

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

MAY 17, 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 7 - 31)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 32 - 34)**
- 5. REGULAR AGENDA (Pages 35 - 39)**
TIME CERTAIN 10:00 A.M. (Comprehensive Annual Financial Report Presentation) (Page 35)
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) a Modification to an Award/Contract (R2009-1058) (Charge Resolution Contract No. EECCN090037, Modification No. 2) with the U.S. Equal Employment Opportunity Commission (EEOC) allowing the Office of Equal Opportunity to receive revenue in the total amount of \$105,250 as payment for processing and resolving employment discrimination complaints; and

B) an upward Budget Amendment of \$33,250 in the EEOC Fund to adjust the budget to the actual grant award.

SUMMARY: Execution of this contract is required so that OEO can receive payment for processing and resolving complaints of employment discrimination pursuant to the Worksharing Agreement with the EEOC. This Charge Resolution Contract is for FY 2010 - 2011 and is in the amount of \$105,250 (\$102,000 - charge processing; \$1,750 Intake Services, and \$1,500 - attendance at EEOC sponsored annual training). EEOC Charge Resolution Contracts for all Fair Employment Practices Agencies nationwide provide payment at a rate of \$600 per charge. OEO's contract is for a total of 170 charges. Countywide (TKF)

2. Staff recommends motion to approve: Amendment No. 1 to the City of Greenacres Grant Agreement (R2010-0727) increasing the grant award by \$19,998. **SUMMARY:** On May 18, 2010, the Board of County Commissioners approved an Agreement (R2010-0727) with the City of Greenacres (City) in the amount of \$91,648. This grant is funded by the Department of Energy's Energy Efficiency and Conservation Block Grant (EECBG) Program and allowed the City to conduct energy efficiency retrofits to five (5) public buildings. The additional \$19,998 is available from unspent funds of a completed Energy Grant project and will permit the City to fully comply with the Buy American Act provision of the Agreement. This Amendment also adds required language pertaining to the Office of Inspector General, pursuant to Ordinance 2009-049. **These are Federal funds that require no local match.** District 2 (DW)

3. Staff recommends motion to approve: Amendment No. 6 to the Palm Beach County Section 108 Loan Program criteria, to modify certain elements of the criteria. **SUMMARY:** The proposed Amendment will modify the non-refundable Processing Fee from \$200 to \$1,000 which will no longer be credited to closing costs; and an increase of the one-time Section 108 Administrative Fee from 2% to 3%. This Amendment will offset administrative costs while continuing to offer business loans well below conventional rates. Countywide (DW)

B. CLERK & COMPTROLLER

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

2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a County Deed conveying to the Florida Department of Transportation (FDOT) certain road right-of-way parcels for Okeechobee Boulevard between State Road 7 and the Florida Turnpike. **SUMMARY:** Approval of this County Deed will convey Palm Beach County owned right-of-way parcels for Okeechobee Boulevard to the FDOT. Districts 2 & 6 (PK)

2. Staff recommends motion to approve: a Budget Transfer of \$35,000 in the Capital Outlay Fund from Point Chosen Bridge Fender System Replacement to C.R. 707 Bascule Bridge Machine Repairs. **SUMMARY:** Approval of this Budget Transfer of \$35,000 within the Capital Outlay Fund from Point Chosen Bridge Fender System Replacement to C.R. 707 Bascule Bridge (Bridge) Machine Repairs will allow for design services for replacement pedestals for the shaft support, the main rack, and the pinion gear due to the loss of much of the metal content from these parts. While the bridge, which crosses the Intracoastal Waterway, currently continues to function, the structural engineer recommends that a maintenance project to perform repairs needs to “be implemented in one (1) to two (2) years.” Based on this recommendation funding is needed for design this year with an additional estimated \$620,000 anticipated to be needed for construction funding in FY 2012. Districts 6 & 7 (MRE)

3. Staff recommends motion to approve: Agreements with Arcadis U.S., Inc. (Arcadis) and Kimley-Horn & Associates, Inc. (KHA), to provide the necessary professional services for intersection improvement projects on a task order basis, for Palm Beach Countywide (County) projects, as required. **SUMMARY:** Approval of these agreements will provide the necessary professional services for intersection improvement projects throughout the County for all user departments. At the option of the County, these agreements may be renewed annually for a period of one (1) year, with a maximum of two (2) renewals. Arcadis and KHA both have offices in Palm Beach County. Countywide (PK)

4. Staff recommends motion to:
 - A) **adopt** a Resolution to approve Amendment Number One to Joint Participation Agreement (JPA) R2009-1623 with the Florida Department of Transportation (FDOT) for additional FDOT funding for Palm Beach County’s (County) installation of landscape improvements on State Road 7 from Palmetto Park Road to Glades Road (Project); and

 - B) **approve** an upward Budget Amendment of \$48,000 in the Transportation Improvement Fund to recognize reimbursement from FDOT and appropriate it to the Project.

SUMMARY: FDOT agrees to provide the County up to an additional \$48,000 as 100% reimbursement funding for the County’s installation of replacement landscape in the medians of the Project. Approval of Amendment Number One will increase the total funding to be provided to a maximum amount of \$248,000. The original JPA’s funding amount of \$200,000 was mostly for irrigation improvements. The total reimbursement funding amount is in excess of the estimated cost to construct the Project; therefore, the Project can be built at no cost to the County. Amendment Number One requires that all work be completed by the County and accepted by FDOT no later than December 31, 2012. No matching funds are required. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (CONT'D)

5. **Staff recommends motion to approve:** a Task Agreement for \$117,789 against the Annual Structural Services Agreement (R2011-0174) with Bridge Design Associates, Inc. dated February 15, 2011 for the design phase of the Palmetto Park Bascule Bridge Hydraulic Machinery Project, Project No. 2011905. **SUMMARY:** Approval of this Task Agreement will authorize Bridge Design Associates, Inc. to prepare plans and technical specifications for structural modifications to the existing bridge, and provide project management utilizing a sub-consultant with mechanical and electrical engineering expertise. Once designed, the new system will provide upgraded technology as well as incorporating current American Association of State Highway and Transportation Officials standards for hydraulic and electrical systems. District 4 (MRE)

6. **Staff recommends motion to receive and file:** Work Authorization No. 3 to Agreement Number R2010-0457, Project Number 2004602, with Wantman Group, Inc., in a total amount of \$99,984.47 for professional services for West Atlantic Avenue from west of Lyons Road to Starkey Road. **SUMMARY:** Filing of this Work Authorization No. 3 will provide notification to the Board of County Commissioners that the cumulative value of the additional services exceeds \$250,000. District 5 (PK)

7. **Staff recommends motion to approve:** a Contract with Ranger Construction Industries, Inc. (Ranger), in the amount of \$2,216,015.80 for the construction of Okeechobee Boulevard from Australian Avenue to Tamarind Avenue/Parker Avenue (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 Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this Project due to Federal funding restrictions. The Federally required non-mandatory Disadvantaged Business Enterprise (DBE) goal for the Project is 8.18%. The SBE and DBE participation proposed for the Project by Ranger is 15% and 0% respectively. District 7 (MRE)

8. **Staff recommends motion to approve:**
 - A) a Contract with Ranger Construction Industries, Inc. (Ranger), the lowest responsive, responsible bidder in the amount of \$1,456,526.20 for the construction of Blue Heron Boulevard and Congress Avenue – Phase II (Project); and
 - B) a Budget Amendment of \$54,046 in the Road Impact Fee Fund – Zone 1 to recognize reimbursement funding from the City of Riviera Beach and appropriate it to Blue Heron Boulevard and Congress Avenue – Phase II.

SUMMARY: Approval of this Contract and Budget Amendment 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 Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this Project due to Federal funding restrictions. The Federally required non-mandatory Disadvantaged Business Enterprise (DBE) goal for the Project is 8.18%. The SBE and DBE participation proposed for the Project by Ranger is 15% and 0% respectively. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (CONT'D)

9. Staff recommends motion to:

A) adopt a Resolution approving Amendment Number One to the County Incentive Grant Program (CIGP) Agreement R2010-0933 with the State of Florida Department of Transportation (FDOT), approved on June 30, 2010, for the construction of Lyons Road from 900 feet north of SR-806/Atlantic Avenue to 1.5 miles south of S.R.-804/Boynton Beach Boulevard (Project) to add E-Verify language; and

B) approve a downward Budget Amendment of \$3,514,998 in the Road Impact Fee Fund Zone 5 to reduce the CIGP Agreement from FDOT for the Project to match the actual bid price.

SUMMARY: Approval of Amendment Number One will allow the E-Verify requirement to be added to the CIGP Agreement and approval of a downward Budget Amendment will adjust the grant funds provided to Palm Beach County for construction of the Project. District 5 (MRE)

10. Staff recommends motion to adopt: a Resolution approving Amendment Number Seven to the County Incentive Grant Program (CIGP) Agreement R2001-2157 with the State of Florida Department of Transportation, approved on December 18, 2001, to extend the CIGP Agreement expiration date for Okeechobee Boulevard from west of S.R. 7 to Florida's Turnpike and add E-Verify language. **SUMMARY:** Approval of Amendment Number Seven will change the expiration date from June 30, 2011, to December 31, 2011, and allow the E-Verify requirement to be added to the CIGP Agreement. Districts 2 & 6 (MRE)

11. Staff recommends motion to adopt: a Resolution approving Amendment Number One to the Transportation Regional Incentive Program (TRIP) Agreement (R2008-0823) with the State of Florida Department of Transportation, approved on June 13, 2008, to extend the TRIP Agreement expiration date for Jog Road from 45th Street to north of 45th Street and add E-Verify language. **SUMMARY:** Approval of Amendment Number One will change the expiration date from June 30, 2011, to June 30, 2012, and allow the E-Verify requirement to be added to the TRIP Agreement. District 6 (MRE)

12. Staff recommends motion to:

A) adopt a Resolution approving Amendment Number Three to the Transportation Regional Incentive Program (TRIP) Agreement (R2007-0837) with the State of Florida Department of Transportation approved on June 5, 2007, to extend the TRIP Agreement expiration date for the West Atlantic Avenue project from west of Lyons Road to Starkey Road (Project) and to add E-Verify language; and

B) approve a downward Budget Amendment of \$2,583,698 in the Transportation Improvement Fund to reduce the TRIP funding from FDOT for the Project to match the actual bid price.

SUMMARY: Approval of Amendment Number Three will allow the E-Verify requirement to be added to the TRIP Agreement and will change the expiration date from June 30, 2011, to June 30, 2013. Approval of the downward Budget Amendment will adjust the grant funds provided to Palm Beach County for construction of the Project. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (CONT'D)

13. Staff recommends motion to adopt: a Resolution approving Amendment Number Four to the Transportation Regional Incentive Program (TRIP) Agreement (R2008-0939) with the State of Florida Department of Transportation, approved on June 3, 2008, to extend the TRIP Agreement expiration date for State Road 7 at State Road 80 and add E-Verify language. **SUMMARY:** Approval of Amendment Number Four will change the expiration date of the TRIP Agreement from June 30, 2011, to December 31, 2012, and allow the E-Verify requirement to be added to the TRIP Agreement. District 6 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the Rules of Procedure incorporated into Section 500.00 of the County's Administrative Code; providing for an effective date. **SUMMARY:** This Resolution amends the Rules of Procedure for Board of County Commissioners meetings, which are incorporated into Section 500.00 of the County's Administrative Code. The amendments include: reducing the term of the Chair/Vice-Chair to one (1) year and related changes to the timing of the election of the Chair/Vice-Chair; requiring that a citizen be present in chambers in order to have a comment card read into the record; allowing for public comments at workshops only at the Chair's discretion; and modification of the time for presentation of proclamations from 9:30 a.m. to the beginning of the meeting, in order to comply with the scheduling of evening Board meetings. Countywide (MWJ)

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 Dr. Linda DePiano of Oakwood Center of the Palm Beaches, Inc., n/k/a The Jerome Golden Center for Behavioral Health, Inc., a member of the Criminal Justice, Mental Health, and Substance Abuse Planning Council; and
 - B) Contract with Oakwood Center of the Palm Beaches, Inc. n/k/a The Jerome Golden Center for Behavioral Health, Inc. for the period of May 23, 2011, through May 22, 2012, in an amount of \$199,080, for 15 permanent housing beds for disabled, homeless individuals.

SUMMARY: The Division has received funds from the Housing and Urban Development (HUD) Shelter Plus Care grant to provide rental assistance for permanent housing beds. As a result, the Division is contracting with Oakwood Center of the Palm Beaches, Inc., n/k/a The Jerome Golden Center for Behavioral Health, Inc. to provide permanent housing beds for 15 homeless, disabled individuals. A prohibited relationship waiver is being recommended for an employee of Oakwood Center of the Palm Beaches, Inc., n/k/a The Jerome Golden Center for Behavioral Health, Inc. who serves on a County advisory board. This individual disclosed the 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. No local match is required by the County for this grant. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (CONT'D)

2. Staff recommends motion to:

A) approve 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 employee Jamie Estremera-Fitzgerald, a member of the Criminal Justice Mental Health & Substance Abuse Planning Council;

B) receive and file Amendment No. 003 to Contract Renewal No. IC010-9500 (R2010-1229) for Community Care for the Elderly (CCE) program with the Area Agency on Aging (AAA) of Palm Beach/Treasure Coast, Inc. for the period July 1, 2010 through June 30, 2011, increasing the agreement amount by \$48,000 for a new total not-to-exceed amount of \$1,070,684;

C) receive and file Amendment No. 003 to Contract Renewal No. IH010-9500 (R2010-1227) for Home Care for the Elderly (HCE) program with the AAA to decrease the Subsidies agreement amount by \$48,000 for a new total not-to-exceed amount of \$89,826;

D) receive and file Amendment No. 002 to Standard Agreement No. IA010-9500 (R2010-0188) for Older Americans Act (OAA) program with the AAA for the period January 1, 2010 through December 31, 2010, to increase the agreement amount by \$22,113.07 for a new total not-to-exceed amount of \$2,097,798.07;

E) receive and file Amendment No. 002 to Standard Agreement No. IP010-9500 (R2010-0842) for Emergency Home Energy Assistance Program (EHEAP) with the AAA to extend the service date to May 31, 2011 and to revise and replace the Agreement Report Schedule and the EHEAP Statistical Report; and

F) approve an upward Budget Amendment of \$29,592 in the DOSS Administration fund to reconcile the budget to the actual grant award.

SUMMARY: Receive and file items are being submitted in accordance with Countywide PPM No. CW-0-051 to allow the Clerk's Office to note and receive the executed agreement. Amendments were 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 DOSS/AAA grant amendments. 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 the amendments will not create a conflict of interest with the continued service of this individual on the council. There is a cash match requirement of \$7,790 which is included in the current budget. In the area south of Hypoluxo Road, the Mae Volen Senior Center, Inc. provides 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)

F. AIRPORTS

1. Staff recommends motion to approve: Utility Easement Agreement with Florida Power & Light Company (FPL) for electric utility facilities at the Palm Beach International Airport (PBIA). **SUMMARY:** FPL requires an easement to facilities at PBIA that were relocated as part of the Taxiway F extension project; and to connect segments of existing utility lines to a public right-of-way. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (CONT'D)

2. **Staff recommends motion to approve:** First Amendment to Automated Teller Machine Concession Agreement (Amendment) with Fifth Third Bank, providing for renewal of the term through September 30, 2013. **SUMMARY:** On September 9, 2008, the Board approved the Automated Teller Machine Concession Agreement (R2008-1457) (Agreement) for the operation of ATM services at the Palm Beach International Airport. The Agreement is scheduled to expire on September 30, 2011 unless renewed. The Amendment will renew the Agreement through September 30, 2013. The Amendment also includes provisions pertaining to audits and inspections by the Inspector General. Countywide (HJF)

3. **Staff recommends motion to receive and file:** seven (7) original documents for the Department of Airports:
 - A)** Consent to Sublease for a Sublease Agreement between Florida Airmotive, Inc. and Thomas A. Toop, commencing March 1, 2011 (HF);

 - B)** Consent to Sublease for a Sublease Agreement between Galaxy Aviation of Palm Beach, Inc. and Cariblink, Inc., commencing March 1, 2011 (HF);

 - C)** Consent to Sublease for a Sublease Agreement between Jet Aviation Associates, Ltd. and Boca Aircraft Maintenance, commencing March 15, 2011 (HF);

 - D)** Consent to Sublease for a Sublease Agreement between Jet Aviation Associates, Ltd. and CH Aircraft, LLC, commencing March 15, 2011 (HF);

 - E)** Consent to Sublease for a Sublease Agreement between Jet Aviation Associates, Ltd. and GRJ Flying Service, LLC, commencing December 1, 2010 (HF);

 - F)** General Aeronautical Services Permit with F. B. Enterprises, LLC d/b/a Top Flight Aviation Services, commencing March 18, 2011, expiring September 30, 2011, automatically renewed on year-to-year basis (10/1 through 9/30) (HF); and

 - G)** Hotel-Motel Courtesy Shuttle Operator Permit with Phillips Palm Beach, Inc., d/b/a Holiday Inn Palm Beach International Airport, commencing October 1, 2010, terminating September 30, 2011, automatically renewed on yearly basis (10/1 through 9/30) (AH).

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R1994-1453, R2010-0707 and R2010-0708. Countywide

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** a Resolution authorizing the execution of a Second Amendment to Loan Agreement in connection with the extension of the County's line of credit in the principal amount of \$38,776,332, dated May 21, 2009 with Wells Fargo Bank, N.A., that satisfies the debt service reserve fund requirements for seven (7) of the County's outstanding bond issues; authorizing the execution of a separate Second Amendment to Loan Agreement in the principal amount of \$22,568,948 in connection with the extension of the County's separate line of credit with Wells Fargo Bank N.A. (the Bank), dated June 4, 2009 that satisfies the debt service fund requirements for four other County bond issues and providing an effective date. **SUMMARY:** Under the terms of the Loan Agreements, the County requested that the Bank extend the maturity date for each Loan Agreement for one (1) year. The Bank has agreed to extend the Loan Agreements for one (1) year with all other terms and conditions remaining unchanged. The County will continue to pay an annual fee of .65% (\$398,744) for the letters of credit issued to satisfy the debt service reserve requirements under the Loan Agreements. The County expects to continue to renew the Loan Agreements each year. On May 5, 2011, the County Financing Committee reviewed and approved moving forward with the extension of the Loan Agreements. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an Interlocal Agreement with the Village of Palm Springs (Village) for radio maintenance services. **SUMMARY:** This Agreement provides for radio equipment maintenance services to the Village, by FDO/Electronic Services & Security Division. The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must out-source the labor, a separate labor rate is provided. The rates may be adjusted annually with notification by June 1 (effective that following October 1) at the County's sole discretion, but in no event shall the Village's fee schedule exceed the fee schedule applied to County departments. The term of the Agreement is for three (3) years commencing on May 18, 2011, with one (1) renewal option for a period of three (3) years. The Agreement may be terminated by either party, with or without cause with a minimum of three (3) months notice. The County has been providing radio equipment maintenance services to the Village since May 17, 2005. (ESS) District 3/Countywide (JM)
2. **Staff recommends motion to approve:** an Interlocal Agreement with the Cities of Boca Raton, Boynton Beach and Delray Beach (Cities) regarding the South Palm Beach County Communications Cooperative's connection to the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides the terms and conditions under which the Cities can use specific components of the County's 800 MHz Radio System. The Interlocal Agreement provides for an effective date retroactive to February 3, 2011. The term of the Interlocal Agreement is for five (5) years and expires on February 2, 2016, with one (1) renewal option of three (3) years. The Interlocal Agreement provides that the Cities shall pay its pro rata share of the operation and maintenance costs associated with the SmartZone TM Controller, which was installed in order to provide interoperability between the Cities' and County's individual systems. The currently calculated operation and maintenance cost is \$62,500, a proportionate share of which will be paid by each City based upon the number of talk groups each City operates. The Interlocal Agreement may be terminated by the County for cause or terminated by the Cities, with or without cause, with a minimum of 60 days notice. The Cities have been connected to the County's system for almost 11 years. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

3. Staff recommends motion to receive and file:

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

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

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

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

SUMMARY: The PBC Credit Union currently leases ATM space within four (4) separate branch offices of the Tax Collector of Palm Beach County, for the operation of ATMs. The initial term of each ATM Operating License Agreement (“Agreement”) was for approximately six (6) months ending on May 31, 2008, with five (5) extension options, each for a period of one (1) year. The Board has approved subsequent extension options with the most current expiring on May 31, 2011 (R2008-1186 through 1189, R2009-0762 through 0765, R2010-1024 through 1027). This fourth option extends the term of the Agreements for one (1) year, from June 1, 2011, through May 31, 2012. The Agreement authorizes the County Administrator to approve renewals on behalf of the County. Either party may terminate this Agreement upon thirty (30) days written notice. There is no annual rent for these Agreements. (PREM) Districts 1, 6 & 7 (HJF)

4. Staff recommends motion to approve: a Declaration of Conservation Easement in favor of Palm Beach County across a portion of Fire Station No. 34. **SUMMARY:** Fire Station No. 34 is located on Benoist Farms Road, south of Southern Boulevard, in unincorporated West Palm Beach. The County’s Environmental Resources Management Department (ERM) approved a mitigation bank Preserve Area Management Plan (PAMP) for 2.04 acres of quality, native vegetation located within the fire station property. This PAMP is being created as a tree mitigation and/or an upland preserve area mitigation bank to offset ERM’s existing and future native tree mitigation and preserve requirements for Fire Rescue Department projects and other future County projects. The proposed 2.04 mitigation bank area is located in the western limits of the 5.45-acre fire station site. As a condition of the PAMP, the County is required to record a Conservation Easement. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

5. **Staff recommends motion to approve:** Amendment Number Seven to Lease Agreement (R91-437-D) with Wallace K. Lutz, Sr., and Theresa C. Lutz, as Trustees of the Wallace K. Lutz, Sr. Revocable Living Trust Dated October 8, 1991. **SUMMARY:** The County, on behalf of the Department of Community Services' Migrant Program, currently leases 699 SF of office space at 607 South Main Street, Unit 103, Belle Glade, as a satellite office. Amendment No. 7 extends the term of the Lease for two (2) years from June 1, 2011, to May 31, 2013, and incorporates the Inspector General standard provision. The annual rent under this Amendment will remain unchanged at \$7,366.80 (\$10.54/SF). (PREM) District 6 (HJF)

6. **Staff recommends motion to approve:** Pero Family Farms, LLC exercise of its first five (5) year extension option under the Lease Agreement with Pero Family Farms, LLC (R2001-1541) for Pero Family Farms' continued agricultural use of approximately 272 acres located in the Ag Reserve for \$135,455/year. **SUMMARY:** In 2000, the County acquired the 272-acre York Farm property located east of U.S. 441 and north of Boynton Beach Boulevard in the Ag Reserve for \$3,751,050 (\$13,791/acre). On September 11, 2001, the Board approved a lease with Pero Family Farms, LLC for agricultural use of the property for a term of ten (10) years, with two (2) extension options, each for a period of five (5) years subject to the approval of the County in each instance. The initial term will expire on August 20, 2011. Consenting to the exercise of this first option will extend the term from August 21, 2011, to August 20, 2016. The annual rental rate will remain at \$135,455/year (\$500/acre). (PREM) District 5 (HJF)

7. **Staff recommends motion to approve:** a Lease Agreement with the Town of Lantana (Town), for the continued use of Fire Rescue Station No. 37 (Station 37) located at 500 Greynolds Circle in unincorporated Lantana. **SUMMARY:** Since 1997, the Fire Rescue Department has occupied a portion of an approximately 8,250 SF building (Premises) located at 500 Greynolds Circle for operation of Station 37, pursuant to the terms of an Interlocal Agreement (R2004-0364), which expired on September 30, 2009. In 2008, the Town opted into the Fire/Rescue Municipal Services Taxing Unit (MSTU), as a mechanism for the funding and provision of County fire protection and emergency medical services within the municipal boundaries of the Town, effective as of October 1, 2008. This Lease Agreement is being entered into in order to document the terms and conditions pursuant to which the County has been (since 2009), and will continue to, occupy the Premises. The Lease Agreement provides the County with the exclusive use and occupancy of the Premises and the non-exclusive use of the Common Areas, such as the driveways and parking areas. The Lease Agreement is for a term of five (5) years, with one (1) automatic renewal for an additional five (5) year term, unless either party provides one (1) year advance notice of non-renewal. The commencement date of the Lease Agreement is retroactive to October 1, 2010. The annual rent is \$55,000 for the first five (5) years, with the first payment due within thirty (30) days of the approval of this item and subsequent annual payments due on October 1st of each year. The annual rent for the renewal term will increase to \$60,000. The County is responsible for repairs and maintenance to the Premises, excluding the Common Areas. In addition to the annual rent, the County shall pay the Town \$9,901.64/year for electricity used until such time as the Premises is separately metered. The County has the right to make up to \$1,000,000 in renovations to the Premises at its sole cost and expense ("Renovation Cost"); provided however, the Town has agreed to reimburse the County for certain Renovation Cost in the event the Lease Agreement terminates or expires prior to September 30, 2020. The County will pay back rent in the amount of \$44,000 for the period of October 1, 2008, through September 30, 2010 in five (5) equal installments of \$8,800. The Town approved the Lease Agreement on April 11, 2011. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

8. **Staff recommends motion to approve:** Amendment No. 2 with Holt Contractors, Inc. (R2010-0750) for Job Order Contract (JOC) – North. **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – North which was awarded to Holt Contractors, Inc. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – North is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 – Terms and Conditions of the JOC Contract and to account for escalation and de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. The Small Business Enterprise (SBE) goal established for this contract is 15%. Holt Contractor’s current participation is 93.75%. Holt Contractors, Inc. is a Palm Beach County based company. (FDO Admin) Countywide (JM)

9. **Staff recommends motion to approve:** Amendment No. 2 with F.H. Paschen, S.N. Nielsen & Associates (R2010-0752) for Job Order Contract (JOC) – Central. **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – Central which was awarded to F.H. Paschen. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – Central is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 – Terms and Conditions of the JOC Contract and to account for escalation and de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. The Small Business Enterprise (SBE) goal established for this contract is 15%. F.H. Paschen’s current participation is 15%. F.H. Paschen is a Palm Beach County based company. (FDO Admin) Countywide (JM)

10. **Staff recommends motion to approve:** Amendment No. 2 with MAC Construction, Inc. (R2010-0776) for Job Order Contract (JOC) – Central. **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – Central which was awarded to MAC Construction, Inc. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – Central is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 – Terms and Conditions of the JOC contract and to account for escalation and de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. The Small Business Enterprise (SBE) goal established for this contract is 15%. MAC Construction’s current participation is 33.5%. MAC Construction, Inc. is a Palm Beach County based company. (FDO Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

11. **Staff recommends motion to approve:** Amendment No. 2 with H.A. Contracting, Inc. (R2010-0804) for Job Order Contract (JOC) – Central. **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – Central which was awarded to H.A. Contracting, Inc. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – Central is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 – Terms and Conditions of the JOC Contract and to account for escalation and de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. The Small Business Enterprise (SBE) goal established for this contract is 15%. H.A. Contracting, Inc.’s current participation is 31.51%. H.A. Contracting, Inc. is a Palm Beach County based company. (FDO Admin) Countywide (JM)

12. **Staff recommends motion to approve:** Amendment No. 2 with Sisca Construction Services, LLC. (R2010-0803) for Job Order Contract (JOC) - South (Bond-Waiver). **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – South (Bond Waiver) which was awarded to Sisca Construction Services, LLC. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – South (Bond Waiver) is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 - Terms and Conditions of the JOC Contract and to account for escalation or de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. This is a bond-waiver contract. The cumulative value of active bond waiver work orders at any time will be limited to \$200,000. JOC Bond Waiver contract projects that exceed the \$200,000 bond waiver limit (but are within the contract limit) individually or cumulatively, will require a bond. The Small Business Enterprise (SBE) goal established for this contract is 15%. Sisca’s current participation is 45.9%. Sisca Construction Services, LLC. is a Palm Beach County based company. (FDO Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

13. **Staff recommends motion to approve:** Amendment No. 2 with Robling Architecture Construction, Inc. (R2010-0802) for Job Order Contract (JOC) - South (Bond-Waiver). **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – South (Bond Waiver) which was awarded to Robling Architecture Construction. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – South (Bond Waiver) is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$1,500,000. The contract will terminate when a total of \$1,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 – Terms and Conditions of the JOC Contract and to account for escalation or de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. This is a bond-waiver contract. The cumulative value of active bond waiver work orders at any time will be limited to \$200,000. JOC Bond Waiver contract projects that exceed the \$200,000 bond waiver limit (but are within the contract limit) individually or cumulatively, will require a bond. The Small Business Enterprise (SBE) goal established for this contract is 15%. Robling’s current SBE participation is 88.6%. Robling Architecture Construction is a Palm Beach County based company. (FDO Admin) Countywide (JM)

14. **Staff recommends motion to approve:** Amendment No. 2 with All-Site Construction (R2010-0751) for Job Order Contract (JOC) – North. **SUMMARY:** Amendment No. 2 is a renewal to the Job Order Contract – North which was awarded to All-Site Construction, Inc. The contractor will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract – North is an indefinite-quantity, fixed unit price contract and this renewal has a maximum value of \$2,500,000. The contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The County is extending the contract for a period of 12 months based on expiration of the term. Pursuant to Special Conditions, Article 7 – Terms and Conditions of the JOC Contract and to account for escalation and de-escalation, the contractor’s adjustment factors has been modified by 1.0288%. Staff is bringing forward the Amendment at this time based on expiration of the first term. The contract provides for four (4) – one (1) year renewals at the sole option of the County. This renewal is the first of four extensions allowed by the Contract. The Small Business Enterprise (SBE) goal established for this contract is 15% participation. All-Site Construction’s current participation is 90.53%. All-Site Construction is a Palm Beach County based company. (FDO Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

15. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 19 to the contract with Hellmuth, Obata & Kassabaum, Inc. (HOK) (R2007-0033) in the amount of \$137,910 for the Jail Expansion Program II (JEP) Central Detention Center redevelopment. **SUMMARY:** On April 25, 2006, the Board approved proceeding with the first phase of the Jail Expansion Program which consisted of the construction of the West County Detention Facility, West County Court Expansion, Stockade Redevelopment Site Preparation and Video Visitation System Improvements at the Main Detention Center. CSA No. 19 will provide additional services associated with design development and construction documents for the utility infrastructure improvements and selective demolition of the Central Detention Center. These additional services are required in order to phase the improvements to the Central Detention Center including demolishing all buildings not slated for re-use in the redevelopment and installing new underground utility and electronic systems infrastructure required for the redevelopment of the Stockade in the future, and the continual use of approximately 400 beds during the future redevelopment. HOK's Tampa office is the lead Architect and STH Architectural Group is the local architect working in conjunction with HOK. CSA No. 19 is funded from the Criminal Justice and Public Improvements Revenue Bond Series 2008. The Small Business Enterprise (SBE) goal for this project is 15%. CSA No. 19 includes 41.19% participation. When combined with the previous work done under this contract, the SBE participation is 16.32%. (Capital Improvements Division) Countywide (JM)

16. Staff recommends motion to approve: Amendment No. 9 to the contract with Hedrick Brothers Construction (R2007-1506) in the amount of \$3,403,174 for construction management services for Phase 1 of the Central Detention Center (CDC) redevelopment project establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** On April 26, 2006, the Board approved proceeding with the first phase of the Jail Expansion Program which consisted of the construction of the West County Detention Facility, West County Court Expansion, Stockade Redevelopment Site Preparation and Video Visitation System Improvements at the Main Detention Center. The scope in Amendment No. 9 includes demolish all buildings not slated for re-use in the redevelopment and install the new underground utility and electronic systems infrastructure required for the redevelopment of the Stockade in the future, and continual use of approximately 400 beds during the redevelopment in the future. Proceeding with this work is critical to the postponement of the redevelopment project by providing for continuous utility and electronic system services to 400 beds. Amendment No. 9 establishes a GMP of \$3,403,174 and 214 calendar days. The GMP includes the cost of work, the construction manager's fee and a contingency. The project is funded from the Criminal Justice and Public Improvements Revenue Bond Series 2008. The Small Business Enterprise (SBE) goal for this contract is 15%. Hedrick Brothers Construction's SBE participation for this project is 37%. Hedrick Brothers Construction is a Palm Beach County firm and is using all local subcontractors for the work. (Capital Improvements Division) District 6/Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (CONT'D)

17. Staff recommends motion to approve: Amendment No. 9 to the contract with Moss & Associates, LLC. (R2007-0031) for construction management services for the Courts renovation for a Guaranteed Maximum Price (GMP) in the amount of \$11,926,673. **SUMMARY:** On April 25, 2006, the Board approved proceeding with the first phase of the Jail Expansion Program which consisted of the construction of the West County Detention Facility, West County Court Expansion, Stockade Redevelopment Site Preparation and Video Visitation System Improvements at the Main Detention Center. This GMP Amendment authorizes the expansion and renovation of the West County Courthouse to serve the increased in-custody population and provide court facilities in the Western Communities equivalent to those at other satellite facilities. This Amendment authorizes the renovation of the courts facility at the West County Detention Center. Amendment No. 9 is funded from the Criminal Justice and Public Improvement Revenue Bond Series 2008. The Small Business Enterprises (SBE) participation goal for this project is 15%. Moss & Associates will be providing 21.45% SBE participation in this Amendment. Overall SBE participation is 16.41%. Moss Construction is a Broward County based firm and 55% of the subcontractors used by Moss Construction are Palm Beach County contractors. The duration for this work is 335 calendar days. (Capital Improvements Division) Countywide/ District 6 (JM)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to:

A) adopt a Resolution approving the Ninth Amendment to the State Housing Initiative Partnership Program (SHIP) Local Housing Assistance Plan (LHAP) approved September 1, 2006 (R2006-0735) for Fiscal Years 2007-2008, 2008-2009; and 2009-2010 to approve the addition of a First Mortgage Loan Assistance Program strategy;

B) approve an appropriation of SHIP program income of \$2,759,437 to fund a First Mortgage Program strategy;

C) approve an appropriation of SHIP program income of \$545,084 to fund Fiscal Year 2009-2010 HOME match strategy;

D) approve an appropriation of SHIP program income of \$186,694 to fund program administration;

E) approve an appropriation of SHIP program income of \$327,664 to fund Fiscal Year 2009-2010 Purchase Assistance Program strategy; and

F) approve an appropriation of SHIP program income of \$100,000 to fund Fiscal Year 2009-2010 Special Needs Barrier Free Program strategy.

SUMMARY: Over the last three (3) years, the County's SHIP funding has been significantly reduced or eliminated entirely. In FY 2009-2010, funding was reduced by 90% and in FY 2010-2011, funding was eliminated. SHIP funding for FY 2011-2012 is not anticipated. Accordingly, the Florida Housing Finance Corporation (FHFC) desires Grantees to allocate program income to programs that generate reoccurring income such as repayable mortgage programs while facilitating the goal of creating and maintaining an affordable housing stock. The First Mortgage Program strategy will create a funding source for administration of the program outside of Ad Valorem funding. The First Mortgage Program strategy will create affordable home ownership units, diversify our investment risk, and generate approximately \$3.8 Million in program income over 30 years.

The HOME strategy requires a match of non-federal funding of 25%. The matching contribution must be a permanent contribution to affordable housing. These funds are necessary to expend HOME funding. The Purchase Assistance strategy will expand homeownership opportunities for first-time homebuyers and leverage the funding for existing homeownership strategies. The Special Needs/Barrier Free strategy provides structural modification and rehabilitative home repair services to improve accessibility for persons with disabilities and elderly homeowners.

The Commission on Affordable Housing's Advisory Committee approved the 2009-2010 budget allocation at their regular April 25, 2010, meeting. **These State SHIP funds require no local match.** (Mortgage and Housing Assistance) District 2 (TKF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Budget Transfer of \$2,050,000 within the Beach Improvement Fund from Reserves and Juno Beach Shore Protection to meet required funding obligations in ongoing projects in the Shoreline Protection Section. **SUMMARY:** The Transfer within the Beach Improvement Fund recognizes that additional funding is required for ongoing projects and cost sharing agreements. Funding will decrease in the Reserves account by \$1,550,000, and in the Juno Beach Shore Protection account by \$500,000; to balance this, the funding will increase in each of the following projects:

Ocean Ridge Shore Protection: \$650,000
Delray Beach Shore Protection: \$200,000
Jupiter/Carlin Shore Protection: \$1,200,000

Districts 1 & 4 (SF)

2. Staff recommends motion to:

A) adopt a Resolution for Assistance through Florida Inland Navigation District (FIND) Waterways Assistance Program authorizing submission of a grant application requesting \$406,250 to cover a portion of the \$812,500 associated with construction of the John's Island Oyster Reef Project (Phase 2) situated in the Lake Worth Lagoon (LWL);

B) adopt a Resolution for Assistance through FIND Waterways Assistance Program authorizing submission of a grant application requesting \$1,900,000 to cover a portion of the \$3,800,000 associated with construction of the Lake Wyman Restoration Project situated along the Intracoastal Waterway within the City of Boca Raton;

C) adopt a Resolution for Assistance through FIND Waterways Assistance Program authorizing submission of a grant application requesting \$1,190,000 to cover a portion of the \$2,380,000 associated with construction of the Grassy Flats Environmental Restoration Project situated along the Lake Worth Lagoon within the Town of Palm Beach;

D) adopt a Resolution for Assistance through FIND Waterways Assistance Program authorizing submission of a grant application requesting \$988,400 to cover a portion of the \$1,976,800 associated with construction of the Bryant Park Environmental Restoration and Public Use Facility along the Lake Worth Lagoon within the City of Lake Worth;

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

F) authorize the Director of the Department of Environmental Resources Management to serve as Liaison Agent with FIND for these projects.

SUMMARY: The County will be submitting four (4) grant proposals which will reimburse the County nearly \$4.5 million for projects that are approved to go forward or part of an approved management plan. Specifically, the grant proposals would reimburse the County for \$406,250 (John's Island Oyster Reef Project – Phase 2); \$1,900,000 (Lake Wyman Restoration Project); \$1,190,000 (Grassy Flats Environmental Restoration Project); and \$988,400 (Bryant Park Environmental Restoration and Public Use Facility). If successful in receiving approval(s) for funding, the deadline for spending the grant(s) will be September 2014. The County's share for each grant request is anticipated from a combination of State grants, interlocal agreements, Vessel Registration funds, and Manatee Protection funds. Districts 2, 3, & 4 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (CONT'D)

3. Staff recommends motion to:

A) approve Grant Agreement FWC-10164 with the Florida Fish and Wildlife Conservation Commission (FFWCC) to provide \$51,750 State funding for construction of an artificial reef at Boynton Inlet site, expiring August 31, 2011;

B) approve Budget Amendment of \$51,750 in the Environmental Enhancement Saltwater Fund, including a transfer from Reserves of \$70,000 for a total of \$121,750 in project funding for the Boynton Inlet artificial reef site;

C) adopt a Resolution authorizing the Clerk of the Board to disburse \$70,000 from the Vessel Registration Fee Trust Fund to cover the matching funds for this artificial reef project; and

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

SUMMARY: This FFWCC Grant Agreement will reimburse the County \$51,750 for placement of about 1300 tons of limestone rock at the Boynton Inlet artificial reef site. The estimated total project cost is \$121,750. The County will provide \$70,000 from Environmental Enhancement Funds supported by Vessel Registration Fees to meet the required match of \$60,000 (54%) and \$10,000 for contingencies. The Grant begins upon execution by both parties and expires August 31, 2011. District 4 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Second Amendment to Agreement with the City of Belle Glade for funding of Belle Glade Marina Improvements – Phase I to extend the project completion date from February 20, 2011, to February 20, 2012. **SUMMARY:** This Second Amendment to Agreement R2007-1362, as amended by R2010-1547, extends the project completion date from February 20, 2011, to February 10, 2012, in order for Belle Glade to complete project construction and accomplish reimbursement paperwork. All other terms of the Agreement, as amended, including the funding amount of \$2,463,600, remain the same. District 6 (PK)

2. Staff recommends motion to approve: Interlocal Agreement with the City of Belle Glade for the period of May 17, 2011, through November 17, 2012, in an amount not-to-exceed \$40,000 for Lake Shore Park basketball improvements. **SUMMARY:** This allocation provides funding for improvements to Belle Glade's Lake Shore Park to include improvements to the existing basketball court area and conversion of two (2) tennis courts into two (2) basketball courts. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to October 5, 2010. Funding is from the 2002 \$50 Million Recreation and Cultural Facilities Bond referendum. District 6 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (CONT'D)

3. Staff recommends motion to receive and file: executed Independent Contractor Agreement received during the month of March:

Caroline Karolinko, Synchronized Swimming Instructor, Aqua Crest Pool, for the period April 18, 2011, through April 17, 2012.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. The Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and is now being submitted to the Board to receive and file. District 7 (GB)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to ratify: the Chair's signature on a 2011 National Urban and Community Forestry Grant Program Application through the Florida Department of Agriculture and Consumer Services (FDACS) for the period September 1, 2011, through August 30, 2012, which requests \$20,000 from FDACS and provides for a \$20,197 in-kind match of 315 volunteer hours and 1,839 hours of professional and staff support from ad valorem funding. **SUMMARY:** The Cooperative Extension Service Department submitted a grant application to FDACS entitled "Strengthening Our Community Tree Canopy Through Education" to develop educational modules, train volunteers and deliver presentations to tree professionals, county and municipal staff and county residents related to improved management of urban tree canopy. The grant application requested \$20,000 from FDACS to fund an Urban Forestry Program Assistant for 25 hours per week for the period September 1, 2011, through August 30, 2012. An in-kind match of \$20,197 (50.25%) consisting of 315 volunteer hours and 1,839 hours of professional and staff support will be provided by the County if the grant is approved. Since FDACS's time frame for this application did not allow for prior approval by the Board, Commission Chair, Karen Marcus, signed the application on behalf of the Board on March 13, 2011 as authorized under PPM CW-F-003 (Policy B.3). Countywide (AH)
2. Staff recommends motion to approve: an Amendment to the agreement (R2010-1582) with the Friends of Mounts Botanical Garden, Inc. for funding of a horticulturist position to assist in the care and maintenance of the Mounts Botanical Garden. **SUMMARY:** The Friends of the Mounts Botanical Garden (FMBG) will provide funding to the County in amount not to exceed \$40,977 (\$28,820 salary and \$12,157 fringe benefits) to support 65.5% of a horticulturist position beginning July 18, 2011 and ending on July 17, 2012. Palm Beach County will be funding the remaining \$21,583 (\$15,180 salary and \$6,403 fringe benefits) at a funding level of 34.5% for a total of \$62,560. The position will continue to support the Botanical Garden. District 6 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: an Interlocal Agreement for \$34,590 with the City of Riviera Beach as a partner to enhance the Youth Violence Prevention Project in the targeted area from October 1, 2010, through March 31, 2012. **SUMMARY:** The Criminal Justice Commission is requesting the use of \$34,590 from the Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant for an enhancement of the Youth Violence Prevention Project (Project) and the City of Riviera Beach. The four (4) other partner cities are also enhancing their Project and were approved by the Board of County Commissioners on March 1, 2011. There is no requirement for a match with this grant. Countywide (GB)

2. Staff recommends motion to approve: a Contract for Professional Services with The Lord's Place, Inc. for \$32,000 from April 1, 2011, through March 31, 2012 for re-entry services. **SUMMARY:** The Criminal Justice Commission (CJC) is requesting the use of \$32,000 from the Justice Assistance Grant (JAG) Program, Local Solicitation to provide reentry services in support of a national grant from the Robert Wood Johnson Foundation. The Lord's Place applied for and received a grant from the Robert Wood Johnson Foundation for its Transition from Jail to Community (TJC) project. This JAG allocation will provide part of the matching funds for the TJC initiative and will be used for case management services. There is no match requirement for JAG funds. Countywide (GB)

3. Staff recommends motion to approve:
 - A)** a waiver of prohibited relationship for Michele Carter and Thomas Bell of Gulfstream Goodwill Industries, Inc., who serve as advisory board members on the Homeless Advisory Board; and

 - B)** a Contract for Professional Services for Gulfstream Goodwill Industries, Inc. providing re-entry services for \$50,000 from October 1, 2010, through September 30, 2011.

SUMMARY: Gulfstream Goodwill Industries, Inc. is working to bridge a gap in services in southern Palm Beach County and in West Palm Beach including surrounding communities. Gulfstream Goodwill Industries, Inc. proposes intensive case management and job development services to ex-offenders returning from the County Jail and from the State Department of Corrections. Michele Carter and Thomas Bell are employees of Gulfstream Goodwill Industries, Inc. and are also members of the Palm Beach County Homeless Advisory Board. Per the County's Code of Ethics, this may be perceived as a prohibited relationship and Ms. Carter and Mr. Bell are disclosing this and requesting a waiver under the requirements of the Code. Staff recommends approval of the waiver. There is no match requirement for the Justice Assistance Grant. Countywide (GB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. **Staff recommends motion to approve:** an Interlocal Agreement for Fire Rescue Dispatch Services with the Town of Palm Beach Shores (Town) effective upon execution by the parties through September 30, 2021. **SUMMARY:** In an effort to enhance the provision of fire-rescue services each party currently provides within their respective jurisdictions, the Board of County Commissioners authorized the Fire Rescue Department to provide countywide communications services effective June 1, 2005. This Agreement provides for contractual commitment for dispatch services to the Town as part of the Countywide Common Dispatch program. This Agreement further authorizes the parties' respective Fire Chiefs to enter into Letter(s) of Understanding to develop Common Dispatch plans and procedures. District 1 (SB)

2. **Staff recommends motion to approve:** a First Amendment to Interlocal Agreement for Interfacility Ambulance Funding (R2008-2243) with District Hospital Holdings, Inc., d/b/a Lakeside Medical Center, effective retroactively to March 7, 2011, to extend the term of the Agreement for an additional one (1) year period through March 7, 2012, in an amount not-to-exceed \$147,807 during the one (1) year extension period. **SUMMARY:** This First Amendment extends the Interlocal Agreement for Interfacility Ambulance Funding with Glades Hospital Holdings, Inc. (now known as District Hospital Holdings, Inc.), d/b/a Glades General Hospital (now known as Lakeside Medical Center) ("Hospital"), a public hospital located in the Glades area of Palm Beach County that predominantly serves a population residing within the Fire/Rescue Municipal Service Taxing Unit (MSTU). The Hospital entered into a Healthcare Transportation Service Agreement with American Medical Response (AMR) on March 8, 2008, which has been renewed for an additional one (1) year period through March 7, 2012. This Transport Agreement requires AMR to station an ambulance at the Hospital to provide interfacility transport services for patients under the care of the Hospital, and the Hospital to pay AMR for ambulance transports as well as an annual Stationing and Availability Fee. Pursuant to the Hospital's request, the County agreed to fund one-half the Availability Fee. This First Amendment extends funding for an additional year to correspond with the Transport Agreement's renewal and updates certain other contract provisions. Having a dedicated interfacility ambulance provider in the Glades area has eased the strain on the resources of the County and its Fire/Rescue MSTU for emergency response in that area, and promotes the public health, safety and welfare within the County, including within the Fire/Rescue MSTU. Countywide (SB)

3. **Staff recommends motion to approve:** an Interlocal Agreement with the Town of Lake Clarke Shores (Town) providing funds in an amount not to exceed \$10,000 annually for training and certification of its first responder personnel as Emergency Medical Technicians (EMTs) effective retroactively from October 1, 2010, through September 30, 2017. **SUMMARY:** Palm Beach County Fire Rescue provides fire protection and emergency medical services to the Town through the Fire Rescue Municipal Service Taxing Unit (MSTU). The Town's police department is a first responder agency which provides first response medical aid at emergency scenes within the Town. On February 24, 2004, the Board approved an Agreement to provide the Town annual funding of \$10,000 for EMT training and certification for their first response personnel (R2004-0365). That Agreement expired October 1, 2010 and the parties wish to renew the terms for a seven (7) year period. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to authorize:

A) participation in the United States Postal Service County Project at no cost to the County; and

B) delegation of signature authority to the Director of Information System Services or his designee for all necessary forms associated with the Postal Service Addressing Project.

SUMMARY: The United States Postal Service has instituted a program, referred to as the County Project, to work with county and municipal addressing authorities to improve address quality in their computerized systems. The Countywide GIS Coordinator is working with various agencies on the creation and maintenance of a countywide addressing system. Countywide GIS will facilitate the technical work necessary to download the Postal Service data, identify discrepancies, and upload data back to the Postal Service site. There is at no additional cost to the County to participate, and the County will benefit by having more accurate zip-code information. In addition, the Postal Service will notify postal customers of the proper address requirement for ensuring timely delivery of their mail. Countywide (PK)

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

A) Amendment A to Microsoft Enterprise Agreement (R2010-0109) with Software House International, Inc. to transfer 300 software assurance Core Client Access Licenses to the Palm Beach County Tax Collector; and

B) Amendment B to Microsoft Enterprise Agreement (R2010-0109) with Software House International, Inc. to adjust the County's number of qualified software assurance Core Client Access Licenses in the third year of enrollment from 5,292 to 4,992, resulting in a total reduction in the cost of the Enterprise Agreement to the County of \$16,989.

SUMMARY: The Microsoft Enterprise Agreement for software assurance provides the County with the right to the latest version of the software products under the Agreement. The County currently has 5,292 Core Client Access Licenses under software assurance and 300 of those are allocated for use by the Palm Beach County Tax Collector. Due to budgetary constraints, the County discontinued software assurance coverage for the Microsoft Office Application licenses and is therefore not entitled to upgrade from the Office 2007 products. The Tax Collector is interested in transferring 300 Core Client Access Licenses from the County's Enterprise Agreement to establish their own separate Enterprise Agreement with Microsoft. Their Agreement will include software assurance for the Office Applications, thereby entitling them to upgrade to the Office 2010 products. Since the Tax Collector has been utilizing the software licenses under the County's Enterprise Agreement, the transfer of the 300 Core Client Access Licenses will be as of October 1, 2009 which is the effective date of the County's Agreement. This transfer will result in an overall savings to the County of \$16,989. Software House International is not a Palm Beach County or a Florida-based business. These Amendments provide for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (CONT'D)

3. **Staff recommends motion to approve:** an Interlocal Agreement with the City of Lake Worth (City) to connect to the Palm Beach County (County) Regional Network at an estimated first year revenue of \$8,400 for the first point of connection, for an initial term of one (1) year, with automatic one (1) year renewals unless notice given by either party. **SUMMARY:** This Interlocal Agreement allows the City to access the County's Regional Network on a cost sharing basis similar to existing Interlocal Agreements between the County and various municipalities, the School District of Palm Beach County and other public sector agencies. Interconnection to the County's Network will provide greater bandwidth for Internet access and disaster recovery while reducing the City's overall network costs. The City agrees to pay the County \$8,400 annually for the initial connection and access to the County's network. The City has made pre-payment to the County of \$2,800 for service from June 1 – September 30, 2011, and will be invoiced in advance for future service. Per Exhibit "A" of the Agreement, fees for each additional network connection are set at \$6,000 annually. This Interlocal Agreement provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. Districts 3 & 7 (PFK)

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** the Memorandum of Understanding with the State of Florida, Division of Emergency Management (FDEM); to retain \$6,466 from the 2008 Emergency Management Performance Grant (EMPG) agreement to purchase Statewide Law Enforcement Radio System (SLERS) radios. **SUMMARY:** This is an annual federal grant that the Division of Emergency Management receives to enhance emergency management operations of the County. FDEM retained 2008 EMPG funds for the purchase of SLERS Radios. The purchase of SLERS radios will enhance the capabilities of the County to respond to, recover from and mitigate the effects of hazards by enabling redundant communications between the County and the State. R2006-0401 gave authority to the County Administrator or his designee, to execute agreements with the FDEM on behalf of the Board of County Commissioners. **No County match is required.** Countywide (GB)
2. **Staff recommends motion to approve:** the Contract with Children's Home Society of Florida to provide services per the Office of Justice Programs FY 09 Family Drug Court Program Grant (2009-DC-BX-0115) in a cumulative amount not to exceed \$20,000 for the period of April 1, 2011, through September 30, 2012. **SUMMARY:** The Division of Justice Services, in conjunction with the Department of Children and Families Substance Abuse and Mental Health Office, applied for and was awarded a grant from the Office of Justice Programs in the amount of \$484,907 to develop a Family Drug Court program in October 2010. Recently, a Grant Adjustment Notice was submitted to and approved by the Office of Justice Programs allowing \$20,000 from the grant to be spent by Children's Home Society to assist the families they serve with items necessary to complete their case plan goals and reunify their family. **No County match is required.** Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (CONT'D)

3. Staff recommends motion to:

A) adopt a Resolution authorizing the County Administrator or his designee to sign and forward to the Florida Department of Health, Bureau of Emergency Medical Services (EMS), the FY 2010-2011 bi-annual EMS County Grant Application and County Distribution Agreement in the amount of \$175,576 for a period which will be determined by the State to improve and expand the EMS system;

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

C) approve a downward Budget Amendment of \$327,466 in EMS Grant Fund to adjust budget to actual grant award.

SUMMARY: This is a bi-annual grant provided to Palm Beach County from the State of Florida Department of Health, Bureau of Emergency Medical Services, to improve and expand the EMS system. The funds are distributed as reimbursement to the EMS providers and will also fund the Palm Beach County Medical Communications System. The grant period is to be determined by the State once the application has been approved. **No County match is required.** Countywide (GB)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: the purchase of an excess workers' compensation endorsement to the County's in force total risk management excess insurance package for the period June 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 cost of \$243,626.50. **SUMMARY:** The County has historically self-insured its workers' compensation exposure from the ground up. Staff recommends the purchase of the proposed excess coverage for the purpose of smoothing out catastrophic exposure to the County against workers' compensation loss. Under the proposed policy, coverage would total \$2 million excess of a \$1,000,000 self-insured retention with an aggregate annual limit of \$15,000,000. The coverage would be purchased as an endorsement to the current in force Palm Tran Automobile Liability policy, and will increase that policy's existing \$10 million aggregate to \$15 million at no additional premium. The coverage structure has been analyzed and configured to provide the best coverage terms at the most competitive price. Sufficient funds are budgeted in FY 2011 for the endorsement of this policy. Countywide (TKF)

BB. SUPERVISOR OF ELECTIONS

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

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** an extension of the Interlocal Agreement among Broward County, Martin County, Monroe County, Miami-Dade County, and Palm Beach County as the regional cultural consortium for specific activities know as The South Florida Cultural Consortium (SFCC). This Interlocal Agreement was dated April 16, 1985 and approved by the respective Boards of County Commissioners (R85-547). These Counties desire to continue to work together as a regional cultural consortium. **SUMMARY:** This Amendment modifies the agreement to clarify the Council's role as County representative on the (SFCC) so as to provide limitations on the authority of the representative and to ensure that any action by the Council does not create any cost, liability or financial risk to the County unless budgeted and approved through the regular Tourist Development Council contract. This Amendment, in conjunction with the Interlocal Agreement with the five (5) counties that are members of the (SFCC), makes clear that the financial obligation of each party is the liability of the Cultural Council and not a liability of the County. Any approved expenditure will be supported by bed tax funds. This Interlocal Agreement will extend the SFCC for a 30 year period from the date of the last County signing in 2011. Countywide (MC)

2. **Staff recommends motion to approve:** Amendment No. 2 to the Amended and Restated Agreement (R2007-1622) dated September 25, 2007 with the Palm Beach County Cultural Council, Inc. relating to the Cultural Council's role as the County's representative on the South Florida Cultural Consortium (SFCC). **SUMMARY:** This Amendment to the Amended and Restated Agreement provides the terms and conditions under which the Cultural Council will act as the County's representative on the South Florida Cultural Consortium, including the provision that neither the Cultural Council its designee, employee, representative nor agent shall obligate the County to any financial or monetary contribution or commitment to the Consortium. Countywide (MC)

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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, Florida, enacting a six (6) month moratorium upon the acceptance of applications for and the issuance of vehicle for hire business permits, by amending Palm Beach County Code Chapter 19, Article IX (Ordinance No. 2008-043), providing for a moratorium; providing for repeal of laws in conflict; providing for a savings clause; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** On March 15, 2011, the Board of County Commissioners voted to impose a six (6) month moratorium on the acceptance of applications for the issuance of Vehicle for Hire business permits for new companies wishing to operate a Vehicle for Hire business within Palm Beach County. The moratorium will give staff the opportunity to work with the vehicle for hire industry to determine if additional restrictions should be placed on the requirements or quantity of vehicle for hire businesses operating in Palm Beach County. This Ordinance implements the Board's direction to enact the moratorium. At its April 12, 2011 Meeting, the Board approved the preliminary reading of this Ordinance. Countywide (GB)
- B. **Staff recommends motion to adopt:** Amendments to an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article VII of the Palm Beach County Code (Ordinance No. 2010-001); known as the Palm Beach County Tow Truck Ordinance; providing for a title; providing for definitions; providing for tow truck class specifications; providing for required operating permit; providing for new applications/renewals and issuance of towing operating permit and fees; providing for inspection of storage yards and public offices; providing for insurance requirements, providing for tow truck registration, standards and decals; providing for inspection procedures and requirements; providing for non-consent manifest, towing invoice or tow sheet; providing for advertisements; providing for records requirements; providing for an operating permit required to do business with the county; providing for non-consent towing with prior express instruction of real property owner or authorized agent and/or law enforcement agency; providing for notice requirements for non-consent tow services at request of real property owners; providing for non-consent tow truck company requirements; providing for consent-only tow truck company requirements; providing for maximum non-consent towing and storages rates for non-consent tow services; providing for tow truck driver requirements and failure to comply; providing for fraudulent transfer of tow truck companies; providing for deceptive and unfair trade practices, providing for cease and desist orders, providing for assurances of voluntary compliance; providing for enforcement and civil/criminal penalties; providing for administrative enforcement, denial, revocation and suspension of operating permits; providing for additional penalties; providing for hearings and appeals; providing for scope; providing for repeal of laws in conflict; providing for a savings clause; providing for inclusion in the code of laws and ordinances; providing for severability; and providing for an effective date. **SUMMARY:** In January 2010, the Board of County Commissioners approved a complete rewrite of the Palm Beach County Tow Truck Ordinance. After feedback from the towing industry and review by the County Attorney's Office, staff is recommending necessary changes to the Ordinance. The essential changes are: 1) more clearly defines when towing companies located outside of Palm Beach County must secure an operating permit; 2) alters the Tow Truck driver I.D. Badge requirements to better comply with state statute 112.011; 3) clarifies that a tow truck company/driver may not act as an agent of a real property owner; and 4) makes it illegal for a tow truck company/driver to be in possession of pre-signed or undated manifests, invoices or authorization forms. There are several other corrections and clarifications. The proposed changes were reviewed and approved unanimously by the Palm Beach County Towing Advisory Committee. Enforcement of this ordinance is funded entirely through license fees. At its April 5, 2011 Meeting, the Board approved the preliminary reading of this Ordinance. Countywide (GB)

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

- C. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing the Palm Beach County Office of Inspector General Ordinance, Ordinance 2009-049, as amended, and adopting a new Office of Inspector General, Palm Beach County, Florida Ordinance; providing for title and applicability; creating and establishing Office of Inspector General, Palm Beach County, Florida; providing for functions, authority, and powers; providing for outreach; providing for minimum qualifications, selection and term of office; providing for contract; providing for physical facilities and staff; providing for procedure for finalization of reports and recommendations; providing for reporting; providing for financial support and budgeting; providing for funding base; providing for removal; providing for enforcement; providing for penalty; providing for savings clause; providing for retroactivity; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted the Palm Beach County Office of Inspector General Ordinance as part of a series of ethics reforms begun in December 2009. Since then, the Board proposed charter amendments requiring in part the adoption of a countywide ordinance extending the Inspector General's authority to the municipalities in Palm Beach County. The charter amendments, which were approved by the voters in November 2010, also called for the establishment of a drafting committee to propose recommended changes to the Inspector General Ordinance for countywide application. This ordinance is the product of the committee's work. A brief description of substantive changes to this ordinance is included as Attachment 3 to the Agenda Item. Countywide (LB) (IG)
- D. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing the Palm Beach County Commission on Ethics Ordinance, Ordinance 2009-050, as amended, and adopting a new countywide Palm Beach County Commission on Ethics Ordinance; providing for creation and jurisdiction; providing for membership qualifications, terms and vacancy; providing for applicability of the code of ethics; providing for organization of the commission on ethics; providing for powers and duties; providing for extended jurisdiction by interagency agreements; providing for financial support; providing for procedure on complaints filed; providing for public hearing procedures; providing for notification and referral to other authorities; providing for dismissal of complaints; providing for frivolous or groundless complaints; providing for effect on other laws; providing for prospective jurisdiction; providing for personnel proceeding; providing for statute of limitations; providing for advisory opinion; providing for appeals; providing for savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted an ordinance creating the Palm Beach County Commission on Ethics as part of a series of ethics reforms begun in December 2009. Since then, the Board proposed charter amendments requiring in part the adoption of an ordinance extending the jurisdiction of the Commission on Ethics to the municipalities in Palm Beach County. The charter amendments, which were approved by the voters in November 2010, also called for the establishment of a drafting committee to propose recommended changes to the existing Commission on Ethics Ordinance for countywide application. This ordinance is the product of the committee's work. A brief description of substantive changes to this ordinance is included as Attachment 3 to the Agenda Item. Countywide (LB)

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

- E. [Staff recommends motion to adopt:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing the Palm Beach County Code of Ethics, Ordinance 2009-051, as amended, and adopting a new countywide Palm Beach County Code of Ethics; providing for title and statement of purpose; providing for definitions; prohibiting certain conflicts of interest and creating voting conflict standards; providing for a gift law; providing anti-nepotism law; providing for ethics training; providing for non-interference; providing for administration, enforcement, and penalties; providing for savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted the Palm Beach County Code of Ethics as part of a series of ethics reforms begun in December 2009. Since then, the Board proposed charter amendments requiring in part the adoption of a countywide Code of Ethics that would apply to the municipalities in Palm Beach County. The charter amendments, which were approved by the voters in November 2010, also called for the establishment of a drafting committee to propose recommended changes to the existing Code of Ethics for countywide application. This ordinance is the product of the committee's work. A brief description of substantive changes to this ordinance is included as Attachment 3 to the Agenda Item. Countywide (LB)

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the issuance of revenue bonds in an amount not to exceed \$12,000,000 (the "Bonds") by the Palm Beach County Educational Facilities Authority (the "Authority"). **SUMMARY:** If issued, the Bonds will be in the form of a finance lease under which the Authority will lease the financed assets (the "Assets") from a lessor and will then sublease such Assets to Lynn University, Inc. (the "University"). The Assets will consist of a new central chilled water plant, replacements of deteriorating infrastructure associated with the chilled water system, existing building retrofits for energy efficiency, improvements to electrical infrastructure on campus and metering of existing buildings to trend performance the University's educational facilities located at 3601 North Military Trail, Boca Raton, Florida. All Assets will be owned and operated by the University. Approval by an elected body is required by the Internal Revenue Code, however, adoption of this resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 5 (PFK)

2. Staff recommends motion to approve: reimbursement of legal fees paid by Paul Beaudreau in the amount of \$1,000 in the defense of allegations arising out of his public employment. **SUMMARY:** Paul Beaudreau serves as a Utility Construction Crew Superintendent for the Water Utilities Department. He seeks reimbursement for attorney's fees he paid in defense of allegations against him concerning an investigation by the Office of Inspector General. The request fails to meet the reimbursement criteria established by County policy, which only addresses actions concerning the State Code of Ethics and the Palm Beach County Code of Ethics. The common law, however, allows a government to reimburse a public employee for reasonable attorney's fees incurred when that employee prevails in adversarial proceedings that arise out of the employee's scope of work while serving a public purpose. Under the specific circumstances of this case, it would be appropriate to reimburse the fees Mr. Beaudreau paid for legal services, but only for those paid regarding the State Attorney's investigation of the matter. Countywide (LB)

B. CLERK & COMPTROLLER

TIME CERTAIN 10:00 A.M.

1. Staff recommends motion to receive and file: presentation of the Palm Beach County Comprehensive Annual Financial Report (CAFR) for fiscal year ending September 30, 2010. **SUMMARY:** The Clerk & Comptroller's office will provide a year-end financial review based on the Palm Beach County Comprehensive Annual Financial Report (CAFR) for FY 2010. Countywide (DN)

5. REGULAR AGENDA

C. HEALTH DEPARTMENT

1. **Staff recommends motion to adopt:** a Resolution amending the Palm Beach County Health Department Fee Schedule to increase fees for the Office of Vital Statistics for the issuance of birth and death certificates. **SUMMARY:** Section 154.06, Florida Statutes, authorizes counties by resolution to establish fees for services performed by local health departments. This Resolution amends the fee schedule previously approved by Resolution R2007-1863. This item was postponed at the April 5, 2011, meeting at the request of the Chair, in response to the need for additional information. This information has been added to the Agenda Item Summary. In total, two (2) fees are being amended for the Office of Vital Statistics. The fee for issuance of a birth certificate is being amended to \$15 from the current \$14, and the fee for issuance of a death certificate is being amended to \$15 from the current \$10. If approved, these fee increases will generate additional estimated annual revenue of \$290,499. The total revenue from these fees for the fiscal year ending June 30, 2010, was \$1,573,378. Revenue from these fees is used to support the Offices of Vital Statistics, Immunization, Epidemiology and communicable disease control services (including Tuberculosis, HIV, and STD). If approved, these fees will become effective July 1, 2011 Countywide (GB)

D. ADMINISTRATION

1. **Staff recommends motion to approve:** a Budget Transfer of \$741,000 from the General Fund Contingency Reserve to fund the County's General Government portion of the Office of Inspector General (OIG) FY 2011 costs. **SUMMARY:** The Office of Inspector General, Palm Beach County, Florida Ordinance requires the OIG be adequately funded. Staff anticipated that should the November 2011 referendum pass, the budget transfer would be requested at the time the ordinance was revised. The budget transfer will establish the appropriation budget for the General Government operations portion of the OIG costs. The OIG's office has estimated expending \$1.5 million during FY 2011. The total FY 2011 County cost is \$946,764. This cost will be allocated to the General Fund (\$740,504) and other departments (\$206,260). The Solid Waste Authority is funding \$250,000 and the municipalities will each be billed for their proportionate share of the remaining \$327,898. Countywide (LB)

E. INSPECTOR GENERAL

1. **Staff recommends motion to approve:** the addition of 16 positions to the County's personnel complement to reflect 16 positions the Inspector General is adding to the Office of Inspector General's (OIG) complement. **SUMMARY:** The Inspector General is adding 16 positions to the OIG complement to accommodate the expansion of the OIG's jurisdiction to include the 38 municipalities, effective June 1, 2011. The Inspector General has the power to appoint, employ and remove employees. The County has included OIG employees in its complement and therefore any increase in the OIG complement triggers an increase in the Board of County Commissioners (BCC) complement which requires BCC approval. Countywide (LB)

5. REGULAR AGENDA

F. 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 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 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; or
- 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)

2. **Staff recommends motion to:**

A) adopt Resolutions of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for a total of four (4) historic properties located within the City of Delray Beach; and

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

SUMMARY: The Resolutions will authorize a County tax exemption for the following historic properties located within the City of Delray Beach:

Address:	124 North Swinton Avenue	Commercial
	220 Dixie Boulevard	Residential
	708 Southeast 2nd Street	Residential
	1026 Nassau Street	Residential

If granted, the tax exemption will take effect January 1, 2011, and remain in effect for ten (10) years, or until December 31, 2020. The exemption will apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2011 Countywide Millage rate, it is estimated that approximately \$7,405.25 tax dollars will be exempted annually for the four (4) properties. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 4 & 7 (RB)

5. REGULAR AGENDA

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** the Pre-Qualified Bond Underwriters pool of qualified investment banking firms to serve as senior managers and co-managers for the County's negotiated sale of tax-exempt and taxable municipal bonds and other financing transactions on a non-exclusive and as needed basis selected in accordance with RFP No. 10-055R/LJ, Pre-Qualification of Bond Underwriter Services as follows: 1. Citigroup Global Markets, Inc., 2. Morgan Stanley, 3. Bank of America – Merrill Lynch, 4. J.P. Morgan Securities, L.L.C., 5. Goldman, Sachs & Company, 6. RBC Capital Markets, L.L.C., 7. Wells Fargo Securities, 8. Barclays Capital, 9. Raymond James & Associates, Inc. and 10. Loop Capital Markets, L.L.C. **SUMMARY:** The Selection Committee, composed of the County Finance Committee (CFC) and the County's Financial Advisor, reviewed the RFP applications for the Pre-Qualified Bond Underwriters on April 25, 2011. None of the proposers were certified as County Small Business Enterprises or qualified for local preference. The Selection Committee voted to have the top ten (10) ranked firms included in the Pre-Qualified Bond Underwriters pool. The Selection Committee will reevaluate the pool of underwriters every three (3) years and recommend the appropriate action in accordance with PPM No. CW-F-078. Countywide (PFK)

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

A) Edwards Angell Palmer & Dodge as bond counsel for the estimated \$64.005 Million Public Improvement Revenue Refunding Bonds, Series 2011 (Convention Center Project); and

B) Squire Sanders & Dempsey as disclosure counsel for the estimated \$64.005 Million Public Improvement Revenue Refunding Bonds, Series 2011 (Convention Center Project).

SUMMARY: On February 17, 2004, the Board approved a Resolution (R-2004-0270) supplementing and amending Resolution No. R-2004-0138 adopted on January 13, 2004, authorizing the negotiated sale of Public Improvement Revenue Refunding Bonds, Series 2004 (Convention Center Project). Under the terms of the Series 2004 Refunding Bonds, the Term Bonds (those Bonds maturing on November 30, 2030) are subject to mandatory redemption at the option of the County on November 1, 2011. Under the terms of the Series 2004 Bonds, the County can select either a fixed or variable interest rate on the Conversion Date. On June 24, 2010, in accordance with PPM No. CW-F-079, a Selection Committee comprised of a representative of the County Attorney's Office and the County Finance Committee (CFC) selected four (4) bond counsel and two (2) disclosure firms to serve on a rotating basis as bond counsel and disclosure counsel on future County financings. On August 17, 2010, the Board approved Agreements with each firm to serve as bond or disclosure counsel. The above firms are next on each rotation list. On May 5, 2011, the CFC reviewed and approved the appointment of each firm. Countywide (PFK)

5. REGULAR AGENDA

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (CONT'D)

3. Staff recommends motion to appoint:

A) Greenberg Traurig as bond counsel for the not-to-exceed \$45 Million Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Bridge & Max Planck Projects); and

B) Nabors Giblin & Nickerson as disclosure counsel for the not-to-exceed \$45 Million Public Improvement Revenue Bonds, Series 2011 (Ocean Avenue Bridge & Max Planck Projects).

SUMMARY: The Five Year Road Program assumed using \$12 Million from Gas Tax and \$25 Million from the issuance of bonds to finance the estimated \$37 Million Ocean Avenue Bridge project. The bond funding amount could be reduced from additional funds being available in the Road Program. In accordance with the Grant Agreement between the County and Max Planck Florida Corporation, the County is required to make a payment to Max Planck in the amount of \$15,615,000 on November 1, 2011. County staff and the County's Financial Advisor are recommending that the financing of these projects be combined into one bond issue for the economies of scale and savings in cost of issuance. On June 24, 2010, in accordance with PPM No. CW-F-079, a Selection Committee comprised of a representative of the County Attorney's Office and the County Finance Committee (CFC) selected four (4) bond counsel and two (2) disclosure firms to serve on a rotating basis as bond counsel and disclosure counsel on future County financings. On August 17, 2010, the Board approved Agreements with each firm to serve as bond or disclosure counsel. The above firms are next on each rotation list. On May 5, 2011, the CFC reviewed and approved the appointment of each firm. Countywide (PFK)

4. Staff recommends motion to appoint:

A) Ruden McCloskey as bond counsel for the not-to-exceed \$30 Million Taxable Public Improvement Revenue Bonds, Series 2012 (Convention Center Hotel); and

B) Nabors Giblin & Nickerson, as disclosure counsel, for the not-to-exceed \$30 Million Taxable Public Improvement Revenue Bonds, Series 2012 (Convention Center Hotel).

SUMMARY: On April 12, 2011, the Board approved a County subsidy in the amount of \$27 Million for the development of a 400 room Hilton Convention Center Hotel (Hotel) by the Related Companies and directed staff to begin negotiations with Related Companies concerning the necessary Agreements to facilitate the development and operation of the Hotel. Federal New Market Tax Credits (NMTC) totaling \$8 Million have been included as a component of the financial proposal. On June 24, 2010, in accordance with PPM No. CW-F-079, a Selection Committee comprised of a representative of the County Attorney's Office and the County Finance Committee (CFC) selected four (4) bond counsel and two (2) disclosure firms to serve on a rotating basis as bond counsel and disclosure counsel on future County financings. On August 17, 2010, the Board approved Agreements with each firm to serve as bond or disclosure counsel. Ruden McCloskey is the next firm in the bond counsel rotation. Because of the continuing work that Nabors Giblin has performed in its role as disclosure counsel for the previous convention center hotel agreement, staff is recommending that they be chosen out of order on the rotation list to provide these services for the new convention center hotel project. On May 5, 2011, the CFC reviewed and approved the appointment of each firm. Countywide (PFK)

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6. BOARD APPOINTMENTS

A. **ADMINISTRATION**
(Florida Atlantic Research & Development Authority)

1. **Staff recommends motion to approve:** reappointment of the following individual to the Florida Atlantic Research & Development Authority (Authority) for a term of four (4) years, effective June 8, 2011, to June 7, 2015:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Roxanna J. Trinka	1	Private Sector/PBC Resident	Comm. Marcus Comm. Burdick Comm. Abrams Comm. Taylor Comm. Aaronson

SUMMARY: On October 3, 1985, the Board of County Commissioners adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised seven (7) members: three (3) Palm Beach County representatives, three (3) Broward County representatives and the President of Florida Atlantic University or his/her designee. Representatives must be employed in the private sector and reside in the County in which they represent. On April 14, 2011, a memo was distributed to the Board of County Commissioners requesting support for the reappointment of Ms. Trinka. Ms. Trinka has served on the Authority since June 2003 and has expressed a desire to be reappointed. No other nominations were received.
District 4 (JM)

6. BOARD APPOINTMENTS

A. **ADMINISTRATION (CONT'D)**
(Small Business Assistance Advisory Committee)

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

A) waiver of prohibited relationship pursuant to Article XIII of the Palm Beach County Code of Ethics for Edward Kramer, who is the Regional Director for Small Business Development Center at Palm Beach State College which has a contractual relationship with the Palm Beach County Office of Small Business Assistance; and

B) appointment of one (1) individual to the Small Business Assistance Advisory Committee, to complete the unexpired term of Bernadette Russell, who resigned and whose term expires June 20, 2012:

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Edward "Ted" Kramer	12	Small Business Development Center	5/17/2011 – 6/20/2012	Comm. Marcus Comm. Burdick Comm. Taylor

SUMMARY: The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code. The committee consists of fourteen (14) members representing one (1) black business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) while male business owner certified as a small business by the County; one (1) business owner domiciled in Palm Beach County; one (1) representative of the Palm Beach County Resource Center; one (1) representative of the Hispanic Chamber of Commerce; one (1) representative of the National Association of Women in Construction; one (1) representative of a Women's Business Organization; one (1) certified minority contractor; one (1) representative of the Associated General Contractors of America; one (1) representative of the Small Business Development Center; one (1) representative of the Business Loan Fund of the Palm Beaches; and one (1) representative of the Black Chamber of Commerce. Seat 12 is vacant due to the resignation of Bernadette Russell. The SBA Advisory Committee supports the nomination. A memo was sent to the Board of County Commissioners on April 14, 2011 requesting approval of the recommended replacement for Seat 12, Small Business Development Center designation. No other nominations were received. The waiver is being recommended based on staff's determination that the contract with Mr. Ted Kramer, Regional Director of Small Business Development Center at Palm Beach State College and the County constitutes no conflict of interest. Countywide (TKF)

6. BOARD APPOINTMENTS

B. **FIRE RESCUE**
(Fire Rescue Advisory Board)

1. **Staff recommends motion to approve:** appointment/reappointment to the Fire Rescue Advisory Board for the terms indicated below:

<u>Appoint:</u> <u>Nominee</u>	<u>Seat No.</u>	<u>Category</u>	<u>Term</u>	<u>Nominated By</u>
Wallace DuPont	1	Professional	5/17/2011- 12/15/2011	Commissioner Taylor Commissioner Aaronson

<u>Reappoint:</u> <u>Nominees</u>	<u>Seat No.</u>	<u>Category</u>	<u>Term</u>	<u>Nominated By</u>
James Tippett	2	Contractor	5/17/2011- 5/16/2014	Commissioner Burdick
Jay Littman	5	Business Owner	5/17/2011- 5/16/2014	Commissioner Burdick

SUMMARY: The Fire Rescue Advisory Board was created by Resolution No. R89-1661 and revised by No. R92-596 on April 28, 1992. This Board consists of seven (7) (At Large) members with specific fields of expertise and serve three (3) year terms. The appointment of Mr. Dupont will fill the unexpired term left by Mr. Michael Bornstein, who resigned on February 28, 2011. On March 14, 2011, a memo was distributed to the County Commissioners requesting nominations to the Board. No other nominations have been received. Countywide (PK)

6. BOARD APPOINTMENTS

C. HOUSING & COMMUNITY DEVELOPMENT
(Emergency Shelter Grants Program Advisory Board)

1. Staff recommends motion to approve: Appointment of the following five (5) nominees to the Emergency Shelter Grants Program (ESGP) Advisory Board to fulfill the remainder of the two-year term ending September 30, 2011, that has been vacated due to resignation or poor attendance:

<u>Nominees for Appointment</u>	<u>Nominated By</u>	<u>Seat No.</u>
Ato Robinson	The Homeless Coalition of Palm Beach County, Inc.	5
Donald Hill	The Homeless Coalition of Palm Beach County, Inc.	8
Nate Nichols	The Homeless Coalition of Palm Beach County, Inc.	10
Kerry Gallagher (Alternate)	The Homeless Coalition of Palm Beach County, Inc.	9
Jillian C. Vukusich (Alternate)	The Homeless Coalition of Palm Beach County, Inc.	11

SUMMARY: Resolution R97-1154, adopted by the Board of County Commissioners (BCC) on September 2, 1997, re-established the ESGP Advisory Board and stipulated that its members must be nominated by the Homeless Coalition of Palm Beach County. This Resolution was amended in July 2006 (R2006-1279) to conform with the Federal regulations which require that at least one (1) Advisory Board member be currently or formerly homeless. The ESGP Advisory Board consists of nine (9) regular and two (2) alternate members. ESGP Advisory Board members serve at-large for two (2) year terms. The Advisory Board must be comprised of Palm Beach County residents who are non-conflict, meaning that the agencies they are employed by, or are board members of, will not be applying for ESGP funds during their term in office. A request was sent to the Homeless Coalition on March 2, 2011, requesting nominations to replace five (5) members who failed to complete their two (2) year term. Correspondence was received from the Homeless Coalition on March 30, 2011, nominating the above individuals to serve on the ESGP Advisory Board until September 30, 2011. Countywide (TKF)

D. COMMISSION DISTRICT APPOINTMENTS

MAY 17, 2011

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

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

B. District 2 – COMMISSIONER PAULETTE BURDICK

Request approval to present off-site, a proclamation declaring May 20, 2011 as “Speak Up for Kids/Guardian Ad Litem” Day in Palm Beach County.

C. District 3 - COMMISSIONER SHELLEY VANA, VICE CHAIR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

9. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MAY 17, 2011

<u>PAGE</u>	<u>ITEM</u>	
9	3C-7	<u>REVISED SUMMARY:</u> 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 Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this Project due to Federal funding restrictions. The Federally required non-mandatory Disadvantaged Business Enterprise (DBE) goal for the Project is 8.18%. The SBE and DBE participation proposed for the Project by Ranger is 45 <u>1.57</u> % and 0% respectively. <u>District 7</u> (MRE)
9	3C-8	<u>REVISED SUMMARY:</u> Approval of this Contract and Budget Amendment 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 Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this Project due to Federal funding restrictions. The Federally required non-mandatory Disadvantaged Business Enterprise (DBE) goal for the Project is 8.18%. The SBE and DBE participation proposed for the Project by Ranger is 45 <u>0.31</u> % and 0% respectively. <u>District 7</u> (MRE)
28	3U-2	<u>DELETED: Staff recommends motion to approve: A)</u> Amendment A to Microsoft Enterprise Agreement (R2010-0109) with Software House International, Inc. to transfer 300 software assurance Core Client Access Licenses to the Palm Beach County Tax Collector; and...(ISS) (Further staff review)
31	3CC-1	<u>DELETED: Staff recommends motion to approve:</u> an extension of the Interlocal Agreement among Broward County, Martin County, Monroe County, Miami-Dade County, and Palm Beach County as the regional cultural consortium for specific activities know as The South Florida Cultural Consortium (SFCC). This Interlocal Agreement was dated April 16, 1985 and approved by the respective Boards of County Commissioners (R85-547). These Counties desire to continue to work together as a regional cultural consortium. (TDC) (Further staff review)
31	3CC-2	<u>DELETED: Staff recommends motion to approve:</u> Amendment No. 2 to the Amended and Restated Agreement (R2007-1622) dated September 25, 2007 with the Palm Beach County Cultural Council, Inc. relating to the Cultural Council's role as the County's representative on the South Florida Cultural Consortium (SFCC). (TDC) (Further staff review)
35	5B-1	<u>NEW TIME CERTAIN 11:00 A.M.:</u> Staff recommends motion to receive and file: presentation of the Palm Beach County Comprehensive Annual Financial Report (CAFR) for fiscal year ending September 30, 2010. (Clerk)
45	8C	<u>ADD-ON:</u> Request approval to present off-site, a proclamation declaring June 2, 2011 as "Traffic Safety Distinguished Citizens Day" in Palm Beach County. (Sponsored by Commissioner Vana)

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