

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 18, 2012

<u>PAGE</u>	<u>ITEM</u>	
7	3C-2	<u>DELETED:</u> Staff recommends motion to receive and file: an Agreement with Leftwich Consulting Engineers, Inc., in the amount of \$32,504.94, for professional services for long range transportation planning services for the Glades Region Master Plan Highway Network Reevaluation project. This Agreement was approved on October 31, 2012, by the County Engineer, as a delegated authority in accordance with the Purchasing Code. (Engineering) (Further staff review)
8	3C-4	<u>REVISED SUMMARY:</u> Staff recommends motion to: A) adopt a Resolution approving Supplemental Agreement Number One to the Local Agency Participation (LAP) Agreement for the construction of the Advanced Transportation Management System (ATMS) Group 3 project with the Florida Department of Transportation (FDOT), R2011-0421, to extend time for completion of the project from December 31, 2012 until December 31, 2013; and B)..SUMMARY: Approval of Supplemental Agreement Number One will change the expiration date of the LAP agreement from December 31, 2012 to December 31, 2013, reduce the grant to Palm Beach County (County) by \$616,656 in construction funding for the project, add Exhibit 1 for the Single Audit Act, and eliminate the reference to dynamic messaging signs on SR-80 from east of 103 rd Avenue North to west of Parker Avenue. Approval of the Budget Amendment will adjust the grant funds provided to the County for this project and <u>establish a contingency amount for the project.</u> allow a transfer from Road Program Sweep Reserves to the project for costs which are ineligible for the grant. <u>Countywide</u> (MRE) (Engineering)
9	3E-1	<u>DELETED:</u> Staff recommends motion to approve: Member Agency Agreement for the Client Management Information System (CMIS) in Palm Beach County with 211 Palm Beach/Treasure Coast, Inc., allowing for sharing of client information on homeless service delivery, data collection and reporting, with the effective date December 18, 2012. (Community Services) (Further staff review)
10	3E-5	<u>DELETED:</u> Staff recommends motion to approve: A) Service Agreement/Subcontract with American Eldercare, Inc., for Division of Senior Services (DOSS) to provide community-based assistance as a service provider effective December 18, 2012; and...(Community Services) (Further staff review)
18	3K-3	<u>DELETED :</u> Staff recommends motion to approve: A) Work Authorization No. 7 for design, permitting, and construction of the Southern Region Water Reclamation Facility (SRWRF) Solar Energy Project with CDM Constructors, Inc. in the amount of \$924,967;...(WUD)
25	3M-6	<u>DELETED:</u> Staff recommends motion to approve: Budget Transfer of \$160,000 within Park Impact Fees Zone 2 from Reserves to the Lake Lytal Park Improvements Phase 2 project. (Parks)
29	3AA-5	<u>DELETED:</u> Staff recommends motion to: A) approve the filing of the Federal Transit Administration (FTA) Grant Application FL-95-X063 for capital funds in the amount of \$1,320,000;...(Palm Tran)
33	3EE-1	<u>DELETED:</u> Staff recommends motion to approve: a Memorandum of Understanding (MOU) with the Delray Beach Housing Authority and Palm Beach County for the services of the Palm Beach County Commission on Ethics. (Moved to January 15, 2013) (COE)

37 5A-1

REVISED TITLE & SUMMARY: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, ~~amending the establishing~~ Rules of Procedure ~~to be~~ incorporated into Section 500.00 of the County’s Administrative Code; ~~rescinding the existing rules entirely;~~ and providing for an effective date. **SUMMARY:** This Resolution ~~amends the adopts updated~~ Rules of Procedure ~~that more accurately reflect the custom and practice of the for~~ Board of County Commissioners (BCC) meetings, ~~which are incorporated into Section 500.00 of the County’s Administrative Code~~ and the public participants at BCC meetings. These rules are to serve as the sole source of procedural guidance. Significant changes include: moving “Matters by the Public” from 2 P.M. to 9:45 A.M.; formalizing the two proclamations per Commissioner per meeting District practice; expanding the Rules of Debate; updating the Voting Conflict section to comply with the Code of Ethics; providing for the Chair’s discretion to read comment cards into the record; referencing the need to comply with the Lobbyist Registration Ordinance; recognizing that employees are members of the public and authorized to speak, but not on active personnel matters; designating the Chair as the “Mayor” and the Vice Chair as the “Vice Mayor”; formalizing the Chair/Vice-Chair election process; and authorizing Commissioner attendance by phone under extraordinary circumstances. Countywide (DMN) (County Attorney)

43 6A-2

REVISED TITLE: Staff recommends motion to approve: appointment of one individual to the Health Council of Southeast Florida, Inc. for a two-year term commencing December 18, 2012:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Frank Hayden (Admin)	6	Health Care Consumer	Comm. Taylor <u>Comm. Valeche</u> <u>Comm. Vana</u>

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**

DECEMBER 18, 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 7 - 33)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 34 - 36)**
- 5. REGULAR AGENDA (Pages 37 - 42)**
TIME CERTAIN 1:00 P.M. (Executive Session/Closed) (McEaddy) (Page 40)
- 6. BOARD APPOINTMENTS (Pages 43 - 45)**
- 7. STAFF COMMENTS (Page 46)**
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3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during July 2012. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to:**
 - A) approve** an Agreement for Subordination of Utility Interests (Subordination Agreement) with Florida Power and Light Company (FPL) on three parcels of land located on Wallis Road, west of Tall Pines Road; and
 - B) accept** a Warranty Deed from Tidal Wave Development Corporation (Tidal Wave) on eleven parcels of land located on Wallis Road, west of Tall Pines Road.

SUMMARY: Approval of the Subordination Agreement with FPL will release the utility easements on three parcels of land on Wallis Road, west of Tall Pines Road. This approval will provide unencumbered ownership of the three parcels to Palm Beach County. Acceptance of the Warranty Deed from Tidal Wave will provide 25 feet of additional right-of-way for Wallis Road, west of Tall Pines Road. District 2 (MRE)
2. ~~**DELETED: Staff recommends motion to receive and file:** an Agreement with Leftwich Consulting Engineers, Inc., in the amount of \$32,504.94, for professional services for long range transportation planning services for the Glades Region Master Plan Highway Network Reevaluation project. This Agreement was approved on October 31, 2012, by the County Engineer, as a delegated authority in accordance with the Purchasing Code. **SUMMARY:** This Agreement is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. District 6 (MRE)~~
3. **Staff recommends motion to receive and file:** a Report of plat recordations from April 1, 2012, through September 30, 2012. **SUMMARY:** This is a bi-annual summary of subdivision plats recorded during the past two fiscal quarters as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. **REVISED SUMMARY:** Staff recommends motion to:

A) adopt a Resolution approving Supplemental Agreement Number One to the Local Agency Participation (LAP) Agreement for the construction of the Advanced Transportation Management System (ATMS) Group 3 project with the Florida Department of Transportation (FDOT), R2011-0421, to extend time for completion of the project from December 31, 2012, until December 31, 2013; and

B) approve a downward Budget Amendment of \$416,656 in the Transportation Improvement Fund to recognize a decrease in revenue of \$616,656 from FDOT; and a transfer of \$200,000 from Road Program Sweep Reserves to establish a contingency for the project.

SUMMARY: Approval of Supplemental Agreement Number One will change the expiration date of the LAP agreement from December 31, 2012, to December 31, 2013, reduce the grant to Palm Beach County (County) by \$616,656 in construction funding for the project, add Exhibit 1 for the Single Audit Act, and eliminate the reference to dynamic messaging signs on State Road 80 from east of 103rd Avenue North to west of Parker Avenue. Approval of the Budget Amendment will adjust the grant funds provided to the County for this project and establish a contingency amount for the project. ~~allow a transfer from Road Program Sweep Reserves to the project for costs which are ineligible for the grant.~~ Countywide (MRE)

5. Staff recommends motion to:

A) adopt a Resolution to approve Amendment Number Two to the Joint Participation Agreement (JPA), R2009-0823, between the Florida Department of Transportation (FDOT) and Palm Beach County (County) for the operation and maintenance of the Traffic Management Center (TMC) at the Vista Center; and

B) approve a Budget Amendment of \$350,000 in the County Transportation Trust Fund to recognize a JPA with FDOT and appropriate it to TMC Operation Maintenance.

SUMMARY: Approval of Amendment Number Two will add \$250,000 over the next five years, through Fiscal Year 2017/2018. The Budget Amendment will re-establish the FY 2012/2013 portion of the current JPA (\$100,000), as well as the additional funding from Amendment Number Two. FDOT will reimburse the County 70% of the costs of operating and maintaining audio and video systems in the TMC. The remaining 30% will come from the Traffic Operations account. Approval of Amendment Number Two will also permit the transfer of network equipment which includes six HP servers and three other peripheral units listed in Appendix A of the JPA to the FDOT. Countywide (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the official transcript for the closing of the Palm Beach County, Florida \$147,000,000 Public Improvement Revenue Refunding Bonds Series 2012 (the "Bonds"). **SUMMARY:** The official transcript for the Bonds has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. ~~**DELETED: Staff recommends motion to approve:**~~ Member Agency Agreement for the Client Management Information System (CMIS) in Palm Beach County with 211 Palm Beach/Treasure Coast, Inc., allowing for sharing of client information on homeless service delivery, data collection and reporting, with the effective date December 18, 2012. **SUMMARY:** The Member Agency Agreement for the Client Management Information System (CMIS) in Palm Beach County must be renewed to provide for ongoing data entry by Division of Human Services Case Managers. Data collected in the CMIS includes unduplicated counts of homeless individuals and families, their use of services and the effectiveness of the service delivery. This Agreement replaces the previous agreement dated July 23, 2002 (R2002-1158) and is required by the U.S. Department of Housing and Urban Development for Palm Beach County to continue receiving Federal homeless services funds. There is a license fee to access the system. This fee is based on the number of users and will be processed through the normal Purchasing process. Sufficient funding is included in the current budget to meet County obligations. (Human Services) Countywide (TKF)

2. Staff recommends motion to approve:
 - A) Standard Agreement No. IU013-9500 for Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2012, through September 30, 2015, in an annual amount not to exceed \$320,198, to provide effective delivery of nutritious meals to older individuals; and
 - B) Budget Amendment of \$14,867 in the DOSS Administration Fund to reconcile the County budget with the grant award.

SUMMARY: Division of Senior Services (DOSS) receives funds through the AAA to supplement the cost of providing meals to seniors through the Older Americans Act Congregate and Home Delivered Meal programs. The reimbursement unit rate is \$0.68 per meal. These Federal funds are provided through the Department of Elder Affairs (DoEA). No County funds are required. The Budget Amendment is aligning the County budget with the actual grant award. (DOSS) Countywide (TKF)

3. Staff recommends motion to approve: Memorandum of Understanding (MOU) for the Retired and Senior Volunteer Program (RSVP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 15, 2013, through January 15, 2015. **SUMMARY:** RSVP is a volunteers training program for seniors. This MOU with the AAA RSVP will enable Division of Senior Services (DOSS) to be a RSVP Volunteer Station. DOSS will interview, accept, train, and supervise RSVP volunteers at DOSS facilities. No County funds are required. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Amendment No. 001 to Standard Agreement No. IA112-9500 (R2012-0421) for the Older Americans Act (OAA) grant with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2012, through December 31, 2012, to amend Paragraphs 8 and 8.1. of the Standard Agreement; and

B) Amendment No. 004 to Standard Agreement No. IH011-9500 (R2011-1316) for the Home Care for the Elderly (HCE) with AAA for the period July 1, 2011, through October 1, 2012, to increase case management funding by \$1,340.90 for a new amount not to exceed \$32,981.90 and to revise Attachments II and VII and amend Paragraph D and Attachment I, Section III. A.

SUMMARY: OAA amendment was requested by AAA to ensure grant requirements are met regarding background screening for persons who meet the definition of a direct service provider; who are not exempt from the Department's level 2 background screening and to comply with applicable rules promulgated by the Department of Elder Affairs and the Agency for Health Care Administration. HCE funds are used to provide various in-home and community based services to seniors in Palm Beach County which preserves their independence and defers the need for more costly institutional care. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Rd (TKF)

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

~~**A)** Service Agreement/Subcontract with American Eldercare, Inc., for Division of Senior Services (DOSS) to provide community-based assistance as a service provider effective December 18, 2012; and~~

~~**B)** Budget Amendment of \$30,464 in the DOSS Administration Fund to establish the budget for Long Term Care Diversion Program.~~

SUMMARY: DOSS has the program and facility capacity to provide community-based services to American Eldercare, Inc. clients. DOSS will offer adult day care, congregate meals, case management, and in-home services to American Eldercare, Inc. clients at a reimbursement rate of \$60 per day for adult day care, \$6 per congregate meal at a designated meal site, \$150 for case management per client per month and \$18 per hour for various in-home services on an as-needed basis. This will enable DOSS to generate an estimated revenue base of \$45,696 per year, independent from grants and County match, to revert to the operating budget to serve seniors. No County funds are required. DOSS is entering into this agreement in order to provide more utilization of services to more seniors as well as allow for easy accessibility to services. This Agreement allows DOSS to become a vendor with American Eldercare, Inc., a Palm Beach County-based company since 2003, headquartered in Delray Beach. They are Florida's largest contractor for the Long Term Care Diversion Program. They currently provide services to over 4,500 seniors in 40 counties in the state – in all 11 planning and service areas of the Department of Elder Affairs. This Agreement is non-competitive. The Long Term Care Diversion Programs are available to other qualified care providers. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to adopt:** a Resolution authorizing the County Administrator or his designee to establish discounted parking rates at the Palm Beach International Airport (PBIA) public parking facilities; and providing an effective date. **SUMMARY:** The Resolution will allow the County Administrator, or designee, to establish parking discounts for the public at PBIA. The overall goal is to market and promote PBIA by offering discounted parking through various promotional methods. Parking promotions and discounts will be advertised to influence consumers to use PBIA more frequently. Parking rates at PBIA are currently at or below the average rates of other Florida airports but advertised sales discounts may be effective in attracting customers who may have not experienced the comfort and convenience of PBIA. Parking discounts may be delivered through different methods such as: discount parking coupons, reduced daily rates, discounted weekly parking rates, and loyalty programs. Staff will design promotions that will attract and benefit customers with savings and minimize negative revenue impacts to the Department. Staff will measure the effectiveness of each promotion and determine which combination of discount and advertising has the most positive impact on passenger traffic and airport revenues. This information could be used to implement permanent parking rate changes if the public responds favorably. Any permanent rate change recommendations will be brought to the Board for consideration. The concept of parking discounts and loyalty programs has been discussed and unanimously approved by the Aviation and Airports Advisory Board. Countywide (AH)

2. **Staff recommends motion to approve:** a Construction Manager Authorization for Task No. M-13 under the Construction Manager at Risk (CMR) Contract with The Morganti Group, Inc. in the amount of \$1,205,000 for Security Improvements Phase 1 at Palm Beach International Airport (PBIA). **SUMMARY:** The CMR Contract with The Morganti Group, Inc., a Palm Beach County company, for the miscellaneous repair, replacement and improvement projects for Palm Beach County Department of Airports (Department) was approved on May 20, 2008 (R2008-0850). The Contract is for two years with three - one year renewal options. Amendments No. 1-3 exercised all three of the renewal options. Tasks M-1 through M-12 for The Morganti Group, Inc. were approved in the amount of \$6,591,647. Approval of Task No. M-13 in the amount of \$1,205,000 will enable the Department to complete the first phase of the Security Improvements at PBIA. The Small Business Enterprise (SBE) Goal for this contract was established at 15%. The total anticipated SBE contract participation is 24%. Countywide (JCM)

3. **Staff recommends motion to approve:** Airport Consent to Subconcession Agreement (Consent) with The Hertz Corporation (Hertz), consenting to the subconcession/sublease by Hertz to Simply Wheelz, LLC (Wheelz) d/b/a Advantage Rent A Car (Advantage) for a portion of its Agreement for Rental Car Lease and Concession at the Palm Beach International Airport (PBIA) dated September 13, 2011 (the Concession Agreement). **SUMMARY:** The Concession Agreement authorizes Hertz to market and operate the Hertz and Advantage brands at PBIA. Hertz is required to divest Wheelz, which operates the Advantage brand as a subsidiary of Hertz, in order to acquire the Dollar Thrifty Automotive Group, Inc. Accordingly, Hertz has requested the County to provide its consent to a subconcession/sublease to allow Wheelz to continue to operate the Advantage brand at PBIA. Hertz will continue to remain primarily liable to County for fulfilling all obligations, terms and conditions of the Concession Agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. **Staff recommends motion to approve:** Eighth Amendment to Lease Agreement with Galaxy Aviation of Palm Beach, Inc. (Amendment), providing for the lease of an additional 19,177 +/- square feet of unimproved ground for the construction of an aircraft parking apron at an annual rate of \$12,465, commencing on January 1, 2013. **SUMMARY:** Galaxy Aviation of Palm Beach, Inc., (Galaxy) provides fixed-based operator services for general aviation aircraft at the Palm Beach International Airport (PBI), pursuant to a Lease Agreement (Lease) dated October 18, 2000 (R2000-1067). Galaxy Aviation's principal place of business is in Palm Beach County. This Amendment provides for the lease of an additional 19,177 +/- square feet of unimproved ground for the construction of aircraft parking apron. The rental amount associated with this additional area is \$0.65 per square foot, totaling \$12,465 annually and will commence on January 1, 2013. This Amendment also provides a revocable license to construct a temporary access point from the newly constructed aircraft parking apron to PBI's airfield facilities. Countywide (HJF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. DELETED

2. **Staff recommends motion to approve:** Amendment No. 4 to Contract with The Airtex Corporation (R2010-0070) to implement the third renewal of the annual Heating Ventilation Air Conditioning (HVAC) contract with a maximum value of \$2,000,000. **SUMMARY:** Amendment No. 4 is a renewal to the annual HVAC contract which was awarded to The Airtex Corporation. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six participating contractors. The renewal term is for twelve months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond waiver contract. The Airtex Corporation had \$54,626 in work orders under this contract during the last term and their SBE participation for work orders issued to date is 88.37%. The Airtex Corporation is a Palm Beach County company and a certified SBE contractor. (FD&O Admin) Countywide (JM)

3. **Staff recommends motion to approve:** Amendment No. 4 to Contract with Precision Air Systems, Inc. (R2010-0065) to implement the third renewal of the annual Heating Ventilation Air Conditioning (HVAC) contract with a maximum value of \$2,000,000. **SUMMARY:** Amendment No. 4 is a renewal to the annual HVAC contract which was awarded to Precision Air Systems, Inc. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six participating contractors. The renewal term is for twelve months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond waiver contract. Precision Air Systems had \$338,581.35 in work orders under this contract during the last term. The cumulative SBE participation to date is 30.72%. Precision Air Systems, Inc. is a Palm Beach County company. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to approve:** Amendment No. 4 to Contract with Kerney & Associates, Inc. (R2010-0069) to implement the third renewal of the annual Heating Ventilation Air Conditioning (HVAC) contract with a maximum value of \$2,000,000. **SUMMARY:** Amendment No. 4 is a renewal to the annual HVAC contract which was awarded to Kerney & Associates, Inc. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six participating contractors. The renewal term is for twelve months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond waiver contract. Kerney & Associates, Inc. had \$50,198 in work orders under this contract during the last term and their SBE participation for work orders issued to date is 87.71%. Kerney & Associates, Inc. is a Palm Beach County company and a certified SBE contractor. (FD&O Admin) Countywide (JM)

5. **Staff recommends motion to approve:** Amendment No. 4 to Contract with E.C. Stokes Mechanical Contractors, Inc. (R2010-0068) to implement the third renewal of the annual Heating Ventilation Air Conditioning (HVAC) contract with a maximum value of \$2,000,000. **SUMMARY:** Amendment No. 4 is a renewal to the annual HVAC contract which was awarded to E.C. Stokes Mechanical Contractors, Inc. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six participating contractors. The renewal term is for twelve months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The Small Business Enterprise (SBE) goal is 15% and will be tracked cumulatively for each work order issued. E.C. Stokes Mechanical Contractors, Inc. had \$277,921.50 in work orders under this contract during the last term and their SBE participation for work orders issued to date is 57.57%. This is a bond waiver contract. Stokes Mechanical Contractors, Inc. is a SBE, Palm Beach County firm. (FD&O Admin) Countywide (JM)

6. **Staff recommends motion to approve:** Amendment No. 4 to Contract with Horizon Air Conditioning, Inc. (R2010-0067) to implement the third renewal of the annual Heating Ventilation Air Conditioning (HVAC) contract with a maximum value of \$2,000,000. **SUMMARY:** Amendment No. 4 is a renewal to the annual HVAC contract which was awarded to Horizon Air Conditioning, Inc. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six participating contractors. The renewal term is for twelve months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond waiver contract. Horizon Air Conditioning, Inc. had \$15,700 in work orders under this contract during the last term and their SBE participation for work orders issued to date is 69.60%. Horizon Air Conditioning, Inc. is a Palm Beach County company and a certified SBE contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. **Staff recommends motion to approve:** Amendment No. 4 to Contract with Farmer and Irwin Corporation (R2010-0066) to implement the third renewal of the annual Heating Ventilation Air Conditioning (HVAC) contract with a maximum value of \$2,000,000. **SUMMARY:** Amendment No. 4 is a renewal to the annual HVAC contract which was awarded to Farmer and Irwin Corporation. The annual HVAC contract is an indefinite-quantity contract and this renewal has a maximum value of \$2,000,000. The capacity is shared and work orders are awarded based on competitive quotes/bids issued to all six participating contractors. The renewal term is for twelve months or until \$2,000,000 in work orders are issued in this term. Staff is bringing forward the amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the third of four extensions allowed by the contract. The goal for Small Business Enterprise (SBE) participation is 15% and will be tracked cumulatively for each work order issued. This is a bond waiver contract. Farmer and Irwin Corporation had \$9,125 in work orders under this contract during the last term. The cumulative SBE participation to date is 30.72%. Farmer and Irwin Corporation is a Palm Beach County company. (FD&O Admin) Countywide (JM)

8. **Staff recommends motion to accept:** a Quitclaim Deed from South Florida Water Management District (SFWMD) for the donation of 0.06 acres adjacent to the Limestone Creek Natural Area in Jupiter. **SUMMARY:** The County's Department of Environmental Resources Management (ERM) made parking improvements to service the 52 acre Limestone Creek Natural Area located on Island Way in Jupiter. Seven parking spaces were constructed upon 0.06 acres (2,588 sq. ft.) of adjacent property owned by SFWMD. SFWMD agreed to donate the property upon which these improvements were constructed to the County. On August 9, 2012, SFWMD recorded a Quitclaim Deed in favor of the County conveying the 0.06 acres prior to the County formerly accepting the donation. This item will document acceptance of the donation. (PREM) District 1 (HJF)

9. **Staff recommends motion to approve:** a First Amendment to Lease Agreement (R2002-1464) with Verizon Wireless Personal Communications L.P. for the continued use of the roof top of the Southern Region Water Reclamation Facility in Boynton Beach. **SUMMARY:** Since August 20, 2002, Verizon Wireless Personal Communications L.P. (Verizon) has operated and maintained six (6) wireless communication antennas and radio equipment on the rooftop of the Southern Region Water Reclamation Facility located at 12751 Hagen Ranch Road in Boynton Beach. The current extension option runs through August 19, 2017. The County and Verizon co-locate communications equipment on the rooftop. This Amendment allows both parties to install new equipment on the rooftop and modifies Exhibits "C" Equipment Specifications, "D" Rooftop Site Plan, "E" Photo Simulations and "F" Frequencies. These modifications reflect frequency and equipment changes associated with the installation and operation of the County's Water Utilities Radio System Repeater, and permit Verizon to add three (3) antenna's for its 4G-LTE service. Each party is responsible to obtain all necessary permits and governmental approvals associated with its modifications and each party is responsible for the cost of their own equipment installation. There will be no service interruptions to the County's or Verizon's operations. All other terms and conditions of the Lease Agreement will remain in full force and effect. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to approve:** an Agreement with the City of Greenacres in the amount of \$81,863 for the period of December 18, 2012, to April 30, 2014. **SUMMARY:** On July 10, 2012, the Board of County Commissioners approved the allocation of \$81,863 in Community Development Block Grant (CDBG) funds (R2012-0942) to the City of Greenacres for the installation of sanitary sewer improvements on 10th Avenue North and on Swain Boulevard, Greenacres. **This funding is projected to create six jobs and have a five year Economic Sustainability Impact of \$347,137. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 2 (TKF)

2. **Staff recommends motion to approve:** an Agreement with the City of Riviera Beach in the amount of \$173,175 for the period of December 18, 2012, to June 30, 2014. **SUMMARY:** On July 10, 2012, the Board of County Commissioners approved the allocation of \$173,175 in Community Development Block Grant (CDBG) funds (R2012-0942) to the City of Riviera Beach for street improvements on West 36 Street, between Avenue "J" and Avenue "K", Riviera Beach. **This funding is projected to create eight jobs and have a five year Economic Sustainability Impact of \$423,430. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (TKF)

3. **Staff recommends motion to:**

A) receive and file the State Housing Initiative Partnership Program Annual Report for Fiscal Years 2009/2010, 2010/2011 and 2011/2012 as executed on September 18, 2012; and

B) ratify the Vice Chairman's and the County Administrator's signatures on the Annual Report Certification forms.

SUMMARY: The State Housing Initiative Partnership Program Annual Report for Fiscal Years 2009/2010, 2010/2011 and 2011/2012 (SHIP Report) was executed on September 18, 2012, by the Vice Chairman and the County Administrator and was provided to the Florida Housing Finance Corporation. The SHIP Report shows the number of households funded under each affordable housing strategy by funding year and the amount expended to assistance such households. In order to timely submit the SHIP Report to the State, the signatures of the Vice Chairman and the County Administrator were obtained with the intent to submit the SHIP Report and seek signature ratification at a future Board of County Commissioners meeting. **These are State SHIP funds which require no local match.** (B&HI) Countywide (TKF)

4. **Staff recommends motion to approve:** Amendment No. 002 to an Agreement (R2010-2109) with the City of Pahokee extending the expiration date from September 30, 2013, to December 31, 2013, and increasing the funding allocation by \$195,000. **SUMMARY:** On December 21, 2010, the County entered into an Agreement (R2010-2109), as amended by Amendment No. 001 (R2011-1791) on November 15, 2011, with the City of Pahokee to provide \$335,000 in Community Development Block Grant (CDBG) for the renovation of its high school gymnasium located at 360 East Main Street, Pahokee. The project was delayed due to the discovery of asbestos and the length of time required to abate the asbestos. The time extension will allow the City to bid and award a contract. **This funding is projected to create fourteen jobs and have a five year Economic Sustainability Impact of \$778,198. 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: the following three (3) Amendments to the following Agreements under the FY 2010-2011 Federal HOME Investment Partnerships (HOME) Program to increase the amount funded by \$132,349.66 per recipient, expand eligible activities, and provide time extensions as follows:

A) Amendment No. 002 to an Agreement (R2010-1751) with Neighborhood Renaissance, Inc.;

B) Amendment No. 002 to an Agreement (R2010-1752) with Word of Faith Community Development Corporation; and

C) Amendment No. 002 to an Agreement (R2010-1753) with Delray Beach Community Development Corporation.

SUMMARY: On October 19, 2010, the Board of County Commissioners approved the funding of Community Housing Development Organizations (CHDOs), which included the Word of Faith Community Development Corporation (CDC), Neighborhood Renaissance Inc., and Delray Beach CDC. These funds were allocated to facilitate the acquisition, construction or rehabilitation of affordable housing units by eligible first-time homebuyers. In order to provide the CHDOs more flexibility to find income eligible occupants, the proposed Amendments will permit the CHDOs to rent or lease-purchase the acquired homes in addition to their already permitted resale. Due to the termination of NOAH Development Corporation's Agreement at their request, staff is recommending that their \$397,049 allocation be distributed equally among these three CHDOs. Each CHDO will accordingly be allocated an additional \$132,349.66. A nine month extension to each of these Agreements will provide the CHDOs additional time to implement the expanded strategy. **These are Federal HOME Program grant funds which require a 25% local match provided with State Housing Initiatives Partnership Program funds.** (DES Contract Development) Districts 1, 6 & 7 (TKF)

6. Staff recommends motion to approve: a Deposit Account Control Agreement (DACA) with the United States Department of Agriculture (USDA) Rural Development Division and Wells Fargo Bank, National Association, to establish an Intermediary Relending Program (IRP) revolving loan account. **SUMMARY:** On June 21, 2011, the Board of County Commissioners authorized (R2011-0947) the Department of Economic Sustainability to submit an IRP application to USDA. On July 24, 2012, USDA approved the County for a \$400,000 IRP loan. The DACA will establish a revolving loan account with Wells Fargo Bank from which the County will be able to lend to small businesses in the rural areas of the County according to the requirements of the IRP. **These are Federal funds which do not require a local match.** Countywide (DW)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Contract with Electron Corp of South Florida for the Southern Region Water Reclamation Facility (SRWRF) Phase II Electrical Reliability Improvements in the amount of \$727,734. **SUMMARY:** On August 23, 2012, three bids were received for the SRWRF Phase II Electrical Reliability Improvements, with Electron Corp of South Florida being the lowest responsive bidder in the amount of \$727,734. The project will provide portable generator termination boxes at seven buildings to be used during maintenance or failure of the SRWRF electrical system. The project includes connecting two potable water wells to SRWRF electrical system to utilize the lower Florida Power & Light Commercial Industrial Load Control rates, providing an estimated annual savings of \$11,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. This Contract with Electron Corp of South Florida provides for SBE participation of 98% overall. Electron Corp of South Florida is a Palm Beach County company. (WUD Project No. 11-020) District 5 (JM)

2. **Staff recommends motion to approve:** Supplement No. 2 to Work Authorization No. 49 with Globaltech, Inc. (R2008-2323) for Lake Region Water Treatment Plant (LRWTP) Floridan Aquifer Production Well 8 increasing the contract time by 180 days at no additional cost. **SUMMARY:** On June 21, 2011, the Palm Beach County Board of County Commissioners (BCC) approved Work Authorization No. 49 with Globaltech, Inc. (R2008-2323) for LRWTP Floridan Aquifer Production Well 8 in the amount of \$1,459,740. This Supplement increases the contract time by 180 days at no additional cost to allow for project completion within 545 days. The original Work Authorization included the design, permitting and installation of a new Floridan Aquifer Production Well 8 at LRWTP with a project schedule of 365 days to attain final completion. A time extension of 180 days is requested due to delays for relocation of an existing overhead power line, custom fabrication of the stainless steel wellhead tee, and the addition of a variable frequency drive to adjust the flow rate of the well. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75% overall. This Supplement includes no additional SBE participation. The cumulative SBE participation, including this Supplement is 76.61% overall. Globaltech, Inc. is a Palm Beach County company. (WUD Project No. 11-113) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

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

~~**A)** Work Authorization No. 7 for design, permitting, and construction of the Southern Region Water Reclamation Facility (SRWRF) Solar Energy Project with CDM Constructors, Inc. in the amount of \$924,967;~~

~~**B)** Budget Amendment of \$50,000 decreasing the Water Utilities Capital Improvement Fund;~~

~~**C)** Budget Transfer of \$50,000 in the Water Utilities Revenue Fund to establish a transfer to Department of Economic Sustainability (DES);~~

~~**D)** Budget Amendment of \$50,000 increasing the DES Fund for cost associated with staffing and administration grant fund projects;~~

~~**E)** Budget Transfer of \$50,000 in the Water Utilities Capital Improvement and fund to budget for the effect of item C; and~~

~~**F)** Budget Amendment of \$450,000 increasing the Energy Efficiency & Conservation Block Grant Fund (EECBG) to establish budget for additional funds.~~

SUMMARY: On June 8, 2010, the Palm Beach County Board of County Commissioners approved the Water Utilities Department (WUD) Design/Build Services Contract with CDM Constructors, Inc. (R2010-0909). Work Authorization No. 7 will include new solar panels and ancillary support systems at the SRWRF. The Solar Energy Project will generate 125 kW, or approximately 2% of SRWRF's electricity from solar energy. The project is partially funded by the United States Department of Energy's Energy Efficiency and Conservation Block Grant Program Assistance Agreement in the amount of \$450,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with CDM Constructors, Inc. provides for SBE participation of 31% overall. This authorization includes 20.86% overall participation. The cumulative SBE participation, including this work authorization, is 28.77% overall. CDM Constructors, Inc. is a local Palm Beach County company. The Budget Amendment allows for a one-time transfer of funds to be used by DES for costs associated with the staffing and administration of the Solar Energy and Biogas projects. DES is responsible for administration of these projects through the Department of Energy. (WUD Project No. 09-030) District 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Contract with Lanzo Lining Services, Inc. - Florida for the Glades Utility Authority (GUA) City of Belle Glade Inflow and Infiltration Improvements Project in an amount of \$1,281,845, contingent upon approval by the Florida Department of Economic Opportunity and the Federal Economic Development Administration. **SUMMARY:** On October 11, 2011, two bids were received for the GUA City of Belle Glade Inflow and Infiltration Improvements Project. Lanzo Lining Services, Inc. - Florida was the lowest responsive responsible bidder in the amount of \$1,281,845. Palm Beach County Water Utilities Department (WUD) is implementing this project under its Management & Operations Contract with GUA. The project is funded by the State of Florida Department of Economic Opportunity (DEO) through the Disaster Recovery Initiative Program (DRI). The project is subject to a 22.4% minority participation goal and a 6.9% female participation goal for trades rather than the County's SBE goals. This Contract with Lanzo Lining Services, Inc. - Florida provides for 27.57% minority participation and 0.00% female participation. Staff recommends award to Lanzo Lining Services, Inc. - Florida contingent upon DEO approval of good faith efforts participation goals. Local Preference Ordinance is not applicable to this DRI funded project. Lanzo Lining Services, Inc. - Florida is a Broward County based firm. This project is contingent upon final approval by the DEO and the Economic Development Administration (EDA) because part of the cost of the project will contribute to matching funds for an approved EDA grant (EDA Reward No. 04-79-06327). **These are DRI Program funds and require no local match.** (WUD Project No. 12-041) District 6 (JM)

5. **Staff recommends motion to approve:** Amendment No. 2 to the Alternative Water Supply Agreement (AWS-FY2012 LEC116/No. 4600002550) with the South Florida Water Management District (SFWMD) for a time extension of 45 days. **SUMMARY:** On December 6, 2011, the Palm Beach County Board of County Commissioners approved the Alternative Water Supply Agreement (R2011-1954) which provides grant funding from the South Florida Water Management District in the amount of \$500,000 for construction of the Lake Region Floridan Well Field Improvement Project. Amendment No. 2 to the Agreement provides a 45 day time extension to the grant deadline to accommodate the delays associated with custom fabrication of the stainless steel wellhead tee. There are no additional funds or costs associated with Amendment No. 2. (WUD Project No. 11-113) District 6 (MJ)

6. **Staff recommends motion to approve:**
 - A) a First Amendment to Agreement with JLA Geosciences, Inc., for consulting and professional services; and
 - B) a First Amendment to Agreement with Kimley-Horn and Associates, Inc., for consulting and professional services.

SUMMARY: Palm Beach County Water Utilities Department (WUD) has requested that the Palm Beach County Attorney's Office conduct a review of potential litigation issues relating to the design and construction of the wells and water treatment plant serving the Glades area. Geotechnical and engineering assistance is required to complete the County Attorney Office's review. The initial agreements with geotechnical consultants, JLA Geosciences, Inc., and engineering consultants, Kimley-Horn and Associates Inc., authorized consulting and professional services for a one year period, with a not-to-exceed amount of \$49,500 for JLA Geosciences, Inc., and a not-to-exceed amount of \$100,000 for Kimley-Horn and Associates, Inc. The one year time frame ended on September 7, 2012; however, consulting services are still required to complete the investigation. The First Amendments to the consulting and professional services agreements only extend the duration of the contracts for an additional year; the Amendments do not increase the not-to-exceed amounts. Countywide (ATP)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) accept purchase orders A6AF38 and A6B058 from Florida Fish and Wildlife Conservation Commission (FWCC) for Gopher Tortoise Habitat Management at two Palm Beach County Natural Areas, Juno Dunes and Jupiter Ridge, expiring May 24, 2013 in an amount not to exceed \$15,000 for each site; and

B) authorize the County Administrator, or his designee, to sign purchase orders if required and other forms or amendments associated with this cost reimbursement upon written notification by FWCC.

SUMMARY: Reimbursement funds were requested to assist with activities at Juno Dunes Natural Area in Juno Beach and Jupiter Ridge Natural Area in Jupiter. The cost reimbursement resulting from the approval of these purchase orders will provide funding up to \$15,000 per natural area (total potential reimbursement of \$30,000) for land management activities to improve gopher tortoise habitat. There is no match required for this reimbursement funding. District 1 (SF)

2. Staff recommends motion to:

A) approve Land and Water Conservation Fund Program (LWCF) Project Agreement No. LW608 (Agreement) with the Florida Department of Environmental Protection (FDEP) for \$200,000 to construct passive recreational facilities on the County's Pine Glades Natural Area, expiring three years from execution;

B) authorize the County Administrator, or his designee, to sign all future time extensions, 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;

C) execute a Notice of Limitation of Use/Site Dedication identifying the Pine Glades Natural Area as an outdoor recreation area for the use and benefit of the general public in perpetuity; and

D) approve a Budget Amendment of \$200,000 in the Environmental Resources Capital Projects Fund to recognize the grant revenue.

SUMMARY: On April 17, 2012 the Board ratified the Vice Chair's signature on a LWCF grant application requesting a \$200,000 grant to help pay for the construction of passive recreational facilities as part of the Pine Glades Natural Area Trail Project (Project). The total Project cost is expected to be \$400,000. The Project was selected to receive a LWCF grant award of \$200,000 (50% of the total expected Project cost). The County's match of \$200,000 is provided through a transfer from non-ad valorem funds within the Natural Areas Fund. The Agreement will become effective upon execution by DEP and will expire three years following its execution. A Notice of Limitation of Use/Site Dedication dedicating the Pine Glades Natural Area as an outdoor recreation site for the use and benefit of the general public, in perpetuity, must be recorded in the public records as part of the LWCF grant documentation. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to approve:

A) Amendment No. 1 to the Primary Contract for the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2011ERM05 (R2011-2042) with Eastman Aggregate Enterprises, LLC (Eastman) to extend the Contract for one year; and

B) Amendment No. 1 to the Secondary Contract for the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2011ERM05 (R2011-2043) with H & R of Belle Glade, Inc. (H & R) to extend the Contract for one year; and

C) Work Supplement No. 2042-03A with Eastman not-to-exceed \$624,910 to increase the volume of dune fill on Singer Island and extend the Work Order Time.

SUMMARY: The Board of County Commissioners approved two annual construction Contracts for the Palm Beach County Annual Dune & Wetlands Restoration Project No. 2011ERM05 (R2011-2042, -2043) on December 20, 2011. Eastman was issued three work orders totaling \$2,303,694; H & R has not received any. Staff requests Board approval of Amendment No. 1 to extend the Eastman and H & R Contracts. Work Supplement No. 2042-03A authorizes Eastman to place an additional 28,000 tons of sand in the Singer Island Dune Restoration Project. Small Business Enterprise (SBE) goals of 21.23% as set forth in the Eastman Contract and 15.87% as set forth in the H & R Contract will remain in effect. Eastman's SBE participation to-date is 47.65%. Countywide (JM)

4. Staff recommends motion to:

A) approve a Facilities Use Agreement between Palm Beach County and Palm Beach Atlantic University (PBAU) in an amount not to exceed \$7,000 for the Lake Worth Lagoon Symposium on May 15, 2013; and

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

SUMMARY: The Lake Worth Lagoon Initiative is in the process of planning the third Lake Worth Lagoon Symposium to be held at PBAU on May 15, 2013. This one-day symposium will highlight progress made over the last five years towards understanding, improving, and enhancing the Lake Worth Lagoon ecosystem. The draft 2013 Lake Worth Lagoon Management Plan Update which summarizes achievements and sets goals for the future will be presented during the Symposium and opened for public comment at that time. To encourage maximum participation, the symposium will be free for attendees. The cost will be offset by sponsorships and donations from multiple entities including other government agencies, businesses and non-profit organizations. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. **Staff recommends motion to adopt:** Resolution authorizing the County Administrator or his designee to execute standard sponsorship agreements for the provision of benefits to a sponsor when an event or program is hosted by the Department of Environmental Resources Management. **SUMMARY:** The Palm Beach County Department of Environmental Resources Management (ERM) intends to use sponsorships as a means of generating funds for producing conferences and workshops and improving or expanding environmental programs and services offered to the public with the least amount of financial impact to its citizens. Upon receipt of a sponsorship the sponsor shall receive benefits, such as personal or company name recognition during the program or event, and on flyers and the website. The size and cost of the program or event will determine the amount of sponsorship fees ERM will accept and the type of sponsorship benefits available. Staff is recommending that the Board of County Commissioners (BCC) approve a resolution which delegates authority to the County Administrator or designee to execute the standard sponsorship agreements. Sponsorship form agreements in an amount not to exceed \$10,000 and below may be approved by the Director or Deputy Director of ERM. Sponsorship agreements in an amount of \$10,001 up to \$50,000 must be approved by the County Administrator. Sponsorship agreements in an amount of \$50,001 and above must be approved by the BCC. Countywide (SF)
6. **Staff recommends motion to:**
- A) approve** a \$35,000 Contract with Bunnell Foundation, Inc. for turnkey services that would include procurement, preparation, towing, and scuttling of the Tug *M/V POCAHONTAS* in 90' at a permitted artificial reef location, within ninety (90) days of Contract execution;
- B) approve** naming the artificial reef created by the scuttled *M/V POCAHONTAS* as the Danny McCauley Memorial Reef;
- C) adopt** a Resolution authorizing the Clerk of the Board to disburse \$28,000 from the Vessel Registration Fee Trust Fund to provide partial funding for this project;
- D) approve** a Budget Amendment of \$12,000 in the Environmental Enhancement Saltwater Fund (1224) to recognize the contributions received in FY 2013 from the Danny McCauley Memorial Fund (\$10,000) and the Lake Worth Dive Operators Association (\$2,000); and
- E) approve** a Budget Transfer of \$28,000 from reserves in the Vessel Registration Fee Trust Fund to the Danny McCauley Memorial Reef Project.
- SUMMARY:** This \$40,000 project, which is funded by \$28,000 of Vessel Registration Fees and \$12,000 contributions from the Danny McCauley Memorial Fund and the Lake Worth Dive Operators Association, will result in the scuttling of the 110 foot tug *M/V POCAHONTAS* to create an artificial reef in approximately 90 feet of water at a permitted artificial reef location. It was requested that the reef site created by the tug would bear the name of Danny McCauley Memorial Reef. An additional \$5,000 above the Contract price will cover any contingencies that might arise with any remaining balance returned to reserves when the project is complete. The Purchasing Director approved the sole source acquisition. District 1 (HF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreement for a community event:

Peter Noble, The Blunts Family Circus concert; Canyon Town Center Amphitheater, on October 6, 2012.

SUMMARY: The Parks and Recreation Department produced a popular cultural event at our Canyon Town Center Amphitheater. This event was attended by an estimated 425 persons and generated positive support and goodwill for the County. 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 Entertainment 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 2008-1109, amended by Resolution 2010-0644, and is now being submitted to the Board to receive and file. District 5 (AH)

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; Sublime with Rome concert, Sunset Cove Amphitheater, for the period August 31, 2012, through September 1, 2012;

B) City Sound and Recording LLC; Homecoming with Hardwell concert, Sunset Cove Amphitheater, for the period October 24, 2012, through October 25, 2012; and

C) City Sound and Recording LLC; Matisyahu concert, Seabreeze Amphitheater, for the period October 27, 2012, through October 28, 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. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Palm Beach Broadcasting, LLC, Pet-a-Palooza event, Seabreeze Amphitheater, for the period October 12, 2012, through October 15, 2012;

B) Worldvision Entertainment Production, LLC, Homecoming with Hardwell concert, Sunset Cove Amphitheater, for the period October 24, 2012, through October 25, 2012; and

C) The Leukemia & Lymphoma Society, Inc., The Light The Night Walk, Sunset Cove Amphitheater, on November 10, 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)

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

Dawn Gunduz, Pilates Stretch Instructor, West Jupiter Recreation Center, for the period October 2, 2012, through September 28, 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)

5. Staff recommends motion to approve: Second Amendment to Agreement with Palm Beach County Officials Association, Inc. in an amount not-to-exceed \$96,866 for a period of one additional year beginning January 2, 2013, through January 1, 2014, for sports officiating services. **SUMMARY:** The current Agreement, R2008-2330, amended by 2011-2050, for providing sports officiating services for softball expires on January 1, 2013. This Second Amendment extends the Agreement an additional one year for an amount not to exceed \$96,866. The cost of this Agreement will be completely offset by revenue derived from program fees. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. ~~**DELETED: Staff recommends motion to approve:** Budget Transfer of \$160,000 within Park Impact Fees Zone 2 from Reserves to the Lake Lytal Park Improvements Phase 2 project.~~ **SUMMARY:** This budget transfer will provide the funding necessary to add new amenities to Lake Lytal Park. The new amenities include street lighting within the park and shade structures to provide coverage over various bleacher areas. The current estimated capital cost of the new street lighting is \$50,000. The shade structures and associated ADA accessibility compliance requirements will cost approximately \$110,000. This Budget Transfer of \$160,000 is necessary to fully fund these two project elements. Funding for this Budget Transfer is from the Park Impact Fees Zone 2 reserve. District 2 (AH)

U. INFORMATION SYSTEMS SERVICES

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

A) approve Amendment No. 1 to Agreement R2011-1531 with the City of Riviera Beach (City) to allow Palm Beach County (County) to mount wireless antennae on the City's communications tower located at 600 West Blue Heron Boulevard and on the City's Fire Stations No. 2, No. 3 and No.4; and

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

SUMMARY: The City has an existing agreement with the County for Network Services. The County wishes to amend this agreement in order to place antennae on the City's main communications tower and Riviera Beach Fire Stations 2, 3 and 4. These antennae will allow the County to provide wireless broadband connectivity to the City Fire Stations for 9-1-1 dispatch, as well as providing wireless broadband connectivity to other locations, including Peanut Island and the Supervisor of Elections' facility located in Riviera Beach. In exchange for the City allowing the County to mount these antennae, the County will provide the City wireless broadband access to Fire Stations 2, 3 and 4 at no cost. The proposed exchange of Internet services for antennae mounting space will benefit both agencies and will save taxpayer dollars by reducing reliance on leased commercial telecommunications circuits. The County will incur approximately \$14,000 in one-time capital costs to mount these antennae, but will realize operating budget savings of approximately \$17,000 for a net savings of \$3,000 in 2013. Subsequent cost savings are estimated at \$31,500 per fiscal year. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve the Agreement with the Lupus Foundation of America Southeast Florida Chapter, Inc. (Non Profit) to connect their office located at 2300 High Ridge Road, Suite 375, Boynton Beach, FL, to the Palm Beach County (County) Regional Network at an estimated net first year revenue of \$1,140, for an initial term of one year with automatic one-year renewals unless notice is given by either party; and

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

SUMMARY: The Non Profit wishes to connect to the County Regional Network in order to receive broadband Internet access at the stated monthly rates. The County's Information Systems Services department will be responsible for providing Internet services. The County will not incur any costs associated with this project other than staff time involved in planning and managing the project. This Agreement is similar to existing agreements with other non profits and municipalities for network services. This network connection is exempt from paying the Florida LambdaRail connection fee of \$100 per month. This was approved by the Florida LambdaRail in a memo dated October 16, 2012. District 3 (PFK)

3. Staff recommends motion to approve: Amendment No. 8 to the Technical Currency Program (TCP) Agreement with SCT Government Systems (SCT) (R-2003-1017), now doing business as ACS Government Systems, Inc. (ACS), to extend the software maintenance coverage for the following component modules of the ACS Banner Courts system: Civil, Juvenile, Extended Case Information and Accounting, at an annual fee of \$245,752 for the period of October 1, 2012, through September 30, 2013. ACS was purchased by the Xerox Corporation in 2010. **SUMMARY:** The TCP License Agreement was initially entered into by Palm Beach County and SCT (now ACS) on September 29, 1998 (R1998-1540 & 1541), for annual maintenance of the ACS Justice Information System which includes modules for Civil, Juvenile, Criminal, and Traffic Courts, and Jury Management. The TCP Agreement provides for software maintenance coverage and establishes the amount of the annual payments to ACS. The previous annual TCP agreement expired September 30, 2012 and this extension of the agreement will be retroactive to October 1, 2012 to reflect the continuous coverage provided in good faith by ACS. After the Clerk & Comptroller's new case management system is completely implemented, annual software maintenance cost will decrease to \$4,885 for the Jury Management module, the only ACS software product which will remain in use by the Clerk & Comptroller. Jury Management software maintenance has been extended under a separate contract amendment. ACS Government Systems, Inc. is based in Lexington, KY. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to adopt:** Resolution authorizing the County Administrator or his designee to execute standard agreements with veterinarians who issue rabies license tags on behalf of Palm Beach County Animal Care and Control (ACC). **SUMMARY:** The agreement outlines the responsibilities of veterinarians to comply with Florida State Statutes as it relates to timely submittal to ACC of rabies certificates for each dog and cat given a rabies vaccine. The agreement also governs monitoring of tag inventory by veterinarians, the sale of tags and the maximum handling fee that may be charged clients, submittal of monies collected and associated late fees, if any, and recourse by the County in the event that a veterinarian defaults on payments. Countywide (SF)

AA. PALM TRAN

1. **Staff recommends motion to:**
 - A) adopt** a Resolution authorizing the sale, conveyance and transfer of two 2001 and three 2002 Gillig Low Floor buses to Sarasota County; provided that the Federal Transit Administration (FTA) approves the transfer; and
 - B) approve** an Agreement regarding the sale, conveyance and transfer of two 2001 and three 2002 Gillig Low Floor buses to Sarasota County, Florida.

SUMMARY: Palm Tran needs to dispose of two 2001 and three 2002 Gillig Low Floor buses. These buses have reached their useful life and may be transferred to another FTA grantee with FTA's prior approval. Sarasota County, an FTA grantee, has approached Palm Tran and expressed its desire to acquire these buses. Sarasota County has affirmed that it is an entity qualified and eligible to receive a conveyance of personal property from Palm Beach County in accordance with the requirements of Section 125.38, F.S., and that it desires to use the buses for the public or community interest and welfare. These buses were purchased using 100% Federal funds. Countywide (DR)
2. **Staff recommends motion to adopt:** a Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement (JPA) No. 1 FM No. 430296-1 amending the original agreement by increasing the total amount to \$1,726,800 (a \$863,400 increase) in 100% State funds, to provide funding for year two of three of this grant agreement. **SUMMARY:** FDOT is providing Transit Corridor grant funds in the amount of \$863,400 to allow Palm Tran to provide 30-minute service during peak times (morning and afternoon) for Route 48 and to provide all day, 30-minute service for Route 47. The original three year JPA was approved by the Board under R2011-1235. This amendment provides funds for year two of the agreement and will become effective upon execution by FDOT. The JPA funds will provide 100% of the operating cost for the increased service. No additional County funds are required for this service or as a match to this grant. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement No. 3 (JPA) FM No. 407184-1 amending the original agreement by increasing the total amount to \$2,013,514 (a \$257,051 increase – State funds requiring a match of \$257,051 - local funds); to provide funding for year four of five of this grant agreement;

B) approve a Budget Amendment of \$11,627 in Palm Tran's Grant Fund for Fiscal Year 2013 in order to reconcile the budget to the actual grant award; and

C) approve a Budget Amendment of \$11,627 in Palm Tran's Operating Fund for Fiscal Year 2013 in order to reconcile the budget to the actual grant award.

SUMMARY: FDOT is providing Section 5311 grant funds in the amount of \$257,051 to assist mass transit operating in non-urbanized areas of Palm Beach County. The operating costs include operating, maintenance, and administrative costs. The original five year JPA was approved by the Board under R2010-0118. This amendment provides funds for year four of the agreement and will become effective upon execution by FDOT. The JPA requires a 50% match of \$257,051 with local funds. Palm Beach County provides the local funding from the local option gas tax. Grant and match are included in the FY 2013 budget. District 6 (DR)

4. Staff recommends motion to:

A) adopt a Resolution approving a Florida Department of Transportation (FDOT) Supplemental Joint Participation Agreement No. 3 (JPA) FM No. 407188-1- amending the original agreement by increasing the total amount to \$35,823,168 (a \$4,754,934 increase – State funds requiring a match of \$4,754,934 - local funds); to provide funding for year 4 of 5 of this grant agreement;

B) approve a Budget Amendment of \$356,619 in Palm Tran's Grant Fund for Fiscal Year 2013 in order to reconcile the budget to the actual grant award; and

C) approve a Budget Amendment of \$356,619 in Palm Tran's Operating Fund for Fiscal Year 2013 in order to reconcile the budget to the actual grant award.

SUMMARY: FDOT is providing \$4,754,934 from the Public Transit Block Grant Program to help offset the operating costs of mass transit in urbanized areas of Palm Beach County. The operating costs include operating, maintenance, and administrative costs. The original five year JPA was approved by the Board under R2010-0285. This amendment provides funds for year four of the agreement and will become effective upon execution by FDOT. The JPA requires a 50% match of \$4,754,934 with local funds. Palm Beach County provides the local funding from the local option gas tax. Grant and match are included in the FY 2013 budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

5. ~~DELETED~~: Staff recommends motion to:

~~A) approve the filing of the Federal Transit Administration (FTA) Grant Application FL-95-X063 for capital funds in the amount of \$1,320,000;~~

~~B) approve the FTA Master Agreement FTA MA (19) dated October 1, 2012; and~~

~~C) authorize the Palm Tran Director or Assistant Director through the County Administrator to execute, on behalf of the Board, and to transmit electronically the Board's approval of the Master Agreement and the FL-95-X063 grant award.~~

SUMMARY: In September 2011, the Florida Department of Transportation (FDOT) sponsored an assessment of fare interoperability options for all the transit agencies in South Florida. The fare systems used by the agencies do not interface making regional travel complex because of the separate fare media, different fares, and transfer policies. The study team, consisting of representatives from all four transit agencies, successfully reached concurrence on a phased approach to achieve interoperability. Palm Beach County has been allocated \$1,320,000 by FDOT to implement new fare collection technologies and these funds are included in the Project Work Program. The FTA will administer the funds with no local match required; therefore, the project budget lists the capital projects at 100% cost for the federal share. No County funds are required. Countywide (DR)

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a FY '12 Homeland Security Grant in the amount of \$55,000, for the period of October 1, 2012, through June 30, 2014; and

B) approve a Budget Amendment of \$55,000 in the Sheriff's Grant Fund.

SUMMARY: On September 24, 2012, the Palm Beach County Sheriff's Office received an award from the State of Florida, Division of Emergency Management. These funds will be used to pay the salary of Fusion Center Analysts. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. Staff recommends motion to approve: a Budget Transfer of \$167,390 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing AED's, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2013 estimated donation requirement will not be finalized until year-end close-out. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$627,927. The funds are requested here are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETF requires approval by the Board, upon request of the Sheriff. The current State LETF balance is \$2,113,190. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,945,800. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (PGE)

<u>ORGANIZATION</u>	<u>AMOUNT</u>
a) Achievement Centers for Children and Families	\$10,000
b) Girls Scouts of Southeast Florida, Inc.	\$10,000
c) Humane Society of Greater Jupiter Tequesta, Inc.	\$10,000
d) Inner City Youth Golfers', Inc.	\$10,000
e) Jerome Golden Center for Behavioral Health	\$10,000
f) KidSafe Foundation	\$5,000
g) Lake Worth High School - Criminal Justice Academy	\$5,000
h) Neighbors 4 Neighbors, Inc. - Adopt A Bear	\$20,000
i) NOPE Task Force, Inc.	\$20,000
j) Royal Palm Beach Rotary Foundation	\$1,500
k) Teen Dream Builders, Inc.	\$6,822
l) Urban League of Palm Beach County, Inc.	\$59,068
Total Amount	\$167,390

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Agreement with the Miami-Dade County, as the fiscal agent for the Miami Urban Area Security Initiative to provide \$1,010,300 in reimbursable funding for the Maritime Radar Project effective until December 31, 2012; and

B) approve a Budget Amendment of \$1,010,300 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 Miami-Dade County as the Miami UASI's fiscal agent. These funds and related equipment will be used for the Maritime Radar 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 receive and file: the Second Amendment, with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative to extend the agreement period for various direct law enforcement oriented domestic security activities, from July 31, 2012, through January 31, 2013. **SUMMARY:** On June 19, 2012, the Board of County Commissioners (BCC) accepted this agreement to provide \$32,800 in reimbursable funding; the original period for this agreement was effective through April 30, 2012 (R2012-0924). On August 14, 2012, the BCC received and filed an agenda item extending the grant period from April 30, 2012, through July 31, 2012 (R2012-1150). This agenda item will extend the agreement period from July 31, 2012, through January 31, 2013. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds will be used for the regional planning, training and exercise project. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

5. Staff recommends motion to receive and file: Grant Adjustment Notice amending the National Institute of Justice (NIJ) FY2010 "Solving Cold Cases with DNA to extend the grant period from September 30, 2012, through March 31, 2013. **SUMMARY:** On October 19, 2010, the Board of County Commissioners (BCC) accepted this award to provide \$132,505 in reimbursable funding; the original grant period for this award was October 1, 2010, through March 31, 2012 (R2010-1732). On April 3, 2012, the BCC received and filed an agenda item extending the grant period from March 31, 2012, through September 30, 2012 (R2012-0522). This agenda item will extend the grant period from September 30, 2012, through March 31, 2013. The objective of this grant award is to combine the efforts of the PBSO Special Investigations Bureau, Crimes Against Children/Sexual Assault Unit with the Violent Crimes Bureau in conjunction with the experience of the Serology/DNA Section of the Crime Laboratory to solve Cold Cases. These funds, which have been approved by NIJ, will be used to pay overtime, travel, and consulting fees; and for the purchase of laboratory supplies and equipment. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (PGE)

3. **CONSENT AGENDA APPROVAL**

BB. SHERIFF (Cont'd)

6. **Staff recommends motion to:**

A) accept a Bureau of Justice Assistance Bulletproof Vest Partnership Grant in the amount of \$6,304 for the period of October 1, 2012, through September 30, 2013, for the purchase of Bulletproof Vests; and

B) approve a Budget Amendment of \$6,304 in the Sheriff's Grants Fund.

SUMMARY: The Bureau of Justice Assistance has made available funds for the purchase of bulletproof vests for law enforcement personnel. The Palm Beach County Sheriff's Office was awarded the amount of \$6,304 for the purchase of approximately twenty-two National Institute of Justice approved vests. The vests will be purchased between October 1, 2012, and September 30, 2013. The required match in the amount of \$6,304 is being provided by the Palm Beach County Sheriff's Office and is included in the Sheriff's approved FY 2013 Budget. No additional positions are needed and no additional County funds are required. Countywide (PGE)

CC. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** Agreement with the Cultural Council of Palm Beach County in the amount of \$200,000 from October 1, 2012, through September 30, 2013 for services relating to the administration of Category C – Level 1 (Small and Emerging Organizations, Children's and Multicultural projects) cultural grant program for non-profit organizations within the County. **SUMMARY:** The County shall provide an amount not to exceed Two Hundred Thousand Dollars (\$200,000) to fund certain activities of non-profit organizations as determined by the Cultural Council of Palm Beach County (Council) pursuant to a process established herein and approved by County. Of the \$200,000 in County funding, up to One Hundred and Eighty Eight Thousand Dollars (\$188,000) shall be applied to Category C-Level I (Small and Emerging Organizations, Children's and Multicultural projects). A portion of the remaining funds, not to exceed 10% of the total amount, may be used by the Council to administer the program. In the event any of the funds are unspent, the Council will reallocate said funds to support cultural programs in underserved areas of the County. Rena Blades of the Cultural Council serves on the Overall Economic Development Program Committee. The Committee provides no regulation, oversight, management, or policy-setting recommendations regarding the Cultural Council's contracts. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (DW)

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** Amendment No. 001 with Westgate/Belvedere Homes Community Redevelopment Agency extending the expiration date from December 31, 2012, to March 31, 2013. **SUMMARY:** On November 1, 2011, the County entered into an Agreement (R2011-1714) with Westgate/Belvedere Homes Community Redevelopment Agency (CRA) to provide \$81,810 in Community Development Block Grant (CDBG) funds to acquire vacant lots adjacent to the L-2B Canal to enable the Agency to widen the canal in order to reduce flooding. The project was delayed due to the length of time required to negotiate the acquisition of the properties. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (TKF) (Economic Sustainability)

3. CONSENT AGENDA APPROVAL

EE. COMMISSION ON ETHICS

1. ~~**DELETED: Staff recommends motion to approve:** a Memorandum of Understanding (MOU) with the Delray Beach Housing Authority and Palm Beach County for the services of the Palm Beach County Commission on Ethics. **SUMMARY:** The Delray Beach Housing Authority agreed to subject itself to the jurisdiction and authority of the Commission on Ethics. This MOU identifies the roles and responsibilities of the Commission on Ethics and the Delray Beach Housing Authority in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Authority to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this agreement must be used to fund Commission on Ethics operations. The MOU is subject to final approval of the Board of County Commissioners. District 4 (LB)~~

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

- A. **Staff recommends motion to adopt:** a Resolution to abandon any public interest in that certain portion of the 50 foot right-of-way for Galveston Boulevard (Australian Avenue) as shown on the plat of Glenwood Memorial Cemetery, as recorded in Plat Book 24, Page 238, Public Records of Palm Beach County (County), Florida and executing two utility easements over the entire area to be abandoned. **SUMMARY:** Adoption of this Resolution will allow the County to vacate its interest in that certain portion of 50 foot right-of-way for Galveston Boulevard (Australian Avenue) that is in excess of County right-of-way requirements. The petition site is located on the west side of Australian Avenue between West 3rd Street and West 6th Street. District 7 (MRE)
- B. **Staff recommends motion to adopt:** a Resolution to abandon any public interest in that certain portion of the north 25 feet of the west one-half of Lot 5, and the north 25 feet of Lots 6 and 7, “Kanawha Park,” according to the plat thereof as recorded in Plat Book 23 at Page 248, of the Public Records of Palm Beach County, Florida, being a portion of Canal Drive and reserving an ingress and egress easement over the entire area to be abandoned. **SUMMARY:** Adoption of this Resolution will allow the petitioner, Lake Worth Outpatient Properties, LLC, to vacate this portion of right-of-way to allow for redevelopment of the site. The petition site is located on the south side of Lake Worth Road, west of Jog Road and east of Charleston Street. District 2 (MRE)
- C. **Staff recommends motion to:**
- 1) determine** that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan (Plan) and that fewer than 20% of the FY 2011 construction projects are more than 12 months behind schedule as defined in Attachment “1” of the Agenda Item;
- 2) approve** deleting the construction of Belvedere Road and Military Trail Intersection based on the Findings of Fact presented by staff as defined in Attachment “2” of the Agenda Item; and
- 3) adopt** an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Program; providing for title; purpose; adoption of revised Program and revised list of projects contained in Exhibit “A”; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of Laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date.
- SUMMARY:** This is the annual update of the County’s Program which is required to be considered each year by the Program Ordinance. The Unified Land Development Code (ULDC) requires that concurrent with the adoption of the annual Program, the Board of County Commissioners (Board) must determine that the appropriate Findings of Fact (Findings) associated with the Road Program have been made. The Findings have been made and are defined in Attachment “1” to the Agenda Item. The ULDC also required prior to the deletion/delay of any construction project from the County’s Five-Year Road Program, the Board must determine that the Findings associated with the deletion have been made. They have been made, and they are defined in Attachment “2” to the Agenda Item. Exhibit “A” to the Ordinance contains the road projects to be undertaken by the County in the next five years. Countywide (MRE)

4. PUBLIC HEARINGS CONTINUED

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

1) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, confirming the special assessment roll for 61st Street North Water Main Extension Project; and

2) approve a Work Authorization No. 18 to Johnson-Davis, Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2010-1423) in the amount of \$89,583.16.

SUMMARY: Petitions in favor of the installation of a potable water main have been provided by 69% of the property owners in the 61st Street North project area. The project will serve 13 residential properties currently on private wells. Individual assessments of \$7,190.45 per parcel are based on 90% of the total project cost as per the agreement between the County and Indian Trails Improvement District, in which the County will allocate \$500,000 to provide financial support for up to 10% of the final cost for assessment projects within the legislative boundaries of the Indian Trails Improvement District. WUD has encumbered and expended for previous projects a total of \$205,501.96. The assessment may be paid over 20 years with equal annual payments of principal and 5½% interest. The total assessable cost is \$93,475.85 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The project will be constructed utilizing a Work Authorization under the WUD Continuing Construction Contract with Johnson-Davis, Inc. (R2010-1423). If the actual cost exceeds the total assessable cost, the differential will be cover by WUD's budget. 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%. This Authorization includes 18.91% overall participation. The cumulative SBE participation is 15.59% overall. (WUD Project No. 12-052) District 6 (MJ & JM)

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

1) adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article VII of the Palm Beach County Code (Ordinance No. 2005-004) entitled "Economic Development Ad Valorem Tax Exemption Ordinance of Palm Beach County"; amending intent and declaration; amending definition of terms; amending economic development ad valorem tax exemption established; deleting application for exemption; providing for approval process; amending application consideration; amending application fee; amending applicability; providing for inclusion in the code of laws and ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date; and

2) approve the Program Criteria.

SUMMARY: On February 15, 2005, the Board of County Commissioners approved Ordinance 2005-004 establishing the County's Ad Valorem Tax Exemption Program which remains in effect until August 31, 2014. The Ordinance currently conflicts with Section 196.1995 due to changes in the Statute over the last seven years. The proposed ordinance amendment streamlines the eligibility requirements to default to the State Statute; therefore, eliminating any future conflicts should the Statute change. The Palm Beach County Property Appraiser concurs that the County's Ordinance should be modified to be consistent with the State Statutes. Staff is also recommending an increase in the application fees from \$1,000 to \$2,000 to help offset costs to review and process the applications. To date, 20 companies have been approved under the Program since its inception in 1994. Over \$2.3 Million in business property taxes have been forgiven to date. The Program Criteria is being revised to be consistent with the proposed Ordinance amendments. (Admin) Countywide (DW)

4. PUBLIC HEARINGS CONTINUED

- F. [Staff recommends motion to adopt:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, updating the Five-Year Capital Improvement Tables 1-17 of the 1989 Comprehensive Plan; providing for repeal of laws in conflict; providing for severability; and providing for an effective date. **SUMMARY:** The Board of County Commissioners will consider this agenda item to adopt an ordinance to update the Five-Year Capital Improvement tables in the Capital Improvements Element of the County's Comprehensive Plan. In accordance with the requirements of Section 163.3177(3), Florida Statutes, the Comprehensive Plan shall contain the projected schedule of improvements for five fiscal years that reflect the need to reduce existing deficiencies, remain abreast of needed replacements, and meet future demand. Countywide (RB)

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5. REGULAR AGENDA

A. COUNTY ATTORNEY

1. **REVISED TITLE & SUMMARY:** Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, ~~amending the establishing~~ Rules of Procedure ~~to be~~ incorporated into Section 500.00 of the County's Administrative Code; ~~rescinding the existing rules entirely;~~ and providing for an effective date. **SUMMARY:** This Resolution ~~amends the~~ adopts updated Rules of Procedure that more accurately reflect the custom and practice of the ~~for~~ Board of County Commissioners (BCC) ~~meetings, which are incorporated into Section 500.00 of the County's Administrative Code~~ and the public participants at BCC meetings. These rules are to serve as the sole source of procedural guidance. Significant changes include: moving "Matters by the Public" from 2 P.M. to 9:45 A.M.; formalizing the two proclamations per Commissioner per meeting District practice; expanding the Rules of Debate; updating the Voting Conflict section to comply with the Code of Ethics; providing for the Chair's discretion to read comment cards into the record; referencing the need to comply with the Lobbyist Registration Ordinance; recognizing that employees are members of the public and authorized to speak, but not on active personnel matters; designating the Chair as the "Mayor" and the Vice Chair as the "Vice Mayor"; formalizing the Chair/Vice-Chair election process; and authorizing Commissioner attendance by phone under extraordinary circumstances. Countywide (DMN)

2. Staff recommends motion to approve for preliminary reading and advertise for public hearing on January 15, 2013 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Sections 2-80.20 through 2-80.34 of the Palm Beach County Code, which codified Ordinance No. 2002-064, as amended by Ordinance No. 04-071, Ordinance No. 05-048, Ordinance No. 2008-014, and Ordinance No. 2009-024, and established a Small Business Enterprise Program; providing for policy and purpose; providing for definitions; providing for Small Business Certification; providing for M/WBE certification; providing for the Small Business Advisory Board; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** Changes to the SBE Ordinance are recommended to create a thorough process for reviewing applications for certification, update the membership of the SBE Advisory Board, and provide further clarity with the ordinance. Countywide (TKF)

B. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:
 - A) **approve** a Software License and Professional Services Agreement with the Government of the U.S. Virgin Islands for a period of one year from October 1, 2012, to September 30, 2013, for the continued development and maintenance of a Business License Web Application which will generate revenues to the County in the amount of \$164,000; and

 - B) **authorize** the County Administrator or his designee, ISS Director, to approve and execute future Agreements and Change Orders up to a maximum total revenue of \$200,000.

SUMMARY: The Government of the U.S. Virgin Islands wishes to continue a Software License and Professional Services Agreement with Information Systems Services (ISS) in order to provide maintenance, enhancements and support for the Business License Web Application. ISS will provide professional services for application development for a fee not to exceed \$98,000. ISS will host the application and database on an existing enterprise server. Thereafter, the agreement specifies that the Virgin Islands will pay the County a monthly software lease fee of \$1,650 and a monthly application hosting services fee of \$3,850. The Agreement provides for two additional one-year renewals. Countywide (PFK)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution authorizing a continuing reduction in the rental rate and finding that the Third Amendment (R2002-0829) to Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a Tina's Café is in the best interest of the County; and

B) approve a Third Amendment to Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a Tina's Café.

SUMMARY: This Third Amendment documents previous Board direction that Tina's Café be allowed to continue paying a reduced rental rate of \$16,601/yr (\$6.50/SF) until April 30, 2013. LJL Food Management, Inc. d/b/a Tina's Café has been the food service provider operating in Suite 110 of the Governmental Center Parking Garage since 2005. In response to the economic downturn and Tina's Café's poor payment history, rent was reduced by 20% in 2009 and by another 50% in 2010 for a period of two years. On April 3, 2012 (Item 4C-1), in response to Tina's Café's falling three months behind in paying the reduced rent, Staff requested Board direction regarding whether to terminate the Agreement and issue a new RFP for a food service lease. At that time, Tina's Café represented that they would become current with rent by April 30, 2012. The Board decided to allow Tina's to continue operating at the reduced rental rate of \$16,601/yr (\$6.50/SF) until April 30, 2013, with a further review at that time. As of November 19, 2012 (when this agenda item was prepared), Tina's Café is one month behind in rent totaling \$1,383. (PREM) Countywide (HJF)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

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

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

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

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

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

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

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

5. REGULAR AGENDA

D. PARKS & RECREATION

1. Staff recommends motion to approve:

A) termination of Special Use Agreement, R2010-0272, with the Village of Royal Palm Beach; and

B) Interlocal Agreement with the Village of Royal Palm Beach.

SUMMARY: On February 23, 2010, the Board approved a Special Use Agreement, R2010-0272, with the Village of Royal Palm Beach (Village) to utilize multi-purpose fields' No. 11 and No. 12 at Seminole Palms Parks Park between the months of July and December in exchange for \$60,000 annually through January 2014. On August 17, 2012, the Village requested termination of the current Special Use Agreement and requested the approval of a new Interlocal Agreement. The new Interlocal Agreement will allow the Village to operate, program, and maintain multipurpose fields' No. 9, No. 10, No. 11, and No. 12, and all buildings, structures, infrastructure, and immediate surrounding areas located within designated area. The Village will be responsible for all operating, maintenance, utility, and associated costs. Currently, approximately 70% of the usage on these four fields is programmed by the Village's Parks and Recreation Department. The Village has agreed to facilitate all historical permit holders and will not restrict usage based on residency. The County is able to avoid approximately \$100,000 in operating and maintenance expenses by entering into this Interlocal Agreement with the Village. The term of this Interlocal Agreement will be for a period of ten years, commencing on January 1, 2013, with annual one year renewal options thereafter beginning January 1, 2023. District 6 (AH)

E. ADMINISTRATION

TIME CERTAIN 1:00 P.M.

1. Executive Session scheduled for 1:00 p.m. in McEaddy Conference Room regarding update on collective bargaining negotiations. **(CLOSED SESSION)**

2. Staff requests Board direction: on a draft letter to Florida's Congressional Delegation regarding the proposed legislation filed by Congressman Ted Deutch (D-Boca Raton) entitled the *Outlawing Corporate Cash Undermining the Public Interest in our Elections and Democracy* (OCCUPIED). **SUMMARY:** Staff requests the Board's direction on a letter regarding a proposed federal constitutional amendment that would restore legislative authority to limit and require disclosure of all political spending by corporations, individuals, unions, nonprofits, and all other sources. This constitutional amendment, if approved, would overturn the Citizens United decision rendered by the United States Supreme Court. The Palm Beach County Board of County Commissioners is considering whether or not to submit a letter to our Congressional Delegation in support of such an amendment. Countywide (DW)

5. REGULAR AGENDA

F. PALM TRAN

1. Staff recommends motion to:

A) approve the submittal of a Purchase Order for ten expansion buses to implement Palm Tran fixed route service Improvements to address capacity and reliability issues in the system. Federal grant funds will be used for the purchase and no local match is required; and

B) adopt a Resolution approving Palm Tran to submit a Grant Application to the South Florida Regional Transportation Authority (SFRTA) for operating funding for Palm Tran fixed route service Improvements in the annual amount of \$319,974. This grant has a 50% local match and would require annual county funding of approximately \$160,000. The Job Access Reverse Commute (JARC) funds would be for a two-year period (October 1, 2013 to September 30, 2015).

SUMMARY: Palm Tran staff is seeking Board approval regarding two issues as we look to the future: **A)** Order an additional ten buses for improving service starting in FY14. These buses would be put into service on routes with the greatest need based on ridership demand and on-time performance with final determination of the service plan being approved by the Palm Tran Service Board (PTSB). We ask for this now as it can take upwards of twelve months to get these buses from when a bus is ordered to delivery. Grant funds are in place to purchase these buses without any County match required. Staff expects that the required additional annual operating cost of this and doing some additional minor modifications to improve reliability would add approximately \$1.6 million annually to Palm Tran's operating budget. If approved, Palm Tran will include this additional amount in our proposed FY14 budget. **B)** JARC - The SFRTA requested projects for the JARC grant program to be awarded in 2013. These Federal Transit Administration program funds are available for projects that provide improved transportation services to access employment, and employment related activities. The funds can be used to support up to 50% of the project costs for operating assistance. If awarded, the County match contribution for the project will be \$319,974 for two years, or \$159,987 in FY 2014 and \$159,987 in FY 2015. The selected service is based PTSB rankings on trips serving large employment areas and education destinations that qualify for JARC. Countywide (DR)

5. REGULAR AGENDA

G. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

A) Budget Transfer of \$1,480,000 from General Fund Contingency Reserves to the Park Improvement Fund for repairs to hurricane damage of parks facilities (\$900,000), the South Lake Worth Inlet Maintenance Program for repairs to hurricane damage of sand transfer plant and jetty (\$150,000) and for seagrass mitigation construction (\$430,000) required for the South Lake Worth Inlet Dredging Project;

B) Budget Amendment in the Park Improvement Fund of \$900,000 to recognize the transfer from the General Fund Contingency Reserve;

C) Interlocal agreement with the Florida Inland Navigation District (FIND) to cost share in the South Lake Worth Inlet Dredging Project for \$261,678; and

D) Budget Amendment in the South Lake Worth Inlet Fund of \$841,678 to recognize revenue of \$261,678 from the Interlocal Agreement and a transfer of \$580,000 from General Fund Contingency Reserve.

SUMMARY: Storm waves generated by Hurricane Sandy damaged public beaches and coastal facilities countywide. Immediate repairs are required at Peanut Island, Dubois, Jupiter Beach, and Jupiter/Carlin County parks to repair/replace access structures, pathways, lifeguard towers and other park fixtures. Immediate repairs are also required at the South Lake Worth Inlet to reestablish public access and protect adjacent infrastructure from additional damage. Partial reimbursement for this and significant future coastal restoration work is being sought through state and federal agencies. FIND has agreed to cost share a total of \$261,678 for the maintenance Dredging Project. The remaining balance of funds received from the dissolution of the South Lake Worth Inlet Taxing District is inadequate for costs associated with mitigation requirements, which have not yet been determined to be eligible for reimbursement by the Florida Department of Environmental Protection. Delegated authority was authorized on May 15, 2012 (R2012-0722) to sign project agreements. Dredging the sand trap and adjacent channels will provide sand to portions of the beach along Ocean Ridge that were impacted by the storm to the point where access structures were damaged. Countywide (JM)

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6. BOARD APPOINTMENTS

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

1. **Staff recommends motion to ratify:** Rod Braun of the South Florida Water Management District (SFWMD) as an alternate for the SFWMD seat on the Palm Beach County Water Resources Task Force (Seat No. 11), effective December 18, 2012. **SUMMARY:** The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of the SFWMD Task Force member alternate, a new alternate is being submitted to be ratified by the Board of County Commissioners. Countywide (MJ)

(Health Council of Southeast Florida, Inc.)

2. **REVISED TITLE: Staff recommends motion to approve:** appointment of one individual to the Health Council of Southeast Florida, Inc. for a two-year term commencing December 18, 2012:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Frank Hayden	6	Health Care Consumer	Comm. Taylor <u>Comm. Valeche</u> <u>Comm. Vana</u>

SUMMARY: The Health Council of Southeast Florida, Inc. (Council) is a not-for-profit corporation established pursuant to Section 408.033, Florida Statutes, for the purpose of providing and coordinating health planning activities within Palm Beach, Martin, St. Lucie, Indian River and Okeechobee Counties. The Council consists of twelve members: six representatives for Palm Beach County; two members appointed by Martin County; two members appointed by St. Lucie County; one member appointed by Indian River County; and one member appointed by Okeechobee County. The appointees must be representatives of health care providers, health care purchasers, and non-governmental health care consumers, not to exclude elected government officials. Mr. Hayden is the Chief Executive Officer of the Sickle Cell Foundation of Palm Beach County & Treasure Coast, Inc. The Foundation contracts with the Board of County Commissioners for Haitian Outreach (Community Development Block Grant) and Sickle Cell case management (Financially Assisted Agencies Program). The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the identified contracts. 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. Countywide (TKF)

6. BOARD APPOINTMENTS

B. **PUBLIC SAFETY**
(Consumer Affairs Hearing Board)

1. **Staff recommends motion to approve:** reappointment of two At-Large members to the countywide Consumer Affairs Hearing Board as follows:

Nominee	Term	Expires	Seat	Requirement	Recommended by Commissioner:
James Turner Waldron Jr.	2 years	12/17/2014	6	Citizen/Resident	Priscilla Taylor
Harold Murphy	2 years	12/17/2014	8	Special Technical	Priscilla Taylor

SUMMARY: Palm Beach County Consumer Affairs Ordinance 72-10 established a Consumer Affairs Hearing Board (“Hearing Board”). The nine members of the Hearing Board are selected for countywide representation and serve two year terms for a maximum of six years. The Hearing Board serves in both an advisory capacity to the County Commissioners and as an Appeals Hearing Board to hear and act on consumer concerns about unfair/deceptive business practices and appeals relating to the towing, vehicle for hire, moving and price gouging ordinances. Members are selected from various businesses, professions and the general public. With the approval of this motion the Hearing Board will have seven of nine appointed/active members. Countywide (PGE)

6. BOARD APPOINTMENTS

C. **COMMUNITY SERVICES**
(Citizens Advisory Committee on Health & Human Services)

1. **Staff recommends motion to approve:** reappointment of one member and appointment of three new members to the Palm Beach County Citizens Advisory Committee on Health and Human Services for terms beginning on December 18, 2012, and expiring on September 30, 2015:

REAPPOINTMENT

<u>Seat No.</u>	<u>Nominee</u>	<u>Seat Requirement</u>	<u>Nominated By:</u>
10	Michael Gauger	Familiarity with System of Care	CAC Comm. Abrams Comm. Taylor Comm. Vana

AND

APPOINTMENT (SELECT THREE)

<u>Seat No.</u>	<u>Nominee</u>	<u>Seat Requirement</u>	<u>Nominated By:</u>
1, 4, & 5	Sharon Greene	Familiarity with System of Care	CAC Comm. Vana
	John Bartosek		CAC Comm. Abrams Comm. Vana
	Christine Koehn		CAC Comm. Vana
	Blanche Clair		Comm. Vana
	Robert Glass		Comm. Vana
	Katrina Granger		Comm. Taylor
	Martin Weissman		Comm. Vana

SUMMARY: The Citizens Advisory Committee on Health and Human Services (CAC) consists of eleven members with at least one member being a resident west of the 20 Mile Bend and at least one member being a representative of the Palm Beach County League of Cities. Founding members were appointed for one, two and three year terms with subsequent terms of three years. Resolution R2001-0913 requires the Executive Committee of the CAC to solicit and recommend member nominations for transmittal to the Board of County Commissioners (BCC). The CAC, on November 15, 2012, recommended that Michael Gauger, Sharon Greene, John Bartosek and Christine Koehn be appointed. The BCC was notified by memo dated September 24, 2012, requesting nominations for appointment. Christine Koehn has disclosed that her employer, United Way of Palm Beach County, Inc., contracts with the County for services. The Palm Beach County Citizens Advisory Committee on Health and Human Services provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (TKF)

D. **COMMISSION DISTRICT APPOINTMENTS**

DECEMBER 18, 2012

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 18, 2012

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

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

E. District 5 - COMMISSIONER MARY LOU BERGER

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR, VICE CHAIR

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."