

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

NOVEMBER 5, 2013

<u>PAGE</u>	<u>ITEM</u>	
28	4B-2*	<u>REVISED SUMMARY:</u> In 2009, the Board approved the Third Restated Agreement with the Society for occupancy of 8,695 SF of space within the 1916 Courthouse for operation of the Palm Beach County History Museum and administrative offices for the Society. The Society pays no rent for the Museum space and \$45,127.95 (\$194/SF <u>\$19.40/SF</u>) in rent for their administrative offices. The term of the Agreement runs through 2038. The Society has requested that County abate the rent for a period of five years. In addition, the Society has requested exclusive use of a 41 SF custodial closet within the second floor women's bathroom. Staff supports the Society's request to have exclusive use of the custodial closet, and this Second Amendment includes that change. Staff does not support allowing the Society to occupy space within the 1916 Courthouse without payment of rent, and the Amendment does not provide for rent abatement unless directed by Board. There is no legal requirement for the Society to pay rent; however, the County funded the entire capital restoration costs for the 1916 Courthouse including the Museum space and space for the fourth floor administrative offices ultimately occupied by Society. The County also funded Society's build out of the Museum itself with funds from a Recreational and Cultural facilities bond issue. The original agreement was structured to require Society to pay market rent for the fourth floor office space since Society could occupy private space for this function and Society's use is displacing County use of the space. As such, the requested five year rent abatement: 1) is inconsistent with the initial terms of the relationship between the parties, and 2) would amount to a subsidy of Society's operational costs without the benefit of a competitive review of the needs of other historical organizations or not-for-profits in general. (PREM) <u>District 2/Countywide</u> (HJF) (FDO)
30	4F-1	<u>DELETED:</u> Staff recommends motion to: A) approve the addition of one full-time position Director of Airline Relations within the Department of Tourist Development; and...(TDC) (Further staff review)

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

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

NOVEMBER 5, 2013

**TUESDAY
5:00 P.M.**

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 6)

- 3. CONSENT AGENDA (Pages 7 - 26)**

- 4. REGULAR AGENDA (Pages 27 - 30)**

- 5. BOARD APPOINTMENTS (Pages 31 - 32)**

- 6. MATTERS BY THE PUBLIC – 6:00 P.M. (Page 33)**

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 - 2C-4 MedUTech Day
 - 2C-5 Joey Bergsma Retinoblastoma Awareness Month

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R. HUMAN RESOURCES - None

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- 3S-1 Interlocal Agreement for Specific Fire Prevention Services with Town of Palm Beach Shores

T. HEALTH DEPARTMENT - None

U. INFORMATION SYSTEMS SERVICES - None

V. METROPOLITAN PLANNING ORGANIZATION - None

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- 3X-1 Victims of Crime Act Grant Agreement with Florida Office of the Attorney General for support services to crime victims
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Y. PURCHASING - None

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STAFF COMMENTS (Page 34)

COMMISSIONER COMMENTS (Page 35)

ADJOURNMENT (Page 35)

NOVEMBER 5, 2013

2C. SPECIAL PRESENTATIONS – 5:00 P.M.

1. Proclamation recognizing 2013 as “Florida’s 500th Anniversary and expressing support for Viva Florida 500” in Palm Beach County. (Sponsored by Mayor Abrams)
2. Proclamation declaring December 1 – 7, 2013 as “World AIDS Awareness Week” and December 1, 2013 as “World AIDS Day” in Palm Beach County. (Sponsored by Commissioner Vana)
3. Proclamation declaring November 16 – 24, 2013 as “National Hunger and Homelessness Awareness Week” in Palm Beach County. (Sponsored by Vice Mayor Taylor)
4. Proclamation declaring November 22, 2013 as “MedUTech Day” in Palm Beach County. (Sponsored by Mayor Abrams)
5. Proclamation declaring November 2013 as “Joey Bergsma Retinoblastoma Awareness Month” in Palm Beach County. (Sponsored by Commissioner Vana)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Interlocal Grant Agreement with the Town of Cloud Lake to voluntarily assist in funding Office of Inspector General Operations. **SUMMARY:** The agreement provides a means for the Town of Cloud Lake to voluntarily provide biannual grant payments to Palm Beach County to assist in funding Office of Inspector General. The payments equal the amount of funding the Town would have paid pursuant to the cost apportionment method outlined in the Inspector General Ordinance. The total annual payment for Cloud Lake for FY 2014 equals \$116. District 2 (LB)

2. **Staff recommends motion to approve:** Interlocal Grant Agreement with the Town of Lantana to voluntarily assist in funding Office of Inspector General Operations. **SUMMARY:** This agreement provides a means for the Town of Lantana to voluntarily provide biannual grant payments to Palm Beach County to assist in funding Office of Inspector General. The payments equal the amount of funding the Town would have paid pursuant to the cost apportionment method outlined in the Inspector General Ordinance. The Town's annual payment for FY 2014 equals \$13,949. District 7 (LB)

B. CLERK & COMPTROLLER

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

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Workshop	September 24, 2013
Joint /Symposium	September 25, 2013
Zoning	September 26, 2013
Regular	October 1, 2013

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Contract in the amount of \$490,510.30 with Kimley-Horn and Associates, Inc. (KHA), for professional services for the Congress Avenue from north of Northlake Boulevard to Alternate A-1-A (S.R. 811) project (Project). **SUMMARY:** Approval of this Contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. KHA has offices in Palm Beach County. The Small Business Enterprise (SBE) goal for the project is 15%. KHA has committed to a 20.70% SBE participation for this Project. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: Change Order No. 1 in the amount of \$68,197.79 and a 110 day time extension to the construction contract R2012-0668 with The Murphy Construction Company for the 10th Avenue North Bridge over Keller Canal project. **SUMMARY:** Approval of Change Order No. 1 will compensate for cost and additional time to demolish and rebuild the pedestrian bridge end bents (supports) and associated work to the bridge. Change Order No. 1 is being brought to the Board of County Commissioners because the value exceeds the approval authority of the department and the Contract Review Committee as referenced in PPM #CW-F-050. District 3 (MRE)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Agreements with Children's Services Council of Palm Beach County for the period October 1, 2013, through September 30, 2014, in an amount totaling \$454,964:

A) Head Start Match Contract No. 371 in the amount of \$297,551; and

B) Head Start Match Contract No. 543 in the amount of \$157,413.

SUMMARY: These Agreements will allow County to receive matching funds from Children's Services Council of Palm Beach County in an amount not to exceed \$297,551 to provide full day/full year Head Start services to 1,871 three to five year old children and their families and \$157,413 to provide full day/full year comprehensive Early Head Start services to a total of 180 pregnant mothers and infants/toddlers. Services include comprehensive health, education, parental involvement, nutritional, social and other services. The Head Start/Early Head Start program has received a total grant award of \$16,431,331 from the U.S. Department of Health and Human Services with a requirement that 20% matching funds be provided by local sources. A partial 20% match is being provided through these agreements with the remaining match funds being provided by the County. (Head Start) Countywide (TKF)

2. Staff recommends motion to approve: Memorandum of Agreement with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County, for the period October 1, 2013, through September 30, 2014, to refer infants and toddlers to Palm Beach County Head Start for eligible services. **SUMMARY:** Federal and State initiatives encourage the development of collaborative agreements between agencies. This Agreement will reduce duplication of services; facilitate improved service delivery for infants and toddlers and more effectively utilize available resources. No County funds are required. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with Christians Reaching Out to Society, Inc. for the period October 1, 2013, through September 30, 2014, in an amount not to exceed \$49,000 to provide gleaning services. **SUMMARY:** Christians Reaching Out to Society, Inc. (CROS) will recruit and coordinate gleaning opportunities through local church, civic and non-profit agencies within the County to develop strong neighborhood relationships, opportunities and support systems. Gleaning is the gathering of excess produce after the fields have been harvested. The produce is distributed to homeless shelters, day care centers, senior centers, and emergency food pantries. This project is collaboration between Palm Beach County, CROS and United Way to bring fresh produce into low-income neighborhoods as fresh fruit and vegetables are usually too expensive and/or of poor quality in these areas. The addition of these resources adds much needed nutrition to the diet and promotes health and wellness. No County funds are required. (Community Action Program) Countywide (TKF)

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

A) Permanent Contract No. Y4119 for the Adult Care Food Program (ACFP) with the State of Florida Department of Elder Affairs (DoEA), in an amount not to exceed \$18,744 with the effective date October 1, 2013; and

B) downward Budget Amendment of \$18,256 in the DOSS Administration Fund to align the budget to the actual grant award.

SUMMARY: ACFP provides community-based adults with nutritious meals that improve their nutritional status and allow them to remain in their communities. ACFP provides two meals and one snack to Adult Day Care clients, in an effort to maintain or improve the adult participant's quality of life. ACFP provides meal reimbursements to approved providers for servicing eligible adult participants. This permanent contract will allow DOSS to be reimbursed for meals and snacks served to eligible Adult Day Care clients age 60 and older. Services will be funded with \$18,744 in federal funds and \$27,714 in additional County funds. Sufficient funding is included in the current budget to meet County obligations. There is no required match. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve:

A) Renewal Agreement IZ012-9500 to Standard Agreement No. IZ012-9500 (R2012-1631) for Alzheimer's Disease Initiative (ADI) with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2013, to June 30, 2014, in an amount not to exceed \$230,810;

B) Renewal Agreement IC012-9500 to Standard Agreement No. IC012-9500 (R2012-1632) and Amendment 002 to Renewal Agreement IC012-9500 for Community Care for the Elderly (CCE) with AAA, for the period July 1, 2013, to June 30, 2014, in an amount not to exceed \$1,204,532;

C) Renewal Agreement IH012-9500 to Standard Agreement No. IH012-9500 (R2012-1634) for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2013, to June 30, 2014, in an amount not to exceed \$14,141;

D) Renewal Agreement IR012-9500 to Standard Agreement No. IR012-9500 (R2012-1635) for Respite for Elders Living in Everyday Families (RELIEF) with AAA, for the period July 1, 2013, to June 30, 2014, in an amount not to exceed \$108,000;

E) Budget Amendment of \$1,216,509 in the DOSS Administration Fund to align the budget to the actual grant award for fiscal year 2013.

SUMMARY: The purpose of the Renewal Agreements is to outline the funding allocation for the 2013-2014 Agreement period and to amend paragraph D, revise Attachment I, Section III, A, revise and replace Attachment II, Budget Summary, and to revise and replace Attachment III, Rate Schedule of the Standard Agreement. The ADI renewal agreement is funded with \$230,810 in State funds, \$6,145 in program income funds and \$152,404 in additional County funds. The CCE renewal agreement is funded with \$1,047,904 in State funds, \$32,970 in program income funds, \$116,433 in County required match, and \$441,690 in additional County funds. The HCE renewal agreement is funded with \$14,141 in State funds and \$54,364 in additional County funds and also provides a spending authority of \$123,685 for client services that are directly paid by AAA. The RELIEF renewal agreement is funded with \$108,000 in State funds and \$138,155 in additional County funds. CCE Amendment No. 002 amends Attachment II, Budget Summary of the renewal agreement and increases the amount by \$156,628 for a new total contract amount of \$1,204,532. Amendment No. 001 was previously approved by the Board on July 2, 2013 (R2013-0820). Sufficient funding is included in the current budget to meet County obligations. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

6. Staff recommends motion to ratify: signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Program Application with the Department of Health and Human Services, for the period March 1, 2014, through February 28, 2015, in an amount of \$9,463,751. **SUMMARY:** The Department of Health and Human Services required that the signed Ryan White Part A HIV Emergency Relief Grant Program Application be submitted by October 9, 2013. The grant application highlighted the need for additional funding for health insurance premiums, deductibles and co-payments in order to prepare for full implementation of the Affordable Care Act. Increases in funding were also requested to meet the demand for food assistance and legal services. The grant guidance was released on August 12, 2013 and the application was submitted on October 8, 2013. The grant will allow us to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. There are no County match funds required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: Contract for Provision of Services with The Salvation Army, for the period October 1, 2013, to September 30, 2014, in an amount not to exceed \$44,456 funded by the Federal fiscal year 2013-2014 Emergency Solutions Grant for transitional housing and assessment services to homeless single men. **SUMMARY:** On July 16, 2013, the Board of County Commissioners approved the Palm Beach County Action Plan (R2013-0950), which allocated \$363,980 in Emergency Solutions Grant (ESG) funds to non-profit agencies to provide assistance countywide to the homeless and to those at risk of becoming homeless. This Contract will fund activities that include payment for the cost of operating and maintaining emergency shelters and transitional housing facilities and the cost of assistance for the prevention of homelessness. The Federal ESG funds require a matching contribution which will be provided by the funded agencies. (Human Services) Countywide (TKF)

8. Staff recommends motion to approve:
 - A) Amendments to Contract for Provision of Financial Assistance with the below listed agencies for the period October 1, 2013, through September 30, 2014, in an amount totaling \$2,257,343:
 1. Amendment No. 02 to Contract for Provision of Financial Assistance with Jeff Industries, Inc., (R2011-1567), increasing funding by \$149,526 for a new total not to exceed amount of \$448,578; and
 2. Amendment No. 02 to Contract for Provision of Financial Assistance with Drug Abuse Foundation of Palm Beach County, Inc., (R2011-1764), increasing funding by \$1,537,168 for a new total not to exceed amount of \$4,611,504; and
 3. Amendment No. 02 to Contract for Provision of Financial Assistance with Gratitude House, Inc., (R2011-1566), increasing funding by \$51,000 for a new total not to exceed amount of \$153,000; and
 4. Amendment No. 01 to Contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc., (R2012-1657), increasing funding by \$44,768 for a new total not to exceed amount of \$89,536; and
 5. Amendment No. 02 to Contract for Provision of Financial Assistance with Sickle Cell Foundation of Palm Beach County, Inc. d/b/a Sickle Cell Foundation of Palm Beach County and Treasure Coast, Inc., (R2011-1771), increasing funding by \$64,473 for a new total not to exceed amount of \$193,419; and
 6. Amendment No. 02 to Contract for Provision of Financial Assistance with The Center for Family Services of Palm Beach County, Inc., (R2012-1511) increasing funding by \$157,754 for a new total not to exceed amount of \$338,997; and

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. MOTION/TITLE CONTINUED

7. Amendment No. 02 to Contract for Provision of Financial Assistance with Wayside House, Inc., (R2011-1889), increasing funding by \$139,742 for a new total not to exceed amount of \$419,226; and
8. Amendment No. 01 for Provision of Financial Assistance with The Young Women's Christian Association of Palm Beach County, Florida (R2012-1517), increasing funding by \$112,912 for a new total not to exceed amount of \$225,824.

B) Contracts for Provision of Financial Assistance with the below listed agencies for the period October 1, 2013, through September 30, 2014, in an amount totaling \$371,571:

1. Gulfstream Goodwill Industries, Inc., for the Alternative to Secure Detention program in an amount not to exceed \$123,757; and
2. United Way of Palm Beach County, Inc., for the VITA program in an amount not to exceed \$24,000; and
3. United Way of Palm Beach County, Inc., for the 211 Palm Beach County/Treasure Coast, Inc. program in an amount not to exceed \$139,664; and
4. Urban Youth Impact, Inc., for Leadership Academy After-School program in an amount not to exceed \$84,150.

SUMMARY: The information submitted reflects part of the total \$12,258,187 funding approved by the Board of County Commissioners for the Financially Assisted Agencies Program for FY 2014. Other contracts will be forthcoming upon receipt of all the required information. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. Staff recommends motion to approve: appointment/reappointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for three year terms beginning November 15, 2013:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
01	Rafael Abadia	Local Public Health Agency	11/14/2016
07	Kimberly Rommel-Enright	Social Service Provider	11/14/2016
10	Rosalyn Collins	Substance Abuse	11/14/2016
18	Melissa McGee	Affected Communities	11/14/2016
20	Donald Hilliard	Affected Communities	11/14/2016
28	Cindy Barnes	State Medicaid Agency	11/14/2016

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
13	Lavan Harper	Affected Communities	11/14/2016
15	Quinton Dames	Affected Communities	11/14/2016
29	Mitchell Durant	State Part B Agency	11/14/2016

SUMMARY: The total membership shall be no more than 33 members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These appointments and reappointments successfully completed the HIV CARE Council nominations process, and the HIV CARE Council has recommended their appointment. Ms. Rommel-Enright has disclosed that she is employed by Legal Aid Society of Palm Beach County, Inc., which contracts with the County for legal services. Ms. Collins has disclosed that she is employed by Gratitude House, Inc., which contracts with the County for services. Ms. Harper has disclosed that she is employed by FoundCare, Inc. which contracts with the County for services. Mr. Dames has disclosed that he is employed by Comprehensive AIDS Program which contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (Ryan White) Countywide (TKF)

10. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Resolution No. R2001-0913, providing for the Citizens Advisory Committee on Health and Human Services (CACHHS). **SUMMARY:** At their September 12, 2013 regular meeting, the CACHHS approved the submittal of a revised resolution to the Board of County Commissioners for adoption. The resolution repeals, replaces and clarifies the prior Resolution. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) Budget Amendment of \$10,667,000 in the \$10.7M Improvement Revenue Bonds, Series 2013 Capital Sheriff Fund to budget bond proceeds and costs of issuance;

B) Budget Amendment of \$75,730 in the \$10.7M Improvement Revenue Bonds, Series 2013 Capital Sheriff Debt Service Fund to budget interest expense and a transfer from the Capital Outlay Fund; and

C) Budget Transfer of \$75,730 in the Capital Outlay Fund from reserves to establish an interfund transfer to the \$10.7M Improvement Revenue Bonds, Series 2013 Capital Sheriff Debt Service Fund for interest expense.

SUMMARY: On September 10, 2013, the Board approved Resolution No. R2013-1158 for the issuance of the Series 2013 bonds for the purpose of funding the replacement of road patrol vehicles, computers, and radios within the Palm Beach Sheriff's Office and to pay the cost of issuance of the bonds. Through a competitive bid process, Bank of America will finance the bond for five years at 1.18%. The annual debt service is approximately \$2.2 million and will begin in FY 2014. These budget amendments establish the budget for the sale of the Series 2013 Bonds. Countywide (PFK)

2. Staff recommends motion to approve:

A) Budget Amendment of \$27,944,382 in the \$27.8M Public Improvement Revenue Bonds, Series 2013 Convention Center Hotel Capital Project Fund to budget bond proceeds, costs of issuance, and General Fund reimbursement of prior year expenditures;

B) Budget Amendment of \$629,373 in the \$27.8M Public Improvement Revenue Bonds, Series 2013 Convention Center Hotel Debt Service Fund to budget interest expense and budget interfund transfers from the General Fund and Capital project funds;

C) Budget Amendment of \$165,027 in the General Fund to recognize reimbursement of prior year expenditures, establish an interfund transfer to the \$27.8M Public Improvement Revenue Bonds, Series 2013 Convention Center Hotel Debt Service Fund for interest expense and close out the Convention Center budget;

D) Budget Transfer of \$324,270 in the Capital Outlay Fund from reserves to establish an interfund transfer to the \$27.8M Public Improvement Revenue Bonds, Series 2013 Convention Center Hotel Debt Service Fund for interest expense; and

E) Budget Transfer of \$263,000 in the Public Building Improvement Fund from reserves to establish an interfund transfer to the \$27.8M Public Improvement Revenue Bonds, Series 2013 Convention Center Hotel Debt Service Fund for interest expense.

SUMMARY: On May 7, 2013, the Board approved Resolution No. R2013-0589 for the issuance of the Series 2013 bonds for the purpose of funding a \$27 million subsidy for the development of a 400 room Hilton Convention Center Hotel and related expenses. Through a competitive bid process, Stifel Nicolaus & Company, Incorporated was chosen to underwrite the bonds. The true interest cost is 4.97%. These budget amendments establish the budget for the sale of the Series 2013 Bonds. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a License Agreement (Agreement) with the School Board of Palm Beach County (School Board) for use of the County's courthouse facilities for Youth Court programming. **SUMMARY:** This Agreement will allow the School Board to utilize the County's courthouse facilities for Youth Court. The specific dates of each use, the courthouse and the courtroom to be used will be scheduled by School Board on a Youth Court Calendar and delivered to the Court Services Division of the Palm Beach County Sheriff's Office (PBSO) and the County Facilities Development & Operations Department (FDO) up to three months in advance. Each use will occur between 5:00PM and 9:00PM and is subject to the General Conditions of Use attached to the Agreement as well as PBSO approval of the Youth Court Calendar, which approval may include special conditions such as additional security, time and/or duration modifications, courtroom changes or payment for out of pocket expenses. There is no fee for the use of the Courthouse facilities; however, School Board is responsible for compensating County for any repairs, cleaning or services required to restore the facility to its pre-use condition. The term of the Agreement is for five years and County reserves the right to revoke the Agreement for any reason whatsoever upon fifteen days notice. Additionally, County reserves the right to cancel a Youth Court event with as much advance notice as reasonably practicable if: 1) County determines that a weather related situation requires cancellation, 2) a state of emergency has been declared in Palm Beach County, 3) the Courthouse facility is damaged, requires repair or is required for other uses as determined by County, or 4) for other good cause as determined in County's sole discretion. School Board is solely responsible for providing supervision, security and oversight of all participants, invitees and guests for each use of the facilities. (FDO) Countywide (MJ)

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

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: a Second Amendment to the Agreement (R2007-2247) with Medics Emergency Services of Palm Beach County, Inc. (Agency), to extend the term of the Agreement for interoperable radio communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System to December 17, 2016. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Agency can program into its radios and utilize the countywide and EMS common talk groups for certain inter-agency communications expires on December 17, 2013. The Agreement provides for three renewal options, each for a period of three years. The Agency has approved a renewal to extend the term of the Agreement to December 17, 2016 and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no changes associated with this Agreement. The Agency is required to pay all costs associated with Agency's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This Second Amendment renews the term, updates the attachments, updates the provision on access and programming codes, updates the scenarios of usage, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General, and provides for the exclusion of third party beneficiaries to this Agreement. Other than the changes set forth herein, all other terms and conditions remain the same. (ESS) Countywide (JM)

4. Staff recommends motion to approve: Sovereignty Submerged Lands Lease Renewal and Modification with the Board of Trustees of the Internal Improvement Trust Fund (Trustees) at Ocean Inlet Park Marina located in Ocean Ridge. **SUMMARY:** The County owns and operates the Ocean Inlet Marina, a portion of which was constructed over sovereign lands of the State of Florida. The County currently leases from Trustees 35,703 square feet (.82 acres) within the marina (R97-2144) (Lease). The Lease was renewed in 2003 for an additional ten-year period (R2003-0653) which expired on October 24, 2012. Subsequent to the Lease Renewal, the County discovered through a title and survey review that a portion of the leased area was actually owned by the County resulting in a decrease of the lease area to 27,105 square feet (.62 acres) and a reduced annual lease rate of \$3,094.14. This Lease Renewal will retroactively extend the term of the lease for 10 years until October 24, 2022. The Lease Renewal allows the County to operate docking facilities in conjunction with an upland public park with a sewage pump-out facility, but prohibits fueling facilities and liveaboards. The annual lease fee will be adjusted annually pursuant to Section 18-21.011 of the Florida Administrative Code. The County is also responsible to pay the State the amount by which six percent (6%) of gross revenue from wet slip rental exceeds the base rental. All Lease fees are budgeted by the Parks and Recreation Department under annual operating expenses for Ocean Inlet Park. (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) First Amendment to Hardest Hit Fund Servicer Participation Agreement (R2013-1062) with the Florida Housing Finance Corporation (FHFC) for participation in the Principal Reduction Program (PRP); and

B) delegation of authority to the County Administrator, or his designee, to execute all other documents necessary to participate in this Program.

SUMMARY: On August 13, 2013, the County entered into the Hardest Hit Fund Servicer Participation Agreement (R2013-1062) with FHFC for the use of funds received from the United States Treasury Department under the Emergency Economic Stabilization Act of 2008 (EESA) to provide financial assistance to eligible unemployed or under-employed homeowners through the Unemployment Mortgage Assistance Program and the Mortgage Loan Reinstatement Program. These programs were created by FHFC to make mortgage payments on behalf of eligible delinquent homeowners to prevent foreclosure. FHFC has since created a new program, the PRP, to assist eligible homeowners whose incomes are below 140% of area median income, who have remained current on their first mortgage payments and who owe at least 125% of the current market value of their homes (commonly referred to as being “underwater”). The Program provides up to \$50,000 to reduce the principal balance of first mortgages whose outstanding balance is no more than \$350,000 by reducing the loan-to-value to no less than 100%. Participating in PRP will allow the County, as a first mortgage lender, to receive payments from FHFC on behalf of homeowners who are approved for this assistance. Countywide (TKF)

2. Staff recommends motion to approve: a Consent for Palm Beach County Clerk & Comptroller’s employee Andrene Beckford-Lyew to purchase a home with a \$39,473.68 subsidy under the State Housing Initiative Partnership (SHIP) Program.

SUMMARY: Andrene Beckford-Lyew has been employed by Palm Beach County Clerk & Comptroller as a Deputy Clerk for four years and ten months. Mrs. Beckford-Lyew and her husband are income eligible homebuyers who are seeking to purchase a four-bedroom home in the Kennedy Estates II (KE II) development at 17210 Foundation Way, Jupiter, under the Habitat for Humanity of Palm Beach County’s (Habitat) Program. On April 1, 2009, the County entered into an Agreement (R2009-0658) with Habitat to provide \$750,000 in SHIP funds to purchase the land for KE II where Habitat is building 19 affordable homes. The assistance provided to Habitat, amounting to \$39,473.68 per home, is to be passed onto income qualified homeowners in the form of a subsidy at the time of purchase. The subsidy will be secured by a 30 year Second Mortgage from the homeowner and this mortgage will require no repayment as long as the home remains the homeowner’s principal place of residence. If the homeowner rents, sells, or otherwise conveys the home during the 30 years, the entire amount becomes due and payable. In order to assure affordability of the homes built in KE II, the Agreement required the sale price to be less than \$90,000. The home to be purchased by Mrs. Beckford-Lyew was appraised at \$177,000. **These are State SHIP funds which require no local match.** (B&H) District 1 (TKF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a 20-year term Florida Greenways and Trails Designation Agreement (Designation Agreement) with the Florida Department of Environmental Protection for the County's Cypress Creek Natural Area; and

B) authorize the County Administrator, or his designee, to sign a Resource Certification once every five years from the date of this Designation Agreement.

SUMMARY: On August 22, 2013, staff submitted an Application for Designation of the Cypress Creek Natural Area to become part of the Florida Greenways and Trails System. The application was subsequently approved by the Florida Greenways and Trails Council on September 27, 2013. To maintain the designation, the County is required to submit a "Resource Certification" once every five years from the date of this Designation Agreement. The Resource Certification states that the natural, recreational, cultural or historic resources identified in the Designation Agreement are being maintained. Since the natural area is already being maintained in accordance with the Board-approved management plan (August 13, 2013; item 3L-1) approval of the Designation Agreement will not have any fiscal impact. District 1 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the month of September:

A) 3D Diving, Inc., Springboard Diving Coach, North County Aquatic Complex, for the period October 1, 2013, through September 30, 2014;

B) DMC Healthcare Consulting, LLC, Cardio Bootcamp Blast Instructor, West Jupiter Recreation Center, for the period October 1, 2013, through September 30, 2014;

C) JKF Goju Kai Florida, Inc., Karate Instructor, West Jupiter Recreation Center, for the period October 2, 2013, through September 27, 2014;

D) Kim Moser, Classical Fencing Instructor, West Jupiter Recreation Center, for the period October 2, 2013, through September 24, 2014;

E) LB2 Enterprises, Inc., US Masters Swimming Coach, North County Aquatic Complex, for the period October 1, 2013, through September 30, 2014;

F) Mary Lou Putnam; Water Exercise Instructor, North County Aquatic Complex, for the period October 1, 2013, through September 30, 2014;

G) Nancy Kelly; Water Exercise Instructor, North County Aquatic Complex, for the period October 1, 2013, through September 30, 2014; and

H) Stephen VanCoppennolle, Water Exercise Instructor, North County Aquatic Complex, for the period October 1, 2013, through September 30, 2014.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

- A) Anastasia Scruggs, Hip Hop Dance Instructor, Therapeutic Recreation Complex, for the period October 1, 2013, through September 30, 2014;
- B) Annabeth Karson, Yoga Instructor, Therapeutic Recreation Complex, for the period October 1, 2013, through September 30, 2014;
- C) Gold Coast Gymnastics, Inc., Tiny Tot Tumbling Instructor, West Boynton Recreation Center, for the period October 3, 2013, through September 26, 2014;
- D) Modern Bujutsu Karate Florida, Inc., Martial Arts Instructor, West Boynton Recreation Center, for the period October 2, 2013, through September 27, 2014;
- E) Modern Bujutsu Karate Florida, Inc., Martial Arts Instructor, Therapeutic Recreation Complex, for the period October 1, 2013, through September 30, 2014;
- F) Palm Beach County Officials Association, Inc., Youth Basketball Official, West Boynton Recreation Center, for the period October 5, 2013, through October 27, 2013; and
- G) Shelly Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period October 1, 2013, through September 30, 2014.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. District 3 (AH)

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

- A) Caroline Ann Karolinko, Synchronized Swimming Coach, Aqua Crest Pool, for the period October 1, 2013, through September 30, 2014;
- B) Palm Beach County Officials Association, Inc., Youth and Teen Basketball Official, Westgate Park & Recreation Center, for the period October 5, 2013, through November 16, 2013;
- C) Palm Beach County Officials Association, Inc., Junior Basketball Official, Westgate Park & Recreation Center, for the period October 5, 2013, through November 16, 2013;
- D) Patricia Ann Fisher, Water Exercise Instructor, Aqua Crest Pool, for the period October 1, 2013, through September 30, 2014;
- E) Tammy Henry, Cheerleading Coach, Westgate Park & Recreation Center, for the period September 24, 2013, through September 28, 2013; and
- F) Tammy Henry, Cheerleading Coach, Westgate Park & Recreation Center, for the period October 1, 2013, through November 16, 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. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) Grant Application submitted to the State of Florida Department of Environmental Protection (FDEP) on September 26, 2013, requesting \$200,000 to fund 50% of the project elements associated with the John Prince Memorial Park Phase II Development grant project;

B) authorize the County Administrator or his designee to execute the grant Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

SUMMARY: This Grant Application requests \$200,000 from FRDAP for the John Prince Memorial Park Phase II Development project. The project is located in the Mound Circle area of the park. Project elements include a new restroom, picnic facilities, playground, fishing pier, bike trail, dog park, landscaping and parking, as well as renovation of the existing picnic facilities, bike trail and parking. The total project cost identified in this Grant Application is \$400,000. The requested grant is for \$200,000, and requires a \$200,000 (50%) match, which will be funded from Zone 2 Park Impact Fees. Only grant funding will be used for the renovation portions of the project. If the grant is awarded, and once the project is complete, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 3 (AH)

5. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) Grant Application submitted to the State of Florida Department of Environmental Protection (FDEP) on September 26, 2013, requesting \$200,000 to fund 50% of the project elements associated with the Okeeheelee Park South Lakefront Development grant project;

B) authorize the County Administrator or his designee to execute the grant Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

SUMMARY: This Grant Application requests \$200,000 from FRDAP for the Okeeheelee Park South Lakefront Development project. This grant project is part of the development of Okeeheelee Park South. Project elements include a new boat ramp, playground, picnic facilities, canoe/kayak launch, restroom, hiking trail, bike trail, equestrian trail, and car/trailer parking lot. The total project cost identified in this Grant Application is \$400,000. The grant request is for \$200,000, and requires a \$200,000 (50%) match, which will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue. If the grant is awarded, and once the project is complete, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 2 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** appointment of Antonio De Corral to complete the term of Mark Sodders, Seat No. 3, and Angela Pope to complete the term of Lyn Cacella, Seat No. 4, for the terms noted below.

<u>Name</u>	<u>Category, Seat Number</u>	<u>Expire</u>
Antonio De Corral	Sugarcane Industry, Seat 3	1/23/15
Angela Pope	Financial, Seat No. 4	1/23/15

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

2. **Staff recommends motion to approve:** a Grant Agreement between Palm Beach County (County) and Urban Growers Community Economic Development Corporation (Urban Growers) for an amount not to exceed \$15,000. The Grant Agreement shall commence on the date of execution by the parties and remain in full force and effect until January 1, 2020. **SUMMARY:** Urban Growers will provide agricultural revitalization to a 1.50 acre urban farm within the Coleman Park Neighborhood located at 1400 Henrietta Avenue in West Palm Beach, Florida. Urban Growers leases this property from the City of West Palm Beach. The County will provide funding to Urban Growers in an amount not to exceed \$15,000 for a perimeter fence and the installation of water service. Urban Growers requested funding for a perimeter fence and water service at the Palm Beach County Agricultural Enhancement Committee meeting on May 15, 2013. In exchange, Urban Growers will create two new full-time jobs and ten part-time jobs in Palm Beach County within thirty-six months subsequent to the effective date of this Grant Agreement. In addition to this request for funding to the County, Urban Growers has received the Specialty Crop Grant in the amount of \$25,000 from the Florida Department of Agriculture and Consumer Services to support this revitalization. District 7 (AH)

3. **Staff recommends motion to:**
 - A) accept** the donation of \$77,750 by the Friends of the Mounts Botanical Garden, Inc. (Friends) to add to the \$25,000 Capital Improvement Program (CIP) funds for the express purpose of creating a design for a Tropical Wetland Garden; and
 - B) approve** a Budget Amendment in the amount of \$77,750 to increase the Capital Outlay Fund (3900).

SUMMARY: The Mounts Botanical Garden of Palm Beach County (Mounts Botanical Garden) is working with the Art in Public Places program to design a Tropical Wetland Garden on the east side of the existing lake. This Tropical Wetland Garden is featured as part of the current Mounts Botanical Garden Master Plan, previously approved by the Board of County Commissioners. Combining available CIP funds of \$25,000 and a donation of \$77,750 from the Friends for a total of \$102,750 will provide adequate funds for the garden design through the Art in Public Places process. District 7 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: an Interlocal Agreement for Specified Fire Prevention Services with the Town of Palm Beach Shores to be effective upon approval by the parties through September 30, 2016. **SUMMARY:** This Agreement provides for the provision of certain specified services, including fire inspections and new construction plan review and inspections, on applicable buildings and structures located within the incorporated boundaries of the Town in accordance with the Florida Fire Prevention Code. The County will invoice the Town on a monthly basis for the services within the terms of this Agreement. Fees will be calculated in accordance with the County's fee schedule in effect at the time of service. Countywide/District 1 (PK)

X. PUBLIC SAFETY

1. Staff recommends motion to:
A) receive and file the original executed FY 2014 Victims of Crime Act (VOCA) Grant Agreement with the State of Florida, Office of the Attorney General, to receive \$129,378 to fund support services for crime victims for the period of October 1, 2013, through September 30, 2014; and

B) approve a Budget Amendment of \$6,161 in the Public Safety Grants Fund to reconcile the budget to the actual grant award.

SUMMARY: The VOCA grant funds services for victims of crime in Palm Beach County such as free crisis counseling, criminal justice support, assistance filing claims for victim compensation, emergency legal advocacy, and crisis intervention. Resolution Number R-2006-0099 authorizes the County Administrator or his designee to execute operational agreements with the Florida Office of the Attorney General, Bureau of Advocacy and Grants Management on behalf of the Palm Beach county Board of County Commissioners. **This grant requires a 25% match, (\$32,345) that is included in the FY 2014 budget.** Countywide (PGE)

2. Staff recommends motion to:
A) adopt Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the County Administrator or his designee to sign the FY 2013-14 annual Emergency Medical Services (EMS) Grant Fund Application and Grant Fund Distribution Agreement for \$255,137 and forward same to the State of Florida Department of Health, Bureau of Emergency Medical Services (FL-EMS), and authorizing the County Administrator or his designee to sign budget transfer forms related to the grant; and

B) approve a downward Budget Amendment of \$33,333 in the EMS Grant Fund to adjust the budget to the actual grant award of \$255,137.

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

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to receive and file: the original executed Contract with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Public Guardianship and Domestic Violence Victim Representation in the amount not to exceed \$1,055,886 from October 1, 2013, through September 30, 2014 as approved in the FY 2014 budget. **SUMMARY:** The Legal Aid Society of Palm Beach County, Inc. has historically provided these services. This Contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. The Contract with Legal Aid consists of the State Required Program (\$788,543), the Public Guardianship Program (\$154,530) and the Domestic Violence Representation Program (\$112,813). The \$65 Court Fee generates \$253,736 for the State Required Program and partially offsets the costs of these programs. Three staff members of the Legal Aid Society of Palm Beach County, Inc. serve on different County Advisory Boards. Vicki A. Tucci and Kimberly Rommel-Enright serve on the HIV Care Council and Mickale Linton serves on the Head Start/Early Head Start Policy Council. These Boards provide no regulation, oversight, management, or policy-setting recommendations regarding the Legal Aid Society of Palm Beach County, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. Resolution R2006-2132 authorizes the County Administrator or his designee to execute contracts with the Legal Aid Society of Palm Beach County Inc. Countywide (PGE)

4. Staff recommends motion to:

A) approve an Extension Agreement with the Office of the Public Defender for Professional Pretrial Services, to continue providing services by obtaining information for the criminal indigent status application for defendants that are interviewed during the pretrial stage prior to their first appearance hearing at court for the period of June 30, 2013, through June 30, 2015; and

B) authorize the County Administrator or his designee to execute future amendments with the Office of Public Defender, Fifteenth Judicial Circuit of Florida for the above mentioned services.

SUMMARY: The Office of the Public Defender, Fifteenth Judicial Circuit of Florida has requested the Palm Beach County Justice Services Division to continue to provide a service for an extended 24 months; specifically existing County staff will perform duties in completing Applications for Criminal Indigent Status of defendants prior to the defendant's first appearance hearings at court. The Office of the Public Defender will compensate the Palm Beach County Justice Services Division for this service. The Pretrial Services office originally began providing this service under Agreement R2012-1030 approved by the Board of County Commissioners on July 10, 2012. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

A) receive and file an executed Contract with the Florida Council Against Sexual Violence (FCASV) (Contract No. 13RCP26) for the period July 1, 2013, through June 30, 2016, to receive grant funding in the amount of \$46,134 for the first year (July 1, 2013 to June 30, 2014) to provide sexual battery recovery services; and

B) receive and file an executed Contract with the FCASV (Contract No. 13OAG26) for the period July 2, 2013, through June 30, 2014, to receive grant funding in the amount of \$19,970 to provide sexual battery recovery services; and

C) receive and file an executed Contract with the FCASV (Contract No. 13GR26) for the period July 1, 2013, through June 30, 2016, to receive grant funding in the amount of \$99,841 for the first year (July 1, 2013 to June 30, 2014) to increase and enhance sexual battery recovery services to primary and secondary victims of sexual assault; and

D) approve the addition of two full-time grant funded (No. 13GR26) positions to the Victim Services complement, one of which is a Sexual Assault Victim Advocate, and the other a Sexual Assault Outreach Coordinator; and

E) approve a downward Budget Amendment of \$25,209 in the Public Safety Grants Fund to adjust the budget to the actual grant award.

SUMMARY: Rape Crisis Program (RCP) and Office of the Attorney General (OAG) are annual grants that are received by the Division of Victim Services. No. 13GR26 is a new grant from State General Revenue funds recently approved by the Florida Legislature. These funds are provided to certified rape crisis centers for sexual assault recovery services to primary and secondary victims of sexual battery. The two new positions will be funded by FCASV Contract No. 13GR26 that begins on July 1, 2013 and ends on July 30, 2016. The positions will end when the grant expires or annual award amounts are no longer funded. The Sexual Assault Victim Advocate position will provide crisis response, advocacy, and accompaniment to victims of sexual assault. The Sexual Assault Outreach Coordinator position will focus on education and outreach activities throughout Palm Beach County to highlight rape crisis services available to sexual assault victims, in particular victims in rural areas and from underserved populations. Resolution Number R2006-0096 authorizes the County Administrator or his designee to execute FCASV grant contracts on behalf of the County. **No county match is required. Countywide (PGE)**

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a National Institute of Justice FY 2014 DNA Backlog Reduction Program Grant in the amount of \$389,345 for the period October 1, 2013, through March 31, 2015; and

B) approve a Budget Amendment of \$389,345 in the Sheriff's Grants Fund.

SUMMARY: On August 27, 2013, the Palm Beach County Sheriff's Office (PBSO) received an award for the DNA Backlog Reduction Program. The Forensic Biology Unit in the Crime Laboratory of PBSO services over 28 municipalities, the school systems and assists state and local federal agencies as needed. These funds will be used for equipment, training, travel, and contractual services that will increase the efficiency of the crime lab. There is no match requirement associated with this award. No additional allocations are needed and no additional County funds are required. Countywide (PGE)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Department of Justice Office of Justice Programs FY2014 Justice & Mental Health Collaboration grant award in the amount of \$250,000 for mental health screening and treatment services, for the period of October 1, 2013, through September 30, 2015; and

B) approve a Budget Amendment of \$250,000 in the Sheriff's Grants Fund.

SUMMARY: On August 23, 2013, the Palm Beach County Sheriff's Office (PBSO) received a grant award to address gaps in services identified within the County's mental health strategic plan. The purpose of the project is to implement a comprehensive strategy with our mental health partners to assess and link individuals diagnosed with a mental health and/or substance abuse disorder to appropriate treatment services, and to provide peer education and support. Funding provided will be used for salary, contractual services, training, data collection, supplies, and community education in support of the strategy to increase public safety. There is a match requirement of \$62,500 associated with this award. Two PBSO allocations are created with this action. No additional County funds are required. Countywide (PGE)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Victim of Crime Act (VOCA) Agreement with the State of Florida, Office of the Attorney General in the amount of \$53,223 for the period October 1, 2013, through September 30, 2014; and

B) approve a Budget Amendment of \$53,223 in the Sheriff's Grants Fund.

SUMMARY: On August 16, 2013, the Palm Beach County Sheriff's Office (PBSO) received a VOCA grant. These funds will be used to continue to allow for a victim advocate allocation to concentrate on the victim population in Palm Beach County. This position will continue to coordinate services with PBSO officers, the County's Victim Services Program, and other municipal agencies to offer crisis intervention, lethality assessments and safety plans. The PBSO will be reimbursed for personnel expenses totaling \$53,223. The PBSO will provide the 20% required match in the amount of \$13,306, through its approved operating budget. No additional allocations are needed and no additional County funds are required until grant funding expires in FY 2014. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

4. Staff recommends motion to approve: a Budget Transfer of \$308,908 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 automated external defibrillators, 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 2014 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 \$308,908. 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 \$1,037,034. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$728,126. 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)

ORGANIZATION	AMOUNT
A Child Is Missing, Inc.	\$5,713
Achievement Centers for Children and Families, Inc.	\$10,000
Neighbors 4 Neighbors, Inc.	\$20,000
Child Protection Team, Inc.	\$29,635
Children's Case Management Organization, Inc.	\$15,000
Faith, Hope, Love, Charity, Inc.	\$25,000
Gratitude House, Inc.	\$25,000
Jerome Golden Center for Behavioral Health, Inc.	\$10,000
Lost and Found of Palm Beach County, Inc.	\$12,500
Nope Task Force, Inc.	\$25,000
Palm Beach County Substance Abuse Coalition, Inc.	\$2,560
Safety Council of Palm Beach County, Inc. (Mobile Eyes Program)	\$3,500
Take Stock in Children, Inc.	\$50,000
The ARC of Palm Beach County Foundation, Inc.	\$50,000
The Lord's Place, Inc.	\$25,000
Total Amount	\$308,908

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4. REGULAR AGENDA

A. COUNTY ATTORNEY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on November 19, 2013, at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Subsection 2-41(c), codifying Palm Beach County Ordinance No. 87-11, as amended, pertaining to the County Investment Policy Committee; incorporating uniform policies and procedures for County advisory boards and providing for an effective date. **SUMMARY:** Ordinance No. 87-11, created the County Investment Policy Committee. The Board adopted Resolution No. 2013-0193, imposing specific requirements on County advisory boards, such as the County Investment Policy Committee. This Ordinance amends County Code Subsection 2-41(c) to provide that the uniform policies and procedures in Resolution No. 2013-0193 will apply to the County Investment Policy Committee. Countywide (PFK)

B. FACILITIES DEVELOPMENT & OPERATIONS

1. [Staff recommends motion to approve:](#) Amendment No. 7 to Use Agreement (R93-75-D) with the South Florida Water Management District (SFWMD) for a monitoring well site located near the northwest corner of Lake Lytal Park in West Palm Beach at no charge. **SUMMARY:** Since 1993, the SFWMD has leased various ground areas in the northwest corner of Lake Lytal Park to place monitoring wells to study the Florida aquifer. The Agreement has been amended six times to extend the term, which currently expires on January 12, 2014, and to amend the leased areas. Since 2002, all wells, with the exception of the Tri-Zone well, have been abandoned. The Tri-Zone well comprises an area less than 100 SF. Parks & Recreation foresees future development in the northwest corner of Lake Lytal Park and has agreed to a five year term extension expiring January 12, 2019, with a ninety day cancellation provision. Should the Agreement be canceled, SFWMD is required to close and cap the well and remove any improvements. In addition to the term extension, Amendment No. 7 updates the Notice provision for SFWMD and adds new standard language. Parks & Recreation manages this Agreement. (PREM) District 2 (HJF)

4. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **REVISED SUMMARY:** Staff recommends motion to approve: a Second Amendment to the Third Restated Agreement (R2004-0257) with the Historical Society of Palm Beach County, a Florida non-profit corporation (Society) for the Society's use of the 1916 Courthouse increasing the Premises by 41 SF and requiring continued payment of rent for their administrative offices. **SUMMARY:** In 2009, the Board approved the Third Restated Agreement with the Society for occupancy of 8,695 SF of space within the 1916 Courthouse for operation of the Palm Beach County History Museum and administrative offices for the Society. The Society pays no rent for the Museum space and \$45,127.95 (~~\$194/SF~~ \$19.40/SF) in rent for their administrative offices. The term of the Agreement runs through 2038. The Society has requested that County abate the rent for a period of five years. In addition, the Society has requested exclusive use of a 41 SF custodial closet within the second floor women's bathroom. Staff supports the Society's request to have exclusive use of the custodial closet, and this Second Amendment includes that change. Staff does not support allowing the Society to occupy space within the 1916 Courthouse without payment of rent, and the Amendment does not provide for rent abatement unless directed by Board. There is no legal requirement for the Society to pay rent; however, the County funded the entire capital restoration costs for the 1916 Courthouse including the Museum space and space for the fourth floor administrative offices ultimately occupied by Society. The County also funded Society's build out of the Museum itself with funds from a Recreational and Cultural facilities bond issue. The original agreement was structured to require Society to pay market rent for the fourth floor office space since Society could occupy private space for this function and Society's use is displacing County use of the space. As such, the requested five year rent abatement: 1) is inconsistent with the initial terms of the relationship between the parties, and 2) would amount to a subsidy of Society's operational costs without the benefit of a competitive review of the needs of other historical organizations or not-for-profits in general. (PREM) District 2/Countywide (HJF)

4. REGULAR AGENDA

C. PARKS & RECREATION

1. Staff recommends motion to:

A) waive the competitive procurement process for Tee Time Advertising and Sales Agreements; and

B) adopt a Resolution authorizing the County Administrator or his designee to execute standard form agreements for tee time advertising and sales services at County golf facilities.

SUMMARY: The Parks and Recreation Department (Department) has excess tee times, primarily at off peak times, which go unsold at its golf facilities every day. Due to the marketing and promoting efforts of tee time advertising and sales organizations, many golfers utilize online services, leisure coordinators, and hotel concierges, to reserve their tee times in the County. The Department currently works with two providers, CanAm and GolfNow, which have sent approximately 19,000 rounds of golf and \$670,000 in user fees in the past year to County golf courses. The Department wishes to expand its access to ~~these~~ golfers by contracting with these and other qualified organizations to market and promote the County's excess tee times. In return these organizations receive a commission, trade rounds, or discounted rounds for their services. Attracting these customers will increase golf revenues without impacting existing user accessibility. Chapter 2, Article III, Section 2-54(h) of the Palm Beach County Code, allows the Board to waive the requirements for competitive selection and approve professional services upon recommendation of the County Administrator. Since the Department will contract with multiple qualified companies, the County Administrator is requesting the Board waive the competitive procurement process for these services. Staff is recommending the Board approve a resolution which delegates authority to the County Administrator or his designee to execute the standard form agreement for tee time advertising and sales services up to \$100,000 for advertising and selling excess County tee times. This waiver of the competitive procurement process is supported by the Purchasing Department. Countywide (AH)

D. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: two waivers under the Residential Rehabilitation Program (Program) for Anita Flores of Pahokee as follows: **A)** a waiver to exceed the \$10,000 per home limit for lead-based paint abatement related costs by authorizing an additional \$9,862.33 to abate lead based paint; and **B)** a waiver to exceed the \$45,000 per home rehabilitation funding limit by authorizing an additional \$12,300 for rehabilitation construction costs. **SUMMARY:** Anita Flores is a very low income homeowner residing in Pahokee. The rehabilitation of her home (built in 1943) includes work for the removal of lead-based paint hazards costing \$19,862.33 which exceeds the \$10,000 per home limit authorized by the Board of County Commissioners (BCC) for the Program. In addition, the rehabilitation scope of work to cure code violations in this home is \$57,300 which exceeds the BCC established \$45,000 funding limit. Both waivers to Program funding limits are necessary to proceed with the rehabilitation of Ms. Flores' home. Under the Program funding for the removal of lead-based paint hazards is provided as a grant, and rehabilitation funding is secured by a 15 year non-repayable mortgage and promissory note. **These are Federal Community Development Block Grant funds which require no local match.** (CREIS Section) District 6 (TKF)

4. REGULAR AGENDA

E. PALM TRAN

1. Staff recommends motion to approve:

A) an Agreement for Purchase and Sale with CRM Florida Properties, LLC, (CRM) to acquire 2.72 acres located on 2010 Northwest 1st Street, west of North Congress Avenue and north of West Atlantic Avenue, in the City of Delray Beach, for \$935,000; and

B) a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement.

SUMMARY: Palm Tran’s fixed route ridership has grown significantly over the last ten years with average ridership increasing by 65% to over 12 million passenger trips annually. To address future growth, the Board of County Commissioners approved Palm Tran’s long-range Transportation Development Plan (TDP) on November 15, 2011. Currently, Palm Tran’s South County facility in Delray Beach is at or nearing capacity for bus parking. Staff has identified two adjacent available vacant parcels totaling 2.72 acres that can accommodate future expansion needs. Accordingly, PREM staff has negotiated a purchase and sale agreement to acquire these two parcels. This acquisition will initially be funded by the County, followed by a reimbursement through Federal Transportation Administration (FTA) grant FL-90-X812 which has been challenged by the Amalgamated Transit Union. Pursuant to FTA grant procedures, the County obtained an appraisal by Parrish and Edwards, Inc. which valued the property at \$935,000 and a review appraisal from Anderson and Carr, Inc. which supported the valuation. This is the minimum purchase price the County can pay under the FTA grant guidelines. The property will remain vacant until grant funds become available for improvements. PREM staff has obtained an environmental assessment of the property, survey and title review and is satisfied with the results of its due diligence investigations. The Agreement provides for a ten day Inspection Period to update the prior due diligence. Closing will occur within 15 days of approval of this Agreement. The County will be responsible for approximately \$12,000 in closing costs bringing the total cost to \$947,000. **The Agreement for Purchase and Sale must be approved by a supermajority vote (5 Commissioners).** (Palm Tran) District 7 (HJF & DR)

F. TOURIST DEVELOPMENT COUNCIL

1. ~~**DELETED: Staff recommends motion to:**~~

~~**A) approve** the addition of one full-time position Director of Airline Relations within the Department of Tourist Development; and~~

~~**B) adopt** the current Travel and Entertainment Policy of Discover Palm Beach County, Inc. to supplement the Palm Beach County PPM CW-F-009 for the Tourist Development Council.~~

SUMMARY: The active position of airlift development has been under the direction of Discover Palm Beach County, Inc., (Discover) by agreement between the Tourist Development Council (TDC) and the Department of Airports since May 23, 1995, funded by Palm Beach International Airport (PBIA) through a transfer of funds to the Tourism Promotion Fund. This proposed change in oversight to the Tourist Development Council from Discover, allows for a broader more targeted airlift program development providing service to all agencies contracted by the TDC. The cooperative effort between the TDC and PBIA will allow this position to be a BCC position, but fully funded by the Airport Enterprise Fund. The Discover contract expense for this position will be amended at a future date and funds placed back into reserves. Countywide (DW)

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5. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** appointment/reappointment of the following individuals to the Palm Beach County Citizens Advisory Committee on Health and Human Services (CACHHS) for terms beginning on November 5, 2013, and expiring on September 30, 2016:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Expertise/Qualification</u>	<u>Nominated By:</u>
03	Dr. Barbara Cox Gerlock	Human Services	Comm. Burdick Comm. Valeche CACHHS
06	Elizabeth Hernandez Cayson	Human Services	Comm. Burdick Comm. Santamaria Comm. Valeche CACHHS
09	Sandra Chamblee	Resident West 20 Mile Bend	Comm. Burdick Comm. Santamaria Comm. Valeche CACHHS

Appointment (SELECT ONE)

<u>Seat No.</u>	<u>Reappointment</u>	<u>Expertise/Qualification</u>	<u>Nominated By:</u>
02	Sharon Greene	Health Services	Comm. Burdick Comm. Valeche CACHHS

OR

02	Andrea Stephenson	Health Services	SELF
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OR

02	Dr. Patrick Halperin	Planning, Research & Evaluation	SELF
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SUMMARY: The Citizens Advisory Committee on Health and Human Services 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 1, 2 and 3 year terms with subsequent terms of three years. The Resolution creating the CAC/HHS requires the Executive Committee of the Citizens Advisory Committee to solicit and recommend member nominations for transmittal to the Board of County Commissioners (BCC). The Board of County Commissioners was notified by memo dated September 3, 2013, and requested to provide nominations for appointment. The CAC, on September 12, 2013, recommended that Dr. Barbara Cox Gerlock, Elizabeth Hernandez Cayson and Sandra Chamblee (resident west of 20 Mile Bend) be re-appointed and that Sharon Greene be appointed. The BCC was notified by memo dated September 24, 2012, requesting nominations for appointment. Andrea Stephenson has disclosed that her employer, Health Council of Southeast Florida, 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)

5. BOARD APPOINTMENTS

B. PARKS & RECREATION
(Boynton Beach Municipal Golf Course Advisory Committee)

1. Staff recommends motion to appoint: one regular at-large County member to the Boynton Beach Municipal Golf Course Advisory Committee for a term commencing November 5, 2013, and ending October 31, 2018:

	<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By:</u>
SELECT ONE	Terry Aperavich OR	2	Citizen at Large	Mayor Steven L. Abrams
	Robert Lee OR	2	Citizen at Large	Vice Mayor Priscilla Taylor
	Blanch Clair	2	Citizen at Large	Self

SUMMARY: The Board of County Commissioners, according to the Agreement with the City of Boynton Beach, appoints two regular members and one alternate member to the Boynton Beach Municipal Golf Course Advisory Committee. All applicants have satisfied the ethics training requirements. Countywide (AH)

C. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 5, 2013

6. MATTERS BY THE PUBLIC – 6:00 P.M.

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NOVEMBER 5, 2013

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

NOVEMBER 5, 2013

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, MAYOR

E. District 5 - COMMISSIONER MARY LOU BERGER

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

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

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."