

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

SEPTEMBER 11, 2012

<u>PAGE</u>	<u>ITEM</u>	
46	4E	<u>REVISED SUMMARY:</u> Staff recommends motion to approve: Alignment Alternative Four for Jupiter Park Drive/Western Corridor (Island Way) within unincorporated Palm Beach County, from Jupiter Gardens Boulevard to 68 th Terrace. SUMMARY: Per Board direction and discussions from the meetings held on April 17, May 15, and July 10, this will approve Alignment Alternative Four for Jupiter Park Drive/Western Corridor (Island Way) within unincorporated Palm Beach County (from Jupiter Gardens Boulevard to 68 th Terrace). This approval is required to allow the establishment of the overall alignment from Jupiter Park Drive to Indiantown Road. The Town of Jupiter (Town) is finalizing the development conditions of approval for the Hawkeye Jupiter property (formerly known as the Brown property). The new road, Island Way, will need to be designed and built to provide appropriate access to the property. Land will have to be acquired to allow the construction of the road. The northern and southern ends of the road are within the Town, and are approximately 60% of the road length. The remaining section lies within the unincorporated area. The road is intended to be a Town road when it is constructed with funding expected to come from the Town and the Hawkeye development. The Board asked/directed at the July 10 meeting that additional meetings be held with the neighborhood and the developer. The developer and Town committed to holding these discussions. Several meetings have been held since then, with the most recent meeting held on September 6th. District 1 (MRE) (Engineering)
49	5F-1	<u>REVISED TITLE:</u> Staff recommends motion to approve: Agreement with Cultural Council of Palm Beach County, Inc. (the “Cultural Council”) for the provision of services under the County’s Tourist Development Plan during the period October 1, 2012, through September 30, 2017 an amount not to exceed of \$1,257,190 in contractual services and \$3,807,460 in indirect costs, grants and reserves for a total of \$5,064,650. (TDC)
49	5F-2	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: Agreement with the Palm Beach County Film and Television Commission, Inc. (the PBCFTC) for the provision of services under the County’s Tourist Development Plan during the period October 1, 2012, through September 30, 2017 an amount not to exceed of \$585,508 in contractual services and \$318,305 in indirect costs, and reserves for a total of \$903,813. SUMMARY: The Agreement provides for the PBCFTC to attract, promote, and market existing and new film production and production facilities under the County’s Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The new Agreement replaces the current contract (Contract R2012-0844). The new Agreement updates Fiscal Year 2013 Exhibit “A” – Annual Budget, and Exhibit “F” – Performance Measures, and Exhibit “J” Organizational Chart. In addition, indirect cost and reserves totaling \$318,305 are included for a total budget of \$913,813 \$903,813. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) <u>Countywide</u> (DW) (TDC)

- 50 5F-3 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** Agreement with Discover Palm Beach County, Inc. d/b/a Palm Beach County Convention & Visitors Bureau (the "CVB") for the provision of services under the County's Tourist Development Plan during the period October 1, 2012, through September 30, 2017 in the amount of \$9,450,705 in contractual services and \$1,427,632 in indirect costs and reserves for a total of \$10,878,337.; ~~deleting the requirement that the Tourist Development Council Executive Director be an ex-officio member of Discover Palm Beach County; and adding the requirement that the Tourist Development Council's Executive Director shall be notified of all meetings of the Board of Directors, and the executive committee as well as all committees and subcommittees of Discover Palm Beach County whose functions are in any way related to the expenditure of County or Tourist Development Tax funds. The Tourist Development Council's Executive Director shall be provided notice of meetings and an opportunity to be heard at the meetings. Notice of the meetings shall be provided to the Tourist Development Council's Executive Director no later than five (5) days before the meeting is to occur.~~ **SUMMARY:** The Agreement provides for the CVB to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The Agreement replaces the current contract (Contract R2012-0925). The new Agreement updates for Fiscal Year 2013 Exhibit "A" – Annual Budget, Exhibit "E" – Procurement Policy, Exhibit "H" – Performance Measures, Exhibit "I" - Salary Structure, and Exhibit "K" – Organizational Chart. The new Agreement removes reference that the Tourist Development Council Executive Director serves as ex-officio member of Discover Palm Beach County committees and subcommittees, but requires notification of all meetings and an opportunity to be heard. Notice of the meetings shall be provided to the Tourist Development Council's Executive Director no later than five (5) days before the meeting is to occur. In addition, indirect cost, and reserves of \$1,427,632 are included for a total budget of \$10,878,337. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) Countywide (DW) (TDC)
- 50 5F-4 **REVISED TITLE: Staff recommends motion to approve:** Agreement with Palm Beach County Sports Commission, Inc. (the "PBCSC") for the provision of services under the County's Tourist Development Plan during the period October 1, 2012, through September 30, 2017 an amount not to exceed of \$724,877 in contractual services and \$1,024,430 in indirect costs, grants and reserves for a total of \$1,749,307. **SUMMARY:** The Agreement provides for the PBCSC to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The Agreement replaces the current contract (Contract R2012-0845). The new Agreement updates for Fiscal Year 2013 Exhibit "A" – Annual Budget, and Exhibit "E" – Performance Measures, Exhibit "G" – Salary Structure, and Exhibit "H" - Organizational Chart. In addition, indirect cost, grants and reserves of \$1,024,430 are included for a total budget of \$1,749,307. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) Countywide (DW) (TDC)
- 52 5G-2 **DELETED: Staff recommends motion to approve: A)** a Civic Site Dedication Agreement with Boynton Beach Associates XXIV, LLLP;... (FDO) (Further staff review)
- 53 5G-3 **DELETED: Staff recommends motion to: A) adopt** Resolution rescinding and replacing R2002-0192 supporting the allocation of ad valorem funds for the benefit of municipal efforts to maintain interoperability with and participate in the County's Intergovernmental Communications Program (ICP);... (FDO) (Further staff review)

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**

SEPTEMBER 11, 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 - 43)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 44 - 46)**

- 5. REGULAR AGENDA (Pages 47 - 53)**

- 6. BOARD APPOINTMENTS (Pages 54 - 55)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 56)**

- 8. STAFF COMMENTS (Page 57)**

- 9. COMMISSIONER COMMENTS (Page 58)**

- 10. ADJOURNMENT (Page 58)**

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 8

- 2C-1 Literacy AmeriCorps Swearing In Ceremony
- 2C-2 Florida LambdaRail Presentation
- 2C-3 Special Olympics Presentation
- 2C-4 Olympian Tony McQuay
- 2C-5 Hunger Action Month
- 2C-6 National Hereditary Breast and Ovarian Cancer Week/National Previvor Day
- 2C-7 Domestic Violence Awareness Month
- 2C-8 Caribbean-American for Community Involvement Day

CONSENT AGENDA

A. ADMINISTRATION

Page 9

- 3A-1 Interlocal Grant Agreements with Town of Glen Ridge and Jupiter Inlet Colony relative to funding the Inspector General's Office

B. CLERK & COMPTROLLER

Page 9

- 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.
- 3B-5 Unclaimed Monies proof of publications

C. ENGINEERING & PUBLIC WORKS

Page 10

- 3C-1 Second Amendment to Annual Guardrail Contract with Southeast Attenuators, Inc.
- 3C-2 Interlocal Agreement with Village of Palm Springs to transfer ownership and responsibility of several right-of-way segments
- 3C-3 Deleted
- 3C-4 Resolution declaring acquisition of property (Parcel 301) as temporary construction easement relative to intersection improvements to Belvedere Road and Haverhill Road
- 3C-5 Joint Participation Agreement with Publix Super Markets, Inc. for construction of traffic signal on Lantana Road at Lee Square shopping center

Page 11

- 3C-6 Resolution supporting conservation of native wildflowers
- 3C-7 Railroad Reimbursement Agreement with CSX Transportation, Inc. for reconstruction of Palmetto Park Road railroad crossing
- 3C-8 Deleted
- 3C-9 Supplemental Agreement No. 7 with K-F Group, Inc. for design plan revisions related to 60th Street North
- 3C-10 Supplemental Agreement No. 2 with Last Devenport, Inc. for design plans/construction bid documents related to Garden Road culvert

Page 12

- 3C-11 Contract with J.W. Cheatham, LLC for construction of State Road 7 extension
- 3C-12 Contract with Murphy Construction Company for construction of Central Boulevard
- 3C-13 Contract with J.W. Cheatham, LLC for construction of Seminole Pratt Whitney Road

D. COUNTY ATTORNEY

Page 12

- 3D-1 First Supplemental Amended and Restated Loan Agreement related to Caron Foundation of Florida, Inc. project

Page 13

- 3D-2 Settlement Agreement in personal injury action styled John Napier vs. PBC

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

E. COMMUNITY SERVICES

Page 13

3E-1 Contract for Provision of Services with Jerome Golden Center for Behavioral Health, Inc. for services to homeless individuals

3E-2 Contract for Provision of Services with Gulfstream Goodwill Industries, Inc. for supportive services to homeless persons

Page 14

3E-3 Contracts for Provision of Services with Jerome Golden Center for Behavioral Health, Inc. and Comprehensive Alcoholism Rehabilitation Programs for support services to homeless individuals

3E-4 Florida Department of Education Project Award Notification No Cost Extension Letter for education and vocational training to farmworkers

Page 15

3E-5 Ratify signature on proposal to U.S. Department of Health & Human Services relative to grant funding for homeless programs

3E-6 Ratify signature on Refunding Grant Application with U.S. Department of Health & Human Services for the Head Start/Early Head Start programs

Page 16

3E-7 Notice of Award from U.S. Department of Health & Human Services for Head Start/Early Head Start Coast of Living Adjustment Application

3E-8 Memorandum of Agreements with Children's Services Council of Palm Beach County relative to professional development training for Head Start/Early Head Start staff

Page 17

3E-9 Modification No. 2 with Florida Department of Economic Opportunity for self-sufficiency services to low income families

3E-10 Budget Amendment in Human Services Division General Fund relative to services to homeless individuals

Page 18

3E-11 Child Care Food Program Budget for Sponsors of Multiple Sites with Florida Department of Health for catered meals served to Head Start/Early Head Start children

Page 19

3E-12 Delegate Agency Amendments (3) to recognize cost of living adjustment

3E-13 Amendment No. 1 with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. to revise Scope of Work under the Financially Assisted Agency program

F. AIRPORTS

Page 20

3F-1 Extension of Time to eight (8) FDOT Joint Participation Agreements for on-going projects at County airports

3F-2 Delegation of signature authority for Google Online Agreements relating to Google Indoor Maps at PBIA

Page 21

3F-3 List of 12 charitable organizations to benefit from proceeds from PBIA fountain

3F-4 Resolution adopting Airport Concession Disadvantaged Business Enterprise Program

3F-5 Off-Airport Parking Lot Operator Ground Transportation Permit with AmeriPark, LLC

Page 22

3F-6 License Agreement with DTG Operations, Inc. in connection with rental car operation at PBIA

3F-7 Professional Services Agreement with Corgan Associates, Inc. for professional planning and design services related to the Baggage Handling System improvements at PBIA

3F-8 Resolution approving Joint Participation Agreement with FDOT for wetland mitigation at North Palm Beach County General Aviation Airport

Page 23

3F-9 Resolution approving Joint Participation Agreement with FDOT to rehabilitate Itinerant Apron at Palm Beach County Park Airport

3F-10 Resolution approving Joint Participation Agreement with FDOT for rehab Runway 3/21 and Runway 9/27 intersection and misc. airfield pavement repairs at Palm Beach County Park Airport

3F-11 Resolution approving Joint Participation Agreement with FDOT for Golfview Apron, taxilanes/taxiway, infrastructure at PBIA

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

F. AIRPORTS (Cont'd)

Page 24

3F-12 Resolution approving Supplemental Joint Participation Agreement No. 1 with FDOT to construct hangars at North Palm Beach County General Aviation Airport

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET - None

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 24

3H-1 Budget Amendment/Transfer related to Early Head Start – Delray Beach Village Academy project

Page 25

3H-2 Contract with M.A.C. Construction, Inc. for replacement bus lifts at Palm Tran North and South Maintenance facilities

3H-3 Assignment of contract with MPA Architects, Inc. for architectural services

3H-4 Interlocal Agreement with City of Greenacres regarding radio maintenance services

Page 26

3H-5 Declaration of Perpetual Traffic Signal Easement for mast arm traffic signals on a portion of John Prince Park and Lantana Airport properties

3H-6 Termination of Sublease and Fuel Provision Agreement with City of West Palm Beach

I. ECONOMIC SUSTAINABILITY

Page 27

3I-1 Four (4) Agreements and six (6) Amendments to various federal housing programs

3I-2 Amendment No. 2 with The Salvation Army for transitional housing facility for homeless men

Page 28

3I-3 Amendment No. 2 with FoundCare, Inc. for health care services to uninsured low and moderate income clients

3I-4 Consent for Sharon Battle to receive SHIP funds under Foreclosure Prevention Program

3I-5 Resolution supporting LinkUp2012® international trade event

Page 29

3I-6 Resolution authorizing submittal of a New Market Tax Credit Program Application to U.S. Department of the Treasury

J. PLANNING, ZONING & BUILDING - None

K. WATER UTILITIES

Page 29

3K-1 Receive and file three (3) standard agreements and/or amendments for Water Utilities

Page 30

3K-2 Agreement with Vivian D'Angio to fund Claude D'Angio Internship in Chemistry

3K-3 Work Authorization No. 3 with Globaltech, Inc. for GUA South Bay Repump Station improvements

3K-4 Work Authorization No. 5 with Globaltech, Inc. for water quality monitoring system

Page 31

3K-5 Consultant Services Authorization No. 12 with Hillers Electrical Engineering, Inc. for WTP No. 9 Programmable Logic Controller programming

3K-6 Interlocal Agreement with Town of Mangonia Park for installation of emergency generators

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 32

3L-1 Agreement with Florida Department of Agriculture and Consumer Services for mosquito control reporting requirements

3L-2 Resolution requesting Florida Department of Environmental Protection support funding for shoreline protection projects

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

Page 33

- 3L-3 Contract with InWater Research Group, Inc. for inwater sea turtle population assessment
- 3L-4 No-cost Change Order No. 1 with The Vance Construction Co relative to the annual artificial reef and breakwaters contract

Page 34

- 3L-5 Receive and file five (5) documents for Environmental Resources Management

M. PARKS & RECREATION

Page 35

- 3M-1 First Amendment with School Board of Palm Beach County relative to transitional life skills to students with disabilities
- 3M-2 Transfer project management to Boynton Beach Catering, Inc. for Boynton Women's Club roof replacement
- 3M-3 Budget Transfers necessary to complete improvement and renovation projects at various recreational facilities

Page 36

- 3M-4 First Amendment to Independent Contractor Agreement with Team Elite Athletic Management International, Inc. for swim teams coaching
- 3M-5 Agreement with Creative Education, Inc. for construction of the Center for Creative Education facility

N. LIBRARY

Page 36

- 3N-1 Application to Florida Department of State, Division of Library and Information Services for State Aid to Libraries funding

P. COOPERATIVE EXTENSION SERVICE

Page 37

- 3P-1 First Amendment with Housing Partnership, Inc. for continued funding of part-time program assistant

Q. CRIMINAL JUSTICE COMMISSION

Page 37

- 3Q-1 Amendment to MOU with DCF; and reinstating Contract with Jerome Golden Center for Behavioral Health, Inc. for supportive housing, mental health and substance abuse treatment services for dually-diagnosed repeat offenders
- 3Q-2 Justice Assistance Grant Program Local Solicitation Grant award from Department of Justice relative to ex-offender re-entry and drug court treatment programs

Page 38

- 3Q-3 First Amendment with City of Riviera Beach relative to Civil Drug Court program

R. HUMAN RESOURCES - None

S. FIRE RESCUE

Page 38

- 3S-1 Memorandum of Agreement with Children's Services Council of Palm Beach County regarding Drowning Prevention Coalition program funding
- 3S-2 Agreement with Bar Education, Inc. for clinical field experience to paramedic and EMT students
- 3S-3 Five (5) Interlocal Agreements with Palm Beach State College relating to fire rescue training and instructional services

Page 39

- 3S-4 Emergency Services Agreement for Mutual Assistance, Automatic Aid, Dispatch and Fire Vehicle Maintenance and Repair with Village of Tequesta

T. HEALTH DEPARTMENT

Page 39

- 3T-1 Resolution adopting FY 2012/2013 budget for Air Pollution Control Program

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

U. INFORMATION SYSTEMS SERVICES

Page 40

- 3U-1 Microsoft Enterprise Agreement with SHI International Corp for software assurance
- 3U-2 Second extension with AT&T Volume and Term Agreement
- 3U-3 Interlocal Agreement with Florida State University to connect to County's Regional Network

Page 41

- 3U-4 Interlocal Agreement with Town of Palm Beach for document scanning services

V. METROPOLITAN PLANNING ORGANIZATION - None

W. PUBLIC AFFAIRS - None

X. PUBLIC SAFETY

Page 41

- 3X-1 Amendment to Rape Crisis Exam Center Contract with State of Florida, Department of Health

Page 42

- 3X-2 Amendment No. 1 to Rape Crisis Exam Center Contract with Emergency Specialists of Wellington
- 3X-3 Contracts with Pre-doctoral Psychology Interns

Y. PURCHASING - None

Z. RISK MANAGEMENT - None

AA. PALM TRAN - None

BB. MEDICAL EXAMINER

Page 43

- 3BB-1 Contract with Rockledge HMA, LLC for forensic toxicology and histology testing

PUBLIC HEARINGS – 9:30 A.M.

Page 44

- 4A Resolution to vacate County's interest in certain portion of Dillman Road
- 4B Contract with Charles S. Whiteside, Inc. for Patio Court paving and drainage improvements project

Page 45

- 4C Housing Finance Authority Ordinance
- 4D Refueling Assistance Ordinance

Page 46

- 4E Alignment Alternative Four for Jupiter Park Drive/Western Corridor (Island Way)

REGULAR AGENDA

ADMINISTRATION

Page 47

- 5A-1 Designate Cam Estates/Meadowbrook Plats as a Countywide Community Revitalization Team Neighborhood Enhancement Area; remove Cinquez Park and Lakewood Gardens Central as CCRT area

COMMUNITY SERVICES

Page 47

- 5B-1 Amendment No. 1 with Adopt-A-Family of the Palm Beaches, Inc. for engagement, interim housing and rapid re-housing services to homeless families

TABLE OF CONTENTS
REGULAR AGENDA CONTINUED

ENVIRONMENTAL RESOURCES MANAGEMENT

Page 48

5C-1 Amendment No. 2 with Florida Department of Environmental Protection relative to the Pollutant Storage Tank Compliance Verification Program

FIRE RESCUE

Page 48

5D-1 Regional Hazardous Materials Response Ordinance

OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 49

5E-1 External Auditors rotation policy

TOURIST DEVELOPMENT COUNCIL

Page 49

5F-1 Agreement with Cultural Council of Palm Beach County, Inc. for tourism marketing services

5F-2 Agreement with Palm Beach County Film and Television Commission, Inc. to attract, promote, and market existing and new film production and production facilities

Page 50

5F-3 Agreement with Discover Palm Beach County to provide tourism marketing services

5F-4 Agreement with Palm Beach County Sports Commission, Inc. to provide tourism marketing services

FACILITIES DEVELOPMENT & OPERATIONS

Page 51

5G-1 Vehicle and Equipment Parts Management and Supply Agreement with Genuine Parts Company (NAPA)

Page 52

5G-2 Civic Site Dedication Agreement with Boynton Beach Associates (G.L. Homes)

Page 53

5G-3 Resolutions relating to \$12.50 Program (Intergovernmental Communications Program)

BOARD APPOINTMENTS (Pages 54 - 55)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 56)

STAFF COMMENTS (Page 57)

COMMISSIONER COMMENTS (Page 58)

ADJOURNMENT (Page 58)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Literacy AmeriCorps Members Swearing In Ceremony. (Sponsored by Commissioner Vana)
2. Presentation by Joe Lazor, Executive Director of the Florida LambdaRail.
3. Presentation by Special Olympics Palm Beach County recognizing 30 years of BCC vision, leadership and support for the local Special Olympics movement.
4. Proclamation recognizing track Olympian Tony McQuay (silver medal in men’s 4x400 meter relay) (Sponsored by Commissioner Taylor)
5. Proclamation declaring September 2012 as “Hunger Action Month” in Palm Beach County. (Sponsored by Commissioner Vana)
6. Proclamation declaring September 23 – 30, 2012 as “National Hereditary Breast and Ovarian Cancer Week” and September 26, 2012 as “National Previvor Day” in Palm Beach County. (Sponsored by Commissioner Marcus)
7. Proclamation declaring October 2012 as “Domestic Violence Awareness Month” in Palm Beach County. (Sponsored by Commissioner Santamaria)
8. Proclamation declaring September 22, 2012 as “Caribbean-American for Community Involvement Day” in Palm Beach County. (Sponsored by Commissioner Santamaria)

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Interlocal Grant Agreements with the Town of Glen Ridge and the Town of Jupiter Inlet Colony to voluntarily assist in funding Office of Inspector General operations. **SUMMARY:** The agreements provide a means for the Town of Glen Ridge and Town of Jupiter Inlet Colony to voluntarily provide quarterly grant payments to Palm Beach County to assist in funding Office of Inspector General. The payments equal the amount of funding the Town's would have paid pursuant to the cost apportionment method outlined in the Inspector General Ordinance. The payment for Glen Ridge for each quarter of FY 2012 equals \$35 and the initial payments made total \$52. The payment for Jupiter Inlet Colony for each quarter of FY 2012 equals \$170 and the initial payments made total \$345. Districts 1 & 2 (LB/PM)

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 & Budget	July 10, 2012
Joint/Glades Utility Authority	July 12, 2012
Comprehensive Plan	July 23, 2012
Workshop	July 24, 2012
Zoning	July 26, 2012
Regular	August 14, 2012

3. **REVISED BACKUP: Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during April 2012. Countywide
5. **Staff recommends motion to receive and file:** proof of publications "Unclaimed Monies" advertised by the Clerk & Comptroller of Palm Beach County. **SUMMARY:** Pursuant to F.S. 116.21, the Clerk advertised certain unclaimed monies held which are subject to forfeiture to Palm Beach County. Florida Statutes 116.21 requires that the proof of publication "shall be filed and recorded in the minutes of the County Commission of such county." Countywide (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a Second Amendment (Amendment) to the Annual Guardrail Contract (Contract) (R2010-1488) Project No. 2011052, dated October 5, 2010, with Southeast Attenuators, Inc. (Contractor) to extend the expiration date and increase the total budget by \$150,000. **SUMMARY:** Approval of this Amendment will extend the Contract for the final 12 months of the Contract time and increase the dollar value by \$150,000, to a total new value of \$930,000. The Contract consists of furnishing and installing guardrail, furnishing guardrail products, removing and disposing of "old" guardrail and/or resetting of existing guardrail. Small Business Enterprise (SBE) goals were established at 15% of the overall Contract amount. The Contractor is an SBE certified business; therefore, all of the \$485,522 spent on this Contract to date has gone to an SBE contractor. Countywide (MRE)

2. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Village of Palm Springs (Village) to transfer the ownership and responsibility for operation and maintenance of several annexed right-of-way segments to the Village. **SUMMARY:** Approval of this Agreement will transfer the ownership and responsibility for operation and maintenance of several annexed right-of-way segments to the Village. The Agreement will also clarify operation and maintenance responsibilities for certain right-of-way segments already maintained by the Village. The annexations for these right-of-way segments were completed and adopted by the Board of County Commissioners in 2001 and 2006. District 3 (MRE)

3. **DELETED**

4. Staff recommends motion to adopt: a Resolution to declare the acquisition of property designated as Parcel 301, a Temporary Construction Easement (Easement) necessary for the widening and construction of improvements at the northeast corner of the intersection of Belvedere Road and Haverhill Road. **SUMMARY:** The adoption of this Resolution will initiate eminent domain proceedings against one (1) parcel having a total appraised value of \$3,800. District 7 (PM)

5. Staff recommends motion to approve:

A) a Joint Participation Agreement (JPA) with Publix Super Markets, Inc. (Publix) for the construction of a traffic signal and associated median modifications on Lantana Road at the eastern Lee Square shopping center entrance approximately 1,000 feet east of Jog Road; and

B) a Budget Amendment of \$200,000 in the Transportation Improvement Fund to recognize Publix participation in this project and appropriate it to Traffic Signals – Mast Arms Fiscal Year 2013.

SUMMARY: Approval of this JPA and Budget Amendment will allow for the design and construction of a traffic signal and associated median modifications for turn lanes on Lantana Road, a Palm Beach County (County) maintained roadway, at the eastern Lee Square shopping center entrance approximately 1,000 feet east of Jog Road. Publix will fund \$100,000 toward the design and the construction of the improvements, paying a consultant no more than \$40,000 for the design with the remaining going towards the construction. Funding for the remainder of the construction costs of the improvements is available from a contribution received from the Chick-fil-A currently under construction in the Lee Square shopping center, (\$140,000) and from the Traffic Signals-Mast Arms account (\$150,000). District 3 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to adopt: a Resolution to support the conservation of native wildflowers. **SUMMARY:** Grants for the planting of wildflowers are available from the Florida Wildflower Foundation to counties, municipalities and other entities through the sale of State of Florida Wildflower license plates. For applicants to be eligible for the La Florida "Land of Flowers" Community Grant Program, it is necessary for counties or municipalities to have adopted resolutions committing to support the conservation of Florida's native wildflowers. Countywide (MRE)

7. Staff recommends motion to approve: a Railroad Reimbursement Agreement with CSX Transportation, Inc. (CSXT) for the reconstruction of Palmetto Park Road railroad crossing. **SUMMARY:** The Railroad Reimbursement Agreement is between the CSXT, the Florida Department of Transportation (FDOT) and Palm Beach County (PBC) due to the South Florida Regional Transportation Authority's (SFRTA) (formerly Tri-Rail) use of the railway tracks. Approval of the Railroad Reimbursement Agreement will allow for CSXT to reconstruct the existing crossing at an estimated cost of \$151,348, to raise the west set of railroad tracks to the same elevation as the east set of tracks. The construction will provide a smoother ride over the tracks for vehicles traveling on Palmetto Park Road. District 4 (MRE)

8. **DELETED**

9. Staff recommends motion to approve: Supplemental Agreement No. 7 (Agreement) to Project Agreement R2005-1455 in the amount of \$165,844.92 with K-F Group, Inc. (KFG), for professional services for the 60th Street North from west of Royal Palm Beach Boulevard to State Road 7 Extension project (Project). **SUMMARY:** Approval of this Agreement will provide the services necessary for the preparation of design plan revisions for the Project. KFG is a Palm Beach County company and is a certified Small Business Enterprise (SBE). The SBE goal for the Project is 15%. The SBE participation committed for this Agreement by KFG is 93.47%. District 6 (MRE)

10. Staff recommends motion to approve:
 - A) Supplemental Agreement No. 2 (Agreement) to project agreement 2011904 in the amount of \$89,608.60 with Last Devenport, Inc. (LDI), for professional services for the Garden Road Culvert project (Project); and
 - B) a Budget Transfer of \$134,421 in the Road Impact Fee Fund – Zone 1 from Reserves to Garden Road Culvert.

SUMMARY: Approval of this Agreement will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. LDI is a Palm Beach County company and is a certified Small Business Enterprise (SBE). The SBE goal for the Project is 15%. The SBE participation committed for this Project by LDI is 96.0%. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to approve: a Contract with J.W. Cheatham, LLC (Cheatham), in the amount of \$4,607,187.62 for the construction of State Road 7 Extension from Persimmon Boulevard to 60th Street North; and 60th Street North from east of Royal Palm Beach Boulevard to State Road 7 Extension (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (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 17.07%. District 6 (MRE)

12. Staff recommends motion to approve:

A) a Contract with Murphy Construction Company (Murphy), in the amount of \$2,492,454.50 for the construction of Central Boulevard from south of the C-18 Canal to Church Street (Project);

B) an Interlocal Agreement with the Loxahatchee River Environmental Control District (District) for joint participation and project funding in the amount of \$638,580 for construction of utility adjustments to the District's water main and other improvements as part of the Project; and

C) a Budget Amendment of \$638,580 in the Road Impact Fee Fund – Zone 1 to recognize funding from the District for utility reimbursable work and appropriate it to the Project.

SUMMARY: Approval of this Contract will allow Palm Beach County (County) to issue a notice to proceed to Murphy, the sole 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 Murphy is 15.17%. District 1 (MRE)

13. Staff recommends motion to approve: a Contract with J.W. Cheatham, LLC (Cheatham), in the amount of \$3,679,428.55 for the construction of Seminole Pratt Whitney Road from south of the M Canal to south of Orange Boulevard (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County (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 32.02%. District 6 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the First Supplemental Amended and Restated Loan Agreement dated June 1, 2012, relating to the \$8,600,000 Palm Beach County, Florida Amended and Restated Tax-Exempt Adjustable Mode Revenue Bonds (Caron Foundation of Florida, Inc. Project) Series 2008 (the "Bonds"). **SUMMARY:** Sometime after the closing on the Bonds, a First Supplemental Amended and Restated Loan Agreement related to the Bonds had to be executed. This document has been executed by the parties and should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$85,000 in the personal injury action styled John Napier vs. Palm Beach County, Case No. 502012CA007767XXXMB AO. **SUMMARY:** On September 19, 2011, Mr. Napier was struck by a Palm Tran bus that ran a red light. As a result of the impact, Plaintiff had to be extricated from his truck with the "jaws of life" after which he was transported by ambulance to St. Mary's Hospital for emergency treatment. Mr. Napier followed up with a neurosurgeon, orthopedic surgeon, and a chiropractor. He sustained herniated discs in his neck at five levels and in his back at three levels. His orthopedic surgeon opined that the multilevel nature of his injuries render him incurable, even with operative intervention. He was left with a 20% permanent impairment and now requires a cane to walk. His neurosurgeon opined that Mr. Napier is at increased risk for spinal cord injury and paralysis. He is still receiving active treatment from his chiropractor. Medical bills to date total \$51,974, and there is an outstanding \$3,878 lien. Staff, including the Risk Management Roundtable Committee, concurs that this settlement is in the best interest of Palm Beach County. Countywide (SCL)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Contract for Provision of Services with the Jerome Golden Center for Behavioral Health, Inc., for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$73,318, for services to homeless individuals. **SUMMARY:** The Jerome Golden Center for Behavioral Health, Inc. (Golden Center) will provide supportive services through the Homeless Assertive Community Treatment Team to include case management, employment counseling, medication management, benefits counseling, peer counseling and group counseling. These services will be provided to homeless individuals who are severely mentally ill or dually diagnosed and have been placed in permanent housing through the Housing and Urban Development Shelter Plus Care grant programs. A total of \$73,318 in County funds is included in the proposed FY 2013 budget. County obligations under this Contract are subject to budget approval. Thomas McKissack of the Golden Center is a member of the Palm Beach County HIV Care Council. This Board provides no regulation, oversight, management, or policy-setting recommendations regarding the Homeless Assertive Community Treatment Team activities funded by this Contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (Human Services) Countywide (TKF)
2. Staff recommends motion to approve: Contract for Provision of Services with Gulfstream Goodwill Industries, Inc., for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$34,005, for Supportive Services to homeless persons. **SUMMARY:** Gulfstream Goodwill Industries, Inc. will provide case management services to 30 homeless individuals through the Transitional Housing Program, Project SUCCESS (Start Ultimate Challenge, Choose Empowerment, Self Sufficiency). Case management services are a vital link to meet the needs of the homeless individual to overcome the numerous barriers that have led to their homelessness. A total of \$34,005 in County funds is included in the proposed FY 2013 budget. County obligations under this Contract are subject to budget approval. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve:

A) Contract for Provision of Services with the Jerome Golden Center for Behavioral Health, Inc. for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$42,330, for support services to homeless individuals; and

B) Contract for Provision of Services with Comprehensive Alcoholism Rehabilitation Programs, Inc. for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$42,330, for support services to homeless individuals.

SUMMARY: The Jerome Golden Center for Behavioral Health, Inc. (Golden Center) and Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) provide staffing on the Homeless Outreach Teams related to mental health and substance abuse assessments. Separate contracts are provided for these two agencies. Each contract will receive \$42,330. A total of \$84,660 in County funds is included in the proposed FY 2013 budget. County obligations under this Contract are subject to budget approval. Thomas McKissack of the Golden Center is a member of the Palm Beach County HIV Care Council. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding the activities funded by this Contract. (Human Services) Countywide (TKF)

4. Staff recommends motion to:

A) receive and file the Florida Department of Education Project Award Notification No Cost Extension Letter, extending the period end date to June 30, 2013, to utilize the Program Year 2011 funds to allow registered participants to complete training;

B) receive and file the Florida Department of Education Project Award Notification Letter, for the period July 1, 2012, through June 30, 2013, in an amount not to exceed \$223,486, to provide academic education and vocational training to farm workers and their dependents; and

C) approve Budget Amendment of \$117,658 in the Farmworker Jobs & Education Program Fund to reconcile the grant budget.

SUMMARY: The Florida Department of Education Project Award Notification Letters were received on July 19, 2012. The No Cost Extension Award Letter extends the Program Year 2011 end date to June 30, 2013 to provide tuition and related assistance to carry over participants. All other terms of the Program Year 2011 Project, including the funding amount of \$268,486, remain the same. The Program Year 2012 Award Letter provides for academic education and vocational training to farm workers and their dependents. No County funds are required. (Farmworker Jobs & Education Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to ratify: the signature of the Chair on a proposal submitted to the U.S. Department of Health and Human Services (HHS) in response to a 2012 HHS Partnership to Demonstrate the Effectiveness of Supportive Housing for Families in the Child Welfare System Grant Application, for a five-year period, in the amount of \$4,999,995. **SUMMARY:** This proposal to serve local homeless families will pair 50 supportive housing units with individualized wrap-around sets of social services, proven effective through evidence based research, county expertise and local data findings to strengthen our most fragile families and effectively avert foster care placements. The County through the Department of Community Services Human Services Division will serve as the Grant Administrator and Fiscal Agent. Adopt-A-Family, Inc., as a partner at the Homeless Resource Center, will serve as the Lead Provider and will subcontract with community agencies to provide additional support services. No County funds are required and the County will receive up to \$149,999 over the five (5) years for administrative costs. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. (Human Services) Countywide (TKF)
6. Staff recommends motion to ratify: the signature of the Chair on the Refunding Grant Application with the U.S. Department of Health and Human Services, for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$17,332,712 for the Head Start/Early Head Start Programs. **SUMMARY:** The FY 2012-2013 Full Day/Full Year Head Start/Early Head Start Program will provide comprehensive child development services to 2,296 children and their families in Palm Beach County. Sufficient funding is included in the proposed FY 2013 budget to meet County obligations. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. (Head Start) Countywide (TKF)

Total Request	\$17,332,712
Required Match	\$ 4,333,178
*County \$3,878,214	
*CSC \$ 454,964	
Additional County Match	\$ 3,590,653
Other Revenue Sources	\$ 30,000
Total Budget	\$25,286,543

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to:

A) receive and file Notice of Award from the U.S. Department of Health and Human Services, for the period October 1, 2011, through September 30, 2012, in an amount not to exceed \$17,332,712; and

B) ratify the signature of the Chair on the FY 2012 Head Start/Early Head Start Cost of Living Adjustment (COLA) Application with the U.S. Department of Health and Human Services, for the period October 1, 2011, through September 30, 2012, in an amount not to exceed \$122,773, for a permanent Cost of Living Adjustment (COLA) increase; and

C) approve Budget Amendment of \$84,604 in the Head Start Fund to reconcile the grant budget with the actual grant award.

SUMMARY: This COLA increase will be used to pay for higher operating costs for the grantee and to increase staff salaries and fringe benefits for the delegates. This increase will be funded with \$122,773 in Federal funds and \$30,694 in County funds. Sufficient funding is included in the current budget to meet County obligations. The Budget Amendment is aligning the County budget with the Notice of Award. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. (Head Start) Countywide (TKF)

8. Staff recommends motion to approve:

A) Memorandum of Agreement with the Children's Services Council of Palm Beach County, for the period October 1, 2011, through September 30, 2012, in an amount not to exceed \$55,000 to support Head Start professional development training through Palm Beach State College Institute of Excellence in Early Care and Education SEEK Scholarship program; and

B) Memorandum of Agreement with the Children's Services Council of Palm Beach County, for the period of October 1, 2011, through September 30, 2012, in an amount not to exceed \$54,000, to support a Career Advisor position to assist Head Start practitioners in continuing professional development training through the Palm Beach State College Institute of Excellence in Early Care and Education professional development program.

SUMMARY: The Division of Head Start has received funds from the U.S. Department of Health and Human Services (HHS) to provide professional development training. As a result, Head Start is contracting with the Children's Services Council of Palm Beach County to provide services through Palm Beach State College for Head Start classroom staff and supervisors. This is the second year of this successful partnership. The agreements provide enhanced training and professional development opportunities for Head Start staff and are funded through a combination of Federal grant and County funds. Sufficient funding is included in the current budget to meet County obligations. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. Staff recommends motion to receive and file: fully executed Modification No. 002 to the Community Services Block Grant (R2012-0931) with the State of Florida Department of Economic Opportunity for the period October 1, 2011, to September 30, 2012, increasing the grant by \$119,407 for a new amount not to exceed \$1,267,374, for self-sufficiency services to low income families. **SUMMARY:** This fully executed Modification is being submitted as a Receive and File agenda item due to adjustments being made to the budget documents after Board approval on June 19, 2012. The Grantor made adjustments to Modified Attachment B-2, Modified Attachment B-4 and Modified Attachment C; however, these adjustments did not affect the overall grant award nor change the County match requirement. (Community Action Program) Countywide (TKF)

10. Staff recommends motion to approve: downward Budget Amendment of \$36,603 in the Human Services Division General Fund to align the budget with the actual grant award. **SUMMARY:** Palm Beach County was awarded \$63,397 for a one-year non-recurring Homeless Challenge Grant from the State of Florida Department of Children and Families. Contracts with Coalition for Independent Living Options, Inc., Adopt-A-Family of the Palm Beaches, Inc., and Faith-Hope-Love-Charity, Inc. were awarded to provide service delivery to homeless individuals. The grant agreement and contracts were approved by the Board on February 7, 2012 (R2012-0233). The Budget Amendment is aligning the County budget with the actual grant award. No County funds are required. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

11. Staff recommends motion to approve:

A) Child Care Food Program (CCFP) Budget for Sponsors of Multiple Sites, with the State of Florida Department of Health (DOH), for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$1,159,287, for catered meals served to Head Start/Early Head Start children;

B) CCFP Annual Information Update and Certification for Sponsors of Affiliated Child Care Centers;

C) Delegation of Signing Authority for the CCFP, authorizing the Department of Community Services Director to sign program documents required by the State of Florida Department of Health (DOH); and

D) Principal Attestation Statement Regarding Business Integrity and Publicly-Funded Programs.

SUMMARY: The Head Start/Early Head Start (HS/EHS) Program will participate in the Fiscal Year (FY) 2012-2013 CCFP by providing 1,010 infants, toddlers and children with breakfast, lunch, and a snack each day. Due to the Healthy, Hunger-Free Kids Act of 2010 (Act), there will no longer be an annual CCFP contract renewal process. The Act requires sponsors to submit an initial application for a permanent contract and periodically update the information in lieu of submitting a new application yearly. A permanent contract was approved by the Board on September 13, 2011 (R2011-1311). The Budget for Sponsors of Multiple Sites form is determined utilizing the Projected Earnings Worksheet provided by the DOH. HS/EHS staff projects reimbursements for FY 2013 to be \$911,000 in State funds matched with \$248,287 in County funds. The Annual Information Update and Certification form is a requirement of the Act and necessary to update any previously submitted CCFP forms. The Delegation of Signing Authority form will allow a representative, other than the Chair, to sign any additional forms from the DOH during the contract period. The Principal Attestation Statement form is signed by all Principals in publicly-funded programs to assure that violation of program requirements or business integrity has not occurred during the past seven (7) years. Sufficient funding is included in the proposed FY2013 budget to meet County obligations. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

12. Staff recommends motion to approve: Delegate Agency Amendments to the FY 2012 Delegate Agency Agreements, for the period October 1, 2011, through September 30, 2012, for a permanent Cost of Living Adjustment (COLA) increase:

A) Amendment No. 001 to Florence Fuller Child Development Centers, Inc. (R2011-1899) for \$4,159 for a new total amount not to exceed \$1,009,878;

B) Amendment No. 001 to Hispanic Human Resources Council, Inc. (R2011-1892) for \$6,957 for a new total amount not to exceed \$1,689,604; and

C) Amendment No. 001 to The Young Women's Christian Association of Palm Beach County, Florida, Inc., (R2011-1891) for \$2,239 for a new total amount not to exceed \$543,871.

SUMMARY: The Delegates will utilize the COLA award to increase salary and fringe benefits as submitted in the funding application and contingent upon approval by the Region IV Office of Head Start and the grantee. County obligations under this agreement are subject to receipt of Notice of Award. No County funds are required. (Head Start) Countywide (TKF)

13. Staff recommends motion to approve: Amendment No. 01 to the Contract for Provision of Financial Assistance with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (R2012-0425) to revise Exhibit A – Scope of Work to reflect new funding allocations between the different funding sources. **SUMMARY:** Palm Beach County through the Financially Assisted Agencies Program (FAA) contracts with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for match funds necessary to leverage federal and state grant dollars. Two (2) of the four (4) programs that originally received funding have been modified. The AmeriCorps funding ended on March 31, 2012, and was not renewed and the Retired and Senior Volunteer Program (RSVP) funding was reduced which requires a reduced match amount. AAA would like to move \$40,169 allocated to those two (2) programs to the Older Americans Act IIIB funding line. This does not reflect a change in the overall funding. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

A) Construct Taxiway L at Palm Beach International Airport, Fin. Proj. No.: 420373-1-94-01 approved by the Board on October 16, 2007 (R2007-1794) is hereby extended until December 31, 2013;

B) Taxiway M Rehab at North Palm Beach County General Aviation Airport, Fin. Proj. No.: 427903-1-94-01 approved by the Board on June 29, 2010 (R2010-1009 and R2010-1010) is hereby extended until December 31, 2013;

C) Security Enhancements & Improvements at Palm Beach International Airport, Fin. Proj. No.: 427911-1-94-01 approved by the Board on June 29, 2010 (R2010-1013 and R2010-1014) is hereby extended until December 31, 2012;

D) Construct Apron, Taxilanes & Infrastructure at North Palm Beach County General Aviation Airport, Fin. Proj. No.: 427912-1-94-01 approved by the Board on June 29, 2010 (R2010-1003 and R2010-1004) is hereby extended until December 31, 2013;

E) Parking Garage Rehab & Repair at Palm Beach International Airport, Fin. Proj. No.: 427913-1-94-01 approved by the Board on June 29, 2010 (R2010-1005 and R2010-1006) is hereby extended until December 31, 2013;

F) Air Cargo Apron Expansion & Rehab at Palm Beach International Airport, Fin. Proj. No.: 427914-1-94-01 approved by the Board on June 29, 2010 (R2010-1011 and R2010-1012) is hereby extended until December 31, 2013;

G) Southside Hangar Development & Infrastructure at Palm Beach County Park Airport, Fin. Proj. No.: 427915-1-94-01 approved by the Board on June 29, 2010 (R2010-1001 and R2010-1002) is hereby extended until December 31, 2013; and

H) Construct Taxiway C4 & Shoulders at Palm Beach International Airport, Fin. Proj. No.: 427916-1-94-01 approved by the Board on June 29, 2010 (R2010-1007 and R2010-1008) is hereby extended until March 31, 2013.

SUMMARY: Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

2. **Staff recommends motion to delegate:** authority to the County Administrator or his designee to accept and approve a Google Online Agreement with Google, Inc. to collect location information for work associated with Google Indoor Maps at Palm Beach International Airport (PBIA). **SUMMARY:** The Department of Airports (Department) would like to bring Google Indoor Maps to PBIA to assist passengers traveling at PBIA. Several airports in the United States are already participating in this new program which uses WiFi (wireless Internet signals) inside a building which detects where you are and what's around you. This indoor mapping program will guide travelers around the terminal to find public areas such as stores and restaurants (by name), locating restrooms, ticket counters, escalators, exits and emergency defibrillators. It does not show secure areas of the airport not open to the public such as ramps or baggage handling areas. The Department is requesting approval of the delegation of authority to the County Administrator or his designee to accept and approve the Google Online Agreement with Google, Inc. for PBIA at no cost. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. **Staff recommends motion to approve:** a list of twelve (12) charitable organizations to benefit from the proceeds (coins) from the fountain at Palm Beach International Airport during the period October 1, 2012, through September 30, 2013. **SUMMARY:** On March 14, 1989, the Board approved the concept of collecting contributions from the Airport's fountain on a monthly basis and contributing the funds to a different charitable organization recommended by the Community Services Department and approved by the Board. The Department of Airports recommends the non-profit organizations listed on Attachment "A" (to the Agenda Item) provided by the Community Services Department to receive contributions for the forthcoming fiscal year, commencing October 1, 2012. Average monthly contributions for the past year have been approximately \$50. In addition, the list will be provided to Paradies-Palm Beach, LLC., the Airport's retail concessionaire, who will send the contribution from the fountain in its gift shop areas along with an additional contribution of \$250 to the recommended recipients pursuant to its concession agreement. Countywide (AH)

4. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting an Airport Concession Disadvantaged Business Enterprise Program (ACDBE) for the Department of Airports (Department); authorizing the County Administrator or his designee to execute the ACDBE Program Policy Statement, to transmit the ACDBE Program to the Federal Aviation Administration (FAA) for approval and to make certain adjustments to the ACDBE Program; repealing prior resolutions to the extent of any conflict; and providing for an effective date. **SUMMARY:** The County, as an airport sponsor receiving Airport Improvement Program grant funding, is required to adopt and implement an ACDBE Program for the Department pursuant to 49 CFR Part 23. The U.S. Department of Transportation recently adopted rules modifying several of the provisions of 49 CFR Part 23. This Resolution adopts an updated ACDBE Program for the Department and authorizes the County Administrator or his designee to execute the ACDBE Program Policy Statement and transmit the ACDBE Program to the FAA for approval. This Resolution also authorizes the County Administrator or his designee to make adjustments to the ACDBE Program from time to time to ensure compliance with 49 CFR Part 23; document changes in County or Departmental procedures or policies; or as otherwise required or recommended by the FAA, the Unified Certification Program for the State of Florida, or applicable federal regulations, policies, guidance documents, or orders. Any changes to the ACDBE Program shall be filed in the Minutes of the Clerk of the Board and be subject to approval by the FAA as provided in 49 CFR Part 23. Countywide (AH)

5. **Staff recommends motion to receive and file:** Off-Airport Parking Lot Operator Ground Transportation Permit with AmeriPark, LLC, d/b/a AirValet commencing July 18, 2012, terminating September 30, 2012, automatically renewed on yearly basis (October 1st through September 30th). **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2010-1107. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to receive and file: License Agreement with DTG Operations, Inc. (DTG) commencing July 1, 2012 and expiring July 7, 2012, for the parking of vehicles in connection with DTG's rental car operation at the Palm Beach International Airport (PBIA), for payment of a license fee in the amount of \$677. The License Agreement may be renewed for one week intervals at the rate of \$677 per week, provided that there shall be no renewal beyond September 30, 2012. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. This License Agreement provides for the use of approximately 40,000 square feet of overflow parking area nearby the DTG rental car facility at PBIA, for use solely for the parking of vehicles in connection with DTG's rental car operation at PBIA. Countywide (AH)

7. Staff recommends motion to approve: the Professional Services Agreement with Corgan Associates, Inc. in the amount of \$1,491,800 for the performance of professional planning and design services related to the Baggage Handling System (BHS) Improvements at Palm Beach International Airport (PBIA). **SUMMARY:** In order to carry out the BHS Improvements project at PBIA, the Department of Airports requires professional design and engineering services. In accordance with Florida Statutes 287.055 and the Federal Aviation Administration's Advisory Circular 150/5100-14 (current edition), Corgan Associates, Inc. was competitively selected to provide these services. This Agreement, in the amount of \$1,491,800, will provide the Department of Airports with the needed professional services to implement this approved Capital Improvement Project. Corgan Associates, Inc. is a Dallas, Texas based firm, however, the work will be completed in conjunction with two (2) Palm Beach County subconsultants and firms. The services performed during the term of this contract will be eligible for State and Federal grant participation; as such, the proposed fee for these tasks has been verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (Ricondo & Associates, Inc.). A Disadvantaged Business Enterprise (DBE) goal of 12% was set for this contract. The DBE participation for this contract is 18%, which exceeds the established goal. Countywide (JCM)

8. Staff recommends motion to:
 - A) adopt** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$500,000 for Wetland Mitigation at North Palm Beach County General Aviation Airport (F45); and
 - B) approve** a Budget Amendment of \$1,000,000 in the Airport's Improvement and Development Fund to provide for new capital expenditures; the receipt of \$500,000 of grant funding from the FDOT, and local funding of \$500,000 from Airport Reserves.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$500,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$2,300,000 to rehabilitate Itinerant Apron at Palm Beach County Park Airport (LNA); and

B) approve a Budget Amendment of \$2,875,000 in the Airport's Improvement and Development Fund to provide for new capital expenditures; the receipt of \$2,300,000 of grant funding from the FDOT, and local funding of \$575,000 from Airport Reserves.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$2,300,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

10. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$420,000 for rehab Runway 3/21 and Runway 9/27 Intersection and miscellaneous airfield pavement repairs at Palm Beach County Park Airport (LNA); and

B) approve a Budget Amendment of \$525,000 in the Airport's Improvement and Development Fund to provide for new capital expenditures; the receipt of \$420,000 of grant funding from the FDOT; and local funding of \$105,000 from Airport Reserves.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$420,000 or 80.00% of the eligible project costs, whichever is less. Countywide (AH)

11. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$3,150,000 for Golfview Apron, Taxilanes/Taxiway, infrastructure at Palm Beach International Airport (PBIA);

B) approve a Budget Amendment of \$300,000 in the Airport's Improvement and Development Fund to increase the total project cost to \$6,300,000 and increase FDOT grant revenue by \$150,000 to \$3,150,000; and

C) approve a Budget Transfer of \$150,000 in the Airport's Passenger Facility Charge Fund to increase the total revenue to \$3,150,000.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$3,150,000 or 50.00% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

12. Staff recommends motion to:

A) adopt a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) increasing the original FDOT funding share by an additional \$280,000 and revising the total cost of the project to construct hangars at North Palm Beach County General Aviation Airport; and

B) approve a Budget Amendment of \$350,000 in the Airport's Improvement and Development Fund to increase the total project to \$967,690 and increase FDOT grant revenue by \$280,000 to \$774,152. Also included is \$70,000 of local funding from Airport Reserves.

SUMMARY: On August 16, 2011, the Board of County Commissioners adopted a Resolution (R2011-1157) approving a Joint Participation Agreement (JPA) with the FDOT in the amount of \$494,152 or 80.00% of the eligible project costs, whichever is less, to construct hangars at North Palm Beach County General Aviation Airport. The FDOT has issued SJPA Number 1 increasing the original funding share by an additional \$280,000 for a revised FDOT participation of \$774,152. Per paragraph 3.00 of the original JPA, the total estimated cost of the project is \$617,690. SJPA Number 1 increases the total cost of the project by an additional \$350,000 bringing the revised total cost of the project to \$967,690. The County's local share will be \$193,538 of the project cost. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) a Budget Amendment of \$20,000 in Public Building Improvement Fund to establish a project for Early Head Start - Delray Beach Village Academy; and

B) a Budget Transfer of \$20,000 from the General Fund, Facilities & Development Operations Department to Public Building Improvement Fund to establish the budget for Early Head Start - Delray Beach Village Academy.

SUMMARY: The County and the School Board have been working to integrate Head Start sites (including early Head Start) into schools to advance the School Board's objective of increasing early childhood programs while allowing the County to identify new locations for Head Start classrooms. This partnership will serve children in the elementary school that will most likely attend providing services from 0- 5 years and transition to same facility for grades K-12. The Delray Beach Early Head Start Program currently serves 16 children from the ages of 1 – 36 months. Since 2002 the County has leased a building and surrounding land for the Early Head Start program. Head Start Division is finalizing a contract with the School Board to expand the current Head Start child care services at the Village Academy to include Early Head Start child care services at which time the Lease will be terminated and the Early Head Start child care services contracted to the School Board. The School Board is anticipating commencing the EHS Contract services by March 31, 2013, via a contract to be presented to the Board at a later date. That EHS Contract will require the County to fund improvements and equipment necessary to modify the Village Academy to accommodate Early Head Start. The \$20,000 in operating funds is a result of deferred or un-needed maintenance at the Lease Premises and other Head Start facilities in FY 12 and the budget amendment will establish a capital project which will ultimately be used to fund the County's capital obligations in the future EHS Contract. (FDO Admin) Countywide/District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** a Contract with M.A.C. Construction, Inc. in the amount of \$891,000 to provide replacement bus lifts at the Palm Tran North and South Maintenance Facilities in West Palm Beach and Delray Beach. **SUMMARY:** The existing bus lifts are frequently out of service due to a variety of problems with parts. The original manufacturer is out of business and no new replacement parts are available. The work consists of replacing the complete lift machinery for two of the existing in-ground bus lifts for Palm Tran North and three of the existing in-ground bus lifts for Palm Tran South. This project is fully funded by a grant from the U.S. Department of Transportation, Federal Transit Administration (FTA) and governed by the provisions listed under the Master Grant Agreement FTA MA (17) dated October 1, 2010. Davis Bacon requirements including a Disadvantaged Business Enterprise (DBE) goal of 10%, and prevailing wage provisions shall apply to this Contract. M.A.C. Construction, Inc. has included DBE participation of 10%. The total construction duration is 150 days. M.A.C. Construction, Inc. is a Palm Beach County company. (Capital Improvements) District 7 (JM)

3. **Staff recommends motion to approve:** Assignment of contract with MPA Architects, Inc. (R2011-0122) for architectural services on a Continuing Contract Basis. **SUMMARY:** On February 1, 2011, the Board entered into a contract with MPA Architects, Inc. for architectural services on a continuing contract basis. MPA Architects, Inc. has advised the County that they have ceased operations on August 20, 2012, and the MPA principals will be joining another local architectural firm, Tercilla, Courtemanche Architects, Inc. Tercilla, Courtemanche Architects, Inc. has offered to assume all of the contractual requirements of MPA Architects including any future projects assigned to the Architectural Continuing Services Contract and will complete the open MPA projects. Staff has reviewed the request and as Tercilla, Courtemanche Architects, Inc. has the proper license and insurance, staff recommends assigning the MPA Architects, Inc. contract to Tercilla, Courtemanche, Inc., so as to not delay completion or interrupt continuity of the current projects. (Capital Improvements Division) Countywide (JM)

4. **Staff recommends motion to approve:** an Interlocal Agreement with the City of Greenacres (City) for the provision of radio maintenance services. **SUMMARY:** This Agreement provides for the provision of radio equipment (subscriber units and consoles) maintenance services to the City by Facilities Development & Operations and Electronic Services & Security Division (FDO/ESS). The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must out-source the labor, a separate labor rate is provided. The maintenance costs for the radio consoles is provided on a lump sum basis pursuant to the County's Master Service Agreement with Motorola. The maintenance cost for the radio consoles for FY 2013 is \$7,423.32. The rates may be adjusted annually with notification by June 1 (effective the following October 1) at the County's sole discretion, but in no event shall the City's fee schedule exceed the fee schedule applied to County departments. The term of the Agreement is for three (3) years commencing on September 11, 2012, with one (1) renewal option for a period of three (3) years. The Agreement may be terminated by either party, with or without cause with a minimum of three (3) months notice. The County has been providing radio equipment maintenance services to the City since October 1, 2006. (ESS) District 2/Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: a Declaration of Perpetual Traffic Signal Easement in favor of the County for mast arm traffic signals located on a portion of John Prince Park and Lantana Airport properties in Lake Worth. **SUMMARY:** Engineering is upgrading the traffic signal at the intersection of John F. Kennedy Drive and Congress Avenue in Lake Worth with mast arm traffic signals. Due to underground utility constraints, the mast arms on the east side of this intersection will be located on parts of both Airports and Parks and Recreation property, rather than in the right-of-way. Located at this intersection is a service entrance road to County buildings used by Parks. The Declaration of Easement encumbers three easement areas totaling 1398 square feet (0.03 acres) and provides for the maintenance thereof. The Declaration of Perpetual Traffic Signal Easement will be recorded to provide public notice of the existence and location of traffic signal improvements on County property. (PREM) District 3 (HJF)

6. Staff recommends motion to receive and file: a termination of the Sublease and Fuel Provision Agreement between Palm Beach County and the City of West Palm Beach (R2006-2005), as amended, for the City's use of a portion of the Palm Beach County Sheriff's Office Aviation Unit Facility at Palm Beach International Airport. **SUMMARY:** On September 12, 2006, the City entered into the Sublease and Fuel Provision Agreement (Sublease Agreement) with the County to occupy a portion of the PBSO Aviation Unit Facility in the southwest corner of PBIA. On September 9, 2008, the Board approved Amendment No. 1 to the Agreement (R2008-1481) that documented changes to the scope of work for the construction of the Aviation Unit Facility. In a July 16, 2012, letter from the City, the City informed the County of their intent to vacate and surrender the sublet Premises; accordingly, the Sublease Agreement is now to be considered terminated. (PREM) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: four (4) Agreements and six (6) Amendments to Agreements, as follows:

- A) Agreement with the City of Riviera Beach under the 2005 Disaster Recovery Initiative Program (DRI2);
- B) Agreement with the City of Delray Beach under the 2005 Disaster Recovery Initiative Program - Supplemental Appropriation (DRI3);
- C) Agreement with the West Palm Beach Housing Authority under the 2008 Disaster Recovery Initiative Program (DRI4);
- D) Agreement with the City of Riviera Beach under Neighborhood Stabilization Program (NSP1);
- E) Amendment No. 002 to the Agreement (R2011-0616) with the Boca Raton Housing Authority under DRI3;
- F) Amendment No. 002 to the Agreement (R2011-0618) with the Boca Raton Housing Authority under DRI3;
- G) Amendment No. 002 to the Agreement (R2011-0623) with the Palm Beach County Housing Authority under DRI3;
- H) Amendment No. 001 to the Agreement (R2011-1795) with the Town of Jupiter under DRI4;
- I) Amendment No. 001 to the Agreement (R2011-1796) with the West Palm Beach Housing Authority under DRI4; and
- J) Amendment No. 005 to the Agreement (R2010-1036) with the Village of Wellington under NSP1.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Agreements and Amendments have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator, or designee, in accordance with Agenda Items R2006-1351, R2007-1524, R2009-1677, and R2011-1384, approved by the Board on July 18, 2006, September 11, 2007, October 6, 2009, and September 13, 2011, respectively. The Agreements and Amendments are now being submitted to the Board to receive and file. **These are Federal DRI2, DRI3, DRI4 and NSP1 funds which require no local match.** (DES Contract Development) Districts 1, 2, 4, 6 and 7 (TKF)

2. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2011-2040) with The Salvation Army to increase the grant amount from \$30,000 to \$35,787.29. **SUMMARY:** On December 20, 2011, the Board of County Commissioners approved an Agreement (R2011-2040) which allocated \$25,000 in Emergency Shelter Grant Program (ESGP) funds to The Salvation Army. These funds were allocated for operating costs of their Center of Hope facility, a transitional housing facility for homeless men located at 1577 North Military Trail, West Palm Beach. On June 19, 2012, the County approved Amendment No. 001 (R2012-0895) to the Agreement which allocated an additional \$5,000. Amendment No. 002 will add another \$5,787.29 to the grant amount for the purchase of bulk food for the homeless shelter. At their meeting of May 7, 2012, the Homeless Continuum of Care Grant Review Committee recommended that these funds be awarded to The Salvation Army. The additional \$5,787.29 is accumulated unused funds from several other agencies. **These are Federal ESGP funds for which the required local match will be provided by The Salvation Army.** (Strategic Planning) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2011-2016) with FoundCare, Inc. (FoundCare) to allow the Agency to seek reimbursement from the County for each client visit. **SUMMARY:** On December 20, 2011, the Board of County Commissioners approved an Agreement (R2011-2016) which allocated \$50,439 in Community Development Block Grant (CDBG) funds to FoundCare for the provision of health care services to uninsured low and moderate income clients. On June 19, 2012, the County approved Amendment No. 001 (R2011-2016) to the Agreement which allocated an additional \$22,400 to FoundCare bringing the total allocation to \$72,839. According to the Agreement, reimbursement can only be made once per client regardless of how often services are provided to the client. Amendment No. 002 allows reimbursement each time an eligible client receives health care services. **These are Federal CDBG funds which require no local match.** (DES Contract Development) Countywide (TKF)

4. Staff recommends motion to approve: a Consent for Sharon Battle, a relative of Palm Beach County employee Sheila Brown, to receive \$15,000 in State Housing Initiative Partnership (SHIP) funds under the Foreclosure Prevention Program as administered by the Department of Economic Sustainability (DES). **SUMMARY:** Sharon Battle, an unmarried woman, is an income eligible applicant who is seeking to receive \$15,000 in financial assistance to bring her mortgage current. She is the sister of Sheila Brown who has been employed with DES since December 2007. Ms. Battle is facing foreclosure as she is 24 months delinquent on her first mortgage with Bank Atlantic due to an unexpected loss of employment. Recently, she has regained permanent full-time employment with the City of Riviera Beach. On August 14, 2008, Ms. Battle received assistance through Palm Beach County's Purchase Assistance Program in the amount of \$45,000 which was secured by a second mortgage. Palm Beach County will secure the \$15,000 foreclosure prevention assistance to Ms. Battle with a third mortgage on her home. The existing second mortgage and proposed third mortgage require no repayment if Ms. Battle resides in the home as her principal place of residence. The second mortgage requires a residency period of 30 years and the third mortgage will require a residency period of five (5) years. During these residency periods, if Ms. Battle rents, sells, or otherwise conveys her home, she will be required to repay the County the entire amount of the mortgage on which she defaults. **These are State SHIP funds which require no local match.** (B&H) District 7 (TKF)

5. Staff recommends motion to adopt: a Resolution by the Board of County Commissioners of Palm Beach County, Florida, providing support in the form of in-kind services for the *Link Up 2012*® international trade event to be held October 10, 2012 in West Palm Beach, Florida, and approving use of the Palm Beach County Logo by Orbis Strategy Group in promotional and program materials produced for this event. **SUMMARY:** Orbis Strategy Group (Orbis) has organized *Link Up 2012*®, an international business event scheduled for October 10, 2012 in West Palm Beach. The event will provide a forum for Florida companies to introduce their businesses, products and services to foreign trade commissioners from nations all over the world and for those trade commissioners to promote their home countries, their products and industry opportunities. Foreign trade commissioners from 72 countries, having consulate offices located in Miami, Florida have been invited to participate in this event. Orbis is working in coordination with the Palm Beach County Convention & Visitors Bureau to plan presentations and functions in connection with the event. Additionally, Orbis has requested to use the County Logo in its promotional and program materials to convey Palm Beach County's support and participation in *Link Up 2012*®. **No County funding will be provided.** Countywide (DW)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

6. Staff recommends motion to adopt: a Resolution by the Board of County Commissioners (BCC) of Palm Beach County, Florida, authorizing the submittal of a New Market Tax Credit (NMTC) Program Application with Palm Beach County (PBC) as the Controlling Entity in the amount of \$40,000,000 to the United States Department of the Treasury (Treasury) Community Development Financial Institutions (CDFI) Fund; authorizing the acceptance of the funds awarded; authorizing the Department of Economic Sustainability (DES) to establish and manage the NMTC Loan Program; and authorizing the County Administrator or his designee to execute the required documents to implement the NMTC Loan Program and issue debt obligations pursuant thereto. **SUMMARY:** This Application will request an allocation of Federal funds totaling \$40,000,000 to stimulate private investment capital that in turn will facilitate economic and community development in low-income communities and create jobs in Palm Beach County. The NMTC Program draws investment capital by permitting individual and corporate investors to receive a tax credit totaling 39% against their Federal income tax in exchange for making equity investments in specialized financial institutions called Community Development Entities (CDE). The application requires that every Community Development Entity Applicant designate a Controlling Entity. The Controlling Entity Agreement with CDE (CIDC), approved on July 19, 2011 by the BCC, designates Palm Beach County as the Controlling Entity and non-member manager, providing Management Control and Management Voting Control over the CDE. The CDE will provide financing from a pool of investment funds in the form of loans to qualified businesses within Palm Beach County. Some examples of projects included in the application are the Convention Center Hotel, the Riviera Beach Public Market, four (4) projects in the Glades Community, one (1) project in Lake Worth, and two (2) in unincorporated Palm Beach County. The types of businesses range from mixed use projects, wholesale distributors, to retail and manufacturing. DES will receive an annual allocation of revenue to offset administrative costs over a seven (7) year period. The loan recipient will be responsible for paying the debt of the loan. **No County funds will be pledged to complete any project funded by the NMTC Program. These are Federal funds that do not require a match.** (DES Administration) Countywide (DW)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: executed Agreements received during the month of June, 2012:
- A) Standard Development Agreement with Margie L. Bellamy, Trust dated December 19, 1984, SDA No. 01-01224000 (District 2);
 - B) Standard Indemnity Agreement with Pina Residential, LLC; assignment of SDA No. 01-01161-000 (District 2); and
 - C) Amendment No. 1 to Agreement No. 4600002550 with South Florida Water Management (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 Standard Development Agreement, Indemnity Agreement and Amendment 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/Director of Purchasing in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file. (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** an Agreement with Mrs. Vivian D'Angio to fund the Claude D'Angio Internship in Chemistry within the Palm Beach County Water Utilities Department (PBCWUD). **SUMMARY:** Under the Agreement, Mrs. Vivian D'Angio (Donor) would pay an annual payment of \$14,000 to cover the cost of an intern to work up to 1000 hours per year in chemistry related work at PBCWUD. The intern must be a college student majoring in chemistry or related physical science or science education, and would be paid \$12 per hour, the remainder of the funding going to required payroll obligations. The Agreement is for one (1) year but may be extended by Donor by providing a written extension letter and payment of funding for the following year. Failure to execute the extension letter or submit the funding shall result in termination of the agreement. Failure of County to execute the extension letter shall result in termination of the agreement and in such case the County shall return the check to Donor with 10 days of receipt. Countywide (MJ)

3. **Staff recommends motion to approve:** Work Authorization No. 3 to the Contract for Water, Wastewater and Reclaimed Water Improvements Design-Build Services with Globaltech, Inc. (R2012-0159) for the Glades Utility Authority's (GUA) South Bay Repump Station improvements in the amount of \$290,022. **SUMMARY:** On January 24, 2012, the Palm Beach County Board of County Commissioners approved the Water Utilities Department Optimization and Improvements Design/Build Services Contract with Globaltech, Inc. for treatment plant and regional pump station projects. Palm Beach County Water Utilities Department is implementing this project under its Management & Operations Contract with the GUA. Funding for the project is from a Community Development Block Grant made available through the Department of Economic Sustainability (DES). This Work Authorization is a fixed price for new pumps, motors, electrical system and internal improvements for the South Bay Repump Station. 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 72.55% overall participation. The cumulative SBE participation, including this Work Authorization, is 76.08% overall. Globaltech is a Palm Beach County and Certified SBE Company. (WUD Project No. 12-030) District 6 (JM)

4. **Staff recommends motion to approve:** Work Authorization No. 5 to the Contract for Water, Wastewater and Reclaimed Water Improvements Design-Build Services with Globaltech, Inc. (R2012-0159) for Water Quality Monitoring System in the amount of \$399,844. **SUMMARY:** On January 24, 2012, the Palm Beach County Board of County Commissioners approved the Contract for Water, Wastewater and Reclaimed Water Improvements Design-Build Services with Globaltech, Inc. (R2012-0159). This Work Authorization provides for installation of a distribution monitoring system. 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 75.00% overall. This Authorization includes 97.58% overall participation. The cumulative SBE participation, including this Work Authorization, is 98.10% overall. Globaltech is a Palm Beach County and Certified SBE Company. (WUD Project No. 10-072) Districts 2, 3, 5 & 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to approve: Consultant Services Authorization No. 12 to the Electrical, Instrumentation and Telemetry Engineering/Professional Services Contract with Hillers Electrical Engineering, Inc. (R2011-0637) for the Water Treatment Plant No. 9 (WTP 9) Programmable Logic Controller (PLC) Programming in the amount not to exceed \$149,536.40. **SUMMARY:** On May 3, 2011, the Palm Beach County Board of County Commissioners approved the continuing Contract for Electrical, Instrumentation and Telemetry Consulting Services with Hillers Electrical Engineering, Inc. (R2011-0637) to obtain engineering/ professional service for utility related projects. The existing WTP 9 PLC's are becoming obsolete and are being upgraded to a newer version which is necessary to assure uninterrupted water treatment in the event of a PLC system failure. This Consultant Services Authorization will provide for re-programming of all plant functions controlled by the PLC's. The new PLC system will also improve operational efficiency through enhanced monitoring of electric power consumption. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Hillers Electrical Engineering, Inc. provides for SBE participation of 80% overall. This authorization includes 100% overall participation. The cumulative SBE participation, including this Consultant Services Authorization is 100% overall. Hillers Electrical Engineering, Inc. is a Palm Beach County and Certified SBE Company. (WUD Project No. 12-014) District 5 (JM)

6. 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 Contracting 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 Contracting 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 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 Contracting Services, LLC has 0% MBE and 0% WBE participation. While All Florida Contracting Services, LLC submitted the MBE/WBE Good Faith Efforts Form, it did not indicate that good faith efforts were undertaken. All Florida Contracting 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 Contracting 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)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Agreement Contract No. 018802 with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control reporting requirements performed by the Department of Environmental Resources Management, for the period October 1, 2012, through September 30, 2013 for an amount not to exceed \$18,500; and

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

SUMMARY: The Agreement provides Arthropod Control State Aid of up to \$18,500 in quarterly installments with monthly reporting requirements regarding mosquito control activities to the FDACS. The County is considered a contractor with the State and therefore no match is required. The FDACS Form 13617 Certified Budget must be delivered to Tallahassee by September 15, 2012. The signed agreement must be executed and returned not later than October 1, 2012. Countywide (SF)

2. Staff recommends motion to adopt: a Resolution requesting that the Florida Department of Environmental Protection (FDEP) support funding for shoreline protection projects within its Fiscal Year 2013/2014 Beach Erosion Control Assistance Program. **SUMMARY:** The County is requesting that the State appropriate \$270,000 for the Coral Cove Park Dune Restoration, \$2,525,609 for the Jupiter/Carlin Shore Protection Project, \$125,000 for the Juno Beach Shore Protection Project, \$79,890 for the Singer Island Shore Protection Project, \$390,000 for the Central Palm Beach County Comprehensive Erosion Control Project, \$648,750 for the South Lake Worth Inlet Management Plan, and \$1,894,200 for the Ocean Ridge Shore Protection Project. If the State Legislature approves funding for all of the projects, the County's matching share would be \$4,921,169. Districts 1, 4 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve Contract with InWater Research Group, Inc. (IRG), a not-for-profit corporation based in Martin County, in an amount not to exceed \$13,476.20 to continue Phase IV of an inwater sea turtle population assessment in Lake Worth Lagoon for one (1) year;

B) adopt a Resolution authorizing the Clerk to disburse \$50,000 from the Pollution Recovery Trust Fund (PRTF) for costs associated with monitoring of sea turtles in the Lake Worth Lagoon for this contract and continued monitoring as needed;

C) approve a Budget Transfer of \$50,000 within the PRTF from reserves for costs associated with sea turtle monitoring in Lake Worth Lagoon; and

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

SUMMARY: This study will continue work that began in 2005 to evaluate sea turtle populations in Lake Worth Lagoon. The Lake Worth Lagoon Management Plan recommends evaluating sea turtle populations as a means of evaluating the success of environmental restoration efforts. Field work will be conducted in 2012 and a report will summarize the findings. The Contract is funded by the Pollution Recovery Trust Fund. The Contract is effective upon execution by both parties and expires June 30, 2013. Districts 1, 2, 3, 4 & 7 (SF)

4. Staff recommends motion to approve: no-cost Change Order No. 1 to Annual Contract (R2012-0640) with The Vance Construction Co. (Vance) for the Palm Beach County Annual Artificial Reef and Breakwater Project No. 2012ERM01, revising the guarantee and bonding requirements. **SUMMARY:** The Board of County Commissioners approved two (2) annual construction Contracts for artificial reefs and breakwaters on May 1, 2012 with Vance (R2012-0640) as a primary contractor and Center Marine Contracting, LLC (R2012-0641) as a secondary contractor. Contract work is assigned by authorized work orders. ERM offers work to the secondary contractor only if Vance does not have available equipment or time to meet specific project requirements in a work order. Vance received (2) work orders and a third is pending. Vance's Small Business Enterprise (SBE) participation on three (3) work orders is 12.23%. Vance's SBE commitment on this annual Contract is 15.86%. Change Order No. 1 reduces the guarantee period from a year to one (1) month since reef construction tasks are easily verified upon completion. The change will allow a small company to bond concurrent projects, thereby accelerating project schedules and eliminating remobilization costs. Change Order No. 1 allows the County to process final payment on a work order within the time limits of a State grant, but requires that Vance maintain bonding for the total amount of active work orders. Countywide (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) receive and file six (6) original documents for the Department of Environmental Resources Management:

1) Task Assignment No. SE-180 to the Florida Fish and Wildlife Conservation Commission (FWC) Contract No. 11077 (R2011-1632) for contracted services to treat and control invasive exotic plants in the Palm Beach County Loxahatchee Slough Natural Area;

2) Amendment No.6 to the Florida Department of Environmental Protection (FDEP) Agreement No. LP6077 (R2006-0579) which changes the completion date of the Agreement from December 31, 2012, to December 31, 2013 and revises the Project Work Plan;

3) Task Assignment No. 4 to the Florida Department of Environmental Protection (FDEP) Grant Agreement S0485 (R2010-0095) for petroleum contamination site cleanup services on 171 petroleum contaminated sites;

4) Task Assignment No. 6 with the Florida Department of Environmental Protection (FDEP) Contract No. GC680 (R2007-0882) for contracted services related to Petroleum Storage Tank Compliance Verification Program in the amount of \$304,791.19 with a performance period of July1, 2012, through June 30, 2013;

5) Grant and Cooperative Agreement L11AC 20221 (R2011-1394) with the U.S. Bureau of Land Management (BLM) which recognizes an award of \$100,000 for the second year of a five year Agreement to enhance, restore, and monitor natural resources within the Jupiter Inlet Lighthouse Outstanding Natural Area (JILONA);

6) Modifications 3 and 4 to Contract No. 2002 724209070ZO (R2008-0402) with the U.S. Department of Agriculture (USDA) which provides a scheduling change for a prescribed burn, substitutes a prescribed burn with brush management, and deletes tree/shrub planting due to drought conditions in the Hypoluxo Natural Area; and

B) approve Budget Amendment of \$100,000 in the Natural Areas Fund to recognize the award for BLM Agreement (L11AC 20221) for JILONA.

SUMMARY: On October 18, 2011, the Board of County Commissioners approved FWC Contract FWC11077 (R2011-1632). Delegated authority to execute Task Assignments was provided at that time. Budget is the Natural Areas Fund included in FY 2013. On April 4, 2006, Board of County Commissioners approved Grant Agreement No. LP6077 (R2006-0579) with the FDEP. Delegated authority to execute Amendments was provided at that time. No fiscal impact associated with this item. On January 12, 2010, the Board of County Commissioners approved FDEP Grant Agreement SO485 (2010-0095) for contracted services related to the Pollutant Storage Tank Cleanup Program. Delegated authority to execute Task Assignments was provided at that time. Budget for FY12/FY13 is included in the Petroleum Storage Tank Fund. On June 5, 2007, the Board of County Commissioners approved FDEP Contract GC680 (2007-0882) for activities related to the Pollutant Storage Tank Compliance Verification Program. Delegated authority to execute Task Assignments was provided at that time. Budget for FY12/FY13 is included in the Petroleum Storage Tank Compliance Fund. On September 13, 2011, the Board of County Commissioners accepted Cooperative Agreement L11AC 20221 (R2011-1394) with BLM for the management of JILONA, for a five (5) year period commencing August 3, 2011. Delegated authority was provided at that time. A Budget Amendment is included for the Natural Areas Fund. On March 11, 2008, the Board of County Commissioners approved USDA Contract WHIP 2002 724209070ZO (R2008-0402). Delegated authority to execute modifications was provided at that time. No Fiscal impact associated with this item. Countywide (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: First Amendment to the Interlocal Agreement with the School Board of Palm Beach County (R2007-2031) for the delivery of transitional life skills to students with disabilities. **SUMMARY:** This Amendment provides for the addition of a second program location, Westgate Recreation Center; increases the number of students with disabilities from ten to twenty participating in the Project ACCESS (Assimilation to Community, Careers, Education and Self-Sufficiency) program; provides for the addition of one (1) certified teacher; clarifies the School Board and County's roles and responsibilities; and extends the term of the Agreement. Students receive daily living and vocational education from a certified School Board teacher and leisure and recreation skill development from Parks & Recreation Club Managers Association of America Therapeutic Recreation Complex and Westgate Recreation Center staff. Existing program staff and supplies will be utilized to facilitate this program resulting in no fiscal impact. Countywide (AH)

2. Staff recommends motion to approve: transfer of project management under Agreement R2007-1150 from the Boynton Woman's Club, Inc. to Boynton Beach Catering, Inc. **SUMMARY:** On July 10, 2007, the Board approved an Agreement with Boynton Woman's Club, Inc. for \$75,000 from the 25M GO Parks and Cultural Improvements Bond Fund to assist in funding of a roof replacement project. On July 2, 2012, Boynton Woman's Club, Inc. entered into a catering and building management agreement with Boynton Beach Catering, Inc. (a for profit corporation) for a term of 60 months from July 3, 2012, through June 30, 2017, with one five-year renewal option. Boynton Beach Catering, Inc. is responsible for all day to day operations and maintenance of the building, including scheduling of all events and paying all utilities and operational costs for materials, equipment and supplies. The Boynton Woman's Club will receive a percentage of the gross receipts from facility rentals. Members of the Boynton Woman's Club entered into this agreement in order to generate enough revenue to continue to keep the building open and available for its public purpose. In accordance with Section 4.05 of Agreement R2007-1150, Board approval of the transfer of project management is required and now requested. District 4 (PK)

3. Staff recommends motion to approve:
 - A) Budget Transfer of \$9,777 within the 2003 \$25 Million General Obligation Recreational & Cultural Facilities Bond from Westgate Recreation Center Renovation to Recreation Facility Improvements and Renovations; and
 - B) Budget Transfer of \$49,255 within the 2005 \$25 Million General Obligation Recreational & Cultural Facilities Bond from West Boynton Recreation Center Renovation to Recreation Facility Improvements and Renovations.

SUMMARY: These budget transfers will provide additional funding necessary to complete improvement and renovation projects at various recreational facilities. The Westgate Recreation Center Renovation project and the West Boynton Recreation Center Renovation project have been completed. These two (2) budget transfers will move the residual funding from these two (2) projects to the Recreation Facility Improvements and Renovations project. Countywide (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to receive and file: executed First Amendment to Independent Contractor Agreement received during the month of June:

Team Elite Athletic Management International, Inc. d/b/a FLA Aquatics, USA Swimming and U.S. Masters Swim Teams Coach, Aqua Crest Pool, for the period January 1, 2012, through June 30, 2012 (FLAAQUA13052801125303E).

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. This Independent Contractor Agreement Amendment has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and is now being submitted to the Board to receive and file. District 7 (AH)

5. Staff recommends motion to approve: Agreement with Center for Creative Education, Inc. (CCE) for the period of September 11, 2012, through March 10, 2014, in an amount not-to-exceed \$550,000 for funding of construction costs to the Center for Creative Education facility - Phase I. **SUMMARY:** On June 19, 2012, the Board approved a reallocation of funding for the CCE under the 2002 \$50 Million Recreation and Cultural Facilities Bond. The reallocation provides \$550,000 (\$250,000 from District 2 and \$300,000 from District 7) for construction costs at their West Palm Beach facility. This Agreement will provide funding to help offset costs for Phase I renovations to the CCE facility and allows for the reimbursement of eligible expenses incurred subsequent to March 1, 2012. Milestone deadlines for design and construction are required to be met in order for CCE to receive funding. Districts 2 & 7 (PK)

N. LIBRARY

1. Staff recommends motion to:

A) submit an Application to the Florida Department of State, Division of Library and Information Services, for State Aid to Libraries in an estimated amount of \$1,147,111 for FY 2013;

B) approve the associated Agreement for State Aid to Libraries; and

C) authorize the County Administrator or his designee to execute any other necessary forms and certifications.

SUMMARY: The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue has been included in the County Library's FY 2013 proposed budget. There is no match requirement for this grant. Countywide (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: First Amendment to Agreement (R2011-1642) between Palm Beach County and Housing Partnership, Inc. for continued funding of a part-time program assistant to conduct a nutrition program at Highland Elementary School. **SUMMARY:** On October 18, 2011, the County entered into an agreement (R2011-1642) with Housing Partnership, Inc. (HPI) which provided for HPI to provide funding to the County to support a part-time program assistant to conduct a nutrition program at Highland Elementary School. This Amendment extends the term of the Agreement an additional 35 weeks, and also provides that HPI will continue to fund a part-time program assistant to conduct the Bridges Nutritional Program at Highland Elementary School in amount not to exceed \$14,358. The program assistant is a fully grant funded position and will be eliminated when the grant term has expired. The funding shall consist of \$8,695 for salary plus \$1,148 for fringe benefits, \$115 for travel reimbursement, \$200 for Resource Library updated materials, \$200 for printing costs, and \$4,000 for food and supplies for food demonstrations, which shall be paid for by HPI to the County on a reimbursable basis. District 7 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:
 - A) **receive and file** an Amendment to the Memorandum of Understanding with the Department of Children and Families (DCF);
 - B) **approve** reinstating, extending the Contract (R2011-1410) with the Jerome Golden Center for Behavioral Health, Inc., a not-for-profit agency, from July 31, 2012, to March 28, 2014 and increasing the amount to \$238,820.46 for supportive housing for individuals with substance abuse or mental health issues leaving the jail; and
 - C) **approve** a downward Budget Amendment of \$143,777 to reconcile the budget with the reduced grant amount.

SUMMARY: The Jerome Golden Center for Behavioral Health, Inc., formerly known as the Oakwood Center of the Palm Beaches, Inc., received \$132,968 of the grant funds to provide supportive housing, mental health and substance abuse treatment services to dually-diagnosed repeat offenders. The grant funds from the DCF are for a three (3) year period that will expire in March 28, 2014. The extension of the contract to March 28, 2014 and the addition of \$105,852.46 for a total not to exceed \$238,820.46 will enable the program to be extended. The grantor agency funding calculation reduces the overall grant amount by the previous year's unexpended funds minus interest income. Countywide (PGE)
2. Staff recommends motion to receive and file: a Justice Assistance Grant (JAG) Program Local Solicitation Grant award from the Department of Justice (DOJ) for \$175,501 beginning October 1, 2011, through September 30, 2015 to fund criminal justice programs in the areas of ex-offender re-entry and drug court treatment. **SUMMARY:** Palm Beach County, through the Criminal Justice Commission (CJC), was successful in receiving a grant award of \$175,501 from the DOJ to allow for the continuation of the Public Defender Re-entry and Palm Beach County Adult Drug Court programs. No local match is required for the JAG program. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: the First Amendment to the Interlocal Agreement (R2012-0456) with the City of Riviera Beach to increase the amount by \$5,000 to \$56,000 for the period January 1, 2012, to September 30, 2012 to support the Civil Drug Court case management and substance abuse treatment. **SUMMARY:** The Board of County Commissioners approved an interlocal agreement with the City of Riviera Beach for the Civil Drug Court Program which provides case management services and contracts for residential and outpatient substance abuse services for indigent clients, court ordered to treatment (R2012-0456). We are requesting to add an additional \$5,000 for drug treatment due to an increase in demand. This will allow additional substance abuse treatment to be provided and enable county jail inmates to be released to obtain treatment. Countywide (PGE)

S. FIRE RESCUE

1. Staff recommends motion to approve: a Memorandum of Agreement with the Children's Services Council of Palm Beach County providing the County funding of up to \$50,000 for the Drowning Prevention Coalition for the period October 1, 2012, to September 30, 2013. **SUMMARY:** The Drowning Prevention Coalition program is managed by Palm Beach County Fire Rescue. However, the program is funded by multiple sources including the Children's Services Council (CSC) of Palm Beach County and the County's general fund. This Memorandum of Agreement provides the terms and conditions of the Children's Services Council of Palm Beach County's agreement to provide funding to the County of up to \$50,000 for the Drowning Prevention Coalition program. The additional funding of this program for FY 2013 is being provided from the County's general fund in the amount of \$150,000. Countywide (PK)
2. Staff recommends motion to approve: an Agreement with Bar Education, Inc., d/b/a Southeastern College, for clinical field experience for the period October 1, 2012, through September 30, 2015. **SUMMARY:** This Agreement allows Palm Beach County Fire Rescue to provide clinical field experience to Paramedic and EMT students of the Southeastern College. Paramedic and EMT students will respond with County paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. This clinical field experience is a component of the Paramedic and EMT training required for State certification, and will enhance the available job pool of qualified personnel. Countywide (SB)
3. Staff recommends motion to receive and file: five (5) fully executed Interlocal Agreements with Palm Beach State College (College) for the provision of professional development training services provided by the College to Palm Beach County Fire Rescue employees. **SUMMARY:** Five (5) Interlocal Agreements relating to the provision of fire rescue training and instructional services by the College to the County were executed by the Purchasing Director between October 31, 2011 and August 3, 2012, pursuant to the authority granted by Section 2-53(d), Palm Beach County Code. These five (5) fully executed agreements are being submitted as a receive and file agenda item for the Clerk's Office to note and receive in accordance with Section 163.01(11) F.S., which requires the filing of Interlocal agreements. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

4. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance, Automatic Aid, Dispatch and Fire Vehicle Maintenance and Repair Services with the Village of Tequesta (Village) for a ten (10) year period beginning October 1, 2012. **SUMMARY:** On April 5, 2005, the Board approved a ten year Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the Village of Tequesta (R2005-0685), as amended by the First Amendment (R2009-1593), to provide for a contractual commitment for dispatch services to the Village as part of the Countywide Common Dispatch program along with providing the mechanism for the Fire Chiefs to implement mutual assistance/automatic aid (closest unit response) plans. Pursuant to the First Amendment following the closing of County Station 11, the Village has been providing primary fire rescue response to four geographical areas in the County's service area since October 1, 2009, at a contract rate established by the First Amendment. The parties now mutually desire to terminate that agreement effective October 1, 2012 and enter into a new emergency services agreement to provide for mutual assistance, automatic aid, dispatch, and primary fire rescue response by the Village to certain County geographical areas, as well as fire vehicle maintenance and repair services by the County to Village fire-rescue apparatus. This Agreement will again authorize the parties' respective Fire Chiefs to enter into Letter(s) of Understanding to develop automatic aid/closest unit response plans and procedures. For the first year of this Agreement, the County shall pay \$184,000 to the Village payable in four (4) equal installments. Annual funding for each fiscal year thereafter shall be increased by 3% over the previous year's funding. As part of the consideration for the contract price for primary fire rescue response by the Village to certain geographical areas, the first \$70,000 of vehicle maintenance and repair services for each year of this Agreement shall be at no cost to the Village. District 1 (SB)

T. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2012/2013 budget for the Air Pollution Control Program. **SUMMARY:** This Resolution is required by the August 21, 1984, Agreement between the Board of County Commissioners and the Palm Beach County Health Department to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This program is solely supported by motor vehicle license registration fees. The proposed FY 2012/2013 budget for the Air Pollution Control Program from this funding source is \$900,000 which is a 6.25% decrease compared to the current year. This budget can be accommodated by future revenues and a surplus in the Air Pollution Control Trust Fund. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: Microsoft Enterprise Agreement with SHI International, Corp., pursuant to the State of Florida Term Contract number 252-001-09-1, to provide software assurance in the amount of \$476,684.13 per year, for a three (3) year period from October 1, 2012, to September 30, 2015. **SUMMARY:** The Microsoft Enterprise Agreement for software assurance provides the County with the right to the latest version of the software products purchased under the original Agreement. The County is requesting software assurance for the User Client Access Licenses which are necessary for users to access Active Directory, Exchange and SharePoint, and for various server software licenses previously purchased by the County. SHI International Corp. is not a Palm Beach County or a Florida-based business and is the only authorized reseller of Microsoft products in the State of Florida. Countywide (PFK)

2. Staff recommends motion to approve: a second extension, for a period of sixty (60) days, to the existing AT&T "Volume & Term Agreement" (R2009-1055). The first extension was approved by the Board on June 26, 2012 (R2012-0933). This will allow the County to continue receiving the current discounts (21%) and tariff rates as staff finalizes the terms and conditions of a new AT&T Agreement. **SUMMARY:** To obtain the best possible pricing, ISS has contracted with an outside firm to assist in negotiating a new Agreement with AT&T. Extensive evaluation is required to assess recent telecommunications offerings and to also plan for new technologies, such as the voice over IP (VoIP) telephone system. These efforts will extend the timeframe for negotiating the new agreement beyond the current contract end date of September 30, 2012. Countywide (PFK)

3. Staff recommends motion to approve: an Interlocal Agreement with Florida State University (FSU) to connect to the Palm Beach County (County) Regional Network at a net first year revenue of \$8,400 for the initial point of connection, for an initial term of one (1) year with automatic one-year renewals unless notice is given by either party. **SUMMARY:** FSU wishes to connect to the Palm Beach County Network in order to access their facility in West Palm Beach via the Florida LambdaRail. FSU is a founding member of the FLR network. This broadband connection will support the College of Motion Picture Arts and its association with Digital Domain. The County's Information Systems Services (ISS) Department will be responsible for providing these services. FSU agrees to reimburse the County for fiber optic cable construction costs estimated at \$9,000. 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. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

4. Staff recommends motion to:

A) approve the Interlocal Agreement with the Town of Palm Beach (Town) for document scanning services to be provided by Palm Beach County Information Systems Services (County) as part of a cost sharing initiative between the County and local municipalities; and

B) authorize the County Administrator or his designee, the ISS Director, to approve and execute Task Orders associated with these scanning services which have a value of less than \$50,000 per Task Order.

SUMMARY: The Town wishes to obtain document scanning services from the County to convert a backlog of paper documents in varying sizes to electronic images. The County will also be providing document preparation, indexing, DVD creation of digitized documents, quality assurance, and paper shredding services for this project. The Town has expressed an interest in the continued use of County scanning services to meet their document and records management requirements. The FY 2013 revenue to the County is estimated to be \$20,000. District 1 (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the following executed amendment to the Palm Beach County Rape Crisis Exam Center Contract No. COH8Z with the State of Florida, Department of Health for the period of July 1, 2012, through June 30, 2014. **SUMMARY:** The Division of Victim Services was awarded \$880,662 in recurring funding from the State of Florida, Department of Health, for the period of September 1, 2011, through June 30, 2014, to implement a sexual assault forensic exam facility in Palm Beach County. This is the first amendment to the contract, which deletes the requirement to print a hard copy of the Sexual Violence Data Registry report, and provides the option to submit monthly invoices, narrative reports and supporting documentation electronically. The amendment also clarifies technical language. Resolution 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 Palm Beach County Board of County Commissioners. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to receive and file:

A) the executed Amendment No. 01 to the Palm Beach County Victim Services and Rape Crisis Center's Contract with Emergency Specialists of Wellington (ESOW), LLC., decreasing the contract amount from \$122,792 to \$95,000 for the period of July 1, 2011, through June 30, 2012; and

B) the executed Amendment No. 02 to the Palm Beach County Victim Services and Rape Crisis Center's Contract with ESOW, LLC., increasing the contract amount from \$95,000 to \$98,536.65 for the period of July 1, 2011, through June 30, 2012.

SUMMARY: The Division of Victim Services was awarded \$880,662 in reoccurring funding from the State of Florida, Department of Health, for the period of September 1, 2011, through June 30, 2014, to implement a sexual assault forensic exam facility in Palm Beach County. A subcontract with ESOW provides a medical director, a Sexual Assault Nurse Examiner (SANE) Coordinator and a pool of SANE who work on a rotational stand-by basis to perform forensic rape exams for Victim Services. The first amendment to the contract decreased the contract amount from \$122,792 to \$95,000, due to ESOW projecting to not to expend the funds. The second amendment of the contract increased the contract amount by \$3,536.65 to make the contract amount not to exceed \$98,536.65. This increase was due to an unexpected increase in the number of rape exams performed requiring additional ESOW services. Resolution 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 Palm Beach County Board of County Commissioners. Countywide (PGE)

3. Staff recommends motion to:

A) approve contracts with the following Pre-doctoral Psychology Interns to complete a required 2000-hour internship that will provide the interns training and experience in family and youth counseling payable at \$11.50 per hour:

- 1) Karen Findon in the amount of \$23,000;
- 2) Mary Anne Belton in the amount of \$23,000;

B) approve the proposed contract as a standard contract template for pre-doctoral psychology interns which will allow the Youth Affairs Division to contract with individuals seeking training and experience in family and youth counseling to obtain state licensure; and

C) authorize the County Administrator, or his designee, to execute future pre-doctoral psychology intern contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: The Youth Affairs Division is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, etc. Doctoral programs require internships in order to meet degree and licensing requirements. The Division is offering its program as a location to obtain this training. The cost savings involved with this internship program is financially beneficial to the County. Each intern, at a minimum, is assigned and completes the workload equivalent to a Licensed Family Therapist. The hourly rate of a Licensed Family Therapist is \$22.44 versus the hourly intern rate of \$11.50. This provides the County with an approximate 49% savings per intern. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

BB. MEDICAL EXAMINER

1. Staff recommends motion to approve: a Contract with Rockledge HMA, LLC, d/b/a Wuesthoff Reference Laboratory to provide forensic toxicology and histology testing for the period July 1, 2012, through June 30, 2017 in an amount not to exceed \$1,125,000. **SUMMARY:** Wuesthoff Reference Laboratory contract includes a fee schedule with a comprehensive drug panel being completed for a flat rate of \$165 per case, instead of a separate fee for each test. A comprehensive drug panel is defined as the detection and quantitation of alcohols, carbon monoxide, and the drugs listed in Exhibit "B" to the contract in blood, urine and vitreous fluid from the submitted Medical Examiner case. This fee schedule has helped in reducing the funding needed to cover toxicology testing. Additional tests for drugs not included in the panel are done at the discretion of the Medical Examiner's Office and fees are separate, with a fee schedule attached (to the Agenda Item). Wuesthoff Reference Laboratory's costs include the cost of the pickup, delivery, storage and return and/or destruction of specimens. The type of services provided in the contract are exempt from the Purchasing Code. Countywide (PGE)

* * * * *

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

A. **Staff recommends motion to adopt:** a Resolution to abandon any public interest in that certain portion of the 50 foot strip for road, dyke and ditch purposes in Blocks 11 & 16, as shown on the plat of Palm Beach Farms Plat No. 3, as recorded in Plat Book 2, Pages 45-54; all of Tract “RW2” of the plat of Wellington View, according to the plat thereof recorded in Plat Book 102, Pages 40-47; and all of Tract “F” of the plat of Dillrun Estates according to the plat thereof recorded in Plat Book 109, Pages 9-10, all of the Public Records of Palm Beach County (County), Florida, also known as a portion of Dillman Road; reserving an ingress and egress easement over the entire area to be abandoned; reserving one utility easement over a portion of the area to be abandoned; executing two (2) utility easements over a portion of the area to be abandoned; and reserving a drainage easement over a portion of the area to be abandoned. **SUMMARY:** Adoption of this Resolution will allow the County to vacate its interest in that certain portion of Dillman Road to provide consistency with the previous abandonment in 2009 where Dillman Road from east of Montclair Court eastward to Whippoorwill Boulevard was abandoned. This petition site is the portion of Dillman Road from Whippoorwill Boulevard eastward to 150 feet west of Lyons Road. District 6 (MRE)

B. **Staff recommends motion to:**

1) **reaffirm** that the property owners abutting Patio Court will not be required to pay any assessment for the proposed Patio Court Paving and Drainage Improvements (Project) since their assessment is funded by a Community Development Block Grant (CDBG);

2) **approve** a Contract with Charles S. Whiteside, Inc. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$249,860.30 for the Project;

3) **approve** a Budget Transfer of \$220,478 in the Municipal Services Taxing Unit (MSTU) Improvement Fund from Reserves to Patio Court from Lakewood Road north to the L-11 Canal;

4) **approve** a Budget Transfer of \$67,203 in the Department of Economic Sustainability (DES) to the MSTU Fund for Patio Court from Lakewood Road north to the L-11 Canal; and

5) **approve** a Budget Amendment of \$80,883 in the MSTU Fund to recognize funding from DES in the amount of \$67,203 and the Village of Palm Springs in the amount of \$13,680 to Patio Court from Lakewood Road north to the L-11 Canal.

SUMMARY: The Office of Community Revitalization applied for and received funding from CDBG through Department of Economic Sustainability to fund the proposed \$25 per abutting foot assessment to the property owners in this Countywide Community Revitalization Team (CCRT) area. Consequently there will be no assessment to the property owners. This Project includes construction of pavement and a storm water management system. The low bidder was not responsive to the bid resulting in this proposed award to the above Contractor who is a Palm Beach County business. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor, who is a SBE, is 58.47% overall. District 3 (MRE)

4. PUBLIC HEARINGS CONTINUED

- C. **Staff recommends motion to adopt:** 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. On August 14, 2012, this amending Ordinance was approved on preliminary reading. Countywide (PFK)
- D. **Staff recommends motion to adopt:** 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 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)

4. PUBLIC HEARINGS CONTINUED

- E. **REVISED SUMMARY:** Staff recommends motion to approve: Alignment Alternative Four for Jupiter Park Drive/Western Corridor (Island Way) within unincorporated Palm Beach County, from Jupiter Gardens Boulevard to 68th Terrace. **SUMMARY:** Per Board direction and discussions from the meetings held on April 17, May 15, and July 10, this will approve Alignment Alternative Four for Jupiter Park Drive/Western Corridor (Island Way) within unincorporated Palm Beach County (from Jupiter Gardens Boulevard to 68th Terrace). This approval is required to allow the establishment of the overall alignment from Jupiter Park Drive to Indiantown Road. The Town of Jupiter (Town) is finalizing the development conditions of approval for the Hawkeye Jupiter property (formerly known as the Brown property). The new road, Island Way, will need to be designed and built to provide appropriate access to the property. Land will have to be acquired to allow the construction of the road. The northern and southern ends of the road are within the Town, and are approximately 60% of the road length. The remaining section lies within the unincorporated area. The road is intended to be a Town road when it is constructed with funding expected to come from the Town and the Hawkeye development. The Board asked/directed at the July 10 meeting that additional meetings be held with the neighborhood and the developer. ~~The developer and Town committed to holding those discussions.~~ Several meetings have been held since then, with the most recent meeting held on September 6th. District 1 (MRE)

* * * * *

5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to:

A) designate the Cam Estates/Meadowbrook Plats 1, 2 & 3 area as a CCRT Neighborhood Enhancement Area;

B) remove the Cinquez Park CCRT area from the CCRT designation; and

C) remove the Lakewood Gardens Central CCRT area from the CCRT designation.

SUMMARY: The Cam Estates/Meadowbrook Plats 1, 2 & 3 Area (CEM Area) Assessment Study provides a preliminary analysis of community needs in this area, and outlines the Office of Community Revitalization's and Countywide Community Revitalization Team's (CCRT) recommendation regarding the designation of such area as a CCRT Neighborhood Enhancement Area based on the analysis presented within the report. The Cinquez Park and Lakewood Gardens Central CCRT areas are being removed from the CCRT list because they have been annexed by the adjoining municipalities and are, therefore, no longer eligible for CCRT designation. Districts 1, 2 & 3 (AH)

B. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) Amendment No. 01 to Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (R2012-0613), for the period May 1, 2012, through September 30, 2012, to increase funding for engagement, interim housing and rapid re-housing services to homeless families by \$100,000 for a new total amount not to exceed \$537,836; and

B) Budget Transfer of \$100,000 in the General Fund from Contingency Reserves to increase funding for the Senator Philip D. Lewis Center.

SUMMARY: This Amendment will enable Adopt-A-Family of the Palm Beaches, Inc. (Adopt-A-Family) to continue to provide engagement, interim housing and rapid re-housing services to homeless families at the Senator Philip D. Lewis Center (Lewis Center). Adopt-A-Family has been serving homeless families since the opening of the Lewis Center on July 2, 2012. During the first six weeks of operation, Adopt-A-Family encumbered/expended all funds allocated for interim housing and rapid re-housing due to significant demand for services. Eighty household are currently being assisted in interim housing and rapid re-housing with an additional forty households in need of assistance. No funds remain to house homeless families for the balance of the fiscal year. Additional resources are needed to provide for housing homeless families through the Lewis Center. The Budget Transfer will fund the increased service need. (Human Services) Countywide (TKF)

5. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Amendment No. 2 to Contract No. GC680 (R2007-0882) with the Florida Department of Environmental Protection (FDEP) for activities in the Pollutant Storage Tank Compliance Verification Program; and

B) authorize the County Administrator or his designee to sign Task Assignments provided by the FDEP on a yearly basis.

SUMMARY: Contract No. GC680 is a ten (10) year contract between Palm Beach County and the FDEP that began on July 1, 2007 and runs through June 30, 2017. This Contract is being amended to expand the programs geographic area to include performing storage tank compliance inspection activities in Martin and St. Lucie Counties. Funding is through the Florida Inland Protection Trust Fund payable through Annual Task Assignments issued by the FDEP. This is a non-ad valorem program and no fiscal impact is anticipated. Countywide (SF)

D. FIRE RESCUE

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 25, 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 (5) 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 the authority of the response teams to recover their emergency response costs from responsible parties. 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. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff requests Board direction:** on policy for mandatory rotation of external auditors. **SUMMARY:** In December 1991, the Board approved a mandatory rotation policy for external auditors that prevents the current auditors from competing for the next contract. Auditing contracts have historically lasted seven (7) years (an initial term of three years followed by up to four years of extensions). The County is in the last year of its current audit contract and staff, working with the Constitutional Officers, is beginning the RFP process. Board direction is needed to determine if this policy should be changed to allow McGladrey & Pullen (current auditors) to compete for the contract again. Countywide (PFK)

F. TOURIST DEVELOPMENT COUNCIL

1. **REVISED TITLE: Staff recommends motion to approve:** **Staff recommends motion to approve:** Agreement with Cultural Council of Palm Beach County, Inc. (the "Cultural Council") for the provision of services under the County's Tourist Development Plan during the period October 1, 2012, through September 30, 2017 an amount not to exceed of \$1,257,190 in contractual services and \$3,807,460 in indirect costs, grants and reserves for a total of \$5,064,650. **SUMMARY:** The Agreement provides for the Cultural Council to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The Agreement replaces the current contract (Contract R2012-0846). The new Agreement updates for Fiscal Year 2013 Exhibit "A" – Annual Budget, Exhibit "E" – Performance Measures; and Exhibit "H" – Organizational Chart. In addition, indirect cost, grants, and reserves of \$3,807,460 are included for a total budget of \$5,064,650. Rena Blades of the Cultural Council serves on the Overall Economic Development Program Committee. The Committee provides no regulation, oversight, management, or policy-setting recommendations regarding the Cultural Council's contracts. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) Countywide (DW)
2. **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** Agreement with the Palm Beach County Film and Television Commission, Inc. (the PBCFTC) for the provision of services under the County's Tourist Development Plan during the period October 1, 2012, through September 30, 2017 an amount not to exceed of \$585,508 in contractual services and \$318,305 in indirect costs, and reserves for a total of \$903,813. **SUMMARY:** The Agreement provides for the PBCFTC to attract, promote, and market existing and new film production and production facilities under the County's Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The new Agreement replaces the current contract (Contract R2012-0844). The new Agreement updates Fiscal Year 2013 Exhibit "A" – Annual Budget, and Exhibit "F" – Performance Measures, and Exhibit "J" Organizational Chart. In addition, indirect cost and reserves totaling \$318,305 are included for a total budget of ~~\$913,813~~ \$903,813. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) Countywide (DW)

5. REGULAR AGENDA

F. TOURIST DEVELOPMENT COUNCIL (Cont'd)

3. **REVISED TITLE & SUMMARY:** Staff recommends motion to approve: **Staff recommends motion to approve:** Agreement with Discover Palm Beach County, Inc. d/b/a Palm Beach County Convention & Visitors Bureau (the "CVB") for the provision of services under the County's Tourist Development Plan during the period October 1, 2012, through September 30, 2017 in the amount of \$9,450,705 in contractual services and \$1,427,632 in indirect costs and reserves for a total of \$10,878,337.; ~~deleting the requirement that the Tourist Development Council Executive Director be an ex-officio member of Discover Palm Beach County; and adding the requirement that the Tourist Development Council's Executive Director shall be notified of all meetings of the Board of Directors, and the executive committee as well as all committees and subcommittees of Discover Palm Beach County whose functions are in any way related to the expenditure of County or Tourist Development Tax funds. The Tourist Development Council's Executive Director shall be provided notice of meetings and an opportunity to be heard at the meetings. Notice of the meetings shall be provided to the Tourist Development Council's Executive Director no later than five (5) days before the meeting is to occur.~~ **SUMMARY:** The Agreement provides for the CVB to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The Agreement replaces the current contract (Contract R2012-0925). The new Agreement updates for Fiscal Year 2013 Exhibit "A" – Annual Budget, Exhibit "E" – Procurement Policy, Exhibit "H" – Performance Measures, Exhibit "I" - Salary Structure, and Exhibit "K" – Organizational Chart. The new Agreement removes reference that the Tourist Development Council Executive Director serves as ex-officio member of Discover Palm Beach County committees and sub-committees, but requires notification of all meetings and an opportunity to be heard. Notice of the meetings shall be provided to the Tourist Development Council's Executive Director no later than five (5) days before the meeting is to occur. In addition, indirect cost, and reserves of \$1,427,632 are included for a total budget of \$10,878,337. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) Countywide (DW)

4. **REVISED TITLE:** Staff recommends motion to approve: Agreement with Palm Beach County Sports Commission, Inc. (the "PBCSC") for the provision of services under the County's Tourist Development Plan during the period October 1, 2012, through September 30, 2017 an amount not to exceed of \$724,877 in contractual services and \$1,024,430 in indirect costs, grants and reserves for a total of \$1,749,307. **SUMMARY:** The Agreement provides for the PBCSC to provide tourism marketing services under the County's Tourist Development Plan for a five-year period, from October 1, 2012, through September 30, 2017. The Agreement replaces the current contract (Contract R2012-0845). The new Agreement updates for Fiscal Year 2013 Exhibit "A" – Annual Budget, and Exhibit "E" – Performance Measures, Exhibit "G" – Salary Structure, and Exhibit "H" - Organizational Chart. In addition, indirect cost, grants and reserves of \$1,024,430 are included for a total budget of \$1,749,307. These changes have been reviewed and approved by the Tourist Development Council Finance Committee and Tourist Development Council Board. (TDC) Countywide (DW)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Vehicle and Equipment Parts Management and Supply Agreement (“Agreement”) with Genuine Parts Company d/b/a NAPA (NAPA), a Georgia corporation, qualified to do business in Florida, for onsite integrated inventory management services for the Fleet Management Division at an estimated annual cost of \$2,250,000. **SUMMARY:** Facilities Development & Operations/Fleet Management (“FDO/Fleet”) operates and manages its automotive parts function in-house from its primary maintenance facility in West Palm Beach and two (2) outlying maintenance facilities located in Pahokee and in Delray Beach. As part of the FY13 budget process, FDO/Fleet staff was tasked with finding ways to increase effectiveness of its operation, gain efficiencies and reduce the operating budget. FDO/Fleet has determined that outsourcing Fleet’s automotive parts function would accomplish all goals. This Agreement provides for NAPA to provide a comprehensive in-house store operation to include all materials, equipment, parts and supplies required for the operation and maintenance of the County’s fleet with no less than an eighty percent (80%) in-stock availability for all parts requested. The inventory will include NAPA Products as well as Non-NAPA Products, based on the requirements of the County’s fleet. The Agreement contains local preference language for all Non-NAPA products purchased by FDO/Fleet. With this local preference language and the continued purchases of existing county contracts by Fire Rescue and PalmTran, this Agreement should negatively impact less than 12% of the County’s total parts purchased. The Agreement also requires NAPA to purchase parts from existing competitively bid contracts held by local vendors where the cost of the part is not more than 5% greater than the equivalent NAPA product. This language will reduce or eliminate the negative impact on the 12% of the impact purchase. NAPA will provide on-going review and adjustment of inventory; access to automotive and heavy-duty replacement parts; and delivery of non-stocked parts. The Agreement provides that the County will pay NAPA: (i) 10% above both NAPA Product Costs and Non-NAPA Product Costs and (ii) for operational costs that were included within the annual budget approved by the County during its normal budget process. NAPA is to provide services in two phases: (i) the Start-Up Phase, which will commence upon Board approval of the Agreement and continue through September 30, 2012; and (ii) the Full-Services Phase, which will commence on October 1, 2012 and continue through the term of the Agreement. The term of the Agreement will commence upon approval by the Board and will continue through February 23, 2015. The Agreement will automatically renew for one (1) additional year, unless either party notifies the other of its intent not to renew at least 60 days prior to the expiration of the initial term. The Internal Auditor is satisfied that the Agreement is internally consistent and contains adequate financial and management controls and has agreed to review FDO/Fleet’s divisional PPM relating to the management of this Agreement. This Agreement is made in accordance with the Palm Beach County Purchasing Code, which authorizes the County to purchase supplies from a competitively bid proposal or contract secured by another governmental entity or government-related association, in this case the National Joint Powers Alliance Contract No. 010511-GPC. There is no Small Business Enterprise (SBE) participation in this Agreement. (FDO/Fleet) Countywide (JM)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. ~~DELETED: Staff recommends motion to approve:~~

~~A) a Civic Site Dedication Agreement with Boynton Beach Associates XXIV, LLLP;~~

~~B) a Memorandum of Agreement between the County and Boynton Beach Associates XXIV, LLLP; and~~

~~C) a Termination of Memorandum of Agreement.~~

SUMMARY: Pursuant to this Agreement, G.L. Homes of Florida ("GL Homes") d/b/a Boynton Beach Associates XXIV, LLLP, will convey to the County a 19.64 acre civic site within the Hyder PUD located within the Ag Reserve on the west side of Lyons Road between Atlantic Avenue and Clint Moore Road. This conveyance will offset civic dedication requirements of current and future GL Homes' development orders. At the June 5, 2012, Board meeting, the Board questioned the need for additional civic land and requested that this item be postponed for further review. The attached maps show the County's limited holdings in the south county area and the significant amount of residential development in the southern end of the Ag Reserve which is likely to need both public and private civic services. Due to the complicated land development regulations for the Ag Reserve, it is difficult to find land for such civic uses at an affordable price. Staff continues to believe that this property should be accepted and held to meet future public and/or private civic needs. If the Board decides to not approve this Agreement and instead require GL Homes to cash out of the civic dedication requirements, the County would receive approximately \$491,000 now from GL Homes Lyons West PUD which is currently in process, and would receive another approximately \$500,000 at such time as GL Homes plats its future development projects. Cash out funds must be used for acquisition of land and/or development of projects serving civic needs in the general area of the PUD, in this case the Ag Reserve. If this Agreement is approved, the Memorandum of Agreement will be recorded to provide public notice of the existence of the County's rights under this Agreement. The Termination of Memorandum will be held by the County and provided to GL Homes upon conveyance of the civic site to the County. **This Agreement must be approved by a supermajority vote (5 Commissioners).** (PREM) District 5 (HJF) (Further staff review)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **DELETED:** Staff recommends motion to:

~~A) adopt Resolution rescinding and replacing R2002-0192 supporting the allocation of ad valorem funds for the benefit of municipal efforts to maintain interoperability with and participate in the County's Intergovernmental Communications Program (ICP);~~

~~B) adopt Resolution rescinding and replacing R2000-0407 providing for the procedures for allocation of funds collected pursuant to Section 318.21(9) FS specifically clarifying the distribution of reports prepared by the Clerk & Comptroller;~~

~~C) approve a Budget Amendment of \$600,400 in the Intergovernmental Radio Communication Fund to close out the fund and transfer all remaining balances to the 800 MHz R&R Fund;~~

~~D) approve a Budget Amendment of \$999,400 in the Intergovernmental Radio Communication Countywide Fund to close out the fund and transfer all remaining balances to the 800 MHz R&R Fund;~~

~~E) approve a Budget Transfer of \$1,704,942 in the General Fund establishing a Municipal expense budget by redirecting eligible expenses to the 800 MHz R&R Fund; and~~

~~F) approve a Budget Amendment of \$1,726,563 in the 800 MHz R&R Fund recognizing the changes in the \$12.50 moving traffic violation procedures.~~

SUMMARY: In an effort to recognize municipal efforts to become, maintain or enhance municipal participation in the ICP, the Board directed Staff on August 21, 2012 to restructure the \$12.50 Program from one using \$12.50 Funds to one using ad valorem funds. The replacement resolutions provide for the municipalities to: 1) seek annual reimbursement for expenses associated with their public safety radio systems and/or equipment in an amount not to exceed the funds collected from moving violations written by municipal police officers, and 2) streamlines the reimbursement procedures. The budget amendments and transfers to the FY 13 budget will implement the new Resolutions ensuring a financially neutral position in the general fund. (FDO Admin) Countywide (JM) (Further staff review)

* * * * *

6. BOARD APPOINTMENTS

A. **ADMINISTRATION**
(Water Resources Task Force)

1. **Staff recommends motion to ratify:** Jeff Hmara of the Village of Royal Palm Beach as an alternate for one of the League of Cities seats on the Palm Beach County Water Resources Task Force (Seat No. 1), effective September 11, 2012. **SUMMARY:** The Water Resources Task Force is comprised of 14 members: six (6) City elected officials; one (1) County Commissioner; one (1) special independent district water and/or wastewater provider or utility water or wastewater provider representative; one (1) Lake Worth Drainage District representative; one (1) drainage/water control district representative; one (1) South Florida Water Management District Governing Board member; one (1) environmental representative; one (1) land owner actively farming to represent agricultural interests; one (1) Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of several Task Force members and alternates, a new alternate is being submitted to be ratified by the Board of County Commissioners. Countywide (MJ)

(Florida Atlantic Research & Development Authority)

2. **Staff recommends motion to approve:** reappointment of the following individual to the Florida Atlantic Research & Development Authority (Authority) for a term of four (4) years, from September 13, 2012, to September 12, 2016:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Bruce C. Rosetto	1	Private Sector/PBC Resident	Comm. Burdick Comm. Abrams

SUMMARY: On October 3, 1985, the Board of County Commissioners (BCC) adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised seven (7) members: three (3) Palm Beach County representatives, three (3) Broward County representatives and the President of Florida Atlantic University or his/her designee. Representatives must be employed in the private sector and reside in the County in which they represent. On August 7, 2012, a memo was distributed to the BCC indicating Mr. Rosetto's term on the Authority would expire September 12, 2012. Mr. Rosetto has been a Palm Beach County representative on the Authority since December 6, 2011, and has expressed a desire to continue. Mr. Rosetto has disclosed that he is employed with the firm of Greenberg Traurig, P.A., which has one (1) existing contract with the County for bond counsel services. FARDA provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. No other nominations were received. District 4 (JM)

6. BOARD APPOINTMENTS

A. **ADMINISTRATION (Cont'd)**
(Handicap Accessibility & Awareness Grant Review Committee)

3. **Staff recommends motion to approve:** appointment of four (4) at-large members to the Handicap Accessibility and Awareness Grant Review Committee (Grant Review Committee) for a two-year period beginning September 11, 2012, through September 10, 2014. These are at-large appointments to be made from the following list of nominees:

<u>New Appointments</u>	<u>Seat No.</u>	<u>Nominated by</u>
Laurence P. Osband	6	Comm. Marcus Comm. Burdick Comm. Taylor
James F. Murray	7	Comm. Marcus Comm. Burdick Comm. Taylor
Adam J. Brockman	8	Comm. Marcus Comm. Burdick Comm. Taylor
Rashid R. Rice	9	Comm. Marcus Comm. Burdick Comm. Taylor

SUMMARY: This Committee is comprised of nine (9) members. All members must be residents of Palm Beach County and a person with disabilities or advocate for persons with disabilities. These appointments are necessary to fill the remaining four (4) vacancies on the Grant Review Committee as a result of multiple expired terms. All terms expired on August 27, 2009. All appointments are for a term of two (2) years and are at-large. Countywide (DO)

B. **COOPERATIVE EXTENSION SERVICE**
(Agricultural Enhancement Council)

1. **Staff recommends motion to approve:** appointment of Dave Self to the Agricultural Enhancement Council to complete the term of William Churchill, Seat No. 5, who has resigned, for the term of September 11, 2012 to January 23, 2015:

<u>Name</u>	<u>Category, Seat Number</u>	<u>Expire</u>
Dave Self	Nursery Industry, Seat 5	1/23/15

SUMMARY: Based on Resolution No. 94-1760, nine (9) agricultural related entities were requested to nominate one (1) member each to the Agricultural Enhancement Council (AEC). The nine (9) members represent the following agricultural industry areas: Farm Bureau, Agricultural Value Added Industry; Farm Credit of South Florida, Vegetable Industry, Sugar Cane Industry, Nursery Industry; an Agricultural Supplier and the Horse Industry Council. Countywide (AH)

C. **COMMISSION DISTRICT APPOINTMENTS**

SEPTEMBER 11, 2012

7. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

SEPTEMBER 11, 2012

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 – COMMISSIONER PAULETTE BURDICK

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

Request approval to present off-site, a Proclamation honoring the memory of Frances Gibson Coffield.

10. ADJOURNMENT

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

