

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

**JUNE 29, 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 - 31)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 32)**
  
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- 6. BOARD APPOINTMENTS (Pages 37 - 40)**
  
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** Resolution of the Board of Directors of Discover Palm Beach County, Inc. (CVB) requesting that a search for new office space in downtown West Palm Beach be commenced immediately by CVB subject to County approval or, alternatively, that the County promptly seek new office space in downtown West Palm Beach, so that CVB can move upon expiration of the current lease.
2. **Staff recommends motion to approve:** the reappointment of Mr. Sam A. Shannon to the Planning Commission as the District 2 representative, for the term June 9, 2010, to June 5, 2013. **SUMMARY:** The Planning Commission was created by Ordinance 2008-003 and replaced the Land Use Advisory Board. The Planning Commission consists of 16 members; 15 BCC appointed members; one (1) of which is appointed at-large by a majority vote of the BCC, and one (1) School District representative. Commissioner Koons has agreed to reappoint Mr. Shannon as the District 2 representative on the Planning Commission. Countywide (RPB)
3. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, urging the Governor of the State of Florida to convene a Summit for the preservation of Florida's shores and to reaffirm support for a prohibition on Offshore Drilling in Florida. **SUMMARY:** As of June 16, 2010, an estimated seventy-six millions gallons of oil has poured into the Gulf of Mexico due to the Deepwater Horizon Oil spill disaster. Despite the United States government and British Petroleum efforts to contain and cleanup the spill, Florida is in a precarious position due to its eighteen hundred miles of coastline, including forty-seven miles in Palm Beach County. Palm Beach County is requesting the Governor of the State of Florida convene a Summit for the preservation of Florida's shores. The Summit would include leading science and technology experts to explore ideas and methods for coastal protection; ideas for cleanup response from other oil company leaders; and legal experts to advise the State of Florida on the preservation of its rights and rights of its citizens dealing with this environmental disaster. The Resolution also reaffirms Palm Beach County's position to continue the prohibition of offshore drilling off the coast of Florida. Countywide (DW)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: 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 April 2010. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 5 in the amount of \$166,325 and a 32 day time extension to Contract No. R2009-0260 with American Engineering & Development Corp. for construction of Lyons Road from Glades Road to Yamato Road. **SUMMARY:** Approval of Change Order No. 5 will allow for the construction of a new 12" force main pipe along Lyons Road from West Kimberly Boulevard to Yamato Road and a 10" ductile iron pipe force main from West Kimberly Boulevard to New England Boulevard. District 5 (MRE)
  
2. Staff recommends motion to adopt: a Resolution declaring Palm Beach County (County) owned land as right-of-way for Belvedere Road. **SUMMARY:** Adoption of this Resolution will allow declaration of County-owned land (Department of Airports) as right-of-way for Belvedere Road. District 2 (PK)
  
3. **DELETED**
  
4. Staff recommends motion to approve: the renewal of the Traffic Signal Design Services Annual Agreements with Arcadis U.S. Inc., whose original Agreement was dated September 9, 2008 (R2008-1414) and Progressive Design & Engineering, Inc., whose original Agreement was dated July 22, 2008 (R2008-1280). **SUMMARY:** Approval of these Renewal Agreements will extend for one (1) year required professional services on a task order basis. The Renewal Agreement with Arcadis U.S., Inc., will continue for the period of September 9, 2010, through September 8, 2011. The Renewal Agreement with Progressive Design & Engineering, Inc. will continue for the period of July 22, 2010, through July 21, 2011. Arcadis U.S., Inc has an office in Palm Beach County. Progressive Design & Engineering, Inc. is a Palm Beach County Company. Countywide (PK)
  
5. Staff recommends motion to approve: a Joint Participation and Project Funding Agreement (Agreement) with the City of Atlantis (City) in the amount of \$11,391.30 for utility adjustments on Congress Avenue from Lantana Road to South of Melaleuca Lane. **SUMMARY:** Approval of this Agreement will allow Palm Beach County (County) and the City to jointly participate in the utility adjustments to the water distribution, sewage transmission system and other improvements along the right-of-way. The City agrees to reimburse the County for the cost of these utility adjustments and other improvements. District 3 (MRE)
  
6. Staff recommends motion to approve: a Contract with Shoreline Foundation, Inc. (Shoreline), the lowest responsive, responsible bidder in the amount of \$1,035,805.24 for the construction of George Bush Boulevard Bridge over Intracoastal Waterway (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County to issue a Notice to Proceed to Shoreline to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Shoreline is 16.03%. Time to complete all work under this contract shall be no more than 150 calendar days. Shoreline is a Broward County Company. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to adopt: a Resolution vacating a portion of that certain Palm Beach County Utility Easement lying within Tract C, The Polo Club Shops, as recorded in Plat Book 59, Pages 41-42 and recorded in Official Record Book 5490, Page 1052, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the development to be consistent with the approved site plan. The petition site is located at the northwest corner of Old Clint Moore Road and Military Trail. District 5 (PK)

E. COMMUNITY SERVICES

1. Staff recommends motion to ratify:

**A)** Project Application with the Florida Department of Education, for the period July 1, 2010, through June 30, 2011, in an amount not-to-exceed \$328,582; and

**B)** Memorandum of Understanding with Workforce Alliance, for the Farmworker Jobs & Education Program.

**SUMMARY:** The Farmworker Jobs & Education Program (formerly Adult Migrant Program) is funded by the State Department of Education to provide academic education and vocational training to farm workers and their dependents. The Grant Year 2010-2011 program provides enrollment and training services for 132 participants. The emergency signature process was used because there was not sufficient time to submit through the agenda process and meet the requested submission deadline of June 11, 2010. These are State funds with no County match. (Adult Migrant) Countywide (TKF)

2. **DELETED**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

**A) receive and file** grant award letter from Department of Health & Human Services, for the budget period of March 1, 2010, through February 28, 2011, in the amount of \$1,939,612;

**B) approve** a waiver of prohibited relationship pursuant to Ordinance 2009-051, the Palm Beach County Code of Ethics, for Kimberly Rommel Enright of Palm Beach County Legal Aid Society, Inc., Hugo Rocchia of Compass, Inc., Rosalyn Collins of Gratitude House, Inc., Marlinda Jefferson of Minority Development and Empowerment, Inc., and Thomas McKissack of Oakwood Center of the Palm Beaches, Inc., who are members of the Palm Beach County HIV Care Council, as well as Mickale Linton of Palm Beach County Legal Aid Society, Inc. member of Palm Beach County Head Start Policy Council; and

**C) approve** contracts with listed provider agencies for the period March 1, 2010, through February 28, 2011, totaling \$1,498,671 for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief Supplemental funds:

<b>A)</b> Compass, Inc.	\$97,029
<b>B)</b> Comprehensive AIDS Program, Inc.	\$331,587
<b>C)</b> Comprehensive Community Care Network, Inc.	\$178,729
<b>D)</b> Legal Aid Society of Palm Beach County, Inc.	\$53,654
<b>E)</b> Minority Development & Empowerment, Inc.	\$140,000
<b>F)</b> Oakwood Center of the Palm Beaches, Inc.	\$119,102
<b>G)</b> Treasure Coast Health Council, Inc.	\$25,614
<b>H)</b> Gratitude House, Inc.	\$8,963
<b>I)</b> Palm Beach County Health Department	\$417,246
<b>J)</b> Health Care District of Palm Beach County	\$126,747
<b>Total</b>	<b>\$1,498,671</b>

**SUMMARY:** A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration (HRSA) was received on April 1, 2010 that conveys an award for Supplemental funds totaling \$1,939,612. The total award includes \$193,961 for Grantee Administration and \$96,980 for Quality Management. The contracts listed represent a portion of the total funding, the balance of the funding will be awarded and the provider contracts will be submitted on a future BCC agenda. The grant award is for the provision of services related to HIV affected clients, such as medical case management, medical care, oral health care and substance abuse treatment. Prohibited relationship waivers are being recommended for five (5) individuals named above who serve as members of the Palm Beach County HIV CARE Council. These individuals are employed by not-for-profit agencies that are current service providers and are being recommended for new service provider contracts. The individuals have disclosed this relationship and are requesting a waiver pursuant to Section 3.D. of the Code of Ethics. The waivers are being recommended in recognition of the fact that federal law and County Resolution R97-1067 require service provider representation on the HIV CARE Council. A prohibited relationship waiver is being recommended for one (1) individual who serves as a member of the Palm Beach County Head Start Policy Council. This individual is employed by a not-for-profit agency that is a current service provider and is being recommended for a new service provider contract. The individual has disclosed this relationship and is requesting a waiver pursuant to Section 3.D. of the Code of Ethics. The waiver is being recommended in recognition of the fact that the individual has no influence on or contact with the Palm Beach County HIV CARE Council and the Ryan White Program. The Grantee, Palm Beach County, is responsible for selecting and contracting with service providers and the Palm Beach County HIV CARE Council is charged with the sole responsibility of determining service priorities and allocation of funding accordingly. The agencies listed were selected through the Request for Proposal (RFP) process and have been recommended to receive funding. These are Federal funds and no County funding is required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. DELETED

5. **Staff recommends motion to approve:** Memorandum of Understanding (MOU) for the Department of Children and Families Adult Protective Services (APS) referrals with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) and the Department of Children and Families (DCF) for the period beginning June 29, 2010, with no expiration date. **SUMMARY:** This MOU with the AAA and DCF will enable the Division of Senior Services (DOSS) to coordinate services for high risk elderly persons at risk of abuse, neglect and exploitation referred by DCF Protective Investigators. These services allow the elderly to remain in the least restrictive setting and avoid or delay premature nursing home placement. No County funds are required. In area south of Hypoluxo Road, the Mae Volen Senior Center, Inc. provides APS services from AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)
6. **Staff recommends motion to approve:** Contract with Palm Beach County Health Department (PBCHD) for the period March 1, 2010, through February 28, 2011, in an amount of \$1,657,000 for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief Formula funds. **SUMMARY:** The PBCHD will provide medical services related to HIV affected clients, such as primary outpatient medical care, treatment adherence, nurse care coordination, laboratory, and oral health care. Funding is provided through the Department of Health and Human Services Health Resources and Services Administration (HRSA). No County funding is required. (Ryan White) Countywide (TKF)
7. **Staff recommends motion to approve:** the Division of Senior Services (DOSS) Palm Beach County Volunteer Stipend Program (PBC VSP) effective June 15, 2010, to provide volunteers for in-home respite and in-facility respite services. **SUMMARY:** The purpose of this new program is to recruit, train, and place volunteers, age 60 and older, for in-home respite and in-facility respite services to frail seniors and their caregivers. This is a 50% County funded and a 50% Older Americans Act Title 3B and 3E funded program, totaling approximately \$46,800 for FY 2010 and approximately \$93,600 every year thereafter. This is a cost effective approach to provide in-home respite and in-facility respite services by utilizing approximately 12 volunteers for approximately 30 hours per week at a reimbursement rate of \$5 per hour for frail elders who would otherwise be placed on a waitlist. DOSS will provide the overall supervision of the volunteers. (DOSS) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** First Amendment to Air Cargo Building Lease and Operating Agreement (First Amendment) with United Parcel Service Co. (UPS) for the lease of 13,800 square feet of paved ground area at the Palm Beach International Airport (PBIA) for ground equipment storage, in the amount of \$8,970 per year. **SUMMARY:** On November 3, 2009, the Board approved the Air Cargo Building Lease and Operating Agreement (Agreement) (R2009-1875) with UPS for the lease of cargo space to UPS for office administration, shipping, receiving and sorting of parcels, freight and cargo. At that time, an expansion to the air cargo apron area was being constructed, which was to include an area for outside storage of ground support equipment (GSE). The Agreement contemplated a future amendment to provide for lease of a portion of the new apron area for storage of UPS' GSE. In addition to leasing apron area for storage of GSE, the First Amendment updates several provisions of the Agreement including the elimination of obsolete terms and the replacement of exhibits to accurately reflect the apron area upon completion of the new air cargo apron area. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to:

**A) approve** a Declaration of Easement and Restrictive Covenants (Declaration) on approximately 6.05 acres of unimproved property at the Palm Beach County Park (Lantana) Airport (Lantana Parcel) and approximately 2.57 acres of property at the Palm Beach County Glades (Pahokee) Airport improved with a maintenance building (Pahokee Parcel) (collectively, the Parcels);

**B) approve** an Access Easement (Easement) on approximately 0.34 acres at the intersection of Congress Avenue and John F. Kennedy Drive; and

**C) receive and file** a Release of Grant Obligations for Federally Obligated Land (Release), releasing the Parcels from federal obligations.

**SUMMARY:** On January 12, 2010, the Board approved an internal Memorandum of Understanding (MOU) for Property Exchange between the Department of Airports (DOA) and Parks & Recreation Department (Parks) (R2010-0056) providing for the exchange of the Parcels by DOA to Parks, for the Easement and approximately 7.48 acres of vacant Park property along the west side of the Lantana Airport. The MOU was contingent on approval by the Federal Aviation Administration (FAA), granting the release of the County's federal grant obligations. On January 12, 2010 (Agenda Item 3F2), the Board authorized the DOA Director to execute the Release. The MOU included a form Declaration attached as Exhibit "C" to the MOU. The FAA required additional language to be added to the Declaration acknowledging that a portion of the Lantana Parcel falls within the Lantana Airport Runway Protection Zone (RPZ), and that use of the Lantana Parcel located within the RPZ must be in compliance with FAA Advisory Circular 150/5300, "Airport Design", and that no structures, equipment or improvements of any kind shall be permitted to be placed within any portion of the Lantana Parcel located within the RPZ. The Easement was attached as Exhibit "D" to the MOU, and will provide DOA access to the property DOA is receiving from Parks. Countywide (AH)

3. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,500,000 for the Westside Hangar Development Phase I at Palm Beach County Park Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,500,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

4. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,500,000 to construct aprons, taxi lanes and infrastructure at North Palm Beach County General Aviation Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,500,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

5. Staff recommends motion to adopt: a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,000,000 for the Parking Garage Rehabilitation at Palm Beach International Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,000,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,750,000 to construct Taxiway Exit C4 and shoulders at Palm Beach International Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,750,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
  
7. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$55,000 to rehabilitate Taxiway M at North Palm Beach County General Aviation Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$55,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)
  
8. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$2,256,000 for the Air Cargo Apron expansion and rehab at Palm Beach International Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$2,256,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)
  
9. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$5,000,000 for security enhancements/improvements at Palm Beach International Airport. **SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$5,000,000 or 100.00% of the eligible project costs. Countywide (AH)
  
10. **Staff recommends motion to receive and file:** two (2) original Agreements for the Department of Airports:
  - A) License Agreement with Centerport, Inc. for use of Unit 1310-A of 1300 Cargo Building, commencing June 1, 2010, expiring June 30, 2010, automatically renewed on monthly basis; and
  - B) Consent to Assignment Sublease for a Sublease Agreement for Galaxy Aviation of Palm Beach, Inc. with FPL Group, Inc. and Florida Power & Light Company.**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R1994-1453 and R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

11. Staff recommends motion to approve:

**A)** a Settlement Agreement with AFCO Constructors, Inc. to settle Case No. 50-2008-CA-020624-MB filed in the Circuit Court of the 15<sup>th</sup> Judicial Circuit authorizing the release of retainage in the amount of \$1,678,288; and

**B)** a Mutual Release with Post, Buckley, Schuh & Jernigan, Inc. (PBS&J).

**SUMMARY:** On February 28, 2006, Palm Beach County contracted with AFCO Constructors, Inc. in the amount of \$17,433,942 to construct three (3) gates on Concourse C at Palm Beach International Airport (R2006-0338). On March 11, 2008, Palm Beach County declared AFCO Constructors, Inc. in default of its contract to construct the gates for failure to perform work in accordance with the contract and authorized the County Administrator to terminate AFCO Constructors, Inc.'s right to complete the work under the contract (R2008-0467), if subsequent negotiations did not result in an agreement that would result in successful completion of the project. On July 14, 2008, AFCO's right to complete the project was terminated. In response to the termination, AFCO Constructors, Inc. filed suit against Palm Beach County in the Circuit Court of the 15<sup>th</sup> Judicial Circuit claiming that Palm Beach County had wrongfully terminated AFCO Constructors, Inc. and that they were entitled to damages. The County filed its own claims in response asserting its right to damages. On June 10<sup>th</sup> and 11<sup>th</sup>, 2010, the parties to the suit conducted mediation, which resulted in the settlement of all claims arising out of the contract to construct three (3) additional gates on Concourse C and any and all other claims of whatever nature by AFCO Constructors, Inc. against Palm Beach County. As a provision of the Settlement Agreement, Palm Beach County agreed to pay AFCO Constructors, Inc. \$1,678,288 which is the amount Palm Beach County held in contract retainage at the time of contract termination. The mediation also resolved disputes between the County and its consultant PBS&J regarding the services rendered by PBS&J on the project. The settlement allowed the Department of Airports to withhold a portion of the fees that PBS&J was claiming for work on the project in exchange for a Mutual Release. Countywide (JCM)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 2 to Contract with The BG Group, LLC (R2008-1055) to implement the second renewal of the annual Demolition contract with a maximum value of \$500,000. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract - Demolition which was awarded to The BG Group, LLC. The annual demolition contract is an indefinite-quantity contract and this renewal has a maximum value of \$500,000. The renewal term is for twelve (12) months or until \$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 second of four extensions allowed by the Contract. The Small Business Enterprise (SBE) participation goal for the contract is 15%. The BG Group's SBE participation for work orders issued to date is 91%. The BG Group, LLC is a certified SBE contractor. The BG Group, LLC is a Palm Beach County company. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Contract with Southeast Drilling Services, Inc. in the amount of \$410,940 for the construction of the irrigation recharge well at the South County Regional Park Osprey Point Golf Course. **SUMMARY:** This contract will provide for construction of a recharge well, distribution pipe, associated electrical service, and control systems. The recharge well and pump will operate by withdrawing water from the well and pumping it into the lake drainage system in order to replace the water withdrawn by the golf course and common area irrigation pumps. This recharge measure is required as part of the South Florida Water Management District Water Use permit re-issued in July, 2009. Budget Transfers were facilitated at the August 18, 2009 BCC meeting to accommodate the funding for this project. The Small Business Enterprise goal for this project is 15%. Southeast Drilling's bid includes participation of 31.9%. The contract time is 90 calendar days to substantial completion. Southeast Drilling Services, Inc. is a Palm Beach County company. (Capital Improvements Division) District 5 (JM)
  
3. **Staff recommends motion to approve:** Amendment No. 5 to the Contract with The Weitz Company, (R2007-1105) for construction management services for various capital projects. **SUMMARY:** The Weitz Company was selected to provide construction management services associated with the design and construction of various capital projects which may include new construction, additions, or renovations from \$400,000 to \$25,000,000. The original contract provided for an initial two (2) year term with three (3) - one (1) year renewal options. Amendment No. 5 will provide for services during the second renewal period. The Weitz Company has a Small Business Enterprise (SBE) participation goal of 15%. During the three (3) years of the contract, The Weitz Company has achieved 19.6% participation. The Weitz Company is a Palm Beach County company. (Capital Improvements Division) Countywide (JM)
  
4. **Staff recommends motion to approve:** Amendment No. 3 to the Contract for Mechanical Electrical Plumbing (MEP) engineering services with Gartek Engineering Corporation (R2008-1304) for professional consulting services on a continuing contract basis. **SUMMARY:** Gartek Engineering Corporation was selected to provide professional consulting services for annual MEP Services. The original contract provided for an initial one (1) year term with two (2) – one (1) year renewal options. Amendment No. 3 will provide for services during the second renewal period. Gartek Engineering Corporation has a Small Business Enterprise (SBE) participation goal of 100%. During the two (2) years of the contract, Gartek Engineering Corporation has achieved 100% participation. Gartek Engineering Corporation is a Palm Beach County company. (Capital Improvements Division) Countywide (JM)
  
5. **Staff recommends motion to approve:** Amendment No. 3 to the Contract for Mechanical Electrical Plumbing (MEP) engineering services with BRPH Architects-Engineers, Inc. (R2008-1305) for professional consulting services on a continuing contract basis. **SUMMARY:** BRPH Architects-Engineers, Inc. was selected to provide professional consulting services for annual MEP services. The original contract provided for an initial one (1) year term with two (2) - one (1) year renewal options. Amendment No. 3 will provide for services during the second renewal period. BRPH Architects-Engineers, Inc. has a Small Business Enterprise (SBE) participation goal of 20%. During the two (2) years of the contract, BRPH Architects-Engineers, Inc. achieved 25.8% participation. BRPH Architects-Engineers, Inc. is a Palm Beach County company. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Modification No. 2 to Subgrant Agreement (R2008-0048) with the Florida Division of Emergency Management (DEM). **SUMMARY:** Following Hurricane Wilma in 2005, the United States Department of Homeland Security-Federal Emergency Management Agency (FEMA) made available Hazard Mitigation Grant Program funds for projects designed to mitigate the hazards of disaster events relative to critical governmental facilities. A grant was approved for the work relating to the purchase and installation of impact resistant glass on all windows and doors for the Governmental Center, State Attorney/Public Defender (SA/PD), and Main Courthouse which was subsequently revised to remove the Governmental Center from the project. The grant contained a completion date of June 30, 2010. Although work on the glass replacement began on October 21, 2009, due to previous delays in design and testing of window assemblies, the work cannot be completed within the original performance period. Modification to the Agreement is necessary to extend the completion date to June 30, 2011. (Capital Improvements Division) Countywide/District 7 (JM)

7. **DELETED**

8. Staff recommends motion to receive and file:

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

**B)** Notice to exercise the third option to extend the term of the Automated Teller Machine (ATM) Operating License Agreement (R2007-2244) dated December 18, 2007, with the PBC Credit Union for the operation of ATMs within the Downtown West Palm Beach Office of the Tax Collector located at 301 North Olive Avenue, West Palm Beach;

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

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

**SUMMARY:** The PBC Credit Union currently leases ATM space within four (4) separate branch offices of the Tax Collector of Palm Beach County, for the operation of ATMs. The initial term of each ATM Operating License Agreement ("Agreement") was for approximately six (6) months ending on May 31, 2008, with five (5) extension options, each for a period of one (1) year. The second extension of the Agreements expired on May 31, 2010 (R2009-0762 through 0765). This third option extends the term of the Agreements for one (1) year, from June 1, 2010, through May 31, 2011. The Agreement authorizes the County Administrator to approve renewals on behalf of the County. Either party may terminate this Agreement upon 30 days written notice. There is no annual rent for these Agreements. (PREM) Districts 1, 6 & 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: Task Order No. 2 to Construction Master Service Agreement (MSA) No. 112842UA-1 with AT&T Corp. (R2009-0199) in the amount of \$1,932,326.53 providing for professional services, detention kiosks, detention furniture as well as inmate and public video conferencing units associated with the Video Visitation System (VVS). **SUMMARY:** The approved Jail Expansion Program includes the implementation of VVS to reduce; 1) overall operating costs; and 2) security and contraband risks within the detention facilities. The heart of the VVS contemplated will include an automated scheduling component that will be visitor friendly and accessible on the Internet. The VVS project is being implemented in four (4) phases; the first two were approved by the Department Director with a cumulative value of less than \$200,000. On May 18, 2010, the Board approved Task Order No. 1 to the MSA which included the purchase, delivery and installation of the core server system at the Central Video Visitation Center. Task Order No. 2 to the MSA includes the furniture, inmate video stations, public video stations, remote monitoring modules, public scheduling kiosks and the control-interrupt components required to complete the VVS project. A liquidated damages provision applies to the work. Task Order No. 2 also includes the annual license fee, software and hardware support services (including upgrades) for three (3) years after substantial completion. The term of Task Order No. 2 is through January 20, 2011. (FDO ESS) Countywide (JM)
10. Staff recommends motion to:
- A) approve** a utility easement agreement in favor of BellSouth Telecommunications, Inc. d/b/a AT&T Florida;
- B) approve** a utility easement agreement in favor of Florida Power & Light Company;
- C) approve** a utility easement in favor of the Loxahatchee River Environmental Control District; and
- D) approve** a utility easement in favor of the Town of Jupiter in support of the abandonment of a portion of DuBois Road located within the County's DuBois Park in unincorporated Jupiter.
- SUMMARY:** DuBois Park is located on the south shore of the Jupiter Inlet in an unincorporated pocket. As a part of the planned expansion of the Park, a portion of DuBois Road within the Park must be abandoned. The County is required to grant an easement to the utility companies that have existing lines and equipment within the road right-of-way. Perpetual non-exclusive easements will be granted to the utility companies at no charge. The easement area is 205.70 feet long and 30 feet wide and contains 6,171 square feet (0.14 acres). (PREM) District 1 (HJF)
11. Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light Company (FPL) for underground electrical service to the Southwinds Golf Course clubhouse in unincorporated Boca Raton. **SUMMARY:** The County is constructing a new clubhouse at the Southwinds Golf Course to replace the old clubhouse which had to be demolished after being damaged beyond repair by Hurricane Wilma. FPL requires an easement for the installation of underground electrical service and a transformer to service this facility. The easement area is approximately 10' wide and 382' long and contains 3,824 square feet (0.09 acres). This non-exclusive easement is being granted at no charge as it will provide electrical service solely for the benefit of the County facility. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to approve: a Declaration of Easement in favor of the Palm Beach County Water Utilities Department for a water main servicing the PBSO Training Facility on Cherry Road in unincorporated West Palm Beach. **SUMMARY:** The Palm Beach County Water Utilities Department installed an underground water main for future development at the PBSO Training Facility, located at 4215 Cherry Road in unincorporated West Palm Beach. The County acquired the 20-acre parcel, which is east of North Military Trail and North of Belvedere Road in 2003 from The King's Academy, Inc. An easement is needed to protect both the existing and the newly constructed water main. Except for an above-ground fire hydrant and backflow preventer valve, all improvements associated with this easement are located underground. The easement area is approximately 460 feet long and approximately 20 feet wide and contains 8,845 square feet (0.20 acres) and is located in the south central portion of the site. (PREM) District 2 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2007-1726) with Habitat for Humanity of Palm Beach County, Inc., to extend the expiration date from July 2, 2010, to March 31, 2011, and to add certain provisions relating to Ordinance No. 2009-049 pertaining to the Office of the Inspector General. **SUMMARY:** On October 2, 2007, Palm Beach County entered into an Agreement (R2007-1726) with Habitat for Humanity of Palm Beach County, Inc. (Habitat), for the conveyance of a parcel of County-owned land (known as Kennedy Estates) to Habitat. In exchange for the receipt of title to the land, Habitat was to construct 27 zero lot line single family affordable housing units and to sell them by July 2, 2010, to low-income households (whose household incomes are at or below 80% of the area median income). Habitat has constructed 16 units and is in the process of having the County income qualify the purchasers. In addition, Habitat is also in the process of completing the remaining units. This Amendment provides a time extension to allow for the completion of activities intended under the Agreement. The Amendment also incorporates certain provisions into the Agreement that relate to the Office of the Inspector General. **These are Federal Community Development Block Grant funds which require no local match.** District 1 (TKF)
2. Staff recommends motion to approve: a Budget Amendment of \$6,533,405 to establish the budget for the Community Development Block Grant (CDBG) Disaster Recovery Initiative – 2008 Supplemental Appropriation (DRI4) No. 10-DB-K4-10-60-01-K29 in the FY2009-2010 budget. **SUMMARY:** Palm Beach County received notification from the Florida Department of Community Affairs (DCA) that the application for \$6,533,405 in Community Development Block Grant Disaster Recovery Funding that was made available to the State of Florida by the U.S. Department of Housing and Urban Development has been approved. The grant agreement was signed and executed by the County Administrator on May 17, 2010. The County has been designated by the State as the local administering entity. Eligible activities are limited to repairs and recovery from damages caused by Tropical Storm Fay, including: housing assistance, infrastructure repair and improvements, assistance for commercial areas, and program administration. **These are Federal Community Development Block Grant funds which require no local match.** Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. Staff recommends motion to receive and file: an Agreement with the Village of Wellington in the amount of \$750,000, funded under the Neighborhood Stabilization Program, for the period of May 15, 2010, to April 30, 2011. **SUMMARY:** Palm Beach County entered into a Grant Agreement (R2009-1672) with the U. S. Department of Housing and Urban Development for the receipt of \$27,700,340 under the Neighborhood Stabilization Program (NSP). On November 3, 2009, The Board of County Commissioners approved funding recommendations for this Program which included a funding allocation of \$750,000 to the Village of Wellington. This Agreement makes funds available for the acquisition and rehabilitation of foreclosed properties. Acquired properties are then sold to income qualified households. The County Administrator executed this Agreement under the authority provided by the Board of County Commissioners on November 18, 2008, (R2008-2154). **These are Federal Neighborhood Stabilization Program Grant funds which require no local match.** District 6 (TKF)
  
4. Staff recommends motion to receive and file: an Agreement in the amount of \$403,305.50 with the Boca Raton Housing Authority for the period June 1, 2010, to October 22, 2010. **SUMMARY:** This Agreement provides funding under the 2005 Disaster Recovery Initiative (DRI) Program - Supplemental Appropriation for the continuation of a project that was commenced under Agreement (R2009-1778) which expired with the expiration of the DRI Grant Agreement with the Florida Department of Community Affairs. The \$405,000 funded through the expired Agreement, less funds expended on the project to date, is being recommitted to the project through this Agreement. Under this Agreement, the Boca Raton Housing Authority (BRHA) will receive the remaining \$403,305.50 for hurricane hardening at its Banyan Place property. The BRHA has prepared and submitted the bid documents for the work to Housing and Community Development. Approval of the Agreement will allow work to proceed on the project. The project experienced delays related to the preparation and review of contract documents and specifications. The DRI Grant Agreement with the Florida Department of Community Affairs has now been extended to October 22, 2010. The expiration date of this Agreement coincides with the new expiration of the Grant Agreement with the State. The County Administrator executed this Agreement under the authority provided by the Board of County Commissioners on September 11, 2007 (R2007-1524). **These are Federal Community Development Block Grant funds which require no local match.** District 4 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a voluntary one time “Special Assessment” fee from the Florida Water Environment Association Utility Council (FWEAUC) in the amount of \$8,400 to make certain that numeric nutrient standards being developed by the United States Environmental Protection Agency (EPA) are meaningful, reasonable and based on sound science. **SUMMARY:** This special assessment is being sought from all members to subsidize the FWEAUC’s efforts to make certain that the proposed numeric nutrient standards are scientifically sound and do not have severe, unintended economic consequences on water and wastewater providers in Florida. The FWEAUC is a technical and scientific association of 47 local government and private utilities in Florida (including PBCWUD), representing more than eight (8) million Florida residents, that own and operate domestic wastewater treatment, disposal, reuse, and recycling facilities. Its members share a common commitment to environmental protection and scientifically sound environmental policies. The economy of scale achieved by supporting FWEAUC’s efforts to make certain cost effective rule development, which if promulgated is expected to adversely impact Palm Beach County residents and businesses and be unlikely to achieve meaningful environmental protection, more than justifies the anticipated costs WUD would incur through independent engineering and/or legal contractual services. The South Florida Water Management District Department of Environmental Protection (FDEP), and the State of Florida have all provided official comment expressing concerns over the scientific validity and cost impact of the proposed rule. This assessment is above the regular dues amount of \$5,600, which has been paid for 2010. Countywide (MJ)

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

**A)** a Contract with John J. Kirlin, LLC, to construct the Water Treatment Plant No. 2 Miex Treatment System in the base bid amount of \$4,985,000;

**B)** Change Order No. 1 increasing the amount of this Contract by \$847,448 to add bid alternate No. 1 for Miex Contactor No. 2;

**C)** Change Order No. 2 to this Contract in the deductive amount of \$2,803,005 deleting the materials and equipment for the purpose of sales tax recovery and designating John J. Kirlin LLC, as the County’s agent for the inspection and receipt of the materials;

**D)** Purchase Order with vendor for the materials and equipment in the amount of \$2,690,000; and

**E)** a Budget Amendment of \$1,750,000 in the Capital Improvement Fund to fund bid alternate 1 and the Miex resin which will be purchased separately.

**SUMMARY:** On March 9, 2010, twelve (12) bids were received for construction of the Water Treatment Plant No. 2 Miex Treatment System to replace the existing ozone system with John J. Kirlin LLC being the lowest responsive responsible bidder based upon local preference in the amount of \$4,985,000. The Miex anionic exchange process will remove the color compounds, improve the water quality and reduce energy consumption compared to the existing ozone treatment process. By approving Change Order No. 1 to this Contract, Miex will be used for the full treatment flow and will increase the plant capacity by 1.9 million gallons per day (MGD). By approving Change Order No. 2 to this contract, and purchasing the associated materials and equipment directly from the vendor listed in the purchase orders, total sales tax savings of \$113,005 can be achieved. Staff and consultants have reviewed the bids and recommend award to John J. Kirlin LLC as the lowest responsive and responsible bidder in the amount of \$4,985,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with John J. Kirlin LLC provides for SBE participation of 15.30% overall for the base bid. Change Order No. 1 includes 15.59% overall SBE participation. The contractor’s SBE participation, including this change order, is 15.34% overall. John J. Kirlin LLC is a local Palm Beach County company. (WUD Project No. 09-046) District 2 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

**A)** Amendment No. 1 to extend the piggyback contract with Aquifer Maintenance and Performance Systems (AMPS) for rehabilitation of surficial aquifer wells for a period of 365 days in the amount of \$300,000; and

**B)** Amendment No. 2 to the contract to incorporate the requirements of the Inspector General Ordinance and the associated fee to the contract.

**SUMMARY:** On December 1, 2009, the Board approved the piggyback contract (R2009-2074) with AMPS in the amount of \$450,000. The piggyback contract is from the Town of Jupiter (Contract No. JW 09-03). On April 30, 2010, the Town of Jupiter renewed the AMPS contract for a period of 365 days. Amendment No. 1, the extension of the piggyback contract, is a 365 days renewal in an amount not to exceed \$300,000. Amendment No. 2 adds the requirements of the Inspector General Ordinance and the associated fee to the contract. The piggyback contract has been used for wellfield rehabilitation to maintain adequate raw water supply to all of the Water Utilities Department's (WUD) Water Treatment Plants. The Town of Jupiter does not have an SBE program. Amendment No. 1 includes a 15% SBE participation goal in accordance with SBE Ordinance (R2002-064) as a part of the contract extension. AMPS is a local Palm Beach County company. (WUD Project No. 09-069) Districts 2, 5 & 6 (MJ)

4. Staff recommends motion to approve: a Change Order No. 3 to the contract with the Poole and Kent Company of Florida (Poole & Kent) for the Lake Region Wellfield Improvement Project (R2006-2313) increasing the contract price by \$60,366.82 and providing a 946-day time extension. **SUMMARY:** On October 17, 2006, the Board of County Commissioners approved the contract with Poole & Kent Co. (R2006-2313) in the amount of \$5,026,000. The contract with Poole & Kent for the Lake Region Wellfield Improvements Project included well pumping, modification to remote storage and telemetry. Change Order No. 3 includes construction changes and a contract settlement. The seven (7) Floridan wells became operational in February of 2008. The naturally occurring artesian pressures and brackish water caused electrical problems in the pump motor cables over the past two (2) years. Poole & Kent has agreed to pay for the associated labor and equipment costs to remove and reinstall all seven submersible well pumps in exchange for the time extension. The Glades Utility Authority will pay for materials and construction of an improved surface seal for the electrical cables. The replacement of the well pumps and motors will be completed by the fall of 2010. The contract with the Poole & Kent provides for SBE participation of 15.63% overall. This Change Order includes zero overall SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 17.30% overall. (WUD Project No. 03-169) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **Staff recommends motion to approve:** a Potable Water and Wastewater Development Agreement with Hippocrates Health Institute of Florida, Inc., and Rita J. Romano. **SUMMARY:** On October 2, 2007, Hippocrates Health Institute, Inc. (HHI) and Rita J. Romano entered into a Development Agreement (2007 Agreement) with the County and paid guaranteed revenue fees (Fees) to reserve potable water and wastewater capacity in order to develop property located at the northwest corner of Palmdale Road and Skees Road. The payment of the Fees were calculated based on the site being classified as a multi-family use, but site plans and engineering plans subsequently presented to Water Utilities clarified that all proposed connections should be accurately reflected as a non-residential classification. This Development Agreement supersedes and voids the 2007 Agreement and transfers credit for the previously paid Fees. Further, this Agreement clarifies the unique ownership, development and operation of the Hippocrates Health Institute and the water, wastewater utilities to be installed on the property. Under the terms of this Agreement, the Property Owners, collectively and individually, and their successors, heirs and/or assigns, agree to protect, indemnify, release, acquit, discharge and hold Utility harmless from and against any and all liabilities, damages, penalties, claims, costs and expenses whatsoever, including attorneys' fees at all levels, which may be imposed upon or asserted against Utility as a result of or in any way connected to the termination of potable water service and/or wastewater service to the Romano Property from the facilities located on the Hippocrates Property. District 2 (MJ)
  
6. **Staff recommends motion to approve:** Supplement No. 2 to Consultant Services Authorization No. 2 to the contract with Carollo Engineers (R2008-0526) for construction services related to the Water Treatment Plant (WTP) No. 2 Miex Treatment System in the amount of \$249,734. **SUMMARY:** On April 1, 2008, the Board of County Commissioners approved a Contract for Professional Consulting Engineering Services with Carollo Engineers (R2008-0526) for Water Plant & Water Resources Engineering Services. On April 21, 2009, the Board approved a Consultant Services Authorization No. 2 (R2006-0868) for the design of the Water Treatment Plant No. 2 Miex Treatment System. This Consultant Service Authorization provides limited construction management services and startup assistance during construction of the Water Treatment Plant (WTP) No. 2 Miex treatment system. The balance of construction management services will be provided by Water Utilities Department staff. The contract with Carollo Engineers includes the small business (SBE) participation goal of 40%, which exceeds the 15% goal established by the Palm Beach County Ordinance (No. 2002-064). This Consultant Services Authorization includes 29.28% overall SBE participation. The consultant's cumulative SBE participation, including this authorization, is 33.33% overall. (WUD Project No. 07-096) District 2 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **DELETED**
  
2. **Staff recommends motion to approve:** a Utility Easement Agreement (Agreement) granted to Florida Power & Light Company (FPL) to allow for the installation of electrical service to provide power to a drainage structure proposed to be constructed in the EPB-10 Canal for the hydrological restoration of Winding Waters Natural Area. **SUMMARY:** The Agreement grants FPL permission to install the electrical service required to provide power to a telemetry controlled water control structure that will benefit both created and onsite former wetlands at Winding Waters Natural Area. The easement granted to FPL is contained within a previously designated nonexclusive easement area granted to Northern Palm Beach County Improvement District (Northern) (R2009-1347). District 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to approve: the revised Management Plan for the Jupiter Ridge Natural Area. **SUMMARY:** The first 10-year update to the Management Plan for the Jupiter Ridge Natural Area was approved by the Board on December 2, 2008. The state Acquisition and Restoration Council (ARC) approved the updated plan on August 13, 2009, subject to changes requested by ARC members and various state agencies that reviewed the Plan. The revised Plan includes those changes as well as current monitoring protocols, revised figures, and an updated cost estimate table for annual maintenance of the site. The next update to the Management Plan is anticipated to be due in 2020. District 1 (SF)

4. Staff recommends motion to:

**A) approve** a Termination Agreement and Release of Bond with the Northern Palm Beach County Improvement District (Northern) and Taylor Morrison of Florida, Inc. (Taylor). The Agreement terminates Northern's and Taylor's access to County land for purposes of removing what was originally thought to be a temporary water management berm. The County-held bond was intended to provide for the cost of berm removal. It has since been determined that removal of the berm is highly unlikely in the foreseeable future;

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

**C) rescind** License Agreement R2010-0207 which was approved by the Board of County Commissioners (BCC) on February 2, 2010, but which License Agreement was never executed by Northern.

**SUMMARY:** A Temporary Water Management Easement (R2002-0583) and a Construction Agreement (R2002-0584) provided by the BCC to Northern and Taylor Woodrow Communities (now known as Taylor Morrison of Florida) allowed for construction of the Old Marsh Berm within the County's Loxahatchee Slough Natural Area. It was anticipated that the berm would be removed at Northern and Taylor's expense once the South Florida Water Management District G-160 structure became fully operational. It has since become apparent that there are hydrologic and environmental benefits to the berm remaining in place even if the G-160 structure becomes operational. Within the now-proposed Termination Agreement, Taylor provides \$30,000 to the County which would provide for the cost of berm removal should that become necessary. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to approve:

**A)** Contract with Murray Logan Construction, Inc. in the amount of \$2,152,856 for the construction of the Juno Dunes Natural Area Environmental Restoration and Public Use Facilities, Project No. 2009ERM04 (Project) in Juno Beach, Florida;

**B)** Budget Transfer of \$281,690 in the Natural Areas Fund from Reserves to the Environmental Resources Capital Fund; and

**C)** Budget Amendment of \$281,690 in the Environmental Resources Capital Fund to recognize the transfer for the Juno Dunes Natural Area Restoration Project.

**SUMMARY:** Seven (7) eligible bids were received for construction of wetlands, boat basin, rock jetties, floating dock, boardwalk, observation tower, other recreational facilities and landscaping in the Juno Dunes Natural Area. Murray Logan Construction, Inc., a Palm Beach County company, was the lowest responsive, responsible bidder with a bid that exceeds the established 15% Small Business Enterprise (SBE) goal with 15.40% participation. Florida Inland Navigation District (FIND) funds (R2009-0113) a major part of this Project, which is supplemented by a Metropolitan Planning Organization grant and the Natural Areas Fund, all non-ad valorem sources. If removed fill is acceptable for transport to the South Cove restoration, the alternate bid included in the award will be funded by Vessel Registration Fees, the Lake Worth Lagoon State grant and manatee funds as match. District 1 (JM)

6. Staff recommends motion to approve: Permit and License from City of West Palm Beach for the South Cove Ramp, which will allow the County to construct, install, maintain and replace a ramp and step system connecting the South Cove Natural Area boardwalk to the City seawall and sidewalk. **SUMMARY:** The South Cove Natural Area is a high priority restoration project proposed in the Lake Worth Lagoon off Flagler Drive in the City of West Palm Beach. The Natural Area will consist of mangrove islands, seagrasses and oyster reef habitat that will be accessed via a 556' boardwalk and observation deck. The County anticipates construction of the South Cove Natural Area next year. Under this Permit and License, the County shall assume costs for the maintenance, repair and replacement of the ramp and step system. District 7 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: original executed Request for Funding Form for School Board Recreation Assistance Program (RAP) project for Suncoast Community High School for the period November 10, 2009, through June 30, 2010, in an amount not-to-exceed \$2,500 for a band competition trip to Orlando, Florida. **SUMMARY:** This fully executed Request for Funding Form is for a School Board RAP allocation made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747), as amended. This allocation was approved by the Board on February 23, 2010. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to approve:

**A)** the third extension to the Concessionaire Service Agreement (R2007-1153) with Vending Americas, Inc., to provide vending machine services at Parks and Recreation facilities located in the north and west regions for the period July 11, 2010, through July 10, 2011; and

**B)** the third extension to the Concessionaire Service Agreement (R2007-1154) with Sunshine Beverage and Snack, LLC, to provide vending machine services at Parks and Recreation facilities located in the south region for the period July 11, 2010, through July 10, 2011.

**SUMMARY:** On July 10, 2007, the Board approved Concessionaire Service Agreements with Vending Americas, Inc. and Sunshine Beverage and Snack, LLC. The original Agreements provided for an initial one (1) year term, which expired on July 10, 2008, with four (4) one (1) year renewal options. On July 22, 2008, the Board approved the first extension of each of these Agreements. On July 7, 2009, the Board approved the second extension of each of these Agreements. This amendment renews the Agreements for the third option period of July 11, 2010, through July 10, 2011, and adjusts the machine fee amounts that the vendors will pay to the County for the period July 11, 2010, through July 10, 2011 by multiplying the current monthly payment by 104%. All other terms of the contract remain the same. Vending Americas, Inc. has a Palm Beach County office. Sunshine Beverage and Snack, LLC is a Palm Beach County company. Countywide (AH)

3. Staff recommends motion to approve:

**A)** Budget Transfer of \$50,000 within the \$25M General Obligation '05, Recreational & Cultural Facilities Bond fund from Veterans Park West Boca Improvements to West Delray/Boynton District Park; and

**B)** Budget Transfer of \$23,304 within the Park Improvement Fund from Veterans Park West Boca Improvements to West Delray/Boynton District Park.

**SUMMARY:** The total estimated cost to complete the second field is \$138,000. This Budget Transfer and current available budget in this project will provide the necessary funding to complete a second soccer field at the West Delray/Boynton District Park. Funding is from the 2002 General Obligation bond referendum and Park Improvement Fund. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Eric Mundt, Competitive Diving Coach, Aqua Crest Pool for the period May 8, 2010, through May 7, 2011, in an amount not-to-exceed \$14,000;

B) Building Up Sports Academy, Inc., Fishing Camp Instructor, John Prince Park and Okeeheelee Park for the period June 14, 2010, through August 14, 2010, in an amount not-to-exceed \$6,412.50;

C) Valerie Bell, Crafts and Fun, Westgate Park and Recreation Center for the period June 15, 2010, through June 16, 2010, in an amount not-to-exceed \$336.50;

D) Valerie Bell, Crafts and Fun, Westgate Park and Recreation Center for the period July 21, 2010, through July 22, 2010, in an amount not-to-exceed \$168.50;

E) Valerie Bell, Crafts and Fun, West Jupiter Recreation Center for the period July 1, 2010, through July 16, 2010, in an amount not-to-exceed \$564.18; and

F) Valerie Bell, Crafts and Fun, West Jupiter Recreation Center for the period July 1, 2010, through July 16, 2010, in an amount not-to-exceed \$564.18.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. The Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. Districts 1, 3, 6 & 7 (AH)

5. Staff recommends motion to:

A) **receive and file** a fully executed State of Florida Department of Environmental Protection (FDEP) Land and Water Conservation Fund (LWCF) Project Agreement for John Prince Memorial Park Campground Phase II;

B) **approve** Budget Amendment of \$200,000 within the Park Improvement Fund to establish budget for the approved grant; and

C) **execute** a Notice of Limitation of Use/Site Dedication identifying the project site for outdoor recreation for the use and benefit of the public in perpetuity.

**SUMMARY:** On April 7, 2009, the Board authorized submission of a LWCF grant application for improvements at the John Prince Memorial Park Campground Phase II (R2009-0589). The Board also authorized the County Administrator or his designee to execute the Project Agreement (FDEP Contract Number LW571) and other standard state and/or federal grant forms related to this project if the grant was approved. This grant was approved, the Project Agreement has been fully executed, and it is now being submitted to the Board to receive and file. Upon completion of the project, the Project Agreement requires the County to execute and record a Notice of Limitation of Use dedicating the land in perpetuity as an outdoor recreation site as part of the closeout documentation. The term of the agreement is from May 18, 2010, to May 18, 2013. The total grant project cost is estimated at \$400,000. The awarded grant is for \$200,000 (50% of the total grant project cost) and will be matched with \$14,000 from the Park Improvement Fund, \$70,000 from the Parks Maintenance Division FY 2010 operating budget, and \$116,000 from the Zone 2 Park Impact Fees. District 3 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: a Landscape Maintenance Memorandum of Agreement with the State of Florida Department of Transportation for the installation and maintenance of landscape improvements within the right-of-way of State Road 809 approximately 800 feet north of Cambridge Road. **SUMMARY:** For approximately the last 20 years, the County, through the Cooperative Extension Service Department has maintained the median on Military Trail north of Cambridge Road. The State of Florida Department of Transportation ("DOT"), in consultation with County Extension horticulturists, have developed a new design for the median, which includes the removal of seven (7) trees, amending the soil, adding and replanting native trees and native ground covers that require minimum water and fertilization. Plant material and installation expenditures will be the responsibility of the DOT, amounting to approximately \$32,848.34, and the ongoing maintenance will be the responsibility of the County during the 25 year term of the Agreement. District 4 (AH)

S. FIRE RESCUE

1. Staff recommends motion to:

**A) ratify** the Chair's signature approving a grant application to the U.S. Department of Homeland Security's (DHS) 2010 Assistance to Firefighters Grant program in the amount of \$445,016, with a local match of \$111,254 for a total project cost of \$556,270; and

**B) ratify** the Chair's signature approving the County Administrator, or his designee (Division Chief Thomas Tolbert), to act as the County's representative for the purpose of electronically signing and submitting the Grant Application via the DHS/FEMA website.

**SUMMARY:** The 2010 Assistance to Firefighters Grant (AFG) Program is a competitive grant program designed to assist local fire departments in protecting citizens and firefighters against the effects of fire and fire-related incidents. This grant program funds activities such as purchasing firefighting equipment, personal protection equipment, training, firefighting vehicles, and firefighter/first responder safety projects. If awarded this grant, Fire-Rescue will use the funds to purchase 130 mobile data computers to be placed in service on all first response apparatus providing an essential tool for quickly conducting patient assessment and related medical functions in a fast and efficient manner, while increasing the accuracy of the data collection during patient contact. This grant project also includes the purchase of 5 electronic cradles, 58 battery bank chargers for each fire station, 232 spare batteries and 20 printers with Bluetooth compatibility. Grant rules require submission of grant applications by electronic format in order to assure an efficient review and competitive scoring of all funding requests submitted under this program. The deadline for submission of this grant application to the grantor agency was 5:00 p.m. on May 28, 2010. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant had to be submitted prior to full Board approval. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve: a First Amendment to Professional Services Agreement with Hope Health and Wellness, Inc., to provide a fire department physician and related services for a one (1) year period beginning October 1, 2010, in an amount not-to-exceed \$500,000 annually. **SUMMARY:** The components of the Palm Beach County Fire-Rescue Wellness Program established by the Collective Bargaining Agreement (CBA) include the provision of a Fire Department Physician, the administering of medical physical examinations and drug testing for Fire-Rescue employees. The Palm Beach County Fire-Rescue Wellness Steering Committee (Committee) is comprised of staff appointed by the Fire-Rescue Administrator and the Professional Firefighters/Paramedics of Palm Beach County (Local 2928), to direct, establish guidelines, make recommendations and evaluate the Fire-Rescue Wellness Program. The Committee is responsible for selecting a service provider and approving a Service Agreement. On October 6, 2008, the County issued a Request for Proposal (RFP) for Fire Department Physician and Related Services. Seven (7) proposals were received in response to the RFP. The Committee members evaluated each proposal and selected Hope Health and Wellness, Inc. (Provider) based on a total points scoring system. The current Agreement (R2009-0127) is set to expire September 30, 2010; however it provided for three (3) additional one (1) year periods by written agreement of the parties, and prior written approval of the Committee. The Committee approved a one (1) year renewal of the Agreement, the addition of a fee for onsite blood alcohol testing, and clarification of medical record retention requirements by the current Provider. The Provider provided written agreement to extend the term and provided a per occurrence charge of \$50 for the alcohol testing and a monthly charge of \$150 for the additional storage requirements. The Committee approved the additional charges and prepared this First Amendment to renew the Agreement for a one (1) year period and revise the Agreement to clarify the medical records retention requirements and to include the additional fees. The total amount to be paid by the County under this Agreement shall not exceed a total annual amount of \$500,000. Hope Health and Wellness, Inc. is a local business in Palm Beach County. Countywide (SGB)
3. Staff recommends motion to approve: The write-off of uncollectible emergency transport patient accounts to remove these amounts from the County's financial books for the following period:

October 1, 2005 through September 30, 2006 (FY06)	\$3,405,411.50
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**SUMMARY:** In December 1994, the Board authorized Fire Rescue to transport critically ill/injured patients and bill for those services. The County contracts with a private company for these billings and collections services. The County receives payment from a number of sources, including commercial insurance, Medicare, Medicaid, and private individuals. During the period October 1, 2005 to September 30, 2006, Fire Rescue generated \$12,414,666.70 in gross transport billings and collected (to-date) \$7,807,696.73 or 62.9%. After adjustments, the balance of \$3,405,411.50 is currently deemed to be uncollectible and staff recommends that this amount be written-off the County's financial books. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) approve** a Contract with 211 Palm Beach/Treasure Coast to provide over the phone emergency crisis counseling services through the Rape Crisis Hotline in an amount not to exceed \$42,000 for the period July 1, 2010, through June 30, 2011 with four (4) – one (1) year options for renewal at the sole discretion of the County; and

**B) authorize** the County Administrator or his designee to exercise the option to extend the contract, providing that funding is available and the County Attorney signs for legal sufficiency.

**SUMMARY:** In 2007, as a pilot program, the Public Safety Department started answering the Rape Crisis Hotline calls, which created approximately \$65,000 in overtime paid due to the staffing requirements needed for these types of calls. In order to reduce the amount of overtime paid, the Rape Crisis Hotline calls will be transferred back to 211 Palm Beach/Treasure Coast costing \$42,000. Also, \$3,000 from the Sexual Assault grant funding will be used to offset the sexual violence type calls through the Rape Crisis Hotline for a total savings of \$26,000. 211 Palm Beach/Treasure Coast will provide immediate telephone rape crisis intervention services 24 hours per day, seven (7) days per week on the Rape Crisis Hotlines. At no cost to the County, 211 Palm Beach/Treasure Coast will continue to work with Palm Beach County's Division of Emergency Management to provide the residents of Palm Beach County with resident access to information during community emergencies through the use of 211. Countywide (GB)

2. **Staff recommends motion to approve:** a Contract with Intrado/Positron for completion of the new Next Generation 911 (NG 911) phone system for the period July 1, 2010, through December 31, 2017 for an amount not to exceed \$13,400,039.37. The cost of the contract and the new NG 911 phone system is funded entirely with state grants and revenue generated from the 911 system. **SUMMARY:** On April 20, 2010, the Board approved a contract with AT&T and Kimball and Associates for the new NG 911 phone system. The AT&T contract provides for the purchase, installation and maintenance of network and call routing software and hardware related to the new NG 911 phone system. The Kimball & Associates contract provides the County with the technical support, project management and oversight necessary for a successful implementation of the NG 911 project. Staff is respectfully seeking the Board of County Commissioners approval of the final contract with Intrado/Positron in order to complete the final stages of the new NG 911 phone system for an amount not to exceed \$13,400,039.37. Of this amount, \$7,590,912.01 represents the purchase, installation, initial maintenance and training of the NG 911 phone system. The remaining \$5,809,127.36 represents the onsite equipment maintenance, software maintenance and help desk support for the balance of the contract. The Intrado/Positron contract will provide for the purchase and installation of call receiving and handling software and equipment for the new NG 911 phone system. The Scope of Work includes, but is not limited to, installation of software and equipment at the 22 Public Safety Answering Points (PSAP) throughout the County, backup data centers located outside of Palm Beach County, and training of PSAP personnel. The new NG 911 phone system will be operational within an 18 month timeframe. Countywide (GB)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) approve** Florida Commission for the Transportation Disadvantaged (CTD) Trip and Equipment Grant in the amount of \$1,955,423 for FY 2010/2011 to provide non-sponsored trips in accordance with the Transportation Disadvantaged Trust Fund in Chapter 427 Florida Statutes and Rule 41-2 Florida Administrative Code; and

**B) authorize** the Executive Director of Palm Tran, through the County Administrator or his designee, to file and execute the Trip and Equipment Grant Agreement with the CTD.

**SUMMARY:** On May 18, 2010, the Board of County Commissioners approved a resolution (R2010-0797) authorizing the filing of a Transportation Disadvantaged Trust Fund Application with the CTD, and delegating authority to the Palm Tran Executive Director to execute the Standard Coordination/Operator contracts on behalf of Palm Beach County. Based on that approval, the Trip and Equipment Grant Agreement was developed. The Grant provides approximately 90% of the funding for Palm Beach County's TD program. Palm Beach County has been allocated funds for FY 2010/2011: Trip and Equipment Grant: \$1,955,423 (includes Voluntary Dollar Contribution of \$2,262 and a State Grant in the amount of \$1,953,161), plus a County match of \$127,269 (includes in-kind match for Voluntary Contributions of \$251, and a local match of \$217,018, for a total project cost of \$2,172,692. The Agreement for this project expires on June 30, 2011. The local match has already been budgeted in Palm Tran's proposed FY 2011 operating budget. Countywide (DR)

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 May 31, 2010, through August 31, 2010. **SUMMARY:** The Board of County Commissioners (BCC) 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). On March 23, 2010, the BCC received and filed an agenda item extending the grant period from January 31, 2010, through May 31, 2010 (R2010-0425). This agenda item will extend the grant period from May 31, 2010, through August 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)

2. Staff recommends motion to receive and file: Memorandum of Agreement amending the FY 2006 Urban Area Security Initiative Grant Program to extend the ending grant period from December 31, 2009, through June 30, 2010. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$1,684,487 on December 19, 2006; the original period for this grant was October 1, 2006, through January 31, 2008 (3BB-2). On September 9, 2008, the BCC received and filed an agenda item extending the grant period from January 31, 2008, through June 30, 2009 (R2008-1556). On October 6, 2009, the BCC received and filed an agenda item extending the grant period from June 30, 2009, through December 31, 2009 (R2009-1711). This agenda item will extend the grant period from December 31, 2009, through June 30, 2010. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. The total funds provided to Palm Beach County agencies by the UASI (\$ 2,383,087) represents 24 % of the total Ft. Lauderdale UASI grant (\$9,980,000), and will be used to support and strengthen the County's ability to plan for, and respond to, acts of terrorism. The UASI awarded \$698,600 to the County, which will be used to fund fire, health, emergency management, and other approved anti-terrorism activities. The Sheriff's Office received an equivalent award of \$698,600 to fund direct law enforcement activities, and an award of \$985,887 to fund the Regional Security Projects. Future funding will be determined based on a competitive need process. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DW)

CC. SUPERVISOR OF ELECTIONS

1. Staff recommends motion to approve: Precinct boundary changes submitted by Susan Bucher, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** Precinct boundary changes as indicated. Countywide (LSJ)

DD. HOUSING FINANCE AUTHORITY

1. Staff recommends motion to approve: the nomination of Bob Newmark as the Chairperson of the Housing Finance Authority of Palm Beach County (HFA) for the term of June 2010 through May 2011. **SUMMARY:** At the regular HFA meeting of June 11, 2010, the HFA board nominated Bob Newmark as its Chairperson to serve a term of one (1) year in accordance with Ordinance No. 2002-022. This Ordinance requires the nomination of the Chairperson to be submitted to the Board of County Commissioners for approval. (Housing Finance Authority) Countywide (TKF)

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

- A. Staff recommends motion to adopt: a Resolution to abandon a portion of South Grace Drive, all of the six foot wide water main easements, and all of the six foot wide liquid fuel easements as shown and noted on the plat of Morrison Homes, as recorded in Plat Book 23, Page 189, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the owner/petitioner, Palm Beach County, to abandon South Grace Drive and certain easements which said road abandoned right-of-way and easements will be incorporated into the Airport Master Plan, allowing for future development. District 3 (PK)
  
- B. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Unified Land Development Code, Ordinance 2003-67, as amended, by amending Article 13, concerning countywide impact fee amounts and regulations, as follows: amending Chapter A - General; Chapter B - County District, Regional, and Beach Parks Impact Fee; Chapter C - Fire-Rescue Impact Fee; Chapter D - Library Impact Fee; Chapter E - Law Enforcement Impact Fee; Chapter F - Public Buildings Impact Fee; Chapter G - School Impact Fee; Chapter H - Road Impact Fee; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Unified Land Development Code; providing for an effective date. **SUMMARY:** Under Article 13.A.5.F of the ULDC, the Impact Fee Manager is required to undertake a study of the Impact Fee system every two (2) years and recommend to the Board of County Commissioners whether any changes should be made to the fee schedules to reflect changes in the factors that affect the fee schedules. Dr. James Nicholas, impact fee consultant, has completed the study and prepared a final report. BCC approval of this agenda item provides for the adoption of the impact fee methodology with no increases in the fees and a limited number of fee reductions in some law enforcement and miscellaneous road impact fee categories where calculated in the consultant's report. The 2009 Biennial Update will be returned to the BCC in one (1) year for further consideration of possible fee increases contingent upon improvements in the economy and the housing market. Staff suggests October 1, 2010 as the implementation date for all approved changes to Article 13. Countywide (LB)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to approve:** removal of the listed advisory board members from their respective advisory boards for non-compliance with the new Palm Beach County Code of Ethics Ordinance training requirements. **SUMMARY:** On December 15, 2009, the Board of County Commissioners adopted the Palm Beach County Code of Ethics Ordinance (No. 2009-051) to help ensure that public officials and employees abide by the highest ethical standards. Advisory board members are considered officials pursuant to the Ordinance. To ensure all advisory board members were aware of the new ethics requirements and trained by May 1, 2010, the County created an on-line training program. In mid-March, notices were sent to advisory board members with instructions on accessing the on-line training program. Reminder notices were sent in mid-April, and Department/Division Heads were advised on a number of occasions to follow up with their respective advisory board members. The deadline for compliance was ultimately extended to June 18, 2010. The attached list represents those members who have still not satisfied the training requirements, and are being recommended for removal. Countywide (LB)

B. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution approving the issuance of not to exceed \$55,000,000 Housing Finance Authority of Palm Beach County, Florida, Homeowner Revenue Bonds, Multiple Series (the "Bonds") within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and providing an effective date. **SUMMARY:** The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the "Authority") to implement its Single Family Homeowner Revenue Bond Program (the "Program"), which Program is for the purpose of providing to qualified mortgagors mortgage financing for owner-occupied, single family residential housing facilities within the Authority's area of operation. In lieu of the Program, the Authority may determine to issue its Mortgage Credit Certificates (the "MCCs") upon converting all or a portion of its Bond allocation for the Program to be applied to the issuance of such MCCs. The MCCs would provide qualified mortgagors with tax credits in connection with the purchase of Eligible Housing. Please note that the Authority retains Bryant, Miller & Olive, P.A. and Greenberg Traurig, P.A. as its bond and disclosure counsel and Raymond James & Associates, Inc., RBC Capital Markets and M.R. Beal & Company as underwriters, each on a rotating basis. However, it has not yet been determined which of these firms will fill these roles in the event bonds are issued as set forth above. **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.** Countywide (PFK)
2. **Staff recommends motion to adopt:** a Resolution approving the issuance of not to exceed \$9,000,000 Housing Finance Authority of Palm Beach County, Florida, multifamily housing revenue debt obligations (Westgate Plaza Apartments Project) (expected to take the form of a non-recourse note, herein the "Debt Obligations") within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), and providing an effective date. **SUMMARY:** The Debt Obligations are being issued by the Authority to finance the costs of acquisition, construction and equipping of up to an approximately 80 unit multifamily rental housing facility known as Westgate Plaza Apartments, to be located on the south side of Westgate Avenue, approximately 220 feet west of Quail Drive, in the unincorporated area of Palm Beach County, Florida, to be rented by qualified persons and families in Palm Beach County, Florida (the "County") as required by the Code. **Neither the taxing power nor the faith and credit of the County, nor any of the County funds shall be pledged to pay principal or redemption premium, if any, or interest on the Debt Obligations.** District 2 (PFK)

5. REGULAR AGENDA

B. COUNTY ATTORNEY (Cont'd)

3. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on July 20, 2010 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Charter of Palm Beach County, Florida; pertaining to ethics regulation, the establishment of a county Code of Ethics, an independent Commission on Ethics, and an independent Office of Inspector General; providing for charter amendment language; providing for referendum and ballot language; providing for form of notice; providing for severability; providing for inclusion in the charter; and providing for an effective date. **SUMMARY:** This Ordinance would schedule a referendum at the November 2, 2010 General Election on an amendment to the Palm Beach County Charter requiring the County to establish by ordinance a Code of Ethics, a Commission on Ethics and an Independent Inspector General. The Charter amendment and implementing ordinances would apply to Palm Beach County and all municipalities approving the referendum. The Commission on Ethics would be funded by Palm Beach County. The Inspector General would be funded by the county and all other governmental entities subject to the authority of the Inspector General. Countywide (RPB)

C. COMMUNITY SERVICES

1. [Staff recommends motion to:](#)
  - A) **authorize** staff to initiate negotiations with Alzheimer's Community Care, Inc. (ACC) for the provision of an adult day care dementia-specific unit at Mid-County Senior Center in partnership with the Division of Senior Services (DOSS); and
  - B) **authorize** staff to proceed with the development of an adult day care private pay policy for BCC consideration.

**SUMMARY:** Alzheimer's Community Care, Inc. has proposed entering into a partnership with DOSS wherein ACC would operate a dementia-specific unit at the Mid-County Senior Center, utilizing 1080 square feet of available space. DOSS serves persons with mild to moderate dementia, while ACC serves individuals with moderate to severe dementia. This program would coexist with the DOSS adult day care program, enhancing services by including individuals with severe dementia, thus providing for a full continuum of services at the facility. The implementation of a County private pay option would allow individuals, currently not receiving federal or state grant funding, to enroll in a DOSS adult day care program by paying a fee based on a sliding scale. Countywide (TKF)
2. [Staff recommends motion to adopt:](#) Resolution authorizing the County Administrator or his designee signatory authority on amendments to individual Ryan White provider agency contracts for not more than ten percent of the contracted amount or \$150,000, whichever is greater, for the period March 1, 2010, through February 28, 2013. **SUMMARY:** The Federal mandate for the Ryan White Program grant funds stipulate that 95% of the funding must be spent within a program year to avoid penalty. The agenda process is at times, not conducive to allowing documents to be executed with expedience. Delegating signatory authority to the County Administrator or his designee on contract amendments would facilitate the spending of funds in a timely manner in compliance with the mandate. The authority would allow for reallocation of funding for not more than 10% of the contracted amount or \$150,000, whichever is greater of the individual agency contracts, based on the recommendations of the Palm Beach County HIV CARE Council and Ryan White staff. Contract amendments signed by the County Administrator or his designee will be brought before the BCC as receive and file documents in accordance with PPM CW-O-051. Ryan White funds are 100% Federal with no County match. (Ryan White) Countywide (TKF)

5. REGULAR AGENDA

D. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** Neighborhood Stabilization Program-1 (NSP-1) residential first mortgage for \$133,000 and a forgivable second mortgage for \$75,000 for a total funding amount of \$208,000 to Babatunde Atoki, a County employee. **SUMMARY:** Babatunde Atoki is a low income married male who has been employed with Palm Beach County as a Maintenance Technician for eight (8) years. He is now seeking to purchase a home in the amount of \$179,900. The home is located at 197 Monterey Way, Royal Palm Beach, Florida 33411. The home contains 1,751 square feet with three (3) bedrooms and two (2) baths. The appraised “as is” value is \$182,000. The after rehabilitation or “subject to” appraised value is \$201,000. Total cost for this residential purchase and repair is \$211,445.76. This amount includes the purchase price of \$179,900; repair costs of \$21,050; and closing costs of \$10,495.76 (which includes \$700 in applicant prepaids). The applicant contribution includes \$3,445.76 which when added to the \$700 in applicant prepaids, this amount exceeds the mandatory two percent (2%) down payment of \$3,598. Palm Beach County will provide a residential first mortgage loan of \$133,000 for 30 years at four percent (4%) interest and a forgivable second mortgage of \$75,000. The second mortgage requires no repayment if Mr. Atoki lives in the home as his principal place of residence for 30 years. **These are Federal funds which require no local match.** District 6 (TKF)
  
2. **Staff recommends motion to approve:** Neighborhood Stabilization Program-1 (NSP-1) residential first mortgage for \$163,700 and a forgivable second mortgage for \$25,000 for a total funding amount of \$188,700 to Dexter Christopher Samuel a County employee. **SUMMARY:** Dexter Christopher Samuel is a moderate income single male who has been employed with Palm Beach County as a Maintenance Technician for four (4) years. He is now seeking to purchase a home in the amount of \$155,000. The home is located at 18024 Murcott Boulevard, Loxahatchee, Florida 33470. The home contains 1897 square feet with four (4) bedrooms and two (2) baths. The “as is” appraised value is \$167,000. The after rehabilitation or “subject to” appraised value is \$181,000. Total cost for this residential purchase and repair is \$195,502.09. This amount includes the purchase price of \$155,000; repair costs of \$28,750; and closing costs of \$11,752.09 (which includes \$700 in applicant prepaids). The applicant contribution includes \$2,927.09 which when added to the \$700 in applicant prepaids, this amount exceeds the mandatory two percent (2%) down payment of \$3,100. There is also a seller contribution of \$3,875. Palm Beach County will provide a first residential mortgage loan of \$163,700 for 30 years at four percent (4%) interest and a forgivable second mortgage of \$25,000. The second mortgage requires no repayment if Mr. Samuel lives in the home as his principal place of residence for 30 years. **These are Federal funds which require no local match.** District 6 (TKF)

5. REGULAR AGENDA

D. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. [Staff recommends motion to approve:](#) the following in connection with the acquisition of a commercial condominium property at 1000 45th Street in the City of West Palm Beach and its conversion into a homeless resource center:

**A)** an Agreement for Purchase and Sale with Hand Surgery Institute, Inc. (Unit No. 2) in the amount of \$542,500; and

**B)** a Lease Agreement with Hand Surgery Institute, Inc. (HSI).

**SUMMARY:** On January 12, 2010, the Board of County Commissioners (BCC) approved an Agreement for Purchase and Sale and a Lease Agreement with HSI for Unit No. 2, which documents were to have been executed by HSI as approved without alteration. HSI did not execute these documents as presented. The BCC also authorized the Department of Housing and Community Development and the County Attorney's Office to institute eminent domain proceedings, including the hiring of any required experts necessary to acquire Unit No. 2, in the event that HSI did not execute the Agreements. Since HSI declined to execute the Agreements at the offered amount of \$391,750, the County Attorney's Office filed an eminent domain case against the HSI (Case No. 502010CA003601XXXXMB). Staff has continued to negotiate with HSI to avoid costly litigation which has resulted in an amicable settlement presented herein.

As a result of negotiations that took into account information presented by representatives of HSI (including an appraisal that valued Unit No. 2 at \$478,500), discussions with the County's real estate appraiser, and a review of the County's potential financial exposure in an eminent domain case, the County offered, and HSI has accepted, a comprehensive offer of \$542,500 which includes \$450,000 for the real estate and \$92,500 as compensation for expenses incurred in the negotiation of this administrative settlement and the reestablishment of the Seller's medical practice. Staff acknowledges the Property Review Committee (Committee) provision established in the recently adopted Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance. One aspect of the provision requires the Committee to review, evaluate and advise the Board on real estate transactions when, the final agreed on price varies from the appraised value by more than 10%. However, due to the timing and facts of this specific proposed settlement, it is the opinion of the County Attorney's office that this proposed settlement does not need to go to the Committee before coming to the Board of County Commissioner's for approval due to the following: a) the Committee has not been staffed yet and no formal appointments have been made or are pending; b) the Homeless Resource Center Project is primarily funded by a \$7,500,000 grant from the Federal Department of Housing and Urban Development, which could be jeopardized if the acquisition process is not timely completed, and c) the results of the negotiations have limited the County's financial exposure that could result from a court order in the recently filed eminent domain proceeding. Of the \$542,500 Purchase Price, \$136,312 is being funded by Community Development Block Grant Funds, \$78,500 is being funded by the Inter-Local Agreement with the City of West Palm Beach and \$327,688 is being funded by the County. Approval of these Agreements will result in the dismissal of the pending eminent domain suit and conclude the Acquisition process. Approval of the purchase of this property must be by supermajority (five commissioners) of the Board pursuant to the PREM Ordinance. District 7 (TKF)

E. PUBLIC SAFETY

1. [Presentation of the Palm Beach County's Deepwater Horizon Task Force Oil Spill Contingency Plan.](#)

\* \* \* \* \*

6. BOARD APPOINTMENTS

A. HOUSING & COMMUNITY DEVELOPMENT  
(Westgate Belvedere Homes CRA)

1. Staff recommends motion to approve:

A) the appointment of the following individual for completion of a term from June 29, 2010, through May 31, 2013:

<u>Name</u>	<u>Seat No.</u>	<u>Nominated by</u>
Joseph D. Peacock	1	Commissioner Marcus Commissioner Koons Commissioner Taylor

B) the reappointment of the following individual to serve the term from June 1, 2010, through May 31, 2014:

<u>Name</u>	<u>Seat No.</u>	<u>Nominated by</u>
Melanie A. Marvin	4	Commissioner Marcus Commissioner Koons

**SUMMARY:** The Westgate/Belvedere Homes CRA Board consists of seven (7) at-large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners (BCC) appoint the CRA Board Commissioners. After duly advertising, the Westgate CRA held its' Annual Meeting on May 17, 2010, to appoint for a completion of an unexpired term, a candidate to fill Seat No.1 and to reappoint a candidate to fill Seat No. 4. Mr. Joseph D. Peacock, a resident and business owner, has expressed a willingness to complete the unexpired term of Mr. Scott Bedford who has resigned. Melanie A. Marvin, a resident and business owner, has expressed a willingness to remain on the WG/BH CRA Board in Seat 4. Ms. Marvin and Mr. Peacock were nominated by the CRA board members and residents to be recommended for appointment by the BCC. Countywide (TKF)

6. BOARD APPOINTMENTS

B. **PLANNING, ZONING & BUILDING**  
**(Land Development Regulation Advisory Board)**

1. **Staff recommends motion to approve:** appointment of two (2) new members to the Land Development Regulation Advisory Board (LDRAB), for the term from June 8, 2010, to February 7, 2012:

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Nominated By</u></b>
Jose Jaramillo	11	Architect	American Institute of Architects

<b><u>Nominee</u></b>	<b><u>Seat No.</u></b>	<b><u>Seat Requirement</u></b>	<b><u>Nominated By</u></b>
Hellen Hoffman	18	None (Alternate)	Commissioner Vana

**OR**

Robert Schulbaum	18	None (Alternate)	Commissioner Aaronson
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**SUMMARY:** The ULDC provides for seven (7) members appointed by the BCC (one from each PBC Commissioner as a district appointment) with consideration of expertise in Art. 17.C.1.C.2, Qualifications; ten (10) members that are appointed by a majority of the BCC upon a recommendation by specific organizations: Residential Builder: Gold Coast Builders; Municipal Representative: PBC League of Cities; Engineer: Florida Engineering Society; Architect: American Institute of Architects; Environmentalist: Environmental Organization; Realtor: The PBC Board of Realtors; Surveyor: Florida Society of Professional Surveyors; Citizen Representative: Condominium/HOA Association; Commercial Builder: Association General Contractors of America; and AICP Planner: PBC Planning Congress; and two members appointed at-large, as alternates, by majority vote of the BCC, with consideration of the expertise in Art.17.C.1.C.2, Qualifications. These appointments/reappointments are consistent with the Unified Land Development Code (ULDC) requirements. Unincorporated (LB)

6. BOARD APPOINTMENTS

C. **PALM TRAN**  
**(Palm Tran Service Board)**

1. **Staff recommends motion to approve:** appointment of four (4) at-large members from the following categories to the Palm Tran Service Board:

	<b>Nominee</b>	<b>Category &amp; Seat Number</b>	<b>Term to Expire</b>	<b>Nominated By</b>
<b>Select One</b>	Charles Falana	Representative with Transportation Experience Seat No. 1	6/28/2012	Comm. Taylor
	Joseph Quinty (Waiver required)	<b>OR</b> Representative with Transportation Experience Seat No. 1	6/28/2012	Comm. Abrams Comm. Marcus
<b>Select One</b>	Janice Friebaum (Waiver required)	Environmental Advocate Seat No. 3	6/28/2012	Comm. Abrams
	Kia Jones (Waiver required)	<b>OR</b> Environmental Advocate Seat No. 3	6/28/2012	Comm. Taylor
<i>Incumbent</i>	John Parsons	Senior Citizen Representative Seat No. 7	6/28/2012	Comm. Taylor
<b>Select One</b>	Sandra Chamblee (Waiver required)	<b>OR</b> Senior Citizen Representative Seat No. 7	6/28/2012	Comm. Marcus
	Kim Clawson (Waiver required)	<b>OR</b> Senior Citizen Representative Seat No. 7	6/28/2012	Comm. Marcus
	Richard S. Herman	<b>OR</b> Senior Citizen Representative Seat No. 7	6/28/2012	Comm. Aaronson
<i>Incumbent</i>	Sidney Dinerstein	Citizen at Large Seat No. 11	6/28/2012	Comm. Abrams; Comm. Taylor; Comm. Marcus
<b>Select One</b>	Janice Friebaum (Waiver required)	<b>OR</b> Citizen at Large Seat No. 11	6/28/2012	Comm. Aaronson Comm. Marcus

**SUMMARY:** The Palm Tran Service Board was established December 18, 2001 (R2001-2241), as amended April 2, 2002 (R2002-0485), and is currently comprised of 13 at-large voting members from 13 categories appointed by the Palm Beach County Board of County Commissioners. Members may serve two (2) year terms with no limit on reappointments. The above incumbents of Seats 7 and 11 are members in good standing and have expressed their desire to continue to serve subsequent terms. As indicated above, certain nominees may have a potential conflict of interest as specified on their Disclosure Statement and under the new Code of Ethics would require a waiver if selected. Although it is not entirely clear in each case that there is a conflict of interest, Palm Tran wishes to err on the side of caution in this matter. Memos dated March 1, 2010 and March 21, 2010 were circulated to the Board of County Commissioners along with the Board Appointment Nomination Forms. Countywide (DR)

6. BOARD APPOINTMENTS

D. PUBLIC SAFETY  
(Emergency Medical Services Advisory Council)

1. Staff recommends motion to approve: the reappointment of one (1) "At Large Seat" and the appointment of one (1) "At Large Seat" to the Emergency Medical Services Advisory Council (EMS Council) for the terms indicated:

<u>Re-appoint</u>	<u>Representing/Seat No.</u>	<u>Term</u>	<u>Nominated by:</u>
Joann Franklin	ER Nurses Forum/No.2	04/20/10 – 04/19/12	Comm. Marcus Comm. Koons Comm. Taylor
<u>Appoint</u>			
Dr. Craig Kushnir	Emergency Room Physician/No. 7	04/20/10 – 04/19/12	Comm. Marcus Comm. Koons Comm. Taylor

OR

<u>Appoint</u>			
Dr. Brandt Delhamer	Emergency Room Physician/No. 7	04/20/10 – 04/19/12	Comm. Marcus Comm. Koons Comm. Taylor

**SUMMARY:** Per Resolution (R2009-0248), the Board of County Commissioners approved a representative make-up of the Emergency Medical Services Council to include 18 members. Eleven (11) members are representatives of the various components of the EMS system with specific requirements and seven (7) members are Commission District Consumer appointments. A memo was sent to all Board members on May 7, 2010 seeking nominations for the above two (2) at-large seats. Seat No. 7 has two (2) nominations. Seat No. 2 is seeking reappointment. Countywide (DW)

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**JUNE 29, 2010**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**8. 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**

**9. 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**

**JUNE 29, 2010**

<u>PAGE</u>	<u>ITEM</u>	
7	3A-3	<b><u>MOVED TO REGULAR (5A-3):</u> Staff recommends motion to adopt:</b> a Resolution of the Board of County Commissioners of Palm Beach County, Florida, urging the Governor of the State of Florida to convene a Summit for the preservation of Florida's shores and to reaffirm support for a prohibition on Offshore Drilling in Florida. (Admin)
14	3F-11	<b><u>REVISED TITLE:</u> Staff recommends motion to approve: A)</b> a Settlement Agreement with AFCO Constructors, Inc. to settle Case No. 50-2008-CA-020624-MB filed in the Circuit Court of the 15 <sup>th</sup> Judicial Circuit authorizing the release of retainage in the amount of \$1,678,288; and <b>B)</b> a Mutual <u>General Release authorizing payment in the amount of \$500,000</u> to <del>with</del> -Post, Buckley, Schuh and Jernigan, Inc. (PBS&J). (Airports)
29	3X-2	<b><u>DELETED:</u> Staff recommends motion to approve:</b> a Contract with Intrado/Positron for completion of the new Next Generation 911 (NG 911) phone system...(Public Safety) (Further staff review)
33	5A-2	<b><u>ADD-ON:</u> Staff recommends motion to adopt:</b> a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing: a) the submittal of a \$1 Million Brownfield Economic Development Initiative (BEDI) Grant and an \$8 Million Section 108 Federal Loan Application to the U.S. Department Of Housing And Urban Development for the Tire Group International; and b) the County Administrator or his Designee to sign all applications and documents related to the Grant and Loan. <b>SUMMARY:</b> Tire Group International, Inc. (TGI) is an \$18 million public-private partnership represented by one international corporation seeking to build a Tire Recycling Center in the Tri-City Area. TGI is one of the fastest-growing companies in the worldwide wholesale distribution of tires and South Florida's largest independent tire wholesaler. It specializes in the trade of tires and tubes, conducting business in over 70 countries. It is headquartered in Miami, Florida with associate offices in San Juan, Puerto Rico; Hidalgo, Texas; and Leon, Mexico. TGI carries over 40 different brands of tires, covering the entire spectrum of the tire industry, as well as several brands of tubes and various lines of automotive wheels and repair products. Besides TGI's large inventory, it also has access to millions of tires worldwide, which would secure the inventory needed for the Recycling Center. This revitalization initiative will create 300 new full-time jobs in this economically distressed area of the County. If the grant and loan are awarded to Palm Beach County, the BEDI Grant will represent 6 % (\$1M) and the Section 108 Loan 44% (\$4M) of the total project cost. The remaining balance will be financed by TGI and Recycling Tax Exempt Bonds. <b>No County match funds are required to complete this project.</b> <u>District 6 (DW)</u> (Admin/EDO)

**REVISED TITLE: Staff recommends motion to approve: A)** the appointment of the following individual for completion of a term from June 29, 2010, through May 31, 2013:

<u>Name</u>	<u>Seat No.</u>	<u>Nominated by</u>
Joseph D. Peacock	1	Commissioner Marcus Commissioner Koons Commissioner Taylor

**B)** the reappointment of the following individual to serve the term from June 1, 2010, through May 31, 2014:

<u>Name</u>	<u>Seat No.</u>	<u>Nominated by</u>
Melanie A. Marvin  (HCD)	4	Commissioner Marcus Commissioner Koons <u>Commissioner Taylor</u>

**REVISED SUMMARY:** The Palm Tran Service Board was established December 18, 2001 (R2001-2241), as amended April 2, 2002 (R2002-0485), and is currently comprised of 13 at-large voting members from 13 categories appointed by the Palm Beach County Board of County Commissioners. Members may serve two (2) year terms with no limit on reappointments. The above incumbents of Seats 7 and 11 are members in good standing and have expressed their desire to continue to serve subsequent terms. As indicated above, certain nominees may have a potential conflict of interest as specified on their Disclosure Statement and under the new Code of Ethics would require a waiver if selected. ~~Although it is not entirely clear in each case that there is a conflict of interest, Palm Tran wishes to err on the side of caution in this matter.~~ Memos dated March 1, 2010 and March 21, 2010 were circulated to the Board of County Commissioners along with the Board Appointment Nomination Forms. Countywide (DR) (Palm Tran)

**ADD-ON: Staff recommends motion to approve:** appointment of one (1) individual to the Health Care District of Palm Beach County (HCD), to complete the unexpired term of Richard Macheck, June 29, 2010, to September 30, 2010, and a full four (4) year term commencing on October 1, 2010, and ending September 30, 2014:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Rep. Joseph Abruzzo	1	Elected Official	Comm. Aaronson Comm. Vana Comm. Abrams Comm. Taylor

**SUMMARY:** Per Chapter 2003-326, Laws of Florida, the HCD is comprised of seven (7) members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the HCD, and at least one (1) person, but not more than two (2) shall reside in the Glades Area. The Governor shall appoint three (3) members; the Board of County Commissioners shall appoint three (3) members, one of which must be an elected official at the time of appointment; and one (1) member shall be the director of the Palm Beach County Health Department. Members may serve two (2), four (4) year terms. Seat No. 1 was formerly occupied by State Representative Richard A. Macheck who resigned following his appointment as USDA Director of Rural Development for the State of Florida. Staff recommends that the appointment cover the unexpired term of Representative Macheck plus an additional full four (4) year term. State Representative Joseph Abruzzo meets all the requirements for a District Board member. Countywide (TKF) (Admin)

**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 (\*).