobee Scenic Trail (LOST); and to construct associated pedestrian lighting, landscaping, benches, and bike racks. Total project construction can be completed for the \$500,000 in grant funding. FDOT requires a Resolution authorizing the County to accept the reassignment of the Florida Department of Transportation's South Bay Transportation Enhancement Grant FM#416139-1-58-01 from the City of South Bay to Palm Beach County prior to their issuing a grant funding Agreement for the project. Once FDOT provides the Agreement, the Director of the Parks and Recreation Department will execute the Agreement on behalf of the County and staff will prepare a receive and file agenda item to enter the Agreement into the public records. District 6 (AH)

8. Staff recommends motion to approve: Sovereignty Submerged Lands Lease Renewal Modification (No. 500019776) between the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (LESSOR) and Palm Beach County (LESSEE) for 10,762.5 square feet of submerged lands at DuBois Park, for the period February 7, 2010, through February 7, 2015. **SUMMARY:** The State originally granted the County a Sovereignty Submerged Lands Lease in 1975 for an existing 20 boat slip public marina facility at DuBois Park. The boat slips were removed in the mid-1980's because of damage to the concrete docks and shoaling issues. The County has maintained the lease with plans to rebuild the dock slips. The new terms of the lease allow the County to operate a 17 slip docking facility exclusively for mooring of recreational vessels in conjunction with an upland marina, without fueling facilities, with a sewage pumpout facility and without liveaboards. The lease requires a \$555 processing fee, with no annual lease fee. The processing fee is budgeted by the Parks and Recreation Department under annual operating expenses for DuBois Park. District 1 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one (1) fully executed License Agreement with the Fire Training Officers of the Palm Beaches, LLC, for training at the Palm Beach County Fire Rescue Regional Training Center, from February 8, 2010 through February 12, 2010. **SUMMARY:** On September 15, 2009, the Board adopted Resolution No. R2009-1551, which authorized the County Administrator, or his designee (Fire Rescue Administrator), to execute a one (1) year standard License Agreement with outside fire rescue/public safety agencies and other authorized entities providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. On January 26, 2010, the Board approved a License Agreement with the Fire Training Officers of the Palm Beaches, LLC (FTO), for training at the Palm Beach County Fire Rescue Regional Training Center from February 8, 2010, through February 12, 2010, which is the same as the standard Agreement previously approved by the Board with the following exceptions: (1) the duration was for a five (5) day period rather than a one (1) year period; (2) the general liability insurance requirements were amended to accept the policy provided by the FTO; and (3) a requirement was added to require FTO to obtain from all instructors that it uses for high-risk training, a release in favor of the County. At that same meeting, the Board authorized the County Administrator, or his designee (Fire Rescue Administrator) to execute the License Agreement after execution by the FTO. Pursuant to Countywide PPM CW-O-051, one (1) fully executed License Agreement that has been executed by the Fire Rescue Administrator and the Fire Training Officers of the Palm Beaches, LLC, is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)
  
2. Staff recommends motion to receive and file: three (3) original standard Agreements for the Fire Rescue Department:
  - A) Interlocal Agreement for Swimming Lessons with the City of Riviera Beach;
  - B) Interlocal Agreement for Swimming Lessons with the City of Lake Worth; and
  - C) Independent Contractor Agreement for Swimming Lessons with the Young Men's Christian Association of South Palm Beach County, Inc.

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

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to adopt: a Resolution authorizing the conveyance of a certain ambulance/rescue vehicle (Asset No. 10180724), and transfer of its title, to the Village of Palm Springs, contingent upon receipt of ten dollars (\$10) consideration and an executed acceptance form, pursuant to Section 125.38, Florida Statutes; providing for an effective date. **SUMMARY:** Since October 1, 2009, the County has been providing fire-rescue services to the Village of Palm Springs (Village) pursuant to the Village's opting into the Fire/Rescue MSTU and the ten (10) year Interlocal Service Agreement between the County and the Village (R2009-1552). Pursuant to the Agreement, all Village Fire Rescue vehicles, apparatus and equipment were transferred to and became the property of the County. Palm Beach County Fire Rescue has identified one (1) vehicle that does not meet the Department's standard and is not needed for County purposes. The Village is requesting this ambulance/rescue unit (model year 2001: VIN No. 1FDWF36F41EB90181) be returned to the Village for use by its Utilities Department. It is currently part of Fire Rescue's reserve fleet and would otherwise be scheduled for transfer to surplus. The estimated value of this vehicle is \$6,500. Countywide (SB)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: renewal of the Excess Automobile Liability Insurance Policy from State National Insurance Company, purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, in an amount not-to-exceed \$369,000 for the operation of Palm Tran, Inc.'s bus fleet for the period April 1, 2010, through April 1, 2011. **SUMMARY:** This policy from State National Insurance Company provides \$2,000,000 of coverage excess of a \$100,000 per claimant/\$200,000 per occurrence self-insured retention that is provided by the Self-Insured Retention Plan. The not-to-exceed renewal premium is \$369,000, no change from the expiring premium. This premium is not subject to adjustment for changes in the size of the fleet during the policy period. Sufficient funds are budgeted in FY 2010 for this coverage. Countywide (TKF/DR)
2. Staff recommends motion to approve: renewal of the Property Insurance Policy from National Union Fire Insurance Company, purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, in an amount not-to-exceed \$535,000 for the designated properties of Water Utilities for the period April 1, 2010, through April 1, 2011. **SUMMARY:** This policy from National Union Fire Insurance Company provides \$200,000,000 of "all-risk" coverage excess of a \$1,000,000 deductible. A reduced sublimit of \$50,000,000 applies to losses from "named windstorms" subject to a 5% of insured values deductible. Insured values for the renewal period have decreased by 7.31% over those for the current policy period. The decrease is the result of the transfer of the Lake Region Water Treatment Plant to the newly formed Glades Utility Authority. The not-to-exceed renewal premium is \$535,000, a decrease of 7%. Sufficient funds are budgeted in FY 2010 for this coverage. Countywide (TKF/MJ)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

3. Staff recommends motion to approve:

A) renewal of the Excess Property & Liability Insurance Program for the period April 1, 2010, through March 31, 2011 purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 05-102/LJ, for a total cost not-to-exceed \$12,500,000; and

B) an increase in the total property insurance limit purchased to \$200,000,000 provided that the cost for the additional limits does not exceed \$50,000.

**SUMMARY:** The Excess Property & Liability Insurance Program currently provides excess layers of property insurance totaling \$150 million inclusive of the County's \$1,000,000 self insured retention and excess layers of liability insurance totaling \$6 million inclusive of the County's \$500,000 self-insured retention. The program also includes various ancillary excess insurance policies covering damage to County-owned property resulting from flood, terrorism, boiler & machinery, and employee dishonesty. The total not-to-exceed cost of \$12,500,000 is inclusive of anticipated mid-year charges for newly added properties and the recommended increase in property insurance limits and represents a \$55,815 (0.4%) decrease over the actual expiring premium of \$12,555,815. The County's total insurable values have increased 2.52% this year to approximately \$2 billion. The cost is also impacted by a variety of State mandated surcharges and assessments. Sufficient funds are budgeted in FY 2010 for this coverage. Countywide (TKF)

BB. SHERIFF

1. Staff recommends motion to receive and file: Grant Adjustment Notice amending the Florida Department of Law Enforcement Office of Criminal Justice grant to extend the grant period from January 31, 2010, through May 31, 2010. **SUMMARY:** The Board of County Commissioners accepted this grant for \$16,500 on April 7, 2009; the original period for this grant was February 1, 2009, through January 31, 2010 (R2009-0601). This agenda item will extend the grant period from January 31, 2010, through May 31, 2010. The Florida Department of Law Enforcement awarded these funds to the Palm Beach County Sheriff's Office to purchase equipment under the Florida Domestic Security Strategic Plan for the Regional Aviation Response and Support Project. The purpose of the Regional Aviation Response and Support Project is to maintain specialized equipment and replace items that have exceeded their useful lifespan for Aviation Response teams. 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 receive and file: Grant Adjustment Notice amending the Florida Department of Law Enforcement Office of Criminal Justice grant to extend the grant period from January 31, 2010, through May 31, 2010. **SUMMARY:** The Board of County Commissioners accepted this grant for \$120,000 on April 7, 2009; the original period for this grant was February 1, 2009, through January 31, 2010 (R2009-0600). This agenda item will extend the grant period from January 31, 2010, through May 31, 2010. The Florida Department of Law Enforcement awarded these funds to the Palm Beach County Sheriff's Office to purchase equipment under the Florida Domestic Security Strategic Plan for the EOD Regional Team Enhanced Capability Project. The purpose of the EOD Regional Team Enhanced Capability Project is to maintain specialized equipment and replace items that have exceeded their useful lifespan for SWAT and EOD teams. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to approve: a Budget Transfer of \$58,947 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2010 estimated donation requirement will not be finalized until year-end close-out. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETf balance is \$1,572,404. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,513,457. The year-to-date transfer for all donations after approval of this item is \$260,204. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no additional County funds are required. Countywide (DW)

<u>Organization</u>	<u>Amount</u>
ASPIRA of Florida, Inc.	\$10,000
Urban League of Palm Beach County, Inc.	<u>\$48,947</u>
<b>Total Amount of Donations</b>	<b>\$58,947</b>

4. Staff recommends motion to:
- A) accept** on behalf of the Palm Beach County Sheriff's Office an Agreement with the City of Miami, as the fiscal agent for the Miami Urban Area Security Initiative to provide \$343,100 in reimbursable funding for the Regional Virtual Fusion Center effective until May 31, 2011; and
- B) approve** a Budget Amendment of \$343,100 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 Miami as the Miami UASI's fiscal agent. These funds and related equipment will be used for the Regional Virtual Fusion Center hosted by the Palm Beach County Sheriff's Office. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

5. Staff recommends motion to receive and file: Grant Adjustment Notice amending the FY 2008 Gang Prevention Coordination Assistance Program Grant to extend the ending grant period from September 30, 2010, through September 30, 2011. **SUMMARY:** The Board of County Commissioners accepted this grant for \$200,000 on October 21, 2008; the original period for this grant was October 1, 2008, through September 30, 2010 (R2008-1954). This agenda item will extend the grant period from September 30, 2010, through September 30, 2011. The Department of Justice, Office of Justice Programs awarded these funds to the Palm Beach County Sheriff's Office (PBSO) for Palm Beach County's Gang Prevention Coordination Strategy. The purpose of Palm Beach County's Gang Prevention Coordination Strategy is to support and enhance the coordination of existing community-based gang prevention and intervention programs and strategies that are closely aligned with local law enforcement efforts. Funds provided will be used for; salary and benefits of a full-time Gang Prevention Coordinator, travel and training for the PBSO Gang Unit, and supplies. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

CC. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve:
  - A) Amendment to the Amended and Restated Agreement (R2007-1622) with the Palm Beach County Cultural Council, Inc. (the "Cultural Council") for the provision of services under the County's Tourist Development Plan to provide for a revised FY 2010 Annual Budget;
  - B) extension of the deadline for the reimbursement of TDC "stimulus" expenses from September 30, 2009, through May 1, 2010 for Category B and CII grantees listed herein; and
  - C) Budget Amendment of \$88,650 in the TDC Cultural Fund to recognize unspent stimulus funding from FY 2009.

**SUMMARY:** The amendment to the Amended and Restated Agreement provides for a revised FY 2010 Annual Budget (Exhibit A) to include \$88,650 in rollover TDC "stimulus" funds for marketing and advertising that promote County tourism. The extension of the deadline through May 1, 2010 will permit the Category B and CII grantees to be reimbursed for marketing and advertising expenses incurred as part of the TDC "stimulus" program. Countywide (MC)

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**MARCH 23, 2010**

**4. SPECIAL PRESENTATION – 9:30 A.M.**

- A.** Proclamation declaring March 27 – April 3, 2010 as “Barrett-Jackson Collector Car Auction Week” in Palm Beach County. (Sponsored by Commissioner Aaronson)

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

- A. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing for title; providing for the establishment, purpose, authority, composition, meetings and responsibilities of the Palm Beach County Internal Audit Committee; providing for repeal of laws in conflict and repealing Resolution R2005-325 in its entirety; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Audit Committee has been conducting a review of its duties and responsibilities as well as considering how to enhance the independence of the Committee from the agencies for which it has oversight authority. The Ordinance replaces the present audit committee members who are primarily insiders with five (5) private citizens to be appointed by the BCC. The Ordinance also enhances the Committee's responsibilities regarding oversight of the internal audit function and review of management's system of internal controls, and establishes term limits and reporting requirements for the Committee. Countywide (PFK)
- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing for title; providing for general matters, duties, responsibilities and independence of the County Internal Auditor; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Audit Committee has been conducting a review of its duties and responsibilities as well as considering how to enhance the independence of the Committee from the agencies for which it has oversight authority. As part of this review, the Committee also reviewed the duties, responsibility and authority of the County Internal Auditor. The Ordinance expands the Internal Auditor's responsibility for monitoring and reporting on operational risks and management's risk control policies and procedures. The Ordinance also reinforces the Internal Auditor's independence from the County Administrator. The ordinance also requires that audit reports be posted on the County's internet website. Countywide (PFK)
- C. **Staff recommends motion to:**
- A) adopt** a Resolution confirming the special assessment process for the Tierra Del-Rey Water Main Extension, Special Assessment Project;
- B) approve** a Work Authorization No. 2 to Sheltra & Son Construction Co., Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2009-0944) in the amount of \$792,385; and
- C) approve** a Budget Transfer of \$832,000 in the Water Utilities Department Capital Improvement Fund to fund the Tierra Del-Rey Water Main Extension, Special Assessment Project.
- SUMMARY:** Petitions in favor of the installation of a potable water main have been provided by the property owners in Tierra Del-Rey. The project will serve 77 residential properties currently on private wells. Individual assessments of \$12,634.44 per parcel are based on 100% of the assessable cost and may be paid over 20 years with equal annual payments of principal and 6½% interest. The total project cost is \$972,851.88 and includes the costs of surveying, design, drafting, permitting, construction, inspection and construction contingencies. The project will be constructed utilizing a Work Authorization under the Water Utilities Department Continuing Construction Contract with Sheltra & Son Construction Co., Inc. (R2009-0944). The Small Business Enterprise (SBE) participation goal established by SBE Ordinance (R2002-0064) is 15% overall. The contract with Sheltra & Son Construction Company, Inc. provides for SBE participation of 15%. This Authorization includes 20.85% overall participation. The cumulative SBE participation is 20.65% overall. (WUD Project No. 09-061) District 5 (MJ)

5. PUBLIC HEARINGS – CONTINUED

D. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Ordinance No. 07-003, as amended by Ordinance No. 09-004 and Ordinance No. 09-041, providing for a schedule of rates for interruptible reclaimed water service; providing for a priority capacity reservation system; providing for repeal of laws in conflict; providing for severability; providing for captions; and providing for an effective date. **SUMMARY:** This Ordinance amendment establishes rates for reclaimed water produced at the East Central Regional Wastewater Treatment Facilities (ECR) that can be provided to potential customers on an interruptible basis. In accordance with the Reclaimed Water Agreements with Florida Power and Light (FPL) (R2008-0906) and the ECR Board (R2008-0907), the County has approximately 27 million gallons per day (MGD) of reclaimed water available and is contractually obligated to provide FPL's West County Energy Center (WCEC) with an average daily flow (ADF) of 22 MGD, varying from 4 MGD minimum daily flow to 27 MGD peak daily flow. Since the WCEC's requirements vary throughout the year, a significant amount of reclaimed water can be made available to potential customers on an interruptible basis during those times when the WCEC's needs have been met. The recommended rates include a reservation fee of \$0.13 per thousand gallons per day ADF (\$47.45 per 1,000 gallons of reserved capacity) payable upon execution of an agreement and annually thereafter and a reclaimed water interruptible commodity fee of \$0.51 per thousand gallons payable monthly based on usage. The commodity fee will be indexed annually based on three-fourths of the change in the CPI, Water and Sewer Maintenance in accordance with the existing Ordinance. The reservation fee will not be indexed since it represents the recovery of fixed interest costs on the reclaimed water bonds. In accordance with the Reclaimed Water Agreement with FPL, FPL will receive a portion of the revenue from interruptible customers since FPL is paying the full cost of constructing and operating the facilities and pipelines and is responsible for the debt service on the project. The County's share of the revenue from prospective interruptible customers is approximately \$0.01 of the capacity reservation fee and \$0.19 of the commodity fee per thousand gallons in accordance with the agreement. Interruptible reclaimed water service will be provided on a priority reserved capacity basis. The County will enter into agreements with potential customers and make deliveries of water on a prioritized basis—fully satisfying the requested water delivery needs of the customer with the earliest agreement date before making delivery to the customer with the second earliest agreement date, and so forth. Each customer is limited to the maximum amount of reclaimed water. Reservation fee payments must be current in order for the County to make deliveries to customers. Countywide (MJ)

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6. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to approve:** the creation of a one (1) Economic Development (Energy) Specialist position (pay grade 35) within the Office of Economic Development (EDO) to terminate upon the exhaustion of Federal funds appropriated under the Department of Energy on August 30, 2012, unless other Federal or State grant funding is identified. **SUMMARY:** A one (1) time-limited Economic Development (Energy) Specialist position was approved by the Board of County Commissioners (BCC) on December 15, 2009. The position approved is required to assist in the administration of the grant to Palm Beach County as a result of Federal funds appropriated under the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) Program in the amount of \$6,587,600. After comprehensive review of the BCC approved EECBG projects, it has been determined that two (2) Economic Development Specialists would be appropriate for project management and to fulfill the Federal reporting requirements. Sufficient funding for this position is provided through the EECBG Grant's Administrative costs. This position will terminate upon the exhaustion of Federal funds appropriated under the Department of Energy on August 30, 2012, unless other Federal or State grant funding is identified. **These are Federal funds that require no local match.** Countywide (DW)
  
2. **Staff recommends motion to approve:** Amendment No. 1 to the Section 108 Loan Program Agreement (R2009-1612) with Oxygen Development, LLC (Company) to increase the loan amount from \$3,000,000 to \$5,947,740, contingent upon the approval of the U.S. Department of Housing & Urban Development (HUD). **SUMMARY:** The Section 108 loan will assist financing the construction of a new manufacturing company in Palm Springs that will lead to the creation of 400 new full-time equivalent jobs. The estimated investment totals \$23,279,387, of which \$11,003,709 is from Bank Atlantic, \$4,000,000 from the Small Business Administration 504 Loan Program, \$5,947,740 from the Section 108 Loan Program, and \$2,327,939 from owners' equity. The Company is a manufacturer of color cosmetics, skin care, hair care and over-the-counter drug-type products. The Company will use the Section 108 funds for refinancing of land, refinancing of machinery and equipment, soft costs, capitalized interest and architectural & engineering expenses. On September 1, 2009, the Board of County Commissioners approved a Resolution (R2009-1443) for Oxygen's application of Recovery Zone Facility Bonds. Oxygen has determined that Section 108 Loan Program Funds will be used in lieu of the Recovery Zone Bonds. **These are Federal funds that require no local match. All documents are subject to such modifications required for consistency with the loan commitment, compliance with HUD's criteria, and to protect the County's interest.** District 2 (DW)
  
3. **Staff recommends motion to receive and file:** the 2010 Census Executive Steering Committee Update. **SUMMARY:** The Census, mandated by the U.S. Constitution, is a count of everyone living in the United States every 10 years and the 2010 Census is in progress. The County's Executive Steering Committee, comprised of Palm Beach County staff, and representatives of the League of Cities, School District, United Way, Glades Liaison, Urban League (also a member of the Statewide Complete Count Committee) and U. S. Census Bureau have been working collectively to impact the awareness of the 2010 Census for Palm Beach County residents. Census awareness is being coordinated with the Faith-Based community, media, business, municipalities, hard to count residential areas and community service providers. Additionally, the School District has launched an intensive Census awareness program which includes colleges and universities. Census questionnaires will be mailed or delivered to every household in the United States in mid-March 2010. Ten (10) questions ask residents to provide information that is accurate for their household as of April 1, 2010. Census data are used to distribute Congressional seats to states, to make decisions about what community services to provide, and to distribute \$400 billion in federal funds to local, state and tribal governments each year. Countywide (SF)

6. REGULAR AGENDA

B. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution approving the issuance of one or more series of revenue bonds in an amount not to exceed \$215,000,000 (the "Bonds") by the Palm Beach County Health Facilities Authority (the "Authority"). **SUMMARY:** The proceeds of the Bonds will be used by the Authority to make one or more loans to Bethesda Healthcare System, Inc. (the "Corporation") for the Authority to: (i) pay or reimburse the Corporation for, or refinance outstanding indebtedness the proceeds of which were used for, the payment of the costs of acquiring, constructing, renovating, remodeling and equipping certain of its health facilities, including but not limited to the acquisition, construction and equipping of the Bethesda West Hospital; (ii) currently refund all or a portion of the outstanding principal amount of the Authority's outstanding Health Facilities Revenue Bonds (Bethesda Healthcare System, Inc. Project), Series 2001; (iii) refinance all or a portion of the outstanding principal amount of loans to the Corporation from the Palm Beach County Health Facilities Authority from proceeds of the Palm Beach County Health Facilities Authority Refunding Program Revenue Bonds, Series 1985 (Pooled Hospital Loan Program) (the "Pooled Loans"); and for certain other related uses for the proceeds of the Bonds. Approval of the Authority's issuance of the Bonds by the Board is required by the Internal Revenue Code; however, adoption of the resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** Districts 3 & 5 (PFK)

C. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Request for Proposal (RFP) process for funding Financially Assisted Agencies for FY 2011. **SUMMARY:** On September 8, 2009, the Board of County Commissioners approved the list of agencies and funding allocations under the Financially Assisted Agencies Program for FY 2010. During that meeting, the Board requested that staff present the funding process for FY 2011 prior to the budget meetings. Staff is recommending a full RFP application process be utilized. Funding levels for FY 2011 will be proposed based on a percentage allocation that is similar to the current FY 2010 funding. The RFP will estimate the total available funds at a 5% decrease from the FY 2010 funding level. The actual amount will be determined by the Board during the budget development process. The following service area categories will be included in the RFP: Domestic Abuse/Sheltering, Economic Stability/Poverty, Homelessness, Mental Health, Senior Services, Special Needs/Developmental Disabilities, Substance Abuse, and Youth Violence/Diversion. All proposers will be identifying outcomes and data sources for evaluation of their program results. All agencies will be required to identify their administrative costs/overhead in the proposal. (Financially Assisted Agencies Program) Countywide (TKF)

6. REGULAR AGENDA

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to authorize:** Staff to pursue the following alternatives to provide equestrians in East Caloosa with the ability to cross to the north side of the west leg of the C-18 Canal to access the proposed NENA trail (Pântano Trail): (1) SR 710 Bridge widening, (2) a minimal County construction enhancement of the existing SR 710 Bridge, and (3) construction of a new bridge in Caloosa funded by Caloosa residents through a Municipal Service Taxing Unit (MSTU). **SUMMARY:** At the Board of County Commissioner's (BCC) workshop held on January 26, 2010, the BCC directed staff to investigate the feasibility and costs of alternative measures that may be taken to provide equestrians from the small East Caloosa development a way to cross the west leg of the C-18 Canal to access the proposed NENA trail (Pântano Trail) on the north side of the canal. Staff has identified five (5) alternatives, all but one of which will require the support or approval from other governmental entities. The alternatives provide a range of options including one that requires no outright expenditures by the County, one that requires the County to expend over \$1.3 million, and one that imposes the cost of a new bridge on the East Caloosa community that directly benefits from the bridge. Staff has ranked the five (5) alternatives in order of priority based on what staff believes is both feasible and affordable for the County. Under the first ranked alternative, the County will work with the Florida Department of Transportation (FDOT) to encourage FDOT to enlarge the SR 710 bridge when it undertakes scheduled improvements to SR 710 to accommodate equestrians. Under the second ranked alternative, the County will work with FDOT to obtain permits to place temporary barriers on the existing SR 710 bridge to provide a more protected accessway for equestrians when crossing that bridge. Under the third ranked alternative, the County will oversee the design, permitting, and construction of a new bridge over the C-18 Canal within the Caloosa area, which will be funded by Caloosa residents through a MSTU to be established for Caloosa. Under the fourth ranked alternative, the County will install fencing along the southern borders of the right of way of the west leg of the C-18 Canal in the Loxahatchee Slough Natural Area and restrictive access gates across the South Florida Water Management District right of way on the south bank of the C-18 Canal immediately east of the existing Ocean to Lake Trail pedestrian bridge in order to protect the Loxahatchee Slough Natural Area. Under the fifth alternative, the County will install fencing adjacent to those portions of the Loxahatchee Slough Natural Area bordering the southern and western edges of the west and south legs of the C-18 Canal. The first four (4) alternatives will require approval from a non-County governmental entity, thus making the success of completing these alternatives uncertain. Only the fifth and most expensive alternative will not require such approvals. On February 19, 2010, the five (5) alternatives were presented to the Natural Areas Management Advisory Committee (NAMAC) because some of these alternatives could potentially impact management strategies for the Loxahatchee Slough Natural Area. NAMAC voted unanimously to recommend the first three alternatives for consideration by the BCC. Staff concurs with that recommendation. District 1 (SF)

6. REGULAR AGENDA

E. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** a Lease and Lease Buyout Agreement in the amount of \$55,000, with Dr. Jackie C. Johns d/b/a Implant Dental Group of South Florida, LLC, and Esthetic and Implant Dentistry of South Florida, P.A., the tenant in Unit No. 3, in connection with the acquisition of Unit No. 3 of the commercial condominium property at 1000 45th Street in the City of West Palm Beach and its conversion into a Homeless Resource Center. **SUMMARY:** On January 12, 2010 (R2010-0137), the Board of County Commissioners (BCC) approved the purchase of the commercial condominium complex at 1000 45th Street in the City of West Palm Beach for the establishment of a Homeless Resource center. More specifically, on such date, the BCC approved an Agreement for Purchase and Sale with Koral Saritas and Perran Saritas, for the purchase of Unit No. 3 at this complex. The current tenant in this unit is Dr. Jackie C. Johns d/b/a Implant Dental Group of South Florida, LLC (Implant Dental Group) and Esthetic and Implant Dentistry of South Florida, P.A. (the Tenant). The proposed Lease and Lease Buyout Agreement will establish a tenant-landlord relationship between the County and the Tenant beginning on the date the County acquires Unit No. 3. Since Federal funds are being used for this project, the Tenant must be allowed to remain in the property at least 90 days after a notice is given to the Tenant in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA). Accordingly, the lease will terminate 90 days after the County acquires Unit No. 3. The Tenant presently has a five (5) year lease for Unit No. 3 which expires on June 30, 2014, thereby creating a leasehold interest in said unit. Since the Tenant is being required to vacate the property prior to the expiration of their lease they are due compensation in the form of the proposed lease buyout. Staff obtained two (2) appraisals of this leasehold interest, and established just compensation for the leasehold interest at \$40,000. After negotiations with the Tenant and their attorney, the parties agreed on the recommended lease buyout amount of \$55,000, and on permitting them to remain in the property rent free for the 90 day period. The buyout payment is subject to the County first acquiring title to Unit No. 3. This transaction is not subject to the Property Review Committee's review because it involves the purchase of a leasehold interest in real estate (as opposed to the purchase of a fee simple interest) and is for less than the \$250,000 threshold amount requiring such review pursuant to Ordinance No. 2009-052. **Funding for this Agreement will be derived from funds to be received under an Interlocal Agreement with the City of West Palm Beach. District 7 (TKF)**

6. REGULAR AGENDA

E. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve:

**A)** the creation of eight (8) full-time positions within the Department of Housing and Community Development; and

**B)** a Budget Amendment of \$50,000,000 to establish the budget for the Neighborhood Stabilization Program 2 (NSP2) grant in the 2009-2010 budget.

**SUMMARY:** The eight (8) positions to be created are: a Mortgage and Housing Assistance Manager (Pay Grade 47); a Planner II (Pay Grade 34); two (2) Customer Service Representatives (Pay Grade 15); a Fiscal Specialist II (Pay Grade 20); a Housing Program Coordinator (Pay Grade 39); a Regulatory Specialist (Pay Grade 38); and a Contract Development & Quality Control Director (Pay Grade EO3). The eight (8) positions are required to carry out administrative, planning, technical and customer service related work connected with the implementation of activities funded under two (2) grants awarded to Palm Beach County as a result of: a) Federal funds appropriated under the Housing and Economic Recovery Act of 2008 (HERA), namely a \$27,700,340 Neighborhood Stabilization Program (NSP1) grant awarded in March 2009, and b) Federal funds appropriated under Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (ARRA), namely a \$50,000,000 (NSP2) grant awarded in February 2010. Each position will terminate upon the exhaustion of these Federal funds. However, authorization is also sought for the continuation of these eight (8) positions in the event that future awards of Federal or state funding is made available to the County. **These are Federal funds which require no local match.** Countywide (TKF)

F. PARKS & RECREATION

1. Staff recommends motion to approve: reallocation of \$800,000 within the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum as follows:

**A)** \$450,000 from Palm Beach County Gramercy Park Community Center Park to Center for Creative Education, Inc. for construction of an Arts Center in West Palm Beach; and

**B)** \$350,000 from South Florida Science Museum Improvements to Center for Creative Education, Inc. for construction of an Arts Center in West Palm Beach.

**SUMMARY:** District 2 and District 7 Commissioners have identified \$800,000 from the 2002 \$50 Million Recreational and Cultural Facilities Bond that they have requested the Board reallocate to the Center for Creative Education, Inc. (CCE) to complete construction of an Arts Center in West Palm Beach's Northwood Village. The total amount needed to complete this project is \$3,000,000, and CCE has secured all funding necessary to move forward with this project with the exception of \$800,000. Funding is from the 2002 Recreational and Cultural Bond project funding allocated for South Florida Science Museum Improvements and Gramercy Park Community Center construction. District 7 (PK)

6. REGULAR AGENDA

G. PURCHASING

1. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on April 20, 2010 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, setting forth and amending Sections 2-80.41 through 2-80.48 of the Palm Beach County Code, the “Local Preference in Purchasing Ordinance”; providing for a title; amending Section 2-80.42 “Definitions”; deleting Section 2-80.43 “Reciprocal Preference for Local Businesses”; amending Section 2-80.44 “Preference for Local Businesses”; amending Section 2-80.44.1 “Preference for Glades Businesses”; amending Section 2-80.44.2 “Preference for the use of Glades Subcontractors by Local Businesses”; deleting Section 2-80.45 “interlocal agreements”; providing for waiver; providing for reciprocity; amending Section 2-80.47 providing for “limitations”; providing for rules and regulations; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** This Amendment modifies the reciprocity of our current Local Preference Ordinance by providing a local preference to businesses from Miami-Dade, Broward, Martin, or Hendry Counties when those counties provide a local preference to Palm Beach County businesses. The Amendment specifically clarifies that the lowest bidding or highest ranked Palm Beach County business shall not be supplanted by a business from Miami-Dade, Broward, Martin, or Hendry County receiving our local preference. Additionally, a limitation of the local preference is included for purchases made on or behalf of the Glades Utility Authority when made pursuant to the alternative source selection under the Purchasing Code. Countywide (DW)
  
2. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on April 20, 2010 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 2, Article III, Division 2, Part A (the Palm Beach County Purchasing Code); amending Section 2-52 “Definitions”; amending Section 2-54(f) “Alternative Source Selection”; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The current Purchasing Code (Ordinance No. 2005-062), as amended in 2008 (Ordinance No. 2008-009), established a centralized purchasing system for the procurement of the County’s non-construction related goods and services. The Amendment to the Purchasing Code being recommended in this item includes minor revisions necessary in order to facilitate the efficiency of the County’s procurement process for purchases made for the Glades Utility Authority and for the implementation of the Inspector General Fee on piggyback contracts. Countywide (DW)

6. REGULAR AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Change Order No. 92 to the Contract with Moss & Associates, LLC (R2007-0031) in the amount of \$1,798,239 for Construction Management Services and revisions to construction drawings for the West County Detention Facility. **SUMMARY:** On February 24, 2009, the Board authorized construction of the jail expansion facility for \$70,431,312. The Architect designed the life safety components of the jail based on their interpretation of the Building Code. As part of the plan review, the Building Division required changes in the plans primarily associated with means of egress and fire ratings of walls. The Building Official historically has made strict interpretations with regard to fire ratings and emergency egress in the institutional restrained classification. Enforcement of the Code is the responsibility of the Building Official and is within its authority to make the final determination regarding Code compliance. Change Order No. 92 provides for costs associated with changes due to user requests (\$150,000), changes necessary in order to obtain a building permit (\$2,152,239), and a deduct of \$504,000 for demucking work associated with the Palm Tran Maintenance Facility. The Contractor has also requested additional time and general conditions due to the late ordering, fabrication, and delivery of critical path items, i.e. doors, frames, and hardware. Negotiations are ongoing with respect to the time delay and associated costs related to the delay or schedule acceleration before a recommendation can be made. It is critical to approve this Change Order immediately in order to mitigate future delays. The time and associated costs will be authorized in a future Change Order. The changes required to obtain a building permit are considered by Staff to be errors/omissions and will be evaluated in accordance with County policy and the standard of care required by the contract at the completion of construction. Change Order No. 92 is funded from contingency line of the Criminal Justice and Public Improvement Revenue Bond Series 2008. The Small Business Enterprise (SBE) participation goal for this project is 15%. Moss & Associates will be providing 24.87% SBE participation in this Change Order. (Capital Improvements Division) Countywide/District 6 (JM)

6. REGULAR AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

**A) approve** a Budget Transfer of \$1,730,000, in the Public Building Impact Fee Fund from reserves, to establish a project entitled West County Jail Expansion Fit-up (Project);

**B) approve** a Budget Transfer of \$1,377,466 in the Public Building Improvement Fund from Restricted Revenues, recognizing revenue from the Sheriff's Office and establishing a project budget for PBSO West County Jail Expansion Fit-up Purchases;

**C) authorize** the Director, Facilities Development & Operations, to make certain purchases in an amount estimated at \$404,000, for specific items and/or vendors determined by the Sheriff's Office through its established procurement process, without any County source selection process; and

**D) approve** the transfer of all assets purchased for use in the jail, substation and Eagle Academy from the County to the Sheriff's Office at the completion of the Project.

**SUMMARY:** A total of \$3,107,466 in new equipment, fixtures and furniture is necessary to outfit the West County Jail (which includes the associated relocated and expanded substation, relocated Eagle Academy and expanded courthouse) currently under construction. Funding for the County's share of the Project was originally funded in 2008 in the amount of \$2,400,000 from Public Building Impact Fees, but then was defunded in 2009 due to an insufficient impact fee balance. The costs were shifted to the bond. Impact fee funds are now sufficient and Staff is recommending that the Project be reestablished in the amount of \$1,730,000 in order to not finance the purchase of equipment whose life spans are significantly shorter than the life of the bonds. The Sheriff and Staff have determined that it is in both parties' best interests for all aspects of the Project to be managed by a single entity to: 1) ensure proper coordination between specification and construction preparation and in terms of installation and delivery, and 2) take advantage of economies of scale associated with combined larger purchases; for the County to undertake all purchases. As a result, the Sheriff has transferred the funding for his share of the Project to the County which now needs to be recognized and established in an expenditure line. In order for the County to implement the entire purchase program, Facilities Development and Operations would be required to make purchases in an amount not to exceed \$404,000, without further source selection, for items specifically identified by the Sheriff in order to: 1) standardize equipment at all facilities, and/or; 2) to provide equipment specifically required by its contractual service providers. The final Motion authorizes the transfer of all assets purchased for use in the jail, substation or Eagle Academy to the Sheriff for on-going maintenance, tracking, surplus and replacement. (FDO Admin) Countywide/District 6 (JM)

6. REGULAR AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to:

**A) adopt** a Resolution authorizing deferral of past due rent, a reduction in the rental rate, the placement of courtyard tables, and finding that the Second Amendment to Governmental Center Lease Agreement with LJL Food Management, Inc. d/b/a Tina's Café (R2002-0829), is in the best interest of the County; and

**B) approve** a Second Amendment to Governmental Center Lease Agreement with LJL Food Management, Inc. d/b/a Tina's Café.

**SUMMARY:** LJL Food Management, Inc. d/b/a Tina's Café has been the food service provider operating in Suite 110 of the Governmental Center Parking Garage since 2005. In 2009, the Board approved the First Amendment (R2009-0146) that permitted Tina's Café to expand into the adjacent Suite 114 thereby increasing the leased premises from 1,504 SF to 2,554 SF, reduced the rent for a period of two (2) years from \$15.76/SF to \$12.50/SF, and extended the term of the Lease until January 31, 2019. Due to economic conditions, business has declined and Tina's Café has not paid rent for November through January totaling \$6,917.08. This Amendment defers payment of the past due rent until December 2018 and reduces the rent effective January 1, 2010 by ½ from \$33,202/yr (\$13/SF) to \$16,601/yr (\$6.50/SF), for a period of two (2) years. At the end of these two (2) years and every two (2) years thereafter, the parties will re-evaluate the rent. This Amendment also allows installation of four (4) tables for outdoor seating in the courtyard outside the premises. (PREM) Countywide (HJF)

I. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

**A)** a Budget Transfer for \$173,271 in the American Recovery and Reinvestment Act – Justice Assistance Grant (ARRA JAG) Fund from reserves to Court Administration;

**B)** a Budget Amendment for \$173,271 in the General Fund to recognize the transfer from the ARRA JAG Fund; and

**C)** three (3) grant-funded positions for the Fifteenth Judicial Circuit, Court Administration being a Court Analyst, a County Court Criminal Case Manager, and a Juvenile Court Case Advisor from December 21, 2009, through December 28, 2010 for \$173,271.

**SUMMARY:** Palm Beach County received a FY 2009 Recovery and Reinvestment Act Edward Byrne Memorial Justice Assistance Grant (ARRA JAG) award of \$1,246,822 (R2009-1700), for nine (9) proposals. This budget transfer, budget amendment and positions are necessary to implement Court Administration's three (3) proposals. One (1) proposal is for a Court Analyst (Pay Grade 31), the second proposal is for a County Court Criminal Case Manager (Pay Grade 23) and the third is for a Juvenile Court Case Advisor (Pay Grade 25). These positions are from December 21, 2009, through December 28, 2010 for \$173,271. The grant-funded positions are approved for the length of the grant and these positions will be eliminated when grant funding is discontinued. There is no requirement for match with the JAG funds. Countywide (DW)

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7. BOARD APPOINTMENTS

A. ADMINISTRATION  
(Small Business Assistance Advisory Committee)

1. Staff recommends motion to approve: reappointment of three (3) individuals to the Small Business Assistance Advisory Committee, for the terms indicated below:

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated By</u>
Evelyn Parkes	2	Certified Hispanic Business Owner	03/09/2010-09/30/2013	Comm. Aaronson Comm. Koons Comm. Marcus Comm. Taylor Comm. Vana
Scott Johnson	11	The Associated General Contractors of America	03/09/2010-09/30/2013	Comm. Aaronson Comm. Koons Comm. Marcus Comm. Taylor The Associated General Contractors of America
Laurie Rogers	8	National Association of Women in Construction	03/09/2010-09/30/2013	Comm. Aaronson Comm. Koons Comm. Marcus Comm. Taylor National Association of Women in Construction

**SUMMARY:** The SBA Advisory Committee was established Section 2.80.32, as amended, of the Palm Beach County Code. The committee consists of 14 members representing one (1) black business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) white male business owner certified as a small business by the County; one (1) business owner domiciled in Palm Beach County; one (1) representative of the Palm Beach County Resource Center; one (1) representative of the Hispanic Chamber of Commerce; one (1) representative of the National Association of Women in Construction; one (1) representative of a Women’s Business Organization; one (1) certified minority contractor; one (1) representative of The Associated General Contractors of America; one (1) representative of the Small Business Development Center; one (1) representative of the Business Loan Fund of the Palm Beaches; and one (1) representative of a black chamber of commerce.

Representatives of Seat Numbers 2, 8 and 11 are available because the incumbents’ seats expired. All of the representatives have expressed a desire to continue in the same capacity. The Certified Hispanic Business Owner, the National Association of Women in Construction (NAWIC), the Associated General Contractors of America (AGC), and the SBA Advisory Committee support this effort. A memo was sent to the Board of County Commissioners on January 8, 2010 which requested nominations to the committee for Seat Number 8 for National Organization of Women in Construction and Seat Number 11 for Associated General Contractors. A memo was sent to the Board of County Commissioners on February 10, 2010 which requested nominations to the committee for Seat Number 2 for the Certified Hispanic Business Owner. No other nominations were received. Countywide (TKF)

B. COMMISSION DISTRICT APPOINTMENTS

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**MARCH 23, 2010**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**MARCH 23, 2010**

**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**

**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

MARCH 23, 2010

<u>PAGE</u>	<u>ITEM</u>	
7	3A-1	<p><b><u>REVISED SUMMARY:</u></b> Staff recommends motion to: <b>A) receive and file</b> the U.S. Department of Housing and Urban Development (HUD) Approval Letter for a new Section 108 Loan in the amount of \$2,824,000, for the Pahokee Downtown Revitalization Project; B)...C). <b>SUMMARY:</b> On June 2, 2009 the Palm Beach County Board of County Commissioners adopted a Resolution (R2009-0902) authorizing the submittal of a Brownfield Economic Development Initiative (BEDI) grant application and a Section 108 Loan Program application to fund the Pahokee Downtown Revitalization Project. In June of 2009, the Economic Development Office (EDO) submitted requests for \$1,058,971 BEDI Grant funds and \$2,824,000 Section 108 funds to HUD. <u>On October 20, 2009, Palm Beach County received and filed the BEDI Grant Award Letter and approved a Budget Amendment for \$1,058,971 (R2009-1745). EDO has received letters of approval for both sources of funds from HUD. These are federal funds that require no local match. District 6 (DW) (Admin/EDO)</u></p>
31	6A-2	<p><b><u>REVISED MOTION/TITLE &amp; SUMMARY:</u></b> Staff recommends motion to <b>approve:</b></p> <p><b><u>A) conceptually approve</u></b> Amendment No. 1 to the a Section 108 Loan Program Agreement (<del>R2009-1612</del>) with Oxygen Development, LLC (Company) to increase the loan amount from <del>\$3,000,000</del> to in the amount of \$5,947,740, contingent upon the approval of the U.S. Department of Housing &amp; Urban Development (HUD); <u>and</u></p> <p><b><u>B) authorize</u></b> the County Administrator to sign all loan documents associated with this item.</p> <p><b>SUMMARY:</b> The Section 108 loan will assist in financing the construction of a new manufacturing company in Palm Springs that will lead to the creation of 400 new full-time equivalent jobs. The estimated investment totals \$23,279,387, of which \$11,003,709 is from Bank Atlantic, \$4,000,000 from the Small Business Administration 504 Loan Program, \$5,947,740 from the Section 108 Loan Program, and \$2,327,939 from owners' equity. The Company is a manufacturer of color cosmetics, skin care, hair care and over-the-counter drug-type products. The Company will use the Section 108 funds for refinancing of land, refinancing of machinery and equipment, soft costs, capitalized interest and architectural &amp; engineering expenses. On September 1, 2009, the Board of County Commissioners approved a Resolution (R2009-1443) for Oxygen's application of Recovery Zone Facility Bonds. Oxygen has determined that Section 108 Loan Program Funds will be used in lieu of the Recovery Zone Bonds. <u>This agreement supersedes Document R2009-1612. These are Federal funds that require no local match. All documents are subject to such modifications required for consistency with the loan commitment, compliance with HUD's criteria, and to protect the County's interest. District 2 (DW) (Admin/EDO)</u></p>
33	6D-1	<p><b><u>DELETED:</u></b> Staff recommends motion to authorize: Staff to pursue the following alternatives to provide equestrians in East Caloosa with the ability to cross to the north side of the west leg of the C-18 Canal to access the proposed NENA trail (Pântano Trail): (1) SR 710 Bridge widening, (2) a minimal County construction enhancement of the existing SR 710 Bridge, and (3) construction of a new bridge in Caloosa funded by Caloosa residents through a Municipal Service Taxing Unit (MSTU). (ERM) (Moved to April 6, 2010 Meeting)</p>

36 6G-2 **REVISED TITLE: Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on April 20, 2010 at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 2, Article III, Division 2, Part A (the Palm Beach County Purchasing Code); amending Section 2-52 "Definitions"; amending Section 2-54(f) "Alternative Source Selection"; amending Section 2-58 "Conflict of Interest"; providing for repeal of laws in conflict; providing for severability; providing for a savings clause; providing for inclusion in the code of laws and ordinances; and providing for an effective date. (Purchasing)

39 6H-4\* **ADD-ON, TIME CERTAIN 10:30 A.M.: Staff requests Board direction:** regarding a proposed Lease Agreement with Larise Atlantis, Inc. for a new Lantana Service Center for the Tax Collector. **SUMMARY:** Staff issued a Request for Proposals (RFP) to lease space for a new branch office for the Tax Collector (TCO) in the Lake Worth/Lantana area. Only one response to the RFP was received from Larise Atlantis, Inc for space within the Atlantis Plaza on Congress Avenue and was determined to be responsive. The TCO decided to proceed into negotiations with Larise in lieu of continuing with Phase 2 of the process as defined in the RFP and the following terms have been negotiated by the TCO: 1) 32,700 sf with an option to reduce to 20,000 sf within two (2) years; 2) five (5) years, with two (2)-five (5) year options, 3) rent of \$8.00/sf, 4) Common Area Maintenance (CAM) at \$4.00/sf, 5) rent and CAM commencement 90 days after execution of the lease on 20,000 sf, 6) CAM commencing one (1) year after lease with rent commencing two (2) years after lease on 12,700 sf, 7) all tenant improvements being funded by the County/TCO, via a Construction Manager at risk (CM) contract with a guaranteed maximum price (GMP) of \$3,650,000, and 8) a construction duration of 180 days.

Exhibit D of the Lease is the CM contract in the County's standard form, between Larise and Morganti Group Inc (MGI) to undertake the tenant improvements on behalf of Larise. MGI is a Palm Beach County firm. The SBE participation is 9.2%. Participation by locally owned contractors is 70%. The cost of the tenant improvements will be paid, in progress payments, to Larise by the County using funds received from the TCO via an Interlocal Agreement. While the funds for the lease payments (rent and CAM) including the tenant improvements are coming from the TCO's budget; there is an equivalent loss of excess fees returned to the Board to offset ad valorem revenue of approximately \$4,773,260 in FY 11 (expended in FY 10) and approximately \$380,000 annual thereafter, subject to escalation. The Tax Collector is recommending that the Board approve the Lease as presented, and if the Board approves the Lease it would be contingent on the Board also approving: 1) a Resolution designating the various branches as places of business and subsequent approval by the Department of Revenue, 2) an Interlocal Agreement between the TCO and County regarding management and funding of the Lease, and 3) a Budget Amendment recognizing the funding from the TCO for the tenant improvements; all of which are contained in a separate Board item.

It is clear that the TCO intends to utilize the full 32,700 sf (initial and expansion space) and Staff's analysis assumes that will occur. While the terms of the Lease appear to be market oriented, the costs of tenant improvements for this facility are substantial. The initial improvement cost will be \$3,650,000, and the build-out of the expansion space is estimated to be \$1,000,000, for a total of \$4,650,000. Rent for a 10-year term will be roughly \$4,000,000, bringing total expenditures over a 10-year term to close to \$8,700,000. In comparison, the cost to acquire and construct new is estimated to be roughly \$13,000,000. The cost to renovate an existing County facility (Airport Center Building 2) is estimated to be \$6,100,000. The TCO position is that the facility is needed in calendar year 2010 and that the Airport Center facility is outside her identified service area; and therefore is not a solution. Staff has general concerns in siting this facility within a privately owned multi-tenant shopping center, and specific concerns with respect to the location of the proposed branch within the building and the parking availability as well as various other terms that are discussed in detail in the background and policy issues section. (FDO Admin) Countywide (JM) (FDO)

**ADD-ON: Staff requests direction on:**

**A)** Adoption of a Resolution authorizing a new Tax Collector Lantana Service Center, replacing the current suburban Lake Worth Branch and ratifying and affirming the Tax Collector's other existing branch offices;

**B)** Approval of an Interlocal Agreement with the Tax Collector of Palm Beach County (TCO) regarding the funding, management and administration of the lease between the County and Larise Atlantic, Inc. (Lease) for the Tax Collector Lantana Service Center; and

**C)** Approval of a Budget Amendment in the amount of \$3,720,000 in the Public Building Improvement Fund recognizing revenue from the Tax Collector and establishing a project line.

**SUMMARY:** The Florida Constitution requires the Board of County Commissioners adopt a resolution approving the location of branch offices for the Tax Collector for the conduct of County business; which also includes the new Lantana Service Center located at 6228 South Congress Avenue, Lantana, FL 33462. Adoption of this Resolution by the Board and subsequent acceptance by the Department of Revenue will allow the TCO to utilize TCO budget to fund the improvements and lease payments at the new Lantana Service Center. The Interlocal Agreement essentially assigns full financial and physical responsibility for all aspects of the Lease to the TCO except for: 1) actually making rent or additional rent payments, 2) making payments pursuant to the Lease Exhibit D, Landlord's tenant improvement work, 3) approving changes orders to the Lease Exhibit D, or 4) entering into any agreements which would either change the Board's obligations under the Lease or terms of the Lease. The term of the Interlocal Agreement is until the Lease terminates or the County is released from its obligations under the Lease, and the TCO has paid the County all reimbursements due. The budget amendment increases a project line within Fund 3804 entitled Various Facilities Improvements Constitutional Officers providing sufficient funds within the line to fund the work required by Lease Exhibit D and providing for the acceptance of revenue in the same amount from the Tax Collector. Both one-time and recurring expenditures will be reimbursed by the TCO upon receipt of an invoice from the County. (FDO Admin) Countywide (JM) (FDO)

**ADD-ON: Staff recommends motion to approve:**

**A)** Acceptance of Grant Award No. G10AC00135 from the U.S. Geological Survey (USGS) for \$249,865.58 for grant funds to provide digital ortho mapping by June 30, 2011 under the American Recovery and Reinvestment Act (ARRA) of 2009; and

**B)** a Budget Amendment of \$249,866 in the Information Technology Capital Improvement fund to establish grant budget, contingent upon the grant award.

**SUMMARY:** Palm Beach Countywide GIS was approved for ARRA grant monies in the amount of \$249,865.58 under the USGS digital ortho imagery mapping program. A proposal was submitted December 1, 2009 outlining how the Countywide GIS mapping program met grant requirements for USGS priority areas, and Hazard and Ecosystem priority interests. Included with our grant application were letters of support from local public entities that participate in Palm Beach County geographic data sharing partnerships. Grant matching requirements were met through in-kind staff services with no cash match involved. Digital ortho imagery mapping will be completed by Surdex Corporation currently under contract with Palm Beach County. The award documents have been received and must be executed and returned by March 31, 2010. Countywide (PK) (ISS)

**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 (\*).