

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

JUNE 19, 2007

**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 6 - 33)
- 4. PUBLIC HEARINGS - 9:30 A.M.** (Pages 34 - 36)
- 5. REGULAR AGENDA** (Pages 37 - 40)
TIME CERTAIN – 11:00 A.M. (Consulate of Finland) (Page 37)
TIME CERTAIN – 2:00 P.M. (Let Us Vote Committee) (Page 38)
- 6. BOARD APPOINTMENTS** (Pages 41 - 42)
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** Resolution No. R-473-07 by the Miami-Dade County Board of County Commissioners urging the Florida Legislature not to pass legislation related to the South Florida Regional Transportation Authority that increases the statutorily-mandated local funding requirements unless it includes a dedicated funding source.

2. **Staff recommends motion to approve:** a Golf Tournament Agreement with Trump International Golf Club, L.C.; Junior Golf and Academics of America, Inc.; and Tab Development, Inc. for a one (1) day charitable golf tournament to be held on October 29, 2007. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (Trump), approved September 3, 1996 (R96-1277D), allows for the use of the golf course during the months of May through October for the County to host either a single two (2) day or two (2) - one (1) day charitable golf tournament(s). The Golf Tournament Agreement provides for Trump to be available exclusively for the charity golf tournament to be held on October 29, 2007. Proceeds from the golf tournament will benefit Junior Golf and Academics of America, Inc. and Tab Development, Inc. Countywide (AH)
3. **Staff recommends motion to approve:** Agreement with the City of South Bay in an amount not-to-exceed Four Hundred Thousand Dollars (\$400,000) for street repairs to SW 7th Avenue. **SUMMARY:** The above project was reviewed and recommended for funding by the Countywide Community Revitalization Team (CCRT) Committee on September 12, 2005 in the amount of \$100,000 and on October 10, 2006 in the amount of \$300,000. The Board of County Commissioners (BCC) approved the recommended funding on October 18, 2005 and on November 21, 2006. The funding agreement provides for the City of South Bay to conduct street repairs to SW 7th Avenue (from SW 1st Street to Martin Luther King Jr. Blvd). The funding agreement is now being submitted to the BCC for approval. District 6 (AH)
4. **Staff recommends motion to approve:** Reimbursement of attorney's fees and costs in the amount of \$472.50, incurred by Commissioner Aaronson in successfully defending charges filed against him before the Florida Commission on Ethics. **SUMMARY:** Charges were filed against Commissioner Aaronson alleging certain conflicts of interest while engaged in official County business. The Ethics Commission dismissed the complaint on April 20, 2007. This motion is consistent with County Policy, PPM CW-F-057, which authorizes the County Administrator to request reimbursement on behalf of present and former County Officials who prevail in actions brought before the Florida Commission on Ethics, provided the matter was connected to an official County function and in furtherance of a public purpose. District 5 (LB)
5. **Staff recommends motion to approve:** an Agreement with Bryan Boysaw & Associates under the Community Development Block Grant (CDBG)/Economic Development Set-Aside Program for \$60,000. **SUMMARY:** On December 5, 2006, the Board of County Commissioners (BCC) approved four (4) CDBG/Economic Set-Aside projects for Fiscal Year 2006-2007 funding (Item No. 5A-3). Through the funding granted, Bryan Boysaw & Associates will create four (4) full-time equivalent positions. The Agreement with Bryan Boysaw & Associates is retroactive and commenced on April 2, 2007. Countywide (DW)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6. **Staff recommends motion to approve:** a Payment to Florida Association of Counties, Inc., in the amount of \$4,222.22 for the costs associated with the County Pre-Emption Issue. **SUMMARY:** This payment reflects Palm Beach County's contribution to the Florida Association of County's effort to prevent any state pre-emption of countywide powers. Countywide (DMN)
7. **Staff recommends motion to approve:** an Agreement with Florida Turbine Technologies, Inc. and Jupiter RE Investments, LLC, for the Economic Development Ad Valorem Tax Exemption Agreement, which is for the creation of sixty (60) full-time equivalent positions at an average annual salary of no less than \$70,000 (excluding benefits) in Palm Beach County. **SUMMARY:** The Economic Development Ad Valorem Tax Exemption Ordinance for Florida Turbine Technologies, Inc. will grant an ad valorem tax exemption for 100% of the assessed value of all qualifying tangible personal property acquired and added improvements to real property for four (4) years, excluding land. On May 1, 2007 and May 15, 2007 (Public Hearing), an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, granting an exemption from certain ad valorem taxation to encourage economic development in

the County for Florida Turbine Technologies, Inc. was approved. The Property Appraiser certified Florida Turbine Technologies, Inc. as an expansion of an existing business and estimated that \$26,153 in expansion revenues would be lost during the current fiscal year. Countywide (DW)

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	May 1, 2007
Zoning	May 24, 2007
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 approve:** State Revenue Sharing Application for the Fiscal Year 2007-2008. **SUMMARY:** Each unit of local government is required to file an application in order to be considered for any funds to be distributed under the Revenue Sharing Act. Countywide (PFK)
5. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during April 2007. Countywide

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **DELETED**
2. **DELETED**
3. **Staff recommends motion to approve:** a Payment to the Seacoast Utility Authority (SUA) not-to-exceed \$140,000 for the costs associated with the relocation of existing underground potable water interconnect metering. This is required for the construction of the Donald Ross Road and Alternate AIA Intersection Improvement (Project). **SUMMARY:** This payment to SUA of up to \$140,000 is required to cover all the costs associated with the relocation of its existing underground facilities, which are located within an existing utility easement. District 1 (MRE)
4. **Staff recommends motion to approve:** a Budget Transfer of \$175,000 from Reserve for District 5 to the Hagen Ranch Road Project No. 96506B. **SUMMARY:** This is to request transfer of funds, in the amount of \$175,000, from the District 5 Reserve to the Hagen Ranch Road project account for costs that will be incurred for the construction of a right turn lane on Hagen Ranch Road at Cascades Isles Boulevard. District 5 (PFK)
5. **Staff recommends motion to approve:** the renewal of the Testing Lab Services annual agreements with the following firms:

<u>Firm Name</u>	<u>Original Agreement Date</u>	<u>Resolution No.</u>
Dunkelberger Engineering & Testing, Inc.	June 21, 2005	R2005-1144
GFA International	June 21, 2005	R2005-1147
Tierra, Inc.	June 21, 2005	R2005-1148

SUMMARY: These agreements are being considered for renewal for required professional services, on a task order basis. This is the second and final renewal of these firms' agreements. Countywide (PFK)

6. **Staff recommends motion to approve:** a Budget Transfer of \$8,000 in the Transportation Improvement Fund from Reserve for District 3 to Gulfstream Road Speed Humps – District 3. **SUMMARY:** The District 3 Transportation Improvement Fund will pay for the requested speed humps on Gulfstream Road south of Lake Worth Road, to improve safety and reduce speeding. District 3 (MRE)

7. **Staff recommends motion to approve:** an Amendment to a Drainage Easement Agreement (Agreement) dated February 4, 2005 (R2005-0371), recorded in Official Record Book 18774, Page 1367, which conveyed certain drainage easements from Fillmore Properties, Limited to Yamato Court, LLC, who then assigned all its rights, title and interests of said easements to Palm Beach County (County). **SUMMARY:** This action approves an Amendment to a Drainage Easement Agreement to be utilized for drainage retention for the Okeechobee Boulevard from west of State Road 7 to west of Jog Road project. District 2 (PFK)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

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

A) a Financial Assistance Agreement with Valencia Isles Homeowners Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$170,000; and

B) a Budget Transfer of \$170,000 in the Transportation Improvement Fund from Reserve for District 5 to Woolbright Road, for irrigation and sod in and along the Lake Worth Drainage District (LWDD) right-of-way for Canal L-26, and in and along the County's right-of-way for Woolbright Road.

SUMMARY: This Agreement provides funding to reimburse the Association up to a maximum of \$170,000 of the cost to install the improvements in and along the LWDD right-of-way, and in and along the County's south right-of-way for Woolbright Road from Hagen Ranch Road to a point approximately 4,100 feet east of Hagen Ranch Road. The LWDD will be responsible for the perpetual maintenance of the sod portion of the improvements located within its right-of-way, and the Association will be responsible for the perpetual maintenance of the irrigation portion of the improvements and for the sod portion of the improvements located within the County's right-of-way. District 5 (MRE)

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

A) a Budget Transfer of \$241,055 in the Unincorporated Improvement Fund from Reserve to 60th Street Bridge over the "M" Canal (Project);

B) a \$129,211 Task Agreement with Keshavarz & Associates, Inc. (KAI), to provide engineering, surveying, permitting and geotechnical services for the Project; and

C) a \$48,546 Task Agreement with Bridge Design Associates, Inc. (BDA) for structural engineering

services for a bridge over the "M" Canal.

SUMMARY: This Budget Transfer will provide funds for the engineering services required for the preparation of plans and specifications for the Project. District 6 (MRE)

10. **DELETED**

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

A) a Financial Assistance Agreement with Lucerne Homes East Homeowners Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$13,200; and

B) a Budget Transfer of \$13,200 in the Transportation Improvement Fund from Reserve for District 2 to Fire Sky Drive, for beautification and lighting improvements adjacent to the County's Melaleuca Lane.

SUMMARY: This Agreement provides funding to reimburse the Association up to a maximum of \$13,200 of the cost to install beautification and lighting improvements at the community's entrance road (Fire Sky Drive), which is within 25 feet of and visible from the County's Melaleuca Lane. The Association will be responsible for the perpetual maintenance of these improvements. District 2 (MRE)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution establishing an application fee, financing fee and attorney fee for industrial development/private activity bonds, refundings and refinancings in Palm Beach County, rescinding Resolution No. R97-1193, and providing an effective date. **SUMMARY:** This proposed Resolution rescinds the prior resolution of the Board which established the application fee, closing fee, and attorney fee for industrial development/private activity bonds, refundings and refinancings in Palm Beach County. The proposed Resolution changes the provision as to the payment by the applicant for legal services provided by the County Attorney's Office in connection with such bond issues from \$125 to \$200 per hour. Countywide (PFK)

2. **Staff recommends motion to approve:** a Settlement in the amount of \$402,800, including attorney's fees, but excluding costs, in the eminent domain action styled Palm Beach County v. Michael Martin, et al., Case No. 502005CA006339XXXMB, for the fee simple taking of five (5) acres of vacant land in Indian Lake Estates. **SUMMARY:** The County has negotiated a settlement for Parcel 4, which is five (5) acres of vacant land in the Indian Lake Estates subdivision, in the amount of \$402,800, including attorney's fees, but excluding costs, subject to the approval of the Board of County Commissioners. The expert engineers and appraisers for the County and property owner agreed that the land is buildable and suitable for residential use. The County previously deposited \$190,000 as its initial good faith deposit and estimate of value. The County's appraiser updated his appraisal through the date of taking and would testify at trial that the value of the subject property is \$225,000, while the owner's expert appraiser concluded that the value of the subject property was \$450,000. The proposed settlement is \$350,000 for the value of the land, plus attorney's fees in the amount of \$52,800, that were calculated mathematically pursuant to Florida law. If this settlement is approved, the County would be required to pay an additional \$212,800, which includes attorney's fees, but excludes costs. District 1 (PM)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 1 to the Contract with Adopt-A-Family of the Palm Beaches, Inc. (R2006-2715; dated December 19, 2006) to extend the contract period to December 31, 2007. **SUMMARY:** On December 19, 2006, the Board of County Commissioners approved a contract with Adopt-A-Family of the Palm Beaches, Inc. for the construction of six (6), three (3) bedroom affordable housing rental townhomes to be made available to homeless families. The original contract ending date was June 30, 2007. However, zoning and permitting issues delayed construction and prevented commencement of this project. These factors have been addressed and

construction is ready to begin. Because of the construction delay, an amendment is needed to extend the contract ending date. Funds have been received from the State and full expenditure of funds is anticipated by December 31, 2007. (Human Services) District 3 (TKF)

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3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 1 to the Contract with The Center for Family Services of Palm Beach County, Inc. (R2006-1876; dated September 12, 2006) for the period of October 1, 2006, through September 30, 2007 to increase the contract by \$100,000 for a new not-to-exceed total of \$114,400 for emergency shelter services. **SUMMARY:** On September 12, 2006, the Board of County Commissioners approved a contract with The Center for Family Services of Palm Beach County, Inc. for after hours emergency shelter placement, food, transportation and ongoing case management to homeless persons until alternate placement can be arranged. During the year, outreach efforts yielded an increased number of homeless families that were in need of emergency placement. This increase in service need has necessitated additional contract funds. Existing dollars within the Division will be used to fund this increase. (Human Services) Countywide (TKF)

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

A) Memorandum of Agreement (MOA) with United Way of Palm Beach County, Inc. (United Way) and Palm Beach County Disaster Recovery Coalition, Inc. (Disaster Recovery Coalition) for the period February 28, 2007, through June 30, 2007, in an amount not-to-exceed \$45,450 to provide disaster recovery services;

B) Budget Amendment of \$30,300 in the General Fund for the Division of Human Services; and

C) Budget Amendment of \$15,150 in the General Fund for the Department of Public Safety.

SUMMARY: This MOA with United Way and Palm Beach County Disaster Recovery Coalition, Inc. will support staffing and related expenses for the Division of Human Services and Public Safety Department for FEMA Closeout case management for individuals/families currently residing in FEMA or other Hurricane Wilma grant related housing. The MOA funds allow Palm Beach County to continue its efforts to ensure an adequate exit strategy is completed for individuals and families currently utilizing temporary housing. (Human Services) Countywide (TKF)

4. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Caregiver Services, Inc., d/b/a Friends Assisting Seniors & Families, for a total not-to-exceed amount of \$62,150 for the period April 1, 2007, through March 31, 2008, with one (1) option for renewal. **SUMMARY:** Licensed Practical Nurse (LPN) and Home Health Aide (HHA) services will be utilized on an on-call basis to provide staff coverage at the Division of Senior Services' (DOSS) Mid-County Adult Day Care and North County Adult Day Care Centers. This Contract is retroactive to April 1, 2007, and allows DOSS to continue to meet the Area Agency on Aging's (AAA) and the Florida Department of Elder Affairs adult day care staffing requirements. Funding consists of \$55,935 (90%) in Federal and State funds and \$6,215 (10%) in County matching funds. The Contract spans two (2) fiscal years and County matching funds are included in the current budget and have been requested in the FY 2008 budget process. (DOSS) Districts 1 & 2 (TKF)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **Staff recommends motion to ratify:** the Chairperson's signature on the Minority AIDS Initiative (MAI) Grant Application for the period August 1, 2007, through July 31, 2008 in the amount of \$1,150,000 with the Department of Health and Human Services Health Resources and Services Administration (HRSA). **SUMMARY:** The 2007 MAI funds will provide enhanced and increased services to core medical and other support HIV related services to targeted areas throughout Palm Beach County. No County funds are required. (Ryan White) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** Change Order No. 10 to the Contract with James A. Cummings, Inc. increasing the contract in the amount of \$468,051 for the Long Term Parking Garage No. 2 at Palm Beach International Airport (PBI). There is no change in time for Change Order No. 10. **SUMMARY:** On May 16, 2006, the BCC approved the Construction Contract (R2006-0842) with James A. Cummings, Inc. for construction services for the Long Term Parking Garage at PBI in the amount of \$61,666,000. Change Orders 1-9 were approved for a net decrease to the contract in the amount of \$26,633,767, which included the deletion of more than \$26 million in materials that were directly purchased by the owner for tax savings and no change in the contract time. Approval of Change Order No. 10 in the amount of \$468,051 will provide funds to complete required changes to the stormwater, plumbing and watermain installations. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The total SBE contract goal including all change orders is 16.14%. Countywide (JCM)
2. **Staff recommends motion to approve:** Change Order No. 8 to the Contract with AFCO Constructors, Inc. in the amount of \$47,697 for the Concourse C Gate Expansion Project at Palm Beach International Airport (PBI). **SUMMARY:** On February 28, 2006, the BCC approved the Construction Contract (R2006-0338) with AFCO Constructors, Inc. for construction services for the Concourse C Gate Expansion Project at PBI in the amount of \$17,433,942. Change Orders 1-7 were approved for a net increase to the contract of \$371,721 and a time extension of 52 calendar days. Approval of this Change Order will allow AFCO Constructors, Inc. to complete the necessary work as described. There is no change in contract time associated with this Change Order. This Change Order is being brought to the BCC for approval due to the combined approvals of the Lead Department and the Committee exceeding the \$200,000 threshold pursuant to revised PPM CW-F-050. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The total SBE contract goal including all change orders is 15.17%. Countywide (JCM)
3. **Staff recommends motion to receive and file:** two (2) original agreements for the Department of Airports:
 - A) Consent to Assignment of North County General Aviation Airport Executive Hangar Lease Agreement to Palm Beach Avionics for Hangar Number 11250-04, effective May 15, 2007; and.
 - B) Agreement to Terminate Hangar Lease Agreement with Paul Brown for Hangar No. 7, Building 11730, effective May 31, 2007 (amending R2003-1020).**SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R95-846 and R2004-1367. Countywide (AH)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to authorize:** the Chairperson to certify the non ad valorem assessment roll on electronic media to the Tax Collector pursuant to Chapter 197, Florida Statutes. **SUMMARY:** In 1998, the County began using the Uniform Method of collecting non ad valorem special assessments. Under this procedure, special assessments are included on the tax bills. Each year the non ad valorem assessment roll must be certified to the Tax Collector by September 15. Countywide (PFK)

2. [Staff recommends motion to approve:](#)

A) Edwards Angell Palmer Dodge as bond counsel for the estimated \$165 Million Public Improvement Revenue Bonds, Series 2008 for the jail expansion program and other government facilities; and

B) Holland & Knight as disclosure counsel for the estimated \$165 Million Public Improvement Revenue Bonds, Series 2008 for the jail expansion program and other government facilities.

SUMMARY: The Board has approved moving forward with the Jail Expansion Program and has awarded contracts to begin that process. Facilities is projecting the need for a \$20 Million Bond Anticipation Note in September 2007 to provide preliminary funding for the projects. We anticipate that the bonds will be issued in February 2008 to pay off the Bond Anticipation Note and award the construction contract. We are appointing bond counsel and disclosure counsel to provide services for the Bond Anticipation Note. The above firms are next on the rotation lists to serve as bond counsel and disclosure counsel. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. [Staff recommends motion to approve:](#) Second Amendment to the Interlocal Agreement with the Village of Wellington (Village) (R2003-0694) to lease and maintain a fuel control reader at the Village's public works facility. **SUMMARY:** The Agreement with the Village, which provides the terms and conditions under which the County leases and maintains a fuel control reader for the Village at the Village's public works facility, expired on May 20, 2007. The Agreement provides for three (3) - one (1) year renewals but renewals require approval by both parties. The Village has approved a renewal to extend the term of the Agreement until May 20, 2008. The renewal now requires Board approval. Under the terms of the Agreement, the County provides and maintains the fuel control reader, provides fuel access cards and monthly fuel accounting to the Village. In exchange, the Village pays equipment rental fees and for services provided by the County. In addition, the Village allows the Palm Beach County Sheriff's Office (PBSO) to fuel at this location which benefits law enforcement efforts. The Agreement may be terminated by either party, with or without cause, with a minimum of six (6) months notice. (FDO Admin) District 6 (JM)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. [Staff recommends motion to approve:](#) Amendment No. 2 to the Contract with B.K. Electric, Inc. (R2006-0205) to implement the second renewal of an annual electrical contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract -Electrical which was awarded to B.K. Electric, Inc. as one (1) of four (4) approved participants. The annual electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$600,000. The renewal term is twelve (12) months or until \$600,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the contract. All terms of the original contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE goals for the electrical contracts are 15%. BK Electric's participation for work orders issued to date is 100%. Work orders issued to date for all four (4) annual contracts include a combined SBE participation of 87.7%. (FD&O Admin) Countywide (JM)
3. [Staff recommends motion to approve:](#) Amendment No. 2 to the Contract with Knight Electric Company, Inc. (R2006-0206) to implement the second renewal of an annual electrical contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract - Electrical which was awarded to Knight Electric Company, Inc. as one (1) of four (4) approved participants. The annual electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$600,000. The renewal term is twelve (12) months or until \$600,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the contract. All terms of the original contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE participation goals for the electrical contracts are 15%. Knight Electric's participation

for work orders issued to date is 100%. Work orders issued to date for all four (4) annual contracts include a combined SBE participation of 87.7%. (FD&O Admin) Countywide (JM)

4. **Staff recommends motion to approve:** Amendment No. 2 to the Contract with C.R. Dunn, Inc. (R2006-0203) to implement the second renewal of an annual electrical contract. **SUMMARY:** Amendment No. 2 is a renewal to the Annual Contract -Electrical which was awarded to C.R. Dunn, Inc. as one (1) of four (4) approved participants. This annual electrical contract is an indefinite-quantity contract and this renewal has a maximum value of \$600,000. The renewal term is twelve (12) months or until \$600,000 in work orders are issued. Staff is bringing forward the Amendment at this time based on pending work which would exceed the value assigned to the contract. All terms of the original contract remain in effect. This is the second of four (4) extensions allowed by the Contract. SBE participation goals for the electrical contracts are 15%. C.R. Dunn's participation for work orders issued to date is 0%. Work orders issued to date for all four (4) annual contracts include a combined SBE participation of 87.7%. (FD&O Admin) Countywide (JM)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** an annual Contract with Hi-Tech Roofing & Sheetmetal, Inc. in an amount not-to-exceed \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of seven (7) approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals at the sole option of the County, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis to perform remedial roofing repairs, roof maintenance and roof replacements on an "as-needed" basis for projects typically under \$100,000 each. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15%, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)
6. **Staff recommends motion to approve:** an annual Contract with Murton Roofing Corp. in an amount not-to-exceed \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of seven (7) approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals at the sole option of the County, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis to perform remedial roofing repairs, roof maintenance and roof replacements on an "as-needed" basis for projects typically under \$100,000 each. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15%, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)
7. **Staff recommends motion to approve:** an annual Contract with Roofing Concepts Unlimited/Florida, Inc. in an amount not-to-exceed \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued among the pool of seven (7) approved roofing contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$1,500,000. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis to perform remedial roofing repairs, roof maintenance and roof replacements on an "as-needed" basis for projects typically under \$100,000 each. Any work performed will be in

accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15%, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

JUNE 19, 2007

3. **CONSENT AGENDA APPROVAL**

H. **FACILITIES DEVELOPMENT & OPERATIONS** (Cont'd)

8. **Staff recommends motion to approve:** a Contract with H.A. Contracting Corp. for the Job Order Contract-North with a maximum value of \$2,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum value of \$2,500,000. The Contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The Contract provides for two (2) - one (1) year renewals at the sole option of the County. H.A. Contracting Corp. will perform work identified by the County on a work order basis, in accordance with the cost factor adjustments to the Unit Price Books. SBE goals established for this Contract are 15%. (FDO Admin) Countywide (JM)
9. **Staff recommends motion to approve:** a Contract with All-Site Construction, Inc. for the Job Order Contract-South (bond-waiver) with a maximum value of \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The Contract provides for two (2) - one (1) year renewals at the sole option of the County. All-Site Construction, Inc. will perform work identified by the County on a work order basis, in accordance with the cost factor adjustments to the Unit Price Books. SBE goals established for this Contract are 15%. (FDO Admin) Countywide (JM)
10. **Staff recommends motion to approve:** a Contract with Paragon Construction Unlimited, Inc. for the Job Order Contract-South (bond-waiver) with a maximum value of \$1,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum value of \$1,500,000. The Contract will terminate when a total of \$1,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The Contract provides for two (2) - one (1) year renewals at the sole option of the County. Paragon Construction Unlimited, Inc. will perform work identified by the County on a work order basis, in accordance with the cost factor adjustments to the Unit Price Books. SBE goals established for this Contract are 15%. (FDO Admin) Countywide (JM)
11. **Staff recommends motion to approve:** a Contract with Holt Contractors, Inc. for the Job Order Contract-North with a maximum value of \$2,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum value of \$2,500,000. The Contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The Contract provides for two (2) - one (1) year renewals at the sole option of the County. Holt Contractors, Inc. will perform work identified by the County on a work order basis, in accordance with the cost factor adjustments to the Unit Price Books. SBE goals established for this Contract are 15%. (FDO Admin) Countywide (JM)

JUNE 19, 2007

3. **CONSENT AGENDA APPROVAL**

H. **FACILITIES DEVELOPMENT & OPERATIONS** (Cont'd)

12. **Staff recommends motion to approve:** a Contract with West Construction, Inc. for the Job Order Contract-Central with a maximum value of \$2,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum value of \$2,500,000. The Contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The Contract provides for two (2) - one (1) year renewals at the sole option of the County. West Construction, Inc. will perform work identified by the County on a work order basis, in accordance with the cost factor adjustments to the Unit Price Books. SBE goals established for this Contract are 15%. (FDO Admin) Countywide (JM)
13. **Staff recommends motion to approve:** a Contract with M.A.C. Construction, Inc. for the Job Order Contract-Central with a maximum value of \$2,500,000. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum value of \$2,500,000. The Contract will terminate when a total of \$2,500,000 in work orders is issued or when the one (1) year time period has expired, whichever comes first. The Contract provides for two (2) - one (1) year renewals at the sole option of the County. M.A.C. Construction, Inc. will perform work identified by the County on a work order basis, in accordance with the cost factor adjustments to the Unit Price Books. SBE goals established for this Contract are 15%. (FDO Admin) Countywide (JM)
14. **Staff recommends motion to approve:** Amendment No. 11 to the Agreement with Centex Construction, LLC (R2003-1541) for Construction Management Services for the Library Expansion Program and various government buildings. **SUMMARY:** On September 23, 2003, the Board entered into a contract with Centex Rooney Construction Company, Inc., for construction management services for the Library Expansion Program and various government buildings. Subsequent to that contract, Centex Rooney Construction Company, Inc. changed its name to Centex Construction, LLC. Centex Construction, LLC has now changed its name to Balfour Beatty Construction, LLC and Amendment No. 11 acknowledges the name change. (Capital Improvements Division) Countywide (JM)
15. **Staff recommends motion to approve:** Amendment No. 3 to the Contract with BRPH Architects-Engineers, Inc. (R2004-1718) for MEP, HVAC, IAQ & Engineering consulting services on a continuing contract basis. **SUMMARY:** BRPH Architects-Engineers, Inc. was selected to provide MEP, HVAC, IAQ & Engineering consulting services on a continuing contract basis for capital improvement projects, and the Board approved an annual contract on August 17, 2004. The original contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. This Amendment would provide for services during the third renewal period. BRPH Architects-Engineers, Inc. has an M/WBE-SBE participation goal of 15%. During the first three (3) years of the contract, BRPH Architects-Engineers, Inc. has achieved 0% participation. The Department will work with the consultant on future work in order to meet the goal. (Capital Improvements Division) Countywide (JM)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. **Staff recommends motion to approve:** Amendment No. 3 to the Contract with Gartek Engineering Corporation (R2004-1719) for MEP, HVAC, IAQ & Engineering consulting services on a continuing contract basis. **SUMMARY:** Gartek Engineering Corporation was selected to provide MEP, HVAC, IAQ & Engineering consulting services on a continuing contract basis for capital improvement projects, and the Board approved an annual contract on August 17, 2004. The original contract provided for an initial one (1) year term with three (3) – one (1) year renewal options. This Amendment would provide for services during the third renewal period. Gartek Engineering Corporation has an M/WBE-SBE participation goal of 15%. During the first three (3) years of the contract, Gartek Engineering Corporation has achieved 97.36% participation. (Capital Improvements Division) Countywide (JM)
17. **Staff recommends motion to approve:** a First Amendment to the Agreement with Florida Atlantic University (FAU) (R2002-0886), allowing for interoperable communications through the countywide

common groups of the County's 800 MHz Radio System. **SUMMARY:** The Agreement with FAU, which provides the terms and conditions under which FAU can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications, expired on June 5, 2007. The Agreement provides for three (3) - five (5) year renewals but renewals require approval by both parties. FAU has approved a renewal to extend the term of the Agreement until June 4, 2012. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. FAU is required to pay all costs associated with 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. (FDO/ESS) Countywide (JM)

18. **Staff recommends motion to approve:** a First Amendment to the Interlocal Agreement with the Town of Lake Clarke Shores (Town) (R2005-00234) for radio maintenance services. **SUMMARY:** The Agreement with the Town, which provides the terms and conditions under which the Town receives radio equipment maintenance services from the County, will expire on February 1, 2008. The Agreement provides for one (1) - three (3) year renewal but renewal requires approval by both parties. The Town has approved a renewal to extend the term of the agreement until February 1, 2011. The renewal now requires Board approval. The terms of the agreement are standard. The maintenance rates are consistent with those being charged to the County departments. The Agreement may be terminated by either party, with or without cause, with a minimum of three (3) months notice. (ESS) District 3 (JM)
19. **Staff recommends motion to approve:** a Sixth Amendment to Communication Tower Agreement with New Cingular Wireless PCS, LLC, (R99-312D) for the tower site located at 20-Mile Bend. **SUMMARY:** On February 23, 1999, the Board approved the original 30-year Communication Tower Agreement with AT&T Wireless Services of Florida, Inc. to allow AT&T to co-locate on the County's 400' communication tower located just off Southern Boulevard at 20-Mile Bend. AT&T was acquired by New Cingular Wireless PCS, LLC. This Sixth Amendment: i) modifies Exhibit "C" (Tower Site Plan) to allow New Cingular Wireless to install an approximately 5' x 11' concrete pad and an above-ground generator to supply electricity to its equipment in the event of power outages; and ii) updates the Notice provision for New Cingular Wireless. New Cingular Wireless will be responsible to obtain all necessary permits and governmental approvals. There will be no cost to the County nor service interruptions to the County's or Cingular's operations. All other terms of the Agreement remain unchanged. (PREM) District 6 (HJF)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

20. **Staff recommends motion to:**

A) approve the conveyance of 0.07 acres of land to the City of Belle Glade without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration (R2007-0504);

B) adopt a Resolution authorizing the conveyance of the County's interest in 0.07 acres of land to the City of Belle Glade without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

C) approve a County Deed in favor of the City of Belle Glade.

SUMMARY: The County has acquired numerous parcels of property within the City of Belle Glade as a result of tax foreclosure. The City recently requested the County convey two (2) parcels to the City: 1) a 0.07 acre parcel located at 201 S.W. 5th Street; and 2) a 0.07 acre parcel located at 900 S.W. Avenue C Place. On April 10, 2007, the Board approved the conveyance of the S.W. 5th Street property to the City (R2007-0504); however, staff mistakenly submitted a deed describing the S.W. Avenue C Place property. This item ratifies the approval and conveyance of the S.W. Avenue C Place property and approves the correct form of deed to convey the S.W. 5th Street property. The S.W. 5th Street property was acquired by Tax Deed in June 2006, is improved with an unoccupied two (2) story commercial structure with an assessed value of \$71,734. The S.W. Avenue C Place property was acquired by Tax Deed in August 2006, is unimproved and has an assessed value of \$3,000. (PREM) District 6 (HJF)

21. **Staff recommends motion to approve:** a Declaration of Easement for a potable water line serving the County's Fire Rescue Station No. 48 in unincorporated western Boynton Beach. **SUMMARY:** The County is the owner of a 33.63 acre civic site, located just east of Lyons Road on the south side of Hypoluxo Road. The County is currently constructing Fire Station No. 48 on this property and has future plans to develop a County park on the balance of the property. In connection with the construction of the Fire Station, the County installed a water line near the northwest corner of the property which will provide potable water service to the Fire Station. The easement area is 35' long by 10' wide and covers 350 square feet. The Water Utilities Department is requiring this Declaration to be recorded to provide notice of the existence and location of the water line. (PREM) District 3 (JMB)

22. **Staff recommends motion to approve:** a Concessionaire Service Agreement with Procell Watersports, Inc. for operation of the water sports and recreational rental concession located in Okeeheelee Park at 7715 Forest Hill Boulevard in West Palm Beach. **SUMMARY:** The Parks and Recreation Department desires to continue to provide rentals of canoes, bicycles and other recreational items at Okeeheelee Park through a concession operation. The current vendor, Procell Watersports, Inc. (Procell), operates under a Contract for Operation of Okeeheelee Park Rental Concession issued through the Purchasing Department which expires on June 30, 2007. In March 2007, PREM advertised Request For Proposal No. 2007-101-SKS for the operation of the Okeeheelee Park water sports and recreational rental concession. Only Procell submitted a proposal. The annual rental rate under this Concession Service Agreement is \$4,800 to be paid in equal monthly installments of \$400, with annual four percent (4%) increases. The initial term of this Agreement is for one (1) year, ending June 30, 2008, with four (4) options to renew each for one (1) year. Procell has submitted the required \$1,000 security deposit. Both Carol Procell and her husband, Frank Procell have executed personal guarantees of the Agreement. (PREM) District 6 (JMB)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

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

A) an Agreement for Purchase and Sale with Bettina Godziszewski, Ruth M. Nelson-Peebles, Julio H. Pitts, Malisa A. Lyles, John N. Pitts, Joseph D. Pitts, III, Minor Son of Joseph D. Pitts, Jr., deceased by his Legal Guardian, and Patricia E. Pitts, all as Beneficiaries of Joseph Davis Pitts, deceased and Bettina L. Godziszewski, as Personal Representative of the Estate of Joseph Davis Pitts, deceased, to acquire a 0.47 acre outparcel adjacent to Westgate Park for \$350,000; and

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

SUMMARY: This Agreement is for the County to purchase 0.47 acres located at 1801 Seminole Boulevard, north of the intersection of Oswego Avenue and Seminole Boulevard adjacent to the County's Westgate Park. The property is improved with a 1,814 square foot single family home built in 1958 that will be demolished. The purchase price of \$350,000 is equal to the value indicated by the appraisal obtained by staff. This property abuts the County's Westgate Park and is across the street from Fire Rescue Station No. 24. Parks and Fire Rescue will explore options to reconfigure Westgate Park to accommodate a replacement fire station within the expanded Park property. This Agreement contains a thirty (30) day inspection period to complete necessary due diligence. Closing is expected to occur within 45 days of Board approval. (PREM) District 2 (JMB)

24. **Staff recommends motion to approve:** a Second Amendment to and Reinstatement of Lease Agreement (R2002-2261) with the School Board of Palm Beach County for its continued use of approximately 4.53 acres located adjacent to the County Stockade on Fairgrounds Road for \$21,705.90. **SUMMARY:** On December 17, 2002, the Board approved the initial Lease Agreement with the School Board for a term of three (3) years with one (1) option to extend. The property is being used by the School Board for a temporary grounds maintenance storage facility pending completion of construction of a permanent facility at Belvedere Road and Skees Road. On September 13, 2005, the

School Board exercised its option to extend the Lease term through December 16, 2006. On November 21, 2006, the Board approved the First Amendment extending the term of the Lease through June 16, 2007. This Second Amendment extends the term of the Lease for six (6) months, from June 17, 2007 through December 16, 2007. The rent for this extension period is \$21,705.90. Staff supports this extension as it will not interfere with the County's construction schedule for the expansion of the adjacent County Stockade. All other terms of the Lease Agreement remain unchanged. (PREM) District 6 (HJF)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

25. Staff recommends motion to approve:

A) a Deposit Receipt and Contract for Sale and Purchase with Maria M. Johnson for the sale of a .26+/- acre parcel of land improved with a 1,152 sf +/- single family residence located at 328 Urquhart Street, Lake Worth for \$119,998; and

B) a County Deed in favor of Maria M. Johnson.

SUMMARY: On January 16, 2003, the County acquired a 1,152 sf +/- single family home on a .26 +/- acre parcel of land located at 328 Urquhart Street in unincorporated Lake Worth. PBSO has used the property since its acquisition for the purpose of conducting law enforcement activities to support the community revitalization efforts in the area. PBSO has determined that the area is stabilized and their presence is no longer required. The property was advertised for sale and a Request for Bids (RFB) was issued in April 2007. The RFB limited potential bidders to those: (i) whose household incomes did not exceed 140% of the local area median income, as determined by the Florida Housing Finance Corporation and adjusted for family size; and (ii) who would use the property as their Homestead. Only one (1) bid was received from Maria M. Johnson for \$119,998. The property is assessed by the Property Appraisers Office at \$109,214. An appraisal obtained by staff valued the property at \$200,000. The property is being sold "As Is". The County will provide a title insurance policy and a loan policy at an estimated cost of \$1,400. Resale of the property is restricted for a period of three (3) years to those persons who will occupy and homestead the property as their principal place of residence and whose household incomes do not exceed 140% of the local area medium income. Closing is to occur within 21 days of Board approval. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, but will not retain rights of entry and exploration. (PREM) District 3 (HJF)

26. Staff recommends motion to approve: West Palm Beach Intermodal Transfer Facility Plat. **SUMMARY:** The County owns 5.8 acres at the southeast corner of Banyan Boulevard and Clearwater Drive. The County and South Florida Regional Transportation Authority (SFRTA) are jointly developing the Intermodal Transfer Facility on this property. As a condition of site plan approval from the City of West Palm Beach, the County and SFRTA are required to plat the property. The total area to be platted is 6.6 acres and encompasses property owned by the County (5.8 acres) and SFRTA (.8 acres). This plat will abandon the roads and alleyways within the platted area which will address, in favor of the County, the encumbrance and title questions which have been raised in the past with regard to the property. The County is required to execute the plat as property owner. SFRTA will execute the plat at its meeting on June 22, 2007. (PREM) District 2 (HJF)

27. Staff recommends motion to approve: Work Order No. 07-001 with Murton Roofing Corp. in the amount of \$378,805 to perform roof repairs at the PBSO Admin. Building A, on Gun Club Rd., West Palm Beach. **SUMMARY:** The work will consist of the installation of an ArmaFlex Thermoplastic Surfacing Compound over all roofs, including removal and replacement of the roof-top lightning protection system. The participation goals are 15%. The SBE participation in this work order is 0%. When the participation for this Work Order is added to the total participation against the Roofing contract, the resulting values are 0%. The total construction duration is 30 days. This work will comply with all applicable local, state, and federal codes and regulations. (FD&O Admin) District 2 (JM)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

28. [Staff recommends motion to approve:](#)

A) an Easement Deed in favor of the Lake Worth Drainage District (LWDD) at the County's Club Managers Association of America Therapeutic Recreation Complex at John Prince Park; and

B) an Access Easement in favor of the Lake Worth Drainage District (LWDD) at the County's Club Managers Association of America Therapeutic Recreation Complex at John Prince Park.

SUMMARY: In January 2007, the County completed renovations to County facilities, known as the Club Managers Association of America Therapeutic Recreation Complex (Complex), located at 2728 Lake Worth Road in Lake Worth at John Prince Park. As a condition of obtaining development approvals, the Lake Worth Drainage District required a canal maintenance easement (Easement Deed), together with an Access Easement (Access Easement) which provides LWDD direct access to the canal from Lake Worth Road. The area for the Easement Deed is approximately 20' x 407.90' and 30' x 352.92' (18,745.60 square feet or 0.43 acres) and runs along the Keller Canal (E-4) at the eastern portion of the site. The Access Easement's route begins at the Complex's entrance and continues through the parking lot approximately 32' x 86.05' at the entrance, then 20' x 211.28' (6,979.20 square feet or 0.16 acres) east to the LWDD's E-4 canal. The Easement Deed is a perpetual exclusive easement. The Access Easement is perpetual, but non-exclusive. These Easements are being granted at no charge, as they were a condition of redevelopment of a County facility. (PREM) District 3 (JMB)

I. HOUSING & COMMUNITY DEVELOPMENT

1. [Staff recommends motion to receive and file:](#) Amendment No. 002 to Agreement (R2006-0087) with Lifeworks Development, Inc. to extend the Agreement from March 31, 2007 to September 30, 2007.

SUMMARY: Under the Authority provided the County Administrator by the Palm Beach County Board of County Commissioners on February 27, 2001 (R2001-0340), the County Administrator executed Amendment No. 002 to extend the expiration date of the Agreement with Lifeworks Development, Inc. from March 31, 2007 to September 30, 2007. This extension was needed in order to allow unexpended funds allocated to this Agreement be available to reimburse allowable expenses which were paid but not reimbursed during the original term of the Agreement. District 7 (TKF)

2. [Staff recommends motion to approve:](#)

A) a Budget Transfer of \$3,269,338 to increase funding for the HOME Countywide First-Time Homebuyer Program; and

B) the utilization of recaptured funds in the amount of \$3,221,241 and interest income in the amount of \$48,097 from Fiscal Years 2004-2005, 2005-2006 and 2006-2007, to provide financial assistance to eligible first-time home buyers.

SUMMARY: This Budget Transfer will allow recaptured funds and interest income to be utilized and transferred into the HOME Countywide First-Time Homebuyer Program, thereby increasing the countywide current budget from \$1,371,084 to \$4,640,422. These recaptured funds were derived from first-time home buyers who repaid the financial assistance received from the First-Time Homebuyer Program activity for Fiscal Years 2004-2005, 2005-2006 and 2006-2007. These funds will be utilized to provide financial assistance to lower income first-time home buyer households. Countywide (TKF)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. [Staff recommends motion to approve:](#) Amendment No. 001 to an Agreement (R2006-0989) with

the City of Greenacres to extend the expiration date from May 31, 2007, to January 31, 2008, for the expenditure of \$220,000 in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Amendment provides an extension of eight (8) months to the term of the existing Agreement for street improvements on Perry Avenue, Martin Avenue, and certain alleyways in the City of Greenacres. The work will include roadway, sidewalk, and drainage system construction. Funding will cover construction costs and engineering consultant services for the project. This funding is made available under the 2004 Disaster Recovery Initiative Program which uses Federal Community Development Block Grant (CDBG) funds provided by the United States Department of Housing and Urban Development. The time extension is requested in order to allow the completion of the engineering design, completion of the bidding process and completion of the construction work. **These are Federal CDBG funds that require no local matching funds.** District 2 (TKF)

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Change Order No. 1 to the Contract with The Crom Corporation (R2006-1458) for the Water Treatment Plant No. 3, 8 and Lake Region Ground Storage Tank Additions increasing the contract price by \$132,404.44. **SUMMARY:** Change Order No. 1 authorizes the Contractor to perform various structural, civil and mechanical improvements for this project and to resolve conflicts with the proposed new facilities. The enhancements include the cleanout, structural inspection and improvements to existing screens, vents, manholes and baffles at two ground storage tanks at Water Plant No.2. Included in this Change Order are credits in the amount of \$43,916 for an approved substitution to make pipe connections to the new tanks and the deletion of a redundant 30-inch valve. This Change Order represents a total increase to the contract of 2.37%. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Change Order includes 75.84% overall SBE participation. The contractor's cumulative SBE participation, including this Change Order is 18.89% overall. (WUD Project No. 06-025) Districts 2, 5 & 6 (JM)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Change Order No. 4 to the Contract with AKA Services, Inc. (R2006-1003) for the Northern Region Utility Improvement Project Phase II, adjusting the contract amount by \$633,404.31. **SUMMARY:** On June 6, 2006, the Board approved a contract with AKA Services, Inc. in the amount of \$8,745,000 for construction of various sizes of water and force mains and related appurtenances along Northlake Boulevard, Hamlin Avenue, and Seminole Pratt-Whitney Road. In conjunction with the County's Sales and Use Tax Recovery Program, various materials were deleted from AKA Service's (AKA) scope of work in Change Order No. 1 (R2006-1004). Purchase Orders PBC 04-227-01 and PBC 04-227-02 were subsequently issued to vendors for direct purchase of these materials by the County. This resulted in estimated sales tax savings of \$137,312.11. A final reconciliation of direct purchased materials indicates fewer materials were utilized than originally estimated. The combined value of materials utilized for this project was \$1,787,169.89 as compared to the \$2,288,535.13 authorized for purchase, resulting in a difference of \$501,365.24. As a result of the quantity reduction, the contract with AKA must be increased by \$531,447.15 (\$501,365.24 plus 6% sales tax) to reconcile Change Order No. 1. The final sales tax savings to the County on this project is \$107,230.19. In addition to reconciling purchase orders, this change order authorizes the Contractor to replace sidewalk handicap ramps, dispose of unsuitable soils encountered along Seminole Pratt-Whitney Road, and address two (2) utility conflicts in the amount of \$101,957.16. Total change orders to date, excluding the sales tax recovery program change order, equal \$325,966 (3.7%). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This change order includes zero SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 18.17% overall. (WUD Project No. 04-227A) District 6 (JM)
3. **Staff recommends motion to approve:** Change Order No. 5 to the Contract with Ricman International, Inc. (R2006-1005) for the La Mancha Avenue Pipeline Extension Project adjusting the contract amount by \$560,944.94. **SUMMARY:** On June 6, 2006, the Board approved a contract with Ricman International, Inc. in the amount of \$5,562,797.15 for construction of various sizes of water and force mains and related appurtenances along La Mancha Avenue and Okeechobee Boulevard. In conjunction with the County's Sales and Use Tax Recovery Program, various materials were deleted from Ricman International's (Ricman) scope of work in Change Order No. 1 (R2006-1006). Purchase Orders PBC 04-125B-01 and PBC 04-125B-02 were subsequently issued to vendors for direct purchase of these materials by the County. This resulted in estimated sales tax savings of \$88,319.77. A final reconciliation of direct purchased materials indicates fewer materials were utilized than originally estimated. The combined value of materials utilized for this project was \$942,772.88 as compared to the \$1,471,966.22 authorized for purchase, resulting in a difference of \$529,193.34. As a result of the

quantity reduction, the contract with Ricman must be increased by \$560,944.94 (\$529,193.34 plus 6% sales tax) to reconcile Change Order No. 1. The final sales tax savings to the County on this project is \$56,568.17. Total change orders to date, excluding the sales tax recovery program change order, equal \$396,555.22 (7.1%). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00% overall. This Change Order includes zero SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 10.25% overall. (WUD Project No. 04-125B) District 6 (JM)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** a Contract with Engineer Service Corporation to construct the Telemetry Information & Management System (TIMS) Upgrade Project in the amount of \$1,219,000. **SUMMARY:** On April 19, 2007, two (2) bids were received for the construction of the Telemetry Information & Management System (TIMS) Upgrade Project with Engineer Service Corporation being the low bidder in the amount of \$1,219,000. This project provides remote telemetry units at one hundred and sixty-four (164) of the Department's wastewater lift stations. Upon completion of the project, the Department will be able to remotely monitor these lift stations on a 24-hour per day basis, thereby improving system reliability and safety and minimizing operating costs. A mathematical error was made by the Contractor in the addition of the individual bid items listed on the Bid Form. The (original) total base bid in the amount of \$1,153,000 was increased to \$1,219,000 to reflect the adjustment pursuant to Section 5.1.3 "Instruction to Bidders" contained in the contract documents. After the adjustment, Engineer Service Corporation remains the low bidder. Staff therefore recommends award of this Contract to Engineer Service Corporation in the amount of \$1,219,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract provides for 21.66% SBE participation. (WUD Project No. 05-090) Countywide (JM)
5. **Staff recommends motion to approve:** a Contract with Murray Logan Construction, Inc. to construct the Wastewater Lift Station Rehabilitation Project in the amount of \$1,433,000. **SUMMARY:** On May 9, 2007, three (3) construction bids were received for the Wastewater Lift Station Rehabilitation Project, with Murray Logan Construction, Inc. being the low bidder in the amount of \$1,433,000. This Contract provides for the rehabilitation of three (3) key lift stations within the Department's wastewater collection system. The Department staff recommends award of this Contract to Murray Logan Construction, Inc. in the amount of \$1,433,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract provides for 17.07% SBE participation. (WUD Project No. 06-164B) Districts 2 & 5 (JM)
6. **Staff recommends motion to receive and file:** six (6) Standard Development Agreements and one (1) Standard Development Renewal Agreement complete with executed documents received during the months of April and May 2007.

Standard Development Agreement

- | | |
|---|--------------|
| A) Prologis and Royall Wall Systems, Inc. | 01-01189-000 |
| B) Royal Office Park Ltd. | 01-01190-000 |
| C) In The Pines, Inc | 03-90006-000 |
| D) Woolbright Investment Group, LLC | 05-01092-000 |
| E) Boynton Beach Associates XXIII, LLLP | 05-90014-000 |
| F) Woolbright Investment Group, LLC | 05-90015-000 |

Standard Development Renewal Agreement

- | | |
|----------------------|--------------|
| G) Kelly Tractor Co. | 01-01082-R00 |
|----------------------|--------------|

SUMMARY: The terms and conditions for Standard Development Agreements are outlined in the Water Utilities Department's Uniform Policies and Procedures Manual. The Board of County Commissioners delegated the authority to execute various types of Standard Development Agreements to the Department Director including potable water and wastewater agreements (R93-1619); reclaimed water agreements (R96-0228); and additional conditions for potable water, wastewater, and reclaimed water agreements (R2003-0539). After these agreements are executed by the developer and the Department, they must be recorded by the County Clerk's Office. This agenda item recommends the Board receive and file the agreements so they may be properly recorded. Countywide (SF)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. **Staff recommends motion to receive and file:** a Contract with TLC Diversified for reconstruction of the Wastewater Lift Station Repair, Refurbishment and Maintenance Project in the amount of \$149,767.
SUMMARY: The Board of County Commissioners delegated the authority to execute construction contracts valued less than \$200,000 to the Department Director in accordance to Palm Beach County Purchasing Code. After these contracts are executed by the contractor and the department, they must be recorded by the County Clerk's Office. This agenda item recommends the Board receive and file the agreements so they may be properly recorded. (WUD 05-031) Countywide (JM)
8. **Staff recommends motion to approve:** a Release of Utility Easements on land owned by Lowe's Home Centers, Inc. **SUMMARY:** This document will release the County's interest in utility easements recorded in the Official Records of Palm Beach County in Book 3785 Page 1027; Book 3785 Page 1032; Book 6009 Page 1130; Book 5897 Page 1349; and Book 17022 Page 1705. The Water Utilities Department has determined that these easements are no longer needed, and therefore recommends the release. (WUD 07-090) District 2 (JMB)
9. **Staff recommends motion to approve:** four (4) separate Commercial Industrial Demand Reduction Rider Agreements (CDR) with Florida Power & Light (FP&L) for various Water Utilities Department (WUD) facilities. **SUMMARY:** FP&L has a program to provide reduced electric rates for facilities which have a usage of 200 kw or greater. During periods of high electric demand FP&L will curtail service and the Department's emergency generators will be activated to continue operation of these facilities. The reduction in demand by the Department will make more power available to other FP&L customers. These four (4) separate Agreements provide changes in the method of calculating electric rates with an estimated savings of \$80,000 per year including \$42,000 per year at the Lake Region Water Treatment Plan which will be completed in FY 2008. The estimated cost to implement the program is \$160,000. (WUD Project No. 07-133) Districts 2, 5 & 6 (MJ)
10. **DELETED**
11. **DELETED**
12. **Staff recommends motion to approve:** Consultant Services Authorization No. 21 to the contract with Camp Dresser & McKee, Inc. (CDM) (R-2005-0774) for engineering services for the Lake Region Water Treatment Plant Service Area - Potable Water Distribution Analysis in the amount of \$179,376. **SUMMARY:** This Consultant Services Authorization provides for a comprehensive analysis of the water distribution systems for the cities of Belle Glade, Pahokee and South Bay. The study will provide for a physical analysis of the existing water distribution piping, hydraulic modeling of fire flow, leakage and water accountability; and will recommend corrosion control measures to be implemented in the Lake Region Water Treatment Plant. The contract with CDM includes the 15.0% overall Small Business Enterprise (SBE) participation goal established by the Palm Beach County SBE Ordinance (No. 2002-064). This Consultant Services Authorization includes zero overall participation. The consultant's cumulative SBE participation, including this authorization, is 22.86% overall. (WUD Project No. 03-169) District 6 (MJ)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

13. **Staff recommends motion to:**
A) approve the Standard Form Agreement for Emergency Generator Purchase, Operation, and

Maintenance - Full Payment version;

B) approve the Standard Form Agreement for Emergency Generator Purchase, Operation, and Maintenance - Installment version; and

C) authorize the County Administrator or his designee to enter into both versions of the agreements.

SUMMARY: On March 14, 2006, the Board authorized the County Administrator or his designee to enter into agreements with various homeowner's associations for emergency generator purchase, operation, and maintenance for wastewater pump stations within residential communities. To date a total of twenty (20) communities have entered into agreements with the County. Some property owners have expressed an interest in purchasing the emergency generator(s) in two (2) installments instead of one (1) payment, as required in the original version of the agreement. This agreement revises the payment terms and stipulates penalties if the second installment is not received within one (1) year of the effective date of the agreement. Such standard generator agreements are recommended to be approved by the County Administrator or his designee. The Department recommends this revised agreement be incorporated into Chapter 3 of its Uniform Policy and Procedure Manual (UPAP). Any generator agreement requiring special conditions not specifically authorized in the UPAP, shall require approval by the Board of County Commissioners. In addition, the Department has made minor changes to the original version of the agreement and is requesting board approval of that standard form agreement as well. Countywide (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Loxahatchee River Preservation Initiative Contract SAP No. 4600000681 with the South Florida Water Management District (District) for the Palm Beach County Cypress Creek Phase II Restoration Project, commencing upon execution in FY 2007 for a period of one (1) year, in an amount not-to-exceed \$125,000;

B) approve Budget Transfer of \$125,000 in the Natural Areas Fund from Reserves for Improvements to transfer to the Capital Outlay Fund to provide matching funds for the project;

C) approve Budget Amendment of \$250,000 in the Capital Outlay Fund to recognize the \$125,000 transfer from the Natural Areas Fund and the \$125,000 grant revenue for the Cypress Creek Natural Area Phase II Restoration Project; and

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

SUMMARY: State matching funds, through the Loxahatchee River Preservation Initiative (LRPI) which are administered by the District, were requested. The LRPI contract will provide \$125,000 in funding for the Cypress Creek Phase II Restoration Project, on a reimbursement basis. The County's share of the \$250,000 total project cost is \$125,000 to be paid from the Natural Area Fund. The project proposes to fill and plug ditches to help restore the historic hydrology and conduct restoration plantings on the Cypress Creek Natural Area and associated wetlands. District 1 (SF)

JUNE 19, 2007

3. **CONSENT AGENDA APPROVAL**

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to approve: Budget Amendment of \$300,000 in the Capital Outlay Fund to establish budget for the Florida Department of Environmental Protection (DEP) Task Assignment No. SE-107 Change Order for exotic plant removal at Loxahatchee Slough Central. **SUMMARY:** Task Assignment No. SE-107 Change Order to DEP Contract No. SL898 (R2001-772 and 773) for \$300,000 has been received from DEP, effective May 29, 2007 through June 20, 2007, for exotic plant control in the Loxahatchee Slough Natural Area. This Amendment will establish a budget for the Change Order. Total Project costs are expected to be \$1.2M with matching funds previously established in the Budget. District 1 (SF)

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

A) approve the proposed logo design for the Northeast Everglades Natural Area (NENA) project; and

B) authorize the use of the NENA logo at facilities within the NENA footprint as well as for promotion of the project.

SUMMARY: Staff is presenting a draft logo for the Northeast Everglades Natural Area (NENA) program which has been approved by the North County Land Managers, the Natural Areas Management Advisory Committee (NAMAC) and the NENA partners. In all instances, there has been positive feedback and a willingness to participate in the NENA program, to include displaying the proposed logo. Countywide (SF)

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

A) approve Grant Agreement No. 07PB2 with the Florida Department of Environmental Protection (FDEP) for cost-sharing on the Sub-Tropical Storm Andrea Emergency Dune Restoration up to \$1,544,321;

B) approve Budget Amendment of \$1,544,321 in the Beach Improvement Fund to recognize the revenue from the Agreement in the Emergency Beach Response Program;

C) approve Budget Transfer of \$2,000,000 within the Beach Improvement Fund from Reserves to the Emergency Beach Response Program; and

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

SUMMARY: The Grant Agreement and Budget Transfer provides funding from the FDEP (\$1,544,321) and Reserves for Beach Improvements (\$2,000,000) for a total of \$3,544,321 added to the Emergency Beach Response Program for the purchase of over 125,000 tons of sand and the associated cost of placement for severe dune erosion at Jupiter, Lantana, Singer Island and South Palm Beach resulting from Sub-Tropical Storm Andrea earlier this year. Countywide (SF)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. [Staff recommends motion to approve:](#) Agreement with BMWS, Inc. for the period June 19, 2007, through May 1, 2008, in an amount not-to-exceed \$7,000 for a traveling basketball program. **SUMMARY:** This funding is to help offset operational expenses for the traveling basketball team sponsored by BMWS, Inc. The traveling basketball program serves approximately 15 youth. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to January 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

2. [Staff recommends motion to approve:](#) Agreement with the City of Delray Beach for the period June 19, 2007, through December 1, 2007, in an amount not-to-exceed \$5,000 for the 2007 Delray Beach Sister Cities Safari Dinner Event. **SUMMARY:** This funding is to assist the City of Delray Beach with the cost of the Safari Dinner Event (the Event) held on March 30, 2007, to promote the continuing relationship between the people of Delray Beach and the citizens of Moshi, Tanzania. The Event attracted approximately 175 people. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to January 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)

3. [Staff recommends motion to receive and file:](#) original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Golden Grove Elementary School, in an amount not-to-exceed \$5,000 for the purchase and installation of fitness trail equipment. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District

6 (AH)

4. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Elbridge Gale Elementary School, in an amount not-to-exceed \$5,000 for pathway painting. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
5. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Osceola Creek Middle School, in an amount not-to-exceed \$3,000 for the purchase of musical instruments. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)
6. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Lake Worth Community Middle School, in an amount not-to-exceed \$15,000 for band and percussion section uniforms. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 2 (\$5,000) and District 3 (\$10,000) Funds. District 3 (AH)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. **Staff recommends motion to approve:** Agreement with ASPIRA of Florida, Inc. for the period June 19, 2007, through December 1, 2007, in an amount not-to-exceed \$5,000 for funding of the Community Service Outreach Project. **SUMMARY:** This funding is to offset costs for the Palm Beach Division of ASPIRA of Florida, Inc.'s (ASPIRA) Community Service Outreach Project, which will involve approximately 15-20 participants. The Agreement allows for reimbursement of eligible project costs incurred subsequent to March 1, 2007. Funding is from Recreation Assistance Program (RAP) District 2 Funds. District 2 (AH)
8. **Staff recommends motion to approve:** Agreement with Redemptive Life Fellowship, Inc. for the period June 19, 2007, through October 30, 2007, in an amount not-to-exceed \$9,100 for black history tours. **SUMMARY:** This funding is to help offset costs for student tours to Washington, D.C. and New York City for historical tours with an emphasis placed on African American history. The tours will serve thirteen (13) youth. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to April 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 7 Funds. District 7 (AH)
9. **Staff recommends motion to receive and file:** executed Independent Contractor Agreements received during the month of May.

A) Joseph Hamilton, Meditation Workshop, West Jupiter Recreation Center. (HAMIL1071080507523300C); and

B) JKF Goju Kai, Florida, Inc., Martial Arts Instruction, West Jupiter Recreation Center. (JKFGOJU1110970507523300A).

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 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 02-2103 and 07-0409, and are now being submitted to the Board to receive and file. District 1 (AH)

10. **Staff recommends motion to receive and file:** original executed Request for Funding Form for a School Board Recreation Assistance Program (RAP) project for Boynton Beach Community High School, in an amount not-to-exceed \$3,000 for participation in the Washington, D.C. Presidential Classroom Project. **SUMMARY:** This fully executed Request for Funding Form is for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Funding is from the Recreation Assistance Program (RAP) District 4 (\$2,000) and District 5 (\$1,000) Funds. District 3 (AH)

11. **Staff recommends motion to approve:** Agreement with the City of Pahokee for the period June 19, 2007, through November 1, 2007, in an amount not-to-exceed \$5,000 for funding of 4th of July fireworks. **SUMMARY:** This funding is to assist the City of Pahokee with costs for a 4th of July fireworks display at its annual Independence Day celebration. It is anticipated that the event will be attended by approximately 3,000 to 5,000 spectators from the western communities. The Agreement allows for the reimbursement of eligible expenses incurred subsequent to June 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. **Staff recommends motion to:**

A) approve a PBC Literacy Coalition Site Application for the County Library=s participation in the Literacy*AmeriCorps PBC Program for the period September 19, 2007, through August 31, 2008; and

B) authorize the Chairperson to execute the agreement and any other necessary forms and certifications.

SUMMARY: This Site Application, if approved, will provide the County Library with one (1) full-time Literacy*AmeriCorps member for one (1) year. This member will contribute 32 hours per week offering conversational English programs and overseeing the literacy computer learning lab. The Library will pay a service fee of \$4,500 to the Coalition and business-related mileage to the member up to \$1,500. AmeriCorps, with supplemental funds from the Coalition, will cover all other expenses including Workers= Compensation, liability, and health care coverage. Funds will be provided through the Library=s FY >07 and >08 operating budgets and will have minimal fiscal impact. Countywide (TKF)

Q. CRIMINAL JUSTICE COMMISSION

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

A) the First Amendment to the Weed and Seed Interlocal Agreement with the City of Delray Beach (R2005-2433), dated December 20, 2005 to extend the Weed and Seed contract period and to increase the amount of the agreement by an additional \$50,000; and

B) a Budget Transfer of \$50,000 in the Criminal Justice Reserve Fund.

SUMMARY: In FY 2006, the Board of County Commissioners (BCC) approved a contract with the City of Delray Beach to provide \$100,000 to support the Weed and Seed "seeding" efforts for the period October 1, 2005, through April 30, 2007. The Criminal Justice Commission (CJC) recommends the use of an additional \$50,000 from the Criminal Justice Reserve Fund for the continuation of "seeding" services and to extend the existing contract period to September 30, 2007. District 7 (DW)

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

A) Palm Beach County's electronic submittal and approval of the FY 2007 Edward Byrne Memorial Justice Assistance Grant (JAG) application, previously called the Local Law Enforcement Block Grant (LLEBG), for the period October 1, 2006 to September 30, 2010, totaling \$287,303 in federal funds; and

B) authorization for the County Administrator or his designee to execute electronically all related documents for Palm Beach County's FY 2007 JAG and to execute all necessary forms and documents as required by the U.S. Department of Justice, Office of Justice Programs.

SUMMARY: Palm Beach County is eligible to receive a direct award of \$287,303 for the following two (2) proposals: 1) the State Attorney's Office in the amount of \$205,000 for the Community-Based Anti-Crime Unit (COMBAT); and 2) the Public Defender's Office in the amount of \$82,303 for the Ex-Offender Re-Entry Program. The two (2) proposals are included in the FY 2008 budget and there is no requirement for match with the JAG funds. Countywide (DW)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to:

A) approve the submittal of five (5) grant proposals to the Florida Department of Law Enforcement (FDLE) for the FY 2008 Byrne Formula Grant Program for the period of October 1, 2007, through September 30, 2008, totaling \$564,568 in federal funds as follows:

- 1) Palm Beach County Criminal Justice Commission (CJC) for the Community Justice Service Center (CJSC) Alternatives project in the amount of \$404,592;
- 2) Palm Beach County Public Safety for Drug Court treatment services in the amount of \$38,476;
- 3) State Attorney's Office, 15th Judicial Circuit for a Forensic Accountant position in the amount of \$45,000;
- 4) Palm Beach County Sheriff's Office Violence Against Women program in the amount of \$60,000; and
- 5) The City of Riviera Beach Civil Drug Court for the Family Restart program in the amount of \$16,500.

B) authorize the CJC Executive Director through the County Administrator to execute electronically all related documents for the FY 2008 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to execute all necessary forms, documents and the resulting grant agreement as required by the FDLE for FY 2008.

SUMMARY: The Criminal Justice Commission met on May 29, 2007 and voted on the recommendations made by staff for FY 2008 funds totaling \$564,568. Match is not required for the JAG program. Countywide (DW)

S. FIRE RESCUE

1. Staff recommends motion to approve: an Agreement with Florida Medical Training Institute, Inc. for clinical field experience. **SUMMARY:** Palm Beach County currently provides clinical field experience to Paramedic and EMT students of the Florida Medical Training Institute, Inc. (FMTI). The existing Agreement (R2004-1628) expires on July 8, 2007. Paramedic and EMT students respond with County paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. This new Agreement will expire on July 8, 2010. Countywide (SB)

JUNE 19, 2007

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to:

A) approve an Agreement for licensed imagery, mapping software products and services with Pictometry International Corporation beginning June 19, 2007 to June 19, 2009, with the option for up to two (2) - two (2) year renewals;

B) approve Task Order No. 1 with Pictometry International Corporation for a not-to-exceed total amount of \$300,000; and

C) authorize the County Administrator or his designee to negotiate and execute future Task Orders of less than \$100,000 each;

SUMMARY: This Agreement will provide the professional services required to provide oblique imagery and viewing software for urban areas of Palm Beach County. Countywide GIS will manage the acquisition and distribution of the data to other agencies across the County. A Cooperative Agreement with the Sheriff's Office, Property Appraiser's Office and Palm Beach County Board of County Commissioners is being presented under a separate agenda item to acquire the Pictometry data for tactical support and daily operations. The cost for the two (2) year agreement under Task Order No. 1 will be shared one third by each party in the amount of \$49,687 for year one, and \$48,967 in year two. This project is part of the Countywide GIS Capital Project. The Agreement allows for additional Task Orders to be executed by the parties for future updates to the product. Task Orders amounting to more than \$100,000 will be brought to the Board for approval. Countywide (PFK)

2. **Staff recommends motion to approve:** a Cooperative Agreement with the Palm Beach Sheriff's Office and the Palm Beach County Property Appraiser for the purpose of cost sharing on geographic and land information products and services to benefit the Countywide Geographic Information Systems (GIS). **SUMMARY:** The purpose of this Agreement is to establish a mechanism under which the County, the Sheriff and the Property Appraiser can cooperate in obtaining the goods and services needed to develop and maintain a digital base map of the County for both its incorporated and unincorporated areas; with the ability for the parties to make the information or portions thereof available to other County public data sharing entities. The Pictometry Agreement and Task Order is the first cost sharing arrangement associated with this Cooperative Agreement. The Pictometry Agreement will provide the professional services required to provide oblique imagery and viewing software for urban areas of Palm Beach County. Countywide GIS will manage the acquisition and distribution of the data to other agencies across the County. The Sheriff's Office and Property Appraiser's Office have agreed to partner with Countywide GIS to acquire data for tactical support and daily operations. This Cooperative Agreement allows for the parties to jointly develop contracts and Task Orders, in substantially the form shown as Exhibit A to this Agenda Item). Countywide (PFK)

JUNE 19, 2007

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

- A. **Staff recommends motion to adopt:** a Resolution abandoning Joseph Street from Jog Road to Sunbeam Avenue within the Plat of Sunbeam Park, as recorded in Plat Book 14, Page 26, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located on the east side of Jog Road, north of Southern Boulevard. The petitioner is requesting the abandonment to incorporate the abandoned right-of-way of Joseph Street into the adjacent property. District 6 (PFK)

B. Staff recommends motion to:

A) approve the Application of Galaxy Aviation of Palm Beach, Inc. for the issuance of not-to-exceed \$9,000,000 of Variable Rate Demand Airport Revenue Bonds (Galaxy Aviation Project - Series 2007); and

B) conduct a TEFRA public hearing concerning the issuance of the Bonds.

SUMMARY: Galaxy Aviation of Palm Beach, Inc. (the "Company") has applied for the issuance of industrial development revenue bonds by the County in an amount not-to-exceed \$9,000,000. Bond proceeds will be used to pay costs of constructing approximately 58,000 square feet of general aviation storage hangars and related office space on the western leasehold of the Company. The County leases certain properties to the Company at the Palm Beach International Airport (the "Airport") for its fixed base operations. The Project will be located at 3800 Southern Boulevard in West Palm Beach, Florida, at the Airport. Under the Internal Revenue Code, prior to the issuance of the bonds, the County is required to conduct TEFRA public hearing.

The Bonds will be payable solely from revenues derived from the Company. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 2 (PFK)

JUNE 19, 2007

4. PUBLIC HEARINGS - 9:30 A.M. - CONTINUED

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

A) approve the filing of the FY 2007 Section 5307 Federal Transit Administration (FTA) Grant Application for capital funds in the amount of \$13,078,451;

B) 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 Section 5307 Grant Application and the resulting grant agreement; and

C) approve a Budget Amendment of \$1,328,451 in the Palm Tran Grant Fund to reconcile the budget to the actual grant award.

SUMMARY: The FY 2007 allocation of federal funds for the Miami Urbanized Area, which includes Palm Beach County is \$90,748,583. The funds are split between Miami-Dade, Broward, South Florida Regional Transportation Authority and Palm Beach County. The grant will fund capital items necessary for the continued operations of the Palm Tran system:

- 1) Preventive maintenance;
- 2) Lease for Connection facilities;
- 3) SIB Loan repayment;
- 4) Replace 16-40' buses that have exceeded their useful lives six (6) for FY '07 and ten (10) in FY '08;
- 5) Purchase M.I.S. equipment;
- 6) Complete transit enhancements to improve fixed route access;
- 7) Purchase transit security equipment;
- 8) Miscellaneous support equipment;
- 9) Shop equipment;
- 10) Minor facility renovation projects;
- 11) Acquire new farebox system for entire fleet;
- 12) Replace one (1) van that has exceeded its useful life;
- 13) Capitalized maintenance;
- 14) Belle Glade Park and Ride; and
- 15) Employee education and training.

The grant requires a 20% local match. Palm Tran has requested approval from the Florida Department of Transportation (FDOT) for the use of toll revenue credits as the required local 20% match of the federal dollars for the capital funds. Therefore, the projects budget lists the capital projects at 100% cost for the federal share. No County funds are required. Countywide (DR)

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

A) approve the filing of the FY 2007 Section 5309 Federal Transit Administration (FTA) grant applications for capital funds in the amount of \$1,291,360; and

B) 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 Section 5309 grant applications and the resulting grant agreements.

SUMMARY: For FY 2007, Congress earmarked \$1,291,360 for the following specific projects: Purchase of buses (\$538,960); the purchase of a Vehicle Locator and Passenger Counter (AVL-APC) System (\$50,160); and Design and Plan facility in Belle Glade (\$702,240). Palm Tran has requested approval from the Florida Department of Transportation (FDOT) for the use of toll revenue credits as the required local 20% match of the federal dollars for the capital funds. Therefore, the projects budget lists the capital projects at 100% cost for the federal share. No County funds are required. Countywide (DR)

JUNE 19, 2007

4. PUBLIC HEARINGS - 9:30 A.M. - CONTINUED

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

A) **approve** the filing of the FY 2006 Congestion Mitigation Air Quality (CMAQ) funds Grant Application for capital funds to the Federal Transit Administration (FTA) in the amount of \$3,100,000;

B) **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 this Grant Application and the resulting grant agreement.

C) **approve** Budget Amendment of \$3,100,000 in the Public Building Improvement Fund to recognize capital project funding.

SUMMARY: In Fiscal Year 2006, the Federal Highway Administration transferred the above mentioned CMAQ funds to FTA; the funds were initially awarded to the Palm Beach County Metropolitan Planning Organization to build an intermodal transportation facility in downtown West Palm Beach. Palm Beach County is overseeing the completion of this project and the transfer of funds facilitates the County usage of the funds for construction of the intermodal facility. Palm Tran has requested approval from the Florida Department of Transportation (FDOT) for the use of toll revenue credits as the required local 20% match of the federal dollars for the capital funds. Therefore, the projects budget lists the capital projects at 100% cost for the federal share. No County funds are required. Countywide (DR)

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

A) **approve** the FY 2005 and FY 2006 Section 5309 Federal Transit Administration (FTA) grant applications for capital funds in the amount of \$242,945 and \$247,500 respectively;

B) **approve** the Amendment of existing Grant Number: FL-03-0306 (R2006-0724), Palm Beach County's Section 5309 Grant for FY 2005, to be increased from \$239,153 to \$482,098; to include Boynton Beach's allocation for FY 2005;

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 applications FL-03-0306-01 and FL-03-0327 and the resulting grant agreements.

D) **approve** upward Budget Amendment of \$490,445 in the Palm Tran Grants Fund contingent upon actual grant award.

SUMMARY: On August 10, 2005, President Bush signed the Safe, Accountable, Flexible, and Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU), providing \$286.4 billion in guaranteed funding for federal surface transportation programs over five (5) years beginning FY 2005 through FY 2009. During the last two (2) years of appropriations, the City of Boynton Beach received earmark allocations for their Trolley system for a total of \$490,445. The City is not a designated recipient for the "Federal Transit Administration System", and the County during previous years has submitted applications on behalf of the City of Boynton Beach for allocations earmarked directly by Congress for their trolley system, the funds will be used to purchase replacement trolleys. Countywide (DR)

JUNE 19, 2007

5. REGULAR AGENDA

A. ADMINISTRATION

TIME CERTAIN - 11:00A.M.

1. Welcome to Consul General Osmo Lipponen and Honorary Consul Peter Makila from the Consulate of Finland. The World Trade Center of Palm Beach is hosting the FAM Tour.

2. **Staff recommends motion to approve:** a Contract with the National Association of Counties (NACo) and CaremarkPCS Health, L.P. for the purpose of proceeding with the Managed Pharmacy Benefit Consumer Care Program. **SUMMARY:** The NACo Drug Discount Card program is administered by Caremark Rx, Inc, a pharmaceutical services company with experience in managing drug discount card programs. Caremark negotiates with pharmacies to offer a discount off their retail prices. The discount cards can be used by anyone. There is no cost to NACo, no cost to the counties participating in the program and no cost to the citizen using the discount card. The cards, which are printed by Caremark and sent to the county, are given to citizens through any distribution means selected and can be used immediately by anyone who needs it. The cards are accepted at more that 57,000 pharmacies nationwide. Savings range from 13 to 35 percent on purchases of drugs at a local pharmacy and up to 50 percent on mail order purchases. Countywide (TKF)

3. **Staff recommends motion to approve:** fifteen (15) business/public improvement projects for a total of \$573,728 and seven (7) Grant Agreements in the Development Regions Round XI Grant Program for FY 2007. **SUMMARY:** The fifteen (15) business/public improvement projects will create 65 full-time or equivalent jobs, and support retaining 69 full-time or equivalent existing jobs. The County cost is \$4,282 per job (new and retained). The projects will leverage approximately \$7.8 million in public/private investment funds (Ratio 1:7 County funds to private/local support). The Overall Economic Development Program (OEDP) Subcommittee and staff approved the following recommendations for Round XI grant awards. Countywide (DW)

No.	Applicant	Name of Business/Public Improvement Project	Recommend Award	FTE Jobs		Total Applicant Award
				New	Retain	
1	Belle Glade, City of	1. Belle Glade Deliverance Revival Center, Inc.	\$11,961	2	2	50,228
		2. Elbert Lee Washington, Inc.	\$20,000	2	2	
		3. Little Hands Learning Center, Inc.	\$18,267	2	2	
2	Boynton Beach Community Redevelopment Agency (CRA)	4. KU Holdings, LLC d/b/a Village Homemade Ice Cream Cafe	\$50,000	5.5	0	50,000
3	Lake Park, Town of	5. Facade Improvements	\$39,500	4	0	39,500
4	Lake Worth Community Redevelopment Agency (CRA)	6. 10th Ave. Development, LLC	\$50,000	5	0	140,000
		7. Lake Worth Playhouse, Inc.	\$50,000	5	5	
		8. The White Apron, Inc. d/b/a White Gourmet Market and Take Away Foods	\$40,000	6.5	4	
5	Mangonia Park, Town of	9. Therma Seal Spray Foam Insulation Systems, LLC	\$50,000	6	3	50,000
6	Riviera Beach, City of	10. Earl L. Pleasant Custom Ceramic Tile	\$30,000	3	1	124,000
		11. E-Z Weld, Inc.*	\$44,000	0	29	
		12. Fannie Mae Tots, Inc.	\$50,000	5	0	
7	West Palm Beach Community Redevelopment Agency (CRA)	13. Absolute Plumbing, LLC	\$50,000	12	21	120,000
		14. Gardenhouse, LLC	\$20,000	2	0	
		15. 2915 East Tamarind, LLC	\$50,000	5	0	
Applicants: 7		Projects: 15	573,728	65	69	573,728

*E-Z Weld project (located in 35% & higher poverty area) is for retention only.

JUNE 19, 2007

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. **TIME CERTAIN – 2:00P.M.**
Staff requests Board direction: regarding a recent request by the Let Us Vote Committee to place a proposed amendment to the Palm Beach County Charter on the January 2008 ballot. **SUMMARY:** A political action committee, Let Us Vote, is gathering signatures to propose an amendment to Section 6.3 Home Rule of the Palm Beach County Charter, which would require both county and municipal voter approval for County Charter amendments that affect municipal powers or functions. Amendments to the Home Rule Charter may be initiated by citizen's petition, or proposed by the Board of County Commissioners by an affirmative vote of at least four (4) members, subject to approval by the voters of Palm Beach County in a referendum. Countywide (LB)

B. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, July 10, 2007 at 9:30a.m.:](#) an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five-Year Road Program; providing for title; purpose; adoption of revised Five-Year Road Plan and revised list of projects contained in Exhibit "A"; implementation of the Plan; modification of Plan; 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 mid-year adjustment of the County's Five-Year Road Plan which is required to be considered each year by the Five-Year Road Program Ordinance. Exhibit "A" to the Ordinance is a list of proposed projects for the next five (5) years, which contains certain changes and modifications. This list is submitted for Board consideration on preliminary reading today with the final list to be approved with the Ordinance at public hearing on Tuesday, July 10, 2007. Countywide (MRE)

C. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to approve:](#) an Interlocal Agreement with the Town of Loxahatchee Groves providing general conditions, building permitting, and construction inspection within the municipal limits of the Town of Loxahatchee Groves, Florida, by Palm Beach County Planning, Zoning and Building Department. **SUMMARY:** The Town of Loxahatchee Groves has requested Palm Beach County Planning, Zoning and Building Department provide building plan review/permitting and inspection services through an Interlocal agreement. There will be no cost to the County, and no additional staff is needed. Permit fees will pay for the full cost of services. This Interlocal Agreement shall be in effect from March 30, 2007 to September 30, 2007, and shall be automatically renewed thereafter from fiscal year (October 1 to September 30), unless either party shall notify the other in writing of the party's desire to terminate all or part of this Agreement. District 6 (GB)

JUNE 19, 2007

5. REGULAR AGENDA

D. HOUSING & COMMUNITY DEVELOPMENT

1. [Staff recommends motion to approve:](#) the Draft Palm Beach County Action Plan (AP) for FY 2007-2008, which includes the CDBG Selection Committee's funding recommendations for the Community Development Block Grant (CDBG) Program; the ESGP Advisory Board's funding recommendations for the Emergency Shelter Grant (ESG) Program; and the HOME Investments Partnership (HOME) Program description. **SUMMARY:** Federal Regulations at 24 CFR Part 91 require Palm Beach County to submit an Action Plan (AP) to the U.S. Department of Housing and Urban Development (HUD) no later than August 15, 2007 in order to receive ESG, HOME, and CDBG annual entitlement grant allocations. Failure to meet the above deadline will automatically result in the loss of CDBG funds for the upcoming fiscal year. The Palm Beach County Action Plan outlines the recommended expenditures of FY 2007-2008 entitlement grants as follow: CDBG - \$7,068,569; ESG - \$306,234; and HOME - \$2,642,247, including American Dream Downpayment Initiative (ADDI) funds of \$53,383. **These are Federal funds that do not require a local match.** Countywide (TKF)

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

A) receive and file an Agreement with the Florida Department of Community Affairs for Community Development Block Grant Disaster Recovery Initiative funding in the amount of \$19,035,920 (DCA Contract No. 07-DB-3V-10-60-01-Z07); and

B) approve a Budget Amendment of \$19,035,920 in the Disaster Recovery Initiative fund to establish a Grant Budget.

SUMMARY: On December 14, 2006, Florida's Department of Community Affairs (DCA) notified Palm Beach County that it had been awarded \$19,035,920 in Community Development Block Grant (CDBG) Disaster Recovery Funding and provided a grant agreement for execution. On January 5, 2007, the County Administrator executed the Agreement under the authority granted by Board of County Commissioners' Resolution No. R2006-1351. On February 16, 2007, DCA counter-executed the Agreement, which provides CDBG DRI grant funding to undertake twenty-five (25) projects associated

JUNE 19, 2007

5. **REGULAR AGENDA**

E. **CRIMINAL JUSTICE COMMISSION**

1. **Staff recommends motion to receive and file:** the six (6) month update of the Criminal Justice Commission on the Youth Violence Prevention Project. **SUMMARY:** Lake Worth, West Palm Beach, Riviera Beach and Boynton Beach have initiated their comprehensive plan that addresses youth violence. Youth Empowerment Centers in Lake Worth, West Palm Beach, and Riviera Beach are providing activities and programs for teenage youth to keep them off the streets and involved in positive activities. During the month of April an average of 100 youth per day were being served in the three (3) centers. Riviera Beach has also opened a Community Justice Service Center to serve people on probation or released from incarceration. Boynton Beach is preparing summer programs and planning for full implementation in the fall.
The Law Enforcement component of the Youth Violence Prevention Project, has initiated a plan which includes: the purchase of equipment including ballistics identification software and license plate recognition cameras to be utilized by the PBSO Crime Lab and Violent Crimes Task Force, and to allocate overtime for the Violent Crimes Task Force strategic operations. The evaluation conducted by Florida State University has established outcome measures for each program area and they are compiling data from the monthly reports to evaluate the effectiveness of each component. They are preparing an analysis of baseline data, measures of fidelity to the model, conducting interviews and surveys with key staff and clients and identifying impediments to implementation for the six (6) month update. Countywide (DW)

F. **WATER UTILITIES**

1. **Staff recommends motion to approve:** an Agreement (Agreement) with Florida Power & Light Company (FP&L) for the Temporary Purchase of Bulk Potable Water. **SUMMARY:** Florida Power & Light desires to purchase bulk potable water for use at their West County Energy Center (WCEC) located on State Road 80 (Southern Boulevard) at 20-Mile Bend, west of Loxahatchee. This Agreement provides FP&L with up to 3.2 million gallons per day (MGD) of bulk potable water through February 28, 2014, at an initial cost of \$1.49 per thousand gallons (Commodity Fee). Beginning on the one (1) year anniversary date of the Agreement, the Commodity Fee will be increased annually by one-half (½) of the prior year's Consumer Price Index (measured October to October). Additionally and within 30 days of the Agreement's execution, FP&L will be required to pay \$168,000 to the County to construct a potable water line from the County's potable water main at the L-8 Canal to a designated Point of Service at the WCEC. The County will construct the potable water line within 180 days of the execution of the Agreement. District 6 (MJ)

JUNE 19, 2007

6. **BOARD APPOINTMENTS**

A. **HOUSING & COMMUNITY DEVELOPMENT**
(Westgate/Belvedere Homes Community Redevelopment Agency)

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

A) the appointment of the following individual to complete a term of four (4) years beginning on June 19, 2007, through May 31, 2009; and

<u>Name</u>	<u>Nominated By</u>	<u>Seat No.</u>
Scott Bedford	Commissioner Koons/CRA	1

B) the reappointment of the following individual for a term of four (4) years beginning on June 1, 2007, through May 31, 2011 to the Westgate/Belvedere Homes CRA Board.

<u>Name</u>	<u>Nominated By</u>	<u>Seat No.</u>
Dennis P. Koehler	Commissioner Koons/CRA	5

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven (7) at-large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners appoint the CRA Commissioners. After duly advertising, the CRA held its Annual Meeting on May 14, 2007 to nominate and reappoint candidates to fill Seats 1 and 5. Dennis P. Koehler, an Attorney, has expressed a willingness to remain on the WG/BH CRA on Seat 5. Scott Bedford, a local business owner, has expressed a willingness to serve on Seat 1, which has been vacant due to the resignation of John Sansbury. Both candidates were nominated by the CRA Board members and residents to be recommended to the Board of County Commissioners. Countywide (TKF)

JUNE 19, 2007

6. BOARD APPOINTMENTS

**B. PALM TRAN
(Palm Tran Service Board)**

1. Staff recommends motion to approve:

A) appointment of two (2) At-Large members to the Palm Tran Service Board:

<u>Nominee</u>	<u>Category & Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Dave Evans	Certified Paratransit User, Seat 8	6/18/2009	Comm. Greene
Roberta Van Sickle	Reg. Fixed Route Rider, Seat 9	5/16/2008	Comm. Marcus

B) reappointment of three (3) At-Large members from the following categories to the Palm Tran Service Board:

<u>Nominee</u>	<u>Category & Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Terry Brown	Disability Advocate, Seat 2	5/6/2009	Comm. Koons
Jayne King	Representative with Multi-Cultural Experience, Seat 6	5/6/2009	Comm. Greene Comm. Koons Comm. McCarty
Frank Stanzione	Fixed Route Bus Operator, Seat 10	5/6/2009	Comm. Greene Comm. Koons

SUMMARY: The Palm Tran Service Board is composed of eleven (11) At-large members. If appointed, Roberta Van Sickle will complete the term of Kent Wilmering, Seat 9, expiring May 16, 2008. The new appointment of Dave Evans, Seat 8 will fill the same seat vacated by Mr. Evans in January 2007, due to a conflict of interest. The position was not filled in the interim. Resolution R2007-0711 was approved by the BCC on May 1, 2007 allowing this member to remain on the Board. The above incumbents of Seats 2, 6, and 10 are members in good standing and have indicated their desire to continue to serve subsequent terms. Countywide (DR)

C. COMMISSION DISTRICT APPOINTMENTS

JUNE 19, 2007

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

JUNE 19, 2007

8. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR

C. District 3 - COMMISSIONER WARREN H. NEWELL

D. District 4 - COMMISSIONER MARY MCCARTY

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER ADDIE L. GREENE, CHAIRPERSON

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."

June 15, 2007 – 12:00p.m.

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JUNE 19, 2007

<u>PAGE</u>	<u>ITEM</u>
7	3A-6 REVISED TITLE: Staff recommends motion to approve: a Payment to Florida Association of Counties, Inc., in the amount of \$4,222.22 <u>\$4,722.22</u> for the costs associated with the County Pre-Emption Issue. (Adm)
21	3H-26 DELETED: Staff recommends motion to approve: West Palm Beach Intermodal Transfer Facility Plat. (Further staff review) (FD&O)
25	3K-5 WAITING FOR BACKUP: Staff recommends motion to approve: a Contract with Murray Logan Construction, Inc. to construct the Wastewater Lift Station Rehabilitation Project in the amount of \$1,433,000. (WUD)
28	3L-4* REVISED TITLE, SUMMARY & WAITING FOR BACKUP: Staff recommends motion to: A) approve Grant Agreement No. 07PB2 with the Florida Department of Environmental Protection (FDEP) for cost-sharing on the Sub-Tropical Storm Andrea Emergency Dune Restoration up to \$1,544,324 <u>\$1,033,594</u> ; B) approve Budget Amendment of \$1,544,324 <u>\$1,033,594</u> in the Beach Improvement Fund to recognize the revenue from the Agreement in the Emergency Beach Response Program; C) approve Budget Transfer of \$2,000,000, . . .and; D) authorize the County Administrator, . . . SUMMARY: The Grant Agreement and Budget Transfer provides funding from the FDEP (\$1,544,324 <u>\$1,033,594</u>) and Reserves for Beach Improvements (\$2,000,000) for a total of \$3,544,324 <u>\$3,033,594</u> added to the Emergency Beach Response Program for the purchase of over 125,000 tons of sand and the associated cost of placement for severe dune erosion at Jupiter, Lantana, Singer Island and South Palm Beach resulting from Sub-Tropical Storm Andrea earlier this year. <u>The Budget Transfer also anticipates dune restoration costs for an expected amendment to the Grant to include Jupiter Beach (currently excluded.) Countywide (SF) (ERM)</u>
36	4E* REVISED TITLE: Staff recommends motion to: A) approve the filing of the FY 2006 Congestion Mitigation Air Quality (CMAQ) funds Grant Application . . .;

- B) authorize** the Palm Tran Director or Assistant Director . . .; and
C) approve a Budget Amendment of \$3,100,000 in the Public Building Improvement Fund, contingent upon actual grant award, for the intermodal facility to recognize capital project funding.
(Palm Tran)

38 5B-1 **WAITING FOR BACKUP:** Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, July 10, 2007 at 9:30a.m.: an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five-Year Road Program; providing for title; purpose; adoption of revised Five-Year Road Plan and revised list of projects contained in Exhibit "A"; implementation of the Plan; modification of Plan; 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. (Engineering)

40 5E-1 **TIME CERTAIN 11:15A.M.:** Staff recommends motion to receive and file: the six (6) month update of the Criminal Justice Commission on the Youth Violence Prevention Project. (CJC)

40 5F-1 **REVISED SUMMARY & WAITING FOR BACKUP:** Staff recommends motion to approve: an Agreement (Agreement) with Florida Power & Light Company (FP&L) for the Temporary Purchase of Bulk Potable Water. **SUMMARY:** Florida Power & Light desires to purchase bulk potable water for use at their West County Energy Center (WCEC) located on State Road 80 (Southern Boulevard) at 20-Mile Bend, west of Loxahatchee. This Agreement provides FP&L with up to 3.2 million gallons per day (MGD) of bulk potable water through February 28, 2014, at an initial cost of \$1.49 per thousand gallons (Commodity Fee). Beginning on the one (1) year anniversary date of the Agreement, the Commodity Fee will be increased annually by one-half (½) of the prior year's Consumer Price Index (measured October to October). Additionally and within 30 days of the Agreement's execution, FP&L will be required to pay ~~\$168,000~~ \$298,098.32 to the County to construct a potable water line from the County's potable water main at the L-8 Canal to a designated Point of Service at the WCEC. The County will construct the potable water line within 180 days of the execution of the Agreement. District 6 (MJ) (WUD)

40 5G-1 **ADD-ON & TIME CERTAIN 10:30A.M.:** Staff recommends motion to approve: Grant from the Florida Division of Elections in the amount of \$5,050,886.28 to fund the purchasing of the optical scan ballot system as required by HB-537. **SUMMARY:** Pursuant to the signing of HB-537 requiring the 15 Florida counties that currently use touch screen voting units to transition to an optical scan ballot system. These grant funds will be used to purchase an optical scan system to be used in both early voting and for Election Day. Countywide (LSJ) (Supervisor of Elections)

42 6B-1* **REVISED TITLE:**
Staff recommends motion to approve:

A) appointment of two (2) At-Large members to the Palm Tran Service Board:

<u>Nominee</u>	<u>Category & Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Dave Evans (Palm Tran)	Certified Paratransit User Seat 8	6/18/2009	Comm. Greene <u>Comm. Aaronson</u>

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