

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 16, 2012

<u>PAGE</u>	<u>ITEM</u>	
10	3B-3*	<u>DELETED:</u> EXHIBIT “B” only of the Purchasing Contracts List. (Clerk)
15	3E-2	<u>DELETED:</u> Staff recommends motion to approve: Contract for Consulting/Professional Services with Marriage & Family Services, Inc., for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$35,500 for mental health services to Early Head Start and Head Start children. (Community Services) (Further staff review)
34	3Q-3	<u>REVISED MOTION:</u> Staff recommends motion to: A) approve ratify the submittal of a Grant Application (02/03/2011) to the Department of Justice for the Justice and Mental Health Collaboration Program in the amount of \$249,955 for 24 months beginning October 1, 2012 to be used for enhancing Delinquency Drug Court;...(CJC)
39	4A	<u>DELETED:</u> Staff recommends motion to approve: an Amendment to Tequesta Fire Rescue’s Certificate of Public Convenience and Necessity (COPCN) extending the expiration date from September 30, 2012, until December 31, 2016, in four geographical areas covered by an Interlocal Agreement (R2012-1303) between Palm Beach County and the Village of Tequesta. (Public Safety) (Error in advertisement)
39	4B	<u>REVISED MOTION:</u> Staff recommends motion to adopt postpone and readvertise for public hearing on October 30, 2012 at 10:30a.m.: an Ordinance of the Board of County Commissioners (BCC) of Palm Beach County, Florida, focusing on excessive nutrient levels in Palm Beach County water bodies; providing for title; providing for definitions; providing for findings; providing for purpose and intent; providing for applicability; providing for timing of fertilizer applications; providing for fertilizer free zones; providing for fertilizer content and application rates; providing for fertilizer application practices; providing for management of grass clippings and vegetable matter; providing for exemptions; providing for training; providing for licensing of commercial applicators; providing for enforcement; providing for penalties; providing for appeal; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. (Cooperative Extension)
41	4E	<u>REVISED MOTION:</u> Staff recommends motion to adopt postpone and readvertise for public hearing on October 30, 2012 at 10:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to the regulation of synthetic cannabinoid herbal incense and synthetic stimulant bath salts and related substances; providing for short title; providing for purpose and intent; providing for definitions; providing for prohibited conduct; providing for enforcement and penalties; providing for severability; providing for repeal of laws and conflict; providing for inclusion in the code of laws and ordinances; providing for captions, providing for scope of ordinance; and providing for an effective date. (County Attorney)
45-47	5D3/5D4/5D5	<u>NOTE:</u> These three items (ADT, Pratt & Whitney; and Digital Risk) will be heard immediately following Public Hearings at the request of the Chair.

48 5E-2 **REVISED BACKGROUND & JUSTIFICATION FOR FARGO:** (Engineering)
(On October 15, 2012, Background Attachment was revised to enhance information)

52 6B-1 **REVISED TITLE: Staff recommends motion to appoint:** two individuals to the Small Business Assistance Advisory Committee, for the terms indicated below:

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated By</u>
Rachelle Wood	9	Nat'l Assoc. of Women In Construction	10/16/2012 – 40/15/2012 <u>10/15/2015</u>	Comm. Burdick Comm. Taylor
Karen Alleyne-Means	14	Black Chamber of Commerce	10/16/2012 – 40/15/2012 <u>10/15/2015</u>	Comm. Burdick Comm. Taylor

(Admin/OSBA)

58 8C* **ADD-ON:** Request approval to present off-site, a Proclamation declaring October 20, 2012 as “The Gerald A. Williams Legacy Foundation Charity Open Day” in Palm Beach County. (Sponsored by Commissioner Vana)

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

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

OCTOBER 16, 2012

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 8 - 38)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 39 - 41)**

- 5. REGULAR AGENDA (Pages 42 - 50)**

- 6. BOARD APPOINTMENTS (Pages 51 - 56)**

- 7. STAFF COMMENTS (Page 57)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Amendments to six consulting/professional service contracts for state lobbying on behalf of Palm Beach County to extend the term for twelve months to September 30, 2013, for a total amount of \$195,000 as follows:
 - A) Seventh Amendment to the contract with Akerman Senterfitt (R2005-2299) in the amount of \$27,500;
 - B) Seventh Amendment to the contract with Pittman Law Group (R2005-2301) in the amount of \$35,000;
 - C) Seventh Amendment to the contract with Ericks Consultants (R2005-2302) in the amount of \$27,500;
 - D) Seventh Amendment to the contract with Corcoran and Associates (R2005-2303) in the amount of \$35,000;
 - E) Seventh Amendment to the contract with The Moya Group (R2005-2304) in the amount of \$35,000; and
 - F) Sixth Amendment to the contract with Foley and Lardner, LLP (R2006-2141) in the amount of \$35,000.

SUMMARY: The original term of the contracts with Akerman Senterfitt, Pittman Law Group, Ericks Consultants, Corcoran and Associates and the Moya Group for state lobbying was for November 1, 2005, through October 31, 2006, with additional amendments extending the term through September 30, 2012. The original term of the contract for Foley and Lardner, LLP was November 1, 2006, through October 31, 2007, with additional amendments extending the term through September 30, 2012. The dollar amounts reflected in each contract are identical to the FY 2012 contracts. Countywide (DW)

2. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, supporting increased funding for water projects, alternative water supply, and water infrastructure. **SUMMARY:** In 2005, the Florida Legislature passed legislation, SB 444, establishing a dedicated funding source for water protection and sustainability. The total funding amounted to \$100 million per year on a recurring basis. As quoted by the bill's sponsor, Senator Paula Dockery, "This bill creates the Water Protection and Sustainability Program to provide substantial funding for new alternative water supply projects and resources for existing water improvement programs that have been on hold. The bill will ultimately build more drinking water and sewage systems, reduce water pollution and create more regional water resources." In the first year of the program (2005-2006), \$200 million was appropriated with the promise of a minimum \$100 million appropriation in following years. However, over time, the funding for this program has been eliminated while the need for assistance with water infrastructure improvements continues to grow. Countywide (DW)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **Staff recommends motion to ratify:** the signature of the Chair on a Cooperative Agreement No. FF204K124023 (Charge Resolution Contract) with the U.S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue for processing and resolving housing discrimination complaints for the period of July 1, 2011, through June 30, 2012, in the total amount of \$187,171. **SUMMARY:** OEO has a Memorandum of Understanding with HUD through 2013. In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of this contract was required prior to September 21, 2012 in order for OEO to meet HUD's FY 2012 federal funding deadlines. This Cooperative Agreement is in the amount of \$187,171 (\$145,671 - case processing; \$11,500 - training funds and \$30,000 - administrative costs). This agenda item only deals with the ability for OEO to receive revenue under the agreement with HUD. OEO cannot receive the revenue without the Board's approval. The agreement to receive the revenue needed to be signed by the Chair. The Chair signed the agreement on September 6, 2012, for OEO to receive revenue but the full Board needs to ratify the Chair's signature. Countywide (DRO)

4. **Staff recommends motion to approve:**
 - A) Interlocal Agreement with the School Board of Palm Beach County, Florida, for community use of a walking trail at Berkshire Elementary School; and
 - B) Neighborhood Partnership Grant (NPG) Funding Agreement with the School Board of Palm Beach County, Florida, in an amount not to exceed \$20,000 to construct and install a walking trail for community use at Berkshire Elementary School.

SUMMARY: The Interlocal Agreement provides for the School Board to construct, install and maintain a walking trail at Berkshire Elementary School. The County, through its Parks and Recreation Department will assist the School Board with the design of the walking trail. The School Board will open the walking trail to the public for community use and to the County for County activities and programs. The NPG Funding Agreement provides the School Board with a Neighborhood Partnership Grant in an amount not to exceed \$20,000 to assist with the construction and installation of the walking trail. Funding from existing Countywide Community Revitalization Team NPG accounts will be used to fund this project. District 2 (AH)

5. **Staff recommends motion to approve:** Golf Tournament Agreement with Trump International Golf Club, L.C. and The Papanicolaou Corps for Cancer Research for a one day charitable golf tournament to be held on October 29, 2012. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (Trump), approved September 3, 1996 (R96-1277D), allows use of the golf course during the months of May through October for the County to host either a single two-day, or two one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on October 29, 2012. Proceeds from the golf tournament will benefit the The Papanicolaou Corps for Cancer Research. Countywide (AH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, opposing Amendment 4 on the November 6th general election ballot. **SUMMARY:** Amendment 4 on the November 6th general election ballot is a statewide question placed on the ballot by the Florida Legislature that, if approved by voters, would make three primary changes to the Florida Constitution. 1) This amendment would reduce the annual growth in assessment limitation on certain non-homestead property from 10% to 5%. 2) It would prohibit increases in the assessed value of homestead property and certain non-homestead property when the market value of the property decreases. 3) It also gives first time homesteaders an additional exemption equal to 50% of the median just value of the property; this exemption diminishes to zero over a five year period. Countywide (DW)

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Workshop	August 21, 2012
Zoning	August 23, 2012
Regular	September 11, 2012
Budget	September 6, 2012
Budget	September 24, 2012

3. Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during May 2012. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a Utility Reimbursement Agreement (Agreement) with Florida Power & Light Company (FPL) regarding FPL's use of a parcel of Palm Beach County (County) owned land, dedicated as canal right-of-way, adjacent to Bridgeman Drive and Florida Mango Road. **SUMMARY:** Approval of this Agreement will allow FPL to provide electrical service to an existing County-owned and maintained stormwater pump station, and authorize reimbursement to FPL for utility expenditures resulting from any future County relocation requests related to said pump station. The pump station is needed to address potential flooding within the Westgate community. District 2 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve:

A) a Work Task Order to the Annual Agreement R2010-0576 in the amount of \$20,945.10 with Civil Design, Inc., (CDI) for professional services;

B) a Budget Transfer of \$28,231 from the Department of Economic Sustainability (DES) Fund to the Capital Outlay Fund for the Canton Road Paving and Drainage Improvement project (Project); and

C) a Budget Amendment of \$28,231 in the Capital Outlay Fund to recognize funding from DES and appropriate it to the Project.

SUMMARY: Approval of this Work Task Order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. CDI 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 CDI is 100%. This residential street paving project is fully funded for construction using Community Development Block Grant funds. District 2 (MRE)

3. Staff recommends motion to:

A) accept a Deed for right-of-way from Win-Preferred, LLC for a parcel of land located on the northeast corner of Clint Moore Road and Military Trail; and

B) approve a Subordination of utility interests (Subordination Agreement) with the City of Boca Raton (City) on said parcel of land.

SUMMARY: Acceptance of the right-of-way Deed from Win-Preferred, LLC will provide Palm Beach County (County) with 63.9 square feet of additional right-of-way at the northeast corner of Clint Moore Road and Military Trail. Approval of the Subordination Agreement will release a City utility easement interest in that parcel and allow the County to accept the warranty deed from the owner free and clear of all encumbrances. District 4 (MRE)

4. Staff recommends motion to approve: the Weizer family's request to honor Bill Weizer by dedicating the Island Way bridge, north of Indiantown Road, to him.

SUMMARY: Approval of this motion will honor Bill Weizer for the many years he worked to make Island Way a reality. Dedication signs will be installed on the Island Way bridge by the Road and Bridge Division in accordance with the intent of Countywide PPM No. CW-O-044 honoring individuals. The District 1 Commissioner supports this request. The Weizer family has agreed to fund the approximate cost of \$200 for the dedication signs. Mr. Weizer originally owned property surrounding Island Way that was sold 12 years ago, and he spent many years working to make the access road a reality until he passed away in 1998. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve: the Fiscal Year 2012/2013 Pathway Program. **SUMMARY:** Approval of the Fiscal Year 2012/2013 Pathway Program will allow the construction of the proposed projects compiled in response to requests from the Palm Beach County School Board, Palm Beach County Sheriff's Office, members of the Board of County Commissioners, and residents of Palm Beach County. The proposed projects include 15 new construction projects and nine major maintenance projects. The total program cost is \$1,500,000 and is divided into the following categories:

School Related	\$	522,000
Non School Related		339,800
Major Maintenance		494,080
ADA and Minor Maintenance		75,000
Cost and Feasibility Studies		44,120
Fast Track Schools		<u>25,000</u>
Total		\$ 1,500,000

Countywide (MRE)

6. Staff recommends motion to approve:

A) Supplemental Agreement No. 1 to Agreement R2007-1230 (Agreement) in the amount of \$75,711.50 with Keshavarz & Associates, Inc. (KAI), for professional services; and

B) a Budget Transfer of \$97,283 in the Unincorporated Improvement Fund from Reserves to 60th Street North over the "M" Canal.

SUMMARY: Approval of this Agreement will provide the professional services necessary for the preparation of revised design plans for the 60th Street North over the "M" Canal project (Project). KAI 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 KAI is 100%. District 6 (MRE)

7. Staff recommends motion to adopt: a Resolution to approve a Highway Maintenance Memorandum of Agreement (Agreement) with the Florida Department of Transportation (FDOT) for construction of Jog Road from south of Gun Club Road to north of Wallis Road (Project). **SUMMARY:** Approval of this Agreement will allow FDOT to construct the Project, which will provide full width paved shoulders. District 2 (MRE)
8. Staff recommends motion to adopt: a Resolution to vacate portions of utility easements within the plat of Jewish Community Campus, as recorded in Plat Book 68, Page 75, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will allow the petitioner to vacate portions of the easements to allow for redevelopment of the site. The petition site is located on the west side of Military Trail and north side of Community Drive. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. **Staff recommends motion to adopt:** a Resolution to support the extension of State Road 7 from 60th Street to Northlake Boulevard (Project) by the Florida Department of Transportation (FDOT). **SUMMARY:** The FDOT is currently undergoing the approval process for this Project. The proposed alignment encroaches minimally into the Pond Cypress Natural Area, to which the Environmental Resources Management Department has no objection provided the Conservation Lands Protection Ordinance is satisfied. This Resolution will show Palm Beach County's support for the road extension. District 6 (MRE)

10. **Staff recommends motion to approve:** Work Order No. 2011051-017 in the amount of \$420,000 to mill and resurface Australian Avenue from 25th Street south to 15th Street and 7th Street south to Okeechobee Boulevard (Improvements) utilizing Palm Beach County's (County) Annual Asphalt Milling and Resurfacing Contract R2010-1216 with Community Asphalt Corporation. **SUMMARY:** Approval of this Work Order will provide the contractual services necessary to construct the Improvements. Per County PPM CW-F-050, this Work Order exceeds the threshold relating to staff approvals of contracts, thus requiring the Board of County Commissioners' approval. The area between 7th Street and 15th Street will be resurfaced/rebuilt as part of the Palm Beach Lakes Boulevard intersection project, scheduled for late next year. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Head Start/Early Head Start Contracted Services Agreements with the below listed agencies for the period October 1, 2012, through September 30, 2013, in an amount totaling \$6,446,759 for services to Head Start and Early Head Start children and families:

A) The Union Missionary Baptist Church, Inc. (Day Care Center) will provide services for up to 72 Head Start children, in an amount not to exceed \$371,405; and

B) The Young Women's Christian Association of Palm Beach County, Florida will provide services for up to 84 Head Start children, in an amount not to exceed \$543,924; and

C) Hispanic Human Resources Council, Inc. will provide services for up to 261 Head Start children, in an amount not to exceed \$1,690,048; and

D) Hispanic Human Resources Council, Inc. will provide services for up to 24 Early Head Start children, in an amount not to exceed \$210,701; and

E) Emmanuel Child Development Center, Inc. will provide services for up to 20 Early Head Start children, in an amount not to exceed \$166,805; and

F) A Step Above Learning Center, Inc., (dba A Step Above Early Learning Center) will provide services for up to 20 Head Start children, in an amount not to exceed \$116,014; and

G) Apostolic Child Development Centers, Inc. will provide services for up to 38 Early Head Start children, in an amount not to exceed \$333,610; and

H) Apostolic Child Development Centers, Inc. will provide services for up to 78 Head Start children, in an amount not to exceed \$483,793; and

I) Florence Fuller Child Development Centers, Inc. will provide services for up to 22 Early Head Start children, in an amount not to exceed \$183,485; and

J) Florence Fuller Child Development Centers, Inc. will provide services for up to 156 Head Start children, in an amount not to exceed \$1,010,144; and

K) Education Development Center, Inc., (dba My First Steps Preschool) will provide services for up to 82 Head Start children, in an amount not to exceed \$475,659; and

L) The King's Kids Early Learning Center, Inc. will provide services for up to 51 Head Start children, in an amount not to exceed \$295,837; and

M) Community Child Care Center of Delray Beach, Inc. dba Achievement Centers for Children and Families will provide services for up to 37 Head Start children, in an amount not to exceed \$207,102; and

N) Kidz Kaleidoscope Center for Early Learning, Inc. will provide services for up to 32 Head Start children, in an amount not to exceed \$179,116; and

O) Tender Love & Care Child Development Center, Inc. will provide services for up to 32 Head Start children, in an amount not to exceed \$179,116.

SUMMARY: The Division of Head Start has received funds from the Department of Health and Human Services to provide child care services. As a result, Head Start is contracting with the above listed agencies to provide these services. Services will be funded with \$4,361,316 in Federal funds and \$2,085,443 in County funds. Sufficient funding is included in the current budget to meet County obligations. Lorraine Herdeen, Executive Director for Florence Fuller Child Development Centers, Inc., serves on the Child Care Advisory Council. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the Head Start/Early Head Start Contracted Services Agreements. 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. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. ~~**DELETED:** Staff recommends motion to approve:~~ Contract for Consulting/Professional Services with Marriage & Family Services, Inc., for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$35,500 for mental health services to Early Head Start and Head Start children. **SUMMARY:** The Division of Head Start has received funds from the Department of Health and Human Services to provide mental health services. As a result, Head Start is contracting with Marriage & Family Services, Inc. to provide mental health services to Early Head Start and Head Start children. Services will be funded with \$24,316 in Federal funds and \$11,184 in County funds. Sufficient funding is included in the current budget to meet County obligations. (Head Start) Countywide (TKF)

3. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with Christians Reaching Out to Society, Inc. for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$49,000 to provide gleaning services. **SUMMARY:** Christians Reaching Out to Society, Inc. (CROS) will recruit and coordinate gleaning opportunities through local church, civic and non-profit agencies in the County to develop strong neighborhood relationships, opportunities and support systems. Gleaning is the gathering of excess produce after the fields have been harvested. The produce is distributed to homeless shelters, day care centers, senior centers, and emergency food pantries. This project is collaboration between Palm Beach County, CROS and United Way to bring fresh produce into low-income neighborhoods as fresh fruit and vegetables are usually too expensive and/or of poor quality in these areas. The addition of these resources adds much needed nutrition to the diet and promotes health and wellness. Services will be funded with \$39,200 in Federal funds and \$9,800 in County funds. Sufficient funding is included in the current budget to meet County obligations. (Community Action Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Amendments to Contract for Provision of Financial Assistance with the below listed agencies, for the period October 1, 2012, through September 30, 2013, in an amount totaling \$6,545,818:

1. Amendment No. 01 to Contract for Provision of Financial Assistance with Alzheimer's Community Care, Inc. (R2011-1762), increasing funding by \$510,793 for a new total not to exceed amount of \$1,021,586; and
2. Amendment No. 01 to Contract for Provision of Financial Assistance with Boys and Girls Clubs of Palm Beach County, Inc. (R2011-1763), increasing funding by \$149,314 for a new total not to exceed amount of \$298,628; and
3. Amendment No. 01 to Contract for Provision of Financial Assistance with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2011-1562), increasing funding by \$85,767 for a new total not to exceed amount of \$171,534; and
4. Amendment No. 01 to Contract for Provision of Financial Assistance with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2011-1563), increasing funding by \$46,209 for a new total not to exceed amount of \$92,418; and
5. Amendment No. 01 to Contract for Provision of Financial Assistance with Coalition for Independent Living Options, Inc. (R2011-1499), increasing funding by \$243,652 for a new total not to exceed amount of \$487,304; and
6. Amendment No. 01 to Contract for Provision of Financial Assistance with Farmworker Coordinating Council of Palm Beach County, Inc. (R2011-1765), increasing funding by \$150,346 for a new total not to exceed amount of \$300,692; and
7. Amendment No. 01 to Contract for Provision of Financial Assistance with Deaf Service Center of Palm Beach County, Inc. (R2011-1884), increasing funding by \$73,161 for a new total not to exceed amount of \$146,322; and
8. Amendment No. 01 to Contract for Provision of Financial Assistance with Deaf Service Center of Palm Beach County, Inc. (R2011-1885), increasing funding by \$146,721 for a new total not to exceed amount of \$293,442; and
9. Amendment No. 01 to Contract for Provision of Financial Assistance with Drug Abuse Foundation of Palm Beach County, Inc. (R2011-1764), increasing funding by \$1,537,168 for a new total not to exceed amount of \$3,074,336; and
10. Amendment No. 01 to Contract for Provision of Financial Assistance with Drug Abuse Treatment Association, Inc. (R2011-1564), increasing funding by \$257,035 for a new total not to exceed amount of \$514,070; and
11. Amendment No. 01 to Contract for Provision of Financial Assistance with Elizabeth H. Faulk Foundation, Inc. d/b/a Center for Group Counseling (R2011-1500), increasing funding by \$59,584 for a new total not to exceed amount of \$119,168; and
12. Amendment No. 01 to Contract for Provision of Financial Assistance with Gratitude House, Inc. (R2011-1566), increasing funding by \$51,000 for a new total not to exceed amount of \$102,000; and
13. Amendment No. 01 to Contract for Provision of Financial Assistance with Jeff Industries, Inc. (R2011-1567), increasing funding by \$149,526 for a new total not to exceed amount of \$299,052; and
14. Amendment No. 01 to Contract for Provision of Financial Assistance with Legal Aid Society of Palm Beach County, Inc. (R2011-1501), increasing funding by \$89,100 for a new total not to exceed amount of \$178,200; and
15. Amendment No. 01 to Contract for Provision of Financial Assistance with Rehabilitation Center for Children and Adults, Inc. (R2011-1769), increasing funding by \$49,500 for a new total not to exceed amount of \$99,000; and

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. MOTION/TITLE CONTINUED

16. Amendment No. 01 to Contract for Provision of Financial Assistance with South County Mental Health Center, Inc. (R2011-1996), increasing funding by \$1,486,826 for a new total not to exceed amount of \$2,973,652; and
17. Amendment No. 01 to Contract for Provision of Financial Assistance with The Center for Family Services of Palm Beach County, Inc. (R2011-1772), increasing funding by \$73,000 for a new total not to exceed amount of \$146,000; and
18. Amendment No. 01 to Contract for Provision of Financial Assistance with The Jerome Golden Center for Behavioral Health, Inc. (R2011-1775), increasing funding by \$1,387,116 for a new total not to exceed amount of \$2,774,232.

B) Contracts for Provision of Financial Assistance with the below listed agencies for the period October 1, 2012, through September 30, 2013, in an amount totaling \$2,215,880:

1. Area Agency on Aging of Palm Beach/Treasure Coast, Inc., for Federal mandatory match funds in an amount not to exceed \$245,253; and
2. The Center for Family Services of Palm Beach County, Inc., for the Traveler's Aid and Program Reach at Pat Reeves Emergency Shelter programs in an amount not to exceed \$157,754; and
3. The Children's Home Society of Florida, for the Nelle Smith Residence for Girls and Transitions Home programs in an amount not to exceed \$124,431; and
4. The Haven, Inc., for The Haven program in an amount not to exceed \$127,464; and
5. The Lord's Place, Inc., for the Permanent Supportive Housing Program in an amount not to exceed \$226,380; and
6. The Mae Volen Senior Center, Inc., for transportation and meal programs in an amount not to exceed \$1,153,419; and
7. The Salvation Army, a Georgia Corporation, for Center of Hope in an amount not to exceed \$68,267; and
8. The Young Women's Christian Association of Palm Beach County, Florida, for Harmony House in an amount not to exceed \$112,912.

SUMMARY: The information submitted reflects part of the total \$12,429,511 funding approved by the Board of County Commissioners for the Financially Assisted Agencies Program for FY 2013. Other contracts will be forthcoming upon receipt of all the required information. Countywide (TKF)

5. Staff recommends motion to approve: Memorandum of Understanding with Nurse Assistant Training School, Inc. (d/b/a Academy for Nursing and Health Occupations) for the period October 1, 2012, through September 30, 2015. **SUMMARY:** Community Services Department partners with various local colleges/universities/training schools to provide an educational opportunity for students to link theory with practice and provide students with a practical real world experience in the government sector. This educational opportunity enables students to develop important skills which cannot be taught in the classroom by experiencing a variety of supervised work projects. No County funds are required. (Community Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve:

A) the Construction Manager (CM) at Risk Contract with The Whiting-Turner Contracting Company for the performance of construction management services related to the Baggage Handling System (BHS) Improvements at Palm Beach International Airport (PBI); and

B) Task Order No. 1 in the amount of \$336,568 for Pre-Construction services for the BHS Improvements at PBI.

SUMMARY: In order to complete the construction of the BHS Improvements project at PBI, the Department of Airports (Department) requires CM at Risk services. The Whiting-Turner Contracting Company was competitively selected to provide these services. The first phase of a potential multi-phase contract is for Pre-Construction services in the amount of \$336,568 and will provide the Department with the needed CM at Risk services to implement this approved Capital Improvement Project. When the construction documents are completed, an Amendment to the contract will be submitted to the Board with a Guaranteed Maximum Price (GMP) and the appropriate bond and insurance documents. The Whiting-Turner Contracting Company is a Baltimore, Maryland based firm; however, the work will be directly managed by the local South Florida office in Broward County. A Disadvantaged Business Enterprise (DBE) goal of 12% of the GMP was set for this contract. As the successful proposer, The Whiting-Turner Contracting Company will be required to demonstrate its good faith efforts to achieve the established DBE goal upon submission of the GMP, which will be developed as a part of Task Order No. 1. Countywide (JCM)

2. Staff recommends motion to receive and file: a Google Online Agreement with Google, Inc. to collect location information for work associated with Google Indoor Maps at Palm Beach International Airport. **SUMMARY:** Delegation of authority for execution of the above standard form Google Online Agreement was approved by the Board of County Commissioners on September 11, 2012 (Agenda Item 3F2). Countywide (AH)

3. Staff recommends motion to:

A) receive and file Federal Aviation Administration Grant Agreement Number 3-12-0086-012-2012 in the amount of \$317,111 to Rehabilitate Runway 03/21 and 09/27 Intersection (Design Only); Rehabilitate General Aviation Apron (Design Only); Rehabilitate Taxiway A1 (Design Only) at Palm Beach County Park Airport; and

B) approve a Budget Amendment of \$317,111 in the Airport's Improvement and Development Fund to provide for new capital expenditures; the receipt of \$317,111 of Grant Funding from the FAA, and Local Funding of \$35,235 from Airport Reserves.

SUMMARY: Delegation of authority for execution of the above standard form Grant Agreement was approved by the Board of County Commissioners on October 3, 2006 (R2006-2086). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to adopt: a Resolution establishing a standard form In-Flight Catering Permit; authorizing the County Administrator or his designee to execute the standard form In-Flight Catering Permit; providing for severability; and becoming effective upon adoption. **SUMMARY:** The Resolution establishes a new standard form In-Flight Catering Permit for use in permitting in-flight catering service activities for commercial air carriers operating at the Palm Beach International Airport (PBI), and authorizes the County Administrator or his designee to execute the standard form In-Flight Catering Permit on behalf of the Board. Countywide (AH)

5. Staff recommends motion to receive and file: First Amendment to Airline Operating and Lease Agreement with Spirit Airlines, Inc. (R2012-0055), replacing Exhibit "B" reducing leasehold for the season, effective May 4, 2012. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2007-1968. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: the write-off of 520 uncollected non-sufficient funds checks with a total face value of \$62,828.24 plus County added service fees of \$15,287.24 for a cumulative total of \$78,115.48. **SUMMARY:** The Office of Financial Management and Budget's Collections Coordinator has reviewed the listing of uncollected non-sufficient funds checks received by the Finance Department during the fiscal years of 2005 through 2009 and has concluded that they should be written off the County's active Advantage accounts receivable ledger. These checks were for various County programs and services that patrons received. All collections efforts to recover these funds have been exhausted. The write-off of these receivables to an uncollectible receivables database is not a forgiveness of the debt and if the opportunity to collect on any of these checks should arise, the County will take appropriate action to collect on same. The approval of this item will allow the County's Finance Department to remove these receivables from the County's active Advantage accounts receivable ledger and transfer them to an uncollectible debts database. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to receive and file:** Notification of the cumulative total of time extensions to the contract with Southeast Drilling Services, Inc. (R2010-1019) for the South County Regional Park Recharge Wells project having reached the 120 day time extension reporting threshold. **SUMMARY:** In accordance with PPM CW-F-050, when the cumulative time extensions approved by the Lead Department and the Contract Review Committee exceeds 120 days, the Department is required to notify the Board that it has reached this reporting threshold. Initially, this project was bid to include pricing for two wells; however, only one well was initially awarded (Phase 1) pending budget appropriation for the second well. Phase 1 was delayed by 118 days due to unforeseen circumstances and the addition of an irrigation pump for the golf course common areas. After Phase 1 was completed, funding was obtained for Phase 2 and the second well was approved by the Board on June 7, 2011. Change Order No. 8 extended time for Phase 2 due to unforeseen circumstances at no cost to the County. With the approval of Change Order No. 8 for a time extension of 30 days on September 19, 2012, by the Facilities Development and Operations Department Director, the cumulative total of days for this project is 148. Change Order No. 8 provided for a time extension of 30 days for contract delays beyond the control of the contractor. This item notifies the Board that the cumulative threshold has been reached and is being reset by this notification. The Small Business Enterprise (SBE) goal for this project is 15%. The cumulative SBE participation on this contract is 42%. (Capital Improvements Division) District 5 (JM)

2. **Staff recommends motion to approve:** Change Order No. 15 to the contract with Catalfumo Construction, Ltd. (R2007-1217) decreasing the Guaranteed Maximum Price (GMP) for the Government Center Chiller project in the amount of \$164,206.79. **SUMMARY:** On June 8, 2010, the Board approved Amendment No. 7 to the contract with Catalfumo Construction, Ltd. in the amount of \$4,209,613 for construction of a new chiller plant for the Government Center and Historic Courthouse. There is \$164,206.79 remaining as a result of buyout savings, unused allowances, unused owner contingency and reconciliation of sales tax recovery purchase orders. The amendment was funded from Bonds and Ad Valorem, and remaining funds will be returned to the Public Building Improvement Fund. The Small Business Enterprise (SBE) goal for this contract is 15% and the final SBE participation is 45%. (Capital Improvements Division) Countywide/District 7 (JM)

3. **Staff recommends motion to approve:** a Utility Easement in favor of the Glades Utility Authority (GUA) for water utility purposes across a portion of County property located on South Lake Avenue in Pahokee. **SUMMARY:** The County is constructing a new building for Fire-Rescue Station No. 72 on South Lake Avenue, east of Rardin Avenue, in Pahokee. As a part of the development of the fire station, water facilities were installed across a portion of the station's property. The easement area is approximately 100' long, varying in width from 20' to 36.63' and contains a total of 2,746 square feet (0.06 acres). The Utility Easement will be recorded to provide notice of the existence and location of the water facilities. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to receive and file: a notice of exercise of the extension option of Concessionaire Service Agreement (R2010-1408) with DH2, Inc. for the operation of food and beverage services at Osprey Point Golf Course in South County Regional Park for \$6,489.60/year. **SUMMARY:** On September 14, 2010, the Board approved the Concessionaire Service Agreement with DH2, Inc. for use of a 183 SF snack bar, a portion of the exterior patio area at the clubhouse, and operation of mobile food and beverage carts on the golf course at Osprey Point Golf Course located in South County Regional Park. The minimum guaranteed annual rent is \$6,489.60/year with a per round fee of \$0.20 for each round of golf played during the preceding 12 months that exceeds 60,000 rounds. During the initial term the 60,000 per round threshold was not reached and is not expected to be surpassed during this option period. The initial term of the lease was for three years, will expire on November 4, 2012, and included three one-year extension options. Exercising this first option will extend the term to November 4, 2013. There remain two one-year extension options. Pursuant to the Agreement, DH2, Inc. has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. (PREM) District 5 (HJF)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: a Contract for Audit Services between the Housing Finance Authority of Palm Beach County, Florida (Authority), and Caler, Donten, Levine, Cohen, Porter & Veil, P.A. (CDL). **SUMMARY:** The Authority was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances, as amended, requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 be approved by the BCC. This Contract sets forth the terms under which CDL will provide audit services to the Authority. CDL was selected by the Authority to provide audit services pursuant to a public Request for External Audit Services process on August 14, 2009. The Contract provides for an initial three year term and up to two successive three year renewals. The initial Contract was approved by the BCC on October 6, 2009, and this first renewal Contract was entered into by the Authority on September 14, 2012, subject to approval by the BCC. **No match from County General Fund is required.** (HFA of PBC) Countywide (PFK)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve: an Agreement with The Center for Technology, Enterprise and Development, Inc. (TED Center) in the amount of \$151,000 for the period October 1, 2012, to September 30, 2013. **SUMMARY:** This Agreement will provide Community Development Block Grant (CDBG) Program funds for operational expenses for the development and expansion of microenterprises (defined as “commercial enterprises” that have five (5) or fewer employees) and small businesses. The TED Center is required to create a minimum of 11 full-time equivalent (FTE) jobs countywide of which at least 51% must be held by, or made available to, low and moderate income persons, and of which at least 51% must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The TED Center, a non-profit organization, is a business incubator with associated programs and services designed to improve the viability and strength of microenterprises and small businesses. The primary objective of the TED Center is to provide business resources and support services for business opportunities. The TED Center received \$171,100 in CDBG funds during Fiscal Year 2011-2012 and created 23 FTE jobs (based on their August 2012 progress report) which exceeded their 15 FTE job creation requirement. Seabron Smith, an employee of The TED Center, serves on the Treasure Coast Regional Planning Council’s Comprehensive Economic Development Strategy Committee (CEDS). This Council provides no regulation, oversight, management, or policy-setting recommendations regarding the TED Center’s Agreement. 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. **This funding is projected to retain/create 18 jobs and have a 5 year Economic Sustainability Impact of \$7,595,200. These are Federal CDBG funds which do not require a local match.** (Strategic Planning) Countywide (DW)

3. Staff recommends motion to approve: a Budget Amendment of \$167,529 to the Fiscal Year 2011-2012 Emergency Solutions Grant (ESG) Program budget to appropriate the second allocation of ESG funding. **SUMMARY:** In March 2012, the U.S. Department of Housing and Urban Development (HUD) advised Palm Beach County of the availability of a second ESG allocation of \$167,529 under the Fiscal Year 2011-2012 ESG Program. These funds will be exclusively used for rapid re-housing assistance and administration. **These are Federal funds that require a dollar for dollar match which may be provided in the form of cash or in-kind contributions.** (Fiscal) Countywide (TKF)

4. Staff recommends motion to approve: an Agreement with the City of Belle Glade in the amount of \$123,918 for the period October 1, 2012, to September 30, 2013. **SUMMARY:** The Palm Beach County Action Plan for Fiscal Year 2012-2013 approved by the Board of County Commissioners on July 10, 2012 (R2012-0942), allocated \$123,918 in Community Development Block Grant (CDBG) funds to the City of Belle Glade for code enforcement activities. CDBG funds will be used to pay the salary and benefits of City staff (approximately two and one-half full-time equivalent jobs) performing the duties of code compliance officers. **This funding is projected to create four (4) jobs and have a five (5) year Economic Sustainability Impact of \$244,141. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. **Staff recommends motion to approve:** a Consulting/Professional Services Contract with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$54,000 for the period October 1, 2012, to September 30, 2013. **SUMMARY:** This Consulting/Professional Services Contract will fund the BBIC for operational expenses for providing consulting and financial assistance to existing and start-up small businesses in Palm Beach County. The BBIC, a non-profit organization, will be required to obtain 4 business loan approvals from financial institutions totaling at least \$500,000, while serving 270 clients and creating/retaining 25 full-time equivalent jobs. BBIC received \$54,000 during Fiscal Year 2011-2012. They closed 7 business loans (exceeding their requirement to close 4 business loans) totaling \$560,000, while serving 278 clients and creating/retaining 70 full-time equivalent jobs. John Howard, an employee of the BBIC, serves on the Commission of Affordable Housing. This Board/Commission provides no regulation, oversight, management, or policy-setting recommendations regarding the BBIC's contract. 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. **This funding is projected to create 32 jobs and have a 5 year Economic Sustainability Impact of \$5,505,378. These are County Ad Valorem funds.** (Strategic Planning) Countywide (DW)

6. **Staff recommends motion to approve:** an Agreement with the City of Pahokee in the amount of \$44,158 for the period October 1, 2012, to September 30, 2013. **SUMMARY:** The Palm Beach County Action Plan for Fiscal Year 2012-2013 approved by the Board of County Commissioners on July 10, 2012 (R2012-0942), allocated \$44,158 in Community Development Block Grant (CDBG) funds to the City of Pahokee for code enforcement activities. CDBG funds will be used to pay the salary and benefits of a Code Compliance Clerk whose duties include reviewing code violation citations, preparing and mailing documents to code violators. **This funding is projected to create one and one-half jobs and have a one year Economic Sustainability Impact of \$106,812. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

7. Staff recommends motion to approve:

A) an Agreement with the Law Offices of Bryan Boysaw & Associates, P.A. (BB&A); and

B) a First Amendment to Declaration of Restrictions with BB&A.

SUMMARY: On June 19, 2007, the Board of County Commissioners approved an Agreement (R2007-0911) with BB&A for the use of \$60,000 in Community Development Block Grant (CDBG) funds under the Economic Development Set-Aside Program. These funds were used to acquire the property located at 501 Rosemary Avenue in the City of West Palm Beach to expand the firm's offices by constructing additional office space on the acquired property. The County's funds were secured by a Declaration of Restrictions recorded against the property. In exchange for the receipt of these funds, the firm was required to create four full-time equivalent jobs by April 1, 2011, and to maintain these jobs for three years after their creation. Due to the economic downturn and due to construction delays, the firm was not able to create these jobs until January 2012. This Agreement recognizes the firm's creation of the required jobs, establishes the three year maintenance period as of January 2012, and establishes the associated reporting requirements. The First Amendment to Declaration of Restrictions modifies the recorded Declaration of Restrictions to become consistent with the foregoing and amends the length of the property restrictions from ten years to five years in accord with current Federal regulations. **This funding is projected to create four jobs and have a five year Economic Sustainability Impact of \$1,263,000. These are Federal CDBG funds which do not require a local match.** (DES Contract Development) District 7 (DW)

8. Staff recommends motion to approve: an Agreement with Enterprise Development Corporation of South Florida (EDC) in the amount of \$51,000 for the period October 1, 2012, to September 30, 2013. **SUMMARY:** This Agreement will provide Community Development Block Grant (CDBG) Program funds for operational expenses for the development and expansion of microenterprises (defined as "commercial enterprises" that have five or fewer employees) and small businesses. EDC is required to create a minimum of four full-time equivalent (FTE) jobs countywide of which at least 51% must be held by, or made available to, low and moderate income persons, and of which at least 51% must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. EDC is a non-profit organization whose mission is the development of an innovation-based economy through the creation of high skill, high wage jobs in key industries that are driving global commerce. The primary objective of EDC is to facilitate the creation and growth of high technology companies. EDC received \$57,100 in CDBG funds during Fiscal Year 2011-2012 and created six and one-half FTE jobs (based on their August 2012 progress report), which exceeded their five FTE job creation requirement. **This funding is projected to create/retain nine jobs and have a five year Economic Sustainability Impact of \$3,578,000. These are Federal CDBG funds which do not require a local match.** (Strategic Planning) Countywide (DW)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

9. Staff recommends motion to approve: an Agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$50,000 for the period October 1, 2012, to September 30, 2013. **SUMMARY:** This Agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program, which is entering its 18th year of operation. The grant funds will continue to develop the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. Funding will be provided in accordance with PPM No. CW-F-049 (III)(F) as a specific grant awarded by the County. **This funding is projected to create two jobs and have a one year Economic Sustainability Impact of \$179,300. These are County ad valorem funds.** (DES Contract Development) Countywide (DW)

10. Staff recommends motion to authorize:

A) the Department of Economic Sustainability (DES) to submit a Request for Proposals under the FY '13 Brownfields Revolving Loan Fund (RLF) Grant for the receipt of \$1,000,000 from the United States Environmental Protection Agency (EPA);

B) DES to establish and manage the Palm Beach County Brownfields Revolving Loan Fund Program to finance Brownfields cleanup for redevelopment countywide, if approved; and

C) the County Administrator or his designee to execute all required documents in order to apply for and receive these grant funds and in order to implement the Palm Beach County Brownfields RLF Program, if approved.

SUMMARY: EPA's acceptance of the County's proposal will enable the implementation of the Palm Beach County Brownfields Revolving Loan Fund Program by providing loan financing to business/property owners to carry out cleanup activities at Brownfields sites countywide. The Program will work to remove economic, environmental and social barriers to make sustainable and equitable Brownfields cleanup and reuse of the highest priority. DES will be responsible for determining loan applicant eligibility, credit quality, preparing the loan documentation and servicing all loans. The loan recipient will be responsible for the environmental reviews and site assessments which are prepared for properties that identify potential or existing environmental contamination. Policies for implementing the Program will be submitted to the Board of County Commissioners for approval at a later date. EPA requires a 20% cost share as a condition for the use of their grant funds which will be met through the use of other funds such as the Section 108 Loan Program. EPA allows up to ten percent (10%) of the grant to be used for programmatic costs for managing the RLF. **These are Federal grant funds that require a 20% cost share which will be met from non-ad valorem sources.** (DES Administration) Countywide (DW)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** a Partial Release of Utility Easement on land owned by Southern & Crestwood Properties, LLC. **SUMMARY:** This document will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County in Book 12692, Page 112. During development of the new Renaissance Charter School on the northwest corner of Southern Boulevard and Crestwood Road, it was determined that the existing building encroaches on a portion of the existing utility easement. The property owner now requests release of the portion of the original easement. The Water Utilities Department concurs with this request and, therefore, recommends the partial release. There is no cost to the property owner nor County for this partial release of easement. District 6 (MJ)
2. **Staff recommends motion to approve:** a Partial Release of Utility Easement on land owned by American Heritage School of Boca Delray, Inc. formerly known as G.H.S., Inc. **SUMMARY:** This document will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County in Book 9967 Page 790. During expansion of the American Heritage School of Boca/Delray on the south side of Linton Boulevard west of the E-3 canal, it was determined that a future building will encroach on a portion of the existing easement. The property owner now requests release of the portion of the original easement. The Water Utilities Department concurs with this request and, therefore, recommends the partial release. There is no cost to the property owner nor County for this partial release of easement. District 5 (MJ)
3. **Staff recommends motion to receive and file:** executed Agreements received during the month of August 2012:

- A)** Indemnification Agreement with Oxygen Holdings, LLC, a Florida Limited Liability Company (WUD No. 09-505) District 2 (MJ);
- B)** Indemnification Agreement with XYNYX Incorporated, (WUD No. 11-540) District 2 (MJ);
- C)** Indemnification Agreement with Al-Amin Center of Florida, Inc., (WUD No. 12-509) District 3 (MJ);
- D)** Indemnification Agreement with Plaza Two, LLC, a Florida Limited Liability Company (WUD No. 11-531) District 3 (MJ);
- E)** Indemnification Agreement with Atlantic Commons Associates, LLLP, a Florida Limited Liability Limited Partnership (WUD No. 11-552) District 5 (MJ);
- F)** Indemnification Agreement with Aspen Square, LLC, a Florida Limited Liability Company (WUD No. 08-569) District 5 (MJ);
- G)** Indemnification Agreement with Solid Waste Authority of Palm Beach County, (WUD No. 09-524) District 5 (MJ);
- H)** Standard Development Agreement with GH Savannah Lake, LLC, SDA No. 02-01132-000 District 3 (MJ);
- I)** Standard Development Agreement with AL Lake Worth, LLC, Lyons Road LW LLC, and Jules M. Romfh, Jr. and Elisabeth Romfh, SDA No. 02-01109-001 (conversion from UCRA) District 6 (MJ); and
- J)** Standard Development Agreement with AL Lake Worth, LLC, Lyons Road LW LLC, and Jules M. Romfh, Jr. and Elisabeth Romfh, SDA No. 02-01133-00 District 6 (MJ).

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 and Indemnity Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Deputy Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file.

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Amendment No. 4 to the unit price Contract with Rangeline Tapping Services, Inc. for the Water Utilities Department Pipe Wet Tapping & Line Stopping Continuing Contract. **SUMMARY:** On November 17, 2009, the Board of County Commissioners approved the Water Utilities Department Pipe Wet Tapping & Line Stopping Continuing Contract (R2009-1976) to Rangeline Tapping Services, Inc. in the amount of \$2,702,279. Staff is recommending that the contract be renewed for additional 12 months without increasing the contract maximum of \$2,702,279 and allowing for no increase in the unit prices for labor or materials under the renewal. The contract renewal will allow the continued efficiency and installation of pipe wet taps and line stops for emergency pipe repairs, pipe and valve replacements and construction projects throughout the County's service area. Contract renewal is for the base Contract only, and the Contract by itself does not guarantee nor authorize any work. Work will be assigned during the 12 month renewal period by formal work authorizations drawn against this contract, with approvals pursuant to PPM CW-F-050 and requirements for any Federally funded projects. Supplements to work authorizations for changes that occur during construction will be subject to the change order limits for construction contracts as established under PPM CW-F-050 with each work authorization considered as an individual construction contract. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. This contract with Rangeline Tapping Services, Inc. provides for SBE participation of 100% overall. Rangeline Tapping Services, Inc. is a Palm Beach County Company. (WUD Project No. 08-019) Districts 1, 2, 3, 5 & 6 (JM)

5. **Staff recommends motion to approve:** Work Authorization No. 17 to the contract for Pipeline Continuing Construction Contract with Johnson-Davis, Inc. (R2010-1423) for the construction of the South County Water Services Replacement Project Phase II in the amount of \$1,873,456.83. **SUMMARY:** On September 14, 2010, the Palm Beach County Board of County Commissioners approved the Water Utilities Department Pipeline Continuing Construction Contract with Johnson-Davis, Inc. (R2010-1423). This Work Authorization No.17 provides for the replacement of potable water services and asbestos concrete water mains in three (3) areas within South County as follows: Palmetto Pines located in southwest Boca Raton (west of State Road 7 and just south of Palmetto Park Road); Tudorwoods located in southwest Boca Raton (west of Keystone Street and just south of Judge Winikoff Road); and Sandalfoot located in southwest Boca Raton (east of Lyons Road and south of Palmetto Park Road). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Johnson Davis, Inc. provides for SBE participation of 15% overall. This Authorization includes 15.23% overall participation. The cumulative SBE participation, including this Authorization, is 15.54% overall. Johnson-Davis, Inc. is a local Palm Beach County company. (WUD Project No. 11-097) District 5 (MJ)

6. **Staff recommends motion to approve:** a Contract with Rio-Bak Corporation for the Northern Region Operations Center (NROC) Site Civil and Landscape Improvements in an amount of \$1,598,226.70 (Base Bid only). **SUMMARY:** On August 8, 2012, four bids were received for the NROC Site Civil and Landscape Improvements with Rio-Bak Corporation being the lowest responsible, responsive bidder in the amount of \$1,598,226.70. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. This Contract with Rio-Bak Corporation provides for SBE participation of 27.88% overall. Rio-Bak Corporation is a local Palm Beach County company. (WUD Project No. 11-012) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. Staff recommends motion to approve: Amendment No. 1 to the unit price Contract with Aquifer Maintenance and Performance Management, Inc. (AMPS) for the System-Wide Wellfield Rehabilitation and Maintenance Project. **SUMMARY:** On September 20, 2011, the Board of County Commissioners approved the Water Utilities Department System-Wide Wellfield Improvements Project (R2011-1806) to Aquifer Maintenance and Performance Management, Inc. (AMPS) in the amount of \$577,159. Staff is recommending that the contract be renewed for additional 12 months term in the amount of \$577,159, allowing for no increase in the unit prices for labor or materials under the renewal. The contract renewal will allow the continued efficiency and rehabilitation of wellfields throughout the County's service area. The renewal of the Contract itself does not guarantee nor authorize any work. Work will be assigned during the 12 month renewal period by formal Construction Delivery Orders (KDO's) drawn against this continuing contract with the project cost identified on each KDO. The unit prices contained in this renewal contract will be used in determining the cost of the KDO's. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. This contract with AMPS provides for SBE participation of 100% overall. AMPS is a local Palm Beach County company. (WUD Project No. 11-005/VMG) Districts 2, 3, 5 & 6 (JM)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to adopt: a Resolution recognizing the need for multi-jurisdictional input on conservation measures proposed for Southeast Florida coastal waters and supporting the creation of the Southeast Florida Coastal Ocean Task Force (COTF). **SUMMARY:** The COTF will provide input and serve as a liaison to the Southeast Florida Coral Reef Initiative which is comprised of agencies and stakeholders from Martin, Palm Beach, Broward and Miami-Dade. The Task Force will be composed of one County Commissioner from each county, an elected official from three municipalities in each county, appointed officials from state and federal environmental agencies and representatives from selected stakeholder groups with an interest in reef conservation. The COTF is expected to meet periodically for at least eighteen months with the goal of endorsing a final report with recommendations for reef management and conservation priorities and strategies. There is no cost to the County. Countywide (SF)

2. Staff recommends motion to:
 - A) approve** an Agreement and License for Property Access to Trim Vegetation (Agreement) between Palm Beach County and the Ocean Royale Condominium Association, Inc. (Condominium) for permit approved trimming of native vegetation on a County-owned beach front property in Juno Beach; and

 - B) authorize** the County Administrator, or his designee, to sign necessary minor amendments that do not change the scope of work, terms, or conditions of the Agreement.

SUMMARY: The Condominium is located on the west side of Highway A1A in Juno Beach. The Agreement will allow the Condominium to trim approximately 450 linear feet of native vegetation (sea grapes) growing on County property along the east side of A1A. The Condominium will be responsible for receiving all local and state permits, any potential damage caused to the County property, and liable for any sea turtle impacts. There is no cost to the County. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to approve:

A) Amendment No. 2 to Grant Agreement No. 08PB4 (R2010-1322) with the Florida Department of Environmental Protection (FDEP) for cost-share on the Juno Beach Renourishment Project including a reversion of \$492,744 in state funds from task 3.2 H for future construction and a postponement of \$1,048,439 in authorized tasks for 3.2H and 4.2L; and

B) Budget Amendment of \$1,541,183 to recognize the revenue contract decrease of \$492,744 and a revenue decrease of \$1,048,439 requiring future authorization by contract amendment and an associated decrease in reserves of \$1,541,183 in the Beach Improvement Fund reducing the balance of the reserve account to \$39,782.

SUMMARY: Following the original DEP funding grant award the project was deemed eligible for FEMA reimbursement due to impacts from Tropical Storm Fay. The increase in FEMA funds reduced both the County and DEP cost share. This Amendment reverts \$492,744 back to FDEP to reflect the addition of FEMA funding and postpones \$1,048,439 for future construction and monitoring. This will reduce the total amount of the Grant from \$5,226,738 to \$4,733,994 of which \$3,488,840 has already been reimbursed. The remaining grant obligation is \$1,245,155 including the future construction allocation of \$1,048,439. The current balance of the authorized portion of grant expenditures is \$196,715. The Budget Amendment of \$1,541,183 is necessary to reflect the loss of grant revenues in the current project cycle. District 1 (SF)

4. Staff recommends motion to:

A) approve Interlocal Agreement with the City of Riviera Beach (City) for 20% cost sharing on Singer Island Dune Restoration efforts (Project);

B) approve Budget Amendment of \$200,000 in the Beach Improvement Fund to recognize the estimated revenues for the first year of the Agreement; and

C) 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 the Agreement.

SUMMARY: The Interlocal Agreement with the City establishes a twenty percent (20%) cost-share of eligible Project costs not to exceed \$200,000 in any fiscal year, which include project management, design, permitting, purchase and trucking of sand, sand placement, planting of native vegetation and all permit required monitoring and maintenance. The term of the Agreement is from the date of execution through September 30, 2022. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to approve:

A) Work Order No. 2042-02 to the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2011ERM05 Contract (R2011-2042) with Eastman Aggregate Enterprises, LLC (Eastman) not-to-exceed \$263,416 to provide dune restoration services for the Coral Cove Dune Restoration Project; and

B) Work Order No. 2042-03 to the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2011ERM05 Contract (R2011-2042) with Eastman not-to-exceed \$960,998 to provide dune restoration services for the Singer Island Dune Restoration Project.

SUMMARY: The Board of County Commissioners (BCC) approved an annual construction Contract with Eastman, a Palm Beach County SBE company, for the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2011ERM05 (R2011-2042) on December 20, 2011. Work Orders No. 2042-02 and 2042-03 authorize Eastman to complete dune restoration activities along the designated eroded shorelines. Eastman committed to an overall 21.23% SBE participation in the Contract and has achieved 49.49% participation with these Work Orders. The Coral Cove dune restoration shall be funded from the Beach Improvement Fund supported by Tourist Development taxes. Department of Environmental Protection (DEP) Funding Agreement 06PB2 authorizes a 39.945% cost share for Singer Island dune construction (\$383,871) and an Interlocal Agreement with the City of Riviera Beach is pending BCC approval for a City cost share of 20% not to exceed \$200,000. The remaining cost of \$384,927 for the Singer Island dune restoration is provided from the Beach Improvement Fund. District 1 (JM)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Amphitheater Rental Agreement:

AEG Live SE, LLC, Rise Against Concert, Sunset Cove Amphitheater, for the period April 28, 2012, through April 29, 2012.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2011-1960, and is now being submitted to the Board to receive and file. This event helped to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 3,280 persons attended the event produced under this Amphitheater Rental Agreement. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to receive and file:** the following original executed Sound and Light Production Services Contractor Agreements:

A) City Sound and Recording LLC; Legends of Rock concert, Sunset Cove Amphitheater, for the period April 20, 2012, through April 21, 2012; and

B) City Sound and Recording LLC; Rise Against concert, Sunset Cove Amphitheater, for the period April 28, 2012, through April 29, 2012.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Sound and Light Production Services Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolution 2010-0645, and are now being submitted to the Board to receive and file. District 5 (AH)

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

3D Diving, Inc., Competitive Springboard Diving Team Coach, North County Aquatic Complex, for the period October 1, 2012, through September 30, 2013.

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 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 1 (AH)

4. **Staff recommends motion to receive and file:** Third Amendment to Contract No. 80009/LS, with Chet's, Inc., located in Boynton Beach, Florida, providing professional water ski instruction at South County Regional Park extending the contract for the final one-year renewal period to expire September 30, 2013. **SUMMARY:** On September 25, 2009, Palm Beach County entered into a Standard Contract with Chet's, Inc. to provide a complete water skiing school program at South County Regional Park. The Contract provided an initial one (1) year term, which expired on September 30, 2010, with three one-year renewal options. This Third Amendment renews the Agreement for the third option period of October 1, 2012, through September 30, 2013. The total annual revenue for this Third Amendment is \$12,420. All other terms of the contract remain the same. This contract extension has been executed by the Purchasing Director in accordance with the authority provided to the Director by the Purchasing Code. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to receive and file: the following original executed Amphitheater Rental Agreements:

A) The Leukemia & Lymphoma Society, Inc., The Light The Night Walk, Sunset Cove Amphitheater, on November 12, 2011;

B) Lykel LLC, Legends of Rock Concert, Sunset Cove Amphitheater, on April 20, 2012;

C) Jewish Federation of South Palm Beach County, Inc., Israel Under The Stars, Sunset Cove Amphitheater, on April 26, 2012;

D) Palm Beach Broadcasting LLC, KDW Fishing Tournament and Concert, Seabreeze Amphitheater, for the period June 15, 2012, through June 16, 2012; and

E) Palm Beach Shakespeare Festival, Inc., "Twelfth Night" performances, Seabreeze Amphitheater, for the period July 6, 2012, through July 24, 2012.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolution 2009-1807, and are now being submitted to the Board to receive and file. These events help to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 20,500 persons attended the events produced under these Amphitheater Rental Agreements. Districts 1 & 5 (AH)

N. LIBRARY

1. Staff recommends motion to receive and file: a Cooperative Agreement with Literacy*AmeriCorps through the Literacy Coalition of Palm Beach County. **SUMMARY:** On June 5, 2012, the Board approved a site application (R2012-0838) for the County Library's participation in the Literacy*AmeriCorps Palm Beach County Program for the period of August 13, 2012, through July 12, 2013, and authorized the Chairperson to execute the agreement. This Agreement will provide the County Library with one full-time Literacy*AmeriCorps member. This member will offer conversational English programs and oversee the literacy learning computer lab. The Library will pay a service fee of \$5,620 to the Literacy Coalition of Palm Beach County and business-related mileage to the member up to \$2,750. AmeriCorps, with supplemental funds from the Coalition, will cover all other expenses including Workers' Compensation, liability, and health care coverage. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) a Contract for \$157,603 with Gulfstream Goodwill Industries, Inc., to provide reentry services to ex-offenders from October 1, 2012, through September 30, 2013;

B) a Contract for \$203,004 with The Lord's Place, Inc. to provide reentry services to ex-offenders from October 1, 2012, through September 30, 2013;

C) an Interlocal Agreement for \$136,111 with the City of Riviera Beach to provide reentry services to ex-offenders from October 1, 2012, through September 30, 2013; and

D) an Interlocal Agreement for \$152,550 with the Office of the Public Defender, Fifteenth Judicial Circuit to provide reentry services to ex-offenders from October 1, 2012, through September 30, 2013.

SUMMARY: Palm Beach County has accepted a second grant award of \$750,000 from the Department of Justice to facilitate the successful reintegration of offenders as they return to the community which includes collaboration with the Florida Department of Corrections to work with ex-offenders prior to release from incarceration. The grant program, the Regional and State Transitional Offender Reentry (RESTORE) Initiative, utilizes the Sago Palm and West Palm Beach Work Release facilities. The ex-offenders will be provided with pre and post release services to assist in their transition back into the community. Countywide (PGE)

2. Staff recommends motion to:

A) ratify the signature of the Chair on the First Contract Amendment for a 30 day extension to September 30, 2012 and an additional \$10,898.10 for a total of \$87,911.34 with the Department of Juvenile Justice (DJJ) for security services;

B) approve a Budget Amendment of \$10,898 in the Sheriff's Grants Fund; and

C) approve a Budget Amendment of \$10,898 in the Criminal Justice Commission (CJC) Grants Fund.

SUMMARY: Juvenile Assessment Center (JAC) security services are needed past the original Agreement period (August 31, 2012) and will be extended until September 30, 2012 while the new JAC is being renovated. The Palm Beach County Sheriff's Office (PBSO) has agreed to continue to serve as the fiscal agent to administer the provisions noted above. PBSO currently contracts for security on the secure side of the JAC. JAC security services are funded through a partnership with DJJ and the CJC. Due to the DJJ's short timeline, the emergency signature process was utilized. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. **REVISED MOTION:** Staff recommends motion to:

A) approve ratify the submittal of a Grant Application (02/03/2011) to the Department of Justice for the Justice and Mental Health Collaboration Program in the amount of \$249,955 for 24 months beginning October 1, 2012 to be used for enhancing Delinquency Drug Court;

B) receive and file a Justice and Mental Health Collaboration Program: Planning and Implementation Grant award from the Department of Justice (DOJ) for \$249,955 beginning October 1, 2012, through September 30, 2014, to fund an enhancement to Delinquency Drug Court by providing treatment to dually diagnosed juveniles;

C) approve the addition of a position in the Fifteenth Judicial Circuit, Court Administration for \$36,291, a County Court Case Manager (Pay Grade 23);

D) authorize the County Administrator or his designee to execute electronically all related documents and contracts for Palm Beach County's FY 2012 Justice Mental Health Collaboration Program Grant and to execute all necessary forms and documents as required by the U.S. Department of Justice, Bureau of Justice Assistance;

E) approve a Budget Amendment for \$249,955 in the Criminal Justice Commission Grants Fund to establish budget for the grant program; and

F) approve a Budget Amendment for \$82,568 in the General Fund to establish budget for the Case Manager's salary, benefits, and operating expenses.

SUMMARY: Palm Beach County has received a grant award for a two year \$249,955 grant from the Department of Justice to facilitate an enhancement to the existing Juvenile Drug Court. This grant will allow specialized treatment for juveniles with both mental health and substance abuse issues. The grant program utilizes the existing Delinquency Drug Court to enhance services to provide for additional youth that present with mental health diagnoses as well as substance abuse. The juveniles will be provided with evidence based treatment from a local mental health provider of juvenile services with staff that will be trained in this intervention. The one grant funded County position will be eliminated at the expiration of the grant term. There is a 20% match requirement which has been identified through existing resources. Countywide (PGE)

4. Staff recommends motion to approve:

A) a Budget Amendment of \$175,501 in the Criminal Justice Grants Fund to decrease budget for the Justice Assistance Grant (JAG) Program Local Solicitation Grant award from the Department of Justice (DOJ); and

B) a Budget Amendment of \$175,501 in the JAG Program Local Solicitation Grant Fund to establish budget for the JAG Program Grant.

SUMMARY: Palm Beach County, through the Criminal Justice Commission, 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. For accounting reasons it is more efficient to separate JAG Program Local Solicitation Grants and keep them in their own fund. These offsetting budget amendments will allow for the grant funds to be moved from the existing fund to the new fund. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to approve: Contract with Child Protection Team (CPT) of Palm Beach, Inc. to provide medical evaluations for children referred to CPT by law enforcement, Department of Children and Families and/or the courts who are alleged victims of abuse, neglect and/or abandonment for the period October 1, 2012, through September 30, 2013 in an amount not to exceed \$160,000. **SUMMARY:** The CPT will be funded to provide medical evaluations for children referred to it by law enforcement, DCF and/or the courts who are the alleged victims of abuse, neglect and/or abandonment, excluding sexual abuse. Medical evaluations for children who are alleged victims of sexual abuse are funded through a different funding source. A medical evaluation is defined as a complete history and physical examination of a child. Florida Statute –Chapter 39.304 (5) provides that the County in which the child is a resident shall bear the initial costs of medical evaluations of the allegedly abused, abandoned, or neglected child. Countywide (PGE)

2. Staff recommends motion to receive and file: executed Agreement with the Town of Manalapan in the amount of \$1,500 for the use of the Geographic-based Notification System, “Dialogic” for a period of three years which commence on October 16, 2012 and are automatically renewed for increments of three year terms thereafter. **SUMMARY:** The Agreement provides access to the County’s Geographic-based and/or NXT, roster-based Alert and Notification System (Dialogic System). The County’s Dialogic System has been in place for over eight years and allows Palm Beach County agencies, municipalities, State and County Departments to access the dialogic system to make approximately 2,000,000 calls. It has been used for Amber Alerts, hurricane evacuations, boil water notices, etc. Resolution R2006-0799 authorized the County Administrator or his designee to sign Dialogic agreements on behalf of the Board of County Commissioners. Countywide (PGE)

3. Staff recommends motion to:
 - A) receive and file** the executed Grant Agreement with Florida Power & Light Company (FPL) to receive \$193,116 for the Radiological Emergency Preparedness (REP) Program to provide and participate in radiological emergency planning and preparedness activities for the period commencing October 1, 2012, through September 30, 2014; and

 - B) approve** a Budget Amendment of \$617 in Radiological Emergency Preparedness Grant Fund to adjust budget to actual grant award.

SUMMARY: Florida Power & Light Company will provide Palm Beach County \$193,116 over two years, for the Palm Beach County Division of Emergency Management REP Program, in accordance with U.S. Nuclear Regulatory Commission Provision (NRC) 10 CFR Pars 50 and 70, NCR guidance document NUREG 0654 and Florida Statutes 252. The grant provided by FPL will continue to fund a planner position that oversees the REP program and related expenses. Resolution R2001-0217 authorizes the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (PGE)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to receive and file: the original executed Contract with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Education Advocacy, Public Guardianship and Domestic Violence Victim Representation in the amount not to exceed \$1,044,233 from October 1, 2012, through September 30, 2013, as approved in the FY 2013 budget. **SUMMARY:** The Legal Aid Society of Palm Beach County, Inc. has historically provided these services. This Contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. The Contract with Legal Aid consists of the state required program (\$776,890), the public guardianship program (\$154,530) and the domestic violence representation program (\$112,813). The \$65 Court fee generates \$235,000 for the state required program and partially offsets the costs of these programs. Three (3) staff members of the Legal Aid Society of Palm Beach County, Inc. serve on different County Advisory Boards. Vicki A. Tucci and Kimberly Rommel-Enright serve on the HIV Care Council and Mickale Linton serves on the Head Start/Early Head Start Policy Council. These Boards provide no regulation, oversight, management, or policy-setting recommendations regarding the Legal Aid Society of Palm Beach County, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. Resolution R2006-2132 authorizes the County Administrator or his designee to execute contracts with the Legal Aid Society of Palm Beach County Inc. Countywide (PGE)

5. Staff recommends motion to:

A) adopt a Resolution authorizing the County Administrator or his designee to: 1) sign the FY 2012 annual Emergency Medical Services (EMS) County Grant Application and County Distribution Agreement in the amount of \$288,470 and forward same to the Florida Department of Health, Bureau of Emergency Medical Services (FL-EMS); 2) sign the state budget transfer forms related to the grant; and

B) approve a downward Budget Amendment of \$55,530 in the EMS Grant Fund to adjust the budget to the actual grant award of \$288,470.

SUMMARY: The EMS County Grant is an annual grant provided to Palm Beach County from the FL-EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. The grant period is to be determined by the State once the application has been approved. **No County matching funds are required for this grant.** Countywide (PGE)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. **Staff recommends motion to approve:** a two-year Agreement with Lakes of Delray, Inc. for provision of transportation services (via Palm Tran routes 70 and 81) to residents of Lakes of Delray, at a per dwelling rate (for 1,408 units) of \$4.86 per unit, per month for the period February 1, 2013, through January 31, 2014, and \$5 per month for the year February 1, 2014, through January 31, 2015. **SUMMARY:** Lakes of Delray, Inc. has contracted with Palm Tran for bus service for its residents since the inception of the development. The rate for the first year of the proposed agreement is the same as the current year ending February 2013 and provides for a 3% yearly increase in the second year. Payment of the per unit rates are in lieu of residents paying individual fares into the fareboxes on Palm Tran routes 70 and 81. The commencement date of this new agreement is February 1, 2013 and the termination date is January 31, 2015. District 5 (DR)

BB. INTERNAL AUDITOR

1. **Staff recommends motion to receive and file:** Audit Reports reviewed by the Audit Committee at its September 19, 2012 meeting as follows:
 - A) 12-07 Public Safety – *Emergency Management Division;*
 - B) 12-08 Environmental Resources Management – *Environmental Resources Stewardship Division;*
 - C) 12-09 Fire Rescue – *Support Services and Operations Divisions – Medical Supplies;* and
 - D) 12-10 Fire Rescue – *Support Services Accounting for Fuel Dispersed*

SUMMARY: Ordinance 2012-011 requires the Internal Audit Committee to review audit reports prior to issuance. Ordinance 2012-012 requires the County Internal Auditor to send those reports to the Board of County Commissioners. At its meeting on September 19, 2012, the Audit Committee reviewed and authorized distribution of the audit reports. We are submitting the reports to the Board of County Commissioners as required by the Ordinance. Countywide (PFK)

CC. SHERIFF

1. **Staff recommends motion to:**
 - A) **accept** on behalf of the Palm Beach County Sheriff's Office, a National Institute of Justice FY 2012 DNA Backlog Reduction Program Grant in the amount of \$376,252 for the period October 1, 2012, through March 31, 2014; and
 - B) **approve** a Budget Amendment of \$376,252 in the Sheriff's Grants Fund.

SUMMARY: On August 8, 2012, the Palm Beach County Sheriff's Office (PBSO) received an award for the DNA Backlog Reduction Program. The Forensic Biology Unit in the Crime Laboratory of PBSO services over 28 municipalities, the school systems, and assists state and local federal agencies as needed. These funds will be used for equipment, training, travel, and contractual services that will increase the efficiency of the crime lab. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Florida Department of Law Enforcement State Homeland Security Program Grant in the amount of \$199,988 for PBSO's Critical Infrastructure Protection/Target Hardening Project for the period of June 1, 2012, through April 30, 2013; and

B) approve a Budget Amendment of \$199,988 in the Sheriff's Grants Fund.

SUMMARY: On July 19, 2012, the Palm Beach County Sheriff's Office received an award to purchase equipment under the Florida Department of Law Enforcement (FDLE) State Homeland Security Program. These funds and related equipment, which have been approved by FDLE for purchase, will be used to enhance the security for the Palm Beach International Airport, Port of Palm Beach, and three Court Houses located in the county. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant in the amount of \$100,000 for the Gunfire Detection and Location Project for the period of August 1, 2012, through September 30, 2013; and

B) approve a Budget Amendment of \$100,000 in the Sheriff's Grants Fund.

SUMMARY: On September 6, 2012, the Palm Beach County Sheriff's Office received an award to purchase equipment under the Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance grant program. These funds, which have been approved by FDLE, will be used to implement the Gunfire Detection and Location Project. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Agreement with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative (UASI) to provide \$66,000 in FY 2010 reimbursable funding for various direct law enforcement oriented domestic security activities effective until April 30, 2013; and

B) approve a Budget Amendment of \$66,000 in the Sheriff's Grant Fund.

SUMMARY: This Agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds will be used to fund two regional projects, the Collabria System and the TI Training Corp Lab for the Regional Domestic Security Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

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

- A. **~~DELETED: Staff recommends motion to approve:~~** an Amendment to Tequesta Fire Rescue's Certificate of Public Convenience and Necessity (COPCN) extending the expiration date from September 30, 2012, until December 31, 2016, in four geographical areas covered by an Interlocal Agreement (R2012-1303) between Palm Beach County and the Village of Tequesta. **SUMMARY:** On September 11, 2012, the Board approved a ten year Interlocal Agreement (R2012-1303) between Palm Beach County and the Village of Tequesta concerning emergency medical services. The Village of Tequesta will provide primary Advanced Life Support (ALS) and routinely transport Basic Life Support emergency services in four geographical areas that are in Palm Beach County Fire Rescue's service areas. The four areas are: Area 1: all parcels south of the Village of Tequesta's municipal border, east of Point Drive/Rio Vista Drive along the Loxahatchee River, and back north along Rio Vista Drive to the Tequesta border line. Area 2: all parcels not within the Village of Tequesta's municipal boundary: east of Country Club Drive, south to Tequesta Drive, east to the Loxahatchee River, and back north to the Tequesta line. Area 3: all parcels not within the Village of Tequesta's municipal boundary, east of the Loxahatchee River, south to the Tequesta line (just north of North Dover Road), east to the Tequesta line (just west of Gardens Street), and back north to the Tequesta line. Area 4: All parcels within the City limits of Jupiter, south of the Village of Tequesta's boundary line, east to the Florida East Coast railroad tracks, south to the Loxahatchee River, and back north along the Loxahatchee River to the Tequesta Line. Notwithstanding that the Interlocal Agreement is approved for ten years, the COPCN, with respect to the four geographical areas, will expire on December 31, 2016, at which time, a new COPCN will be issued through 2022 to complete the ten year interlocal agreement requirements. District 1 (PGE) (Error in advertisement)
- B. **REVISED MOTION: Staff recommends motion to adopt postpone and readvertise for public hearing on October 30, 2012 at 10:30a.m.:** an Ordinance of the Board of County Commissioners (BCC) of Palm Beach County, Florida, focusing on excessive nutrient levels in Palm Beach County water bodies; providing for title; providing for definitions; providing for findings; providing for purpose and intent; providing for applicability; providing for timing of fertilizer applications; providing for fertilizer free zones; providing for fertilizer content and application rates; providing for fertilizer application practices; providing for management of grass clippings and vegetable matter; providing for exemptions; providing for training; providing for licensing of commercial applicators; providing for enforcement; providing for penalties; providing for appeal; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** Florida Statute, Section 403.9337 requires local governments located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to Florida Statute, Section 403.067, adopt an ordinance for Florida-Friendly™ fertilizer use on urban landscapes. The Florida Department of Environmental Protection has classified specific water bodies in Palm Beach County as "impaired" as a result of the presence of excessive nutrients. This Ordinance complies with the requirements of Florida Statute, Sections 403.9337 and 403.067. Department staff will review this ordinance in three years to ensure it complies with all statutory requirements, and update the BCC as to its compliance. Unincorporated (AH)

4. PUBLIC HEARINGS CONTINUED

C. [Staff recommends motion to adopt:](#) a Resolution

1) to abandon a portion of Acme Dairy Road right-of-way as described in that right-of-way deed recorded in Official Records Book (ORB) 18673, Page (PG) 7; that right-of-way deed recorded in ORB 7542, PG 1239; that road, ditch and dyke reservation 30.00 feet in width, lying within Block 63, according to Palm Beach Farms Company Plat No. 3 as recorded in Plat Book (PB) 2, Pages (PGS) 45 through 54; Tract "C" according to Canyon Isles Preserve Plat One as recorded in PB 104, PGS 139 and 140; and Tract "B" according to Canyon Springs Preserve Plat No. 2 as recorded in PB 107, PGS 105 through 107, all of the public records of Palm Beach County, Florida;

2) to abandon the abutting utility easement described as a strip of land, 10.00 feet in width, being a portion of Tract "A-1" Canyon Springs Preserve Plat No. 2, according to the plat thereof as recorded in PB 107, PGS 105 through 107; and being all of that utility easement described in ORB 19475, PGS 1757 through 1762; a strip of land, 10.00 feet in width, being a portion of Tract A-2, Canyon Springs Preserve Plat No. 2, according to the plat thereof as recorded in PB 107, PGS 105 through 107; and being all of that utility easement described in ORB 19475, PGS 1763 through 1766; and a strip of land, 10.00 feet in width, being a portion of Tract "A," Canyon Springs Preserve Plat No. 5, according to the plat thereof as recorded in PB 107, PGS 112 through 114; and being a portion of that utility easement described in ORB 19475, PGS 1751 through 1756 all of the Public Records, Palm Beach County, Florida; and

3) to reserve a drainage easement, 20.00 feet in width, being a portion of those lands deeded as Acme Dairy Road right-of-way according to that deed recorded in ORB 18673, PG 7, being a portion of the area to be abandoned.

SUMMARY: Adoption of this Resolution will allow the petitioner to vacate the public interest in Acme Dairy Road and the abutting utility easements for a future residential development. The petition site is located 2.0 miles south of Boynton Beach Boulevard, about 175 feet south of Malear Palm Drive and bounded on the south by the Lake Worth Drainage District L-29 canal. District 5 (MRE)

D. [Staff recommends motion to adopt:](#) a Resolution to abandon

1) a portion of Bob West Road, a parcel of land recorded in Official Record Book 5780, Page 1529, being described as the North 60 feet of the South 120 feet of Tract 85, Block 62, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45-54, Public Records of Palm Beach County, Florida; and

2) all of those certain utility easements lying within Tracts A, R, L1, L2 and P5, dedicated by the Plat of Delray Holdings 282, together with all drainage easements, including the drainage easement lying over all of Tract W and all Palm Beach County utility easements dedicated by the plat of Delray Holdings 282, according to the plat thereof, as recorded in Plat Book 111, Pages 136 through 150 of the Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of this Resolution will allow the petitioner, Delray 282, LLC (Owner), to comply with the request of Palm Beach County (County) staff to provide a secondary access for the proposed development (Monticello) utilizing the existing Bob West Road. Further, it will also vacate existing utility and drainage easements to allow for replat. The petition site is located east of State Road 7 and north of Atlantic Avenue. District 5 (MRE)

4. PUBLIC HEARINGS CONTINUED

E. **REVISED MOTION:** Staff recommends motion to ~~adopt~~ postpone and readvertise for public hearing on October 30, 2012 at 10:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to the regulation of synthetic cannabinoid herbal incense and synthetic stimulant bath salts and related substances; providing for short title; providing for purpose and intent; providing for definitions; providing for prohibited conduct; providing for enforcement and penalties; providing for severability; providing for repeal of laws and conflict; providing for inclusion in the code of laws and ordinances; providing for captions, providing for scope of ordinance; and providing for an effective date. **SUMMARY:** The proposed ordinance bans the sale and public display for sale of synthetic marijuana and bath salts, commonly sold in gas stations and convenience stores and marketed to minors and young adults. Countywide (PGE)

POSTPONED FROM SEPTEMBER 11, 2012 TO OCTOBER 16, 2012 AT 9:30 A.M.

F. 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:** This will approve Alignment Alternative Four for Jupiter Park Drive/Western Corridor (Island Way) within unincorporated Palm Beach County thereby establishing the overall alignment from Jupiter Park Drive to Indiantown Road. The Town of Jupiter (Town) is finalizing development conditions of approval for the Hawkeye Jupiter property and Island Way will be needed to provide access. Land will have to be acquired for right-of-way. 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. On September 11, the Board directed an additional effort be made to mitigate neighborhood objections. The Board may not condition approval with mitigation requirements, though the developer may voluntarily agree. A financial package worth at least \$500,000 to benefit the neighborhood with funding from the County, Town and the developer has been proposed. Neighbors immediately adjacent to the road (Baker's Park) object to the road irrespective of mitigation. District 1 (MRE)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: Workforce Alliance, Inc.'s (Alliance) 2012-2016 Regional Workforce Board Strategic and Operating Five Year Local Workforce Service Plan (Plan). **SUMMARY:** On July 10, 2007, the Board of County Commissioners approved an Interlocal Agreement (R2007-1220) establishing the Palm Beach County Workforce Development Consortium (Consortium). The Consortium consists of a representative from the County and the Cities of Palm Beach Gardens, South Bay and Delray Beach. The Plan is a requirement of the Workforce Investment Act of 1998 (WIA), Public Law 105-220 which states each local Board shall develop and submit to the Governor a comprehensive five year Local Plan, in partnership with the appropriate Chief Elected Official (Palm Beach County). WIA gives regional workforce boards a unique opportunity to develop employment and training systems tailored specifically to local area needs. The Plan reflects the current and future strategies for the Palm Beach County area. Alliance solicited public comment for a 30 day review period of the Plan starting August 15, 2012 and ending September 15, 2012. No public comments were received. Countywide (TKF)

B. AIRPORTS

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. 2010-1462; extending the current airport ground transportation permit period; modifying the fee and permit period for airport ground transportation permits; providing for ratification of prior resolution; providing for severability; and providing for an effective date. **SUMMARY:** Ground transportation permit/decals, authorizing non-concessionaire Vehicle for Hire (VFH) companies to operate at the Palm Beach International Airport (PBIA) on a pre-arranged basis (Airport Decals), are issued by the Division of Consumer Affairs (DCA) on behalf of the Department of Airports. On March 15, 2011 (Agenda Item 3F-13), the Board approved a modification to Resolution No. 2010-1462 to provide for a two-year permit period for Airport Decals. Airport Decals are currently scheduled to expire on December 31, 2012. DCA recently modified the permit cycle for issuance of VFH business permits to provide for a May 1st issuance date. To avoid duplication of staff effort and to facilitate issuance of a single decal rather than multiple decals, staff is recommending modifying Resolution No. 2010-1462 to provide for a common expiration date and to issue Airport Decals annually concurrent with issuance of VFH business permits. The expiration date for Airport Decals that were issued for the current permit period would be extended to April 30, 2013, at no additional cost to existing Airport Decal holders. Staff also is recommending a \$50 per year fee for each Airport Decal instead of \$75 every two years. Airport Decal fees are not prorated; therefore, an annual fee is more equitable to VFH companies obtaining an Airport Decal after the commencement of the permit period. Countywide (AH)

5. REGULAR AGENDA

C. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) Private Pay Policies and Procedures for Adult Day Care and Case Management Services with the effective date October 16, 2012; and

B) Two new Senior Service Aide positions; and

C) Budget Amendment of \$129,960 in DOSS Administration Fund to establish the budget.

SUMMARY: On June 29, 2010, the Board of County Commissioners approved the development of a private pay policy for the Division of Senior Services (DOSS) Program. DOSS has the program and facility capacity to provide community-based services through an additional option of private pay. There are currently no fees for DOSS programs; service costs are supplemented by State and Federal funding. Private pay will enable DOSS to generate an estimated revenue base of \$135,240 per year, independent from grants and County match, to revert to the operating budget to serve seniors. This will supplement the cost of County services and more seniors can be served. DOSS will create two FTE Senior Service Aide positions, pay grade 12, to ensure adequate program staffing. (DOSS) Countywide (TKF)

D. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: the creation of one full-time position within the Department of Economic Sustainability, which will be grant funded. **SUMMARY:** This position will be required to perform oversight and implementation of business programs approved by the Board of County Commissioners and funded through various Federal and State programs. The position to be created is a Business Coordinator (Pay Grade 40). This position will be funded from grant funds presently available or from any other funds that become available at a future time. (DES Administration) Countywide (DW)

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY (Cont'd)

2. **Staff recommends motion to approve:** a Satisfaction of Mortgage for Ballet Villages Housing Limited Partnership (BVHLP). **SUMMARY:** On December 20, 1994, the County entered into a Loan Agreement (R94-1812D) with BVHLP to provide \$160,000 from State Housing Initiative Partnership Program funds towards the construction of a 59 unit affordable rental housing project. The project, known as Ballet Villages, is located at 400, 430 and 440 South Rosemary Avenue, West Palm Beach. This cash flow dependent loan was provided at three percent (3%) for 15 years, and was secured on February 9, 1995, by a Mortgage and Security Agreement (BVHLP Mortgage) and a Promissory Note from BVHLP which matured on April 30, 2012. On March 7, 2000, the Board of County Commissioners approved a Partial Release of Mortgage in the amount of \$27,118 bringing the principal amount due to \$132,882 because a portion of the property was taken by the City of West Palm Beach for the construction of City Place. Additionally, the BVHLP did not draw down all of the loan funds bringing the current principal amount due to \$88,300.53. BVHLP desires to refinance their current three (3) senior mortgages, which will extend the affordability period to February 2030. As this is a cash flow dependent loan, Staff has reviewed the financial statements and determined that there is not enough cash flow to satisfy the current principal amount of \$88,300.53 and interest in the amount of \$43,094.56. To date, BVHLP has been unable to make any payments on the County's mortgage. Staff is recommending that \$55,638.75 be accepted as full satisfaction of the remaining principal balance of \$88,300.53 and to waive the \$43,094.56 in interest due. This recommendation is based on the facts that the project cash flow does not support full satisfaction of the principal and interest and that the affordability limit of the project will be extended an additional 18 years. **The original funding was provided from the State Housing Initiative Partnership Program which required no local match.** (DES Contract Development) District 7 (DW)

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of ADT, LLC, a newly created corporate entity; as a Qualified Target Industry (QTI) Business pursuant to s.288.108, Florida Statutes; providing for Local Financial Support for the Quick Action Closing Fund in the form of a Job Growth Incentive (JGI) Grant not to exceed \$184,000 over a three year period;

B) conceptually approve a JGI Grant to ADT, LLC, not to exceed \$184,000 as a portion of the local match for a State (QTI) Grant; and

C) authorize the Office of Financial Management and Budget to administratively process a \$184,000 budget transfer from the General Fund Contingency Reserves to the Department of Economic Sustainability JGI Program and a budget amendment of \$184,000 to recognize the funds in the Economic Development Fund, following approval of the agreement.

SUMMARY: ADT, LLC, a leading provider of electronic security services serving over six million customers making it the largest corporation of its kind in North America and Canada, is considering retrofitting 175,000 square feet in Boca Raton with a capital investment of \$400,000 for its headquarters. The company is committing to create 120 new jobs over a three year period and retain 260 jobs both at an average annual salary of \$81,110. The company has been offered a total of \$1,252,000 million in State funding. The City of Boca Raton will provide a total match of \$184,000 and the County will provide a total match of \$184,000 over three years. The Regional Economic Model results estimate that ADT, LLC will have a \$138 million impact over a (5) year period. ADT, LLC is considering Boca Raton along with Irving, Texas. The company will be required to enter into a formal Agreement, approved by the Board of County Commissioners, memorializing their commitments and establishing criteria for funding distribution. **Funding will come from the General Fund Contingency Reserves.**
District 4 (DW)

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY (Cont'd)

4. [Staff recommends motion to:](#)

A) adopt a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Pratt & Whitney - Florida Engine Delivery Center (FEDC), a proposed new business unit of Pratt & Whitney, as a Target Industry Business in a high-impact sector pursuant to s.288.108, Florida Statutes; providing for Local Financial Support for the Quick Action Closing Fund in the form of an Ad Valorem Tax Exemption not to exceed \$700,000 over a seven year period, and a Job Growth Incentive (JGI) Grant not to exceed \$300,000 over a four year period; and providing for an effective date;

B) conceptually approve a JGI Grant to FEDC in an amount not to exceed \$300,000 over a four year period; and

C) conceptually approve an Ad Valorem Tax Exemption to FEDC in an amount not to exceed \$700,000 over a seven year period.

SUMMARY: Pratt & Whitney is a world leader in the design, manufacture and service of aircraft engines, industrial gas turbines and space propulsion systems with 36,000 employees serving 11,000 customers around the world. FEDC has been identified as a Target Industry and falls in the high impact sector of Aviation and Aerospace. The Regional Economic Model results estimates that FEDC's \$63 million renovation/expansion for an engine production and delivery center will have a \$422.5 million impact over a ten year period. The company is committing to renovate 90,000 square feet of existing space, construct 80,000 - 100,000 square feet of new space and purchase equipment representing \$63 million in capital investment, create 230 new jobs over a ten year period at an average annual salary of \$81,110, and maintain the created jobs for five years following the job creation period. Award of the Ad Valorem Tax Exemption is contingent upon the determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption. The company has been offered a total of \$3,391,000 million in State funding. Staff's recommendation is based on the high number of jobs that will be created and the significant economic impact to be realized from this expansion in a Target Industry which is considered to play a key role in the County's economic success and competitiveness. The company will be required to enter into a formal Agreement, approved by the Board of County Commissioners (Board), memorializing their commitments and establishing criteria for funding distribution. **The Ad Valorem Tax Exemption Program Criteria approved by the Board on June 22, 2004, requires a supermajority vote of the Board to grant a business an Ad Valorem Tax Exemption when one or more incentives are being granted. Funding for the JGI Grant will come from the General Fund Contingency Reserves.** (DES Contract Development) District 1 (DW)

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to:

A) rescind the Job Growth Incentive (JGI) Grant Agreement with Digital Risk, LLC (R2012-0855) in the amount of \$75,000;

B) rescind Resolution 2012-0207 approving the Qualified Target Industry Tax Refund with High-Impact Sector Bonus up to \$75,000;

C) adopt a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending Digital Risk, LLC be approved as a Qualified Target Industry (QTI) business pursuant to s.288.108, Florida Statutes; providing for local financial support for the QTI Tax Refund with High-Impact Sector Bonus; approving up to \$300,000; and providing for an effective date;

D) approve a Job Growth Incentive (JGI) Grant Agreement with Digital Risk, LLC up to \$300,000 over a three year period; and

E) approve a Budget Transfer of \$225,000 from the General Fund Contingency Reserves to the Department of Economic Sustainability JGI Program and a Budget Amendment of \$225,000 to the Economic Development Fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserves.

SUMMARY: On June 5, 2012, the Board of County Commissioners approved a JGI Grant Agreement (R2012-0855) in the amount of \$75,000 to Digital Risk, LLC (DRLLC) to create and retain 150 jobs and authorized the transfer of \$75,000 from General Fund Contingency Reserves. DRLLC is a business and financial services firm that specializes in providing mortgage underwriting services to mortgage originators, lenders, insurers, conduits, investors and services. DRLLC is increasing its job creation goal from 150 jobs to 600 jobs thereby necessitating the termination of the June 5, 2012 Agreement and the approval of a new Agreement to reflect an increase in the grant amount by \$225,000 in recognition of the additional job creation. The proposed Agreement establishes a job creation goal of 600 jobs of which the first 150 jobs will be created by December 31, 2014, and the remaining jobs to be created by 2018; with an average wage of \$48,048, excluding benefits. The company will be paid \$500 per job as jobs are created. The Agreement requires DRLLC to post an irrevocable letter of credit in the full amount of the incentive which will be used as collateral should DRLLC fail to meet its contractual obligations. The company has been offered a total of \$3 million in State incentives which require a \$600,000 local match. Of this amount, the City of Boca Raton will provide \$300,000 and the County will provide a total of \$300,000. Palm Beach County's economic development incentive will be payable over a period of three years with a maximum of \$100,000 payable per year. Approval of the recommended Agreement will transfer an additional \$225,000 to increase the allocated budget to \$300,000. **This funding is projected to have a five year Economic Sustainability Impact of \$509 million. Funding will come from the General Fund Contingency Reserves.** (DES Administration) District 4 (DW)

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY (Cont'd)

6. **Staff recommends motion to approve:** Policies for the Palm Beach County Community Development Block Grant (CDBG) Economic Development Program, formerly known as the CDBG Economic Development Set-Aside Program. **SUMMARY:** On July 10, 2012, the Board of County Commissioners (BCC) approved (R2012-0945) the Fiscal Year 2012-2013 Action Plan for Palm Beach County, which includes funding for the CDBG Economic Development Program, including Economic Development Services and Microenterprise and Small Business Assistance. These new CDBG Economic Development Program Policies incorporate the following modifications; expand the eligible uses of funding to permit the Microenterprise Assistance activities; require the creation/retention of at least one full-time equivalent (FTE) job per \$35,000 in CDBG funding for Economic Development Services, require the creation/retention of at least one FTE job per \$15,000 of CDBG funding for Microenterprise and Small Business Assistance; reduce the job maintenance period from three years to no less than one year; establish a collateral requirement for CDBG loans; and expand the eligible geographic area within the County. The new policies will increase the efficiency of program operations by removing unnecessary requirements, and will improve the effectiveness of the program by providing greater flexibility to support a range of activities that enhance the local economic climate. (Strategic Planning) Countywide (DW)

E. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to deny:** the request from Martin County to share in the costs of improving Mack Dairy Road to Palm Beach County (County) standards. **SUMMARY:** The Ranch Colony and Links Property Owners Associations (POAs) in Martin County currently have responsibility for maintenance of Mack Dairy Road as it is the only access to their communities. They have asked that the County take over this maintenance and the County has refused until the road is improved to County standards. Martin County has offered to share (\$203,000) the cost of this improvement with the County, which is currently estimated at \$400,000 to \$500,000, plus design costs (15%). The POAs have verbally offered \$100,000 resulting in a potential cost to the County of \$200,000 to \$300,000. These are rough estimates which could change based on actual design. District 1 (MRE)

2. **REVISED BACKGROUND:** **Staff requests Board direction:**
 - A)** on which of the three roadway options to pursue for Fargo Avenue in the Ranchettes subdivision;
 - B)** on whether to petition the Fargo property owners if it is decided to go forward with them bearing part of the costs; or whether to move directly to a public hearing. As per the Municipal Service Taxing Unit Ordinance, the Board can choose to consider and adopt an assessment without first petitioning the residents.**SUMMARY:** Fargo Avenue is currently a courtesy maintained shellrock roadway. The Board has been asked many times to pave this roadway as others have been paved in the neighborhood. District 6 (MRE)

5. REGULAR AGENDA

E. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff requests Board direction: on which of the four roadway options to pursue for El Paso Drive, Pancho Way, and Pinto Drive (El Paso), all within the Ranchettes subdivision. **SUMMARY:** Some of these roadways had previously been considered under the Municipal Service Taxing Unit program. However, they were withdrawn from the repeting process once prices started to rise. After the nearby Fargo Avenue became an issue in front of the Board of County Commissioners, residents of these three roadways requested that they be given the same opportunity for the paving of their streets. District 6 (MRE)

F. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: a Resolution **(I)** supplementing Resolution No. R84-1206 of the County, as amended and supplemented, **(II)** authorizing the issuance of the County's Water and Sewer Revenue Refunding Bonds, Series 2012 in an aggregate principal amount of not exceeding \$75,000,000 as additional parity obligations under Resolution No. R84-1206; **(III)** providing a method for determining the actual principal amounts, interest rates, maturity schedule and redemption provisions for such Series 2012 bonds; **(IV)** providing a method for awarding the sale of Series 2012 bonds to the underwriters and making certain findings in connection therewith; **(V)** delegating to the Chair and County Administrator the authority to award the sale of the Series 2012 Bonds to the underwriters **(VI)** appointing an escrow agent, paying agent and registrar for the Series 2012 bonds; **(VII)** authorizing the preparation and use of a preliminary official statement and authorizing the execution and delivery of a final official statement, bond purchase agreement, escrow deposit agreement and paying agent and registrar agreement; **(VIII)** providing for compliance with certain continuing disclosure requirements; **(IX)** providing certain other details with respect thereto; and providing an effective date for this Resolution. **SUMMARY:** The County has received a proposal to do a partial refunding for the Water & Sewer Revenue Bonds, Series 2006A. On August 23, 2012, the County Financing Committee (CFC) met to discuss the financing alternatives and recommended that, due to the current period of low interest rates, the County should proceed with the refunding for potential savings. Upon the recommendation of the County's Financial Advisor and the CFC, the refunding is being done through a competitive-negotiated sale. Countywide (PFK)

G. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to authorize: staff to proceed with planning a \$10 million, three-year project, to replace the County's 80 separate telephone systems, currently serving more than 350 County locations and 10,000 users as well as multiple Customer Call Centers, with a single, modern, Unified Communications system. **SUMMARY:** Many of the County's existing telephone systems are now over 20 years old and are expensive to maintain. In addition, many of these systems are no longer supported by the manufacturers, making it difficult to obtain parts. The proposed Unified Communications System, which uses the Voice over Internet Protocol (VoIP) technology, will leverage the County's robust data network resulting in cost savings from disconnecting AT&T voice circuits. This aspect of the project alone will result in a direct savings of approximately \$2.5 million annually. The new system will also provide enhanced technical features and functionality, far beyond those provided by our current system, enabling the Board departments and Constitutional Officers to better serve the public. Countywide (PFK)

5. REGULAR AGENDA

H. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Amendment No. 2 to the Agreement (R2010-1220), as amended by R2011-0863 and assigned by R2012-0039, to the law firm of Greenspoon Marder, P.A. (“Attorney”), to provide bond counsel and related legal services for the estimated \$10 million financing of Capital Improvement Revenue Bond, Series 2012A (Voice Over Internet Protocol System) (the “Bonds”). **SUMMARY:** The Attorney was selected as bond counsel for the above financing by the County Financing Committee at an August 23, 2012 meeting. This Amendment No. 2 confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the Attorney. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. On October 2, 2012, the Board continued this item to October 16, 2012. Countywide (PFK)

I. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** the sale of 13 Westgate/Belvedere Homes Community Redevelopment Agency (CRA) owned properties to eligible very low to middle income homeowners subject to the terms of the CRA’s Neighborhood Stabilization Program 2 Residential Rehabilitation Grant Program (NSP2 RRGP) Agreement with Palm Beach County. **SUMMARY:** Pursuant to Ordinance No. 89-6, Board of County Commissioner’s approval is required for disposition of any real property owned by the CRA. The CRA received \$2,441,578 from Palm Beach County to acquire foreclosed properties, rehabilitate or reconstruct, and resell them to eligible homeowners. The 13 properties (twelve single-family homes and one duplex) were purchased in accordance with the NSP2 RRGP requirements. Seven of the homes are in the process of being fully rehabilitated and six of the units have been demolished and are in the process of being reconstructed to current codes. Funds received from the sale of the properties will be returned to the County as Program Income under the County’s NSP Program for other affordable housing activities. Fifty percent of the units will be sold to very low income households with a maximum household income of 50% of the County’s Average Median Income. District 7 (RB)

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6. BOARD APPOINTMENTS

A. **ENVIRONMENTAL RESOURCES MANAGEMENT
(Natural Areas Management Advisory Committee)**

1. **Staff recommends motion to approve:** appointment/reappointment of the following individuals to the Natural Areas Management Advisory Committee (NAMAC) for a three year term beginning November 1, 2012, through October 31, 2015:

<u>Nominee</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Nominated by</u>
Appoint Kristi Moyer	3	Professional Educator with Knowledge of South Florida Ecosystems	Comm. Marcus Comm. Burdick Comm. Vana Comm. Aaronson
Reappoint Eric Call	5	Palm Beach County Parks & Recreation Department Staff	Comm. Marcus Comm. Burdick Comm. Abrams Comm. Aaronson

AND

Appoint Cindy Papadoyianis	6	Citizen with Interest in Preservation & Conservation of Natural Areas	Comm. Burdick
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OR

Reappoint Evelyn Parkes-Brier	6	Citizen with Interest in Preservation & Conservation of Natural Areas	Comm. Marcus Comm. Aaronson
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SUMMARY: On February 24, 2009, the Board of County Commissioners (BCC) adopted Resolution No. 2009-0319 which re-established NAMAC with seven at-large members. Pursuant to Resolution No. 2009-0319 the composition of NAMAC is as follows: one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government public recreation program, one member of the Palm Beach County Parks and Recreation Department staff, two citizens having an interest in preservation and conservation of natural areas. A memorandum from Environmental Resources Management was sent to the BCC on August 13, 2012 advising them of the need to appoint or reappoint members to fill the above seats. Ms. Kristi Moyer expressed her willingness to assume the duties of Seat 3. Mr. Eric Call desires to continue the duties of Seat 5 for another term. Ms. Cindy Papadoyianis expressed her willingness to assume the duties of Seat 6. Ms. Evelyn Parkes-Brier desires to continue the duties of Seat 6 for another term; only one person may be appointed for Seat 6. All of the nominees meet the necessary requirements. Countywide (SF)

6. BOARD APPOINTMENTS

B. **ADMINISTRATION**
(Small Business Assistance Advisory Committee)

1. **REVISED TITLE: Staff recommends motion to appoint:** two individuals to the Small Business Assistance Advisory Committee, for the terms indicated below:

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated By</u>
Rachelle Wood	9	Nat'l Assoc. of Women In Construction	10/16/2012 – 40/15/2012 10/15/2015	Comm. Burdick Comm. Taylor
Karen Alleyne-Means	14	Black Chamber of Commerce	10/16/2012 – 40/15/2012 10/15/2015	Comm. Burdick Comm. Taylor

SUMMARY: The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code. The Committee consists of fourteen members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of the Palm Beach County Resource Center; one representative of the Hispanic Chamber of Commerce; one representative of the National Association of Women in Construction; one representative of a Women's Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of the Business Loan Fund of the Palm Beaches (now known as the Center for Enterprise Opportunity); and one representative of the Black Chamber of Commerce. The SBA Advisory Committee supports the nominations and a memo was sent to the Board of County Commissioners on July 30, 2012 requesting approval of the recommended slate. No other nominations were received. Countywide (TKF)

(Health Facilities Authority)

2. **Staff recommends motion to approve:** appointment of the following individual to the Health Facilities Authority for the term beginning October 16, 2012, to April 30, 2016:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Joan E. Roude	3	Resident of PBC	Comm. Taylor Comm. Burdick Comm. Vana

SUMMARY: Per Chapter 154.207, Florida Statutes and Resolution Nos. R77-379, R77-398 and R92-563, the Health Facilities Authority is composed of five members appointed at-large by the Board of County Commissioners (BCC). On July 30, staff notified the BCC that the current representative, Mr. Tim Monaghan would not be seeking reappointment, and requested nominations. Having received no nominations, the Health Facilities Authority has recommended Ms. Joan Roude. Staff circulated a second memo on September 25, 2012, along with Ms. Roude's Application and résumé requesting BCC support or requesting additional candidates for consideration. To date, no other nominations have been received. Countywide (PFK)

6. BOARD APPOINTMENTS

C. **PLANNING, ZONING & BUILDING**
(Construction Industry Licensing Board)

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

A) appointment of two new members; and **B)** reappointment of two current members to the Construction Industry Licensing Board (CILB):

<u>A) Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Donald Sharkey	2	Electrical Contractor	10/16/12-9/30/15	Comm. Burdick Comm. Abrams Comm. Marcus Comm. Vana Comm. Aaronson
Edward Lynch	11	Building Contractor	10/16/12-9/30/15	Comm. Burdick Comm. Abrams Comm. Marcus Comm. Vana Comm. Aaronson
<u>B) Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
John Desnoyers	9	Engineer	10/16/12-9/30/15	Comm. Burdick Comm. Abrams Comm. Marcus Comm. Vana Comm. Aaronson
Stanley Goodman	14	Consumer	10/16/12-9/30/15	Comm. Burdick Comm. Abrams Comm. Vana Comm. Aaronson

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended. The Special Act and subsequently Florida State Statute sets forth the membership of the Board, which consists of fifteen (15) members. The above named members have been recommended by the International Association of Electrical Inspectors (IAEI) (Mr. Sharkey); the Associated Builders of America, Inc. (ABC) (Mr. Lynch); and the Florida Engineering Society (FES) (Mr. Desnoyers). Mr. Donald Sharkey was nominated to replace Mr. Nelson Dozier who is unable to continue to serve. Mr. Edward Lynch was nominated to replace Mr. Ezra Saffold who resigned. The Florida Engineering Society recommends the reappointment of Mr. John Desnoyers to complete a second term. Mr. Stanley Goodman has also expressed a willingness to continue serving the board. The nominations represent the seats for an Electrical Contractor, a Building Contractor, an Engineer and a Consumer Member as cited in the Special Act and F.S. § 489.131 establishing the Construction Industry Licensing Board. Memorandums were sent to the Board of County Commissioners on September 10, 2012 advising of the vacant position; No other nominations were received. Countywide (SF)

6. BOARD APPOINTMENTS

C. **PLANNING, ZONING & BUILDING (Cont'd)**
(Historic Resources Review Board)

2. **Staff recommends motion to:** **A)** appointment of three new members; and **B)** reappointment of five members to the Historic Resources Review Board (HRRB):

Appointment (3)

<u>Nominee</u>	<u>Seat</u>	<u>Seat Requirement</u>	<u>Term</u>	<u>Nominated By</u>
Dr. Arleen Fradkin AND	6	Archaeologist	11/20/12-05/31/13	Comm. Burdick Comm. Marcus
Mr. Richard Marconi OR	7	Interest in Historic Preservation	11/20/12-11/19/15	Comm. Marcus
Mr. Malcolm D. Gropper OR	7	Interest in Historic Preservation	11/20/12-11/19/15	Comm. Abrams
Ms. Everee Clark	7	Interest in Historic Preservation	11/20/12-11/19/15	Comm. Taylor
AND				
Mr. Stephen Weeks	8	Live West of 20-Mile Bend	11/20/12-11/19/15	Comm. Burdick Comm. Abrams Comm. Marcus

Reappointment (5)

<u>Nominee</u>	<u>Seat</u>	<u>Seat Requirement</u>	<u>Term</u>	<u>Nominated By</u>
Mr. Warren Adams	1	Historic Preservationist	11/20/12-11/19/15	Comm. Burdick Comm. Abrams Comm. Marcus
Ms. Helen V. Greene	2	Historian	11/20/12-11/19/15	Comm. Burdick Comm. Abrams Comm. Marcus
Ms. Amy Alvarez	3	Historic Planner	11/20/12-11/19/15	Comm. Burdick Comm. Abrams Comm. Marcus
Dr. Clifford Brown	5	Archaeology Professor	11/20/12-11/19/15	Comm. Burdick Comm. Abrams Comm. Marcus
Mr. Jud Laird	9	Interest in Historic Preservation	11/20/12-11/19/15	Comm. Burdick Comm. Abrams Comm. Marcus

SUMMARY: The Unified Land Development Code (ULDC) Article 2. Article 2, Chapter G, Section 3-H provides for the membership of the HRRB. Seats 6, 7 and 8 need to be filled at this time due to resignations. Seats 1, 2, 3, 5 and 9 need to be reappointed at this time. Seat 4 is currently filled by Friederike Mittner. All HRRB seats are at-large positions to be appointed by the Board of County Commissioners (BCC). A memo requesting nominations was sent to the BCC on September 13, 2012. Unincorporated (RPB)

6. BOARD APPOINTMENTS

D. **COMMUNITY SERVICES**
(Palm Beach County Comprehensive AIDS Resources Emergency Council)

1. **Staff recommends motion to approve:** proposed seat change of one current member of the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council:

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Proposed Seat Requirement</u>	<u>Term Expires</u>
9	33	Thomas McKissack	Advocate for Persons Living with HIV/AIDS	7/19/2013

SUMMARY: The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than 33 members. Founding members were appointed for two year terms with subsequent terms of two years. The Palm Beach County HIV CARE Council nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Due to an effort to most accurately reflect mandatory seat requirements, a seat change for one current member is being recommended. Thomas McKissack is currently in Seat No. 9 but will be moved to Seat No. 33. (Ryan White) Countywide (TKF)

E. **WATER UTILITIES**
(Water Utilities Advisory Board)

1. **Staff recommends motion to approve:** appointment of one at-large member from the following categories to the Palm Beach County Water Utilities Advisory Board:

	<u>Nominee</u>	<u>Category & Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Select One	Beverly Scott	Lake Region Seat No. 10	10/16/2015	Comm. Marcus Comm. Burdick
	OR Derrek Moore	Lake Region Seat No. 10	10/16/2015	N/A

SUMMARY: On June 19, 2012, the Board of County Commissioners (BCC) adopted Resolution No. R2012-0904, which allows for appointment of a Lake Region member by the BCC as an At-Large appointment from qualified residents who submit an application for the position. The Lake Region member shall reside in the Glades Cities or in the unincorporated area immediately adjacent to of the Glades Cities and shall be a current customer of the Glades Utility Authority or its successor utility. A memo was sent to the Palm Beach County Board of County Commissioners on September 5, 2012, along with candidates applications. Countywide (MJ)

6. BOARD APPOINTMENTS

F. OFFICE OF FINANCIAL MANAGEMENT & BUDGET
(Investment Policy Committee)

1. Staff recommends motion to approve: appointment of one of the following individuals to the Investment Policy Committee:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Ned Nashban	2	Commissioner Aaronson Commissioner Vana Commissioner Abrams

OR

Michael Schmidt	2	Commissioner Marcus Commissioner Taylor
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SUMMARY: Larry Zalkin has vacated his seat on the Investment Policy Committee (IPC) and his seat on the Committee needs to be filled. The Committee is comprised of seven members, including a current member of the Board of County Commissioners (BCC), four representatives from the private sector approved by the BCC, a designee of the Palm Beach County Sheriff’s Office, and an employee of the Office of Financial Management and Budget selected by the County Administrator. Commissioner Aaronson currently serves as the Board’s representative and as the Committee’s Chairman. Mr. Nashban has disclosed that he is employed with the firm of Akerman Senterfitt, which has one existing contract with the County for State lobbying services. The Investment Policy Committee provides no regulation, oversight, management or policy setting recommendations regarding the subject contract. Disclosure of this contractual relationship at a duly noticed public hearing is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. Mr. Schmidt currently serves as a member of the County’s Finance Committee. Countywide (PK)

G. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 16, 2012

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 16, 2012

8. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 – COMMISSIONER PAULETTE BURDICK

Request approval to present off-site, a Proclamation declaring the weekends of October 12 – 14 and October 19 – 21, 2012 as “Oktoberfest 2012” in Palm Beach County.

C. District 3 - COMMISSIONER SHELLEY VANA, CHAIR

ADD-ON: Request approval to present off-site, a Proclamation declaring October 20, 2012 as “The Gerald A. Williams Legacy Foundation Charity Open Day” in Palm Beach County.

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

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

9. ADJOURNMENT

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

includes the testimony and evidence upon which the appeal is to be based."