

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: August 22, 2023

[X] Consent
[] Ordinance

[] Regular
[] Public Hearing

Department

Submitted By: Health Department

Submitted For: Environmental Public Health

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) **adopt** a resolution authorizing the Department of Health, Palm Beach County (Health Department), Division of Environmental Public Health to utilize funds from the Pollution Recovery Trust Fund (PRTF) for the purpose of installing a redundant auxiliary power source for our certified water laboratory, and
- B) **approve** a Budget Transfer of \$83,183 from Pollution Recovery Trust Fund Reserves to the Department of Health Palm Beach County for the installation of a redundant auxiliary power source for our certified water laboratory.

Summary: This resolution authorizes the transfer of \$83,183 from the Pollution Recovery Trust Fund to the Department of Health Palm Beach County for the installation of a redundant auxiliary power source for our certified water laboratory. Countywide (HH)

Background and Justification: Department of Health Palm Beach County monitors water quality in drinking water and coastal waters. The Health Department is currently operating a microbiology laboratory at 800 Clematis Street in West Palm Beach to analyze both drinking water and coastal water samples. The Health Department monitors water quality on regular basis and increases the frequency of monitoring whenever required to protect public health. The laboratory enables the Health Department to serve the community better during disaster response efforts including whenever there is a possibility of private citizens' wells being potentially contaminated by local flooding events. Health Department employees who collect water samples and analyze them in our own certified facility aid the Health Department to respond quickly during the disaster events.

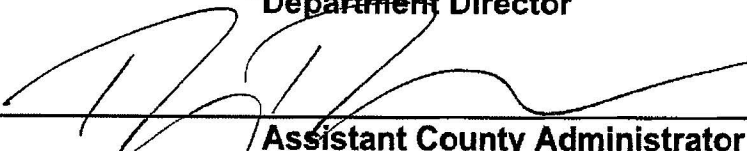
Our building laboratory has been operating without a functional generator for over twelve months. The proposed redundant auxiliary power source would allow us to serve the public without interruption in case of an emergency that could contaminate potable water wells. The Environmental Public Health Division would be collecting water samples from potable water wells while conducting environmental health assessments after landfall of a major storm. The samples would be analyzed at our local laboratory providing a quick turnaround of results and hence help prevent potential waterborne illnesses.

Attachments:

1. Proposed Resolution
2. Budget Transfer Estimate
3. Laboratory Contractor Estimate
4. Laboratory Engineering Estimate
5. PRTF Ordinance 89-576

Recommended By:  MD
Department Director

8/3/2023
Date

Approved By: 
Assistant County Administrator

8/16/2023
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2023-24				
Capital Expenditures	\$83,183				
Operating Costs	\$ 0				
External Revenues	0				
Program Income(County)	0				
In-Kind Match(County	0				
NET FISCAL IMPACT	\$83,183				
#ADDITIONAL FTE					
POSITIONS (CUMULATIVE					

Is Item Included in Current Budget? Yes _____ No X

Does this item include the use of federal funds? Yes _____ No X

Budget Account No:

Fund	1227	Agency	760	Organization	3199	Object	9902
Fund	1227	Agency	480	Organization	4806	Object	8101

B. Recommended Sources of Funds/Summary of Fiscal Impact: Pollution Recovery Trust Fund \$83,183

C. Departmental Fiscal Review:

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

AKDURE 8/4/23 Mr. S. J. Jambal 8/14/23
OFMB CB 8/4 Contract Dev. and Control
TMB 8/14/23

B. Legal Sufficiency

Shelene C. Howard 8/16/23
Assistant County Attorney

C. Other Department Review:

Deborah Drum
Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA
AUTHORIZING THE DEPARTMENT OF HEALTH PALM BEACH
COUNTY TO UTILIZE FUNDS FROM THE POLLUTION
RECOVERY TRUST FUND TO INSTALL A GENERATOR IN OUR
CERTIFIED WATER LABORATORY**

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida adopted Resolution No. R-89-576 on April 4, 1989, establishing the Palm Beach County Pollution Recovery Trust Fund (PRTF) to receive monies collected in instances of environmental violations; and

WHEREAS, it is appropriate to utilize monies from the Palm Beach County Pollution Recovery Trust Fund for pollution control activities in Palm Beach County; and

WHEREAS, the Palm Beach County PRTF has sufficient funds derived from penalties collected as a result of environmental violations prosecuted through the enforcement efforts of the Department of Health Palm Beach County (DOH PBC) and other sources; and

WHEREAS, one of the most effective means to assess pollution control activities is to conduct monitoring; and

WHEREAS, the Department of Health Palm Beach County monitors water quality in drinking water and coastal water.

WHEREAS, the Department of Health will be able to serve the community better during disaster response efforts.

WHEREAS, the Director of the Department of Health Palm Beach County recommends that \$83,183 from the Pollution Recovery Trust Fund be used by the Health Department to install a generator in the microbiology laboratory.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF
COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
THAT:**

Section 1: The foregoing recitals are hereby adopted and ratified.

Section 2: The Board hereby authorizes the Clerk and Comptroller to transfer \$83,183 from the Palm Beach County Pollution Recovery Trust Fund to the Department of Health Palm Beach County to install a generator in the microbiology laboratory.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Gregg K. Weiss, Mayor	-	_____
Maria Sachs, Vice Mayor	-	_____
Commissioner Maria G. Marino	-	_____
Commissioner Michael A. Barnett	-	_____
Commissioner Marci Woodward	-	_____
Commissioner Sara Baxter	-	_____
Commissioner Mack Barnard	-	_____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2023.

ATTEST:	PALM BEACH COUNTY, Florida
CLERK OF CIRCUIT COURT	By its Board of County Commissioners
Joseph Abruzzo	
By: _____	By: _____
Clerk of Court & Comptroller	Gregg K. Weiss, Mayor

APPROVED AS TO FORM & LEGAL SUFFICIENCY:	APPROVED AS TO CONTENT:
By: <u>Debra C. Hargis</u> 8-16-23	By: <u>Myatha Guntta</u>
Assistant County Attorney	Dr. Guntta, Director Florida Department of Health, Palm Beach County

23- 0860

BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY, FLORIDA
BUDGET TRANSFER

BGEX 080323*1664

FUND 1227 Pollution Recovery Trust Fund

ACCT.NUMBER	ACCOUNT NAME	ORIGINAL BUDGET	CURRENT BUDGET	INCREASE	DECREASE	ADJUSTED BUDGET	EXPENDED/	REMAINING
							ENCUMBERED As of 08/03/2023	
<u>REVENUES/EXPENDITURES</u>								
760-3199-9902	Operating Reserves	110,485	172,771	0	83,183	89,588		89,588
480-4807-8101	Contribution Othr Govtl Agency	0	0	83,183	0	83,183		83,183
Total Receipts and Balances		794,256	631,519	83,183	83,183	631,519		

Office of Financial Management & Budget INITIATING DEPARTMENT/DIVISION Administration/Budget Department Approval OFMB Department - Posted	Signatures & Dates		By Board of County Commissioners	
	<u>Myathi Ganti MD</u>		At Meeting of	
	<u>ASDW 8/4/23</u>		August 22, 2023	
			Deputy Clerk to the	
			Board of County Commissioners	



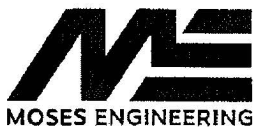
Moses Engineering
2209 NW 40th Terrace, Ste A
Gainesville, FL 32605
352.372.1911
moses-eng.com

Cost Estimate

DOH PBCHD Water Lab Redundant Emergency Power
DOH Project #: TBD
Moses Project #: 22100
August 2, 2023

Item	Qty	Unit	Total Unit Cost	Total Cost
ELECTRICAL				
Electrical Demolition	1	LS	\$5,500.00	\$5,500.00
New Panelboard	1	LS	\$2,200.00	\$2,200.00
Panelboard Installation	1	LS	\$3,300.00	\$3,300.00
Rewire Critical Laboratory Circuits	1	LS	\$13,200.00	\$13,200.00
New Manual Transfer Switch	1	LS	\$2,475.00	\$2,475.00
Transfer Switch Installation	1	LS	\$3,025.00	\$3,025.00
New Connection Box	1	LS	\$1,650.00	\$1,650.00
Connection Box Installation	1	LS	\$2,750.00	\$2,750.00
Conductors/Conduit (Installed)	150	LF	\$66.00	\$9,900.00
General Construction (Coring, Patching)	1	LS	\$8,250.00	\$8,250.00
			Total	\$52,250.00
TOTAL				

Total	\$52,250.00
O/H & P @ 20%	\$10,450.00
Total	\$62,700.00
Contingencies @ 15%	\$9,300.00
Grand Total	\$72,000.00



DELIVERING INNOVATIVE SOLUTIONS

August 2, 2023

Mr. Arthur Sienes
Operation Services Manager
Florida Department of Health
350 N Haverhill Road, Suite 700
West Palm Beach, FL 33415

Re: Engineering Services Fee Proposal
DOH PBCHD Water Lab Redundant Emergency Power
DOH Project No. TBD
Moses Project No. 22100

Dear Arthur,

We have discussed the scope of the referenced project with you and understand the requirements of the project. At your request, we are pleased to submit our proposal to provide the following engineering services for the project.

General Project Overview

Owner: Department of Health
Description: This project includes the addition and rewiring of electrical equipment to support a temporary backup generator for the Water Laboratory.
Delivery Method: Hard bid
Included Services: Electrical
Total Fee: \$15,998.70 (see Fee section below)

Moses Engineering's Scope

1. Existing Plans
 - a. Existing AutoCAD or Revit files of the scope area exist and shall be provided to us for our use to develop the project.
2. Existing Conditions
 - a. As-built review
 - b. Field survey
 - c. Provide review of owner furnished 30-day load study of electrical system. Should you require Moses Engineering to provide the testing, this can be added as additional service for \$2,000.00 per point load study.
3. Electrical
 - a. Provide new panelboard and rewire critical laboratory loads.
 - b. Design manual transfer switch for temporary backup generator.
 - c. Provide connection box for temporary backup generator.
4. Coordinate with equipment vendors as necessary to establish the project requirements
5. Provide minutes of all meetings

Construction Administration

Moses Engineering will provide construction administration services including:

1. Review of shop drawings & approval submittals (maximum of two reviews per submittal, additional reviews will be charged at our hourly rates)

2. Respond to RFIs
3. Site Visits for Inspections and/or Meetings
 - a. Attendance at virtual OAC meetings
 - b. Site visits and inspections concurrent with OAC meetings
 - c. Qty 2 site visits
 - d. Substantial completion inspection
 - e. Final completion inspection
4. Review of contractor pay requests
5. Closeout Process
 - a. As-built drawings
 - b. Review of O&Ms (maximum of two reviews, additional reviews will be charged at our hourly rates)

Exclusions

The following work is specifically excluded from this proposal, but could be added as additional services at a later date should you request it:

1. Site systems: storm water, sanitary sewer, water and irrigation systems
2. Fire protection systems
3. Fire alarm systems
4. Structured cabling systems
5. Audio-Visual systems
6. 30-day electrical load studies
7. Commissioning
8. Upgrade of existing electrical system capacity
9. Upgrade of existing HVAC capacity
10. Arc Flash analysis
11. LEED services
12. Energy Rebate documentation
13. Additional site visits not caused by Moses Engineering
14. Systems or services not specifically included in this proposal
15. Cost Estimating
16. Structural Engineering Services
17. Permits and Permitting Fees (obtained and paid by Contractor or Owner)
18. As-built documentation
19. Construction Administration extending beyond the estimated construction period

Deliverables & Schedule

We will develop the project and make the following deliverables. You have not provided a schedule, but we expect to start our services promptly after receipt of your acceptance of this proposal. The estimated time of performance is:

<u>Deliverable</u>	<u>Items to be delivered</u>	<u>Date/Days*</u>
50% Construction Documents	PDF	30 days
100% Construction Documents	PDF (S&S)**	15 days
Construction Administration	N/A	~6 months

*After receipt of NTP and all review comments from previous submittal if applicable.

**S&S using a Digital Signature

We request that you inform us of changes in the time of performance in writing. We will endeavor to accommodate any changes, but we reserve the right to negotiate with you additional compensation or time.

Fee

We propose a lump sum fixed fee of \$15,998.70. This is based on the tasks and manhours attached. Additional services, if authorized, will be charged based on a lump sum or at our hourly rates plus expenses. We will bill you according to the Draft Invoice attached.

<u>Title</u>	<u>Hourly Rate</u>
Principal 1	\$150.06
Principal 2	\$123.52
Registered Engineers	\$100.26
Project Engineers	\$ 95.47
Draftsman	\$ 56.06
Cx Specialist	\$ 91.24
Clerical/Admin	\$ 74.91

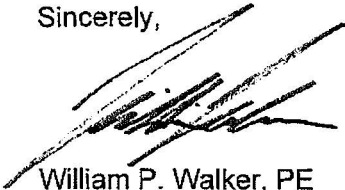
We will produce this project using Revit software.

If you decide to proceed with this project and the scope of our proposed services and fee meet your approval, please send us a Purchase Order and contact us at your earliest convenience.

This proposal is open until September 2, 2023 unless changed by us in writing.

Thank you for the opportunity to assist you with your engineering needs. We look forward to working with you.

Sincerely,



William P. Walker, PE
Vice-President

Attachment(s): Draft Invoice
Tasks and Manhours
Work Plan

M:\2022\22100 DOH PBCHD Water Lab Redundant Emergency Power\1 Project Management\5 Proposals\22100 P01.docx



Moses Engineering
2209 NW 40th Ter, Ste A
Gainesville, FL 32605
352.372.1911

Arthur Sienes
Florida Department of Health
350 N Haverhill Road, Suite 700
West Palm Beach, FL 33415

Invoice number: * Draft *
Date: 08/02/2023
Project: DOH PBCHD WATER LAB
REDUNDANT
EMERGENCY POWER

Client Project No:
Client PO No:
Moses Project No: 22100

Description	Contract Amount	Prior Billed	Percent Complete	Current Billing	Remaining To Bill
SURVEY PHASE					
201 COMPLETION OF SURVEY	2,209.52	0.00	0.00	0.00	2,209.52
CONSTRUCTION DOCUMENTS PHASE					
501 SUBMITTAL OF 50% CONSTRUCTION DOCUMENTS	3,891.06	0.00	0.00	0.00	3,891.06
502 SUBMITTAL OF 100% CONSTRUCTION DOCUMENTS	3,700.12	0.00	0.00	0.00	3,700.12
BID/NEGOTIATION PHASE					
601 BIDDING PHASE SERVICES	2,972.57	0.00	0.00	0.00	2,972.57
CONSTRUCTION ADMINISTRATION PHASE					
701 CONSTRUCTION ADMINISTRATION	3,225.43	0.00	0.00	0.00	3,225.43
Total	15,998.70	0.00	0.00	0.00	15,998.70

Invoice Total 0.00

Approved by:

Juan J. Natteri



Moses Engineering
2209 NW 40th Terrace, Ste A
Gainesville, FL 32605
352.372.1911
moses-eng.com

Tasks and Manhours

Project Name: DOH PBCHD Water Lab Redundant Emergency Power
DOH Project #: TBD
Moses Project #: 22100

	Principal Engineer	Principal Engineer 2	Registered Engineer	Engineer	Draftsman	Cx Specialist	Clerical
Hourly Rate	\$150.06	\$123.52	\$100.26	\$95.47	\$56.06	\$91.24	\$74.91
Field Survey (201)							
As Built Review	2	0	0	6	0	0	0
Field Survey Electrical	0	0	0	14	0	0	0
Subtotal Hours	2	0	0	20	0	0	0
Subtotal \$	\$300.12	\$0.00	\$0.00	\$1,909.40	\$0.00	\$0.00	\$0.00
Total Task Fee	\$2,209.52						

50% CD Submittal (501)							
Project Management	2	0	0	4	0	0	2
Meetings	4	0	0	4	0	0	0
CAD Templates	0	0	0	2	4	0	0
Design Electrical	0	0	0	4	0	0	0
Specifications	1	0	0	0	0	0	4
Subtotal Hours	7	0	0	18	12	0	6
Subtotal \$	\$1,050.42	\$0.00	\$0.00	\$1,718.46	\$672.72	\$0.00	\$449.46
Total Task Fee	\$3,891.06						

100% CD Submittal (502)							
Project Management	2	0	0	0	0	0	2
Meetings	4	0	0	4	0	0	0
CAD Templates	0	0	0	0	4	0	0
Design Electrical	0	0	0	4	0	0	0
Specifications	1	0	0	0	0	0	4
Subtotal Hours	7	0	0	16	12	0	6
Subtotal \$	\$1,050.42	\$0.00	\$0.00	\$1,527.52	\$672.72	\$0.00	\$449.46
Total Task Fee	\$3,700.12						

Bidding Services (601)							
Prequalification Form	3	0	0	6	0	0	8
Prebid Conference	1	0	0	6	0	0	0
Addenda	0	0	0	0	0	0	0
Bid Review & Recommendation	1	0	0	3	0	0	0
Subtotal Hours	5	0	0	17	0	0	8
Subtotal \$	\$750.30	\$0.00	\$0.00	\$1,622.99	\$0.00	\$0.00	\$599.28
Total Task Fee	\$2,972.57						

Construction Administration (701)							
Shop Drawing Review	0	0	0	4	0	0	0
Job Site Meetings	4	0	0	12	0	0	0
Closeout Review	2	0	0	6	0	0	3
Subtotal Hours	6	0	0	22	0	0	3
Subtotal \$	\$900.36	\$0.00	\$0.00	\$2,100.34	\$0.00	\$0.00	\$224.73
Total Task Fee	\$3,225.43						

Total Fee	\$15,998.70
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DELIVERING INNOVATIVE SOLUTIONS

WORK PLAN

Task 1 - Existing Conditions Verification Phase:

Moses Engineering (Moses) will visit the site to verify existing conditions.

Task 1 Deliverables: At a minimum, the deliverables shall include the following:

- Electronic copies of the field measure drawings in PDF file format. The documents shall be formatted for reproduction on 24x36 paper.

Total Task 1 Fee **\$2,209.52***

*50% payment for Task 1 to be at time of deliverable submittal and 50% at time of owner acceptance of the deliverable.

Task 1 Performance Measures: The Design and Construction project manager will review the submitted documentation of the existing conditions and provide comment as needed to the consultant. The review will ensure the work is being performed in accordance with the proposal and submitted in a timely manner.

Task 2 – 50% Construction Documents:

Based upon the information obtained in Task 1 and a preliminary meeting with the FDOH staff, Moses will provide 50% Construction Documents information to address the noted scope of work.

Task 2 Deliverables: At a minimum, the deliverables shall include the following:

- Electronic copies of the 50% construction document drawings in PDF file format. The documents shall be formatted for reproduction on 24x36 paper.
- Electronic copies of all additional materials required to convey the 50% construction document intent.

Total Task 2 Fee **\$3,891.06***

*50% payment for Task 2 to be at time of deliverable submittal and 50% at time of owner acceptance of the deliverable.

Task 2 Performance Measures: The Design and Construction project manager will review the submitted 50% construction documents and provide comment as needed to the consultant. The review will ensure the work is being performed in accordance with the proposal and submitted in a timely manner.

Task 3 – 100% Construction Documents:

Based upon the approved 50% Construction Documents, this phase includes preparation of the necessary final documents for permitting and construction for this project. Our services will include Specifications, Plans, Sections and Details to best describe the proposed work for permitting and construction.

Task 3 Deliverables: At a minimum, the deliverables shall include the following:

- Electronic copies of the final Construction Document drawings in PDF file format. The documents shall be formatted for reproduction on 24x36 paper.
- Electronic copies of the final technical specifications in PDF file format. The documents shall be formatted for reproduction on 8-1/2x11 paper.

- Electronic copies of all additional materials associated with the permit submittal.
- Digital signed and sealed copies of all the final construction documents required to attain all necessary permits. The final quantity shall be determined upon permit submittal (refer to printing cost, task)

Total Task 3 Fee **\$3,700.12***

*100% payment for Task 3 to be at time of deliverable submittal.

Task 3 Performance Measures: The project manager will review the submitted final design documentation to verify that they contain sufficient information to obtain all necessary permits and construct the work. The review will ensure the work is being performed in accordance with the proposal and submitted in a timely manner.

Task 4 – Bidding Services:

Moses will provide bidding services in accordance with the proposal.

Task 4 Deliverables: At a minimum, the deliverables shall include the following:

- Prepare forms and documents for bidding phase.
- Develop Prebid agenda and conduct prebid conference.
- Review and respond to Request for Information (RFI) from the contractor. Responses shall be documented and transmitted via electronic PDF format.
- Review bids and provide bid recommendation.

Total Task 4 Fee **\$2,972.57***

*100% payment for Task 4 to be at time of bid award.

Task 5 - Construction Administration Phase:

Moses will provide full construction administration services in accordance with the proposal.

Task 5 Deliverables: At a minimum, the deliverables shall include the following:

- Review and respond to Request for Information (RFI) from the contractor. Responses shall be documented and transmitted via electronic PDF format.
- Communication via phone, email or on-site observation meetings with the contractor and owner. Meeting minutes shall be documented and transmitted via electronic PDF format.
- Issue revised construction documents and addendum as needed. Revised drawings and addenda shall be transmitted via electronic PDF format and signed, sealed originals (as needed for permitting).
- Review and provide responses/comments to shop drawings submitted by the contractor.
- Provide on-site construction observation report after visiting the site during construction. The reports shall be transmitted via electronic PDF format.

Total Task 5 Fee **\$3,225.43***

*Payment schedule for Task 5 will be made based on award of contract and percentage of completion of approved contractor pay application.

Performance Measures:

The project manager will review the submitted and approved shop drawings/observation reports and comment as needed. The review will ensure the work is being performed in accordance with the submitted construction documents. Each observation report is to be submitted no later than one (1) week after completion of the field visit.

Financial Consequences:

No payment will be made for unsatisfactory deliverables. In the event that a deliverable is deemed unsatisfactory, the Consultant shall re-perform the services needed for submittal of a satisfactory deliverable, at no additional cost to the Department within 15 consecutive days. If a satisfactory deliverable is not submitted within the specified timeframe, the Department may, in its sole discretion, terminate the Contract for failure to perform.

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MICROBIOLOGY LABORATORY EXPENSES TABLE (August 2, 2023)

Equipment:

Item	Quantity	Unit	Total Unit	Total Cost
ELECTRICAL				
Electrical Demolition	1	LS	\$5,500.00	\$5,500.00
New Panelboard	1	LS	\$2,200.00	\$2,200.00
Panelboard Installation	1	LS	\$3,300.00	\$3,300.00
Rewire Critical Laboratory Circuits	1	LS	\$13,200.00	\$13,200.00
New Manual Transfer Switch	1	LS	\$2,475.00	\$2,475.00
Transfer Switch Installation	1	LS	\$3,025.00	\$3,025.00
New Connection Box	1	LS	\$1,650.00	\$1,650.00
Connection Box Installation	1	LS	\$2,750.00	\$2,750.00
Conductors/Conduit (Installed)	150	LF	\$66.00	\$9,900.00
General Construction (Coring, Patching)	1	LS	\$8,250.00	\$8,250.00
			Total	\$ 52,250.00
			\$52,250.00 O/H & P @ 20%	\$ 10,450.00
			\$62,700 Contingencies @ 15%	\$ 9,300.00
			Equipment Grand Total	\$ 72,000.00

Engineering Services:	
Description: This project includes the addition and rewiring of electrical equipment to support a temporary backup generator for the Water Laboratory	
Included Services: Electrical	
Total Services Fee \$ 15,998.70	

TOTAL PROJECT COST	\$ 87,998.70
Pollution Recovery Trust Fund Budge	\$ (83,183.00)
Local DOH Funds	\$ 4,815.70

INTEROFFICE MEMORANDUM
Palm Beach County

DATE: March 27, 1989
TO: Jan Winters
County Administrator
FROM: Richard E. Walesky, Director *mw*
Environmental Resources Management
SUBJECT: REVISED BACKUP, 04/01/89 AGENDA ITEM 3-G-2

At the request of the Office of Financial Management and Budget, the subject item (resolution creating a local pollution recovery trust fund) has been revised to include a specific statement that monies disbursed from the fund not be used for operations and maintenance.

The requisite number of copies of the revised resolution and this cover memorandum are provided herewith for distribution.

REW:GRM
Attachment

R89 576

Board of County Commissioners

Carol J. Elmquist, Chairman
Karen T. Marcus, Vice Chair
Carol A. Roberts
Ron Howard
Carole Phillips

County Attorney

Van B. Cook



RECEIVED

APR 12 1989

Division of Environmental Engineering
PALM BEACH COUNTY
HEALTH DEPARTMENT

DATE: April 11, 1989

TO: Umesh Asrani
Health Unit

FROM: Liz Woods, Legal Secretary to *[Signature]*
Gordon P. Selfridge, Assistant County Attorney III

RE: Palm Beach County Pollution Recovery Trust Fund

Per your telephone conversation with Gordon, attached please find a copy of the resolution relative to the above referenced subject which was approved by the Board on April 4, 1989.

If you should need additional information, please do not hesitate to contact me.

/lw

Enclosure

(m.asrani)

"An Equal Opportunity - Affirmative Action Employer"

BOX 1989 WEST PALM BEACH, FLORIDA 33402-1989

(407) 355-2225

Suncom (407) 273-2225

Meeting Date: April 4, 1989Agenda Item #: 36-2

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Consent ☒ [X]Regular ☐ []Public Hearing ☐ []I. EXECUTIVE BRIEFRequest Submitted By: Environmental Resources ManagementMotion and Title:

STAFF RECOMMENDS MOTION TO APPROVE resolution establishing a Palm Beach County Pollution Recovery Trust Fund; providing that monies deposited be utilized to restore and/or enhance Palm Beach County's environmental resources. This recommendation was conceptually approved at the March 21, 1989 BCC workshop as Issue #2.

Background and Justification:

The Department's current contract with the State for pollutant storage tank compliance activities provides for annual inspections of most of the fuel storage facilities in the County. In the first year of the program, the primary emphasis has been on identifying violations and assisting the owner or operator of the facility in correcting the noted deficiencies. Upon completion of this initial round of inspections, greater emphasis will be placed on enforcement.

Facilities with repeat violations and facilities that fail to properly correct violations will be subject to penalties under the current State policy. Under terms of the Department's contract with the State, the County will be required to implement State policy with regard to enforcement actions and collection of penalties.

Under guidelines established by the State, monies collected within the County can remain in the County and be utilized for environmental restoration and enhancement projects, provided that a trust fund is created and properly managed. If the fund is not established, penalty settlements collected in the storage tank program or penalties collected in joint County/Florida Department of Environmental Regulation enforcement actions must be directed to the State's Pollution Recovery Trust Fund. Facility owners are never pleased with a requirement to pay a penalty. However, penalties are often more palatable when used for environmental resource restoration or enhancement projects, rather than for staff salaries or operating costs.

Requests and recommendations for use of the trust fund would be prepared by the Department and presented to the Board of County Commissioners for review and approval. The Palm Beach County Health Unit has expressed support for creation of the fund and may wish to utilize it in the future.

Exhibits Attached For Board (list by letter):

a. Resolution

THIS AGENDA ITEM DOES ☒ [X] DOES NOT ☐ [] HAVE A FISCAL IMPACT.

Note: If it does, please complete Fiscal Impact Analysis on page 2.

Recommended By: Richard E. Walley

Department Director

3/22/89
DateOFMB Review and Comments:

RECOMMEND APPROVAL. THIS TRUST FUND WILL GENERATE REVENUE WHICH CAN BE USED FOR ENVIRONMENTAL CAPITAL PROJECTS.

Tom Elliott3/23/89

OFMB Signature & Date

Legal Sufficiency
(If Applicable)Richard P. Delbridge
County Attorney3/21/89
Date

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

PRELIMINARY AGENDA

APRIL 4 1989

TUESDAY
9:30 A.M.

COMMISSION
CHAMBERS

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

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

3. CONSENT AGENDA (Page 2-10)

4. SPECIAL PRESENTATIONS - 9:45 A.M. (Motion to approve special presentations)
 - A. Proclamation declaring the Week of April 9-15, 1989 as Palm Beach County Building Safety Week. (Sponsored by Commissioner Marcus)
 - B. Proclamation declaring the Month of April 1989 as Arbor Month in Palm Beach County. (Sponsored by Commissioner Elmquist)
 - C. Certificate of Appreciation honoring Officer William A. Miller, Jr. as Palm Beach County's Distinguished Law Officer of the Year for 1988. (Sponsored by Commissioner Roberts)
 - D. Certificate of Appreciation honoring Lt. David I. Harris as Palm Beach County's Distinguished Law Officer of the Year for 1988. (Sponsored by Commissioner Roberts)

5. MATTERS BY THE PUBLIC - 10:00 A.M.

6. SPECIAL ITEMS (Time Certain)

2:00 P.M. Staff recommends motion to approve: Resolution declaring the Westgate/Belvedere Homes area as "blighted" pursuant to Section 163.355, Florida Statutes (1986), and declaring the intent to create a Community Redevelopment Area as described in the Act. (HCD) (MF) (Community Services)

2:30 P.M. Staff recommends motion to approve: Redirection of funds in the amount of \$14,378 previously granted to Association for Retarded Citizens, Glades Area. (Financially Assisted Program) (Community Services)

3:00 P.M. Staff recommends motion to receive & file: Preliminary 1988/89 Portfolio of County Owned Real Estate (CORE) and Real Property Leases Report. (Property & Real Estate Management)

4:30 P.M. Staff recommends motion to approve: One Hundred (100) percent design development for the Judicial Center. (Engineering)

7. BOARD APPOINTMENTS (Page 11)

8. REGULAR AGENDA (Page 12-13)

9. ORDINANCES (Page 14)

10. STAFF COMMENTS (Page 14)

11. COMMISSIONER COMMENTS (Page 15)

12. ADJOURNMENT (Page 15)

RECEIVED
APR 6 1989
Division of Environmental Engineering
PALM BEACH COUNTY
HEALTH DEPARTMENT

APRIL 4, 1989

3. **CONSENT AGENDA APPROVAL**

E. COMMUNITY SERVICES (Cont'd.)

8. **Staff recommends motion to approve:** Close-out Package Contract No. 88EH-31-10-60-01-014 with Florida State Department of Community Affairs providing for FY 1988-89 funding of Emergency Community Services Homeless Program. (Community Action Program) (MF)
9. **Staff recommends motion to receive & file & forward to PBC Health Unit Human Services Division:** The 1989 Poverty Income Guidelines.

F. AIRPORTS

1. **Staff recommends motion to approve:** License Agreement with Jorn Donner Productions Helsinki, to provide for use of a terminal location for filming a scene to be part of Donner Productions' Motion Picture. (GS)
2. **Staff recommends motion to approve:** Airport Concession Agreement with Jerry's of Palm Beach, Inc. (Jerry's), to provide for the operation of Jerry's in-flight catering service at a rate of seven percent (7%) of gross revenues estimated to be \$97,000 in the first year. (GS)
3. **Staff recommends motion to approve:** Agreements with the following property owners in the Hillcrest neighborhood of West Palm Beach to acquire homes: (GS)

Jorge and Marlene Zamora
Hector and Brenda Scigliano

G. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** Execution of an amendment to Contract GC 17 with the Florida Department of Environmental Regulation, for site cleanup activities in the Pollutant Storage Tank Program. The amendment provides funding in the amount of \$71,819.96 for the period of April 5, 1989 through September 30, 1989, and extends the contract period to September 30, 1990 for a total amount under this contract of \$186,152.96.
2. **Staff recommends motion to approve:** Resolution establishing a Palm Beach County Pollution Recovery Trust Fund; providing that monies deposited be utilized to restore and/or enhance Palm Beach County's environmental resources. This recommendation was conceptually approved at the March 21, 1989 BCC workshop as Issue #2.
3. **Staff recommends motion to approve:** Execution of a Local Program General Agreement between the Department of Environmental Resources Management (ERM) and the Florida Department of Environmental Regulation (FDER). The Agreement would recognize ERM as an approved Local Pollution Control Program and would provide for future delegation of specific programs, thus furthering Department efforts towards a consolidated permitting process. This recommendation was conceptually approved as Issue No. 3 at the March 21, 1989 BCC workshop.
4. **Staff recommends motion to approve:** An additional position in the Department of Environmental Resources Management. The position would provide for management of County-owned pollutant storage tanks, management of contamination cleanup activities on County-owned property and coordination of environmental audits for proposed County acquisitions. Funding for the remainder of FY 1988-89 will be with currently budgeted funds. This recommendation was conceptually approved at the BCC workshop on March 21, 1989, issues #5, #11 and #14.