

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

OCTOBER 16, 2007

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

**COMMISSION
CHAMBERS**

BOARD OF COUNTY COMMISSIONERS SITTING AS THE SOLID WASTE AUTHORITY (See SWA Agenda) – 9:30A.M.

**Adjourn as the Solid Waste Authority
Convene as the Board of County Commissioners**

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. CONSENT AGENDA (Pages 7 - 35)

4. PUBLIC HEARINGS - 9:30 A.M. (Pages 36 - 37)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to ratify:** the Chairperson's signature on a Cooperative Agreement No. FF204K074023 (Charge Resolution Contract) with the U. S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue in the total amount of \$153,100 as payment for processing and resolving housing discrimination complaints. **SUMMARY:** Execution of this Agreement was required prior to September 30, 2007 in order for OEO to meet HUD's FY 2007 federal funding deadlines. This Cooperative Agreement is in the amount of \$153,100 (\$133,900 - case processing; \$9,200 - training funds; and \$10,000 - administrative costs.) Countywide (TKF)
2. **DELETED**
3. **DELETED**
4. **Staff recommends motion to approve:** the First Amendment to the FY 2007/2008 Annual Action Plan, which will provide funding to two (2) businesses under the Community Development Block Grant (CDBG) Economic Development Set-Aside Program. **SUMMARY:** The proposed Amendment will allow for the funding of two (2) businesses which were recommended for funding totaling \$307,810.50 by the Overall Economic Development Program (OEDP) Sub-Committee under the CDBG Set-Aside Program for Economic Development. The two (2) businesses will create a minimum of 51 new full-time equivalent jobs. The Set-Aside funding recommended will leverage \$1,547,604 in private investments. The individual funding recommendations for federal funds are as follows: Artistry Masters of Woodcraft, Inc. - \$195,000 and McCray's II Backyard BBQ, Inc. - \$112,810.50. **These are Federal funds and do not require local matching funds.** District 7 (DW)
5. **Staff recommends motion to approve:** an Agreement totaling \$150,000 under the Community Development Block Grant (CDBG) Economic Development Set-Aside Program with MD Now Medical Centers, Inc. from October 16, 2007 to October 15, 2008. **SUMMARY:** Funding in the amount of \$150,000 to MD Now Medical Centers, Inc. will be awarded as a grant to purchase specialized equipment for use at the medical facilities located at 4560 and 4570 Lantana Road, Lake Worth, Florida. The activity will create ten (10) full-time equivalent jobs. At least 51% of these jobs created must be held by low-and moderate-income persons. **These are Federal funds and do not require local matching funds.** District 3 (DW)
6. **Staff recommends motion to approve:** Extension Agreement to R2006-2165 with Pleasant Ridge Property Owners Association, Inc. for the 2006-2007 Neighborhood Partnership Grant (NPG) for the period October 17, 2007 to July 17, 2008. **SUMMARY:** The Pleasant Ridge Property Owners Association, Inc. is requesting a nine (9) month extension of the Agreement originally executed on October 17, 2006 (R2006-2165) in order to complete the project funded through the NPG Program in Fiscal Year 2006-2007. District 1 (AH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

7. **Staff recommends motion to approve:** Amendments to eight (8) consulting/professional service contracts for state lobbying on behalf of Palm Beach County to extend the term for one year to October 31, 2008 as follows:
- A) Second Amendment to the contract with Akerman Senterfitt (R2005-2299) in the amount of \$40,000;
 - B) Second Amendment to the contract with Pittman Law Group (R2005-2301) in the amount of \$40,000;
 - C) Second Amendment to the contract with Ericks Consultants (R2005-2302) in the amount of \$40,000;
 - D) Second Amendment to the contract with Corcoran and Associates (R2005-2303) in the amount of \$40,000;
 - E) Second Amendment to the contract with The Moya Group (R2005-2304) in the amount of \$40,000;
 - F) Second Amendment to the contract with GMA (R2005-2298) in the amount of \$50,000;
 - G) Second Amendment to the contract with Henry Dean and Associates, Inc. (R2005-2297) in the amount of \$55,000; and
 - H) First Amendment to the contract with Foley and Lardner, LLP in the amount of \$40,000.

SUMMARY: The original term of the contracts with the above eight (8) firms for state lobbying was for November 1, 2005, through October 31, 2006. The amendments extend the term another year from November 1, 2007 through October 31, 2008. The FY 2006 amendments also included a provision for business-automobile liability insurance and an article relating to regulations and licensing requirements. All other provisions including the original contract amounts have not been amended. 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	June 19, 2007
Workshop	June 26, 2007
Budget Workshop	June 26, 2007
Regular	July 10, 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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) Joint Project Participation Agreement (JPA) with the City of West Palm Beach (City) for the construction of an emergency span-wire traffic signal at the intersection of Northlake Boulevard and Memorial Park Road;

B) a Budget Amendment of \$45,000 in the Transportation Improvement Fund to recognize the participation of the City of West Palm Beach in this project and appropriate it to West Palm Beach Signal - Northlake Boulevard and Memorial Park Road; and

C) a Budget Transfer of \$40,000 in the Transportation Improvement Fund from Reserve for District 2 (\$20,000) and Reserve for District 6 (\$20,000) to West Palm Beach Signal-Northlake Boulevard and Memorial Park Road.

SUMMARY: The District 2 and District 6 Commissioners have agreed to participate with \$20,000 each towards the cost of the design and construction of an emergency span-wire traffic signal on Northlake Boulevard at the intersection with Memorial Park Road. The City will reimburse Palm Beach County (County) upon completion of the work for the remaining balance of the actual cost of the design and construction of the signal. The City has plans to build and operate a fire station on the corner of the intersection. Districts 2 & 6 (MRE)

2. Staff recommends motion to approve: a Subordination of Utility Interests from Florida Power and Light Company (FPL) releasing their interests to Palm Beach County (County) in a parcel of land located on the east side of Hagen Ranch Road at Cascades Isles Boulevard. **SUMMARY:** This action will approve a Subordination of Utility Interests which releases the interests of FPL in a parcel of land required for a right turn lane on Hagen Ranch Road. This Subordination of Utility Interests requires the County to pay for any future relocation costs of the utility facilities when and if requested by the County. District 5 (PFK)

3. Staff recommends motion to approve: a Third Amendment to Agreement (R2001-1425; dated September 11, 2001), with Charles Corbin, to extend the term of the contract from October 1, 2007 to September 30, 2012 and for an initial not-to-exceed annual amount of \$56,524.16 with a 4% annual increase thereafter, for the purpose of providing bridge tending service at the Point Chosen Swing Bridge. **SUMMARY:** Approval of this Amendment will provide uninterrupted bridge tending service for Point Chosen Swing Bridge. The First Amendment (R2002-1698) to this contract extended the term for an additional sixty (60) month period to expire on September 30, 2007 and increased the annual amount and added an annual increase of 2%. The Second Amendment (R2005-1456) to the Agreement removed Paul "Gordon" Corbin from the Agreement, and changed the annual increase amount from 2% to 4%. The Office of Small Business Assistance has no listing of certified Minority/Women Business Enterprises to perform this project. The Point Chosen Swing Bridge crosses the Okeechobee Rim Canal on West Lake Road (CR-717) from Belle Glade to Torry Island, Florida. District 6 (MRE)

4. DELETED

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

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>
Nodarse & Associates, Inc.	October 18, 2005	R2005-1959
Nutting Engineers of Florida, Inc.	October 18, 2005	R2005-1960
Testing Lab of the Palm Beaches	October 18, 2005	R2005-1961

SUMMARY: These Agreements are being considered for renewal for required professional services, on a task order basis. Countywide (PFK)

6. Staff recommends motion to approve:

- A) a Budget Transfer of \$100,000 in the Transportation Improvement Fund from Reserve for District 4 to SE 15th Avenue Bascule Bridge;
- B) a Budget Transfer of \$100,000 in the Capital Outlay Fund from SE 15th Avenue Bascule Bridge to Boca Raton Inlet Dredging – District 4; and
- C) an Interlocal Agreement with the City of Boca Raton in the amount of \$100,000 for the dredging of the Boca Inlet.

SUMMARY: Approval of the Budget Transfers and the Interlocal Agreement will provide reimbursement funds to the City of Boca Raton for the dredging of the Boca Inlet. District 4 (MRE)

7. Staff recommends motion to approve:

- A) a Beautification Maintenance Agreement with the Town of Mangonia Park (Town); and
- B) a Budget Transfer of \$119,700 in the Transportation Improvement Fund from Reserve for District 7 to South Place and Jeffrey Avenue beautification.

SUMMARY: This item provides funding in an amount up to \$119,700 for the County's installation of sidewalks and beautification consisting of plants and irrigation in and along the Town's right-of-way for South Place and Jeffrey Avenue. After the installation, the Town will be responsible for South Place and Jeffrey Avenue. After the installation, the Town will be responsible for perpetual maintenance of the improvements. District 7 (MRE)

8. Staff recommends motion to approve:

- A) a Budget Transfer of \$500,000 in the Transportation Improvement Fund from Reserve for District 3 to Imagining Howard Park/Stub Canal Storm Water Improvement – District 3; and
- B) an Interlocal Agreement to reimburse up to \$500,000 to the City of West Palm Beach (City) for Imagining Howard Park/Stub Canal Storm Improvements.

SUMMARY: This Agreement will supply reimbursement funds to the City to make storm water improvements to the Stub Canal. District 3 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** payment to attorney Frederick W. Ford, Esq., the sum of \$60,000 for attorney's fees and costs relating to the case of Lee Ellen Dascott v. Palm Beach County, Case No. 50 2002 13289AB. **SUMMARY:** Attorney Ford represented a former Palm Beach County employee, Lee Ellen Dascott, who was terminated by the County in 2002, filed a lawsuit that year against the County. The employee alleged that the County violated the Sunshine Act, §286.011, Florida Statutes, when it conducted a pre-termination hearing of the employee without advertising the hearing and excluding the employee and her attorney from the County's deliberations at the conclusion of the hearing. The trial court found that the County did not violate the Sunshine Act, and the employee appealed to the Fourth District Court of Appeals, who reversed the trial court on April 21, 2004, holding that the pretrial hearing was a public meeting under the Sunshine Act. The Sunshine Act provides for court awarded attorney's fee and costs to a party who prevails in an action in violation of the Act. Countywide (LSJ)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** three (3) Amendments to Ryan White Part A HIV Health Support Services contracts for the period March 1, 2007, through February 29, 2008 totaling \$370,778:

A) Amendment No. 2 to contract (R2007-0741) with Comprehensive AIDS Program, Inc., to increase funding by \$185,389 for a total not-to-exceed amount of \$1,424,829;

B) Amendment No. 1 to contract (R2007-1406) with Compass, Inc., to increase funding by \$55,617 for a total not-to-exceed amount of \$332,216; and

C) Amendment No. 1 to contract (R2007-1407) with Comprehensive AIDS Program, Inc., to increase funding by \$129,772 for a total not-to-exceed amount of \$671,159.

SUMMARY: Carryover funds have been granted from the U.S. Department of Health and Human Services under the Ryan White C.A.R.E. Act. The Priorities and Allocations Committee of the HIV Care Council has determined that the carryover funding of \$370,778 is to be allocated to increase services to Compass and Comprehensive AIDS Program, Inc. for medical case management services. No County funds are required. (Ryan White) Countywide (TKF)

2. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Florence Fuller Child Development Centers, Inc., for the period of October 1, 2007, through September 30, 2008, in an amount of \$172,355, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Florence Fuller Child Development Centers, Inc. will provide services to 22 infants and toddlers at a rate of \$31.4631 per child/per day for 249 days. Funding consists of \$117,374 in Federal funds, \$29,343 in required match County funds and \$25,638 in overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: Early Head Start Contracted Services Agreement with Emmanuel Child Development Center, Inc., for the period of October 1, 2007, through September 30, 2008, in an amount of \$161,730, for services to Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Emmanuel Child Development Center, Inc. will provide services to 20 infants and toddlers at a rate of \$31.465 per child/per day for 257 days. Funding consists of \$110,138 in Federal funds, \$27,535 in required match County funds and \$24,057 overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

4. Staff recommends motion to approve: Early Head Start Contracted Services Agreement with Hispanic Human Resources Council, Inc., for the period of October 1, 2007, to September 30, 2008, in an amount of \$204,658, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start Contracted Services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Hispanic Human Resource Council, Inc. will provide services to 24 infants and toddlers at a rate of \$34.2466 per child/per day for 249 days. Funding consists of \$139,372 in Federal funds, \$34,843 in required County funds and \$30,443 in County overmatch funding. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

5. Staff recommends motion to approve: Head Start Contracted Services Agreement with The Union Missionary Baptist Church, Inc. (Day Care Center) for the period of October 1, 2007, through September 30, 2008, in an amount of \$206,715, for services to Head Start children and families. **SUMMARY:** The Union Missionary Baptist Church, Inc. will provide services to 37 children for 249 days at a rate of \$27.1871 per child/per day for three (3) year olds and \$18.40 per child/per day for 4 year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children three (3) and four (4) years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$126,210 in Federal funds, \$31,552 in required match County funds and \$48,953 in overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

6. Staff recommends motion to approve: Head Start Contracted Services Agreement with A Step Above Learning Center, Inc. d/b/a A Step Above Early Learning Center for the period of October 1, 2007, through September 30, 2008, in an amount of \$107,772, for services to Head Start children and families. **SUMMARY:** A Step Above Learning Center, Inc. will provide services to 20 children for 249 days at a rate of \$27.6414 per child/per day for three (3) year olds and \$18.41 per child/per day for four (4) year olds. There are not sufficient County facilities to accommodate all 1,871 authorized slots for children three (3) and four (4) years of age in the Head Start program. Therefore, the County enters into contracted service agreements with child care agencies to provide comprehensive Head Start services. Funding consists of \$65,800 in Federal funds, \$16,450 in required match County funds and \$25,522 in overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Apostolic Child Development Centers, Inc., for the period of October 1, 2007, through September 30, 2008, in an amount of \$203,800, for services to Early Head Start children and families. **SUMMARY:** Through the use of Early Head Start contracted services agreements, the County is able to leverage its available Federal funds to pay for direct services while the contracted agencies provide the child care facilities. Apostolic Child Development Centers, Inc. will provide services to 24 infants and toddlers at a rate of \$34.103 per child/per day for 249 days. Funding consists of \$138,788 in Federal funds, \$34,697 in required match County funds and \$30,315 in overmatch. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

8. **Staff recommends motion to approve:** Early Head Start Contracted Services Agreement with Family Central, Inc., for the period of October 1, 2007, through September 30, 2008, in an amount of \$115,284, for services to Early Head Start children and families. **SUMMARY:** Family Central, Inc. will recruit, contract and maintain four (4) licensed family child care Home providers in Belle Glade, Pahokee and South Bay for the Early Head Start program for a total of 16 children (ages 0-36 months). Family Central, Inc. will be reimbursed at a rate of \$24.4121 per child/per day for 16 children that are approved for subsidized child care for a maximum of 249 days. Reimbursement costs for postage, mileage, training, conferences and substitutes shall not exceed \$18,026. Funding consists of \$78,508 in Federal funds, \$19,627 in required match County funds and \$17,149 in overmatch, for a total of \$115,284. County funding is included in the FY 2008 budget. (Head Start) Countywide (TKF)

9. **Staff recommends motion to:**
 - A) **approve** Application to the Early Learning Coalition of Palm Beach County requesting funding for the period October 1, 2007, through June 30, 2008, in an approximate amount of \$479,416 to provide Voluntary Pre-Kindergarten (VPK) services to 204 children for 540 hours per child/per year; and

 - B) **authorize** the County Administrator or his designee to sign necessary documents regarding the VPK program.

SUMMARY: The FY '08 VPK Program will provide early childhood education services to 204 four (4) year old children enrolled in five (5) of the County's Head Start centers: Jupiter, Riviera Beach, West Palm Beach, Westgate and Belle Glade (Palm Glades). The VPK reimbursement rate is \$2,764.80 for 540 hours per child/ per year. The estimated income based on 85% attendance is \$479,416. No County match is required. (Head Start) Countywide (TKF)

F. AIRPORTS

1. **Staff recommends motion to approve:** a Contract with Aduddell Industries in the amount of \$244,605 for the Expansion Joint Rehabilitation Project at Palm Beach International Airport (PBIA). **SUMMARY:** Utilizing the County's competitive bid process, two (2) bids were received on July 17, 2007 for the Expansion Joint Rehabilitation Project at PBIA. Aduddell Industries, the low bidder, has been identified as a responsible/responsive bidder in the amount of \$244,605. The Small Business Enterprise (SBE) Goal for this project was established at 15.00%. Aduddell Industries bid contained 0% SBE participation. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement with the Florida Department of Transportation in the amount of \$4,142,000 for the Environmental Impact Statement (EIS) and Design Runway Extension at Palm Beach International Airport. **SUMMARY:** The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$4,142,000 or 50% of the eligible project costs, whichever is less. Countywide (AH)

3. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement with the Florida Department of Transportation in the amount of \$2,625,000 for Airfield Taxiway Rehab at Palm Beach International Airport (PBIA). **SUMMARY:** The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$2,625,000 or 50% of the eligible project costs, whichever is less. Countywide (AH)

4. **Staff recommends motion to adopt:** a Resolution approving a Joint Participation Agreement with the Florida Department of Transportation in the amount of \$1,500,000 to Construct Hangars at Palm Beach County Park Airport (Lantana). **SUMMARY:** The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$1,500,000 or 80% of the eligible project costs, whichever is less. Countywide (AH)

5. **Staff recommends motion to:**
 - A) adopt** a Resolution approving a Joint Participation Agreement with the Florida Department of Transportation (FDOT) in the amount of \$11,589,000 to construct Taxiway L at Palm Beach International Airport (PBIA); and
 - B) approve** a Budget Amendment of \$858,500 in the Airport's Improvement and Development Fund to recognize grant funding from the FDOT and \$858,500 in the expenditure budget for design and engineering of the project.

SUMMARY: The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$11,589,000 or 50% of the eligible project costs, whichever is less. A portion of the grant is being recognized to fund 50% of the design and engineering costs; total design and engineering is estimated to be \$1,717,000. The remainder of the grant will be recognized in Fiscal Year 2009 to coincide with the construction phase of the project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to approve:** Amendment No. 2 to the General Consulting Agreement with The LPA Group, Inc. for consulting/professional services in the amount of \$1,765,121.80 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement (R2006-2418) with The LPA Group, Inc. for general airport planning and design was approved on November 21, 2006 in the amount of \$1,420,544 in order to carry out the approved Capital Improvement Programs for the County's Airports. The agreement is for two (2) years with two (2) - one (1) year renewal options. Amendment No. 1 was approved for a net increase in the amount of \$343,033.50. Approval of Amendment No. 2 in the amount of \$1,765,121.80 will provide funds to complete the following tasks and services: North Palm Beach County General Aviation Airport Hangar Design, Lantana West Access Road, PBI Parking Garage Rehab, PBI Maintenance Compound Additional Services, PBI High Speed Exits, Annual Facilities Inspection Report, as well as staff extension and miscellaneous planning, engineering and construction services. Certain tasks performed during the term of this Amendment will be eligible for State and Federal grant participation. The proposed fee was verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (CH2M Hill, Inc.) for those tasks that are eligible for grant funding. The Disadvantaged Business Enterprise (DBE) participation for this Amendment is 26.76%. The total DBE contract goal including all amendments is 28.68%. Countywide (JCM)

7. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement with the Florida Department of Transportation (FDOT) in the amount of \$1,500,000 to construct hangars at North Palm Beach County General Aviation Airport; and

B) approve a Budget Amendment of \$201,042 in the Airport's Improvement and Development Fund to recognize grant funding from the FDOT and \$251,302 in the expenditure budget for design and engineering of the project; including a transfer of \$50,260 from Airport Reserves.

SUMMARY: The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$1,500,000 or 80% of the eligible project costs, whichever is less. A portion of the grant is being recognized in the current budget to fund design and engineering costs; total design and engineering is estimated to be \$251,302. The remainder of the grant will be recognized in Fiscal Year 2009 to coincide with the construction phase of the project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement with the Florida Department of Transportation (FDOT) in the amount of \$5,236,500 to extend Taxiway F at Palm Beach International Airport (PBIA); and

B) approve a Budget Amendment of \$388,000 in the Airport's Improvement and Development Fund to recognize grant funding from the FDOT and \$388,000 in the expenditure budget for design and engineering of the project.

SUMMARY: The Florida Department of Transportation has issued a Joint Participation Agreement reflecting their commitment of funding to the above referenced project in the amount of \$5,236,500 or 50% of the eligible project costs, whichever is less. A portion of the grant is being recognized in the current budget to fund design and engineering costs; total design and engineering is estimated to be \$776,000. The remainder of the grant will be recognized in Fiscal Year 2009 to coincide with the construction phase of the project.
Countywide (AH)

9. Staff recommends motion to approve:

A) Amendment No. 6 to the General Consulting Agreement with CH2M Hill, Inc. for consulting/professional services in the amount of \$755,569 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program; and

B) a Budget Transfer of \$520,691 in the Airport's Improvement and Development Fund to provide sufficient expenditure budget, including a transfer from reserves in the amount of \$520,691.

SUMMARY: The Consulting Agreement (R2005-0319) with CH2M Hill, Inc. for general airport planning and design was approved on February 15, 2005 in the amount of \$2,443,804 in order to carry out the approved Capital Improvement Programs for the County's Airports. The agreement is for two (2) years with two (2) – one (1) year renewal options. Amendments 1-5 were approved for a net increase in the amount of \$8,187,265. Approval of Amendment No. 6 in the amount of \$755,569 will provide funds to complete the following tasks and services: update Exhibit "A" Property Map for PBIA and miscellaneous airfield pavement repairs and rehabilitation; staff extension, miscellaneous planning and engineering services, and miscellaneous construction administrative services. Certain tasks performed during the term of this Amendment will be eligible for State and Federal grant participation. The proposed fee was verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (The LPA Group, Inc.) for those tasks that are eligible for grant funding. The Disadvantaged Business Enterprise (DBE) participation for this Amendment is 50.40%. The total DBE contract goal including all amendments is 26.27%.
Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

10. Staff recommends motion to receive and file: five (5) original Agreements for the Department of Airports:

A) Executive Hangar Lease Agreement, North County General Aviation Airport with Aircraft Sales Palm Beach, Inc., Unit 5, Building 11250, effective August 6, 2007;

B) Executive Hangar Lease Agreement, North County General Aviation Airport with Brian K. Hoffner, Unit 1, Building 11250, effective August 6, 2007;

C) Executive Hangar Lease Agreement, North County General Aviation Airport with Mustang Air, Inc., Unit 6, Building 11250, effective August 6, 2007;

D) Agreement to Terminate Hangar Lease Agreement with Martin Vargas, Unit 13, Building 11730, terminating R2007-0638 on September 30, 2007; and

E) Agreement Covering Operations of Aircraft at Palm Beach International Airport with Expressjet Airlines, Inc., effective September 11, 2007.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the BCC in R93-801, R2004-1367, and R2007-1080. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 1 to Contract with DCOTA Contracting, Inc. (R2006-2218) to implement the first renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract - Residential which was awarded to DCOTA Contracting, Inc. as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an "as-needed" basis for projects typically under \$25,000 each. This annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. SBE goals for the Residential contracts are 15%. DCOTA's participation for work orders issued to date is 0%. Work orders issued-to-date for all seven (7) annual contracts includes a combined SBE participation of 81.2%. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)
2. Staff recommends motion to approve: Amendment No. 1 to Contract with Andrea Construction, Inc. (R2006-2214) to implement the first renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract - Residential which was awarded to Andrea Construction, Inc. as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an "as-needed" basis for projects typically under \$25,000 each. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. SBE goals for the Residential contracts are 15%. Andrea's participation for work orders issued to date is 100%. Work orders for all seven (7) annual contracts include a combined SBE participation of 81.2%. Andrea Construction, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** Amendment No. 1 to Contract with Joe Schmidt Construction, Inc. (R2006-2217) to implement the first renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract - Residential which was awarded to Joe Schmidt Construction, Inc. as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an "as-needed" basis for projects typically under \$25,000 each. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. SBE goals for the Residential contracts are 15%. Schmidt's participation for work orders issued to date is 100%. Work orders issued-to-date for all seven (7) annual contracts includes a combined SBE participation of 81.2%. Joe Schmidt Construction, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

4. **Staff recommends motion to approve:** Amendment No. 1 to Contract with All-Site Construction, Inc. (R2006-2215) to implement the first renewal of an annual Residential contract with a maximum value of \$499,999.99. **SUMMARY:** Amendment No. 1 is a renewal to the Annual Contract - Residential which was awarded to All-Site Construction, Inc. as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an "as-needed" basis for projects typically under \$25,000 each. The annual Residential contract is an indefinite-quantity contract and this renewal has a maximum value of \$499,999.99. The renewal term is twelve (12) months or until \$499,999.99 in work orders are issued. Staff is bringing forward the Amendment at this time based on expiration of the term. All terms of the original contract remain in effect. This is the first of four (4) extensions allowed by the Contract. SBE goals for the Residential contracts are 15%. All-Site's participation for work orders issued to date is 100%. Work orders issued-to-date for all seven (7) annual contracts includes a combined SBE participation of 81.2%. All-Site Construction, Inc. is a certified SBE contractor. This is a bond-waiver contract. The cumulative value of active work orders at any time will be limited to \$200,000 per contractor. (FD&O Admin) Countywide (JM)

5. **Staff recommends motion to approve:** Contract with Handex Consulting & Remediation-Southeast, LLC, to provide environmental assessment services on a continuing contract basis for Facilities Development & Operations Department projects. **SUMMARY:** The purpose of this Contract is to have an environmental consultant under contract to provide engineering and environmental services for assessment and remedial activities and related consulting services for Facilities Development & Operations Department efforts to assess and remediate County-owned property and potential land acquisition parcels. Consultant fees will be negotiated on an individual basis for each identified project. This Contract will be for two (2) years with two (2) - one (1) year extension options. The SBE goal for this Contract is 15%. Handex Consulting & Remediation-Southeast, LLC anticipates 20% SBE/M/WBE participation. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** Contract with REP Associates, Inc., to provide environmental assessment services on a continuing contract basis for Facilities Development & Operations Department projects. **SUMMARY:** The purpose of this Contract is to have an environmental consultant under contract to provide engineering and environmental services for assessment and remedial activities and related consulting services for Facilities Development & Operations Department efforts to assess and remediate County-owned property and potential land acquisition parcels. Consultant fees will be negotiated on an individual basis for each identified project. This Contract will be for two (2) years with two (2) - one (1) year extension options. The SBE goal for this Contract is 15%. REP Associates anticipates 85% SBE/M/WBE participation. (Capital Improvements Division) Countywide (JM)

7. **Staff recommends motion to approve:** Contract with Dunkelberger Engineering & Testing, Inc., to provide environmental assessment services on a continuing contract basis for Facilities Development & Operations Department projects. **SUMMARY:** The purpose of this contract is to have an environmental consultant under contract to provide engineering and environmental services for assessment and remedial activities and related consulting services for Facilities Development & Operations Department efforts to assess and remediate County-owned property and potential land acquisition parcels. Consultant fees will be negotiated on an individual basis for each identified project. This Contract will be for two (2) years with two (2) - one (1) year extension options. The SBE goal for this Contract is 15%. Dunkelberger Engineering & Testing, Inc. anticipates 15% SBE/M/WBE participation. (Capital Improvements Division) Countywide (JM)

8. **Staff recommends motion to approve:**
 - A) Budget Transfer of \$5,681,000 within the \$30.5M GO 2003 Library Improvement Bond Fund from Improvement Program Reserves and remaining balances in various projects to the Lawrence Road Branch Library project to fund the \$10,768,061 construction cost; and

 - B) Amendment No.12 to the Contract with The Weitz Company (R2003-1542) in the amount of \$10,552,461 for construction management services for the Lawrence Road Branch Library establishing a Guaranteed Maximum Price (GMP) for construction of a new 29,000 sq. ft. library.

SUMMARY: Amendment No. 12 is for the Lawrence Road Branch Library and establishes a GMP of \$10,552,461 and 365 calendar days to complete the building construction and site work. The GMP includes the cost of work and the construction manager's fee associated with the work and a contingency. This contract utilizes the Sales Tax Exemption Program. The SBE goal for this contract is 15% and the project participation is 20.6%. (Capital Improvements Division) District 3 (JM)

9. **Staff recommends motion to approve:** Amendment No. 13 to the Contract with The Weitz Company, Inc. (R2003-1542) for construction management services for the Governmental Center Elevator Renovation project establishing a Guaranteed Maximum Price (GMP) in the amount of \$2,533,655. **SUMMARY:** On September 23, 2003, the Board entered into a contract with The Weitz Company for construction management services. Amendment No. 13 is for the Government Center Elevator Renovation Project and establishes a GMP of \$2,589,941 and 820 calendar days to complete the construction. The GMP includes the cost of work, the Construction Manager's fee associated with the work and a contingency of \$76,010. The SBE goal for this contract is 15%. The participation for this project is 0%. There are currently no elevator contractors certified as a Small Business. When added to the SBE participation to date, The Weitz Company, Inc. achieved 16.8%. (Capital Improvements Division) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: Contract with Corzo Castella Carballo Thompson Salman, P.A. to provide design services on a continuing contract basis for Parks and Recreation Department capital improvement projects. **SUMMARY:** The purpose of this Contract is to have a consultant under contract to provide design services for Parks and Recreation Department capital improvement projects. Consultant fees will be negotiated on an individual basis for each identified project. This Contract will be for one (1) year with three (3) - one (1) year extension options. The SBE goal for this Contract is 15%. Corzo Castella Carballo Thompson Salman, P.A. anticipates 100% SBE/M/WBE participation. (Capital Improvements Division) Countywide (JM)
11. Staff recommends motion to approve: Contract with Miller Legg and Associates, Inc., to provide design services on a continuing contract basis for Parks and Recreation Department capital improvement projects. **SUMMARY:** The purpose of this Contract is to have a consultant under contract to provide design services for Parks and Recreation Department capital improvement projects. Consultant fees will be negotiated on an individual basis for each identified project. This Contract will be for one (1) year with three (3) - one (1) year extension options. The SBE goal for this contract is 15%. Miller Legg and Associates, Inc. anticipates 18% SBE participation, plus 2% M/WBE participation. (Capital Improvements Division) Countywide (JM)
12. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 1 to Contract with Heery International, Inc. (R2006-2219) in the amount of \$710,728 for program management services for the Jail Expansion Program. **SUMMARY:** CSA No. 1 will provide for Program Management Services for the Jail Program from October, 2007 through February, 2008. The Program Manager will act as an extension of staff assisting in all aspects of the project including managing the design and construction phases. Upon completion of this phase of services, an additional Services Authorization will be presented to the Board for the remainder of the proposed \$7,684,561 contract. The SBE goal for this project is 15%. Heery International's participation is 11.5% for this phase. When combined with the original contract participation, overall SBE participation is 14.54%. (Capital Improvements Division) Countywide (JM)
13. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 2 to the Contract with Hanson Professional Services, Inc. in the amount of \$145,707 for the design and permitting for the Thermal Energy Storage (TES) system for the Judicial Center Central Energy Plant (CEP). **SUMMARY:** The scope of services for this CSA is for the architectural, site development and engineering services necessary to prepare construction documents for a TES system for the Judicial Center CEP which is being upgraded to accommodate the Governmental Center, Historic Courthouse and future D Block Building. The construction cost is estimated at \$1.3 million. The SBE participation goal for this project is 15%. Including this Authorization, Hanson Professional Services, Inc.'s small business participation is 18.3%. (Capital Improvements Division) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. Staff recommends motion to approve: an Interlocal Agreement with the City of Riviera Beach for the City's use of the County's microwave system to transport signals to and from the City's tower site to the County's tower site. **SUMMARY:** This Interlocal Agreement provides the terms and conditions under which the City can use the County's microwave system to transport signals to and from the City's tower site to the County's tower site. The City shall pay its fair share of the operation and maintenance costs associated with the microwave system on a pro rata basis. The costs for each fiscal year shall be provided by the County by March 1st annually. The initial term of this Agreement is five (5) years with four (4) - five (5) year renewals. The Agreement may be terminated by either party, with or without cause, upon one (1) year notice. In the event of termination by the City, the City shall convey title to the City's microwave equipment to the County for the depreciated value of the equipment at the time of conveyance, and lease the County space for the equipment on the City's tower site for at least fifteen (15) years at the cost of \$1 per year. (FDO/ESS) District 7 (JM)

15. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of 0.38 acres to Lake Worth Drainage District (LWDD) without reservation of mineral and petroleum rights in exchange for 0.38 acres from Lake Worth Drainage District;

B) approve a County Deed conveying 0.38 acres to Lake Worth Drainage District; and

C) accept a Quit Claim Deed from Lake Worth Drainage District conveying 0.38 acres.

SUMMARY: Water Treatment Plant No. 8 (WTP8) is located at 1500 North Jog Road, between Belvedere Road and Florida's Turnpike, west of West Palm Beach. During the development of WTP8, buffer landscaping was installed by the Water Utilities Department within the Lake Worth Drainage District's (LWDD) L-2 Canal right-of-way. To correct this, the LWDD will convey to the County a 25' strip along the north side of the canal, and in exchange the County will convey to the LWDD a 25' strip along the south side of the canal. Both strips of property are 25' wide by 650' long and contain .38 acres. Both properties are being conveyed without reservation of mineral rights. Preapproval of this exchange by the Board was not obtained as this is an exchange between two (2) government agencies. The exchange will be without cost to either LWDD or the County. (PREM) District 2 (HJF)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to receive and file: an Agreement with the Town of Jupiter, for the period of August 14, 2007 to March 31, 2008, to provide \$482,350 under the 2005 Disaster Recovery Initiative Program for improvements to the 7th Street Stormwater Pump Station. **SUMMARY:** On February 16, 2007, Palm Beach County entered into an Agreement with the Florida Department of Community Affairs (DCA) to receive up to \$19,035,920, for various projects to be funded under the 2005 DRI Program. The Agreement provided herein with the Town of Jupiter is funded under the Agreement with DCA. The County Administrator executed the Agreement with the Town of Jupiter under the authority provided by the Palm Beach County Board of County Commissioners on July 18, 2006, via Resolution No. R2006-1351. **These are Federal CDBG funds which do not require local matching funds.** District 1 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

2. Staff recommends motion to approve: an Agreement with Housing Partnership, Inc., to provide \$365,000 in Federal HOME funds for the development of affordable housing and operating expenses for the period of November 1, 2007 to October 31, 2008. **SUMMARY:** Approval of this item will reserve funding for Housing Partnership, Inc., a Community Housing Development Organization (CHDO), located at 2001 W. Blue Heron Blvd., Riviera Beach, Florida, 33404. The Housing Partnership, Inc. was selected as a CHDO via Request for Proposal (RFP) No. 04-05, which was made available on July 26, 2006. On April 2, 2007, the RFP review committee recommended funding in the amount of \$315,000 to be used toward the construction of at least eight (8) affordable housing units to be purchased by eligible first-time homebuyers, participating in Palm Beach County's First-time Homebuyer Program and \$50,000 for Housing Partnership, Inc., operating expenses. **This Agreement provides Federal HOME funds for which there is not a requirement for local matching funds.** District 7 (TKF)

3. Staff recommends motion to approve: five (5) "Request for Release of Funds (RROF) and Certification Application" forms (HUD-7015.15) to comply with environmental grant conditions for five projects proposed to be funded under the FY 2007-08 HOME Investment Partnership Program, with a total allocation of \$2,588,864 as follows: a) demolition of residential and non-residential structures; b) acquisition of real property and acquisition of existing structures; c) rehabilitation of existing residential structures, mixed-use structures and non-residential structures for conversion to residential structures; d) capital improvements in support of existing single and multi-family residential structures; construction and rehabilitation of utility connections; and on-site development of roads, sewer, water and drainage infrastructure; and e) new construction of residential structures and new construction in connection with converting non-residential structures to residential structures for affordable housing. **SUMMARY:** HOME-funded projects approved via the Action Plan on July 10, 2007 (R2007-1219), must comply with 24 CFR Part 58, which establishes regulations concerning the Environmental Review procedures for the HOME Program. Under these regulations, the County is required to: a) aggregate geographically or functionally, all activities into projects; b) determine which projects are in need of an environmental assessment and, where applicable, issue an environmental clearance finding; c) publish the finding to receive public input; and d) submit Form HUD-7015.15 to the U.S. Department of Housing and Urban Development (HUD). Steps A through C have been finalized. Execution of Form HUD-7015.15 and its submission to HUD will accomplish Step D. This form documents and certifies that all steps have been taken with respect to HUD's environmental procedures. Before expending any CDBG funds for these activities, the County must receive a notification from HUD of the removal of environmental grant conditions. Countywide (TKF)

4. Staff recommends motion to approve: an Agreement with We Help Community Development Corporation, Inc., to provide \$370,000 in Federal HOME funds for the development of affordable housing and operating expenses for the period of November 1, 2007 to October 31, 2008. **SUMMARY:** Approval of this item will reserve funding for We Help Community Development Corporation, Inc., a Community Housing Development Organization (CHDO), located at 349 S.E. 3rd Street, Belle Glade, Florida, 33430. The We Help Community Development Corporation, Inc. was selected as a CHDO via Request for Proposal (RFP) No. 04-05, which was made available on July 26, 2006. On April 2, 2007, the RFP review committee recommended funding in the amount of \$320,000 to be used toward the construction of at least eight (8) affordable housing units to be purchased by eligible first-time homebuyers, participating in Palm Beach County's First-time Homebuyer Program and \$50,000 for We Help Community Development Corporation, Inc., operating expenses. **This Agreement provides Federal HOME funds for which there is not a requirement for local matching funds.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. **Staff recommends motion to receive and file:** Amendment No. 001 to Agreement (R2006-2248) with Coalition for Independent Living Options, Inc. to extend the Agreement from September 30, 2007 to December 31, 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. 001 to extend the expiration date of the Agreement with Coalition for Independent Living Options, Inc. from September 30, 2007 to December 31, 2007. This extension was needed in order to allow unexpended funds allocated to this Agreement be available to the agency to reimburse allowable services. Countywide (TKF)

6. **Staff recommends motion to approve:** Amendment No. 002 to a HOME Program Rental Assistance Loan Agreement (R2005 -0652) with Lake Worth Community Development Corporation (LWCDC) to extend the loan closing date from April 30, 2006 to December 31, 2007. **SUMMARY:** Approval of this item will extend the loan closing date, which will allow Lake Worth Community Development Corporation (LWCDC) to close the loan transaction with the County and utilize the funds awarded under the Agreement. Funds in the amount of \$197,470 were provided to make payments toward the construction of four (4) affordable rental units located at 529 South "E" Street in Lake Worth, Florida. The original terms of the Agreement have not changed. **These are Federal HOME funds which require a local match. The local match comes from Palm Beach County's annual SHIP allocation.** District 7 (TKF)

7. **Staff recommends motion to receive and file:** Amendment No. 002 to Agreement (R2006 2458) with The Children's Coalition, Inc. to extend the Agreement from September 30, 2007 to March 31, 2008. **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 The Children's Coalition, Inc. from September 30, 2007 to March 31, 2008. This extension was needed in order to allow unexpended funds allocated to this Agreement be available to the agency to reimburse allowable services. Countywide (TKF)

8. **Staff recommends motion to approve:** a Repayment of \$14,350 to the Robert E. Pinchuck Memorial Housing Trust Fund (HTF) from the Housing and Community Development Department's (HCD) earned program income derived from the repayment of rehabilitation loans made to private property). This repayment will resolve a monitoring finding by the Florida Housing Finance Corporation (FHFC) who provides State Housing Initiative Program (SHIP) funding to Palm Beach County. **SUMMARY:** In Fiscal Year 2002-2003, Jason and Shantel Pettry received \$29,350 as down payment assistance to purchase their first home. The verified household income of the Pettry's determined the household was low income and eligible for down payment assistance up to \$30,000. The FHFC contracts with Florida Planning Group, Inc. to monitor SHIP Programs throughout the State. The CAH was monitored on May 8, 2007 for Fiscal Years 2003 – 2006. After Florida Planning Group, Inc. reviewed the Pettry's file, this family was deemed a moderate income household and eligible for a down payment maximum of \$15,000. Florida Planning Group stated CAH staff incorrectly calculated the household income. The HCD will use program income from rehabilitation loans to private rental housing developers to repay the HTF. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: one (1) Agreement for Emergency Generator Purchase, Operation and Maintenance received during the month of July 2007 for Valencia Palms HOA. **SUMMARY:** On March 14, 2006, the Board of County Commissioners delegated the authority to execute Emergency Generator Purchase, Operation and Maintenance Agreements (Agreements) to the County Administrator or his designee. The County Administrator has delegated this approval to the Palm Beach County Water Utilities Department Director. These Agreements provide property owners with the ability to donate funds to purchase emergency generators for lift stations located within their community. The Department will assign the community its generator(s), locate the generator(s) on-site during hurricane season, and operate and maintain the generator(s) during emergencies. By executing such Agreements, the Department is able to expedite its goal of providing a higher level of emergency response service throughout its service area. Power outages that occur during hurricanes and other emergencies require the Department to operate a system of emergency generators at wastewater pump stations to prevent wastewater from backing up into streets, swales, and residents' homes. Due to the great number of lift stations and limited staffing resources, the Department is not able to place an emergency generator at every lift station. These Agreements will increase the number of generators available to the Department during emergencies. Countywide (MJ)

2. Staff recommends motion to approve:

A) Work Authorization No. 3 to the Water Utilities Department Disaster Recovery Design/Build Services with CH2M HILL Constructors, Inc. (R2006-1934) for construction of Water Treatment Plant No. 3, Southern Region Operations Center and Regional Wastewater Pump Stations at 5N, 9N, 9S and 5229 Hurricane Hardening Project in the amount of \$1,193,725.56; and

B) a Budget Transfer of \$1,000,000 in the Water Utilities Capital Improvement Fund.

SUMMARY: On September 12, 2006, the Board approved the Water Utilities Department Disaster Recovery Design/Build Services with CH2M HILL Constructors, Inc. (R2006-1934). This Work Authorization is for hurricane hardening mitigation at Water Treatment Plant No. 3, Southern Region Operations Center and Regional Wastewater Pump Stations at 5N, 9N, 9S and 5229. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with CH2M HILL, Inc. provides for SBE participation of 15.00% overall. This Authorization includes 11.99% overall participation. The cumulative SBE participation, including this Work Authorization, is 27.08% overall. (WUD Project No. 06-169) Districts 2, 5 & 6 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Grant Agreement No. 07PB4 with the Florida Department of Environmental Protection (FDEP) for cost-sharing up to \$144,451 on the Jupiter/Carlin Beach Nourishment Project (Project) through December 31, 2009;

B) approve Task Order No. 2377-16 to a continuing Contract (R2004-2377) with Taylor Engineering, Inc. (Taylor) in the amount of \$287,799.40 for the Jupiter/Carlin Beach Structures Feasibility Study (Study) which examines a long-term erosion control solution for the Project area;

C) approve Budget Amendment of \$144,451 in the Beach Improvement Fund; and

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

SUMMARY: Under the terms of the Grant Agreement, FDEP will reimburse 50% of the Project costs, including the Study. There is no Federal cost share for this Project. The County share is \$144,451. Reimbursement is retroactive to June 1, 2007. The BCC approved the Contract with Taylor on November 16, 2004 (R2004-2377) and extended the Contract on December 5, 2006 (R2006-2661). Fifteen (15) task orders totaling \$957,056.80 have been issued under the Contract. Task Order No. 2377-16 authorizes Taylor to develop the Study which investigates coastal structural solutions to the chronic erosion that the Project area is experiencing. Taylor is committed to an overall 20% Small Business and Minority Business Enterprise (SBE-MBE) participation in the Contract. There is 7.16% MBE subconsultant participation on this Task Order. District 1 (SF)

2. Staff recommends motion to approve: a Temporary Access and Construction Easement (Easement) in favor of the Northern Palm Beach County Improvement District (NPBCID) for the installation of a water control structure (Structure) over a portion of the Pine Glades Natural Area (Natural Area). **SUMMARY:** The Structure will allow water to be held on the Natural Area into the dry season. In the wet season, it will allow excess water on the Natural Area to be discharged to the south, into the storm water system in the Palm Beach Park of Commerce. NPBCID will construct and pay for the Structure and the Structure will be owned by the County following completion of the work. The County will apply to NPBCID for a permit for the operation and maintenance of the portion of the Structure on NPBCID property lying adjacent to the Palm Beach Park of Commerce. The County will operate and maintain the Structure as part of ERM's management activities in the Natural Area. The Term of the Easement is 24 months, to provide flexibility for access and equipment operation in response to variations in weather conditions and water levels on the site. The County and the Palm Beach Park of Commerce were co-applicants to the South Florida Water Management District (SFWMD) for several modifications to an existing Environmental Resource Permit (No. 50-05422-P) including construction of the new structure (Application No. 031208-1). On May 10, 2007, the SFWMD Governing Board approved the requested modifications. The Easement will be granted to NPBCID at no charge as the installation of the Structure benefits the County's Natural Area and is required as part of the County's responsibilities for off-site mitigation activities for the Minto residential development (Okeechobee Lakes). District 1 (JMB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. **Staff recommends motion to approve:** Task Order No. ERM07-02 to a continuing Contract (R2005-1057) with Alan Gerwig & Associates, Inc. (AGA) in the amount of \$131,118 to provide professional engineering design and permitting services in support of the restoration of Winding Waters Natural Area. **SUMMARY:** The BCC approved the Contract with AGA on June 7, 2005 (R2005-1057) and extended the Contract on May 1, 2007 (R2007-0613). Task Order No. ERM07-02 authorizes Alan Gerwig & Associates, Inc. to prepare permit applications to South Florida Water Management District, Turnpike Authority, and Northern Palm Beach County Improvement District, and to provide final engineering designs and construction plans for the recommended seepage barrier. This Task Order has 16.2% SBE participation. District 7 (JM)

4. **Staff recommends motion to adopt:** a Resolution requesting that the Florida Department of Environmental Protection (FDEP) review a funding application and support funding for shoreline protection projects within its Fiscal Year 2008/2009 Beach Erosion Control Assistance Program. **SUMMARY:** The County is requesting that the State appropriate \$28,875 for the Ocean Ridge Shore Protection Project, \$75,000 for the Juno Beach Shore Protection Project, \$362,500 for the South Palm Beach Shore Protection Project, \$5,867,200 for the Singer Island Shore Protection Project, \$203,500 for the Jupiter/Carlin Shore Protection Project, \$681,000 for the South Lake Worth Inlet Management Plan, and \$80,718 for all permit-required monitoring associated with eligible projects. If the State Legislature approves funding for the projects, the County's matching share would be \$10,768,953. Districts 1 & 4 (SF)

5. **Staff recommends motion to approve:** The U.S. Army Corps of Engineers (COE) to transfer \$115,000 in excess County funding from the Ocean Ridge Shore Protection Project to the Peanut Island Project to resolve the balance due under the terms of the Peanut Island Project Cooperation Agreement (PCA). **SUMMARY:** A \$115,000 balance remains on the 2005 Peanut Island Environmental Restoration Project, as a result of a contractor claim. Under the terms of the PCA, executed by the COE and County in January 2001 (R2001-0108), the COE requests that the County provide \$115,000 in funding. The COE retains a non-federal balance of \$129,000 on the completed Ocean Ridge Shore Protection Project and seeks concurrence from the County, to utilize \$115,000 to close out the Peanut Island Environmental Restoration project claim. Districts 1 & 7 (JM)

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** Agreement with Wellington Soccer Club, Inc. for the period October 16, 2007, through November 4, 2007, in an amount not-to-exceed \$1,000 for funding of tournament expenses. **SUMMARY:** This funding is to help offset expenses for the U-15 Boys Premier Team's trip to a national soccer tournament in Oklahoma. Eighteen (18) youth participated in the tournament. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to June 1, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to approve:** Agreement with Toward a More Perfect Union, Inc. for the period October 16, 2007, through December 30, 2007, in an amount not-to-exceed \$1,500 for the Excellence Awards event. **SUMMARY:** This funding is to help offset costs paid for Toward a More Perfect Union, Inc.'s Excellence Awards event held on May 9, 2007 in West Palm Beach at the WPTV Channel 5 Studio. The event was attended by approximately 150 people. 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 2 Funds. District 2 (AH)

3. **Staff recommends motion to approve:** Agreement with Indian Trail Improvement District for the period October 16, 2007, through January 17, 2008, in an amount not-to-exceed \$5,000 for funding of a shaded area for Acreage Community Park. **SUMMARY:** This funding is to help offset the cost to develop a shaded area at Indian Trail Improvement District's Acreage Community Park. The play area typically serves approximately 30 persons per day, and can serve 50 to 100 persons per day with a block use permit. The Agreement allows for the reimbursement of eligible project costs incurred subsequent to April 4, 2007. Funding is from the Recreation Assistance Program (RAP) District 6 Funds. District 6 (AH)

4. **Staff recommends motion to approve:**
 - A) Agreement with Caldwell Theatre Company, Inc. for the period October 16, 2007, through October 16, 2008, in an amount not-to-exceed \$750,000 for funding of the Caldwell Theatre construction; and
 - B) Budget Transfer of \$750,000 within the \$25M GO Parks and Cultural Improvements Bond Fund - 2003 from Reserves to Caldwell Theatre Construction.

SUMMARY: This Agreement provides funding for construction of the Caldwell Theatre located at 7901 North Federal Highway in Boca Raton. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to October 1, 2007. Funding is from the 2002 \$50 Million Recreational and Cultural Facilities Bond referendum – District 2 (\$500,000) and District 5 (\$250,000). District 4 (PFK)

5. **Staff recommends motion to approve:** Agreement with Best of the Rest Stars, Inc. for the period October 16, 2007, through March 31, 2008, in an amount not-to-exceed \$10,000 for funding of the 2007 Youth Fest Sports Festival. **SUMMARY:** This funding is to help offset the costs of the 2007 Youth Fest Sports Festival held at the Palm Beach Community College Lake Worth Campus on September 22, 2007. The Event attracted approximately 400 youth participants. 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 3 (AH)

6. **Staff recommends motion to receive and file:** original executed Third Amendment to Request for Funding Form for School Board Capital Projects for the Woodlands Middle School Covered Pavilion Project (R2006-0390, R2006-1967, R2007-0047) to extend the project completion date from June 30, 2007 to August 31, 2008. **SUMMARY:** This fully executed Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747) approved by the Board on October 21, 2003. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Demetrius Hodges, Flag Football Referee, Westgate Park & Recreation Center. (HODG1136250907523200A); and

B) Carrengton Johnson, Flag Football Referee, Westgate Park & Recreation Center. (JOHNS1065780907523200B).

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 is now being submitted to the Board to receive and file. District 2 (AH)

8. Staff recommends motion to:

A) **ratify** the signature of the Chairperson of the Board of County Commissioners on a Florida Recreation Development Assistance Program (FRDAP) Grant Application submitted to the State of Florida Department of Environmental Protection (DEP) on September 5, 2007, requesting \$200,000 for the John Prince Memorial Park Square Lake Development and Restoration Project to be matched with \$200,000 from FY2007 Zone 2 Park Impact Fees;

B) **authorize** the County Administrator or his designee to execute the grant project agreement and all future time extensions, task assignments, necessary minor amendments, and any other necessary forms and certifications during the term of the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and

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

SUMMARY: The application requests \$200,000 from FRDAP toward the John Prince Memorial Park Square Lake Development and Restoration Project. The project is being designed and constructed in cooperation with ERM, and will include restoration of a 60 acre lake to create freshwater wetlands and improve fish habitat, construction of a fishing pier, group picnic pavilion, playground, and sandy beach with a canoe/kayak launch. Also, the existing gravel parking lot will be paved and the existing restroom and bike trail will be renovated. If the grant is awarded and once the project is complete, the grant contract requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public for a period of 25 years as part of the close out documentation. District 3 (AH)

9. Staff recommends motion to adopt: Resolution Amending Resolution No. R99-77, pertaining to the Florida Boating Improvement Program, which renumbers the statutory citations and complies with the newly enacted administrative reporting procedures and eligibility requirements. **SUMMARY:** This Resolution amends Resolution No. R99-77, the Palm Beach County Florida Boating Improvement Program (FBIP). The amendment is required because the Florida Legislature amended and renumbered Section 327.25(16), Florida Statutes as Section 328.72(15), Florida Statutes, which established the FBIP and changed certain administrative reporting procedures and eligibility requirements of the FBIP. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

10. Staff recommends motion to:

A) ratify the signature of the Chairperson of the Board of County Commissioners on a Florida Recreation Development Assistance Program (FRDAP) grant application, submitted to the State of Florida Department of Environmental Protection (DEP) on September 6, 2007, requesting \$200,000 for the Lake Ida Park West Development Project to be matched with \$200,000 from the 2002 \$50 Million Recreation and Cultural Facilities Bond;

B) authorize the County Administrator or his designee to execute the grant project agreement and all future time extensions, task assignments, necessary minor amendments, and any other necessary forms and certifications during the term of the Agreement that do not change the scope of work or terms and conditions of the Agreement if the grant is approved; and

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

SUMMARY: The application requests \$200,000 from FRDAP toward the Lake Ida Park West Development Project. The project includes construction of a new playground, group picnic pavilion, bike trail, canoe and kayak launch area, parking lot and landscaping, and renovation of an existing playground, parking lot and group picnic pavilion. If the grant is awarded, and once the project is complete, the grant contract requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public for a period of 25 years as part of the close out documentation. District 4 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) a Contract with the Professional Training Association Corporation Inc. (PTA), a not-for-profit agency, for an amount not-to-exceed \$25,000 for the period of October 1, 2007, through September 30, 2008, for the provision of substance abuse treatment services; and

B) a Contract with the Comprehensive Alcoholism Rehabilitation Program, Inc. (CARP), a not-for-profit agency, for an amount not-to-exceed \$50,000 for the period of October 1, 2007, through September 30, 2008, for the provision of substance abuse treatment services.

SUMMARY: The Criminal Justice Commission (CJC) is requesting the use of a total not-to-exceed \$75,000 from the Drug Abuse Trust Fund (DATF) to be used to pay for contracted substance abuse treatment referrals from the Community Justice Service Centers (previously known as Community Court). Services will be provided by PTA and CARP for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program. Countywide (DW)

2. Staff recommends motion to approve: the First Amendment to the Agreement with the Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) dated September 12, 2006 (R2006-1971) to increase the amount of the agreement by an additional \$4,829, retroactive to September 11, 2007. **SUMMARY:** The Executive Committee of the Criminal Justice Commission (CJC) recommends the use of \$4,829 from the Drug Abuse Trust Funds to increase the amount of the existing contract with the CARP for substance abuse treatment referrals ordered through the Civil Drug Court Program located in the City of Riviera Beach. District 7 (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. **Staff recommends motion to approve:** a Contract with the Drug Abuse Foundation, Inc., a not-for-profit agency, for an amount not-to-exceed \$150,000 for the period of October 1, 2007, through September 30, 2008, for the provision of substance abuse treatment services. **SUMMARY:** The Criminal Justice Commission (CJC) is requesting the use of a total not-to-exceed \$150,000 from the federal FY '07 Edward Byrne Memorial Justice Assistance Grant (JAG) previously known as the Byrne Grant to be used to pay for contracted substance abuse treatment referrals from the Community Justice Service Centers (previously known as Community Court). Services will be provided by Drug Abuse Foundation, Inc. for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program. Countywide (DW)

4. **Staff recommends motion to approve:** the First Amendment to the Weed and Seed Interlocal Agreement with the City of West Palm Beach (R2007-0706; dated May 1, 2007) to extend the Weed and Seed contract period from September 30, 2007 to September 30, 2008 and to increase the amount of the Agreement by an additional \$100,000. **SUMMARY:** On May 1, 2007, the Board of County Commissioners (BCC) approved an agreement with the City of West Palm Beach to provide \$100,000 to support the Weed and Seed "seeding" efforts for the period April 1, 2007, through September 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 agreement period to September 30, 2008. District 7 (DW)

X. PUBLIC SAFETY

1. **Staff recommends motion to:**
 - A) approve** the following contracts with agencies to provide drug treatment and testing services to individuals referred by the Drug Court, in a cumulative amount not-to-exceed \$405,851 for the period October 1, 2007 to September 30, 2008:
 - 1) Drug Abuse Foundation of Palm Beach County, in the amount of \$56,000;
 - 2) Comprehensive Alcoholism Rehabilitation Programs, Inc. in the amount of \$70,000;
 - 3) Drug Testing and Counseling Services in the amount of \$239,460;
 - 4) Counseling Services of Lake Worth, Inc. in the amount of \$40,391; and
 - B) authorize** the County Administrator or his designee to execute amendments to these contracts on behalf of the Board of County Commissioners to adjust the not-to-exceed amounts as long as the cumulative total does not exceed \$405,851.

SUMMARY: These contracts provide continuation of the drug treatment and testing services provided to individuals supervised by the Drug Court. Funding for these contracts will be provided by the Drug Abuse Trust Fund (\$200,051); the Byrne Grant (\$38,471); Criminal Justice Reserve Fund (\$17,329) and fees collected from the participants (\$150,000). There is no ad valorem funding. Countywide (DW)

2. **Staff recommends motion to receive and file:** the original executed standard Interlocal Agreement with the City of Greenacres to provide \$50,000 to purchase a generator for the City's EOC, as approved by the Fort Lauderdale Urban Areas Security Initiative (UASI). **SUMMARY:** Resolution R2006-2669 authorizes the County Administrator or his designee to execute standard UASI sub-grant agreements with various governmental and private agencies on behalf of the Board of County Commissioners. Countywide (DW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. **Staff recommends motion to receive and file:** the original executed contract with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens in the area of family law, elder law, juvenile advocacy, education advocacy, public guardianship and domestic violence representation in the amount not to exceed \$1,027,808 from October 1, 2007 to September 30, 2008 as approved in the budget. **SUMMARY:** Resolution R2006-2132 authorizes the County Administrator or his designee to execute contracts with Legal Aid Society of Palm Beach County, Inc. that does not exceed the BCC approved budget for the program. This contract will ensure the seamless continuation of legal aid services to indigent residents. This is the fourth year of the contract with Legal Aid Society of Palm Beach and contract amount has remained unchanged. Countywide (DW)

Z. RISK MANAGEMENT

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

A) First Amendment to Wrap Around Agreement for Group Dental Insurance (R2004-2225) to provide an employee-paid Managed Care Dental Plan (Heritage Plus) with an "Ortho Specialty Benefit Amendment";

B) Group Dental Service Agreement with Union Security Insurance Company to provide an improvement in existing coverage for orthodontic services rendered by providers in the Managed Care Dental policy for the period January 1, 2008 through December 31, 2008; and

C) Final renewal option for the term contract (Number KMA 680 04162A) for the Multiple Option Dental program with Assurant Employee Benefits for the period January 1, 2008 through December 31, 2008.

SUMMARY: At its October 19, 2004 regular meeting, the Board of County Commissioners approved a multi-year contract for a voluntary (employee pay-all), triple-option, fully insured dental insurance program with Assurant Employee Benefits for plan years 2005 through 2008. The insurance program consisted of three (3) plans, including a Managed Care Dental Plan, a Scheduled Reimbursement PPO, and a True PPO. The contracted Managed Care Dental Plan rates and co-payments were guaranteed for three (3) years, with one (1) option to renew. The contracted PPO plans were guaranteed for two (2) years, with two (2) options to renew. During renewal negotiations for plan year 2008, which is the fourth and final renewal option for the contract, Assurant Employee Benefits presented an option to add an "Ortho Specialty Benefit Amendment" to the Managed Care Dental Plan, which would provide for an improvement to existing coverage for orthodontia services. This improved coverage involves specific co-payments for orthodontia services with plan specialists who have contracted with the insurer to provide these co-payment driven services. The plan currently in effect provides a 25% discount for orthodontia services being rendered by network specialists according to that specialist's individual retail cost. The new coverage will provide more enhanced and uniform orthodontia coverage from services rendered by participating network specialists. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

2. Staff recommends motion to approve:

A) First annual option to automatically renew the Amended and Restated Administrative Services Only Agreement (R2006-2287; dated October 17, 2006), with Connecticut General Life Insurance Company (CIGNA) for claims administration services for the County's self-funded triple option (HMO, POS, PPO) health insurance plan for the period January 1, 2008, through December 31, 2008;

B) CIGNA's proposed administrative fees and specific stop loss premiums for plan year 2008;

C) Changes to employee/member rate contributions to the plan;

D) CIGNA HealthCare Clinical Performance Guarantee Agreement;

E) CIGNA HealthCare Discount Guarantee Agreement; and

F) CIGNA HealthCare Service Performance Guarantee Agreement

SUMMARY: Staff is recommending Board approval for the first annual option to renew the Administrative Services Only Agreement with CIGNA for the period January 1 through December 31, 2008. For plan year 2008, following several months of higher than expected claims experience, it will be necessary to pass on a 15% increase to employees with dependent coverage. Additionally, staff is recommending an individual monthly employee contribution, including CWA bargaining unit employees (subject to ratification) of \$10 to the individual HMO tier of coverage. This has been fully paid by the Board in prior years. No benefit changes are being recommended. Staff is also recommending Board approval of Clinical, Discount, and Performance Guarantee Agreements, which will set a penalty amount for failure to meet negotiated performance targets, and will make a measurable impact on CIGNA's health plan accountability. As in prior years, employees of Solid Waste Authority, Palm Tran, Inc. and the Supervisor of Elections will participate in the group health insurance plan. The total cost projected for all three (3) entities is \$57,659,045. Sufficient funds have been budgeted to fund the program. Countywide (TKF)

AA. PALM TRAN

1. Staff recommends motion to:

A) **adopt** a Resolution authorizing the conveyance of one (1) 40' 1995 Flixible and five (5) 30' 1997 Gillig Phantom buses to the City of Gainesville; and

B) **approve** an Agreement with the City of Gainesville, Florida.

SUMMARY: Palm Tran needs to dispose of one (1) 40' 1995 Flixible and five (5) 30' 1997 Gillig Phantom buses. These buses have reached their useful life, and in accordance with the Federal Transit Administration (FTA) guidelines, may be disposed of. The City of Gainesville has approached Palm Tran and expressed their desire to acquire any and all excess transit vehicles that Palm Tran may have and are willing to donate to "the City". These buses were purchased using 100% Federal funds. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. INTERNAL AUDITOR

1. **Staff recommends motion to ratify:** the County Internal Auditor's signature on an agreement with the Association of Local Government Auditors to conduct a peer review of the Internal Auditor's Office at an estimated cost of \$2,500 to \$3,000. **SUMMARY:** The Audit Committee approved conducting a peer review for the Internal Auditor's Office as required by Government Auditing Standards with the review to be conducted by the Association of Local Government Auditors. The cost of the peer review is reimbursement to the members of the review team for their travel costs associated with the review. Countywide (PFK)

CC. SHERIFF

1. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending the Florida Department of Law Enforcement Office of Criminal Justice Grant to extend the ending grant period from August 30, 2007 to September 30, 2007. **SUMMARY:** The Board of County Commissioners accepted this grant on September 11, 2007 (R 2007-1576); the original period for this grant was May 1, 2007, through August 30, 2007. This agenda item will extend the grant period from August 30, 2007, through September 30, 2007. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. The Department of Homeland Security awarded funds to the Florida Department of Law Enforcement (FDLE) under the "Regional Domestic Security Strategic Plan". These funds and related equipment, which have been approved by FDLE for purchase, will be used to implement the "Buffer Zone Protection Plan". The purpose of the "Buffer Zone Protection Plan" is to protect, secure and reduce the vulnerability of identified critical infrastructure and key resource sites. There is no match requirement associated with this award. No additional County funds are required. Countywide (DW)
2. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending the National Institute of Justice "DNA Capacity Enhancement Program" Grant to extend the ending grant period September 30, 2007 to March 31, 2008. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant on August 15, 2006; the original period for this grant was October 1, 2005 through September 30, 2006 (R2006-1505). On November 21, 2006, the BCC received and filed an agenda item extending the grant period from September 30, 2006, through March 31, 2007(R2006-2532). On April 10, 2007, the BCC received and filed an agenda item extending the grant period from March 31, 2007, through September 30, 2007(R2007-0573). This agenda item will extend the grant period from September 30, 2007, through March 31, 2008. The Palm Beach County Sheriff's Office has been given an extension to allow the grant funds to be fully expended. The National Institute of Justice awarded these funds for the "DNA Capacity Enhancement Program". The objective of this grant is to update the PBSO's DNA Section infrastructure in preparation for an increase in DNA casework, improved efficiency using the 5,000 square feet of newly renovated DNA laboratory space, and a centralized DNA training area. There is no grant match required, nor are any County funds required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

3. **Staff recommends motion to approve:** a Budget Transfer of \$95,000 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055 requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2007 estimated donation requirement is \$173,915. The funds are requested to aid qualified organizations that meet the requirements set forth in F.S. 932.7055. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The current State LETF balance is \$906,878. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$811,878. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective agency. No new positions are needed and no County funds are required. Countywide (DW)

<u>Organization</u>	<u>Amount</u>
Alzheimer's Community Care, Inc.	\$10,000
Crime Stoppers of Palm Beach County, Inc.	\$35,000
Gulfstream Council of Boy Scouts of America, Inc.	\$10,000
Junior Achievement of the Palm Beaches, Inc.	\$25,000
211 Palm Beach/Treasure Coast, Inc.	<u>\$15,000</u>
Total Amount of Donations	<u>\$95,000</u>

4. **Staff recommends motion to:**
- A) ratify** the Chairperson's signature on the Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant award in the amount of \$40,000 for the period of August 1, 2007, through June 30, 2008; and
- B) approve** a Budget Amendment of \$40,000 increasing the Sheriff's Grant Fund.
- SUMMARY:** On August 14, 2007, the Palm Beach County Sheriff's Office (PBSO) received an award to enhance officer safety. These funds and related equipment, which have been approved by FDLE for purchase, will be used to enhance officer safety for the members of the Violent Crimes Task Force (VCTF). In an effort to address the alarming rate of violent crimes in Palm Beach County, the PBSO established the VCTF in 2006 to investigate and combat the most serious violent crimes occurring in Palm Beach County. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (DW)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

5. Staff recommends motion to:

A) accept a Victim of Crime Act (VOCA) Agreement with the State of Florida, Office of the Attorney General in the amount of \$53,960 for the PBSO's Domestic Violence Advisor Program for the period October 1, 2007, through September 30, 2008; and

B) approve a Budget Amendment of \$53,960 in the Sheriff's Grants Fund.

SUMMARY: On August 17, 2007, the Palm Beach County Sheriff's Office (PBSO) received a VOCA grant. These funds will be used to continue to allow for a victim advocate allocation to concentrate on the victim population in Palm Beach County. This position will continue to coordinate services with PBSO officers and other municipal agencies to offer crisis intervention, lethality assessments and safety plans. The PBSO will be reimbursed for personnel expenses totaling \$53,960. The required match is 20%. The PBSO will provide a match in the amount of \$13,490 in order to cover the remaining entire salary and benefits package of the Domestic Violence Advocate. No County funds are required. Countywide (DW)

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: the creation of one (1) full-time position to administer contracts and oversee administrative functions for the convention center.

SUMMARY: Effective October 1, 2007, Palm Beach County assumed the rights and obligations of the Convention & Visitors Bureau (CVB) for Global Spectrum and Aramark for the operation and management of the Convention Center, including food and beverage. The BCC authorized this assumption of duties at the February 27, 2007 BCC workshop. Due to the significant responsibility this action demands a professional position is required to ensure the efficient operation of the Convention Center. During the September 25, 2007 discussion with the BCC regarding the above-mentioned contracts, staff informed the BCC a position would be requested at a later date to administer the convention center contracts. The position will be funded from bed tax funds. Countywide (MC)

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

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

A) adopt a Resolution confirming the special assessment process for Foss Road Paving and Drainage Improvement Project (Project), from the dead end north to Lake Worth Road Section 30, Township 44 South, Range 43 East, Palm Beach County Atlas Page Number 90, E-25, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program;

B) approve a Budget Transfer of \$174,517 in the MSTU District C Fund from Reserves to Foss Road, from the dead end north to Lake Worth Road; and

C) approve a Contract with Charles S. Whiteside, Inc., the lowest responsive, responsible bidder, in the amount of \$825,052.10, for the construction of Foss Road Street improvements.

SUMMARY: Adoption of the Resolution provides for the collection of fifty percent (50%) of the MSTU funds expended on the Project. Assessments will be payable in twenty (20) equal annual installments. The Project consists of the construction of paving and drainage improvements for Foss Road from the dead end north to Lake Worth Road. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by Charles S. Whiteside, Inc. is 16.44% overall. The MSTU account will be committing \$252,075 while the CCRT will contribute \$667,750 to this project. District 3/MSTU District C (MRE)

B. [Staff recommends motion to adopt:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida repealing Ordinance 2005-006 in its entirety and replacing it with the following: revised Annexation Charter Amendment Implementation Ordinance; providing for purpose; providing for authority; providing for territory embraced; providing for notice to County; providing for procedure in charter regarding voluntary annexation by municipalities; providing for designation of unincorporated rural neighborhoods; providing for applicability of state law; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for enforcement; providing for captions; and providing an effective date.

SUMMARY: The voters of Palm Beach County approved the Annexation Charter Amendment in November 2004. On April 19, 2005, the Board of County Commissioners adopted Ordinance 2005-006 to implement the charter amendment. Subsequently, several municipalities challenged the legality of the charter amendment and implementing ordinance. Several provisions in the implementing ordinance were stricken by the circuit court in an order dated June 6, 2005 that was upheld by the Fourth District Court of Appeal in November 2006. The Florida Supreme Court denied review of the case in March 2007. This Ordinance repeals Ordinance 2005-006 in its entirety and replaces it with a new ordinance establishing notice for procedures for all voluntary annexations and designating an Unincorporated Protection Area and Unincorporated Rural Neighborhoods. County staff presented the proposed ordinance to the League of Cities on January 10, 2007 and August 8, 2007. In response to concerns raised by the League, Subsection 5(3) of the Ordinance has been revised to state that the provisions of this section may be the basis for a cause of action invalidating the voluntary annexation. On September 11, 2007, the Board of County Commissioners approved the Annexation Charter Amendment. Countywide (RB)

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

- C. **Staff recommends motion TO NOT ADOPT:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing a Community Development District over real property legally described on Exhibit "A" to this Ordinance comprising of approximately 86 acres; naming the initial members of the board of supervisors of the district; establishing the name of the district as Osprey Oaks Community Development District; designating the purpose of the district; designating the powers of the district; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** The Board of County Commissioners (BCC) has been petitioned to grant the establishment of the Osprey Oaks Community Development District (CDD) to finance and construct services for a master planned residential development district. After reviewing the petition, the Planning Division has found the petition to be sufficient in that it is consistent with the statutory requirements, has met the disclosure requirements and is limited to onsite improvements. However, staff is concerned (as explained in detail on Page 2 of the staff report under item C.2) with this petition due to a potential financial burden on both the owners and renters of the 37 workforce housing units resulting from the operation and maintenance fees associated with the creation of the CDD in addition to the Home Owners Association (HOA) fees. Staff is therefore recommending denial of the petition. The District will consist of 171 single family detached units and 37 multi-family units to be located on the west side of Jog Road and south of Hypoluxo Road, and lies wholly within the boundaries of the unincorporated Palm Beach County. Thirty-seven (37) units in the proposed development have been identified to be sold, or rented as Required Workforce Housing Units. The CDD is being processed in conjunction with the Osprey Oaks Planned Unit Development (PUD) that was approved by the BCC on May 25, 2006. The proposed District will provide potable water, sanitary and sewer, storm water management systems and facilities, and will operate and maintain the Storm Water Management System. The ownership and maintenance of potable water and sanitary sewer system will be turned over to Palm Beach County upon completion. District 3 (BB)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff requests motion to approve:

A) a public input budget process to include forums hosted by Palm Beach County staff in order to more completely incorporate taxpayer's input during the early stages of the FY 2008/2009 budget process; and

B) Staff providing a program level budget review process for the Board after the public input is received.

SUMMARY: In preparation for the FY 2008/2009 budget process, it is proposed that Palm Beach County host a series of public budget forums in to be held in separate regions of the County to obtain public comments and suggestions early in the budget process. The forums will be scheduled during a two-week period beginning in mid January 2008, and will be held after normal working hours to allow for maximum participation. The forums will consist of a presentation from staff regarding the calculation of Property Tax bills and an explanation of County services and expenditures, followed by comments and questions from the public.

Attendees of the forums will be encouraged to complete a survey that will serve as a mechanism for taxpayers to voice their opinion and specific areas of concern on how budget dollars should be spent. The results will be compiled and included in a report to be presented at a Board of County Commissioners meeting prior to the final budget process. A minimum of three (3) options for submittal of the survey will be available to participants including; completion and submittal at the forum, completed later and mailed to the County, or completed online. The forums will be publicized through a wide range of media outlets to ensure optimal involvement from the public. Countywide (MC)

2. Staff recommends motion to:

A) adopt a Resolution for the Chairperson's certification to the Division of Elections that, based upon the recommendation of the Supervisor of Elections, the procurement of optical scan based voting equipment from Sequoia Voting Systems, Inc. ("Sequoia") is a sole source; and

B) approve negotiation between staff and Sequoia for the purchase of the optical scan based voting equipment.

SUMMARY: In 2007, the Florida Legislature passed a law prohibiting touch screen voting equipment and mandating the use of optical scan based voting systems effective July 1, 2008. Also, pursuant to law, Counties may only purchase voting systems that have been certified for use by the State of Florida. At this time, there are only three (3) voting systems that have been certified for use by the State of Florida, one of which is Sequoia. Currently, the County owns a voting system, inclusive of tabulation equipment, components, etc., that was manufactured by and procured from Sequoia. Sequoia's optical scan based voting equipment has also been certified by the State of Florida. Based upon the Sequoia optical scanners being the only ones compatible with the County's existing voting system, and based upon the attached justification from the Supervisor of Elections, staff recommends the purchase of the optical scan based voting equipment from Sequoia on a sole source basis. Countywide (DN)

5. REGULAR AGENDA

B. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution approving the issuance of revenue bonds in an amount not-to-exceed \$32,000,000 (the "Bonds") by the Palm Beach County Health Facilities Authority (the "Authority"). **SUMMARY:** The proceeds of the Bonds will be used by the Authority to make a loan to Life Care Retirement Communities, Inc. ("LCRC") to acquire, construct and improve certain property for and improvements to the existing health care facilities of LCRC and to refinance debt incurred for such purposes. Approval of the Authority's issuance of the Bonds by the Board is required by the Internal Revenue Code; however, adoption of this resolution does not in any way obligate the County. **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 1 (PFK)

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, November 20, 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 Annual Update 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 years which contains certain changes and modifications. This list is submitted for Board consideration of preliminary reading today with the final list to be approved with the Ordinance at public hearing on Tuesday, November 20, 2007. Countywide (MRE)
2. Staff recommends motion to reaffirm: the approved Fiscal Year 2006/2007 Pathway Program. **SUMMARY:** Two (2) segments included in the adopted program, Vilma Lane and Drexel Road, have been subjects of separate neighborhood petitions that have been given to the Engineering Department. Each petition requests deletion from the approved program, with the deletion supported by residents who do not want the pathway in front of their home. While the Board has deleted projects in the past, when similar petitions have been received, staff does not support these deletions since they are in the vicinity of schools. The Drexel pathway is along the same road as Wynnbrook Elementary School and the school principal supports the construction of the pathway. The Vilma Lane pathway is within a mile of the proposed Stacy Street Elementary School. District 2 (MRE)

5. REGULAR AGENDA

D. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a Resolution to establish fees for Palm Beach County Health Department. **SUMMARY:** Section 154.06, Florida Statutes, authorizes counties by resolution to establish fees for services performed by local health departments. This Resolution revises and updates the fee schedule previously approved by Resolution 97-1276. If approved, these fee increases will generate additional estimated annual revenue of \$181,322. The total revenue from these fees for the fiscal year ending September 30, 2006, was \$1,866,518. Revenue from fees is used to support primary care, dental care, and communicable disease control services as well as other local community services. Countywide (DW)

E. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: an Interlocal Agreement with the Village of Palm Springs providing for the annexation of six (6) enclaves generally located on Park Lane and Dale Road and the annexation of the rights-of-way of Dale Road from Kirk Road to Gulfstream Road, Park Lane from Kirk Road to Gulfstream Road, Reo Lane from L-10 Canal to Park Lane and Canal 9 Road from Kirk Road to Gulfstream Road. **SUMMARY:** Chapter 171, F.S., allows annexation of enclaves less than ten (10) acres through an Interlocal Agreement with the annexing municipality and the County. By Resolution No. 2007-60, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of six (6) enclaves identified within the interlocal as Exhibit "A". Each enclave is less than ten (10) acres in size. The proposed annexations meet the requirements of Chapter 171, F.S., and are consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RB)

F. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:
 - A) Employee Interchange Agreement (EIA) with the U.S. Army Corps of Engineers (COE) in an amount not-to-exceed \$377,000 to fund a COE staff position dedicated to reviewing County permit applications through September 30, 2009;
 - B) Budget Transfer of \$150,800 in the Transportation Improvement Fund from Road Program Sweep Reserves to EIA with the COE of behalf of Engineering and Public Works Department; and
 - C) Waiver of advance payment prohibition cited in County Policy and Procedure Memorandum No. CW-F-049 for this Agreement.

SUMMARY: Federal regulations require that the COE review, approve and permit certain projects constructed by County departments: Airports, Engineering & Public Works, Environmental Resources Management, Facilities Development & Operations, and Water Utilities. Permitting delays caused by insufficient COE staffing negatively impact County operations, schedules and construction costs. The listed departments will jointly fund a senior level COE reviewer dedicated to County projects to expedite the permitting process. The South Florida Water Management District (District) and the Florida Department of Transportation (FDOT) approved a similar agreement to fund permit review positions at the COE. The County is required to advance each year's estimated salary and travel cost. Typically, an advance is not authorized by County contracts. However, staff is seeking a Board waiver of this policy because these permitting services are deemed necessary for County business, and the Agreement mitigates risk of loss by requiring periodic reconciliations. The EIA may be renewed annually. Countywide (SF)

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6. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** the reappointment of Russ Ruskay to Seat 4, Representative of a local municipal government public recreation program and the appointment of one (1) of the two (2) nominees for Seat 7, Citizen of Palm Beach County having an interest in natural areas to the Natural Areas Management Advisory Committee (NAMAC), for a three (3) year term beginning on November 1, 2007 and extending through October 31, 2010:

<u>Nominee</u>	<u>Representing/Seat No.</u>	<u>Nominated by</u>
Russ Ruskay	Local Municipal Government Public Recreation Program	Comm. Addie Greene Comm. John F. Koons Comm. Karen T. Marcus

AND

Dr. Ann Cox	Citizen of Palm Beach County Having an interest in Natural Areas	Comm. Mary McCarty
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OR

Andre Cadogan	Citizen of Palm Beach County Having an interest in Natural Areas	Comm. John F. Koons Comm. Karen T. Marcus
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OR

Elisabeth Hoffman	Citizen of Palm Beach County Having an interest in Natural Areas	Comm. Addie L. Greene
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SUMMARY: On August 16, 1994, the Board of County Commissioners adopted Resolution No. 94-1051, which established a Natural Areas Management Advisory Committee (NAMAC) with seven (7) at-large members. The composition of the Committee shall be as follows: One (1) member with experience in the management of natural areas, one (1) biological scientist, one (1) professional educator with knowledge of South Florida ecosystems, one (1) representative of a local municipal government public recreation program, one (1) member of the Palm Beach County Parks and Recreation Department staff, one (1) citizen having an interest in natural areas, and one (1) member of the County's Environmentally Sensitive Lands Acquisition Selection Committee (ESLASC), for as long as this Committee is in existence. Upon sunset of ESLASC, this position shall be filled thereafter by a citizen with an interest in natural areas. A memorandum from Environmental Resources Management (ERM) was sent to the Board of County Commissioners on August 6, 2007 advising that the term for two (2) seats on the Committee were up for reappointment. Russ Ruskay expressed a willingness to continue the duties of Seat 4 for another term. Elisabeth Hoffman expressed a willingness to continue the duties of Seat 7 for another term and two (2) other individuals expressed their willingness to serve on the Committee and assume the duties of Seat 7 as well. All of the nominees meet the necessary requirements.
Countywide (SF)

6. BOARD APPOINTMENTS

B. **FIRE RESCUE**
(Fire Rescue Advisory Board)

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

A) reappointment of the following individual to the Fire Rescue Advisory Board beginning on October 16, 2007, through October 15, 2010; and

<u>Reappointment</u>			
<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
James Tippett	Building Contractor	2	Comm. Koons Comm. Marcus Comm. Greene

B) appointment of one (1) out of two (2) individuals to complete the unexpired term of Ms. Ramaglia who resigned on August 22, 2006 and whose term expires on September 30, 2008.

<u>Appoint:</u>			
<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Kevin Justice	Financial Rep.	3	Comm. McCarty

OR

Harold Ostrow	Financial Rep.	3	Comm. Koons Comm. Marcus Comm. Aaronson
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SUMMARY: The Fire Rescue Advisory Board was created by Resolution No. R89-1661 and revised by No. R92-596 on April 28, 1992. On August 7, 2007, a memo was distributed to the County Commissioners requesting nominations to this seven (7) member (At-Large) board. This Board is appointed by the Board of County Commissioners and serve three (3) year terms, and represent specific fields of expertise. Countywide (SGB)

6. BOARD APPOINTMENTS

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

1. **Staff recommends motion to approve:** appointment/reappointment of the following individuals to the Construction Industry Licensing Board (CILB):

A) two (2) members for a term from October 16, 2007 to September 30, 2010:

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>
Mark Beatty	12	Architect Member
Mark Hysong	8	Plumber Member

B) one (1) member to complete a term from October 16, 2007 to September 30, 2009:

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>
John Desnoyers	9	Engineer Member

C) one (1) member for a three (3) year, second term from October 1, 2007 to September 30, 2010:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Requirement</u>
Joe Byrne	4	Roofing Member

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida as amended, by Section 489.131. The Special Act sets forth the membership of the Board, which consists of twelve (12) members. The membership consists of two (2) general contractors, one (1) member of the following categories; building; residential; electrical; plumbing; HARV, roofing; swimming pool; architect; engineer and a building official. In addition, F.S. § 489.131 requires that we have three (3) consumer representatives. All the above named have been recommended by their respective organizations. A Memorandum was sent to the Board of County Commissioners Aug. 3, 2007 advising of expiring positions. Countywide (GB)

D. **LIBRARY**
(Library Advisory Board)

1. **Staff recommends motion to approve:** the reappointment of the following at-large member of the Library Advisory Board for a term ending on September 30, 2010:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
Rosalie Krasnow	15	Resident of Library District	Comm. Marcus Comm. Koons

SUMMARY: Per the PBC Code, Appendix G, Chapter 23, the Library Advisory Board consists of fifteen (15) members, one (1) at-large and fourteen (14) district appointees. The term of the at-large member expired as of September 30, 2007, and Ms. Rosalie Krasnow would like to be considered for reappointment. Members serve three (3) year terms and must reside in the PBC Library District. Ms. Krasnow was nominated by Commissioners Marcus and Koons. No other nominations were received. Countywide (TKF)

6. BOARD APPOINTMENTS

E. ADMINISTRATION
(Small Business Assistance Advisory Committee)

1. [Staff recommends motion to approve:](#) reappointment/appointment of the following individuals to the Small Business Assistance (SBA) Advisory Committee, for a term of three (3) years:

<u>Reappoint Nominee</u>	<u>Seat</u>	<u>Seat Designation</u>	<u>Term</u>	<u>Nominated By</u>
Yvonne Peterman	1	Certified Black Bus. Owner	07/14/07-7/13/2010	Comm. Greene
Evelyn Parkes	2	Certified Hispanic Bus. Owner	02/25/07-2/24/2010	Comm. Greene
Raoul Pierre-Louis	13	Business Loan Fund	07/14/07-7/13/2010	

<u>Appoint Nominee</u>	<u>Seat</u>	<u>Seat Designation</u>	<u>Term</u>	<u>Nominated By</u>
Athena Yannitsas	5	Bus. Owner Domiciled in PBC	10/16/07-10/15/2010	None

SUMMARY: The SBA Advisory Committee was established by Ordinance No 2002-064. The committee consists of thirteen (13) members representing one (1) black business owner certified as a small business by the County; one (1) Hispanic business owner certified as a small business by the County; one (1) woman business owner certified as a small business by the County; one (1) representative of the Hispanic Chamber of Commerce of PBC; one (1) representative of the National Association of Women in Construction; one (1) representative of a Women’s Business Organization; one (1) representative of a black contractor or black business organization; one (1) representative of the Associated General Contractors Association; one (1) representative of the Small Business Development Center; and one (1) representative of the Business Loan Fund.

The SBA Advisory Committee currently has four (4) seats available. Seat Numbers 1, 2, and 13 are available because the terms have expired. Yvonne Peterman, the current representative for Seat 5 has changed seats to represent Seat 1 as a certified black business owner. Athena Yannitsas, the new appointee will represent Seat 5 as a business owner domiciled in Palm Beach County. Representatives for Seats 1, 2, and 13 have expressed a desire to continue in the same capacity. The representative for Seat Number 5 is a new appointment. A memo was sent to the Board of County Commissioners on July 16, 2007 which requested nominations to the committee. Commissioner Greene nominated Evelyn Parkes and Yvonne Peterman. No other nominations were received. Countywide (TKF)

F. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 16, 2007

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 16, 2007

8. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 - COMMISSIONER JEFF KOONS, VICE CHAIR

C. District 3 - COMMISSIONER ROBERT J. KANJIAN

Proclamation declaring October 21, 2007 as "Buddy Walk Day" in Palm Beach County.

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."

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 16, 2007

<u>PAGE</u>	<u>ITEM</u>	
9	3C-1	<u>DELETED:</u> Staff recommends motion to approve: A) Joint Project Participation Agreement (JPA) with the City of West Palm Beach (City) for the construction of an emergency span-wire traffic signal at the intersection of Northlake Boulevard and Memorial Park Road; ..(Further staff review) (Engineering)
10	3C-8	<u>DELETED:</u> Staff recommends motion to approve: A) a Budget Transfer of \$500,000 in the Transportation Improvement Fund from Reserve for District 3 to Imagining Howard Park/Stub Canal Storm Water Improvement – District 3; and (Further staff review) (Engineering)
15	3F-6	<u>DELETED:</u> Staff recommends motion to approve: Amendment No. 2 to the General Consulting Agreement with The LPA Group, Inc. for consulting/professional services in the amount of \$1,765,121.80 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. (Further staff review) (Airports)
23	3I-6	<u>DELETED:</u> Staff recommends motion to approve: Amendment No. 002 to a HOME Program Rental Assistance Loan Agreement (R2005-0652) with Lake Worth Community Development Corporation (LWCDC) to extend the loan closing date from April 30, 2006 to December 31, 2007. (Moved to 11/6/07) (HCD)
23	3I-8	<u>DELETED:</u> Staff recommends motion to approve: a Repayment of \$14,350 to the Robert E. Pinchuck Memorial Housing Trust Fund (HTF) from the Housing and Community Development Department's (HCD) earned program income derived from the repayment of rehabilitation loans made to private property). This repayment will resolve a monitoring finding by the Florida Housing Finance Corporation (FHFC) who provides State Housing Initiative Program (SHIP) funding to Palm Beach County. (Moved to 11/6/07) (HCD)
29	3Q-1	<u>REVISED SUMMARY:</u> The Criminal Justice Commission (CJC) is requesting the use of a total not-to-exceed <u>\$50,000 from the federal FY '07 Edward Byrne Memorial Justice Assistance Grant (JAG) and \$25,000</u> \$75,000 from the Drug Abuse Trust Fund (DATF) to be used to pay for contracted substance abuse treatment referrals from the Community Justice Service Centers (previously known as Community Court). Services will be provided by PTA and CARP for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program. (CJC)
30	3Q-3	<u>REVISED SUMMARY:</u> The Criminal Justice Commission (CJC) is requesting the use of a total not-to-exceed <u>\$100,000</u> \$150,000 from the federal FY '07 Edward Byrne Memorial Justice Assistance Grant (JAG) previously known as the Byrne Grant <u>and \$50,000 from the Drug Abuse Trust Fund</u> to be used to pay for contracted substance abuse treatment referrals from the Community Justice Service Centers (previously known as Community Court). Services will be provided by Drug Abuse Foundation, Inc. for both Community Justice Service Center (CJSC) sites. The CJSC is a court and jail diversion program. (CJC)

- 30 3Q-4 **DELETED: Staff recommends motion to approve:** the First Amendment to the Weed and Seed Interlocal Agreement with the City of West Palm Beach (R2007-0706; dated May 1, 2007) to extend the Weed and Seed contract period from September 30, 2007 to September 30, 2008 and to increase the amount of the Agreement by an additional \$100,000. (Further staff review) (CJC)
- 40 5G-1 **ADD-ON: Staff recommends motion to approve:** a Conditional Grant Agreement with Village Centre Apartments, Ltd. for a total of \$1,300,000 in Federal HOME Program funds (\$900,000) and State Housing Initiative Partnership (SHIP) Program funds (\$400,000) for the development and construction of thirty-one (31) affordable condominium housing units. **SUMMARY:** Village Centre Apartments, Ltd. intends to develop and construct a sixty (60) unit condominium project to be located at 500 25th Street in West Palm Beach, Florida. As a result of applying for financial assistance through Housing and Community Development's HOME and SHIP programs, \$900,000 in HOME funds is recommended to designate eleven (11) of the condominium project units for low-income or elderly/disabled households; and \$400,000 in SHIP funds is recommended to designate twenty (20) of the condominium project units for low to moderate income households. The eleven (11) units assisted with HOME funds must be sold to low-income or elderly/disabled households whose incomes do not exceed eighty percent (80%) of the median income established for Palm Beach County. The twenty (20) units assisted with SHIP funds must be sold to low to moderate income households whose income do not exceed one-hundred and twenty percent (120%) of the median income established for Palm Beach County. District 7 (TKF) (HCD)
- 40 5H-1 **ADD-ON: Staff requests Board direction:** on whether or not to continue participation in the Conceptual L-8 Feasibility Study. **SUMMARY:** On November 21, 2006, the Board entered into an Interlocal Agreement (R2006-2551) with five (5) other lower East Coast utilities within Palm Beach and Broward counties. This Agreement provides for Palm Beach County's participation in a Conceptual Feasibility Study to evaluate the potential to utilize water from the L-8 Basin to meet the unmet potable water supply demands of the six partnering utilities. On October 2, 2007, the Board requested that staff bring this item back for further discussion. Districts 1, 2, 3, 5 & 6 (MJ) (WUD)
- 43 6D-1 **REVISED TITLE & SUMMARY: Staff recommends motion to approve:** the reappointment of the following at-large member of the Library Advisory Board for a term ending on September 30, 2010:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
Rosalie Krasnow	15	Resident of Library District	<u>Comm. Greene</u> Comm. Marcus Comm. Koons

SUMMARY: Per the PBC Code, Appendix G, Chapter 23, the Library Advisory Board consists of fifteen (15) members, one (1) at-large and fourteen (14) district appointees. The term of the at-large member expired as of September 30, 2007, and Ms. Rosalie Krasnow would like to be considered for reappointment. Members serve three (3) year terms and must reside in the PBC Library District. Ms. Krasnow was nominated by Commissioners Greene, Marcus and Koons. No other nominations were received.

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 (*).