

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

AUGUST 14, 2012

<u>PAGE</u>	<u>ITEM</u>	
8	2C-1	REVISED TITLE: Proclamation declaring August <u>September</u> 2012 as “Professional Firefighters/Paramedics of Palm Beach County IAFF Local 2928 Appreciation Month” in Palm Beach County.
23	3K-5	REVISED SUMMARY: Staff recommends motion to approve: A) a Consultant Services Authorization No. 5 for a Glades Wastewater Master Plan Report in the amount of \$317,000 to the Contract for Engineering/Professional Services - Wastewater Consulting Services with Hazen and Sawyer, P.C. (R2011-0631); and B)... SUMMARY: On November 21, 2011, the United States Department of Housing and Urban Development (HUD) announced that Palm Beach County, through its Department of Economic Sustainability, was selected to receive \$1.98 Million from the Sustainable Competitive Regional Planning and Communities Challenge Competitive Grant for the creation of a Glades Region Master Plan. One of the deliverables required by HUD under the approved Grant includes the creation of a Glades Region Water and Wastewater Capital Master Plan. This Consultant Services Authorization (CSA) is for a Glades Wastewater Master Plan which includes wastewater demand projections, process equipment capacity evaluation, modeling of the wastewater pumping system, infiltration and inflow study and development of a Capital Improvements Program for the entire Glades Region consisting of 89,000 <u>25,634</u> acres of which 89% <u>74%</u> is located in unincorporated Palm Beach County and 41% <u>26%</u> within Tri-Cities...(WUD)
24	3K-8	REVISED SUMMARY: Staff recommends motion to approve: a Consultant Services Authorization No. 7 for a Glades Water Master Plan Report in the amount of \$186,000 to the Water Plant and Water Resources Engineering Services Contract with Carollo Engineers, Inc. (R2011-0630). SUMMARY: On November 21, 2011, the United States Department of Housing and Urban Development (HUD) announced that Palm Beach County, through its Department of Economic Sustainability, was selected to receive \$1.98 Million from the Sustainable Competitive Regional Planning and Communities Challenge Competitive Grant for the creation of a Glades Region Master Plan. One of the deliverables required by HUD under the approved Grant includes the creation of a Glades Region Water and Wastewater Capital Master Plan. This Consultant Services Authorization will provide for a Glades Water Master Plan which includes updates to water demand projections, water distribution system hydraulic model development, water treatment plant capacity evaluation, and development of a Capital Improvements Program for the entire Glades Region consisting of 89,000 <u>25,634</u> acres of which 89% <u>74%</u> is located in unincorporated Palm Beach County and 41% <u>26%</u> within Tri-Cities.. (WUD)
25	3K-9	DELETED: Staff recommends motion to approve: A) an Interlocal Agreement with the Town of Mangonia Park (Town) for installation of Emergency Generators (Interlocal Agreement); and...(WUD) (Further Staff Review)

- 29 3Q-1 **REVISED SUMMARY: Staff recommends motion to: A) receive and file a Grant Adjustment Notice from Florida Department of Law Enforcement (FDLE); B)..C)..D)..E)..F)...G)...SUMMARY:** The Criminal Justice Commission is requesting to reinstate the original Interlocal Agreement terms, extending the end date to September 30, 2012, and reallocating a total amount of \$98,500 to the four (4) above named cities. The Department of Justice, OJJDP, and the Florida Department of Law Enforcement (FDLE) approved ~~six month~~ extensions of the two (2) above named grants to December 12 31, 2012, and September 30, 2012, respectively due to unexpended funds. A portion of the funding, \$29,500 previously allocated to the City of Lake Worth, and \$69,000 of unexpended 2010 FDLE Justice Assistance Grant funds are being reallocated. Lake Worth has been unable to meet expected outcomes due to failure to hire a case manager in a timely manner. Reallocation of funds is being recommended as follows: West Palm Beach \$10,000; Boynton Beach \$20,000; Riviera Beach \$45,000; and Belle Glade \$23,500. There is no match requirement with this grant. Countywide (PGE) (CJC)
- 39 5A-1 **REVISED SUMMARY: Staff recommends motion for conceptual approval:** of negotiation terms regarding a proposed land exchange agreement with the South Florida Water Management District for the Mecca Farms site in Palm Beach County to be brought back to the Palm Beach County Board of County Commissioners for review and approval. **SUMMARY:** On May 23, 2012, the South Florida Water Management District submitted a letter of intent to Palm Beach County confirming their interest in negotiating with the County for the acquisition of the Mecca Farms site. The District is requesting fee title to the approximately 1,919 acre property less an agreed amount of County right-of-way. In exchange for this property, preliminary negotiations would transfer approximately 1,495 acres in District land with an assessed value of approximately \$24.66 million to the County plus a cash payment of \$30 million. Additionally, existing leases on the District property will generate \$305,000 in income per year and it is possible some parcels could be sold. Mecca Farms currently costs the County approximately \$250,000 a year to secure and maintain, in addition to debt service payments. The debt payment is approximately \$6.5 million per year from 2012-2015, approximately \$3.8 million per year for the ten years of 2016-2025, and approximately \$610,000 per year for the ~~remaining~~ remaining three (3) years of debt service. Proceeds from this sale would be used to offset future debt service requirements. Although the County still owes about \$45 million in principal on the Mecca Farms acquisition and other costs associated with its purchase under the terms of the bond obligation, the debt would not need to be paid off before swapping the land. The County has begun the due diligence process of appraising the land included within this exchange. Countywide (HF) (Admin/Legislative Affairs)
- 40 5D-1 **DELETED: Staff recommends a motion to approve on preliminary reading and advertise for public hearing on September 11, 2012, at 9:30a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 11, Article VII, of the Palm Beach County Code, known as the Palm Beach County Regional Hazardous Materials Response Ordinance of 1998 (codifying Ordinance 98-13, as amended); amending Sections 11-130, 11-132, and 11-133, of the Palm Beach County Code, relating to the Oversight Committee, the Technical Review Team, cost recovery, use of recovery funds, and penalties; providing for applicability; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; providing for an effective date. (Fire Rescue) (Further Staff Review)

REVISED TITLE & SUMMARY: Staff requests Board direction: on the approval of an Agreement for Purchase and Sale (“Agreement”) with Transit Village, LLC (“TV”) for certain interests in the County-owned real property commonly known as the Wedge and located within the City of West Palm Beach’s Transit Oriented Development (TOD) District, subject to FTA and FDOT approval of the terms of this Agreement. **SUMMARY:** In response to the Board’s concerns expressed at the July 10th meeting, TV has agreed to increase the purchase price from \$100,000 to \$3.6 Million which is equal to the price the County paid for the property. The acquisition was funded by a Federal grant and local match in the following amounts: FTA \$2,880,000 (80%), FDOT \$361,500 (10%), West Palm Beach \$180,750 (5%), and County \$180,750 (5%). The This Agreement requires FTA and FDOT approval of all terms of the Agreement as a precondition to closing of the sale. ~~The sale of the property will provide.~~ FTA and/or FDOT the right to require could condition their approval upon repayment of the grant funding, which Staff believes is likely. As a condition of TV offering to increase the purchase price, TV required the Agreement to be modified to transfer responsibility for grant repayment from TV to the County up to the amount of the purchase price. ~~The net effect of these changes on revenue to be received by the County is likely minimal.~~ While TV does not believe repayment will be required, TV is protecting itself against having to pay twice. Some Board members also questioned the intensity of the Project. At this revised price, TV is does not willing want to further reduce the proposed development intensity. Pursuant to the Agreement, TV will develop a transit oriented development (“Project”) over and adjacent to the County’s Intermodal Transit Center (ITC). TV has six (6) years to commence construction (interim milestones apply) on the Project of up to: 1) 12,500 SF of civic uses, 2) 400,000 SF of commercial/office, 3) 375 hotel rooms, 4) 150 residential units (student/workforce/market), 5) 150 luxury residential units and 6) 75,000 SF of amenity retail. The four (4) critical objectives of the Request for Proposals (RFP) leading up to the Agreement were to: 1) protect the operation of the ITC, 2) ensure that County would not assume any financial risk or liability associated with the development of the Project, 3) ensure that the Project would not consume more than its share of the public infrastructure available for, or otherwise burden, the remainder of the development of the TOD, and 4) fulfill the County’s obligations to the South Florida Regional Transportation Authority (SFRTA) with respect to parking. The Agreement is legally sufficient and can be approved today to move this project forward. The appraised values ranged from \$350,000 to negative \$5,000,000 under the sales comparison approach and both appraisals deemed the Project infeasible utilizing the discounted sell-out/land residual valuation approach. **This Agreement must be approved by supermajority vote (5 Commissioners).** (FDO) Countywide (HJF) (FDO)

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 (*).

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

AUGUST 14, 2012

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 8)

- 3. CONSENT AGENDA (Pages 9 - 37)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 38)**

- 5. REGULAR AGENDA (Pages 39 - 45)**
TIME CERTAIN – 10:30 A.M. (Purchase & Sale w/Transit Village - TOD) (Page 45)

- 6. BOARD APPOINTMENTS (Pages 46 - 52)**

- 7. STAFF COMMENTS (Page 53)**

- 8. COMMISSIONER COMMENTS (Page 54)**

- 9. ADJOURNMENT (Page 54)**

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- 2C-1 Professional Firefighters/Paramedics of Palm Beach County IAFF Local 2928 Appreciation Day
- 2C-2 Workforce Development Month
- 2C-3 Florida Water Professionals Week

CONSENT AGENDA

A. ADMINISTRATION

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- 3A-1 Interlocal Agreement with Town of Lantana regarding funding of Inspector General's Office
- 3A-2 Resolutions from two municipalities regarding allocation of \$12.50 funds

B. CLERK & COMPTROLLER

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

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- 3C-1 Deleted
- 3C-2 Impact fee credit regarding Park Avenue West
- 3C-3 First Amendment with City of West Palm Beach regarding Okeechobee Blvd. median beautification project
- 3C-4 Contract with J.W. Cheatham for construction of Jog Road (north of SR 710 to north of Turnpike)

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- 3C-5 Annual Roadway Landscaping Contract with Valleycrest Landscape Development, Inc.
- 3C-6 Task Authorization with R.J. Behar & Company for design plans/bid documents for Hatton Highway Bridge project
- 3C-7 Preliminary Engineering Agreement with CSX Transportation for design plans/specifications regarding Camino Real Road grade crossing
- 3C-8 Contract with J.W. Cheatham for intersection improvements at Atlantic Avenue and Jog Road

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- 3C-9 Amendments/Supplemental Agreements with FDOT for several roadway improvement projects
- 3C-10 Blanket approval for appraisal and acquisition of lands, rights-of-way, and easements for projects identified in the Five Year Road Program
- 3C-11 Deleted
- 3C-12 Quit Claim Deed related to right-of-way for Old Dixie Highway (south of Hidden Valley Blvd; north to C-15 Canal)

D. COUNTY ATTORNEY

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- 3D-1 Official transcript for closing of Capital Improvement Revenue Bonds (Four Points and Other Public Buildings project)
- 3D-2 Lump sum payment and a deed-in-lieu of foreclosure in State of Florida vs. Sylvia Sharps case
- 3D-3 Settlement Agreement in Paul Albores v. Palm Beach County case

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- 3E-2 Ratify signature on Summer Food Services Program Agreement with FL Dept. of Agriculture and Consumer Services
- 3E-3 Memorandum of Understanding with United Way relating to Palm Beach County One-e-App Eligibility project

F. AIRPORTS

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- 3F-1 Letter of Release from Federal Aviation Administration regarding land located in 5th Street
- 3F-2 Utility Easement Agreement with FPL for electric utility facilities at PBIA
- 3F-3 Resolution delegating signature authority to execute Law Enforcement Officer Reimbursement program applications and agreement with TSA

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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- 3G-1 Order 2012 Tax Roll extension

H. FACILITIES DEVELOPMENT & OPERATIONS

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- 3H-1 Contract with J. Rawn Enterprises for removal/replacement of decking at Juno Beach Pier
- 3H-2 Interlocal Agreement with City of Miramar regarding inter-agency communication system
- 3H-3 Interlocal Agreement with FL Fish & Wildlife Conservation Commission for use of space at DuBois Park

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- 3H-4 Amended Restrictive Covenant regarding littoral planting area at Herman W. Brice Fire-Rescue Complex
- 3H-5 Contract with Trillium Construction, Inc. for replacement/upgrading of exterior lighting at Palm Tran South Parking Lot
- 3H-6 Extension of Land Lease Agreement with SWA for operation of County fueling station

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- 3H-7 First Amendment with School Board and City of Boynton Beach for development/use of Galaxy Elementary replacement school
- 3H-8 Extension of Lease Agreement with City of South Bay for Fire Station 74
- 3H-9 Change Order No. 5 with Hedrick Brothers Construction regarding Central Detention Center redevelopment project

I. ECONOMIC SUSTAINABILITY

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- 3I-1 Resolution amending Florida Enterprise Zone Program boundary
- 3I-2 Amendment No. 1 with City of Lake Worth regarding expansion of Norman Wimbley Gymnasium project
- 3I-3 Agreement with Town of Ocean Ridge for purchase and installation of energy efficient light fixtures

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- 3I-4 Consent for Kerron S. Jaggernaut to receive State Housing Initiative Partnership funds under First Mortgage Loan Assistance Program
- 3I-5 CSA No. 11 with Colomé & Associates for professional services on rehabilitation construction projects

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- 3K-3 Work Authorization No. 16 with AKA Services, Inc. for construction of Morikami Park 16” Reclaimed Water Main extension project
 - 3K-4 Receive and file three (3) standard agreements
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- 3K-5 CSA No. 5 with Hazen and Sawyer for a Glades Wastewater Master Plan Report
 - 3K-6 Change Order No. 1 with Poole & Kent Company for GUA’s Belle Glade Wastewater Treatment Plant
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- 3K-7 Work Authorization No. 2 w/Globaltech, Inc. for replacement of Media in filters at WTP No. 8
 - 3K-8 CSA No. 7 with Carollo Engineers, Inc. for a Glades Water Master Plan Report
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 - 3Q-3 Authorize signatory delegation to execute agreements concerning data sharing

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3S-2 Receive and file one (1) license agreement with GelTech Solutions for training

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3U-2 Interlocal Agreement with Town of Lantana to connect to County's regional network

3U-3 Budget Transfer to Fiber Build-out of Enterprise Network project

V. METROPOLITAN PLANNING ORGANIZATION - None

W. PUBLIC AFFAIRS - None

X. PUBLIC SAFETY

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3X-1 Contract with Emergency Specialists of Wellington for forensic rape examinations and medical treatment

Y. PURCHASING - None

Z. RISK MANAGEMENT - None

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3Z-1 Subscription Agreement with Florida MVR Services related to motor vehicle records

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3Z-2 Contract with Island Medical Care for on-site physician services at occupational health clinic

AA. PALM TRAN - None

BB. INTERNAL AUDITOR'S OFFICE

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3BB-1 Audit recommendation follow-up report (ending September 30, 2011)

3BB-2 Audit recommendation follow-up report (ending March 31, 2012)

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3BB-3 Receive and file six (6) Audit Reports

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3CC-1 First and Second Modifications with City of Miami for Miami Urban Area Security Initiative funds for direct law enforcement activities

3CC-2 Grant Adjustment Notice amending Recovery Act Edward Byrne Memorial Justice Assistance Grant for Region 7 Drug Enforcement Strike Force

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3CC-3 Fourth Amendment with City of Miramar for Ft. Lauderdale Urban Area Security Initiative for direct law enforcement activities

3CC-4 Agreement with City of Miramar for Ft. Lauderdale Urban Area Security Initiative for various direct law enforcement oriented domestic security activities (radiation detectors/equipment)

3CC-5 First Amendment with City of Miramar for Ft. Lauderdale Urban Area Security Initiative for various direct law enforcement oriented domestic security activities (regional planning, training and exercise)

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4A Special Assessment Roll for Sunbeam Avenue Water Main Extension

REGULAR AGENDA

ADMINISTRATION

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5B-1 Housing Finance Authority Ordinance

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5C-1 Delegation of authority for County Administrator to vote on homeowner association/neighborhood matters related to properties under DES control

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5I-1 Resolution authorizing reconveyance to Lake Worth Drainage District 0.30 acres in unincorporated Delray

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5I-2 Purchase and Sale with Transit Village for Wedge Property (TOD) – **TIME CERTAIN 10:30 A.M.**

BOARD APPOINTMENTS (Pages 46 - 52)

STAFF COMMENTS (Page 53)

COMMISSIONER COMMENTS (Page 54)

ADJOURNMENT (Page 54)

AUGUST 14, 2012

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. **REVISED TITLE:** Proclamation declaring ~~August~~ September 2012 as “Professional Firefighters/Paramedics of Palm Beach County IAFF Local 2928 Appreciation Month” in Palm Beach County. (Sponsored by Commissioner Vana)

2. Proclamation declaring September 2012 as “Workforce Development Month” in Palm Beach County. (Sponsored by Commissioner Aaronson)

3. Proclamation declaring August 13 – 17, 2012 as “Florida Water Professionals Week” in Palm Beach County. (Sponsored by Commissioner Aaronson)

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** an Interlocal Grant Agreement with the Town of Lantana to voluntarily assist in funding Office of Inspector General Operations. **SUMMARY:** This Agreement provides a means for the Town of Lantana to voluntarily provide quarterly grant payments to Palm Beach County to assist in funding Office of Inspector General (OIG). The payments equal the amount of funding the Town would have paid pursuant to the cost apportionment method outlined in the Inspector General Ordinance. The Town's payment for each quarter of FY 2012 equals \$2,150 and the initial payments made total \$5,033. This Agreement is renewable annually. District 7 (LB)

2. **Staff recommends motion to receive and file:**
 - A) Resolution No. 203-12 of the City Commission of the City of West Palm Beach, Florida, strongly supporting the County's continued allocation of the \$12.50 funds to the municipalities pursuant to County Resolution R2002-0192, which serves to enhance the County's Intergovernmental Communications Plan; and strongly supporting the County's disbursement of the \$12.50 funds to cover expenses for all municipalities that have radio systems that are functionally interoperable with the County's radio system without arbitrary distinctions being made; and

 - B) Resolution No. 2012-04 of the Town Council of the Town of Haverhill, Florida, strongly supporting the County's continued allocation of the \$12.50 funds to the municipalities pursuant to County Resolution R2002-0192, which serves to enhance the County's Intergovernmental Communications Plan; and strongly supporting the County's disbursement of the \$12.50 funds to cover expenses for all municipalities that have radio systems that are functionally interoperable with the County's radio system without arbitrary distinctions being made.

B. CLERK & COMPTROLLER

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

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	June 5, 2012
Workshop	June 11, 2012
Budget	June 12, 2012
Regular	June 19, 2012
Workshop	June 26, 2012
Zoning	June 28, 2012

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

4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during March 2012. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. DELETED

2. Staff recommends motion to approve: establishment of an impact fee credit for building a section of Park Avenue West, east of Congress Avenue to Congress Avenue Properties LTD (The Development). **SUMMARY:** Approval of this impact fee credit, currently estimated at \$430,000, will allow the extension of Park Avenue West to go through a portion of The Development. Park Avenue West is not needed to provide access to The Development. Park Avenue West is not required to meet Traffic Performance Standards (TPS). Impact fee credits for roadway improvements that are not required by TPS require approval by the Board of County Commissioners. District 7 (MRE)

3. Staff recommends motion to approve: the First Amendment (Amendment) to the Interlocal Agreement R2011-1981 (Agreement) with the City of West Palm Beach (City) under which the City agrees to accept maintenance responsibility for permitted unirrigated palms (Palms) that were added by Palm Beach County (County) as components of the Okeechobee Boulevard median beautification project between State Road 7 and Florida's Turnpike (Improvements). **SUMMARY:** Approval of the Amendment will formalize the City's maintenance responsibility for the Palms as elements of the Improvements. In accordance with the terms of the Agreement, the City is required to maintain the Improvements that were installed by the County. Residual funding was available from the budget to pay for the installation of Palms in medians that would not have otherwise received any landscaping. Districts 2 & 6 (MRE)

4. Staff recommends motion to approve:

A) a Contract with J.W. Cheatham, LLC (Cheatham), the lowest responsive, responsible bidder in the amount of \$3,373,873.68 for the construction of Jog Road from north of State Road 710 to north of Florida's Turnpike (Project); and

B) a Budget Amendment of \$28,610 in the Road Impact Fee Fund – Zone 1 to recognize funding from Seacoast Utilities and appropriate it to the Project's account.

SUMMARY: Approval of this Contract and Budget Amendment will allow Palm Beach County (County) to issue a Notice to Proceed to Cheatham, 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% overall. The SBE participation proposed for the Project by Cheatham is 15.40%. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve: the Annual Roadway Landscaping Contract (Contract) in an amount not to exceed the total value of \$2,758,000 with Valleycrest Landscape Development, Inc. (Contractor), the lowest, responsive, responsible bidder. **SUMMARY:** Approval of this Contract will provide for all labor, materials, equipment and incidentals required to prepare the site to final grade, install landscape trees, plants, sod and irrigation systems in accordance with the plans and as specified by various County Departments on an as needed basis. The Small Business Enterprise (SBE) goal for the Project is 15%. There is no SBE participation committed for the project by either of the 2 bidders. Also, the Contractor is not a local business; however the second low bidder falls outside the 5% ranking for local preference. This Contract will be in effect from the Board of County Commissioners' approval date through October 1, 2013. The Contract allows for extension, at the County's option, for a period not to exceed thirty-six (36) months total contract time. Countywide (MRE)

6. Staff recommends motion to approve: a Task Authorization to the Annual Agreement R2011-0175 in the amount of \$241,393.80 with R.J. Behar & Company, Inc. (RJB), for professional services. **SUMMARY:** Approval of this Task Authorization will provide the professional services necessary for the preparation of design plans and construction bid documents for the Hatton Highway Bridge over PDD Main Canal 2 Bridge Rehabilitation/Replacement project (Project). RJB has an office in Palm Beach County and is a certified Small Business Enterprise (SBE). The SBE goal for the Project is 15%. The SBE participation committed for this Project by RJB is 91.05%. District 6 (MRE)

7. Staff recommends motion to approve: a Preliminary Engineering Agreement with CSX Transportation, Inc. to facilitate the preparation of plans and specifications for a repair to Camino Real Road at the CSX Transportation, Inc. railroad tracks. **SUMMARY:** Approval of the Preliminary Engineering Agreement will allow for the preparation of the design plans and specifications by the CSX, at an estimated cost of \$15,000 to remove and rebuild both existing grade crossing surfaces. The future construction will be paid for by Palm Beach County and will provide a smoother ride over the tracks for vehicles traveling on Camino Real Road. District 4 (MRE)

8. Staff recommends motion to approve: a Contract with J.W. Cheatham, LLC (Cheatham), in the amount of \$925,023.40 for the construction of Atlantic Avenue and Jog Road intersection improvements (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County to issue a Notice to Proceed to Cheatham, the lowest responsive, responsible bidder, and 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% overall. The SBE participation proposed for the Project by Cheatham is 15.68%. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to receive and file:

A) County Incentive Grant Program (CIGP) Amendment No. Two, a time extension to the Lyons Road from Atlantic Avenue to Boynton Beach Boulevard funding agreement (R2010-0932), with the Florida Department of Transportation (FDOT);

B) Local Agency Program (LAP) Agreement Supplemental No. Two, a time extension to the Okeechobee Boulevard from Australian Avenue to Tamarind Avenue funding agreement (R2010-0697), with FDOT; and

C) Transportation Regional Incentive Program (TRIP) Amendment No. Two, a time extension to the Jog Road at 45th Street funding agreement (R2008-0823), with FDOT.

SUMMARY: This receive and file will record time extensions to funding agreements with FDOT for CIGP Amendment No. Two, LAP Amendment No. Two, and TRIP Amendment No. Two, which are projects currently underway which were all signed by the Deputy County Engineer and then executed by FDOT. Countywide (MRE)

10. Staff recommends motion to approve:

A) a blanket approval for appraisal and acquisition of the lands, rights-of-way, and easements on all Fiscal Year 2012 and 2013 projects as identified in the Mid Year Adjustment to the Five Year Road Program, as adopted on June 19, 2012; and

B) the employment of all experts, including but not limited to real estate appraisers, engineers, certified public accountants, business damage experts, and other experts deemed necessary to appraise and acquire the before mentioned lands, rights-of-way and easements.

SUMMARY: On June 19, 2012, the Board of County Commissioners adopted the Mid Year Adjustment to the Five Year Road Program for Fiscal Year 2012 through Fiscal Year 2016. Approval of this item will provide for the acquisitions necessary to accomplish the road goals set therein. Countywide (MRE)

11. DELETED

12. Staff recommends motion to:

A) accept a Quit Claim Deed for Parcels 100, 101, 102, 103, 104, 105, 106 and 107 from the City of Boca Raton (City) for the additional right-of-way for Old Dixie Highway from approximately 1,580 feet south of Hidden Valley Boulevard north to the C-15 Canal project; and

B) approve a Subordination of Utility Interests and Agreement for reimbursement for additional facility relocations (Subordination) to Palm Beach County (County) from the City.

SUMMARY: Acceptance of the quit claim deed and Subordination, will provide for the City to convey additional right-of-way for Old Dixie Highway to the County. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to receive and file:** the official transcript for the closing of the Palm Beach County, Florida \$16,189,340 Capital Improvement Revenue Bonds (Four Points and Other Public Buildings Project), Series 2012 (the "Bonds"), as authorized by Resolution R2012-0380 adopted on March 6, 2012. The closing occurred on April 27, 2012. **SUMMARY:** The official transcript for this transaction has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

2. **Staff recommends motion to approve and accept:** a \$7,000 lump sum payment and a deed-in-lieu of foreclosure as part of a criminal plea agreement reached in *State of Florida vs. Sylvia Sharps*, Case No.: 2011CF009876AMB, and waive a deficiency judgment, if any. **SUMMARY:** The County is the servicer and owner of the first and second notes and mortgages in the amount of \$188,100 and \$24,700 respectively, loaned through the Neighborhood Stabilization Program, administered by the Department of Economic Sustainability. Contemporaneous with the default on her repayable loan payments, Sylvia Sharps was criminally charged with one count of "Organized Scheme to Defraud" and one count of "Obtaining Mortgage by Fraud." Rather than file a separate civil foreclosure action and incur additional costs related thereto, the County cooperated with the State Attorney's prosecution of Ms. Sharps in an effort to get the property back as part of a criminal plea agreement. Staff therefore recommends that acceptance of a \$7,000 lump sum payment and a deed-in-lieu of foreclosure as part of the criminal plea agreement against Sylvia Sharps is in the County's best interests. District 3/Countywide (PGE)

3. **Staff recommends motion to approve:** Settlement Agreement in Paul Albores v. Palm Beach County for \$400,000, inclusive of attorney's fees and costs. **SUMMARY:** Mr. Albores, a former Palm Beach County Fire Rescue employee, filed a three count lawsuit against the County and alleged the following claims: Count I: workers' compensation retaliation in violation of §440.205, Florida Statute; Count II: FMLA interference with protected leave; and Count III: FMLA retaliation. The parties attended court ordered mediation on July 18, 2012 and reached a tentative settlement agreement with the following terms and conditions: 1) The agreement is subject to Board of County Commission review and approval; 2) The County shall pay Mr. Albores \$400,000, inclusive of attorney's fees and costs; and 3) Mr. Albores shall dismiss the lawsuit with prejudice and provide the County with a full release of liability. Countywide (AP)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) approve the State of Florida Voluntary Prekindergarten (VPK) Education Program Statewide Provider Agreement with the Early Learning Coalition of Palm Beach County, for the period October 1, 2012, through June 30, 2013, to provide VPK services to 531 children for 540 hours per child per year; and

B) authorize the County Administrator or his designee to sign necessary documents regarding the VPK Program.

SUMMARY: The 2012- 2013 VPK Program will provide early childhood services to 531 four year old children currently enrolled in ten (10) of the County's Head Start centers: Boynton Beach, Delray Beach, Jupiter, Lake Worth, Pahokee, Palm Glades, Riviera Beach, South Bay, Westgate, and West Palm Beach. Due to the many documents required by the Grantor, the delegation of signing authority to the County Administrator or his designee is being requested to expedite signed documents getting to the Grantor. The VPK reimbursement rate is \$2,462.83 per child per year for services to 531 children for 540 hours. VPK Reimbursement is based on actual attendance of the children. The County received \$1,151,863 in VPK reimbursement for Fiscal Year 2011. No County match is required. (Head Start) Countywide (TKF)

2. Staff recommends motion to ratify: the Chair's signature on the fully executed Summer Food Service Program Agreement No. 04-0781 with the Florida Department of Agriculture and Consumer Services (DACS) to establish a permanent agreement to provide nutritious meals to children 18 years and younger. **SUMMARY:** The Summer Food Service Program (SFSP) was established to ensure that all children, 18 years and younger, could receive nutritious meals during school vacations that are comparable to those served under the National School Lunch and School Breakfast Programs. Meals are provided, at no charge, to all children at SFSP approved sites during times designated as the meal service periods. This year's meal service period is from June 11, 2012, through August 18, 2012. The emergency signature process was utilized because there was not sufficient time to submit the agreement through the regular agenda item process and meet the May 14, 2012 submission deadline. No County funds are required. (Human Services) Countywide (TKF)

3. Staff recommends motion to approve: Memorandum of Understanding with the United Way of Palm Beach County (United Way), for the period August 14, 2012, through June 30, 2013, to delineate the roles and responsibilities of both parties relating to the Palm Beach County One-e-App Eligibility Project. **SUMMARY:** As a member of the Palm Beach County Common Eligibility Collaborative, the Community Services Department will use the web-based tool, One-e-App, to screen clients for all applicable social service, financial assistance, and healthcare programs. Through the use of this tool, clients can be screened for Medicaid; Supplemental Nutrition Assistance Program (SNAP, formerly food stamps); Temporary Assistance for Needy Families (TANF); Women, Infants and Children (WIC); Florida KidCare; State Children's Health Insurance Program (SCHIP); Health Care District (PBC only); Project Access; Earned Income Tax Credit (EITC); Low Income Home Energy Assistance Program (LIHEAP); and Emergency Home Energy Assistance for the Elderly Program (EHEAP). Electronic applications for the first three (3) programs will be submitted to the Department of Children and Families, through One-e-App, using an electronic interface. No County funds are required. (Community Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Letter of Release (Release) from the Federal Aviation Administration (FAA) releasing approximately 0.25 acres (10,780 sq. ft.) of land located in 5th Street, north of Belvedere Road, in West Palm Beach, from Airport Improvement Program Grant Assurances with the FAA. **SUMMARY:** Delegation of authority for execution of the Release was approved by the Board in Agenda Item 3H-8 (D) on December 6, 2011. Countywide (AH)

2. **Staff recommends motion to approve:** Utility Easement Agreement with Florida Power & Light Company (FPL) for electric utility facilities at the Palm Beach International Airport (PBI). **SUMMARY:** FPL requires an easement to facilities at PBI that were relocated as part of the Taxiway L extension project, to connect segments of utility lines to an existing FPL transformer. Countywide (HJF)

3. **Staff recommends motion to adopt:** a Resolution authorizing the County Administrator or his designee to execute Law Enforcement Officer (LEO) Reimbursement Program applications and agreements with the Transportation Security Administration (TSA) and to make necessary, minor changes to LEO Reimbursement Program Agreements. **SUMMARY:** The TSA LEO Reimbursement Agreement Program provides grants for reimbursement of airport operators for expenses incurred for the provision of LEO support at airport security checkpoints. The Palm Beach County Sheriff's Office (PBSO) provides LEO support at Palm Beach International Airport (PBI). Acceptance of LEO Reimbursement Agreements will allow the County to recoup a portion of its costs for the provision of PBSO's services at PBI. Reimbursement is based on the availability of funds and is provided on a first-come, first-serve basis. Approval of this item will allow the County Administrator or his designee to execute LEO Reimbursement Program applications and agreements on behalf of the County with the TSA in a timely manner and to make minor changes to the language in the LEO Reimbursement Agreements. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to:**

A) approve request by Palm Beach County Tax Collector, Anne M. Gannon, for Board of County Commissioners to order the 2012 tax roll to be extended prior to completion of the Value Adjustment Board (VAB) hearings; and

B) direct the VAB to certify the assessment roll as required by State Statutes.

SUMMARY: Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2012, and will permit the collection of property taxes prior to completion of the VAB hearings. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Contract with J. Rawn Enterprises, Inc. in the amount of \$230,560 for the removal and replacement of the wood decking at the Juno Beach Pier. **SUMMARY:** This Contract will remove all of the existing wood decking that has been in place for almost 20 years and has weathered several storm events reaching their useful life span due to deterioration caused by salt and weather corrosion. The replacement decking design has been engineered to current code requirements. The Small Business Enterprise (SBE) goal is 15%. The SBE participation in this Contract is 49%. The total construction duration is 120 calendar days. J. Rawn Enterprises, Inc. is a Palm Beach County company. Funding for the Juno Pier Renovation project is from the 1999 \$25M GO Recreation & Cultural Bond. Funding was established in the Parks FY 2012 Capital Improvement Program. (Capital Improvements Division) District 1 (JM)

2. **Staff recommends motion to approve:** an Interlocal Agreement with the City of Miramar (City) allowing for interoperable communications through the countywide common groups of the County's Public Safety Radio System. **SUMMARY:** This Interlocal Agreement provides the conditions under which the City can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's system will not be utilized for routine operational communications by the City. The terms of the agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The City is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the County's Public Safety Radio System. The Agreement provides for an initial term of five (5) years with three (3) renewal options, each for a period of five (5) years. This Interlocal Agreement may be terminated by either party, with or without cause, upon ten (10) days prior notice to the other party. (ESS) Countywide (JM)

3. **Staff recommends motion to approve:** an Interlocal Agreement with the Florida Fish and Wildlife Conservation Commission (FFWCC) for the use of space at DuBois Park in Jupiter. **SUMMARY:** This Agreement provides FFWCC the exclusive use of the following space at DuBois Park: (i) DuBois Marina boat slip No. 3, together with the associated boat lift; (ii) storage unit No. 3; and (iii) one (1) designated parking space (collectively, "DuBois Premises"). FFWCC will also have the non-exclusive use of the finger pier that provides access to and from the mainland. The Interlocal Agreement provides for an initial term of 20 years with two (2) renewal options of five (5) years each. In October 2008, FFWCC awarded the County a grant for \$500,000 for dock improvements and shoreline stabilization at Dubois Park. Thus, the County will not be charging FFWC a use fee for the DuBois Premises. The County is responsible for the maintenance and repair of the DuBois Premises at its sole cost, except for the boat lift, which is the responsibility of FFWCC. The County shall pay the cost of water and electrical service at the DuBois Premises. In the event any dredging is required for use of the DuBois Premises, then FFWCC will reimburse the County for its proportionate share of the costs. The County's Parks and Recreation Department supports the use of the DuBois Premises by FFWCC as such use provides additional security at the park. District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: an Amended Restrictive Covenant for maintenance of a littoral planting area covering approximately .54 acres at the County's Herman W. Brice Fire-Rescue Complex (Fire-Rescue Complex) in unincorporated West Palm Beach. **SUMMARY:** On June 5, 2007 (R2007-0865), the County executed a Restrictive Covenant identifying a .519 acre (22,627 sq. ft.) littoral area within the water management tract at the Fire-Rescue Complex located on Pike Road between Southern Boulevard and Belvedere Road. This Amended Restrictive Covenant amends the location of the littoral planting area to provide a more conducive area for the survival of littoral plants. The Amended Restrictive Covenant identifies the .54 acre (23,322 sq. ft.) littoral area within the water management tract and provides for the maintenance thereof. All other terms remain the same. (PREM) District 2 (HJF)

5. Staff recommends motion to approve: Contract with Trillium Construction, Inc. in the amount of \$366,782 for the replacement and upgrading of existing exterior lighting at Palm Tran South Parking Lot Lighting. **SUMMARY:** The work consists of replacement and upgrading of existing exterior lighting in two (2) parking areas and associated driveways. The existing light fixtures are 15 years old, are using outdated reflectors, and do not meet recommended safe lighting levels. The new lighting and design will enhance driver and pedestrian safety in the project area. This project is funded through the U.S. Department of Transportation, Federal Transit Administration (FTA). Davis Bacon requirements including a Disadvantaged Business Enterprise (DBE) goal of 10%, and prevailing wage provisions apply to this Contract. DBE participation for this project is 13.1%. The total construction duration is 120 days. Although only one bid was received, that bid was within the project budgeted amount. Trillium Construction, Inc. is a Palm Beach County company. (Capital Improvements Division) District 7 (JM)

6. Staff recommends motion to approve: exercise of the third option to extend the term of the Land Lease Agreement (R97-2119d) dated December 16, 1997, with the Solid Waste Authority (SWA) for operation of a County fueling station within the SWA's North County Transfer Station located in Jupiter at an annual rate of \$10. **SUMMARY:** The County currently leases approximately 10,000 SF within the SWA North County Transfer Station at 14185 North Military Trail in Jupiter, for a County vehicle fueling station. The initial term of the Land Lease Agreement was for five (5) years ending on December 15, 2002, with four (4) extension options, each for a period of five (5) years. Exercise of this third option will extend the term of the Land Lease Agreement for five (5) years, from December 16, 2012, through December 15, 2017. The annual rent for this extension period is \$10. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: the First Amendment to the Interlocal Agreement with the Palm Beach County School Board (School Board) and the City of Boynton Beach (City) for the Development and Use of Galaxy Elementary Replacement School. **SUMMARY:** The Board approved an Interlocal Agreement with the School Board and the City for the Development and Use of Galaxy Elementary Replacement School on February 23, 2010 (R2010-0289). Galaxy Elementary School is located east of I-95 and north of Boynton Beach Boulevard within the City's municipal boundaries. Pursuant to the Interlocal Agreement, the School Board and the City will exchange certain properties in order to build a replacement school and recreational facilities in the same location. The County's obligations under the Interlocal Agreement were limited to conveyance of a reversionary interest it held in the City's park property on Galaxy Way in exchange for receipt of a reversionary interest in the land the City would receive as part of the exchange. The First Amendment to the Interlocal Agreement adds new sections to the agreement pertaining to the City's installation and maintenance of a water line, and the City's and School Board's maintenance and repair of the surface water management system. No new obligations are imposed on the County and its rights are not affected by this First Amendment. (PREM) District 7 (HJF)

8. Staff recommends motion to approve: exercise of the second option to extend the term of the Lease Agreement (R2006-1917) with the City of South Bay for Fire Station 74 within the South Bay City Hall Complex at an annual rate of \$1. **SUMMARY:** Fire Rescue currently leases approximately 3,360 SF within the City Hall Complex in South Bay for operation of Fire Rescue's temporary Station No. 74. The initial term of the Lease Agreement was for five (5) years ending on September 11, 2011, with two (2) extension options, each for a period of one (1) year. This second option will extend the term of the Lease Agreement for one (1) year, from September 12, 2012, through September 11, 2013, but can be terminated early to coincide with the completion and occupancy of new Fire Station 74 scheduled for early 2013. The annual rent for this extension period is \$1. (PREM) District 6 (HJF)

9. Staff recommends motion to approve: Change Order No. 5 to the contract with Hedrick Brothers Construction Co., Inc. (R2007-1506) decreasing the Guarantee Maximum Price (GMP) for the Central Detention Center (CDC) Redevelopment project in the amount of \$196,681.55. **SUMMARY:** On May 17, 2011, the Board approved Amendment No. 9 to the contract with Hedrick Brothers in the amount of \$3,403,174 for demolition of buildings not slated for re-use in the CDC redevelopment and to install underground utilities and electronic systems infrastructure for future use. There is \$196,681.55 remaining as a result of buyout savings, unused allowances, unused owner contingency and reconciliation of sales tax recovery purchase orders. The amendment was funded from the Criminal Justice and Public Improvement Revenue Bond Series Bond 2008 and all savings will accrue to the program contingency. Ultimately, the funds will be needed to fully fund the Main Jail Video Visitation System Phase I Implementation, which is the final project/phase of the Jail Expansion Program 2A. The Small Business Enterprise (SBE) goal for this contract is 15% and the final SBE participation is 44.3%. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the submittal of the Florida Enterprise Zone (EZ) Program Boundary Amendment Application for Palm Beach County to amend the EZ boundaries; expanding the boundary by not more than three (3) square miles; including a portion of a State designated rural area of critical economic concern; providing a map of the nominated area; providing the rationale for amending the boundaries; and providing for an effective date. **SUMMARY:** A Resolution is required for Palm Beach County to submit an application to the Florida Department of Economic Opportunity to amend the EZ boundaries, expanding the EZ boundaries a total of three (3) square miles and including a portion of the State designated Rural Area of Critical Economic Concern which has high concentrations of poverty, unemployment, and general economic and social distress. The area includes a large portion of the City of Belle Glade and the designated 850 acres for the future inland logistics center site in unincorporated Palm Beach County. This will expand the EZ by approximately three (3) square miles. **No match from County general funds is required.** (Strategic Planning) Countywide (DW)

2. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2011-0901) with the City of Lake Worth to extend the expiration date from November 30, 2012, to May 1, 2013. **SUMMARY:** On June 21, 2011, the County entered into an Agreement (R2011-0901) with the City of Lake Worth allocating \$200,000 in Community Development Block Grant (CDBG) funds for the expansion of the Norman Wimbley Gymnasium located at 1515 Wingfield Street, Lake Worth. The building addition will be used as a multi-purpose room for activities such as art, dance, exercise classes, and a summer youth camp. The work also includes the installation of Americans with Disabilities compliant sidewalks and entranceways. Delays in the preparation of design and bid documents have necessitated this time extension. This funding is projected to create six (6) jobs and have a five (5) year Economic Impact of \$246,000. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (TKF)

3. Staff recommends motion to approve: an Agreement with the Town of Ocean Ridge (Town) in the amount of \$43,085 for the period of August 14, 2012, to August 31, 2012 contingent upon approval from the Department of Energy (DOE). **SUMMARY:** On May 18, 2010, the County entered into an Agreement (R2010-0732) with the Town allocating \$50,000 in Energy Efficiency and Conservation Block Grant (EECBG) funds received from the DOE. The funds were allocated for the purchase and installation of energy efficient interior and exterior light fixtures. An energy audit at a cost of \$6,915 was conducted; however, due to a delay in receiving the fixtures, the Town was not able to complete the project by the May 3, 2012, expiration date of the original Agreement. This Agreement will establish a new grant period in order for the Town to complete the project and submit a reimbursement request. A time extension for the grant to November 30, 2012, has been requested of DOE. If such an extension is granted, this Agreement will be automatically extended to such date. This funding is projected to create/retain 1.13 jobs, and have a five (5) year economic impact of \$71,000. **These are Federal EECBG Grant funds which require no local match.** (DES Contract Development) District 4 (DW)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

4. **Staff recommends motion to approve:** Consent for Kerron S. Jaggernauth, a relative of Palm Beach County employee Trevor Jaggernauth, to receive State Housing Initiative Partnership (SHIP) funds under the First Mortgage Loan Assistance Program as administered by the Department of Economic Sustainability. **SUMMARY:** Kerron S. Jaggernauth, a married man, is an income eligible applicant who is seeking to receive \$184,000 in financial assistance, of which \$139,000 will be a repayable first mortgage and \$45,000 will be a forgivable second mortgage. He is the son of Trevor Jaggernauth who has been employed with the Department of Economic Sustainability since August 2011. Kerron S. Jaggernauth is seeking to purchase a short sale home “as is” for \$169,000. The appraised value of the home is \$169,000. The home is located at 9585 Majestic Way, Boynton Beach, Florida 33437, and it contains 2,599 square feet with four (4) bedrooms and three (3) bathrooms. The total project cost is \$187,311.72 which includes the purchase price of \$169,000; repair costs of \$8,000; and closing costs of \$10,311.72. The repair costs are for the purchase of appliances which are required in order to meet the Federal Housing Quality Standards. Mr. Jaggernauth’s contribution will be \$3,811.72 which includes his mandatory two percent (2%) down payment of \$3,540. The first mortgage of \$139,000 will be for 30 years at a four percent (4%) interest, and the second mortgage of \$45,000 will be a conditional grant that is forgiven at the end of the 30 years. **These are State SHIP funds which require no local match.** (B&HI) District 5 (TKF)

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 11 with Colomé & Associates, Inc. (Colomé) in the amount of \$134,922.50. **SUMMARY:** CSA No. 11 authorizes Colomé to provide professional services for the standardization of project criteria, project specifications, cost estimating and bid requirements for rehabilitation construction projects funded through the Department of Economic Sustainability. They are under contract (R2011-0113) with the Facilities Development and Operations Department as a continuing services architectural consultant. This contract includes a Small Business Enterprise (SBE) goal of 70%. This CSA has 65% SBE participation. When added to the Consultant’s participation to date, the resulting SBE participation is 65.5%. **These are Federal funds which require no local match.** (CIREIS) Districts 2, 3, 6 & 7 (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a one (1) year extension to all Water Utilities Department (WUD) Development Agreements and Renewal Agreements that were scheduled to expire on or after September 30, 2012, and before September 30, 2013. **SUMMARY:** Developers who meet certain criteria as outlined in the Water Utilities Department's Uniform Policies and Procedures Manual (UPAP) are required to enter into Development Agreements (Agreement) to reserve potable water, wastewater, and/or reclaimed water capacity (Capacity) for their projects. The terms of the Agreement require the submittal of a Mandatory Agreement Payment (MAP) to reserve Capacity for a period of five (5) years. Any unused Capacity remaining in the Agreement after five (5) years can be renewed for one (1) additional five (5) year term upon payment of another MAP and execution of a Renewal Agreement. No further renewals are available after ten (10) years as prescribed by UPAP. However, the Palm Beach County Board of County Commissioners (Board) recognized the impact the downturn in the economy was having on development in the Board and approved a one (1) year extension of these Agreements on January 13, 2009 (Agenda Item 3K-1). An additional extension was approved by the Board through its authorization to include these Agreements as part of Section 14(1), Chapter 2009-06, Laws of Florida. This measure provided a two (2) year extension for Agreements expiring between September 1, 2008, and January 1, 2012. Although the economy is showing signs of improvement, development activity in the County is projected to remain sluggish for the foreseeable future. Therefore, WUD is once again recommending to the Board the approval of a one (1) year extension on these Agreements. Districts 1, 2, 3, 5 & 6 (MJ)

2. **Staff recommends motion to approve:** Consultant Services Authorization No. 18 to the General Utility, Architectural and Value Engineering Services Contract with Mathews Consulting, Inc. (R2011-0633) for design of the Northern Region Operation Center (NROC) Phase 1 Operations and Maintenance Building in the amount of \$122,763.80. **SUMMARY:** On May 3, 2011, the Palm Beach County Board of County Commissioners approved the continuing Contract for Utility, Architectural and Value Engineering Services with Mathews Consulting, Inc. (R2011-0633) to obtain engineering/professional service for utility related projects. Consultant Services Authorization No. 18 will provide final design plans to construct the first phase of the Operations and Maintenance Building for the Zone 5 utility crews which serve the Village of Royal Palm Beach and Indian Trails Improvement District. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Mathews Consulting, Inc. provides for SBE participation of 55% overall. This Authorization includes 77.68% overall participation. The cumulative SBE participation, including this Consultant Services Authorization is 43.41% overall. Mathews Consulting, Inc. is a Palm Beach County and certified SBE company. (WUD Project No. 11-012) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Work Authorization No. 16 to the contract for Pipeline Continuing Construction Contract with AKA Services, Inc. (R2010-1422) for the construction of the Morikami Park 16" Reclaimed Water Main Extension Project in the amount of \$638,643.37. **SUMMARY:** On September 14, 2010, the Palm Beach County Board of County Commissioners approved the Water Utilities Department Pipeline Continuing Construction Contract with AKA Services, Inc. (R2010-1422). This Work Authorization No.16 provides for the construction of a 16" Reclaimed Water Main to provide reclaimed water service for irrigation purposes to the Morikami Museum & Japanese Gardens (Morikami Park), the Delray Beach Civic Center & Park Facilities, and nearby residential communities. Staff is currently in discussions with Kings Point Community. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with AKA Services, Inc. provides for SBE participation of 15% overall. This Authorization includes 15.47% overall participation. The cumulative SBE participation, including this Authorization, is 14.42% overall. AKA Services, Inc. is a local Palm Beach County company. (WUD Project No. 11-027) District 5 (MJ)

4. **Staff recommends motion to receive and file:** executed standard agreements received during the month of May and June 2012:

A) Standard Development Agreement with Cobblestone Place, LLC No. 09-01063-000 (District 5)

B) Standard Indemnity Agreement with G.L. Homes of Boca Raton Associates V, LTD No. 09-01029-005 (District 5); and

C) Standard Development Agreement with Community Land Trust of Palm Beach County, Inc. No. 02-01131-000 (District 6).

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts/agreements/ grants/procurement items must be submitted by the initiating Department as a receive and file agenda item. The agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/ Deputy Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file. Districts 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **REVISED SUMMARY & BACKUP:** Staff recommends motion to approve:

A) a Consultant Services Authorization No. 5 for a Glades Wastewater Master Plan Report in the amount of \$317,000 to the Contract for Engineering/Professional Services - Wastewater Consulting Services with Hazen and Sawyer, P.C. (R2011-0631); and

B) a Budget Transfer of \$97,000 in the Community Challenge Planning Grant Fund to reallocate funding between Water Utilities and County Engineering for the creation of a Glades Region Drainage Study.

SUMMARY: On November 21, 2011, the United States Department of Housing and Urban Development (HUD) announced that Palm Beach County, through its Department of Economic Sustainability, was selected to receive \$1.98 Million from the Sustainable Competitive Regional Planning and Communities Challenge Competitive Grant for the creation of a Glades Region Master Plan. One of the deliverables required by HUD under the approved Grant includes the creation of a Glades Region Water and Wastewater Capital Master Plan. This Consultant Services Authorization (CSA) is for a Glades Wastewater Master Plan which includes wastewater demand projections, process equipment capacity evaluation, modeling of the wastewater pumping system, infiltration and inflow study and development of a Capital Improvements Program for the entire Glades Region consisting of ~~89,000~~ 25,634 acres of which ~~89%~~ 74% is located in unincorporated Palm Beach County and ~~44%~~ 26% within Tri-Cities. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Hazen and Sawyer, P.C. provides for SBE participation of 20% overall. This authorization includes 20.06% overall participation. The cumulative SBE participation, including this CSA is 17.70% overall. Hazen and Sawyer, P.C. is a Palm Beach County company. (WUD Project No. WUD 12-068) District 6 (JM)

6. Staff recommends motion to approve: Change Order No. 1 to the contract with Poole & Kent Company of Florida (R2012-0445) for the Glades Utility Authority's (GUA) Belle Glade Wastewater Treatment Plant, decreasing the contract price by \$56,476.18. **SUMMARY:** On March 20, 2012, Palm Beach County Board of County Commissioners (BCC) approved the contract with Poole & Kent Company of Florida (R2012-0445), for the Belle Glade Wastewater Treatment Plant. Palm Beach County Water Utilities Department is implementing this project under its Management & Operations Contract with GUA. This Change Order No. 1 includes deletion of several items that are not critical to plant operations and the addition of other items staff deem more critical to plant operations. Additionally, the Belle Glade Building Department Permit fee exceeded the amount originally budgeted in the Contract. Total change orders to date equal \$56,476.18 (3.5% decrease). The Contract's M/WBE goal is 22.4% with 6.9% female participation goal for trades rather than the County's SBE goals. This Contract provides 1.17% M/WBE participation utilizing trades and an additional 30.04% participation utilizing M/WBE certified suppliers (23.17% minority and 6.87% female participation). This Change Order includes no changes to the M/WBE participation. Poole & Kent Company of Florida is a Palm Beach County Company. (WUD Project No. 10-062) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. **Staff recommends motion to approve:** Work Authorization No. 2 to the contract for Water, Wastewater and Reclaimed Water Improvements Design-Build Services with Globaltech, Inc. (R2012-0159) for replacement of the Media in Filters No. 4, 5, and 6 at Water Treatment Plant No. 8 in the amount of \$592,611. **SUMMARY:** The media (anthracite, sand, and gravel) in filters 4, 5, and 6 are over 25 years old and the filter run times are becoming shorter. Work Authorization No. 2 will replace the media in these filters which will improve water quality, reduce energy consumption and lower operating costs. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75% overall. This Authorization includes 58.87% overall participation. The cumulative SBE participation, including this Work Authorization, is 61.65% overall. Globaltech is a Palm Beach County and Certified SBE Company. (WUD Project No. 12-002) District 2 (JM)

8. **REVISED SUMMARY & BACKUP: Staff recommends motion to approve:** a Consultant Services Authorization No. 7 for a Glades Water Master Plan Report in the amount of \$186,000 to the Water Plant and Water Resources Engineering Services Contract with Carollo Engineers, Inc. (R2011-0630). **SUMMARY:** On November 21, 2011, the United States Department of Housing and Urban Development (HUD) announced that Palm Beach County, through its Department of Economic Sustainability, was selected to receive \$1.98 Million from the Sustainable Competitive Regional Planning and Communities Challenge Competitive Grant for the creation of a Glades Region Master Plan. One of the deliverables required by HUD under the approved Grant includes the creation of a Glades Region Water and Wastewater Capital Master Plan. This Consultant Services Authorization will provide for a Glades Water Master Plan which includes updates to water demand projections, water distribution system hydraulic model development, water treatment plant capacity evaluation, and development of a Capital Improvements Program for the entire Glades Region consisting of ~~89,000~~ 25,634 acres of which ~~89%~~ 74% is located in unincorporated Palm Beach County and ~~44%~~ 26% within Tri-Cities. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Carollo Engineers, Inc. provides for SBE participation of 26% overall. This authorization includes 42.40% overall participation. The cumulative SBE participation, including this CSA is 26.16% overall. Carollo Engineers, Inc. is a Palm Beach County company (WUD Project No. WUD 12-068) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

9. ~~**DELETED: Staff recommends motion to approve:**~~

~~**A)** an Interlocal Agreement with the Town of Mangonia Park (Town) for installation of Emergency Generators (Interlocal Agreement); and~~

~~**B)** a Contract in the amount of \$345,794 with All Florida Construction Services, LLC for the Mangonia Park Lift Station Generators (Contract).~~

SUMMARY: The Interlocal Agreement provides the terms and conditions under which the County shall manage the installation of seven (7) emergency generators for six (6) of the Town's lift stations and one (1) water supply well. On April 30, 2012, two (2) construction bids were received for the Town of Mangonia Park Lift Station Generators, with All Florida Construction Services, LLC being the lowest responsive and responsible bidder in the amount of \$345,794. Funding for this project has been allocated by Palm Beach County Department of Economic Sustainability (DES) in connection with the State's 2008 Disaster Recovery Initiative (DRI-4) Program. As funded under Community Development Block Grant (CDBG) Subgrant Agreement 10DB-K4-10-60-01-K29 between County and the State of Florida Department of Community Affairs, Water Utilities Department will manage the project for the Town and receive reimbursement from the Grant. This Contract is funded through the federal DRI Program which is administered by the State of Florida and includes participation goals of 22.4% MBE and 6.9% WBE. All Florida Construction Services, LLC has 0% MBE and 0% WBE participation. While All Florida Construction Services, LLC submitted the MBE/WBE Good Faith Efforts Form, it did not indicate that good faith efforts were undertaken. All Florida Construction Services, LLC is utilizing a County certified SBE contractor for the testing services. The Florida Department of Economic Opportunity has reviewed the justification provided by All Florida Construction Services, LLC and determined that it is acceptable to move forward with the award. These are Federal CDBG DRI funds that require no local match. (WUD Project No. 11-073) District 7 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** Amendment No. 1 to Grant Agreement No. 11PB1 (R2011-0930) with the Florida Department of Environmental Protection (FDEP) for cost-sharing in the South Lake Worth Inlet Management Plan Implementation with reimbursement up to \$2,363,481, extending the Grant term to February 24, 2014, adding eligible items, and making administrative changes. **SUMMARY:** Amendment No. 1 provides for the reimbursement of funds expended by the County for sand trap dredging design, permitting, and construction; remaining sand transfer plant construction costs; and biological, physical, and environmental monitoring. The Amendment also reallocates funding among subtasks and states that changes that transfer funds from one task to another or that increase or decrease the total funding amount will now require a formal amendment to the Agreement. Reimbursement is retroactive to February 24, 2009, and the Agreement terminates on February 24, 2014. District 4 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) receive and file three (3) original documents for the Department of Environmental Resources Management:

1) Task Assignment No. AP10 (R2011-1513), Change Order No. 1 to Contract No. FWC8135 with the Florida Fish and Wildlife Conservation Commission (FWC) adds two (2) acres of Floating Hearts exotic invasive plant and hydrothol 191 as a control method for the Lake Clarke work plan page and adds one (1) acre of Floating Hearts exotic invasive plant with Aquathol K, glyosate and hydrothol 191 as control methods for the Lake Osborne work plan page;

2) Task Assignment No. AP10 (R2011-1513), Change Order No. 2 to Contract No. FWC8135 with the Florida Fish and Wildlife Conservation Commission (FWC) reduces the total allocation of \$57,223 for invasive plant control by \$20,000. The new allocation for Fiscal Year 2011/2012 will be \$37,223;

3) Task Assignment No. IP1 to FWC Contract No. FWC 11357 with the Florida Fish and Wildlife Conservation Commission (FWC) provides aquatic vegetation contract services for Lakes Clarke, Ida, Osborne, and Pine for \$57,343; and

B) approve Budget Amendment of \$216,008 in the Natural Areas Fund to align the budget with the first Task Assignment on Contract FWC 11357.

SUMMARY: On October 1, 2002, the Board of County Commissioners approved Florida Fish and Wildlife Commission (FWC) Agreement No. FWC8135 (R2002-1748). Delegated authority to sign task assignments was provided at that time. This contract expired June 30, 2012. On April 17, 2012, the Board of County Commissioners approved Florida Fish and Wildlife Conservation Commission (FWC) Contract No. FWC 11357 (R2012-0573). Delegated authority to sign all future task assignments was provided at that time. Countywide (SF)

3. Staff recommends motion to:

A) adopt a Resolution authorizing the County Administrator or his designee to execute a standard form Assignment of Conservation Easement to the Town of Loxahatchee Groves; and

B) adopt a Resolution authorizing the County Administrator or his designee to execute a standard form Assignment of Declaration of Restrictive Covenants to the Town of Loxahatchee Groves.

SUMMARY: The Resolutions establish a standard form Assignment of Conservation Easement and a standard form Assignment of Declaration of Restrictive Covenants to the Town of Loxahatchee Groves (the Town). Conservation Easements and Declarations of Restrictive Covenants as required by the Unified Land Development Code (ULDC), Article 14.C. Vegetation Preservation, involving real property that has been incorporated into the Town will be transferred to the Town for future enforcement, as necessary since this section of the ULDC is not applicable to municipalities. District 6 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve: the renewal of the Coastal and Marine Engineering Annual Contracts with Applied Technology & Management, Inc. (ATM), Olsen Associates, Inc. (OAI), Coast & Harbor Engineering, Inc. (CHE), and Taylor Engineering, Inc. (Taylor). **SUMMARY:** ATM (R2010-1296), a Palm Beach County company, and OAI (R2010-1297), a Jacksonville, Florida company, were awarded Contracts on August 17, 2010. The County is exercising the only renewal option to extend both Contracts through August 16, 2013. CHE (R2010-1434), a Palm Beach County company, and Taylor (R2010-1435), a Palm Beach County company, were awarded Contracts on September 14, 2010. The County is exercising the only renewal option to extend both Contracts through September 13, 2013. Authorizations are on a task order basis. ATM's Contract requires 15% Small Business Enterprise (SBE) and/or Minority and Women Business Enterprise (M/WBE) participation; it has achieved 31.9% participation. OAI's Contract requires 38% SBE and/or M/WBE participation; it has achieved 26.5% participation. CHE's Contract requires 32% SBE and/or M/WBE participation; it has achieved 49.7% participation. Taylor's Contract requires 19% SBE and/or M/WBE participation; it has achieved 40.0% participation. Countywide (JM)

5. Staff recommends motion to:

A) adopt a Resolution for Assistance through the Florida Boating Improvement Program (FBIP) authorizing submission of a Grant Application requesting \$398,000 to cover a portion of the \$2,873,204 associated with construction of the Fullerton Island Restoration project within the Town of Jupiter;

B) 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

C) authorize the Director of the Department of Environmental Resources Management to serve as Liaison Agent with Florida Fish and Wildlife Conservation Commission (FWCC) for this project.

SUMMARY: The County will submit a grant proposal which requires a resolution for signature authority and will reimburse the County up to \$398,000 from the Florida Boating Improvement Program (FBIP) for the Fullerton Island Restoration project. This project includes creating mangrove and seagrass habitat; restoring and preserving maritime hammock; constructing a six (6) slip day use dock; constructing an observation tower and informational kiosk. The total cost of the project is estimated at \$2,873,204. The County's share for the grant is anticipated from a combination of municipal partners, Palm Beach County Parks Department, Vessel Registration, and Manatee Protection funds depending on the award amount. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Budget Transfer of \$100,000 within Park Impact Fees Zone 3 from Reserves to the Morikami Museum & Gardens Improvements Project. **SUMMARY:** This Budget Transfer will provide the additional funding necessary to complete the garden lighting project as well as the chemical storage building at the Morikami Museum and Japanese Gardens. The garden lighting and chemical storage building projects are elements of the larger Morikami Museum & Gardens Improvement Project approved by the Board of County Commissioners in FY 2010, funded with a combination of Recreation & Culture General Obligation Bond Funds and Park Impact Fees. With this Budget Transfer, the total allocation for the Improvement Project is \$520,279. District 5 (AH)

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

A) 3D Diving, Inc., Competitive Springboard Diving Team Coach, North County Aquatic Complex, for the period July 1, 2012, through September 30, 2012; and

B) FLA Aquatics, Inc., Competitive Swim Team Coach, Aqua Crest Pool, for the period July 1, 2012, through September 30, 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. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. Districts 1 & 7 (AH)

N. LIBRARY

1. **Staff recommends motion to approve:** the County Library's Long-Range Plan for FY 2013-2015. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY 2013 through FY 2015. This annual process of strategic planning is done in conjunction with the State's requirements for libraries receiving State Aid funds and with the County's budget process. The Library Advisory Board has endorsed this Plan with Resolution 12-01, dated July 9, 2012.

Highlights of the Plan for FY 2013 include:

- Circulation of books and other materials will increase by 4% to 8,930,000.
 - New Belle Glade Branch Library opens;
 - Continued promotion of self service options for library users including self check out and automated return of items;
 - Reference questions will increase by 2% to 1,945,265;
 - Continued emphasis in children's programming and family reading skills development;
 - Increased offering of classes on how to use E Readers and E Resources.
- Countywide (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: an Agreement with the Palm Beach Soil and Water Conservation District in an amount not to exceed \$79,000 to provide soil and water resource conservation services for FY 2013. **SUMMARY:** This Agreement provides funding for the Palm Beach Soil and Water Conservation District's ("District") Resource Conservation Activities. The District provides resource conservation services to rural, agricultural, and urban communities to facilitate soil and water conservation in Palm Beach County. Services include soil information and technical assistance to improve water quality and quantity and soil planning in Palm Beach County. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. REVISED SUMMARY: Staff recommends motion to:
 - A) receive and file** a Grant Adjustment Notice from Florida Department of Law Enforcement (FDLE);
 - B) receive and file** a Grant Adjustment Notice from Office of Juvenile Justice and Delinquency Prevention (OJJDP);
 - C) approve** an Agreement to reinstate the original Interlocal Agreements with the City of West Palm Beach (R2010-0529 & R2011-0323) as a partner to enhance the Youth Violence Prevention Project in the targeted area;
 - D) approve** an Agreement to reinstate the original Interlocal Agreements with the City of Boynton Beach (R2010-0531 & R2011-0324) as a partner to enhance the Youth Violence Prevention Project in the targeted area;
 - E) approve** an Agreement to reinstate the original Interlocal Agreements with the City of Riviera Beach (R2011-0768 & R2010-0530) as a partner to enhance the Youth Violence Prevention Project in the targeted area;
 - F) approve** an Amended and Restated Agreement with the City of Belle Glade (R2008-0088); and
 - G) approve** the delegation of authority to the County Administrator or his designee to sign future amendments and/or extensions to the above named Agreements.

SUMMARY: The Criminal Justice Commission is requesting to reinstate the original Interlocal Agreement terms, extending the end date to September 30, 2012, and reallocating a total amount of \$98,500 to the four (4) above named cities. The Department of Justice, OJJDP, and the Florida Department of Law Enforcement (FDLE) approved ~~six-month~~ extensions of the two (2) above named grants to December 31, 2012, and September 30, 2012, respectively due to unexpended funds. A portion of the funding, \$29,500 previously allocated to the City of Lake Worth, and \$69,000 of unexpended 2010 FDLE Justice Assistance Grant funds are being reallocated. Lake Worth has been unable to meet expected outcomes due to failure to hire a case manager in a timely manner. Reallocation of funds is being recommended as follows: West Palm Beach \$10,000; Boynton Beach \$20,000; Riviera Beach \$45,000; and Belle Glade \$23,500. There is no match requirement with this grant. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to:

A) ratify the signature of the Chair on the submittal of the following two (2) grant proposals to the Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program: State Solicitation for the period from October 1, 2012, through September 30, 2013: 1) Palm Beach County Adult Drug Court Treatment for \$143,000; and 2) Countywide Re-entry Services for \$215,801; and

B) authorize the County Administrator or his designee, to execute all related documents or contracts for Palm Beach County's Federal Fiscal Year (FFY) 2012 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to execute all necessary sub recipient grant agreements for reentry and drug court services.

SUMMARY: The Criminal Justice Commission met on May 29, 2012, and approved the recommendations made by the CJC Finance Committee for FY 2013 funds totaling \$358,801. No local match is required for the JAG program. Countywide (PGE)

3. Staff recommends motion to authorize: the County Administrator or his designee, to execute all related agreements concerning data sharing between the County and other entities to complete vital research and evaluation projects. **SUMMARY:** The Criminal Justice Commission requires access to data collected and maintained by agencies and organizations outside of Palm Beach County government. In order to access this data, the Criminal Justice Commission will enter into data sharing agreements with some of these agencies and organizations; including but not limited to: Florida Agency for Health Care Administration, Florida Department of Education, Florida Department of Corrections, Florida Department of Juvenile Justice, Florida Department of Law Enforcement, Florida Department of Children and Families, Florida Office of State Court Administrator, Palm Beach County Children's Services Council, and Palm Beach County School District. Data sharing agreements are vital for the Criminal Justice Commission to meet its objectives. All agreements will first require the review and signature of the County Attorney's Office. All agreements will be submitted to the Board of County Commissioners as a Receive and File item on quarterly basis pursuant to Policy and Procedure Memorandum (CW-O-051). Countywide (PGE)

S. FIRE RESCUE

1. Staff recommends motion to approve: the Chair to certify the non-ad valorem assessment roll for the MSBU (Municipal Service Benefits Unit) for Fire Hydrant Maintenance and Rental-Riviera Beach and for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** MSBU's for fire hydrant maintenance and rental for Riviera Beach and Boca Raton were established in February, 1993, by Ordinance No. 93-5. The current rates as established by resolutions are \$52.86 per parcel for Riviera Beach (R98-1023) and \$23 per parcel for Boca Raton (R2008-0239). Every year the assessment roll must be certified by the Chair of the Board and the State Department of Revenue Form DR-408A must be signed by the Chair for each MSBU. These forms and the tape of the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 4, 5 & 7 (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to receive and file: one (1) fully executed license agreement with GelTech Solutions, Inc., for training at the Palm Beach County Fire Rescue Regional Training Center, for the period June 27, 2012, through June 26, 2013. **SUMMARY:** On December 6, 2011, the Board adopted Resolution No. R2011-1962, which authorized the County Administrator, or his designee (Fire Rescue Administrator) to execute a one (1) year standard license agreement with outside fire rescue/public safety agencies and other authorized entities, providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. The Licensee is responsible for the payment of applicable user fees. Pursuant to Countywide PPM CW-O-051, one (1) license agreement fully executed by the Fire Rescue Administrator and the Director of Technical Operations with GelTech Solutions, Inc., is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. REVISED BACKUP (Attachment 1) Staff recommends motion to approve: a First Amendment to the Agreement (R2008-1938) with the Town of Jupiter ("Town") to collaborate and share network capacity resulting from the construction of a fiber optic network connection between the Town's and the County's respective networks, at no cost to the County through reimbursement by the Town for \$46,594.30. **SUMMARY:** The County and the Town of Jupiter have had a network services agreement in place since 2008. This Amendment will extend the agreement to provide reimbursement to the County for the costs of constructing a fiber optic link from the County's Indiantown Road facilities to the Loxahatchee Environmental Control District offices. This Amendment will also give the Town additional capacity on this new portion of the network. The Town is currently planning the expansion of its own fiber optic network from their Emergency Operations Center (EOC) to the Town's municipal complex. This collaboration will combine the portions of these two (2) planned network expansion projects that currently "overlap." This will reduce the costs while expanding the network capabilities for both parties. Additional details of the benefits realized by the Town and the County are outlined in the Amendment and include the agreement by the Town to reimburse the County \$46,594.30 for the construction of this fiber network connection. District 1 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve the Interlocal Agreement with the Town of Lantana (Town) to connect the Town Hall located at 500 Greynolds Circle, Lantana, to the Palm Beach County (County) Regional Network at an estimated net first year revenue of \$4,800, for an initial term of one (1) year with automatic one-year renewals unless notice is given by either party; and

B) authorize the County Administrator or his designee, ISS Director, to approve and execute Task Orders associated with these services up to maximum total revenue of \$50,000 per Task Order.

SUMMARY: The Town wishes to connect to the Palm Beach County Network in order to receive broadband Internet access at the stated monthly rates. The County's Information Systems Services department will be responsible for providing Internet services. The County will not incur any costs associated with this project other than staff time involved in planning and managing the project. This Agreement is similar to existing agreements with other municipalities for network services. This network connection requires the County to pay Florida LambdaRail a Third Party Connection of \$100 per month. District 7 (PFK)

3. Staff recommends motion to approve: a Budget Transfer of \$75,000 in the Information Technology Capital Improvements Fund from reserves to the Fiber Build-out of Enterprise Network Project. **SUMMARY:** Since 2008, ISS has entered into agreements to provide access to the Palm Beach County network for municipalities, educational organizations, non-profit agencies and other public sector organizations in Palm Beach County. In some cases, these agencies require construction of fiber optic connections into their facilities in order to access the County network and obtain internet services. Because these connections become an integral part of the County network, ISS designs the connection requirements, contracts for and manages these installation projects on a cost reimbursement basis. Terms and conditions for these reimbursements are contained in each applicable agreement. This Budget Transfer will provide additional funding for projects in the remainder of FY 2012 recognizing that all related expenditures are being reimbursed by the connecting agencies. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file the following executed Contract with Emergency Specialists of Wellington (ESOW), LLC in the amount of \$138,147.51 for the period of July 1, 2012, through June 30, 2013 for forensic rape examinations and medical treatment; and

B) approve a Budget Amendment of \$38,123 in the Public Safety Grants Fund to recognize program income that will be generated from the forensic examinations from the Office of the Attorney General.

SUMMARY: The Division of Victim Services was awarded start-up and reoccurring funding from the State of Florida, Department of Health, to implement a sexual assault forensic exam facility in Palm Beach County. Funding from this Contract includes provision of a medical provider (ESOW), one (1) full-time Sexual Assault Nurse Examiner (SANE) Coordinator and a pool of trained SANE's to conduct forensic rape examinations for the purpose of providing patient assessment and medical treatment, documenting and collecting forensic evidence, and preparing for offender prosecution. Approximately 189 forensic examinations will be completed annually at the designated treatment facility (Wellington Regional Medical Center) or other area hospitals. Funding generated from these forensic examinations will help offset the balance of \$38,123 from the ESOW contract. Per Florida Statute 960.28, the Attorney General's Crime Victims' Services Office shall pay for medical expenses connected with an initial forensic physical examination of a victim of sexual battery. R2011-1223 authorizes the County Administrator or his designee to execute contracts and amendments utilizing funding from the State of Florida, Department of Health on behalf of the Board of County Commissioners. Countywide (PGE)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: a Subscription Agreement between Florida MVR Services, Inc. (FMVRS) and Palm Beach County Board of County Commissioners to obtain motor vehicle records (MVR) of county employees and applicants to determine conformance to the requirements set forth in the County's Vehicle Safety Policy and Procedures Manual (PPM) CW-O-004. **SUMMARY:** The execution of this Subscription Agreement with Florida MVR Service, Inc. will allow staff to continue to review the driving records of employees and prospective employees to ensure they comply with the requirements of the County's Vehicle Safety PPM. This Agreement will also allow staff to obtain additional details (if needed) for authorized drivers who have suspended licenses. This Agreement will continue until terminated and is estimated to total \$10,000 per year. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

2. Staff recommends motion to approve:

A) the selection of Dr. Earl Campazzi as the contracted physician for the County's occupational health clinic; and

B) a Contract with Island Medical Care, LLC., (Dr. Earl Campazzi, M.D.) to provide twenty (20) hours per week of on-site physician services for the County's occupational health clinic for the period of September 1, 2012, through August 31, 2015 in an amount not to exceed \$405,600.

SUMMARY: Following a competitive process that included the public advertisement of an expiring contracted position for an on-site physician for the County's occupational health clinic, staff is recommending Board approval of the selection of and contract with Dr. Earl Campazzi, M.D. (Island Medical Care, LLC). Dr. Campazzi has served as the contracted physician for the Clinic since August 7, 2006. His current contract expires August 31, 2012 and contains no options for renewal. Dr. Campazzi is a Palm Beach County based occupational health physician and a provider of services that are essential to the continued operation of the occupational health clinic and its efforts to control costs in the County's self-insured workers' compensation program. The contract provides for twenty (20) hours per week of on-site physician services for an amount not to exceed \$405,600, representing a multiple year guaranteed rate at no increase over the expiring contracted rates for the term of September 1, 2012, to August 31, 2015. Countywide (TKF)

BB. INTERNAL AUDITOR'S OFFICE

1. Staff recommends motion to receive and file: audit recommendation follow-up report for period ending September 30, 2011 reviewed and approved by the Audit Committee at its May 30, 2012 meeting. **SUMMARY:** Ordinance 2010-007 requires the Internal Auditor to issue semi-annual reports on the status of open audit recommendations to the Board of County Commissioners, the Audit Committee and county management. The report is being submitted to the Board of County Commissioners as required by the Ordinance. Countywide (PFK)

2. Staff recommends motion to receive and file: audit recommendation follow-up report for period ending March 31, 2012 reviewed and distribution authorized by the Audit Committee at its July 18, 2012 meeting. **SUMMARY:** Ordinance 2010-007 requires the Internal Auditor to issue semi-annual reports on the status of open audit recommendations to the Board of County Commissioners, the Audit Committee and county management. The report is being submitted to the Board of County Commissioners as required by the Ordinance. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

BB. INTERNAL AUDITOR'S OFFICE (Cont'd)

3. Staff recommends motion to receive and file: audit reports reviewed and approved by the Audit Committee at its December 20, 2011 and July 18, 2012 meetings as follows:

- A) 12-01 County Administration – *Cellular Phone Stipends Countywide*
- B) 12-02 Parks and Recreation – *Cash Collections Selected Facilities*
- C) 12-03 Water Utilities – *Cash Collections*
- D) 12-04 Fire Rescue – *Support Services Fleet Management*
- E) 12-05 Information Systems Services – *Computing Platforms*
- F) 12-06 Engineering & Public Works – *Traffic Engineering Division Traffic Operations*

SUMMARY: Ordinance 2012-011 requires the Internal Audit Committee to review audit reports prior to issuance. Ordinance 2012-012 requires the County Internal Auditor to send those reports to the Board of County Commissioners. At its meetings on December 20, 2011 and July 18, 2012, the Audit Committee reviewed and approved the above audit reports. We are submitting the approved reports to the Board of County Commissioners as required by the Ordinance. Countywide (PFK)

CC. SHERIFF'S OFFICE

1. Staff recommends motion to receive and file: the First and Second Modifications, amending the agreement with the City of Miami, as the fiscal agent for the Miami Urban Area Security Initiative (UASI) to extend the agreement period for various direct law enforcement oriented domestic security activities, from May 31, 2011, through August 31, 2012. **SUMMARY:** On March 23, 2010, the Board of County Commissioners accepted this agreement to provide \$343,100 in reimbursable funding; the original period for this agreement was January 20, 2010, through May 31, 2011 (R-2010-0426). This agenda item will extend the agreement period from May 31, 2011 through August 31, 2012. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miami as the Miami UASI's fiscal agent. These funds and related equipment will be used for direct law enforcement activities. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)
2. Staff recommends motion to receive and file: Grant Adjustment Notice amending the Recovery Act Edward Byrne Memorial Justice Assistance Grant to extend the grant period from June 30, 2012, through December 31, 2012. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$213,649, on July 19, 2011; the original period for this grant was April 1, 2011, through September 30, 2011 (R2011-1091). On February 7, 2012, the BCC received and filed an agenda item extending the grant period from September 30, 2011, through March 31, 2012 (R2012-0268). On April 17, 2012, the BCC received and filed an agenda item extending the grant period from March 31, 2012, through June 30, 2012 (R2012-0585). This agenda item will extend the grant period from June 30, 2012, through December 31, 2012. The Edward Byrne Memorial Discretionary Grants Program, administered by the Office of Justice Programs, Bureau of Justice Assistance awarded these funds for expenses associated with the Region 7 Drug Enforcement Strike Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF'S OFFICE (Cont'd)

3. **Staff recommends motion to receive and file:** the Fourth Amendment with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to extend the agreement period for various direct law enforcement oriented domestic security activities, from February 29, 2012, through August 31, 2012. **SUMMARY:** On August 18, 2009, the Board of County Commissioners (BCC) accepted this agreement to provide \$451,337 in reimbursable funding; the original period for this agreement was August 27, 2009, through May 31, 2011 (R2009-1334). On October 18, 2011, the BCC received and filed an agenda item extending the grant period from May 31, 2011, through August 31, 2011(R2011-1652). On February 7, 2012, the BCC received and filed an agenda item extending the grant period from August 31, 2011, through December 30, 2011(R2012-0269). On April 3, 2012, the BCC received and filed an agenda item extending the grant period from December 30, 2011, through February 29, 2012 (R2012-0518). This agenda item will extend the agreement period from February 29, 2012, through August 31, 2012. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds and related equipment will be used for direct law enforcement activities. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

4. **Staff recommends motion to:**
 - A) accept** on behalf of the Palm Beach County Sheriff's Office, an Agreement with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative to provide \$148,175 in FY 2009 reimbursable funding for various direct law enforcement oriented domestic security activities effective until August 31, 2012; and
 - B) approve** a Budget Amendment of \$148,175 in the Sheriff's Grant Fund.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds will be used for the purchase of personal radiation detectors and equipment for Region 7 hospitals. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

5. **Staff recommends motion to receive and file:** the First Amendment, with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative to extend the agreement period for various direct law enforcement oriented domestic security activities, from April 30, 2012, through July 31, 2012. **SUMMARY:** On June 19, 2012, the Board of County Commissioners accepted this agreement to provide \$32,800 in reimbursable funding; the original period for this agreement was April 23, 2012, through April 30, 2012 (R2012-0924). This agenda item will extend the agreement period from April 30, 2012, through July 31, 2012. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds will be used for the regional planning, training and exercise project. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF'S OFFICE (Cont'd)

6. **Staff recommends motion to receive and file:** the Fourth Amendment, with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative to extend the agreement period for the Regional Virtual Fusion Center, from February 29, 2012, through August 31, 2012. **SUMMARY:** On January 12, 2010, the Board of County Commissioners (BCC) accepted this agreement to provide \$336,900 in reimbursable funding; the original period for this agreement was August 27, 2009, through May 31, 2011 (R2010-0121). On October 18, 2011, the BCC received and filed an agenda item extending the grant period from May 31, 2011, through August 31, 2011 (R2011-1653). On March 6, 2012, the BCC received and filed an agenda item extending the grant period from August 31, 2011, through December 30, 2011 (R2012-0374). On April 3, 2012, the BCC received and filed an agenda item extending the grant period from December 30, 2011, through February 29, 2012 (R2012-0519). This agenda item will extend the agreement period from February 29, 2012, through August 31, 2012. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds and related equipment will be used for the Regional Virtual Fusion Center hosted by PBSO. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:**
- A)** an Interlocal Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) for the transfer of maintenance responsibility of the retention areas including the entire Central Lake site (a total of 15 locations); and
- B)** Change Order No. 9 for \$90,159.47 with Ranger Construction Industries, Inc. (R2011-0349) for Westgate Phases 4, 5, and 6 (Project).
- SUMMARY:** Approval of the Interlocal Agreement will transfer responsibility for the fencing and the retention areas to the CRA. Approval of Change Order No. 9 is for the installation of split rail fencing at all retention areas within the Project area. District 7 (MRE) (Engineering & Public Works)

* * * * *

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

- A. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, confirming the Special Assessment Roll for the Sunbeam Avenue Water Main Extension. **SUMMARY:** Petitions in favor of the installation of a potable water main have been provided by 67% of the property owners in the Sunbeam Avenue project area. The project will serve nine (9) residential properties currently on private wells. Individual assessments of \$5,480.11 per parcel are based on 100% of the assessable cost and may be paid over 20 years with equal annual payments of principal and 5½% interest. The total assessable cost is \$49,320.99 and includes the costs of surveying, design, permitting, construction, inspection, administration, and construction contingency. The project will be constructed by Palm Beach County Engineering and Public Works. (WUD Project No. 12-029) District 2 (MJ)

* * * * *

5. REGULAR AGENDA

A. ADMINISTRATION

1. **REVISED SUMMARY:** Staff recommends motion for conceptual approval: of negotiation terms regarding a proposed land exchange agreement with the South Florida Water Management District for the Mecca Farms site in Palm Beach County to be brought back to the Palm Beach County Board of County Commissioners for review and approval. **SUMMARY:** On May 23, 2012, the South Florida Water Management District submitted a letter of intent to Palm Beach County confirming their interest in negotiating with the County for the acquisition of the Mecca Farms site. The District is requesting fee title to the approximately 1,919 acre property less an agreed amount of County right-of-way. In exchange for this property, preliminary negotiations would transfer approximately 1,495 acres in District land with an assessed value of approximately \$24.66 million to the County plus a cash payment of \$30 million. Additionally, existing leases on the District property will generate \$305,000 in income per year and it is possible some parcels could be sold. Mecca Farms currently costs the County approximately \$250,000 a year to secure and maintain, in addition to debt service payments. The debt payment is approximately \$6.5 million per year from 2012-2015, approximately \$3.8 million per year for the ten years of 2016-2025, and approximately \$610,000 per year for the remaining remaining three (3) years of debt service. Proceeds from this sale would be used to offset future debt service requirements. Although the County still owes about \$45 million in principal on the Mecca Farms acquisition and other costs associated with its purchase under the terms of the bond obligation, the debt would not need to be paid off before swapping the land. The County has begun the due diligence process of appraising the land included within this exchange. Countywide (HF)

B. COUNTY ATTORNEY

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 11, 2012, at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 2-184 and Sections 2-188 through 2-191 of the Palm Beach County Code governing the Housing Finance Authority of Palm Beach County (the "Authority") related to membership; conflicts of interest and disclosures by members of the Authority; contracts of the Authority; bonds of the Authority; rules and regulations of the Authority; providing for severability; providing for applicability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The Ordinance now governing the Authority (superseding the Resolution that created the Authority in 1979) was adopted in 2002. Since that time, changes have occurred in County governance, organization and ethics that require amendment of the County Code governing the Authority. The County Code revisions recommended by staff include adding provisions related to the County Code of Ethics, references to the new County Department of Economic Sustainability, and other revisions proposed by the Authority. Additionally, the Authority is recommending that the requirement that an Authority board member may not serve more than two (2) consecutive complete four (4) year terms be removed. Countywide (PFK)

5. REGULAR AGENDA

C. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: the delegation of authority to the County Administrator or his designee to vote on homeowner association and neighborhood organization matters related to properties under the Department of Economic Sustainability's (DES) control. **SUMMARY:** As part of its acquisition and lending functions, DES assumes ownership of properties that are sometimes located within homeowner association or neighborhood organization boundaries. From time to time, requests are made from these homeowner associations or neighborhood organizations for owners to vote on issues pertaining to properties under DES control. In order to accommodate these requests, maximize representation, and safeguard the property interests of the County, Staff recommends that the BCC delegate authority to the County Administrator or his designee to cast votes on DES properties that are located within homeowner associations or neighborhood organizations. (DES Contract Development) Countywide (TKF)

D. FIRE RESCUE

1. ~~**DELETED: Staff recommends a motion to approve on preliminary reading and advertise for public hearing on September 11, 2012, at 9:30a.m.:**~~ an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 11, Article VII, of the Palm Beach County Code, known as the Palm Beach County Regional Hazardous Materials Response Ordinance of 1998 (codifying Ordinance 98-13, as amended); amending Sections 11-130, 11-132, and 11-133, of the Palm Beach County Code, relating to the Oversight Committee, the Technical Review Team, cost recovery, use of recovery funds, and penalties; providing for applicability; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; providing for an effective date. **SUMMARY:** The Palm Beach County Regional Hazardous Materials Response Ordinance of 1998 (Ord. 98-13) provides for regional hazardous materials response teams comprised of fire departments within Palm Beach County. The Ordinance also provides for an Oversight Committee to establish standards and review the effectiveness of the regional hazardous materials response services, and a technical review team to review the teams. This Ordinance is being revised to clarify provisions related to the Oversight Committee, the technical review team, cost recovery, use of recovery funds, and penalties, including clarifications recommended by the Oversight Committee. This revision clarifies that the County can bill for multiple team response and individual response teams can bill for single team response. This revision also clarifies appointments to the technical review team shall be made by the Oversight Committee based on recommendations by the Fire Chiefs Association of Palm Beach County, Inc. Countywide (SB)

5. REGULAR AGENDA

E. PALM TRAN

1. Staff recommends motion to:

A) approve Florida Commission for the Transportation Disadvantaged (CTD) Trip and Equipment Grant in the amount of \$2,361,901 for FY 2012/2013 to provide non-sponsored trips in accordance with the Transportation Disadvantaged Trust Fund requirements of Chapter 427 Florida Statutes and Rule 41-2 Florida Administrative Code; and

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

C) approve a Budget Amendment of \$2,624,335 in Palm Tran's Grant Fund for Fiscal Year 2012 in order to recognize the grant award and related County match; and

D) approve a Budget Transfer of \$262,434 from the General Fund Contingency Reserve to the Palm Tran Grant Fund for the County's match.

SUMMARY: The TD Grant provides approximately 90% of the funding for Palm Beach County's TD program. Palm Beach County has been allocated the following funds for State FY 2012/2013: Total State grant amount \$2,361,901 (includes Voluntary Dollar Contributions of \$1,806 and a State grant in the amount of \$2,360,095) plus a County match of \$262,434 (includes In-Kind Match for Voluntary Contributions of \$201 and a Local Match of \$262,233) for a total project cost of \$2,624,335. The term of agreement is July 1, 2012, through June 30, 2013. Countywide (DR)

F. PARKS & RECREATION

1. ADDITIONAL BACKUP: Staff recommends motion to approve:

A) use of County park properties in support of the Palm Beach County World Championship Offshore Grand Prix Powerboat Races to be held October 17, 2012, through October 22, 2012; and

B) Agreement with Powerboater Palm Beach, LLC to conduct the Palm Beach County World Championship Offshore Grand Prix.

SUMMARY: Powerboater Palm Beach, LLC would like to conduct a for-profit event, the Palm Beach County World Championship Offshore Grand Prix Powerboat Races, using Carlin Park and portions of Burt Reynolds Park, Ocean Cay Park, Loggerhead Park, and Juno Beach Park and its pier. This event requires a special events contract. In accordance with Chapter 21, Article II of the Palm Beach County Code, all requests for use of reserved park/facility areas for for-profit activities require Board approval. Powerboater Palm Beach, LLC must meet all requirements and pay all fees associated with event coordination at Carlin Park and other affected properties. The Palm Beach County Sports Commission has endorsed the event via a sponsorship and estimates a possible \$4 million economic impact to Palm Beach County garnishing national attention. The Parks and Recreation Department should receive an estimated \$16,416 in revenue for use of the County parks and staff coordination of this event. District 1 (AH)

5. REGULAR AGENDA

G. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** an Interlocal Agreement with the Village of Palm Springs providing for the annexation of nine (9) enclaves, generally located east of Kirk Road, north of Lakewood Road, west of Gulfstream Road and south of Canal Road. **SUMMARY:** The Board of County Commissioners (BCC) has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than ten (10) acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2012-60, adopted on July 26, 2012, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of nine (9) enclaves consisting of 17 parcels totaling 4.33 acres, as identified in Exhibit A of the Interlocal Agreement. The Village has provided written notice to all owners of real property located in the enclaves as shown in Attachment 4 of the Agenda Item. The Interlocal Agreement also provides for the annexation of the right-of-way segments identified in Exhibit B of the Interlocal Agreement; as well as the transfer of operation and maintenance of the right-of-way segments identified in Exhibit C of the Interlocal Agreement. The annexation has been processed through the County's review departments, including Fire-Rescue, Sheriff's Office, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management and the Office of Financial Management and Budget. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RB)

5. REGULAR AGENDA

H. PUBLIC SAFETY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 11, 2012 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to refueling assistance for persons with disabilities; providing for the creation of a new section of the Code of Ordinances of Palm Beach County, Florida; providing for authority; providing for a title; providing for purpose; providing for definitions; providing for accessibility; providing for prohibited conduct; providing for filing of complaints; providing for enforcement and penalties; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for captions, and providing for an effective date. **SUMMARY:** The Paralyzed Veterans of America (PVA) has contacted counties throughout the State of Florida requesting they enhance state legislation that would require service stations/convenience stores with at least two or more attendants on duty to prominently display their store phone number to advise the handicap community they will provide refueling assistance to disabled motorists upon request. According to the PVA, typically because no phone numbers are displayed, a disabled motorist has to obtain assistance by honking their horn or otherwise signaling the attendant in order to refuel their vehicles. The ADA requires gas stations to provide refueling assistance upon request of a person with a disability if there is more than one attendant on duty. In addition, Florida Statute Section 526.141 mandates every full-service gas station with two or more attendants on duty be required to dispense gasoline to any motor vehicle properly displaying a handicap parking permit or license plate. The statute also requires the station to prominently display a decal no larger than eight (8) square inches on the front of all self-service pumps clearly indicating this requirement; however, it **does not require** the posting of a phone number. PVA is requesting a telephone number be displayed and the decal size be increased to 15 square inches (3X5) so that disabled motorists could call for assistance without exiting their cars. Hillsborough, Broward and Miami have adopted similar ordinances. Approximately 20% of the 450-500 gasoline stations/distributors would be required to meet this Ordinance requirement. This Ordinance would be enforced utilizing our county funded consumer affairs mediation/investigative personnel. Countywide (PGE)

2. [Staff recommends motion to approve:](#) reopening 12 vacant treatment beds at Highridge Family Center (HRFC) in order to reduce the waiting list which, at times, has reached as high as 100 youths. This would be accomplished at no additional cost (other than minor food cost) through the re-assignment, restructuring, and re-training of staff from the Youth Service Bureau. **SUMMARY:** Since the closure in 2008 of the two (2) dormitories (24 beds) at the Highridge Family Center for budgetary and low census reasons, there has been a consistent waiting list. At one point, there were 100 youths on the waitlist with 75 of them male and 25 female. While there are seasonal fluctuations in requesting these services, a consistent waitlist is not uncommon. The HRFC provides families with high quality comprehensive family services counseling to prevent “at risk” children from entering the Juvenile Justice System. At the one year follow up, 91.7% of the youths that completed our program had not been arrested as evidenced by preliminary study results of six (6) years of program participants (2003-2009). Furthermore, at the end of treatment, parents reported a decrease in aggression, behavior conduct problems, and hyperactivity; and, an increase in social skills, leadership, and communication. Parents have also reported children completing the treatment program have significantly improved their school grades during the 90 day program. By reassigning and restructuring the Division of Youth Affairs, staff will be able to support the additional males that will be placed in the 12 beds. Countywide (PGE)

5. REGULAR AGENDA

I. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution authorizing the reconveyance to the Lake Worth Drainage District (LWDD) of the County's interest in 0.30 acres of real property located in unincorporated Delray without charge and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of the Lake Worth Drainage District, a Special Taxing District of the State of Florida.

SUMMARY: In 1950, the Lake Worth Drainage District conveyed approximately ten (10) acres of property to the County comprising large portions of the lake on the east side of Lake Ida Park. It appears that either the legal description of the property did not accurately track the shoreline, or over time some of the residential lots abutting the lake were filled out into the lake. Vickie Garland, Ethel Ivory, & The Resurrection Trust (collectively, Garland) own a 0.34 acre lot at 1516 Lake Drive, Delray Beach which abuts the lake, but is separated from the lake by a 66' x 200' (13, 215 SF) upland strip of the property the County acquired from LWDD. The County has no use for this property as it is separated from the Park. This parcel is essentially the lake frontage of Garland's backyard. The Deed from LWDD contained a restriction that the property be used for park purposes and included a reverter. Staff asked LWDD if it would release the restriction and allow the County to sell the property to Garland. LWDD declined. Garland subsequently informed LWDD that the property was not being used as a park, and requested a conveyance of the property from LWDD. On March 2, 2012, LWDD requested that the County acknowledge the reversion and reconvey the property to LWDD as the property is no longer being used for its intended purpose. This County Deed is being granted to LWDD in recognition of LWDD's reverter rights and will allow title to be transferred from LWDD to Garland. The County will not retain mineral and petroleum rights as provided for in Florida Statutes Section 270.11. **All purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners) pursuant to the PREM Ordinance.** (PREM) District 4 (HJF)

5. REGULAR AGENDA

I. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

TIME CERTAIN 10:30 A.M.

- 2. **REVISED TITLE & SUMMARY: Staff requests Board direction:** on the approval of an Agreement for Purchase and Sale (“Agreement”) with Transit Village, LLC (“TV”) for certain interests in the County-owned real property commonly known as the Wedge and located within the City of West Palm Beach’s Transit Oriented Development (TOD) District, subject to FTA and FDOT approval of the terms of this Agreement. **SUMMARY:** In response to the Board’s concerns expressed at the July 10th meeting, TV has agreed to increase the purchase price from \$100,000 to \$3.6 Million which is equal to the price the County paid for the property. The acquisition was funded by a Federal grant and local match in the following amounts: FTA \$2,880,000 (80%), FDOT \$361,500 (10%), West Palm Beach \$180,750 (5%), and County \$180,750 (5%). ~~The This Agreement requires FTA and FDOT approval of all terms of the Agreement as a precondition to closing of the sale. The sale of the property will provide FTA and/or FDOT the right to require could condition their approval upon repayment of the grant funding, which Staff believes is likely. As a condition of TV offering to increase the purchase price, TV required the Agreement to be modified to transfer responsibility for grant repayment from TV to the County up to the amount of the purchase price. The net effect of these changes on revenue to be received by the County is likely minimal. While TV does not believe repayment will be required, TV is protecting itself against having to pay twice. Some Board members also questioned the intensity of the Project. At this revised price, TV is does not willing want to further reduce the proposed development intensity. Pursuant to the Agreement, TV will develop a transit oriented development (“Project”) over and adjacent to the County’s Intermodal Transit Center (ITC). TV has six (6) years to commence construction (interim milestones apply) on the Project of up to: 1) 12,500 SF of civic uses, 2) 400,000 SF of commercial/office, 3) 375 hotel rooms, 4) 150 residential units (student/workforce/market), 5) 150 luxury residential units and 6) 75,000 SF of amenity retail. The four (4) critical objectives of the Request for Proposals (RFP) leading up to the Agreement were to: 1) protect the operation of the ITC, 2) ensure that County would not assume any financial risk or liability associated with the development of the Project, 3) ensure that the Project would not consume more than its share of the public infrastructure available for, or otherwise burden, the remainder of the development of the TOD, and 4) fulfill the County’s obligations to the South Florida Regional Transportation Authority (SFRTA) with respect to parking. The Agreement is legally sufficient and can be approved today to move this project forward. The appraised values ranged from \$350,000 to negative \$5,000,000 under the sales comparison approach and both appraisals deemed the Project infeasible utilizing the discounted sell-out/land residual valuation approach. This Agreement must be approved by supermajority vote (5 Commissioners). (FDO) Countywide (HJF)~~

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6. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES**

(Palm Beach County HIV Comprehensive AIDs Resources Emergency Council)

1. **Staff recommends motion to approve:** appointment/reappointment of five (5) individuals for terms of two (2) years with expiration dates as indicated below and proposed seat changes of three (3) current members to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
3	Marsharee Chronicle	Community Based Organizations	08/13/2014
9	Elaine Esplin	Mental Health Provider	08/13/2014
30	Julie Graham	Hospital Planning Agencies	08/13/2014
32	Lorenzo Lowe	HIV/AIDS Prevention	08/13/2014

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
13	Kenny Talbot	Affected Community	08/13/2014

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Proposed Seat Requirement</u>	<u>Term Expires</u>
22	1	Rafael Abadia	Health Care Provider	11/14/2013
32	25	Nichole Leidesdorf	Non-elected Community Leader	07/19/2013
1	22	Lorenzo Robertson	Affected Community	05/02/2013

SUMMARY: The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than 33 members. Founding members were appointed for two (2) year terms with subsequent terms of two (2) years. The Palm Beach County HIV CARE Council nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Four (4) new appointments and one (1) reappointment have successfully completed the Palm Beach County HIV CARE Council nominations process, and the Palm Beach County HIV CARE Council has recommended their appointments and reappointments. Marsharee Chronicle and Lorenzo Lowe have disclosed that they are employed by Compass, Inc. that contracts with the County for support services. Elaine Esplin has disclosed that she is employed by Comprehensive AIDS Program of Palm Beach County, Inc./FoundCare, Inc. that contracts with the County for medical and support services. Julie Graham has disclosed that she is employed by Treasure Coast Health Council, Inc. d/b/a Health Council of South East Florida that contracts with the County for medical and administrative services. The Palm Beach County HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. Due to employment changes, and in an effort to most accurately reflect mandatory seat requirements, seat changes for three (3) current members are being recommended. Rafael Abadia is currently in Seat No. 22 but will be moved to Seat No. 1. Nichole Leidesdorf is currently in Seat No. 32 but will be moved to Seat No. 25. Lorenzo Robertson is currently in Seat No. 1 but will be moved to Seat No. 22. (Ryan White) Countywide (TKF)

6. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES (Cont'd)**
(Citizens Advisory Committee on Health & Human Services)

2. **Staff recommends motion to approve:** reappointment of one (1) member to the Citizens Advisory Committee on Health and Human Services for a three (3) year term as indicated below:

<u>Seat No.</u>	<u>Nominee</u>	<u>Seat Requirement</u>	<u>Term</u>	<u>Nominated By:</u>
7	Barbara Jacobowitz	Support Services	10/1/12- 9/30/15	Comm. Aaronson

SUMMARY: The Citizens Advisory Committee on Health and Human Services consists of 11 members with at least one (1) member being a resident west of the 20 Mile Bend and at least one (1) member being a representative of the Palm Beach County League of Cities. Ms. Jacobowitz previously served on this Committee; however, she was removed due to lack of attendance. She has now expressed interest in returning to her vacant seat. The Board of County Commissioners was notified by memo dated May 17, 2012, requesting nominations for appointment. Countywide (TKF)

B. **INTERNAL AUDITOR'S OFFICE**
(Internal Audit Committee)

1. **Staff recommends motion to reappoint:** two (2) individuals to the Palm Beach County Internal Audit Committee as indicated below:

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated by</u>
Mark Burger	3	CPA/General Business	8/17/12 to 8/16/15	Comm. Aaronson Comm. Taylor Comm. Vana
Nam Nguyen	4	CPA/General Business	8/17/12 to 8/16/15	Comm. Aaronson Comm. Taylor Comm. Vana

SUMMARY: Palm Beach County Ordinance 2010-006 established the Internal Audit Committee. The Ordinance requires five (5) members to serve on the Internal Audit Committee for staggered terms of three (3) years. The Ordinance also requires the Internal Audit Committee to make recommendations to the Board of County Commissioners (BCC) regarding qualified candidates. The Audit Committee unanimously decided to recommend the reappointment of Mr. Burger and Mr. Nguyen to three-year terms on the Committee. A memorandum announcing the vacancies and the willingness of the two (2) members to continue serving was distributed to the BCC members on June 19, 2012. Countywide (PFK)

6. BOARD APPOINTMENTS

C. **PLANNING, ZONING & BUILDING**
(Planning Commission)

1. **Staff recommends motion to approve:** the appointment of **one** of the following individuals to the Planning Commission for a term from August 14, 2012, to June 2, 2015:

<u>Appointment Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Neil Merin	15	At-large	Comm. Taylor

OR

<u>Appointment Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Joshua Harden	15	At-large	Comm. Marcus Comm. Burdick

SUMMARY: The Planning Commission (PLC) was created by Ordinance 2008-003 which replaced the Land Use Advisory Board established by Resolution No.R90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.K provides for the membership of the PLC as 16 members, consisting of 15 members appointed by the Board of County Commissioners (BCC) and one (1) non-voting representative of the School District. Each District Commissioner appoints two (2) members and one member is appointed at-large by a majority vote of the BCC. The term of office of each member is for three (3) years. The function of the PLC is primarily to provide recommendations to the BCC regarding amendments to the Comprehensive Plan. Mr. Merin previously served on this committee; however, he was removed due to being absent for three consecutive regular meetings. He has now expressed interest in returning to his vacant seat. On May 10, 2012, the Planning Division forwarded a memo and forms to the BCC notifying the Board of the vacancy and requesting nominations. Three (3) responses were received. Unincorporated (RPB)

(Construction Industry Licensing Board)

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

<u>Appoint</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Manuel Sanchez	3	General Contractor	08/14/12-09/30/14	Comm. Burdick Comm. Taylor Comm. Vana

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended. The Special Act and subsequently Florida State Statute sets forth the membership of the Board, which consists of 15 members. The above named has been recommended by the National Association of Minority Contractors (NAMC) (Mr. Sanchez). Manuel Sanchez was nominated to replace Mr. George Sparling who was unable to continue to serve and the term had previously expired. The nomination represents the seat for a General Contractor as cited in the Special Act and F.S. § 489.131 establishing the Construction Industry Licensing Board. Memorandums were sent to the Board of County Commissioners on June 4, 2012 advising of the vacant position. No other nominations were received. Countywide (SF)

6. BOARD APPOINTMENTS

C. **PLANNING, ZONING & BUILDING (Cont'd)**
(Construction Board of Adjustment & Appeals)

3. **Staff recommends motion to approve:** reappointment/appointment of **one** of the following named individuals to the Construction Board of Adjustment and Appeals (CBAA) for the term of August 14, 2012 to August 13, 2013:

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>
Arnold Rich	8	Alternate Citizens At Large	Comm. Vana Comm. Burdick

OR

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>
Margie Walden	8	Alternate Citizen At Large	Comm. Abrams Comm. Aaronson Comm. Taylor

SUMMARY: Palm Beach County Ordinance 89-31 created the Construction Board of Adjustment and Appeals. Arnold Rich is nominated by Commissioner Shelley Vana and Commissioner Paulette Burdick. Margie Walden is nominated by Commissioner Steven L. Abrams, Commissioner Burt Aaronson and Commissioner Priscilla Taylor. Appointment of one of the individuals above will also correct action taken at the July 10, 2012 BCC Meeting, whereby these individuals were inadvertently appointed as District 7 appointees. The seat has a term of office of one (1) year. In the transition of new staff performing duties of the Clerk of the Board, Mr. Rich was not given the opportunity to retain his seat at the last appointment. The nominations represent the Alternate Citizen At-Large member of the Board as required by Palm Beach County Ordinance 2012-006, as amended, Palm Beach County Amendments to the Florida Building Code, 2010 Edition. The Board is comprised of seven (7) members consisting of one (1) registered architect; one (1) registered engineer; one (1) general contractor; one (1) electrical contractor; one (1) HVAC contractor; one (1) plumbing contractor and any other contractor licensed category. In addition to these members, there should be two (2) alternate members, one (1) member with the qualifications referenced above and one (1) member At Large from the public. A memorandum from the Building Division was sent to the Board of County Commissioners on May 29, 2012 requesting nominations for Seat 8. There were no other nominations. (Building Division) Countywide (SF)

6. BOARD APPOINTMENTS

D. **FACILITIES DEVELOPMENT & OPERATIONS**
(Property Review Committee)

1. **Staff recommends motion to approve:** reappointment of two (2) members to the Palm Beach County Property Review Committee (PRC) as follows:

Reappointment Nominee	Seat No.	Seat Requirement	Term
Kathy W. Evans	(2)	A Representative from Martin County Property Appraiser's Office; Broward County Property Appraiser's Office; or an MAI certified appraiser with offices in PBC and expertise in the appraisal of PBC real estate.	August 17, 2012 – August 16, 2015
Neil Merin	(3)	Licensed real estate broker with an office in PBC and expertise in PBC commercial real estate.	August 17, 2012 – August 16, 2015

SUMMARY: Palm Beach County Resolution No. 2010-0292 established the PRC that is comprised of five (5) members appointed At-Large by the Board. Each member must meet specific seat requirements and serve a term of three (3) years, after the initial start up, with no limit on the number of terms an individual may serve. Both Ms. Evans and Mr. Merin each served on the PRC for an initial two (2) year term that expires on August 16, 2012, and both have agreed, if reappointed, to continue to serve on the PRC. Countywide (HJF)

E. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**
(County Financing Committee)

1. **Staff recommends motion to approve:** the appointment of the following individual to the County Financing Committee for the term beginning August 14, 2012, to August 13, 2014:

<u>Nominee</u> Michael Schmidt	<u>Seat No.</u> At-Large	<u>Nominated By</u> Commissioner Marcus
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SUMMARY: On April 3, 2012 the Board of County Commissioners added an At-Large Board appointee to the County Financing Committee. The Committee is currently comprised of the Director of the Office of Financial Management & Budget (Liz Bloeser), a representative from the Clerk & Comptroller's Office (Shannon Ramsey-Chessman), two (2) representatives from local government agencies (Leeanne Evans, School District Treasury Manager and Barry Atwood, City of Boynton Beach Finance Director) and a County Department Director, if needed. The appointee by the Board will serve a term of two (2) years, at which time the appointee may be re-appointed, or a new appointee selected by the Board. The Committee meets as needed to review and make recommendations to the County Administrator regarding the issuance of debt obligations and management of outstanding debt, including but not limited to the selection and procurement of all outside professional services. Countywide (PFK)

6. BOARD APPOINTMENTS

F. **ADMINISTRATION**
(Treasure Coast Regional Planning Council)

1. **Staff recommends motion to ratify:** the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (Council) for the term ending November 30, 2012:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>
<u>Member appointment:</u>		
Joni Brinkman Vice Mayor, Village of Palm Springs	7	Palm Beach County Official
<u>Alternate appointment:</u>		
Anne Gerwig Councilmember, Village of Wellington	4A	Palm Beach County Official

SUMMARY: As required under the TCRPC’s Rules of Orders, on November 1, 2011, the Board of County Commissioners (BCC) appointed three (3) Commissioners as members and three Commissioners (3) as alternates to serve on the TCRPC for the coming year. In addition, in accordance with the Council’s Bylaws, the BCC ratified the League’s members on November 15, 2011. Since the November 2011 ratification, there has been a need for changes to some of the League’s representatives. Vice Mayor Brinkman has been moved from an Alternate seat (4A) to Seat 7, replacing Carmine Priore, as a regular member. Councilmember Anne Gerwig has been selected to fill the Alternate seat (4A), previously held by Vice Mayor Brinkman. The BCC must now ratify the selection. Countywide (RPB)

(Boca Raton Airport Authority’s Aviation Advisory Committee)

2. **Staff recommends motion to approve:** reappointment of the following individual to the Boca Raton Airport Authority – Aviation Advisory Committee (Advisory Committee) for the term August 14, 2012, to May 31, 2014:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Sheri Scarborough	N/A	Palm Beach County Resident (Unincorporated Boca Raton)	Comm. Aaronson

SUMMARY: The Advisory Committee (Boca Raton Airport Authority Resolution 12-67-10) is comprised of nine (9) members. The City of Boca Raton, the City of Delray Beach, the Town of Highland Beach, the City of Deerfield Beach and Palm Beach County shall each appoint one (1) member. In the case of the County, the individual must reside within unincorporated Palm Beach County. The Boca Raton Airport Authority appoints four (4) members with each member residing in established quadrants of the Airport. While the Airport resides in District 4, it has an impact on District 5, and historically nominations have come from District 4 and/or District 5. In January 2011, Ms. Sherri Scarborough was nominated and approved for appointment to the Advisory Committee. The Authority has requested the reappointment of Ms. Scarborough, and she has expressed a desire to continue to serve. Staff notified the District 4 and 5 Commissioners on July 26, 2012. District 4 (AH)

6. BOARD APPOINTMENTS

F. ADMINISTRATION (Cont'd)
(Health Facilities Authority)

3. Staff recommends motion to approve: appointment of the following individual to the Health Facilities Authority to fill the unexpired term of Christopher Roemer, who resigned, for the term August 14, 2012, to April 30, 2013:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Term Expiration</u>	<u>Nominated by:</u>
Dr. Keysha L. Bryant	2	Resident of PBC	04/30/2013	Comm. Taylor

SUMMARY: Per Chapter 154.207, Florida Statutes and Resolution Nos. R77-379, R77-398 and R92-563, the Health Facilities Authority is composed of five (5) members appointed at-large by the Board of County Commissioners (BCC). A memo dated July 9, 2012, was circulated to the BCC notifying the Board that Mr. Christopher Roemer had resigned, thereby creating a vacancy on the Health Facilities Authority. Following the July 9th memo, staff learned that another representative, Tim Monaghan, would not be seeking reappointment, opening up another vacancy on the Authority. Commissioner Taylor has nominated Dr. Bryant to fill one of the two vacant seats. To date, no other nominations have been received. Countywide (TKF)

G. COMMISSION DISTRICT APPOINTMENTS

AUGUST 14, 2012

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

AUGUST 14, 2012

8. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 – COMMISSIONER PAULETTE BURDICK

Request approval to present off-site, a Proclamation declaring September 5, 2012 as “Grandparents Raising Grandchildren Day” in Palm Beach County.

C. District 3 - COMMISSIONER SHELLEY VANA, CHAIR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS, VICE CHAIRMAN

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.

