

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

JULY 20, 2010

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 6)
- 3. CONSENT AGENDA (Pages 7 – 24)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 25 - 26)**
- 5. REGULAR AGENDA (Pages 27 - 31)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 32)**
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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 35)

STAFF COMMENTS (Page 36)

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ADJOURNMENT (Page 37)

JULY 20, 2010

2. SPECIAL PRESENTATIONS – 9:30 A.M.

- A.** Proclamation declaring July 2010 as “Palm Beach County Fire-Rescue Volunteer Battalion Month” in Palm Beach County. (Sponsored by Commissioner Aaronson)

- B.** Proclamation declaring August 16 – 20, 2010 as “Florida Water Professionals Week” in Palm Beach County. (Sponsored by Commissioner Koons)

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** the reappointment of Ms. Judith G. Daversa to the Planning Commission as the District 1 representative, for the term June 9, 2010, to June 5, 2013. **SUMMARY:** The Planning Commission was created by Ordinance 2008-003 and replaced the Land Use Advisory Board. The Planning Commission consists of 16 members; 15 BCC appointed members; one (1) of which is appointed at-large by a majority vote of the BCC, and one (1) School District representative. Commissioner Marcus is reappointing Ms. Daversa as the District 1 representative on the Planning Commission. Countywide (RPB)

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>
Zoning	August 27, 2009
Workshop	September 22, 2009
Joint with City of Lake Worth	October 14, 2009
Zoning	October 22, 2009
Joint/School Board, League of Cities, & Legislative Delegation	October 28, 2009
Comprehensive Plan	November 19, 2009
Zoning	December 8, 2009
Zoning	March 31, 2010
Regular	May 4, 2010

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during May 2010. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution declaring parcels of Palm Beach County (County) owned land as rights-of-way; and

B) approve the payment of \$908,157 as compensation for the right-of-way parcels.

SUMMARY: Adoption of this Resolution will declare County-owned land as rights-of-way for the construction of Lyons Road from north of West Atlantic Avenue to south of Boynton Beach Boulevard. The payment will reimburse the bond fund for the property taken. The payment was calculated based upon the per acre acquisition cost plus interest. The County acquired the Bowman and York farms as part of the Ag Reserve/Conservation bond program. The Thoroughfare Plan identified the need for right-of-way for Lyons Road through these properties. The Bowman farm required 14.9347 acres for the right-of-way and the York farm required 1.0904 acres for the right-of-way. District 5 (PK)

3. DELETED

4. Staff recommends motion to approve:

A) nine (9) Assignments of Rights in favor of Lake Worth Drainage District (LWDD) for rights on West Atlantic Avenue; and

B) a Palm Beach County (County) Deed in favor of LWDD for property along West Atlantic Avenue.

SUMMARY: Approval of this item will allow nine (9) Assignments of Rights and one (1) County Deed to LWDD on West Atlantic Avenue, from 1,330 feet west of Lyons Road to Starkey Road. District 5 (PK)

5. Staff recommends motion to approve: the renewal of the Testing Lab Services Annual Agreements with Ardaman & Associates, Inc. (Ardaman), whose original Agreement was dated September 9, 2008 (R2008-1425); Radise International, LC (Radise), whose original Agreement was dated September 23, 2008 (R2008-1602) and Tierra, Inc. (Tierra), whose original Agreement was dated September 9, 2008 (R2008-1417). **SUMMARY:** Approval of these Renewal Agreements will extend required professional services for one (1) year, on a task order basis. The Renewal Agreement with Ardaman will continue for the period of September 9, 2010, through September 8, 2011. The Renewal Agreement with Radise will continue for the period of September 23, 2010, through September 22, 2011. The Renewal Agreement with Tierra will continue for the period of September 9, 2010, through September 8, 2011. Ardaman has an office in Palm Beach County. Radise is a Palm Beach County company. Tierra has an office in Palm Beach County. Countywide (PK)

6. Staff recommends motion to approve: an Agreement with Floral Lakes Community Association Incorporated (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** approval of this Agreement will authorize the Sheriff to provide traffic control enforcement services within the Community. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. **Staff recommends motion to receive and file:** an Agreement with Wantman Group, Inc., in the amount of \$52,714.28 for professional services for the preparation of a conceptual drainage design for West Atlantic Avenue from Florida's Turnpike to Jog Road. This Agreement was approved on April 26, 2010 by the County Engineer, as a delegated authority in accordance with the Purchasing Code. **SUMMARY:** This Agreement is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. District 5 (PK)

8. **Staff recommends motion to receive and file:** Supplement No. 17 with K-F-Group to provide professional services for the preparation of design plans and construction bid documents for Jog Road from south of 45th Street to north of 45th Street (Project Number 1998506, under Agreement R2001-1619). **SUMMARY:** Filing of this Supplement No. 17, in an amount of \$39,927.25, will provide the notification required under PPM CW-F-050 (7.E). District 5 (PK)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 001 to the Contract for Consulting/Professional Services with Multilingual Psychotherapy Centers, Inc. (R2009-1637), for the period of February 1, 2010, through September 30, 2010, to increase the contract amount by \$6,500, for a new not-to-exceed total of \$22,500, to expand mental health services to Early Head Start children. **SUMMARY:** Additional funding is being provided as a result of the American Recovery and Reinvestment Act Expansion Grant. Multilingual Psychotherapy Centers, Inc. will provide ongoing mental health services to Early Head Start expansion children and families. Funding consists of \$5,200 (80%) in Federal funds and \$1,300 (20%) in County funds. The County's portion is included in the FY 2010 budget. (Head Start) Countywide (TKF)

2. **Staff recommends motion to approve:** Amendment No. 001 to the Contract for Consulting/Professional Services with Marriage & Family Services, Inc. (R2009-1640), for the period of December 1, 2009, through September 30, 2010, to increase the contract amount by \$4,000, for a new total not-to-exceed \$24,000, to expand mental health services to Head Start children. **SUMMARY:** Additional expansion grant funding is being allocated to Marriage & Family Services, Inc. to ensure that ongoing mental health services be provided to Head Start children and families. Funding consists of \$3,200 (80%) in Federal funds and \$800 (20%) in County funds. The County's portion is included in the FY 2010 budget. (Head Start) Countywide (TKF)

3. **Staff recommends motion to approve:** Amendment No. 001 to Contract for Provision of Financial Assistance (R2009-2110) with Governor's Council for Community Health Partnerships, Inc. (GCCHP), for an increase of \$8,500, and a new not-to-exceed amount of \$470,200, for the period January 1, 2010, through September 30, 2010. **SUMMARY:** The GCCHP has experienced an increase in administrative responsibilities and demands and this Amendment increases the contract by \$8,500 to meet those needs. GCCHP processes payments to the specific summer camp providers based on invoices from PBC Division of Human Services, maintains financial reports for funding received and expended from private donations, grants and contracts. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) approve an Agreement with Oakwood Center of the Palm Beaches, Inc. for the period of August 1, 2010, through July 31, 2011, in an amount of \$ 217,464, for 17 permanent housing beds for disabled, homeless individuals; and

B) approve a waiver of prohibited relationship pursuant to Ordinance 2009-051, the Palm Beach County Code of Ethics, for Dr. Linda DePiano of Oakwood Center of the Palm Beaches, Inc., a member of the Criminal Justice, Mental Health, and Substance Abuse Planning Council and Thomas McKissack of Oakwood Center of the Palm Beaches, Inc., a member of the Palm Beach County HIV Care Council.

SUMMARY: This Agreement with Oakwood Center of the Palm Beaches, Inc. is a collaborative with the Division of Human Services funded under a Housing and Urban Development (HUD) Shelter Plus Care Program Grant. The grant provides rental assistance for permanent housing beds for 17 homeless, disabled individuals. No local match is required for this grant. Prohibited relationship waivers are being recommended for two (2) employees of Oakwood Center who serve on County advisory boards. The individuals have disclosed this relationship and are requesting a waiver pursuant to Section 3.D. of the Code of Ethics. The waivers are being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of the individuals on the respective advisory boards. (Human Services) Countywide (TKF)

5. Staff recommends motion to receive and file: the 2009 U.S. Department of Housing and Urban Development (HUD) Grant Agreements for:

A) the Supportive Housing Program renewal, FL0292B4D050802, for the period January 1, 2011, through December 31, 2011, in the amount of \$442,158;

B) the Shelter Plus Care Program renewal, FL0281C4D050802, for the period of May 23, 2010, through May 22, 2011, in the amount of \$191,880; and

C) the Shelter Plus Care Program renewal, FL0320C4D050901, for the period of August 1, 2010, through July 31, 2011, in the amount of \$217,464.

SUMMARY: On December 15, 2009 (R2009-2115), the Board of County Commissioners delegated authority to the County Administrator or his designee to sign the U.S. Department of Housing and Urban Development (HUD) Supportive Housing Program grant agreement and the HUD Shelter Plus Care grant agreements. This authorization and designation was necessary to expedite the agreements and thereby avoid gaps in service delivery to homeless individuals. (Human Services) Countywide (TKF)

6. Staff recommends motion to approve: Settlement Agreement to Standard Contract No. LD903 (R2008-2182) for the Brief Intervention and Treatment for Elders (BRITE) Program with the Florida Department of Children and Families (DCF) for the period December 1, 2009, through April 30, 2010, for payment of \$62,500. **SUMMARY:** Due to an unforeseen circumstance, the renewal contract was not executed by DCF on or before the deadline of November 30, 2009. The Division of Senior Services (DOSS) provided necessary services in good faith from December 1, 2009, through April 30, 2010. The Settlement Agreement reimburses DOSS in full the amount associated with the BRITE services rendered. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to adopt: a Resolution establishing a standard form Nonconcessionaire Rental Car Operator Ground Transportation Permit and standard form Off-Airport Parking Lot Operator Ground Transportation Permit (Permits); authorizing the County Administrator or his designee to execute the standard form Permits; repealing Resolution 2009-1267; and becoming effective upon adoption. **SUMMARY:** The Resolution establishes new standard form Permits for use with non-concessionaire rental car companies and operators of off-airport parking lots at the Palm Beach International Airport, and authorizes the County Administrator or his designee to execute the standard form Permits on behalf of the Board. The Resolution repeals Resolution 2009-1267, which adopted a similar permit that addressed both activities. The two (2) operations will now be addressed in separate permits. Countywide (AH)

2. Staff recommends motion to approve: an Airport Baggage Cart Concession Agreement (Agreement) with Smarte Carte, Inc., for an initial term of five (5) years and concession fee of 5% of gross revenues from baggage cart rentals. **SUMMARY:** Smarte Carte will be required to provide self-service baggage carts for use by passengers at the Palm Beach International Airport. Smarte Carte is headquartered out of St. Paul, MN, with its closest local office in Miami/Dade County. No minimum annual guarantee will be paid for the first contract year. The minimum annual guarantee will be established in the second contract year based on 85% of the concession fee paid to the County for the first contract year. The Agreement will commence on October 1, 2010 and will expire on September 30, 2015, with two (2) additional one (1) year options to renew. Countywide (AH)

3. Staff recommends motion to approve: Fixed Base Operator (FBO) Lease Agreement (Lease) for the North County General Aviation (North County Airport) and Palm Beach County Glades Airports (Pahokee Airport) with Piedmont Hawthorne Aviation, LLC, d/b/a Landmark Aviation (Landmark), commencing on September 1, 2010 for an initial term of ten (10) years and minimum rental payment and fees of \$719,500 for the first lease year. **SUMMARY:** On March 24, 2010, the Department of Airports (Department) issued RFP No. NCGL-10-5 for Fixed Base Operator Lease Agreement for the North County and Pahokee Airports. Five (5) proposals were received. On June 2, 2010, the Selection Committee recommended the selection of Landmark after reviewing the proposals and hearing oral presentations. Landmark currently conducts business with Palm Beach County as the FBO at the North County Airport, headquartered out of Houston, Texas. The Lease provides for the lease of the following facilities at both airports: terminal buildings, aircraft storage hangars, maintenance hangars, storage units and aviation fuel farms. For the first lease year, Landmark will pay the County the greater of a minimum annual rental of \$650,000 or percentage rent in the amount of 55% of gross real estate revenues; a license fee of \$35,500 for use of aircraft parking areas; and fuel farm rental fees of \$34,000. The minimum annual rental will be adjusted each lease year based on the greater of the prior year's minimum annual rental or 85% of the prior year's percentage rent. The percentage rent is anticipated to exceed the minimum annual rental in the first lease year. The percentage rent will escalate by 0.5% each lease year up to 60% of gross real estate revenues. The initial term of the lease will expire on August 31, 2020, which may be extended for one (1) additional five (5) year term upon mutual agreement of the parties. Landmark will assume the cost of property insurance and will be responsible for the majority of maintenance costs for both airports. The County will retain responsibility for certain major repair items, such as repairs to foundations or structural walls and columns. Approval of the Lease is anticipated to result in an increase in net revenues to the County over the prior fiscal year of approximately \$500,000. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: five (5) original Agreements for the Department of Airports:
- A) Agreement to Terminate Hangar Lease Agreement with Jim Edwards, Unit 17, Building 11720 at North County Airport, terminating R2003-1141 on May 31, 2010;
 - B) Hangar Lease Agreement with Michael Poteet, Unit 8, Building 11240, at North County General Aviation Airport for one (1) year, automatically renewed at one (1) year intervals, commencing on June 19, 2010;
 - C) Consent to Sublease for a Sublease Agreement between Florida Airmotive, Inc. and Pat Simescu, commencing into May 1, 2010;
 - D) Consent to Sublease for a Sublease Agreement between Piedmont Hawthorne Aviation, LLC and SunQuest Aviation Inc., commencing into April 1, 2010; and
 - E) Federal Aviation Administration Grant Agreement Number 3-12-0085-052-2010 for "Conduct Wildlife Hazard Assessment" at Palm Beach International Airport, replacing R2010-0712, which contained a scrivener's error.
- SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R1994-1453, R2004-1367, R2006-2086 and R2008-1845. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: a notice of exercise of the first option to extend the term of the Concessionaire Service Agreement (R2007-1109) with Brian E. Wilson and Jennifer G. Wilson, Joint Venture, d/b/a Lazy Loggerhead Café, for the continued use of the concession building at Carlin Park in Jupiter for \$67,491.84/year. **SUMMARY:** Brian E. Wilson and Jennifer G. Wilson, Joint Venture, d/b/a Lazy Loggerhead Café has operated under the current Concessionaire Service Agreement (Agreement) for the use of the concession building at Carlin Park in Jupiter since September 2007. The initial term of the Agreement expires August 31, 2010. Loggerhead Café is exercising the first of three (3) one (1) year extension options for the period of September 1, 2010, to August 31, 2011. The guaranteed annual rent will be increased by four percent (4%) from \$64,896 (\$5,408/month) to \$67,491.84 (\$5,624.32/month). The Parks & Recreation Department is satisfied with the Loggerhead Café's performance. The Board has no discretionary authority to deny the exercise of the option; however, the County may terminate this Agreement upon 90 days written notice to the Loggerhead Café. State Statutes do not require a Disclosure of Beneficial Interest to be obtained when the County leases property to a tenant. Since the Statute does not require the Disclosure and as this is an exercise of an option to extend a previously approved agreement for which a Disclosure was obtained, Staff did not request a new Disclosure. (PREM) District 1 (HJF)
2. Staff recommends motion to approve: a Utility Easement Agreement in favor of the Glades Utility Authority (GUA) for a water main to serve Fire Rescue Station No. 73 located in the City of Belle Glade. **SUMMARY:** The GUA has requested that a Utility Easement Agreement be recorded to memorialize the existence and location of an underground water main within the County's Fire Rescue Station No. 73 property. The fire station is located at 525 Southwest 2nd Street, Belle Glade. The easement area varies in length from 3.00 feet to 122.58 feet and varies 10 feet to 20 feet in width and contains approximately 7,322 square feet (0.17 acres). This non-exclusive easement is being granted at no charge as it provides water service for the benefit of the County facility. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: a First Amendment to the Agreement (R2005-0994) with St. Lucie County (St. Lucie) to extend the term of the Agreement until May 16, 2015. **SUMMARY:** The Agreement which provides the terms and conditions under which St. Lucie can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications, expired on May 16, 2010. The Agreement provides for three (3) renewal options, each for a period of five (5) years. Both parties must approve the renewal option. St. Lucie has approved a renewal to retroactively extend the term of the Agreement until May 16, 2015. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. St. Lucie is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This First Amendment renews the term, updates the County's notice provision and provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

I. HOUSING & COMMUNITY DEVELOPMENT

1. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2010-0902) with the Florida Conference Association of Seventh Day Adventists, to amend the number of units to be acquired. **SUMMARY:** The Agreement allocated \$272,600 for the acquisition and rehabilitation of at least six (6) multi-family vacant and foreclosed units for rental purposes. Increased interest by investors in this type of property has changed market conditions and raised the competitive cost of acquiring such units. As a consequence, it is projected that fewer units will be acquired. Accordingly, the Amendment reduces the number of units to be acquired to at least four (4) units. The Florida Conference Association of Seventh Day Adventists has indicated that they will endeavor to acquire as many units as possible above the four (4) units in order to be able to offer affordable rental housing opportunities to as many renter households as possible. **These are Federal Neighborhood Stabilization Program Grant funds that require no local match.** District 2 (TKF)
2. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2009-0092) with Comprehensive Community Care Network, Inc., to modify the scope of the project and to extend the expiration date from December 15, 2010, to March 31, 2011. **SUMMARY:** This Amendment expands the renovation scope of work of the community health care center facility located at 2330 South Congress Avenue, in the Village of Palm Springs. The renovation work will include the replacement of roof-top air conditioning units, a new roof, fencing, cabinetry, sinks, interior partitions, an elevator keypad control panel, an overhead paging system, an electric entrance door, and a bike rack. Reassessment of the desired scope of work and its subsequent expansion caused delays in the project, thereby requiring the requested time extension. The Amendment also incorporates certain provisions into the Agreement that relate to the Office of the Inspector General. **These are Federal Community Development Block Grant funds that require no local match.** District 3 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

3. Staff recommends motion to receive and file:

A) an Agreement with the City of Greenacres in the amount of \$62,266.82 for the period of April 22, 2010, to October 22, 2010; and

B) an Agreement with Neighborhood Renaissance, Inc., in the amount of \$2,058,461 for the period June 15, 2010, to October 22, 2010.

SUMMARY: Both Agreements provide funding under the 2005 Disaster Recovery Initiative (DRI) Program-Supplemental Appropriation, which is funded under a DRI Grant Agreement with the Florida Department of Community Affairs (DCA). The DRI Grant Agreement with DCA expired, but has since been extended to October 22, 2010. The Agreement with the City of Greenacres is intended for the continuation of a project that was commenced under Agreement (R2009-1777) and which expired with the expiration of the DRI Grant Agreement with DCA. The \$225,000 funded through the expired Agreement, less funds expended on the project to date, are being recommitted to allow for the completion of drainage improvements in the Bowman Street area. The Agreement with Neighborhood Renaissance, Inc. provides funding for the construction of 13 affordable single family housing units in the Westgate area. The County Administrator executed these two (2) Agreements under the authority provided by the Board of County Commissioners on September 11, 2007 (R2007-1524). **These are Federal Community Development Block Grant funds that require no local match.** District 2 (TKF)

4. Staff recommends motion to:

A) approve an Agreement with the Oakwood Center of the Palm Beaches, Inc., for renovation of the heating, ventilation, and air conditioning (HVAC) system in their facility, in the amount of \$275,513, for the period of July 20, 2010, through July 31, 2011; and

B) approve a waiver of prohibited relationship pursuant to Ordinance 2009-051, the Palm Beach County Code of Ethics, for Dr. Linda DePiano of Oakwood Center of the Palm Beaches, Inc., a member of the Criminal Justice, Mental Health, and Substance Abuse Planning Council and Thomas McKissack of Oakwood Center of the Palm Beaches, Inc., a member of the Palm Beach County HIV Care Council.

SUMMARY: The renovation work of the HVAC system will take place at the facility located at 1041, 45th Street in the City of West Palm Beach. The work funded through this Agreement will address Phases 2, 3 and 5 of the HVAC renovation at this facility. Phase 1 was funded under a prior Agreement (R2010-0716) using Federal Community Development Block Grant funds. The work for Phase 1 is presently under construction. Prohibited relationship waivers are being recommended for two (2) employees of Oakwood Center who serve on County advisory boards. The individuals have disclosed this relationship and are requesting a waiver pursuant to Section 3.D. of the Code of Ethics. The waivers are being recommended based on a staff determination that the execution of this contract will not create a conflict of interest with the continued service of the individuals on the respective advisory boards. **These are Federal Community Development Block Grant funds that require no local match.** District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)

5. Staff recommends motion to approve: the following Westgate/Belvedere Homes Community Redevelopment Agency (CRA) Board Officers for a one (1) year term commencing June 14, 2010, and expiring June 13, 2011:

<u>Board Member</u>	<u>Office</u>
Frederick G. Wade	Chair
Ronald Daniels	Vice-Chair

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven (7) at large members from residents and local businesses within the CRA boundaries. At the June 14, 2010 meeting, the CRA Commissioners elected the Chair and Vice-Chair from amongst its Board. The term shall be one (1) year, beginning with the date of election. District 2 (TKF)

6. Staff recommends motion to receive and file: two (2) Agreements funded under the Community Development Block Grant Recovery (CDBG-R) Program, with:

A) the Westgate/Belvedere Homes Community Redevelopment Agency in the amount of \$600,000, for the period of April 1, 2010, to March 31, 2011, and

B) the City of Greenacres in the amount of \$73,000, for the period of April 1, 2010, to December 31, 2010.

SUMMARY: On June 2, 2009, the Board of County Commissioners (BCC) approved the 11th Amendment to the Palm Beach County FY 2008-2009 Action Plan which allocated CDBG-R grant funds to the Westgate/Belvedere Homes Community Redevelopment Agency and to the City of Greenacres to enable them to undertake storm drainage improvement projects. CDBG-R funds were made available under the American Recovery and Reinvestment Act of 2009 (ARRA). Palm Beach County was allocated a total of \$1,846,758 under ARRA for public service activities, capital improvement activities, economic development activities, and for planning and administrative costs. The County Administrator executed these two (2) Agreements under the authority provided by the BCC on June 2, 2009 (R2009-0901). **These are Federal Community Development Block Grant Recovery Program grant funds** that require no local match. District 2 (TKF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting a responding resolution, authorizing Palm Beach County, Florida to commence the negotiation process for an Interlocal Service Boundary Agreement between Palm Beach County and the Village of Palm Springs, pursuant to Chapter 171, Part II, Florida Statutes; and providing an effective date. **SUMMARY:** On September 27, 2005, the Board of County Commissioners accepted the Village of Palm Springs Annexation Study and directed staff to implement the Study recommendations. On June 10, 2010, the Village of Palm Springs adopted an Initiating Resolution. This action is pursuant to Chapter 171, Part II, F.S., as a first step in the process of completing an Interlocal Service Boundary Agreement (ISBA). Pursuant to State Statutes, this item is being presented to the Board within 60 days of receipt of the Village's adoption of their initiating resolution. The area subject to the proposed agreement is located east of Military Trail, west of Kirk Road, north of Canal 11 Road and south of Canal 8 Road. The area is identified as a Countywide Community Revitalization Team (CCRT) Area and is within the Village's future annexation area. This Resolution identifies issues which may be negotiated during the agreement process. By adopting this resolution, the negotiation process can begin; however, the County is not obligated to enter into the Interlocal Agreement. The resolution does not annex any property at this time. The Village acknowledged that they are responsible for producing the supporting data and analysis as well as coordinating the negotiation process to develop the agreement which will be presented to the Board at a later date. District 3 (RB)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: one (1) Agreement for Emergency Generator Purchase, Operation and Maintenance with Valencia Pointe Master Association. **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 fund the purchase of 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. District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to receive and file: one (1) Standard Potable Water and Wastewater Development Agreement complete with executed documents received during the month of May 2010:

Utility Concurrency Reservation Agreement

A) Civic Development Group, LLC (District 3) 05-01106-000

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

3. Staff recommends motion to approve: a Purchase Agreement with Orica Watercare, Inc. for Miex DOC Anion Exchange Resin for the Water Treatment Plant (WTP) No. 2 Miex Treatment System in the total estimated amount of \$1,900,000 over a five (5) year term. **SUMMARY:** On June 29, 2010 (R2010-1038), the Board of County Commissioners (BCC) awarded the Contract for the construction of the WTP No. 2 Miex Treatment System to John J. Kirlin LLC. The Miex anion exchange process will remove the dissolved organic carbon (DOC) color compounds, improve the water quality and reduce energy consumption compared to the existing ozone treatment process. Orica Watercare, Inc. located in Watkins, Colorado is a sole source provider of the proprietary Miex DOC Anion Exchange Resin. The initial delivery in February of 2011 will fill the treatment basins at an estimated cost of \$700,000. Yearly operational costs for resin replacement are estimated to be \$300,000 for treating an average of 10 million gallons of water per day. The five (5) year Purchase Agreement includes a consumer price index (CPI) escalation clause. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with Orica Watercare, Inc. provides for SBE participation of zero overall. Overall the WTP No. 2 Miex Treatment System project including design, construction and start-up resin provides 15.70% SBE participation which exceeds the 15% SBE goal. (WUD Project No. 09-046) District 2 (JM)

4. Staff recommends motion to:

A) approve the revised Standard Indemnity Agreement, which modifies the Agreement to permit the indemnitor to claim title to the property through alternative methods;

B) authorize the County Administrator or designee to enter into the Indemnity Agreement; and

C) incorporate the Indemnity Agreement into Chapter 3 of the Department's Uniform Policies and Procedures Manual (UPAP).

SUMMARY: A Standard Indemnity Agreement to facilitate the transfer and use of capacity reservation and associated Guaranteed Revenue Credit is currently included in Chapter 3 of the Department's Uniform Policies and Procedures Manual. This form is used in cases where a Standard Assignment is not available. The Indemnity Agreement has been modified to address alternate transfers of property, including transfers via foreclosure proceedings. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Contract with The Murphy Construction Co. in the amount of \$1,757,848.54 for the construction of the Base Bid work of Dubois Park Redevelopment, Project No. 2009ERM10; and

B) authorize the Chair to sign a future Change Order not to exceed \$345,447.86 for the construction of the Alternate Bid work known as Zeke's Parcel Waterfront Development (Zeke's) upon the County's receipt of an approved permit for the work.

SUMMARY: The Project includes demolition of existing structures, installation of bulkheads and a seawall, dredging, and construction of an artificial reef and docking facilities at a County Parks facility. Eight (8) eligible bids were received for this Project.

The bid evaluation was based on the lowest responsive, responsible bidder for the Base Bid combined with the Alternate Bid. A Bid Protest delayed this construction procurement over three (3) months. The Murphy Construction Co., a Palm Beach County contractor and the lowest responsive, responsible bidder, has 17.34% Small Business Enterprise (SBE) participation for the cumulative Base and Alternate Bid work, which exceeds the established 15% goal. The Contract time is 270 calendar days. The Alternate Bid work will be awarded as a Change Order upon receipt of the required permit and submerged land lease. Staff seeks the Board's approval for the Chair to execute the future Change Order due to time constraints with the Metropolitan Planning Organization (MPO) grant funding of Zeke's Parcel. The Change Order will also add federal requirements imposed by the MPO grant. The Contract is funded from a combination of local, State and Federal grants, and boater access bond funds, all non-ad valorem sources. District 1 (JM)

2. Staff recommends motion to approve:

A) Contract with H & J Contracting, Inc. in the amount of \$543,171.33 for the construction of the Historic Jupiter-Indiantown Trail (FM No. 425259-1-58-01) Project No. 2009ERM09 (Project) through the County's Cypress Creek Natural Area;

B) Budget Transfer of \$188,097 in the Natural Areas Fund from Reserves to the Historic Jupiter-Indiantown Trail Project; and,

C) Budget Amendment of \$188,097 in the Environmental Capital Projects Fund to recognize the transfer from the Natural Areas Fund.

SUMMARY: Seven (7) eligible bids were received to construct this 2.07 mile-long bicycle, pedestrian and equestrian trail in the Northeast Everglades Natural Area (NENA). H & J Contracting, Inc., a Palm Beach County company, was the lowest responsive, responsible bidder. The Disadvantaged Business Enterprise (DBE) goal for this Project is 8.18%. The Contract time is 180 calendar days. Elements of the Project eligible for 100% reimbursement with Florida Stimulus Scenic Enhancement (FSSE) funds administered through the FDOT (R2010-0343) account for 75% of the bid amount. The County's share of this Project is \$133,780 from the Natural Areas Fund, a non-ad valorem source. An additional 10% of the bid price is included in the Budget Transfer and Amendment as contingency funding, as FDOT is unlikely to participate in any change orders associated with the work and thus represent additional financial risk to the County. District 1 (JM)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

A) receive and file a fully executed State of Florida, Department of Agriculture and Consumer Services, Urban and Community Forestry Grant Memorandum of Agreement for John Stretch Memorial Park; and

B) approve Budget Amendment of \$18,510 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On March 23, 2010, the Board authorized submission of a 2009-2011 Forest Health Improvement Initiative grant application (R2010-0410) for a tree planting project at John Stretch Memorial Park in order to create additional tree canopy in the park and to enhance the park's landscape buffer along US Highway 27. The Board also authorized the County Administrator or his designee to execute the funding Agreement and other grant forms related to this project if the grant was approved. This grant was approved by the Florida Division of Forestry, and the Grant Memorandum of Agreement (FDACS Contract No. 015941) has been fully executed and is now being submitted to the Board to receive and file. The grant money is being made available as part of a Federal Stimulus Grant Program and does not require matching funds. The grant contract period is from June 4, 2010, through July 31, 2011. The County is required to maintain plant materials established as part of this project for a period of three (3) years. District 6 (AH)

2. Staff recommends motion to receive and file: executed Independent Contractor Agreement received during the month of May: LB2 Enterprises, Inc., Masters Swim Team Coach, North County Aquatic Complex for the period June 1, 2010, through May 31, 2011, in an amount not-to-exceed \$26,000. **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 Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103 and 07-0409, and is now being submitted to the Board to receive and file. District 1 (AH)

3. Staff recommends motion to approve: Budget Transfer of \$175,000 in the Park Impact Fees Zone 2 Reserves for District Park F Phase II to Okeeheelee South Park Development Phase III. **SUMMARY:** This Budget Transfer is necessary to continue the environmental restoration and park development program at Okeeheelee South Park. This program will create approximately 50 acres of wetlands and streams as well as nine (9) or ten (10) miles of hiking, biking, and equestrian trails. District Park F Phase II (now known as County Pines Recreational Complex at Samuel Freidland Park) has been completed and this \$175,000 is now available for reallocation. District 6 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:

A) approve a grant for \$10,000 for the Family and Consumer Sciences "Power up Guys" Nutrition and Physical Fitness from General Mills Champions for Healthy Kids Grant Activity Program for the period of August 1, 2010, through August 30, 2011; and

B) approve a Budget Amendment of \$10,000 in the Cooperative Extension Service Revenue Grant Fund to establish revenue and grant expenditure budget; and

C) authorize the County Administrator or his designee to execute any certifications, or standard forms that do not change the scope of work or terms and conditions of the grant application.

SUMMARY: On January 16, 2010, the Palm Beach County Cooperative Extension Service Department submitted an electronic grant application for \$10,000 to General Mills. General Mills approved the grant application and awarded the County \$10,000 to implement the Organ Wise Guys Comprehensive School Program. The grant period begins August 1, 2010 and concludes on August 30, 2011. Funds will be used for educational program supplies, materials and food. Palm Beach County Extension program assistants will conduct two (2) - 30 minute sessions per week in two (2) Palm Beach County schools with an anticipated 720 participants for a total of 122½ hours of training per participant. No County match is required. District 6 (AH)

2. Staff recommends motion to approve: a Budget Transfer of \$45,554 in the Cooperative Extension Revenue Fund from Reserves to various programs.

SUMMARY: Expenditures have exceeded budget due to increased participation in programs and increased program costs. This Budget Transfer is for the following programs and projects: (a) expenditures for fee-based classes (\$1,232); (b) expenditures for Farm Safety Day (\$410); (c) Continuing Education Units (CEU's) (\$1,500); (d) 4-H Scholarships (\$8,000); (e) transportation for 4-H youth to statewide events (\$6,652); (f) 4-H Achievement Recognition (\$7,500); (g) installation of a sculpture in Mounts Botanical Garden (\$4,600); (h) teaching structure for plant propagation and air layering (\$15,000); and (i) shooting sports training (\$660) for a total of \$45,554. No ad valorem funding is required for this Budget Transfer. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) ratify the signature of the Chairman on the submittal of the following six (6) grant proposals to the Florida Department of Law Enforcement (FDLE) for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program: State Solicitation for the period from October 1, 2010, to September 30, 2011: 1) Palm Beach County Pre-Trial Services Program for \$48,500; 2) Juvenile Assessment Center (JAC) Security for \$202,254; 3) Alternatives to Secure Detention for Juveniles for \$48,151; 4) Palm Beach County Weed & Seed Program for \$100,000; 5) Criminal Justice Commission Program Evaluation for \$65,663; 6) City of Riviera Beach Civil Drug Court and Family Restart for \$116,500; and

B) authorize the Criminal Justice Commission's Executive Director, through the County Administrator, to execute electronically all related documents for the FY 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to execute all necessary forms, documents and the resulting grant agreement as required by the FDLE for FY 2011.

SUMMARY: The Criminal Justice Commission met on May 24, 2010, and approved the recommendations made by the CJC Finance Committee for FY 2011 funds totaling \$581,068. No local match is required for the JAG program. Countywide (DW)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to:

A) ratify the signature of the Chairman on the submittal of the FY 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation application, previously called the Local Law Enforcement Block Grant, for the period October 1, 2009, to September 30, 2013, totaling \$287,336 in federal funds; and

B) authorize the Criminal Justice Commission's Executive Director, through the County Administrator, to execute electronically all related documents for the FY 2010 Edward Byrne Memorial Justice Assistance Grant (JAG) Program and to execute all necessary forms, documents and the resulting grant agreement as required by U.S. Department of Justice, Office of Justice Programs.

SUMMARY: Palm Beach County is eligible to receive a direct award of \$287,336 for the following proposals: 1) the Public Defender Re-entry Program (REAP) for \$200,500; and 2) Gulfstream Goodwill Belle Glade Re-entry Program for \$86,836. There is no requirement for match with the JAG funds. Countywide (DW)

3. Staff recommends motion to:

A) receive and file an Edward Byrne Memorial Justice Assistance Grant for \$80,000 from the Florida Department of Law Enforcement for the Law Enforcement Exchange (LEX) project from January 1, 2010, through December 31, 2010; and

B) approve a Budget Amendment of \$80,000 in the General Fund to establish budget for the project.

SUMMARY: The Law Enforcement eXchange (LEX) System is two-fold: It provides the technical connectivity between various law enforcement systems; and it is an application that allows law enforcement officers to query operational information stored in system databases across Palm Beach County and at the state and national levels. The expenditure of \$80,000 is requested to add probation and parole information to the LEX system. Countywide (DW)

S. FIRE RESCUE

1. Staff recommends motion to approve: the Chair to certify the non-ad valorem assessment roll for the MSBU (Municipal Service Benefits Unit) for Fire Hydrant Maintenance and Rental-Riviera Beach and for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** MSBU's for fire hydrant maintenance and rental for Riviera Beach and Boca Raton were established in February 1993, by Ordinance No. 93-5. The current rates as established by Resolutions are \$52.86 per parcel for Riviera Beach (R98-1023) and \$23 per parcel for Boca Raton (R2008-0239). Every year the assessment roll must be certified by the Chair of the Board and the State Department of Revenue Form DR-408A must be signed by the Chair for each MSBU. These forms and the tape of the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 5 & 7 (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to adopt: a Resolution, pursuant to Section 125.38, Florida Statutes, conveying and transferring certain fire-rescue air-pack and related equipment to the Florida Department of Agriculture and Consumer Services, Division of Forestry, contingent upon receipt of \$10 consideration and a duly executed acceptance form; providing for an effective date. **SUMMARY:** The Florida Department of Agriculture and Consumer Services, Division of Forestry (DOF) has requested the County convey and transfer 20 air-pack units, 12 additional face masks with 12 accompanying communication devices, and 12 additional regulators, to the DOF for use by its firefighters when providing emergency wildfire response throughout the State. The DOF responds to incidents throughout the State of Florida, including Palm Beach County, utilizing special equipment for firefighting to attack wildfires. The equipment requested by the DOF has minimal useful value to the Fire/Rescue Municipal Service Taxing Unit (MSTU) and would provide a valuable air source to DOF firefighters when called upon to work fires where noxious fuels are present, as well as areas where dumping has occurred. This equipment is currently part of Fire Rescue's reserve equipment and would otherwise be scheduled for transfer to surplus. The total estimated value of this equipment is \$5,000. Countywide (SB)

3. Staff recommends motion to approve: a revised Affiliate Agreement with 211 Palm Beach/Treasure Coast (replacing R2010-0214) to remain in force until terminated by either party. **SUMMARY:** In July 2000, the Federal Communications Commission designated the three digit number, 2-1-1, nationally to serve as the abbreviated dialing code for access to community information and referral services. Fire Rescue is requesting the Drowning Prevention Coalition (DPC) be added to the 211 referral database. 211 Palm Beach/Treasure Coast requires an Affiliate Agreement for each organization wishing to be listed as a referral or a resource to its callers. The DPC agrees to receive clients meeting eligibility criteria set forth in the Resource Information Survey. The 211 Palm Beach/Treasure Coast agrees to be available as a resource to its affiliates' clients' 24-hours a day for telephone counseling and information and/or referral to community resources, such as the DPC. 211 Palm Beach/Treasure Coast requests the Board approve a revised Affiliate Agreement for the DPC. Countywide (PK)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: an Interlocal Agreement with the City of West Palm Beach (the City) to connect to the Palm Beach County Regional Network at an annual cost of \$8,400 for the first point of connection, for an initial term of one (1) year, with automatic one (1) year renewals unless notice given by either party. **SUMMARY:** This Interlocal Agreement allows the City to access Palm Beach County (the County) network services on a cost sharing basis similar to the existing Interlocal Agreements between the County and various municipalities, as well as the South Florida Water Management District, Health Care District, and the Kravis Center for the Performing Arts. Interconnection to the County's Network will provide greater bandwidth for Internet access and disaster recovery programs while reducing the City's overall network costs. The City agrees to pay the County \$8,400 annually as the initial connection fee to access the Palm Beach County Network. Per Exhibit A of the Agreement, fees for additional connections are set at \$6,000 annually per connection. This Agreement provides for disclosure of County Ordinance No. 2009-049 establishing the Office of the Inspector General. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve a Contract with Children's Health Care Associates, P.A., in an amount not to exceed \$54,000 for the period October 1, 2010, to September 30, 2011 for the professional/medical services to the residents of the Highridge Family Center; and

B) authorize the County Administrator or his designee to execute any future contracts for professional/medical services at the Highridge Family Center on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: This Contract provides physical examinations, diagnosis, and treatment of illnesses of the residents of the Highridge Family Center. The Inspector General fee is exempt as professional/medical services are to be provided in this Contract. Countywide (GB)

2. **DELETED**

3. Staff recommends motion to receive and file: the following executed interlocal agreements pertaining to the use of the Geographic-based Alert and Notification System, "Dialogic" with the:

A) City of Belle Glade; and

B) Florida Department of Health, Palm Beach County Health Department

SUMMARY: On August 16, 2005, the Board of County Commissioners approved Agenda Item 3.X.1 (R2006-0799) which authorizes the County Administrator, or his designee, to sign Dialogic agreements with municipalities on behalf of the Board of County Commissioners utilizing a standard agreement format authorizing municipal access to the County's Geographic-based Alert and Notification System (Dialogic). Countywide (GB)

4. Staff recommends motion to receive and file: an executed Interlocal Agreement with the American Red Cross Greater Palm Beach Area Chapter to provide grant project funding in the amount of \$35,000 from July 20, 2010, through March 19, 2011 for conducting four (4) all hazards preparedness events; a volunteer recruitment event; disaster education awareness programs for Citizen Corps members and volunteers; and advanced training for Community Emergency Response Team volunteers as approved by the 2008 Fort Lauderdale Urban Area Security Initiative (UASI) Grant contract between the City of Miramar and Palm Beach County. **SUMMARY:** The County was awarded \$105,000 from the U.S. Department of Homeland Security 2008 Grant through the Fort Lauderdale UASI for Citizen Corps projects (R2009-1926). Two (2) projects totaling \$35,000 were awarded for Citizen Corps preparedness events. This Interlocal Agreement provides the mechanism to establish the grant award to the American Red Cross Greater Palm Beach Area Chapter. Resolution R2006-2669 approved by the Board of County Commissioners on December 5, 2006 authorized 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. **No County match is required.** Countywide (GB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to receive and file: the following executed agreements with the 15th Judicial Circuit for the period July 1, 2010, to June 30, 2011:

A) Agreement for Expert Witness Professional Services for Adult Competency Evaluations;

B) Agreement for Expert Witness Professional Services Related to Appointment as an Examining Committee Member Relating to Guardianship Matters;

C) Agreement for Expert Witness Professional Services for Juvenile Competency Evaluations and Psychological Evaluations; and

D) Agreement for Social (Custody) Evaluations/Home Studies

SUMMARY: The Administrative Office of the Court has contracted with the Division of Justice Services to provide court ordered forensic evaluations and testimony through Justice Services' Forensic Psychology Office. Seniors, adults, teens, and children throughout the county are directed to the Forensic Psychology Office with the appropriate Court Order, outlining which specific evaluation is required. The scope of services provided includes competency evaluations for adult and juvenile criminal matters, psychological evaluations for adult and juvenile criminal matters, child welfare and family court cases, social (Custody) evaluations for indigent parties involved in family court proceedings and appointment as an Examining Committee Member relating to guardianship matters. Document R2005-0792 authorizes the County Administrator or his designee to sign contracts to provide psychological services to the Fifteenth Judicial Circuit. Countywide (GB)

BB. SHERIFF

1. Staff recommends motion to approve: a Budget Transfer of \$64,000 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 2010 estimated donation requirement is \$158,962. 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 \$1,761,685. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,697,685. The year-to-date transfer for all donations after approval of this item is \$606,607. 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 additional County funds are required. Countywide (DW)

Organization	Amount
Faith Hope Love Charity, Inc.	\$25,000
Lupus Foundation of America, Southeast Florida Chapter, Inc.	\$ 4,000
Palms West Community Foundation, Inc.	\$ 5,000
Palm Beach County P.A.L., Inc.	<u>\$30,000</u>
Total Amount of Donations	\$64,000

* * * * *

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

A. **Staff recommends motion to approve:** a Certificate of Public Convenience and Necessity (COPCN) for Martin County Fire Rescue. Martin County Fire Rescue currently provides Advanced Life Support to designated areas of Palm Beach County. This certificate shall be valid July 20, 2010, to December 31, 2016. **SUMMARY:** On November 3, 2009, Palm Beach County entered into an Interlocal Agreement for Fire Protection and Emergency Medical Services with Martin County Fire. In order for Martin County to assume this responsibility, a COPCN must be awarded to include per the Interlocal Agreement, the south side of the County Line Road area of Palm Beach County from the west point of County Line Road to U.S. Highway 1, streets along and including, but not limited to Riverside Road, Jasmine Drive, Hibiscus Drive, Gardenia Drive, Mark Street, Wingo Street, Russell Street, Roger Street, Mona Road, Seabrook Road and 38th Drive North. Palm Beach County Fire Rescue Emergency Service Zones – 404225100, 404225200 and 404330100. Countywide (DW)

B. **Staff recommends motion to:**

A) adopt a Resolution approving the Palm Beach County Action Plan (AP) for FY 2010-2011; and

B) authorize the Chairman, or his designee, to execute Standard Forms 424 and Certifications for submission to the U.S. Department of Housing and Urban Development (HUD) to receive FY 2010-2011 formula grant funding through the Community Development Block Grant (CDBG), Emergency Shelter Grant (ESG), and HOME Investment Partnerships (HOME) Programs.

SUMMARY: Federal Regulation 24 CFR Part 91 requires Palm Beach County to submit an Action Plan (AP) to HUD no later than August 16, 2010 in order to receive CDBG, ESG, and HOME entitlement grant allocations for FY 2010-2011 totaling \$10,428,309. Failure to meet the deadline will automatically result in the loss of funds for the upcoming year. The Palm Beach County Action Plan for FY 2010-2011 outlines the recommended expenditures of HUD entitlement grants as follow: CDBG - \$7,351,246 (plus program income of \$150,000); ESG - \$299,384; and HOME - \$2,777,679. A summary of the draft Plan and a Notice of Public Hearing were published on June 20, 2010. Comments received as a result of the Public Notice and meetings were summarized and added to the plans, as required by HUD regulations. The CDBG recommendations follow Board of County Commissioners directions (October 28, 2008 workshop) including placing a priority on activities addressing homelessness. The 100% ESG required local match will be provided by the 10 ESG-funded agencies. The 25% HOME required local match (\$595,084) will be provided from State Housing Initiatives Partnership Program income. **These are Federal funds of which the ESG and HOME Programs require a local match.** Countywide (TKF)

C. **Staff recommends motion to:**

A) conduct a public hearing for approval of the use of the Uniform Method of collecting non-ad valorem special assessments provided for in Chapter 197, Florida Statutes pursuant to the Notice of Intent adopted by Resolution 97-2152;

B) adopt the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment.

SUMMARY: On December 16, 1997, the Board approved Resolution 97-2152, expressing the intent of Palm Beach County to use the Uniform Method of collecting non-ad valorem special assessments. The Uniform Method provides for inclusion of water and street improvement project special assessments on the tax bill. This method has been utilized successfully since 1998. A public hearing is required to implement this collection method for new special assessment projects to be included on the 2010 tax bill. Countywide (PK)

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

D. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Charter of Palm Beach County, Florida; pertaining to ethics regulation, the establishment of a County Code of Ethics, an independent Commission on Ethics and an independent Office of Inspector General; providing for charter amendment language; providing for referendum and ballot language; providing for form of notice; providing for severability; providing for inclusion in the charter; and providing for an effective date. **SUMMARY:** This Ordinance would schedule a referendum at the November 2, 2010, General Election on an amendment to the Palm Beach County Charter requiring the County to establish by ordinance a Code of Ethics, a Commission on Ethics and an Independent Inspector General. The Charter amendment and implementing ordinances would apply to Palm Beach County and all municipalities approving the referendum. The Commission on Ethics would be funded by Palm Beach County. The Inspector General would be funded by the County and all other governmental entities subject to the authority of the Inspector General. Countywide (RPB)

E. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Palm Beach County Five Year Consolidated Plan for FY 2010-2015, inclusive of the Citizen Participation Plan, the Residential Anti-Displacement and Relocation Assistance Plan, and the Analysis of Impediments to Fair Housing Choices. **SUMMARY:** Federal Regulations at 24 CFR Part 91, require Palm Beach County to prepare a Five Year Consolidated Plan (CP); a Citizen Participation Plan (CPP); a Residential Anti-displacement and Relocation Assistance Plan (RARAP); and an Analysis of Impediments to Fair Housing Choices. The CP for FY 2010-2015 identifies the housing and community development needs of lower income households, homeless, and special needs populations in the Palm Beach County jurisdiction (exclusive of the Cities of West Palm Beach, Boca Raton, Delray Beach and Boynton Beach) and the proposed strategies to meet those needs. The CPP sets forth the jurisdiction's policies and procedures for citizen participation and should encourage citizen participation in the development of the consolidated plan, any substantial amendments to the consolidated plan, and performance reports. The RARAP sets forth the steps that the County will take to minimize the displacement of families and individuals from their homes and neighborhoods as a result of Home Investment Partnerships, Community Development Block Grant or Section 108 assisted activities; and provide for relocation assistance in accordance with 24 CFR 42.350. The Analysis of Impediments to Fair Housing Choices affirms the County's commitment to conduct an analysis to identify impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting the analysis and actions in this regard. All three (3) documents must be received by HUD no later than August 16, 2010. Four (4) public hearings to solicit public input were held by HCD prior to completing the CP. Notice of the July 20, 2010 BCC Public Hearing was published in the Palm Beach Post on Sunday, June 20, 2010. **These are Federal funds that require no local match.** Countywide (TKF)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: a change in the manner of assessing the .25% fee on County contracting/purchasing activity to fund the Office of the Inspector General (IG) from a charge on each bill payable to a single charge on gross contract/purchasing amounts. **SUMMARY:** This change is recommended due to the approximately \$500,000 estimated cost to upgrade County computer systems to bill and track collection of the fee as well as operational issues associated with collecting on each billed payable. This will result in no net change in collection amount, but will simplify and speed collection and allocation of funds to the IG. If approved, the change will be proposed in the enabling ordinance which will be coming back to the Board for other changes recommended by the Commission on Ethics. Staff will estimate the fee for budgetary purposes, calculate the fee for each contract/purchase as it is awarded, and transfer the funds. Each fund source: General Fund, Water Utilities, Airports, Roads, etc. will be assessed as appropriate. Countywide (LB)

B. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Bond Resolution authorizing the issuance of up to \$13,000,000 Industrial Development Revenue Bonds (South Florida Fair Project), Series 2010 (the "Bonds"). **SUMMARY:** On June 8, 2010, the Board held a Public Hearing and approved the application filed by the South Florida Fair and Palm Beach County Expositions, Inc. (the "Corporation") for the Bonds. The Corporation now requests that the Bonds be issued by the County. Proceeds from the Bonds will be used to refinance the County's Industrial Development Revenue Bonds (South Florida Fair Project), Series 2000 (the "2000 Bonds"). This refinancing of the 2000 Bonds will reduce the debt service requirements and will not extend the maturity of the debt. **As with the 2000 Bonds, the Bonds will be payable primarily from revenues derived from the Corporation, but the County will covenant to budget and appropriate non ad valorem revenues sufficient to maintain the debt service reserve fund for the Bonds at its required level if the Corporation fails to do so. The Corporation is required to reimburse the County for any County funds expended on the Bonds, and the County will hold a mortgage on the South Florida Fairgrounds to secure that obligation.** District 6 (PFK)

5. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. [Staff recommends motion to approve:](#) a Management Plan for the Pond Cypress Natural Area. **SUMMARY:** The Pond Cypress Natural Area Management Plan (Plan) was developed by the Department of Environmental Resources Management (ERM). The Plan provides guidelines for proposed land management activities and public use facilities development on the Pond Cypress Natural Area. Construction of the proposed public use facilities and the long-term management and maintenance of the site will require future appropriations.

The Plan was recommended for approval by the Natural Areas Management Advisory Committee (NAMAC) on May 21, 2010, after careful consideration of public comments received at a public hearing held on April 27, 2010. As part of its recommendation, NAMAC acknowledged that the site is currently too wet for equestrian use. However, because water levels within the site may change over the next few years, NAMAC requested that the site be re-evaluated for possible equestrian use prior to the construction of the proposed public use facilities.

The Pond Cypress Natural Area is comprised of approximately 1,736.58 acres. The southern 1,192.25 acres, including 600.04 acres donated to the County by Fox Property Venture, were acquired by the County in 1994. Acquisition funds were provided from the County bond issue referendum of March 12, 1991. The northern 544.33 acres were acquired in 2006 as part of a real property exchange agreement with Minto Communities, Inc. The County expects to obtain another 80.1 acres of land within the now obsolete State Road 7 range-line alignment immediately east of the current natural area once the right of way has been released by the State. These lands will be managed by the County as part of the Pond Cypress Natural Area. The County expects to obtain a license and right of entry in, upon, and over approximately 60.5 acres of land located just west of the western perimeter berm surrounding the City of West Palm Beach's (City) Water Catchment Area as part of an Interlocal Agreement with the City. This site will be managed by ERM as part of the County's Natural Areas System, which is currently comprised of 35 sites. District 6 (SF)

5. REGULAR AGENDA

D. WATER UTILITIES DEPARTMENT

1. Staff recommends motion to approve:

A) Master Agreement for Energy Performance Contracting with FPL Services, LLC in accordance with Florida Statute §489.145;

B) Delegation of Authority for Energy Performance Contracting using the limits established in Countywide PPM CW-F-50; and

C) Authorization of Investment-Grade Energy Audit No. 1 for the Digester Biogas Renewable Energy Project at Southern Region Water Reclamation Facility (SRWRF) in the amount of \$113,410.

SUMMARY: Energy Performance Contracting is a contractual vehicle similar to design build construction with an added performance guarantee that the savings produced by a project will be sufficient to finance the full cost of the project. These services begin with an investment-grade technical energy audit, the cost of which is deferred into the later performance contract phase. Energy performance contracting may be funded by grants, capital dollars or through tax-exempt lease financing with the annual lease payments being covered by the guaranteed savings. If the savings are not realized following completion of the improvements, then FPL Services, LLC will contractually be required to pay for the difference. Energy Performance Contracting may be used at the SRWRF, other Water Utilities sites and other County designated facilities. Investment Grade Audit No. 1 for the biogas at the SRWRF is to convert the existing wasted methane flare into generated electricity to be used on-site. Investment Grade Audits, similar to Consultant Service Authorizations and Energy Performance Contracting Work Authorizations, will be negotiated and issued in accordance with the standard County procedures outlined in Countywide PPM No. CW-F-050. Delegation of Authority for approval of Work Authorization shall be granted to the Department Director and Contract Review Committee using the limits established in Countywide PPM CW-F-50. Investment-Grade Energy Audit No. 1 for the Digester Biogas Combined Heat and Power (CHP) Renewable Energy Project at Southern Region Water Reclamation Facility (SRWRF) is in the amount of \$113,410. The Contract has a term of two (2) years subject to annual performance reviews. FPL Services is a local firm and has agreed to meet or exceed a 17% SBE and M/WBE combined participation goal. (WUD 09-030) Countywide (MJ)

5. REGULAR AGENDA

D. WATER UTILITIES DEPARTMENT (Cont'd)

2. Staff recommends motion to approve:

A) a Settlement Agreement/Agreement for the Purchase and Sale of Bulk Potable Water with the City of Lake Worth (Settlement Agreement); and

B) reimbursement to the City of Lake Worth for \$1,540.83 which covers one half of the costs of the conflict resolution process to arrive at the final settlement terms.

SUMMARY: On May 6, 2008, Palm Beach County (County) and the City of Lake Worth (City) entered into an Agreement for the Purchase and Sale of Bulk Potable Water (Original Agreement). Pursuant to the Original Agreement, the City was to pay the County \$5,980,000 by May 6, 2009 in order to reserve permanent capacity in the County's potable water system. The City defaulted on this payment and, shortly thereafter, initiated a conflict resolution process in accordance with Chapter 164, Florida Statutes. The conflict resolution process ultimately led to a meeting between the Board of County Commissioners and the Lake Worth City Commission on October 14, 2009. At that meeting, the governing bodies directed County and City staff to continue negotiations of a settlement. This Settlement Agreement is the result of those negotiations. Under the terms of the Settlement Agreement, the City shall pay the County \$1,144,728 for unpaid construction costs that the County expended in reliance on the Original Agreement. In addition, the City shall purchase up to 1,000,000 gallons/day of bulk potable water from the County. The City is required to pay for a minimum of 750,000 gallons/day, regardless of whether the City receives that amount of water. The City shall also pay the County \$220,000/year, for three (3) years, in order to temporarily reserve capacity in the County's potable water system. The City may extend the Settlement Agreement for up to an additional two (2) years, contingent upon the payment of \$220,000/year to temporarily reserve capacity. While the Settlement Agreement is intended to replace the Original Agreement, should the City default on its obligation to timely pay any of the required fees, and thereafter fail to cure said default in a timely manner, the County may terminate the Settlement Agreement, and seek enforcement of the Original Agreement by any available legal remedy. Districts 3 & 7 (MJ)

E. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the voluntary annexation into the City of South Bay for properties located in the unincorporated protection area, generally located on the southwest corner of Willard Smith Road and U.S. Highway 27 which is contiguous to the southern boundary of the City of South Bay. **SUMMARY:** The property owners have requested that the City of South Bay annex 62.36 acres, as shown in Attachment A (of the agenda item), located within an area of the County known as the Unincorporated Protection Area (UPA). The UPA is defined as all unincorporated lands located outside the urban service area established in the Palm Beach County Comprehensive Plan. Pursuant to the requirements in the Palm Beach County Charter establishing an exclusive method for voluntary annexations outside the urban service area, this annexation in the UPA requires approval by an affirmative vote of at least **five (5)** members of the Board of County Commissioners. The annexation has been processed through the County's review departments, including Fire-Rescue, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management and the Office of Financial Management and Budget Departments. This proposed annexation meets the criteria and requirements of Chapter 171, F.S., and the Planning Division has not received negative comments from the departmental review. Additionally, the proposed annexation is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan. District 6 (RB)

5. REGULAR AGENDA

F. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to receive and file:** the results of the Brand Assessment analysis and research for Palm Beach County performed by Duane Knapp, President of BrandStrategy, Inc. **SUMMARY:** On May 19, 2009, the Board of County Commissioners contracted to assess the destination brand in order to develop a one-of-a-kind tourism experience for Palm Beach County. Research was conducted to analyze the perception of the destination by all tourism customer groups and stakeholders. Customer groups included visitors, meeting planners and travel trade. Representatives from community agencies, government entities, chambers of commerce, lodging facilities, attractions and business leaders participated as tourism stakeholders. Palm Beach County influencers, travel & meeting professions and consumers were surveyed by BrandStrategy and previously completed research studies, totaling over 600 pages, were reviewed. The team met with hundreds of community leaders, business owners and residents. The research was summarized and the findings presented to the CVB. Today's presentation is the result of those findings. Countywide (MC)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

6. BOARD OF COUNTY COMMISSIONERS SITTINGS AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT

1. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on August 17, 2010 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Environmental Control Board; repealing Chapter 11, Article X, of the Palm Beach County Code; providing for authority; providing for the inclusion in the code of laws and ordinances, and providing for an effective date. **SUMMARY:** On July 21, 1992, the Board of County Commissioners, sitting as the Environmental Control Board, adopted the Palm Beach County Biohazardous Waste Incineration Facility (BWIF) Ordinance No. 92-22, which was incorporated into the Palm Beach County Code under Chapter 11, Article X. This Ordinance is no longer needed due to the enactment of state and federal regulations which adequately address operations of medical waste incineration facilities. The proposed ordinance will repeal the BWIF Ordinance 92-22 in its entirety. Countywide (GB)

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ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

7. BOARD APPOINTMENTS

A. **COMMUNITY SERVICES**
(Homeless Advisory Board)

1. **Staff recommends motion to approve:** appointment of the following community and business representative to the Homeless Advisory Board effective July 20, 2010, filling an unexpired term ending November 5, 2011:

<u>Seat No.</u>	<u>Appointment</u>	<u>Member Category</u>
18	Dean Lavallee	Business Community Representative

SUMMARY: On May 1, 2007, the Board of County Commissioners approved a resolution establishing the Homeless Advisory Board. The Board consists of 16 core members who are principally elected officials or agency heads (or their designees) and 20 community and business members. The community and business member seats are broken down as follows: seven (7) business representatives; three (3) private foundation representatives; four (4) formerly homeless representatives; one (1) faith based community representative; one (1) philanthropist; one (1) housing authority representative; one (1) hospital executive officer; and two (2) general members. In accordance with the establishing resolution, the community and business representatives to this advisory board are nominated by the core members. Dean Lavallee will complete the term of the seat vacated by Susan Gallagher. This nomination was approved by the core members on May 19, 2010. Countywide (TKF)

B. **PLANNING, ZONING & BUILDING**
(Historic Resources Review Board)

1. **Staff recommends motion to approve:** reappointment of two (2) members to seats (4 and 6) on the Historic Resources Review Board (HRRB); for a three (3) year term from 2010 to 2013 in order for the County to continue to meet state guidelines as a Certified Local Government (CLG):

Reappoint (1): CLG Requires Specific Professional Qualifications:

<u>Nominee</u>	<u>Seat</u>	<u>Requirement:</u>	<u>Term</u>	<u>Nominated By</u>
Friederike Mittner	4	Historic Preservationist	5/31/2010-5/30/2013	Marcus, Abrams, Koons

Reappoint (1): Requires No Specific Professional Qualifications:

<u>Nominee</u>	<u>Seat</u>	<u>Term</u>	<u>Nominated By</u>
Mr. Richard Procyk	6	5/31/2010-5/30/2013	Marcus, Abrams, Koons

SUMMARY: The Unified Land Development Code (ULDC) Article 17, Section 9 provides for the membership of the HRRB. The ULDC provides for the HRRB to be composed of nine (9) members. The code provides that five (5) members must be from among ten (10) specific historic preservation related disciplines. The four (4) remaining seats are among those with no specific professional requirements, but consideration is to be given to individuals with a demonstrated interest in history, architecture, or the following related disciplines: business person, engineer, contractor in a construction trade, landscape architect, urban planner, attorney, and resident of areas identified by 1990 PBC Historic Sites Survey as containing 25 or more structures with potential for historic preservation. Two (2) positions (Seats 4 and 6) need to be filled at this time due to term expirations. Both seats are at-large positions to be appointed by the Board of County Commissioners (BCC). Both can be reappointed. Ms. Friederike Mittner and Mr. Richard Procyk have expressed an interest in reappointment to the HRRB. Both positions will have three (3) year terms. A memorandum was sent to the BCC requesting nominations on May 21, 2010. The HRRB has nine (9) members seats currently filled with a diversity count of White: 9 (100%). The gender ratio (male: female) is 5:4. Countywide (RB)

7. BOARD APPOINTMENTS

C. **ENVIRONMENTAL RESOURCES MANAGEMENT
(Groundwater and Natural Resources Protection Board)**

1. **Staff recommends motion to approve:** the re-appointment of one at-large member to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three (3) years beginning on July 31, 2010, through July 30, 2013:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
Jason A. Moretz	Biologist/Chemist	4	Commissioner Marcus Commissioner Koons Commissioner Taylor

SUMMARY: Ordinance 92-20 and Article 17.C.7. of the Unified Land Development Code (ULDC) provide for a seven (7) member GNRPB. The membership consists of one (1) professional engineer, one (1) attorney, one (1) hydrologist, one (1) business person, one (1) biologist or chemist, one (1) citizen of PBC, and one (1) member of an environmental organization. Jason A. Moretz is the incumbent and expressed a desire to remain on the GNRPB. Ordinance 92-20 and Article 17.C.7 of the ULDC require Seat No. 4 to be filled by a Biologist/Chemist. No other nominations were received. Countywide (SF)

D. **PUBLIC AFFAIRS
(Education & Government Programming Advisory Board)**

1. **Staff recommends motion to approve:** appoint two (2) At-Large members to the Education and Government Programming Advisory Board for a term of two (2) years:

<u>Appoint: (1)</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Sarah Alsofrom	9	Resident of Palm Beach County	Comm. Marcus Comm. Koons Comm. Abrams Comm. Aaronson	07/20/10- 07/19/12
OR				
Marvin Hubert	9	Resident of Palm Beach County	Comm. Taylor	07/20/10- 07/19/12
<u>Appoint: (1)</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Cheryl Carpenter Klimek	10	Resident of Palm Beach County	Comm. Marcus Comm. Koons Comm. Abrams	07/20/10- 07/19/12
OR				
Sean Jackson	10	Resident of Palm Beach County	Comm. Taylor	07/20/10- 07/19/12

SUMMARY: The Education and Government Programming Advisory Board was created by Resolution No. R-91-1489 and amended by Resolution No. R-92-388 on March 17, 1992. The Advisory Board consists of ten (10) At-Large members. Board members represent fields of expertise from the following categories: Broadcast General Manager; Engineer with experience in telecommunication systems; Marketing Director; Cable Industry; Adult Education; PBC Public School System; Member of the BCC; Municipal government representative; and two (2) Citizens-at-Large. The members are appointed by the Board of County Commission and provide assistance in the operation of Channel 20. On May 27, 2010, a memo was sent to the Board of County Commissioners requesting nominations, appointments or reappointments. Countywide (MJ)

JULY 20, 2010

8. MATTERS BY THE PUBLIC – 2:00 P.M.

JULY 20, 2010

9. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

JULY 20, 2010

10. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS, VICE CHAIR

B. District 2 - COMMISSIONER JEFF KOONS

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER BURT AARONSON, CHAIR

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

11. 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

JULY 20, 2010

PAGE **ITEM**

27 5A-2 **ADD-ON: Staff recommends motion to authorize:**

A) Staff to submit proposed millage rates for the FY 2011 budget to the Property Appraiser as follows:

Over/(Under)

	<u>Proposed Millage</u>	<u>Taxes</u>	<u>Rollback</u>	
			<u>Amount</u>	<u>Percent</u>
Countywide Non-Voted	4.7500	\$603,303,606	(\$9,182,916)	(1.50%)
Library	0.5491	37,686,348	0	0.00%
Fire Rescue MSTU	3.4581	179,036,866	(20,062,111)	(10.08%)
Jupiter Fire Rescue MSTU	2.2717	16,231,392	1,078,187	7.12%
Aggregate-Excluding Voted Debt	<u>6.5841</u>	<u>\$836,258,212</u>	<u>(\$28,166,840)</u>	<u>(3.26%)</u>
Countywide Voted-Debt	0.2460	\$31,271,318	N/A	N/A
Countywide Library Voted Debt	0.0602	\$4,131,703	N/A	N/A

B) Staff to submit to the Property Appraiser public hearing dates of Tuesday, September 14 at 6 p.m. and Tuesday, September 28 at 6 p.m. in the Commission Chambers, 6th floor of the Governmental Center for FY 2011;

C) Administrative adjustments to establish funding in the FY 2011 budget for capital projects approved and established in the current fiscal year. These projects were approved in the current fiscal year (FY 2010) after the preparation of the proposed budget and are therefore not currently included in the FY 2011 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing; and

D) Administrative adjustments to establish funding in the FY 2011 budget for designated fund balances for contingency and other projects and carryover for encumbrances. These balances and encumbrances were approved in the current fiscal year (FY 2010) after the preparation of the proposed budget and are therefore not currently included in the FY 2011 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing.

SUMMARY: Proposed millage rates are below roll-back for Countywide and Fire Rescue MSTU. The proposed millage rates are at roll-back for County Library and above roll-back for Jupiter Fire Rescue MSTU. Countywide (PFK) (Admin/OFMB)

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 (*).