

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

**MARCH 15, 2011**

**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 6 - 27)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 28 - 29)**
  
- 5. REGULAR AGENDA (Pages 30 - 33)**  
**TIME CERTAIN 10:25 A.M. (15<sup>th</sup> Judicial Circuit Position Request) (Page 30)**  
**TIME CERTAIN 10:30 A.M. (Tax Collector Presentation) (Page 30)**  
**TIME CERTAIN 2:00 P.M. (Criminal Justice Commission Update) (Page 32)**
  
- 6. BOARD APPOINTMENTS (Pages 34 - 36)**
  
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

**A)** a waiver of prohibited relationship pursuant to Palm Beach County Code, Article XIII, the Palm Beach County Code of Ethics for Chuck Elder of the Palm Beach County Film & Television Commission, a member of the Overall Economic Development Program (OEDP) committee; and

**B)** a Grant Agreement with The Palm Beach County Film & Television Commission in the amount of \$23,000 commencing March 19, 2011 and ending March 18, 2012.

**SUMMARY:** The objectives of the PBC Film & TV Technical Prep Program are to prepare high school students for career pathway; to create future workforce in the film & television industry; and, to provide educational, financial and logistic resources for high school, college students and teachers through the Palm Beach County Film & Television Commission (FTC). This \$23,000 Agreement with FTC will provide funding for operational, education and equipment expenses for conducting the Film & TV Tech Prep Program, which is entering its 15<sup>th</sup> year of operation. This Grant will continue to develop the Film & TV Industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. The FY 2011 Grant Agreement of \$23,000 is reduced from last year's level of \$46,000. A prohibited relationship waiver is being recommended for Palm Beach County Film & Television Commission employee, Chuck Elder who serves on a County advisory committee. This individual disclosed this relationship and is requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waiver is being recommended based on a staff determination that the execution of this Grant Agreement will not create a conflict of interest with the continuing service of this individual on the advisory committee. **These funds are included in the adopted budget for FY 2011. Countywide** (DW)

2. Staff recommends motion to approve:

**A)** a request by the Supervisor of Elections (SOE) to renovate and convert the use of various portions of the SOE Offices located at 240 South Military Trail; and

**B)** a Budget Amendment of \$281,000 in the Public Building Improvement Fund to recognize revenue from the SOE and establishing a project budget.

**SUMMARY:** Having completed and occupied the Voter Equipment Center in leased space in unincorporated Riviera Beach, the SOE has requested approval to renovate various portions of the County-owned facility located on Military Trail to better meet her identified needs and service delivery strategy. Specifically the project will: 1) renovate the existing training room into a public space serving absentee voting function (public counter and six workstations), 2) create a new training center in the existing storage area in the warehouse, 3) create a new records storage area within the warehouse, 4) create an early voting areas within the existing warehouse by adding a storefront in place of one of the existing roll-up doors, and 5) create new restrooms which are required based on the new occupancy. The work will be managed by Facilities Development and Operations' with a budget established in the Public Improvement Fund utilizing revenue transferred from the SOE's excess budget. The work is expected to take 240 days and should begin mid to late April. Countywide/District 2 (JCM)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
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 January 2011. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Contract with Ranger Construction Industries Inc. (Ranger), in the amount of \$451,909.85, for the construction of Woolbright Road and I-95 Intersection Improvements (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Ranger, a Palm Beach County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Ranger is 15.01%. District 7 (MRE)
2. **Staff recommends motion to:**
  - A) remove** the Lyons Road pathway project between Glades Road and Norte Largo Drive from the approved Fiscal Year 2009/2010 Pathway Program;
  - B) remove** the Lyons Road pathway project between Palmetto Park Road and Norte Largo Drive from the approved Fiscal Year 2008/2009 Pathway Program; and
  - C) add** the Dillman Road pathway project between Lyons Road and 150 feet east of Monteclaire Court to the Fiscal Year 2009/2010 Pathway Program.

**SUMMARY:** Approval of these changes to the Pathway Program will allow the cancellation of two (2) pathway projects (that were not supported by the nearby community representatives). The funding from the two (2) cancelled pathways will allow the construction of a pathway on Dillman Road west of Lyons Road and will provide appropriate pedestrian access to the newly opened Everglades Elementary School. Districts 5 & 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

**A)** the cancellation of Reimbursement Agreement R2009-1478 with the Lake Worth Community Development Corporation/Hammon Park in the amount of \$250,000;

**B)** a Reimbursement Agreement with the Lake Worth Community Development Corporation/Hammon Park (CDC) in an amount not to exceed \$62,500; and

**C)** a Budget Transfer of \$187,500 in the Transportation Improvement Fund from Lake Worth Community Development Corporation/Hammon Park – District 7 to Culvert Repair and Replacement.

**SUMMARY:** A 2009 Reimbursement Agreement provided funding in an amount not to exceed \$250,000 for improvements for Hammon Park, a 117 workforce housing residential community. Prior to construction, Publix Supermarket purchased seventy five percent of the southern end of the Hammon Park property, effectively changing the boundaries of the original Agreement and reducing the amount of residential units to 46 units. Approval of the cancellation of Reimbursement Agreement R2009-1478, the new Reimbursement Agreement and Budget Transfer will provide reduced funds to the CDC to pay for reconstruction of the curbs, gutters, landscaping, roadways and sidewalks along the modified boundaries of Hammon Park. The \$187,500 originally reserved for Hammon Park, will provide supplement funding for culvert repair and replacement throughout the County to keep pace with the repair of the culvert failures that currently affect our roads. District 7 (MRE)

4. Staff recommends motion to adopt: a Resolution to vacate a five foot wide utility easement within the plat of Avondale Heights, recorded in Plat Book 24 Page 37 and two (2) five foot wide utility easements within the plat of Lynnwood, recorded in Plat Book 24, Page 168, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the petitioner, Palm Beach County, to vacate certain utility easements that are no longer needed. These areas to be abandoned are within the proposed development area shown on the adopted Airport Master Plan, located west of Military Trail and just north of Southern Boulevard within the Palm Beach International Airport property. District 6 (PK)

5. Staff recommends motion to approve: a Contract with Rosso Paving & Drainage, Inc. (Rosso), in the amount of \$4,869,633.90 for the construction of Lyons Road from north of West Atlantic Avenue to south of Boynton Beach Boulevard (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (County) to issue a Notice to Proceed to Rosso, a Palm Beach County company, to begin construction of the Project. The County's Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Rosso is 45.03%. District 5 (MRE)



3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

**A)** a Joint Participation Agreement (JPA) with the Town of Jupiter for the construction of a mast arm traffic signal at the north intersection of South Central Boulevard and Indian Creek Drive east/west; and

**B)** a Budget Amendment of \$150,000 in the Transportation Improvement Fund to recognize the Town of Jupiter's participation in this project and appropriate it to Traffic Signals – Mast Arms Fiscal Year 2011.

**SUMMARY:** Approval of this JPA and Budget Amendment will allow the design and construction of a traffic signal on South Central Boulevard, a Palm Beach County (County) maintained roadway, at the north intersection with Indian Creek Drive east/west, roadways maintained by the Town of Jupiter (Town). The County will fund up to \$100,000, but not to exceed one-half of the cost of the project. Funding for the County's share of the project's cost is available in the Traffic Signals - Mast Arms Account. The Town will reimburse the County for the full cost of the construction of the project, less the amount of the County's participation as outlined above. Present estimated Town cost is \$150,000. District 1 (MRE)

7. Staff recommends motion to approve:

**A)** a Contract with Ranger Construction Industries, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$2,640,178.90 for the construction of Project No. 2008061, Westgate North Infrastructure Improvements, Phases 4, 5 & 6 (Project); and

**B)** a Budget Amendment of \$700,000 in the Capital Outlay fund to recognize funding from the Westgate CRA.

**SUMMARY:** Approval of this Contract and Budget Amendment will allow improvements including sidewalk construction, roadway paving, retention area excavation, drainage piping, potable water modifications and installation of sanitary sewer improvements to portions of Osceola Dive, Loxahatchee Drive, Shawnee Avenue, Chickamauga Avenue, and Genesee Avenue. The 360 calendar day Project is federally funded and the Contractor has met all of the necessary federal requirements. The Contractor is a Palm Beach County business. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 15.89% overall. District 2 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: Certain amended bond documents related to the issuance the Tax-Exempt Adjustable Mode Revenue Bonds (the King's Academy, Inc. Project) Series 2006 approved by Resolution R-2006-0896. **SUMMARY:** Resolution R2006-0896 authorized the issuance of the Bonds and granted authority to the Chair to sign any subsequent documents related to this bond issue. The Chair signed certain amended bond documents on December 21, 2010. Bond counsel for King's Academy, Inc. has now provided a fully executed set of those bond documents. These documents should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. Staff recommends motion to adopt: a Resolution approving an Interlocal Agreement to be entered into by and between the Housing Finance Authority of Palm Beach County, Florida (the "Authority") and the Housing Finance Authority of Lee County, Florida (the "Lee Authority") in the form attached hereto for furtherance of the purposes hereof (the "Interlocal Agreement") as required by Part IV, Chapter 159, Florida Statutes (the "Act"). **SUMMARY:** Pursuant to its authority under Section 163.01, Florida Statutes and the Act, the Authority may enter into interlocal agreements with other governmental bodies to make the most efficient use of their respective powers, resources and capabilities in the exercise of those powers common to them. The Authority plans to enter into the Interlocal Agreement with the Lee Authority to authorize the Lee Authority to finance qualifying single family mortgage loans within Palm Beach County, Florida (the "County") which will be financed from the proceeds of the \$20,770,000 Housing Finance Authority of Lee County, Florida Single Family Housing Revenue Bonds (GSE Program – Multi-County), 2009 Series A (the "Lee Bonds") issued by the Lee Authority. The Lee Authority has issued \$20.7 million of bonds that may not be fully utilized in Lee County by November, 2011. The Lee Authority has reached out to other counties to allow participating lending institutions to originate 30-year fixed rate FHA/VA loans at 4.3% to first time homebuyers. Pursuant to the Act, the governing body of the County must provide approval for the use of proceeds of the Lee Bonds pursuant to the Interlocal Agreement for the financing of single family mortgage loans within the County. Countywide (PFK)

3. Staff recommends motion to approve:

A) an Agreement with de la Parte & Gilbert, P.A., for legal services; and

B) an Agreement with Rose Sundstrom & Bentley, LLP, for legal services.

**SUMMARY:** The Water Utilities Department has a number of ongoing and upcoming legal issues which require specialized legal expertise in water utilities law. In response to this need, the County Attorney's Office issued a Request for Proposals (RFP) on December 15, 2010. The RFP requested firms to submit proposals for two (2) separate scopes of work: (1) water utilities regulatory issues; and (2) complex utility projects/agreements. Responsive proposals were received from eight (8) law firms for water utilities regulatory issues and seven (7) law firms for complex utility projects/agreements. On February 16, 2010, a selection committee met to review and discuss the proposals. The selection committee selected de la Parte & Gilbert, P.A., to provide legal services for water utilities regulatory issues, and Rose Sundstrom & Bentley to provide legal services for complex utility projects/agreements. The initial terms of the agreements are for two (2) years, and the agreements are automatically renewable for three (3) – one (1) year extension terms, unless otherwise terminated in accordance with the provision of the agreements. Work shall be assigned to the appropriate firm, on a task by task basis, through a legal services task authorization form. Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

**A)** a waiver of prohibited relationship pursuant to Palm Beach County Code, Article XIII, the Palm Beach County Code of Ethics, for Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) employee Jamie Estremera-Fitzgerald, a member of the Criminal Justice Mental Health & Substance Abuse Planning Council; and

**B)** Agreement No. IA111-9500 for the Older Americans Act (OAA) Federal grant funds totaling \$2,088,808 with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2011, through December 31, 2011, for nutritional and in-home services to the elderly, with this being the first of two (2) – one (1) year renewal options.

**SUMMARY:** This is the resulting Agreement of the Service Provider Application (SPA) to the Request for Proposal (RFP) approved by the Board of County Commissioners on December 1, 2009 (R2009-2054) and allows the Division of Senior Services (DOSS), as an AAA Lead Agency, to provide direct services to seniors. Services are funded with \$2,088,808 in Federal funds, \$232,090 in County required funds, \$1,685,704 in additional County funds, \$278,687 in Nutrition Services Incentive Program (NSIP), and \$54,365 in Program Income. This Agreement spans two (2) County fiscal years. Funding is included in the FY 2011 budget to meet County obligations. A prohibited relationship waiver is being recommended for an employee of AAA who serves on a County planning council. This individual disclosed this relationship and is requesting a waiver pursuant to Section 2-443(d) of the Code of Ethics. The waiver is being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of this individual on the council. In the area south of Hypoluxo Road, the Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

2. Staff recommends motion to:

**A) receive and file** Amendment No. 001 to Standard Agreement No. IP010-9500 (R2010-0842) for the Emergency Home Energy Assistance Program (EHEAP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period November 16, 2010, through November 15, 2013, to increase the agreement by \$22,173 for a new not to exceed amount of \$155,038; and

**B) approve** an upward Budget Amendment of \$13,918 in the DOSS Administration Fund to reconcile the budget to the actual grant award.

**SUMMARY:** The Amendment covers adjustments that are made during the contract year to align services with need. The reallocation of funds is due to unused dollars from the AAA's service providers and the Division of Senior Services' (DOSS) need for services. The Amendment was executed by the County Administrator in accordance with Resolution R2010-1942, which delegated authority to the County Administrator, or his designee, to sign documents related to the DOSS's AAA grants. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** two (2) amendments to the Ryan White Part A HIV Health Support Services Contracts (Formula) for the period March 1, 2010, through February 28, 2011:

**A)** Amendment No. 3 to contract (R2010-0949) with Comprehensive AIDS Program, Inc. to increase funding for Medical Case Management by \$107,000 for a new total contract amount not to exceed \$1,552,000; and

**B)** Amendment No. 4 to contract (R2010-0950) with Comprehensive Community Care Network, Inc. to decrease funding for Mental Health Services by \$12,000, Laboratory/Diagnostic by \$70,000, and Nurse Care Coordination by \$25,000 for a new total contract amount not to exceed \$506,874.

**SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and reallocated to best meet the needs of affected clients. A decrease of \$107,000 from Comprehensive Community Care Network, Inc. will be reallocated to Comprehensive AIDS Program, Inc. (\$107,000). These reallocations allowed additional clients to be served. No County funds are required. (Ryan White) Countywide (TKF)

4. **Staff recommends motion to approve:** five (5) amendments to the Ryan White Part A HIV Health Support Services Contracts (Supplemental) for the period March 1, 2010, through February 28, 2011:

**A)** Amendment No. 2 to contract (R2010-0994) with Health Care District of Palm Beach County to decrease funding for Local Drug Supplemental/ADAP Drug Program by \$105,000 for a new total contract amount not to exceed \$126,747;

**B)** Amendment No. 1 to contract (R2010-0990) with Oakwood Center of the Palm Beaches, Inc. to decrease funding for Substance Abuse Residential by \$24,926 for a new total contract amount not to exceed \$688;

**C)** Amendment No. 1 to contract (R2010-0988) with Legal Aid Society of Palm Beach County, Inc. to increase funding for Legal Services by \$10,000 for a new total contract amount not to exceed \$63,654;

**D)** Amendment No. 1 to contract (R2010-0993) with Palm Beach County Health Department to increase funding for Laboratory/Diagnostic services by \$50,000 for a new total contract amount not to exceed \$467,246; and

**E)** Amendment No. 1 to contract (R2010-0986) with Comprehensive AIDS Program, Inc. to increase funding for Medical Case Management by \$69,926 for a new total contract amount not to exceed \$405,513.

**SUMMARY:** Ryan White HIV Health Support service dollars are reviewed throughout the contract year and reallocated to best meet the needs of affected clients. A decrease of \$105,000 from Health Care District of Palm Beach County and \$24,926 from Oakwood of the Palm Beaches, Inc. will be reallocated to Legal Aid Society of Palm Beach County (\$10,000), Palm Beach County Health Department (\$50,000), and Comprehensive AIDS Program, Inc. (\$69,926). These reallocations allowed additional clients to be served. Initial allocations are set at the beginning of the contract year based on the anticipated need. The reallocation process occurs toward the end of the contract year to adjust for shifts in service needs during the contract year. In order to avoid a penalty resulting in a reduction in future funding, the grant must be spent down by the end of the contract year. No County funds are required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

**A) receive and file** the Ryan White Part A HIV Emergency Relief grant award from Human Services Health Resources and Services Administration (HRSA) for formula carry over funds in the amount of \$30,000 for the period of March 1, 2010, through February 28, 2011;

**B) receive and file** Amendment No. 3 (R2010-0950) with Comprehensive Community Care Network, Inc. (CCCN) for Ryan White Part A HIV Emergency Relief formula carry over funds for the period of March 1, 2010, through February 28, 2011, totaling a not to exceed amount of \$613,874; and

**C) approve** an upward Budget Amendment of \$30,000 in the Ryan White Program Fund to reconcile the grant budget to the actual grant award.

**SUMMARY:** A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration was received on January 11, 2011, that conveys an award for the contract period March 1, 2010, through February 28, 2011. The fully executed amendment with CCCN has been returned and requires submission to the Clerk's office for filing. The amendment consists of funds that were reallocated to serve the HIV clients in Palm Beach County. It was executed by the County Administrator in accordance with Resolution R2010-1074, which delegated authority to the County Administrator, or his designee, to sign documents related to the Ryan White Part A HIV Emergency Relief Grant. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve:

**A)** a waiver of prohibited relationship pursuant to Palm Beach County Code, Article XIII, the Palm Beach County Code of Ethics, for United Way of Palm Beach County employees Charles Anderson and Laurie George, a member and an alternate, respectively of the Homeless Advisory Board;

**B)** a Contract with United Way of Palm Beach County, Inc., (United Way) for the period March 15, 2011, through March 14, 2012, in an amount of \$25,000, to establish an internet-based community health data portal; and

**C)** execution of Community Health Data Portal Project Executive Participation Agreement and subsequent minor amendments thereto by the County Administrator or his designee.

**SUMMARY:** This Contract with United Way will support contracted management, licensing and related expenses for the Community Health Data Portal Project (Portal Project). The Portal Project will create a website portal intended to provide non-biased, easy to understand, health, environmental, economic and other local indicators to the greater community and is intended to encourage and promote informed community action by providing evidence-based policy and best practice examples, data sets, and innovative community planning and communication tools. In addition to being a resource for the general public and community organizations, the portal will assist County staff and advisory boards in needs evaluation and the establishment of priorities for health and human services spending and service delivery. There are seven (7) organizations collaborating in the establishment of the portal. They are listed in the background and justification section of this item. Additional partners are anticipated in the future. The County contribution of \$25,000 is approximately 12% of year one project cost (approximately \$215,000). The remainder of year one cost is shared by the other funders. Year two costs and subsequent year costs are expected to be less due to the deduction of start up costs and the addition of funding partners. Funding for current year County share is available from unallocated Financially Assisted Agency carryover funds. Subsequent year funding will be requested in the budget process. United Way has agreed to provide oversight as the fiscal agent for the Portal Project and has assumed responsibility for the contracting necessary to accomplish the project. A prohibited relationship waiver is being recommended for two (2) employees of United Way who serve on a County advisory board. These individuals disclosed this relationship and are requesting waivers pursuant to Section 2-443(d) of the Code of Ethics. The waivers are being recommended based on a staff determination that the execution of this Contract will not create a conflict of interest with the continued service of these individuals on the advisory board. Countywide (TKF)

7. **Staff recommends motion to approve:** Head Start Contracted Services Expansion Agreement with Apostolic Child Development Centers, Inc., for the period of March 7, 2011, through September 29, 2011, in an amount of \$78,560, for services to Early Head Start children and families. **SUMMARY:** Because of the early termination of a contracted vendor to provide Early Head Start services to 16 infants and toddlers, the Division is contracting with Apostolic Child Development Centers for the continuation of the services for the duration of the contract period of 146 days at a rate of \$33.63 per child/per day. The contract is funded through a combination of Federal grant and County funds. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Cargo Building Lease Agreement (Lease) with Delta Air Lines, Inc. (Delta) for the lease of cargo space at the Palm Beach International Airport (PBIA) for initial annual rental in the amount of \$59,661. **SUMMARY:** The Lease provides for the lease of approximately 7,019 square feet of interior cargo space at Cargo Building 1300 to Delta for office administration, shipping, receiving and sorting of parcels, freight and cargo. Delta has leased space at the facility since 1991 pursuant to that certain Air Freight Building Lease (R91-1041D) that expired September 30, 2010. The term of the new Lease is October 1, 2010, through September 30, 2011, with automatic one (1) year renewals. Countywide (HJF)
  
2. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$196,861 for Concourse "C" security 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 \$196,861 or 100% of the eligible project costs. Countywide (AH)
  
3. **Staff recommends motion to approve:** a First Amendment to Drainage Agreement (Amendment) with Closter Farms, Inc., (Closter) for excess water drainage services for Palm Beach County Glades Airport (Airport) located on State Road 715 in Pahokee. **SUMMARY:** Excess water drains from the Airport onto Closter's farmland adjacent to the Airport, pursuant to the Drainage Agreement dated April 18, 2006 (R2006-0664). The Amendment extends the term of the Drainage Agreement to April 1, 2015 and corrects the acreage on which annual per-acre fees are assessed. Countywide (HJF)
  
4. **Staff recommends motion to adopt:** a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) for the Westside Hangar Development Phase I at Palm Beach County Park Airport. **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1001) approving a JPA (R2010-1002) with the FDOT in the amount of \$1,500,000, or 80.00% of the eligible project costs, whichever is less, for the Westside Hangar Development Phase I at Palm Beach County Park Airport. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) to construct aprons, taxilanes and infrastructure at North Palm Beach County General Aviation Airport. **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1003) approving a JPA (R2010-1004) with the FDOT in the amount of \$1,500,000 or 80.00% of the eligible project costs, whichever is less, to construct aprons, taxilanes and infrastructure at North Palm Beach County General Aviation Airport. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)
  
6. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) for the parking garage rehabilitation at Palm Beach International Airport (PBIA). **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1005) approving a JPA (R2010-1006) with the FDOT in the amount of \$1,000,000 or 50.00% of the eligible project costs, whichever is less, for the parking garage rehabilitation at PBIA. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)
  
7. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) to construct Taxiway Exit C4 and shoulders at Palm Beach International Airport (PBIA). **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1007) approving a JPA (R2010-1008) with the FDOT in the amount of \$1,750,000 or 50.00% of the eligible project costs, whichever is less, to construct Taxiway Exit C4 and shoulders at PBIA. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)



3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) to rehabilitate Taxiway M at North Palm Beach County General Aviation Airport. **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1009) approving a JPA (R2010-1010) with the FDOT in the amount of \$55,000 or 80.00% of the eligible project costs, whichever is less, to rehabilitate Taxiway M at North Palm Beach County General Aviation Airport. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)
  
9. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) for the Air Cargo Apron expansion and rehabilitation at Palm Beach International Airport (PBIA). **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1011) approving a JPA (R2010-1012) with the FDOT in the amount of \$2,256,000 or 50.00% of the eligible project costs, whichever is less, for the Air Cargo Apron expansion and rehabilitation at PBIA. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)
  
10. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA) for security enhancements/improvements at Palm Beach International Airport (PBIA). **SUMMARY:** On June 29, 2010, the Board of County Commissioners adopted a resolution (R2010-1013) approving a JPA (R2010-1014) with the FDOT in the amount of \$5,000,000 or 100% of the eligible project costs, for security enhancements/improvements at PBIA. The FDOT has issued SJPA Number 1 to include the E-Verify and scope of work language to the said JPA. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

11. Staff recommends motion to adopt: a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) amending the original project description to Extend Runway 9R/27L (10R/28L) Environmental & Design and Golfview Infrastructure Planning & Design at Palm Beach International Airport (PBIA); and to include the E-Verify and scope of work language to the Joint Participation Agreement (JPA). **SUMMARY:** On October 16, 2007 (R2007-1791), the BCC adopted a resolution approving a JPA with the FDOT in the amount of \$4,142,000 or 50% of the eligible project costs, whichever is less, for the Environmental Impact Statement (EIS) and Design Runway Extension at PBIA. The FDOT has issued SJPA Number 1 amending the original project description to Extend Runway 9R/27L (10R/28L) Environmental & Design and Golfview Infrastructure Planning & Design at PBIA, with no increase in funding. The JPA is also amended to include the E-Verify and scope of work language. The E-Verify language is being added as a new section (Section 5.00 of the SJPA) and the scope of work language can be found in Exhibit "A" under Special Considerations by Department. The amended language requires utilization of the U.S. Department of Homeland Security's E-Verify system to confirm the employment eligibility of all persons employed, including subcontractors, during the term of the Contract. Additionally, as of July 1, 2010, Section 215.971 of the Florida Statutes requires agreements with the State to contain a scope of work that clearly establishes quantifiable and measurable deliverables for the project. SJPA Number 1 will allow for the use of State funds in the preliminary planning and design for infrastructure in the area of the former Town of Golfview and will bring the JPA into compliance. Countywide (AH)
  
12. Staff recommends motion to receive and file: two (2) original Agreements for the Department of Airports:
  - A) General Aeronautical Services Permit with Palm Beach Delivery, Inc. d/b/a Yankee Express, commencing October 1, 2010, expiring September 30, 2011, renewed automatically on year-to-year basis (10/1 through 9/30); and
  - B) Second Amendment to Airline-Airport Use and Lease Agreement with jetBlue Airways Corporation replacing Exhibits "B" and "D" to R2007-0272 increasing hold room area and adding an additional gate.**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R2006-1906 and R2010-0708. Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

**A)** Amendment No. 2 to the Pavilions, Shelters, and Sheds Contract with Robling Architecture Construction, Inc. (R2010-0615) increasing the remaining capacity by \$433,455 to a new not to exceed capacity of \$933,454; and

**B)** Work Order No. 11-003 with Robling Architecture Construction, Inc. (R2010-0615) in the amount of \$672,603 to construct a 100' x 130' metal pavilion at Water Utilities' Central Regional Operations Center (CROC).

**SUMMARY:** Staff is requesting Board approval to raise the remaining value of the contract to accommodate the Water Utilities project. The contract totals to date are \$258,453.25 of the approved \$499,999. This increase in capacity is necessary to keep the schedule and complete the emergency hurricane back-up generators housing prior to the peak of hurricane season. The new pavilion will provide housing for Water Utilities' emergency hurricane back-up generators. The work consists of a new 100' x 130' metal pavilion, including all utilities and site modifications. All other terms of the original contract remain in effect. The goal for Small Business Enterprise (SBE) participation is 15%, and will be tracked cumulatively for each work order issued. Robling's SBE participation to date is 78.27%. The total construction duration is 180 days. Robling Architecture Construction, Inc. is a certified SBE Contractor and is a Palm Beach County company. (FD&O Admin) District 6 (JM)

2. Staff recommends motion to approve: Change Order No. 1 to the contract with Davco Electrical Contractors Corp. (R2010-0516) increasing the cost by \$257,612.08 for the Green Generation Lighting Project to include Canyon Community Park. **SUMMARY:** This newly commissioned park has one (1) unlighted multipurpose field. The work consists of installing Green Generation Lighting at the unlighted multipurpose field at Canyon Community Park. This project is partially funded with Federal Stimulus Grant monies, specifically from the Energy Efficiency and Conservation Block Grants (EECBG). Due to cost savings on the previously approved Green Generation Lighting project, Parks was able to extend the scope to include an additional park. As such, these improvements are partially funded with the remaining Federal Stimulus Grant monies (\$82,359.44); and the remaining funds are provided through Impact Fees. All applicable Federal Certifications and Representations are required to meet grant specifications. General Conditions pertaining to all American Recovery and Reinvestment Act of 2009 (ARRA) grant funded projects are applicable. This project also has a Davis Bacon requirement with a Small Business Enterprise (SBE) goal of 15%. SBE participation for this project is 18.8%. The total construction duration is 90 days. Davco Electrical Contractors is a Palm Beach County company. (FD&O Admin) Countywide/District 5 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

**A)** a Grant Agreement of \$212,550 with the State of Florida, Division of Emergency Management (DEM) for the purpose of installing a flexible screen system to cover all exterior openings of the Highridge Family Center;

**B)** a Budget Amendment of \$212,550 in the Public Building Improvement Fund to recognize funds received from FEMA and to establish a project budget; and

**C)** a Budget Transfer of \$70,850 in the Public Building Fund from the Hazard Mitigation account to increase the project budget.

**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. Facilities Development and Operations and the Division of Emergency Management worked closely together to submit a grant proposal for consideration to FEMA. The proposal was submitted for work relating to protecting the Highridge Youth Facility from damages during high wind events. The Highridge Facility acts as the family shelter during wind events. The project consists of the installation of Armor Screen 2000 Flexible Wind Abatement System to cover all exterior openings. The shutter system is designed to withstand wind speeds up to 140 mph and to meet the Florida Building Code or Miami-Dade Specifications. This system will replace the existing old Lexan panel type Hurricane Shutter system which is so deteriorated that they are not worth keeping or using on another facility and so will be sent to County surplus. The total project budget is \$283,400 with FEMA funding (via the State of Florida, Division of Emergency Management) \$212,550 (75%) and the County matching the remainder of the costs in the amount of \$70,850 (25%). The project has a completion date of January 31, 2013. (Facilities Management) Countywide/District 7 (JM)

4. Staff recommends motion to approve: a Second Amendment to Lease Agreement (R2007-0395) with Tallman, LLC, for the County's continued use of approximately 10,990 SF of indoor and outdoor secured vehicle storage for the Palm Beach County Sheriff's Office at an annual rate of \$95,793.22 (\$8.72 per SF). **SUMMARY:** Since March 29, 2007, the County, on behalf of Palm Beach County Sheriff's Office (PBSO), has leased approximately 4,990 SF of indoor storage warehouse building and approximately 6,000 SF of a paved outdoor storage area within the Murphy Towing Complex located at 6907 Southern Boulevard in unincorporated Palm Beach County for the operation of both indoor and outdoor secured vehicle storage. In the First Amendment, approved on March 9, 2010 (R2010-0358), Tallman, LLC agreed to reduce the rent by 10% and suspend the annual rental increase for one (1) year. This Second Amendment to Lease Agreement exercises the third option to extend the term of the Lease Agreement for one (1) year to March 28, 2012, and updates various provisions to incorporate new standard wording. Rent during this extension will increase by 3.5% to \$95,793.22/year (\$8.72 per SF). (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** a Restrictive Covenant for maintenance of two (2) littoral planting areas covering approximately .30 acres at the County's Central Detention Center (Stockade) in unincorporated West Palm Beach. **SUMMARY:** The County has completed construction of the Video Visitation Facility at the Stockade. As part of the overall construction for the expansion of the Stockade property, the County has created two (2) water management tracts to handle stormwater runoff within the property. The County's Environmental Resources Management Department's permitting process requires planting of littoral areas within the water management tracts and execution of restrictive covenants to ensure future maintenance thereof. The Restrictive Covenant identifies a 9,105 square foot (0.21 acre) littoral area and a 3,883 square foot (0.09 acre) littoral area, totaling 12,988 square feet (.30 acres), within each water management tract and provides for the maintenance thereof. (PREM) District 6 (HJF)
  
6. **Staff recommends motion to approve:** a License Agreement with South Florida Water Management District (SFWMD) for use of parking spaces at Lake Lytal Park from March 18, 2011, through March 17, 2012 at no charge. **SUMMARY:** This License Agreement will allow SFWMD to utilize up to seventy-five (75) parking spaces at Lake Lytal Park while SFWMD works on a permanent plan to provide for its parking needs at its administrative headquarters complex, which is located adjacent to Lake Lytal Park. Use will be limited to employee parking between the hours of 7:00 am and 5:00 pm., excluding weekends and County holidays. SFWMD's use of the parking spaces is during the times of day and week that do not interfere with the public's use of the facilities at Lake Lytal Park. The term of the License Agreement is for one (1) year. The County may revoke the license for any reason whatsoever upon thirty (30) days written notice to SFWMD. The County will not charge for the use of the licensed premises. (FDO Admin) District 2 (MWJ)

I. HOUSING & COMMUNITY DEVELOPMENT

1. **Staff recommends motion to approve:** fourteen (14) Amendments to extend the expiration dates and to adjust the funding allocations to Agreements with subrecipients participating in the Neighborhood Stabilization Program subject to the receipt of signed Amendments from these subrecipients:
  - A)** Amendment No. 001 to the Agreement with the Palm Beach County Housing Authority (R2010-0898) to extend the expiration date from March 31, 2011, to June 30, 2011;
  - B)** Amendment No. 002 to the Agreement with the Palm Beach County Housing Authority (R2010-0898) to decrease the funding allocation from \$750,000 to \$749,999.34;
  - C)** Amendment No. 001 to the Agreement with the Riviera Beach Housing Authority (R2010-0899) to extend the expiration date from March 31, 2011, to June 30, 2011;
  - D)** Amendment No. 002 to the Agreement with the Riviera Beach Housing Authority (R2010-0899) to decrease the funding allocation from \$500,000 to \$492,579.49;
  - E)** Amendment No. 001 to the Agreement with the Housing Partnership, Inc. (R2010-0900) to extend the expiration date from March 31, 2011, to October 31, 2011;
  - F)** Amendment No. 002 to the Agreement with the Housing Partnership, Inc. (R2010-0900) to decrease the funding allocation from \$850,000 to \$809,868.03;

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

1. MOTION/TITLE CONTINUED

**G)** Amendment No. 001 to the Agreement with Neighborhood Renaissance, Inc. (R2010-0901) to decrease the funding allocation from \$500,000 to \$486,643.10;

**H)** Amendment No. 002 to the Agreement with the Florida Conference Association of Seventh Day Adventists (R2010-0902) to extend the expiration date from March 31, 2011, to October 31, 2011;

**I)** Amendment No. 003 to the Agreement with the Florida Conference Association of Seventh Day Adventists (R2010-0902) to decrease the funding allocation from \$272,600 to \$183,955.14;

**J)** Amendment No. 001 to the Agreement with the Community Land Trust of Palm Beach County, Inc. (R2010-0903) to extend the expiration date from March 31, 2011, to October 31, 2011;

**K)** Amendment No. 002 to the Agreement with the Community Land Trust of Palm Beach County, Inc. (CLT) (R2010-0903) to increase the funding allocation from \$800,000 to \$1,019,413.60;

**L)** Amendment No. 001 to the Agreement with the City of Riviera Beach (R2010-0904) to extend the expiration date from March 31, 2011, to October 31, 2011;

**M)** Amendment No. 002 to the Agreement with the Village of Wellington (R2001-1036) to extend the expiration date from April 30, 2010, to December 31, 2011; and

**N)** Amendment No. 003 to the Agreement with the Village of Wellington (R2001-1036) to decrease the funding allocation from \$750,000 to \$680,141.30.

**SUMMARY:** Palm Beach County entered into Agreements with eight (8) subrecipients under the Neighborhood Stabilization Program (NSP1). A total of \$5,000,000 in NSP1 funds was allocated to these subrecipients for the acquisition and rehabilitation of foreclosed properties which are then sold to, or leased to, income qualified households. Delays associated with the difficulties that proposed homebuyers have been having to acquire private mortgage financing to purchase these properties, foreclosure backlogs in the court system, the moratorium on closings related to questionable foreclosure documents, and the time needed to secure building permits for the rehabilitation work, have necessitated time extensions to Agreements with seven (7) of the eight (8) subrecipients. These subrecipients were able to obligate \$4,764,491.24 of the \$5,000,000 by the September 4, 2010, deadline for obligation of funds as mandated by the U.S. Department of Housing and Urban Development (HUD). Permission has now been granted by HUD to obligate the \$235,508.76 balance, provided that this amount is obligated by April 1, 2011. These amendments will pool unobligated funds from seven (7) subrecipients and make the sum of pooled funds available to the Community Land Trust of Palm Beach County, Inc. to acquire additional properties. **These are Federal Neighborhood Stabilization Program Grant funds which require no local match. Districts 1, 2, 3, 6 & 7 (TKF)**

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** Budget Transfer of \$2,000,000 from Natural Areas Fund Reserves to Natural Areas Management. **SUMMARY:** The funds are needed for on-going land management and enhancement activities being conducted by various annual term contract vendors within the Loxahatchee Slough Natural Area, Hungryland Slough Natural Area, Pine Glades Natural Area, and the Cypress Creek Natural Area. These are the County's largest natural areas (totaling 24,468 acres) and comprise approximately 78% of the County natural areas managed by the Department of Environmental Resources Management (ERM). The Natural Areas Fund is a non-ad valorem funding source for the County's natural areas management activities. Countywide (SF)

2. **Staff recommends motion to:**

**A) approve** Indian River Lagoon License Tag Funding Agreement Contract SAP No. 4600002344 with the South Florida Water Management District (SFWMD) for the Palm Beach County Cypress Creek Jupiter Ranch Restoration Project, commencing upon execution in FY2011 for a period of one (1) year, in an amount not to exceed \$77,030;

**B) approve** Budget Amendment of \$77,030 in the Environmental Resources Capital Projects Fund to recognize the agreement revenue; and

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

**SUMMARY:** The SFWMD's Indian River Lagoon License Plate Program has awarded a \$77,030 funding agreement for the Cypress Creek Jupiter Ranch Restoration Project, on a reimbursement basis. No matching funds are required. The project proposes to resculpture shell borrow pits to improve historic hydrologic connections and the functionality of the wetlands to allow them to store more water and help attenuate storm water surges to the Loxahatchee River. Planting of native vegetation will be done utilizing both volunteers and planting contracts. The project will also help reduce the threat of saltwater intrusion and extend base flows to the River, and re-establish suitable habitat for listed species. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

**A) ratify** signature by the County Administrator of a no-cost Exhibition Agreement with the City of West Palm Beach for use of the waterfront Lake Pavilion to promote local environmental resources and restoration initiatives;

**B) ratify** signature by the County Administrator of a no-cost Agreement with John J. Lopinot for the use of photographs for display during the exhibition at the Lake Pavilion, March 10-April 15, 2011;

**C) ratify** signature by the County Administrator of a no-cost Agreement with Armory Art Center for the use of nine sculpture pedestals for the purpose of displaying art during the exhibition at the Lake Pavilion, March 10- April 15, 2011;

**D) ratify** signature by the County Administrator of a Lease Agreement in the amount of \$3000 with Tanks A Lot for a saltwater living exhibit during the exhibition at the Lake Pavilion, March 10-April 15, 2011; and

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

**SUMMARY:** The City of West Palm Beach has recently offered Palm Beach County use of the Lake Pavilion for an environmental exhibit between March 10, 2011 and April 15, 2011. The exhibit includes various displays which require Agreements with providers of event specific goods and services. Due to the short notice, it was necessary for the Administrator to sign these Agreements after a review for legal sufficiency determined there was negligible risk to the County. District 7 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the months of January and February:

**A)** Mary Lou Putnam, Water Exercise Instructor, North County Aquatic Complex for the period January 26, 2011, through January 25, 2012, in an amount not to exceed \$13,000;

**B)** Palm Beach County Officials Association, Inc., Volleyball Officials, West Boynton Recreation Center for the period February 1, 2011, through April 7, 2011, in an amount not to exceed \$2,592;

**C)** Christine Dimond, Water Exercise Instructor, North County Aquatic Complex for the period March 11, 2011, through March 10, 2012, in an amount not to exceed \$4,000;

**D)** Caroline Andre, Cheerleading Coach, Westgate Recreation Center for the period February 15, 2011, through April 17, 2011, in an amount not to exceed \$682; and

**E)** Arthur Gibson, Basketball Referee, Westgate Recreation Center for the period February 12, 2011, through April 17, 2011, in an amount not to exceed \$703.

**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, 2 & 3 (AH)



3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to receive and file:** a Grant Adjustment Notice for the Edward Byrne Memorial Justice Assistance Grant for \$80,000 from the Florida Department of Law Enforcement to extend the Law Enforcement Exchange (LEX) project from December 31, 2010, to September 30, 2011. **SUMMARY:** The Law Enforcement Exchange (LEX) System is two-fold: it provides the technical connectivity between various law enforcement systems; and it is an application that allows law enforcement officers to query operational information stored in system databases across Palm Beach County and at the state and national levels. The project, originally approved for the probation and parole interface, has been delayed due to a vendor issue causing the extension and reallocation to a different project within LEX. The expenditure of \$80,000 was previously approved to develop a comprehensive LEX system integration plan. The goal is to create a uniform information sharing system for Palm Beach County law enforcement. This will include two-way communication conduits between local law enforcement crime centers and the Palm Beach Regional Fusion Center. Countywide (GB)

2. **Staff recommends motion to:**

**A) receive and file** the Department of Children and Families grant for \$455,295 for the Criminal Justice, Mental Health and Substance Abuse Reinvestment Act Program for the period of July 1, 2010, through June 30, 2013;

**B) approve** a Memorandum of Understanding for Implementation Grant with the Department of Children and Families for the period of July 1, 2010, through June 30, 2013 to establish a supportive housing for homeless leaving the jail; and

**C) approve** a Budget Amendment of \$455,295 in the Criminal Justice Grant Fund to establish funds for this grant project.

**SUMMARY:** Palm Beach County has received a direct award of \$455,295 under the Department of Children and Families (DCF) Criminal Justice, Mental Health and Substance Abuse Reinvestment Act Program for supported housing for those leaving the jail that are homeless with a mental health and substance abuse disorder with a focus for custodial parents. Programs will be administered jointly by the Criminal Justice Commission and the Oakwood Center of the Palm Beaches, Inc. Local match requirement of 100% is stipulated by DCF. The match is being provided through community resources from the Sheriff's Office (\$129,378; in-kind), Public Defender's Office (\$3,000; cash), Oakwood Center of the Palm Beaches, Inc. (\$122,253; in-kind), Comprehensive Alcoholism Rehabilitation Program, Inc. (\$226,927; in-kind), and the Drug Abuse Foundation (\$47,450; in-kind). The amount of overmatch is \$73,713. Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to adopt:

**A)** a Resolution of the Board of County Commissioners of Palm Beach County Florida, repealing Resolution No. R99-2344, which created the Victim Advocacy Advisory Council; and

**B)** a Resolution of the Board of County Commissioners of Palm Beach County Florida, repealing Resolution No. R2005-1259, which created the Domestic Security Council.

**SUMMARY:** On February 9, 2010, the County Administrator issued a memorandum requesting that all Department/Division Heads take a comprehensive look at advisory boards in which the Board of County Commissioners participate on or make appointments to in order to reduce their number. Staff generated a report from this assessment and provided it to the Board of County Commissioners. On September 28, 2010, the Board of County Commissioners approved by consensus to abolish these advisory boards, since the functions/duties of these two (2) committees can be served by other existing committees. Countywide (GB)

2. **Staff recommends motion to:**

**A) approve** an Agreement with Palm Beach State College in an amount not to exceed \$2,070.75 per class for the period March 1, 2011, through June 30, 2011 to provide Community Emergency Response Team (CERT) training for residents requesting CERT training through the Department of Public Safety Division of Emergency Management; and

**B) authorize** the County Administrator or his designee to execute any future contracts with the Palm Beach State College to provide CERT training on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

**SUMMARY:** Palm Beach County Department of Public Safety, Division of Emergency Management provides CERT training to residents of Palm Beach County. This program educates residents about disaster preparedness for types of hazards that may impact our county. Using the training learned in the classroom and during exercises, CERT members can assist others in their neighborhood or workplace following an event. Funding for this agreement will be provided by the State of Florida, Division of Emergency Management grant. Countywide (GB)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: renewal of the expiring Property Insurance Policy from National Union Fire Insurance Company, purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 10-042R/LJ, in an amount not-to-exceed \$525,003 for the designated properties of Water Utilities for the period April 1, 2011, through March 31, 2012. **SUMMARY:** This policy, underwritten by National Union Fire Insurance Company, provides \$200,000,000 of "all-risk" coverage excess of a \$1,000,000 deductible. A reduced sub-limit of \$50,000,000 applies to losses from named windstorms subject to a 5% of insured values deductible. The not-to-exceed renewal premium of \$525,003 represents an approximate decrease of 2% over the expiring policy. Sufficient funds are budgeted in FY 2011 for this coverage. Countywide (TKF/MJ)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

2. **Staff recommends motion to approve:** renewal of the Excess Automobile Liability Insurance Policy from State National Insurance Company, purchased through the County's contracted broker, Arthur J. Gallagher & Co., under Contract No. 10-042R/LJ, in an amount not-to-exceed \$309,877 for the operation of Palm Tran, Inc.'s bus fleet for the period April 1, 2011, through March 31, 2012. **SUMMARY:** This policy, underwritten by State National Insurance Company, provides \$2,000,000 of coverage excess of \$100,000 per claimant/\$200,000 per occurrence that is provided by the County's Self-Insured Retention Plan. (NOTE: Beginning October 1, 2011, due to a change in state legislation, the excess coverage will not take effect until we have reached \$200,000 per claimant /\$300,000 per occurrence in our Self Insured Retention Plan.) Last year, through aggressive negotiation, staff, with the assistance of the contracted broker, was able to achieve a 19% reduction in the final premium. That negotiated final premium of \$309,877 will continue for the new policy year, representing a 0% increase over the expiring policy. This premium is not subject to adjustment for changes in the size of the fleet during the policy period. Sufficient funds are budgeted in FY 2011 for this coverage. Countywide (TKF/DR)
  
3. **Staff recommends motion to approve:** renewal of the County's Excess Property & Liability Insurance Program for the period April 1, 2011, through March 31, 2012 purchased through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc., under Contract No. 10-042R/LJ, for a total cost not-to-exceed \$11,125,000. **SUMMARY:** The Excess Property & Liability Insurance Program currently provides excess layers of property insurance totaling \$200 million inclusive of the County's \$1,000,000 self-insured retention and excess layers of liability insurance totaling \$5 million excess of the County's \$500,000 self-insured retention. The program also includes various ancillary excess insurance policies covering damage to County-owned property resulting from flood, terrorism, boiler & machinery, and employee dishonesty. The coverage structure has been analyzed and configured to provide the best coverage terms at the most competitive prices. The County was successful in negotiating a significant reduction for the 2010-2011 policy year and coming in under budget. The 2010-2011 actual realized savings were \$1,014,016 or 8.3%. The projected 2011-2012 renewal figures include more aggressive pricing and are inclusive of anticipated mid-year charges for newly added properties. The County's total insurable values have increased 4.20% this year to approximately \$2.08 Billion. The cost of the program is also impacted by a variety of State mandated surcharges and assessments that have increased in 2011. The total not-to-exceed cost of \$11,125,000 represents a \$59,089 (0.53%) decrease over the actual expiring premium of \$11,184,089. Sufficient funds are budgeted in FY 2011 for this coverage. 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:** an Ordinance of the Board of County Commissioners of Palm Beach County, amending Ordinance 2003-004, as amended by Ordinance 2004-002, the Palm Beach County Living Wage Ordinance; amending Section 3 Living Wage; providing for captions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for effective date. **SUMMARY:** This amendment to the Palm Beach County Living Wage Ordinance provides for the living wage rate to be maintained at the current hourly rate through September 30, 2013, and for the current hourly rate to be used as the basis for calculating the living wage rate adjustment effective October 1, 2013. Countywide (EC)
- B. **Staff recommends motion to continue until June 21, 2011:** the Public Hearing on a Resolution abandoning that certain portion of South Stacy Street shown on the plat of Haverhill Acres, recorded in Plat Book 20, Page 75, Public Records of Palm Beach County, Florida. **SUMMARY:** The Petitioner is requesting an additional three (3) month continuance of the abandonment of that certain portion of South Stacy Street shown on the plat of Haverhill Acres, recorded in Plat Book 20, Page 75, Public Records of Palm Beach County, Florida. District 2 (PK)
- C. **Staff recommends motion to approve:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida amending Chapter 4 of the Palm Beach County Code (Ordinance 98-22, as amended by Ordinances 2001-065, 2003-27, 2005-44, 2008-004, and 2009-019), amending Section 4-2 (definitions); amending Section 4-5 (animals creating nuisances); amending Section 4-18 (guard dogs); amending Section 4-23 (kennel, excess animal habitat, pet shop, grooming parlor, and commercial stable permits); amending Section 4-24 (animal care; manner of keeping); amending Section 4-27 (dangerous dogs and vicious dogs); amending Section 4-29 (hobby breeder permits); amending Section 4-30 (animal care and control hearing board); amending Section 4-32 (violations, civil infractions, civil penalties); providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for penalty; providing for captions; and providing for an effective date. **SUMMARY:** This Amendment places additional requirements on pet shops and pet dealers to protect consumers; expands the definition of nuisance animals; revises provisions pertaining to animal establishments; requires all guard dogs services and individuals using guard dogs to obtain a permit, to comply with registration requirements, and to provide guard dogs with a humane existence; revises definitions; prohibits the tethering of animals as a means of confinement; amends manner of keeping regulations; revises provisions pertaining to hobby breeder permits; revises provisions pertaining to dangerous and vicious dogs; revises provisions pertaining to special master hearings; and revises provisions pertaining to violations. Countywide (SF)

4. PUBLIC HEARINGS – 9:30 A.M. CONTINUED

- D. Staff recommends motion to approve: an Amendment to Tequesta Fire Rescue's Certificate of Public Convenience and Necessity (COPCN) correcting and updating prior service areas to include four geographical areas that are covered by an Interlocal Agreement with Palm Beach County Fire Rescue until September 30, 2012 to Tequesta Fire Rescue's COPCN. **SUMMARY:** On December 21, 2010, the Public Safety Department through its Emergency Medical Services (EMS) Office submitted a request to approve the renewal of eleven (11) COPCN's. The Village of Tequesta's area of service needs to include the following four (4) geographical areas that are covered by an Interlocal Agreement with Palm Beach County Fire Rescue until September 30, 2012: Area 1: all parcels south of the Village of Tequesta's municipal border, east of Point Drive/Rio Vista Drive along the Loxahatchee River, and back north along Rio Vista Drive to the Tequesta border line. Area 2: all parcels not within the Village of Tequesta's municipal boundary: east of Country Club Drive, south to Tequesta Drive, east to the Loxahatchee River, and back north to the Tequesta line. Area 3: all parcels not within the Village of Tequesta's municipal boundary, east of the Loxahatchee River, south to the Tequesta line ( just north of N Dover Road ), east to the Tequesta line (just west of Gardens Street), and back north to the Tequesta line. Area 4: All parcels within the City limits of Jupiter, south of the Village of Tequesta's boundary line, east to the FEC railroad tracks, south to the Loxahatchee River, and back north along the Loxahatchee River to the Tequesta Line. Countywide (GB)

\* \* \* \* \*

5. REGULAR AGENDA

A. ADMINISTRATION

**TIME CERTAIN 10:30 A.M.**

1. Presentation by Tax Collector
2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, requesting the Florida Legislature to support the continuance of the prescription drug monitoring program implemented in Section 893.055, Florida Statutes. **SUMMARY:** In 2009, the Florida Legislature passed legislation establishing a prescription drug monitoring program (PDMP), including the implementation of a statewide database that would track prescription drug purchases in order to curb the abuse of prescription pain medication. The database is funded through private dollars; however, the PDMP has not yet begun due to contract delays. Recently, Governor Rick Scott announced his desire to eliminate the PDMP due to funding and privacy concerns. Because the tri-county portion of South Florida is home to 37 percent of the state's registered pain clinics: Broward (127), Palm Beach (108) and Miami-Dade (81), the Board of County Commissioners of Palm Beach County requests that the Florida Legislature continue to support the development and use of the PDMP and that the Legislature not support Governor Scott's recommendations. The proliferation of pain management clinics and the drug-related deaths associated with overdosing are causing seven (7) Floridians per day to lose their lives. Law enforcement and medical providers are extremely supportive of Florida's PDMP. By not having one in Florida, Florida has grown to be one of the biggest suppliers of prescription drugs in the nation. According to the Florida Attorney General's Office, nearly 8.3 million oxycodone pills were sold in just the three (3) South Florida counties alone – Palm Beach, Broward, and Dade – in 2009. We have become the nation's oxycodone capitol. Countywide (DW)

B. FIFTEENTH JUDICIAL CIRCUIT

**TIME CERTAIN 10:25 A.M.**

1. Staff requests Board direction: on the establishment of a full-time county funded Juvenile Court Case Manager position with Court Administration. This position is currently funded by a Criminal Justice Commission grant through March 31, 2011 and there are sufficient county funds of \$34,604 that are available within the Court Administration's operating budget to fund the cost of this position through September 30, 2011. **SUMMARY:** On March 23 2010, the Board approved a budget transfer from the American Recovery and Reinvestment Act – Justice Assistance Grant Fund for three (3) Court Administration positions from December 21, 2009, through December 28, 2010. The Juvenile Case Manager was not hired until April 2010 and funded through April 2011. However, due to health insurance costs, the funding will be depleted on March 18, 2011. The Juvenile Court Case Manager is the only Delinquency Case Manager position in Palm Beach County. The position provides services to the Juvenile Courts, the judicial partners, and especially the youth and families throughout the County. This position has developed and implemented a number of new initiatives, enhanced current juvenile practices and increased the utilization of community-based alternatives for court-involved youth. A budget transfer of \$34,604 from operating budget to personal services will provide the funding necessary to cover the salary and benefit costs for one (1) Juvenile Court Case Manager position through September 30, 2011. There are sufficient funds within the operating budget due to a combination of savings and a reprioritization of planned spending. Continuation of this position after September 30, 2011 will be included in the budget process for the upcoming year. Countywide (TKF)

5. REGULAR AGENDA

C. AIRPORTS

1. Staff requests Board direction on: Airport ground transportation user fees adopted pursuant to Resolution No. 2010-1462 for the Palm Beach International Airport (PBI). **SUMMARY:** At the February 15, 2011 meeting, the Board directed staff provide additional information regarding vehicle for hire and airport ground transportation fees. Vehicle for hire (VFH) permit fees are charged by Palm Beach, Broward and Miami-Dade Counties (See Attachment "1" of the Agenda Item, VFH Fee Summary). VFH Ordinances are regulatory in nature and regulate matters such as vehicle safety and appearance, insurance and driver standards. Palm Beach County's VFH fees are the lowest of the three counties (See Attachment "2" of the Agenda Item, Reserves Summary). It should be noted that all three (3) counties provide for some level of reciprocity for out-of-county VFH companies with valid VFH permits from their county of origin to their respective airports/seaports. Airport ground transportation fees are user fees charged by PBI, the Fort Lauderdale-Hollywood International Airport (FLL) and the Miami International Airport (MIA) to VFH companies for the privilege of operating a commercial enterprise on the airport (See Attachment "3" of the Agenda Item, Airport Fee Summary). None of the airport ground transportation regulations provide for reciprocity. For example, a limousine operator with a valid Palm Beach County VFH permit would not be required to obtain a Broward County VFH permit, but would be required to pay all applicable airport ground transportation fees to FLL to operate at the airport. The Division of Consumer Affairs (Consumer Affairs) administers and enforces the VFH Ordinance. The airport ground transportation permit/decal process is also administered by Consumer Affairs on behalf of the Department of Airports. Consumer Affairs has issued more than 1000 airport ground transportation decals at the cost of \$75.00 per vehicle. As an accommodation to non-contractual VFH companies, the Department of Airports also intends to recommend re-opening the East ground transportation loop for use by non-metered vehicles providing VFH services, such as limousines and sedans (See Attachment "4" of the Agenda Item, Proposed Loop Requirements Summary). Countywide (AH)

D. PLANNING, ZONING & BUILDING

1. Staff requests Board direction: on participation in the Multi-Jurisdictional Issues Forum. **SUMMARY:** The Board of County Commissioners, at its meeting on January 11, 2011, directed the County Attorney to examine the County's participation in the "Palm Beach County Intergovernmental Coordination Program" in light of potential Sunshine Law concerns. The Coordination Program is comprised of two (2) elements: a) an Issues Forum and Executive Committee comprised of elected officials; and b) an Intergovernmental Plan Amendment Review Committee comprised of planning directors. The Sunshine Law applies to any gathering of two (2) or more members of a board or committee regarding discussion of matters that will come before a board or committee in the foreseeable future, unless the committee's powers are limited to information-gathering or fact finding authority and only conducts such activities. The Issues Forum of the Coordination Program is a sunshine committee as it makes recommendations regarding countywide issues. Options to consider by the Board are as follows:
  - 1) Discontinue participation in the Issues Forum, the Executive Committee, and IPARC by withdrawing as a party to the two (2) interlocal agreements;
  - 2) Discontinue participation in the Issues Forum by withdrawing from the Multi-Jurisdictional Issues Coordination Forum Interlocal Agreement and continue to participate in IPARC; or
  - 3) Continue participation as set forth in the Interlocal Agreements. Countywide (RB)

5. REGULAR AGENDA

E. CRIMINAL JUSTICE COMMISSION

**TIME CERTAIN 2:00 P.M.**

1. Staff recommends motion to receive and file: an update by members of the Criminal Justice Commission (CJC) regarding the following issues: Inspector General report on Pride Integrated Services, Inc. probation contract; Electronic monitoring; Juvenile Detention Center population and Alternatives to Secure Detention programs; and CJC membership and Sunshine Law concerns. **SUMMARY:** The CJC is providing updates as requested by the Board of County Commissioners at the November 30, 2010 Workshop. In response to an inquiry requested by the CJC, the Inspector General recently completed a special review of Pride Integrated Services, Inc., handling of restitution payments and has made recommendations to the CJC. The CJC has responded to the recommendations made by the Inspector General and has made changes to the contract monitoring process as a result. The CJC has prepared a report on the current usage of electronic monitoring as a means of reducing the jail population, and the potential for expanding the program. A study of the juvenile detention center population and current alternatives to secure detention programs has been completed. The CJC has been addressing Sunshine Law concerns raised by some of the CJC constitutional officers. The CJC has created a subcommittee consisting of the five (5) constitutional officers and private sector members to examine the Sunshine Law issues and concerns brought forward by the State Attorney. An opinion on whether having a designee would alleviate the concern has been requested from the Office of the Attorney General. Other alternatives are currently being discussed in the committee and recommendations are forthcoming. Countywide (GB)



5. REGULAR AGENDA

F. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff requests Board direction on:

**A) approving** the development of a 9/11 Memorial Plaza project;

**B) approving** the re-allocation of \$20,000 of 2002 Cultural and Recreation Facilities Bond public art monies to the 9/11 Memorial Plaza project; and

**C) authorizing** Public Affairs and Facilities Development and Operations staff to develop a fundraising plan to include specific fund raising strategies as well as an outline of acceptable roles County staff can play in the effort.

**SUMMARY:** To commemorate the tenth anniversary of the “attacks on America” which occurred on September 11, 2001, a 9/11 Memorial Plaza in Lake Lytal Park will be created as a peaceful place of reflection, remembrance and commemoration of the victims and first responders at the World Trade Center in New York, the Pentagon in Arlington, Virginia and in a field near Shanksville, Pennsylvania. In partnership with Fire Rescue, Sheriff’s Office and Parks and Recreation, the County’s public art program will facilitate a process by which an artist is selected to design the Memorial Plaza. The re-allocated \$20,000 will fund the design development of the memorial plaza. The completed design will be used as the primary fundraising tool to fund the construction and installation of the Memorial Plaza. In 2004, the Board approved \$1,000,000 for countywide public art projects to be sited throughout the County. Of the seven (7) identified projects only one (1) is not yet underway or complete, the Black Heritage Trail project (Trail). The Trail is envisioned as a countywide landmarking project, the sites of which are to be determined by a planning committee separate from the Public Art Committee. Various efforts have been made to identify a planning committee for the Trail but to date one has not been successfully established. Recently the Public Art Committee identified a new idea to jump start the project by re-granting the funds either through: 1) a planning grant to a local not-for-profit which would work with the municipalities to identify and prioritize important places of black heritage, or 2) direct re-granting to the municipalities themselves. In either scenario, it is unlikely that this project will require County funding for several years. As such, Staff is recommending that \$20,000 be re-allocated to the 9/11 Memorial Plaza. After funds are raised to cover construction and installation costs associated with the Memorial Plaza, additional funds raised will reimburse the \$20,000 to the Trail. Issues include initiating such a staff intensive project during budget cutbacks and public fundraising. (FDO Admin) Countywide/District 2 (MJ)

\* \* \* \* \*

6. BOARD APPOINTMENTS

A. **ENVIRONMENTAL RESOURCES MANAGEMENT**  
**(Artificial Reef and Estuarine Enhancement Committee)**

1. **Staff recommends motion to approve:** one (1) reappointment and one (1) appointment of at-large members to the Artificial Reef and Estuarine Enhancement Committee (AREEC) are for a term of three (3) years beginning March 15, 2011, through March 14, 2014:

<b><u>Nominees</u></b>	<b><u>Seat No.</u></b>	<b><u>Representing</u></b>	<b><u>Nominated By</u></b>
<b><u>Reappointment</u></b>			
David Snyder	6	Fisheries Interests	Comm. Marcus Comm. Vana Comm. Burdick Comm. Abrams Comm. Taylor Comm. Aaronson
<b><u>Appointment</u></b>			
Jennifer Smith	2	Other Government Entity	Comm. Marcus Comm. Vana Comm. Burdick Comm. Abrams Comm. Taylor Comm. Aaronson

**SUMMARY:** On September 9, 2008, the Board of County Commissioners (BCC) adopted Resolution No. R08-1511 which established AREEC with eleven (11) members. The membership consists of one (1) representative of the County Commission, one (1) representative of commercial SCUBA diving, one (1) representative of recreational SCUBA diving, one (1) representative of marine industry, one (1) representative of recreational fishing, one (1) representative of fisheries, one (1) representative of an environmental organization, two (2) representatives from other government entity and two (2) general members. A memorandum from Environmental Resources Management was sent to the BCC on January 24, 2011 requesting nominations for Seat 6 and Seat 2. Countywide (HF)

B. **COMMUNITY SERVICES**  
**(Community Action Advisory Board)**

1. **Staff recommends motion to approve:** Appointment of the following representatives to the Community Action Advisory Board for terms ending September 30, 2013:

<b><u>Seat #</u></b>	<b><u>Appointment</u></b>	<b><u>Member Category</u></b>	<b><u>Term Ending</u></b>	<b><u>Nominated By</u></b>
5	Mary R. Wilkerson	Public Sector (At-Large)	9/30/2013	Comm. Burdick Comm. Marcus Comm. Santamaria
7	Gina Horn	Private Sector	9/30/2013	Comm. Burdick Comm. Marcus Comm. Santamaria Comm. Taylor

**S**  
**SUMMARY:** The Community Action Advisory Board (CAAB) is a 15-member board comprised of one third elected public officials or their representatives, with the remaining members being business, industry, labor, religion, law enforcement, education or other major groups in the community. On February 9, 2011, written notice was sent to each Commissioner to request nominations. The appointments meet all applicable guidelines and requirements outlined in Resolution R2009-1549. The CAAB has reviewed and approved the nominee listed above. (Community Action) Countywide (TKF)

6. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** appointment of one (1) new member to the Land Development Regulation Advisory Board (LDRAB), for the term from March 15, 2011, 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>
Susan A. Kennedy, Attorney	19	None (Alternate)	Comm. Marcus
<b>OR</b>			
Jose N. Aguila, Architect	19	None (Alternate)	Comm. Abrams
<b>OR</b>			
Patrick J. Gleason, Geologist & Hydro Geologist	19	None (Alternate)	Comm. Taylor

**SUMMMARY:** The Board is comprised of 19 members. The new appointment will fill the unexpired term of Frank Palen who has resigned. The Unified Land Development Code (ULDC) provides for seven (7) members appointed by the Board of County Commissioners (BCC) (one from each Palm Beach County Commissioner as a district appointment) with consideration of expertise in Article 2.G.3.A.3.b., 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: Palm Beach County League of Cities; Engineer: Florida Engineering Society; Architect: American Institute of Architects; Environmentalist: Environmental Organization; Realtor: The Palm Beach County Board of Realtors; Surveyor: Florida Surveying and Mapping Society; Citizen Representative: Condominium/HOA Association; Commercial Builder: Association General Contractors of America; and AICP Planner: Palm Beach County Planning Congress; and two (2) members appointed at-large, as alternates, by majority vote of the BCC, with consideration of the expertise in Article 2.G.3.A.3.b., Qualifications. These appointments/reappointments are consistent with the ULDC requirements. Unincorporated (LB)

6. BOARD APPOINTMENTS

D. ADMINISTRATION  
(Treasure Coast Health Council, Inc.)

1. Staff recommends motion to approve: reappointment/appointment of the following members to the Treasure Coast Health Council, Inc. (Council) for a two (2) year term from March 15, 2011, to March 14, 2013:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by</u>
<b>Reappoint:</b> Dr. Douglas M. Sigman	2	Health Care Consumer	Comm. Marcus Comm. Burdick Comm. Taylor
<b>Appoint:</b> Louise E. LaHue	3	Health Care Consumer	Comm. Burdick Comm. Taylor
Joshua DeTillio	9	Health Care Provider	Comm. Burdick Comm. Taylor

**SUMMARY:** The Council is comprised of twelve (12) members: seven (7) representatives appointed by Palm Beach County; one (1) appointed representative each for Indian River County; Martin County, and Okeechobee County; and two (2) representatives appointed by St. Lucie County. Appointees shall be representatives of health care providers, health care purchasers, and non-governmental health care consumers. A majority of the Council must be health care purchasers and health care consumers, and the Council must include a representative number of persons over 60 years of age. On February 25, 2011, staff distributed a memo requesting support of the above nominees or submittal of additional nominees. No other nominations were received. Countywide (TKF)

E. COMMISSION DISTRICT APPOINTMENTS

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**MARCH 15, 2011**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**



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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**MARCH 15, 2011**

<u>PAGE</u>	<u>ITEM</u>	
8	3C-3	<b><u>DELETED:</u> Staff recommends motion to approve: A) the cancellation of Reimbursement Agreement R2009-1478 with the Lake Worth Community Development Corporation/Hammon Park in the amount of \$250,000; B) a Reimbursement Agreement with the Lake Worth Community Development Corporation/Hammon Park (CDC) in an amount not to exceed \$62,500; and..(Engineering)</b>
14	3E-7	<b><u>DELETED:</u> Staff recommends motion to approve: Head Start Contracted Services Expansion Agreement with Apostolic Child Development Centers, Inc., for the period of March 7, 2011, through September 29, 2011, in an amount of \$78,560, for services to Early Head Start children and families. (Community Services) (Further staff review)</b>
26	3X-2	<b><u>DELETED:</u> Staff recommends motion to: A) approve an Agreement with Palm Beach State College in an amount not to exceed \$2,070.75 per class for the period March 1, 2011, through June 30, 2011 to provide Community Emergency Response Team (CERT) training for residents requesting CERT training through the Department of Public Safety Division of Emergency Management; and...(Public Safety) (Agreement not executed by College)</b>
30	5A-3	<b><u>ADD-ON:</u> Staff recommends motion to adopt: a Resolution by the Board of County Commissioners of Palm Beach County, Florida, approving a \$60,000 Job Growth Incentive (JGI) Grant with GARDA USA, INC. (GARDA) as a portion of the local match for a State Qualified Target Industry Grant Program (QTI) with a High Impact Sector Bonus, and providing for an effective date. <b>SUMMARY:</b> On January 11, the Board of County Commissioners (BCC) adopted (R2011-0078) conceptually approving \$40,000 as a portion of the local match for a State Qualified Target Industry Grant, and \$20,000 as a High Impact Performance Incentive Grant, and \$150,000 for the Quick Action Closing Fund with GARDA. On March 1, 2011, the BCC adopted a \$210,000 JGI with GARDA. This Resolution in the amount of \$60,000 is required by the State to process GARDA's QTI with High Impact Sector Bonus. <b>There is no additional fiscal impact.</b> <u>District 4</u> (DW) (Admin/EDO)</b>
31	5D-1	<b><u>DELETED:</u> Staff requests Board direction: on participation in the Multi-Jurisdictional Issues Forum. (PZB)</b>

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