

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

MARCH 6, 2012

**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 7)

- 3. CONSENT AGENDA (Pages 8 - 30)**

- 4. REGULAR AGENDA (Pages 31 - 36)**

- 5. BOARD APPOINTMENTS (Pages 37 - 39)**

- 6. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 40)**

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- 2C-2 Florida Bicycle Month
- 2C-3 Irish-American Heritage Month

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MARCH 6, 2012

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring March 11, 2012 as “World Plumbing Day” in Palm Beach County. (Sponsored by Commissioner Vana)

2. Proclamation declaring March 2012 as “Florida Bicycle Month” in Palm Beach County. (Sponsored by Commissioner Marcus)

3. Proclamation declaring March 2012 as “Irish-American Heritage Month” in Palm Beach County. (Sponsored by Commissioner Taylor)

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3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Workshop	January 17, 2012
Regular	January 24, 2012
Zoning	January 26, 2012
Regular	February 7, 2012

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 December 2011. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a sixty (60) calendar day Contract (Contract) with The Murphy Construction Co. (Contractor), the lowest, responsive, responsible bidder, in the amount of \$243,067.50 for the Boca Club Bascule Bridge Emergency Repairs (Project), Project No. 2011911. **SUMMARY:** Approval of this Contract will allow emergency repairs consisting of all the work necessary to provide temporary support for the bridge superstructure at intermediate bents, Pier 2 and 5. The Contractor is a Palm Beach County business. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the Project by the Contractor is 22.27% overall. District 4 (MRE)
2. **Staff recommends motion to approve:** a Joint Participation and Project Funding Agreement (Agreement) with the Town of Lantana (Town) in the amount of \$2,500 to support and protect a water distribution line at Ocean Avenue Bridge replacement over the Intracoastal Waterway. **SUMMARY:** Approval of this Agreement will allow Palm Beach County (County) and the Town to jointly participate in supporting and protecting the water distribution line located within the project limits. The Town agrees to reimburse the County for the cost to support and protect the water distribution line. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

A) a Contract with Russell Engineering, Inc. (Russell), the lowest, responsive, responsible bidder in the amount of \$2,339,761.54 for the construction of State Road 7 & C-51 Canal Bridge widening (Project); and

B) a Budget Transfer of \$2,610,025 in the Road Impact Fee Fund – Zone 3 from State Road 80 PFA Reserves and appropriate it to the Project's account.

SUMMARY: Approval of this Contract and Budget Transfer will allow Palm Beach County (County) to issue a Notice to Proceed to Russell, a Broward County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this project due to State funding restrictions. The SBE participation proposed for the Project by Russell is 6.35%. Previously committed State grants are anticipated to cover approximately \$1,350,000 of this Project's cost. District 6 (MRE)

4. Staff recommends motion to approve:

A) the finalization of the assessment roll at \$25 per abutting foot for the Sylvan Lane Paving Improvement Project (Project), Project No. 2000134, and to hereby authorize the Tax Collector's Office to process and collect the assessment payments; and

B) the transfer of Sylvan Lane to a Palm Beach County (County) owned and maintained roadway.

SUMMARY: Approval of the finalization of the assessment roll and the transfer of Sylvan Lane from Melaleuca Lane north to the end is needed so the assessment payments can be processed and collected by the Tax Collector's Office. The final cost of this Project is \$232,025.25, of which the Office of Community Revitalization contributed \$185,146.98. District 3 discretionary gas taxes in the amount of \$14,398.57 were provided, and Utilities contributed \$5,854.70. The residents will be assessed at \$25 per foot for a total of \$26,625. Sylvan Lane will be reclassified from a County courtesy maintained roadway to a County maintained roadway. District 3 (MRE)

5. **DELETED**

6. Staff recommends motion to adopt: a Resolution authorizing execution of an Agreement with the South Central Florida Express (SCFE) and the Florida Department of Transportation (FDOT) for the installation and maintenance of grade crossing traffic control devices at the SCFE crossing on Southwest Avenue E, Milepost 62.16, in Belle Glade. **SUMMARY:** Adoption of this Resolution will approve an agreement for installation and maintenance of grade crossing traffic control devices at the SCFE crossing on Southwest Avenue E, Milepost 62.16. The FDOT has set aside Federal Rail Title II Signal Safety Funding for safety improvements to this crossing. The SCFE will install or have installed these improvements and the FDOT will reimburse the SCFE for all construction costs. Palm Beach County holds the license agreement for this crossing and will continue to pay 50 percent of the annual signal maintenance fees which is currently \$1,701 for this Type III, Class IV crossing. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to adopt: a Resolution approving the recordation/filing of a Specific Purpose Survey Maintenance Map with the Clerk of the Circuit Court of Palm Beach County (Clerk) in order to vest title in Palm Beach County (County) to five (5) parcels of land on Australian Avenue. **SUMMARY:** Adoption of this Resolution will provide for vesting of title in the County, to five (5) parcels of land located on Australian Avenue (a County road), north and south of Martin Luther King, Jr. Boulevard, by approving the filing of a Maintenance Map with the Clerk. The parcels have been continuously maintained or repaired by the County for four (4) years which is a condition required by statute. District 7 (MRE)

8. Staff recommends motion to approve: a Second Amendment to a Drainage Easement Agreement dated February 4, 2005, recorded in Official Record Book 18774, Page 1367, which conveyed certain drainage easements from Fillmore Properties, Limited to Yamato Court, LLC, who then assigned all its rights, title and interests in said easements to Palm Beach County, recorded in Official Record Book 18774, Page 1381. **SUMMARY:** Approval of this Second Amendment allows changes to a drainage easement currently being used to accommodate storm water runoff from Okeechobee Boulevard between State Road 7 and Jog Road. The easement is located on the Oakton Preserve residential development. District 2 (MRE)

9. Staff recommends motion to receive and file: an Agreement with Bridge Design Associates, Inc. (BDA), in the amount of \$96,241.26, for professional services to modify and rehabilitate the Camino Real Road/Boca Club Bridge over the Intracoastal Waterway. This Agreement was approved on January 19, 2012, 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 4 (MRE)

10. Staff recommends motion to approve: Change Order No. 2 in the amount of \$92,662.92 and a 60 day time extension to Resolution No. R2011-0710 with Ranger Construction Industries, Inc. for construction of intersection improvements at Blue Heron Boulevard and Congress Avenue. **SUMMARY:** Approval of Change Order No. 2 will allow for drainage and asphalt modifications. The Florida Department of Transportation has agreed to fully fund the Change Order. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$100,000 in the wrongful death action styled Seymour Reiner, as Personal Representative of the Estate of Sidell Reiner, deceased, vs. Comcast IP Phone, LLC; Deltacom Information Systems, Inc.; Interstate Fibernet, Inc.; City Of Boynton Beach; Boynton Beach Fire Rescue; Palm Beach County a/k/a Palm Beach County Board of County Commissioners, Case No. 502010CA026764XXXMB AG. **SUMMARY:** On Thanksgiving Day in 2009, decedent, 81, was preparing for her family's arrival at home. Her husband left their home in unincorporated Boynton Beach at approximately 9:00 a.m. to pick up their grandson at the Ft. Lauderdale airport. After he left, Plaintiff was retrieving some glassware from a china cabinet. She dropped a glass which struck her left foot, causing a laceration in her artery. She attempted to contact Emergency personnel by dialing "0". Despite the numerous calls for help to various agencies, including Palm Beach County Fire Rescue, help did not arrive in time to save her and she bled to death. Her husband found her deceased when he returned home. Staff, including the Risk Management Roundtable Committee, concurs that this settlement is in the best interest of Palm Beach County. Countywide (SCL)

2. **Staff recommends motion to receive and file:** Letter signed by the County Administrator consenting to replacement of remarketing agent Banc of America Securities/Merrill Lynch ("BAS/ML") with The Northern Trust Company ("NTC") and consent to replacing the letter of credit for the bonds issued by Bank of America with a letter of credit issued by NTC concerning the \$24,500,000 Palm Beach County, Florida Variable Rate Demand Revenue Bonds (The Benjamin Private School, Inc. Project), Series 2003, as authorized by Resolution R2003-0555. **SUMMARY:** Bond Counsel for the Benjamin Private School, Inc. submitted a letter requesting the County's consent and waiver of notice for the replacement of the remarketing agent and replacement of the letter of credit for this bond project (Letter of Consent). As provided in the bond resolution, the County Administrator was authorized to sign the Letter of Consent. The signed Letter of Consent should now be received and filed in the Minutes Department. Countywide (PFK)

3. **Staff recommends motion to approve:** Amendment No. 1 to the Agreement (R2010-1219) with the law firm of Bryant Miller Olive P.A. ("Attorney") to provide bond counsel and related legal services for the refinancing of the \$16,200,000 Bond Anticipation Note due June 1, 2012. **SUMMARY:** The law firm was selected as bond counsel for the above financing by the County Financing Committee at the February 14, 2012 meeting. This Amendment No. 1 confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the law firm. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 03 to the Contract for Provision of Financial Assistance with The Center for Family Services of Palm Beach County, Inc. (R2010-1635), extending the end date to September 30, 2012 and increasing the agreement amount by \$81,676, for a new total contract amount not to exceed \$295,028, for emergency shelter services to homeless persons. **SUMMARY:** The Division of Human Services is contracting with The Center for Family Services to coordinate emergency after-hours shelter placement, food, transportation and case management until alternate arrangements can be made. The additional funds are needed to ensure that these services are available through September 30, 2012, at which time the Homeless Resource Center is anticipated to be in full operation. Funding for this Amendment is available from unallocated contract funds. (Human Services) Countywide (TKF)

2. **Staff recommends motion to receive and file:** Amendment No. 003 to Standard Agreement No. IA111-9500 (R2011-0354) for the Older Americans Act (OAA) grant with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2011, through December 31, 2011, to amend various sections and add three (3) new attachments. **SUMMARY:** This Amendment was requested by the AAA to confirm the Agreement to Department of Elder Affairs (DoEA) and Department of Labor regulations and requirements. New attachments include: Background Screening Affidavit of Compliance, Verification of Employment Status Certification, and Certification Regarding Scrutinized Companies Lists. The funding amount of \$2,044,681 remains the same. This Amendment has been executed by the County Administrator in accordance with Resolution R2010-1942, which delegated authority to the County Administrator, or his designee, to sign documents related to DOSS/AA grant amendments and now needs to be approved by the Board of County Commissioners. (DOSS) Countywide except for portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road (TKF)

3. **Staff recommends motion to approve:** Amendment No. 01 to the Contract for Provision of Financial Assistance with United Way of Palm Beach County, Inc. (R2011-1778) to revise Article 20 – Subcontracting to allow United Way to subcontract with the Disaster Recovery Coalition for services. **SUMMARY:** The Financially Assisted Agencies Programs (FAA) currently contracts with United Way of Palm Beach County, Inc. (United Way) to provide services through the Disaster Recovery Coalition (DRC). The DRC has become an independent 501(c)(3) and will no longer be under the umbrella of the United Way for administrative purposes. The current FAA contract does not allow for subcontracting and United Way has requested to be able to subcontract with the DRC as they move to independent status. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Contract for Provision of Financial Assistance with Governor's Council for Community Health Partnerships, Inc. for the period May 1, 2012, through September 30, 2012, in an amount not to exceed \$442,979 for Summer Camp Scholarships; and

B) Budget Transfer of \$8,750 in the General Fund from Division of Human Services to Financially Assisted Agencies Programs to fund the administrative cost associated with delivering the program.

SUMMARY: The Summer Camp Scholarship Program pays full tuition and associated fees for eligible children to attend day camp during the summer months. Palm Beach County Board of County Commissioners has allocated \$434,229 to fund summer camp scholarships for eligible children and the Division of Human Services is contributing \$8,750 for administrative cost. Governor's Council for Community Health Partnerships, Inc. (GCCHP) receives these funds, which are matched by the Children's Services Council of Palm Beach County, in addition to other grants and private donations. Combined, these funds result in the ability to provide 1,400 scholarships to Palm Beach County children to attend over 100 camps. GCCHP processes payments to the specific Summer Camp vendors based on invoices from the Division of Human Services. GCCHP maintains financial records, reports of payments and receipts for Summer Camp funding which is audited annually. (Human Services) Countywide (TKF)

F. AIRPORTS

1. Staff recommends motion to approve: First Amendment to Terminal Building Lease Agreement (Amendment) with the General Services Administration (GSA), an executive agency of the United States of America, providing that GSA's payment of reimbursement for construction costs shall commence on November 1, 2011. **SUMMARY:** The Terminal Building Lease Agreement (R2011-1160) (Lease) approved by the Board on August 16, 2011, provides for the lease of office and support space for the Transportation Security Administration (TSA), including approximately 825 square feet of new space that was built-out at the County's expense, which will be reimbursed by GSA in monthly installments plus interest. Reimbursement was scheduled to commence the first day of the month following completion of construction. Construction was completed on November 17, 2011, and therefore reimbursement payments commenced on December 1, 2011. Amending the Lease will result in the final reimbursement payment being made at the scheduled expiration of the initial term of the Lease. Countywide (HJF)

2. Staff recommends motion to receive and file: three (3) original documents for the Department of Airports:

A) Consent to Sub-Sublease for Galaxy Aviation of Palm Beach, Inc. and Cambata Aviation International LLC d/b/a StarPort, commencing January 1, 2012;

B) Consent to Sub-Sublease for Galaxy Aviation of Palm Beach, Inc. and Coptertech, LLC, commencing January 1, 2012; and

C) Consent to Sublease for Piedmont Hawthorne Aviation LLC, d/b/a Landmark Aviation at the Palm Beach County Glades Airport and Indian Flight LLC (Richard Hannon), commencing November 22, 2011.

SUMMARY: Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: a Resolution authorizing the execution of a Third Amendment to Loan Agreement in connection with the extension of the County's line of credit in the principal amount of \$33,709,176, dated May 21, 2009 with Wells Fargo Bank, N.A., that satisfies the debt service reserve fund requirements for six of the County's outstanding bond issues; authorizing the execution of a separate Third Amendment to Loan Agreement in the principal amount of \$22,568,948 in connection with the extension of the County's separate line of credit with Wells Fargo Bank N.A. (the Bank), dated June 4, 2009 that satisfies the debt service fund requirements for four other County bond issues and providing an effective date. **SUMMARY:** Under the terms of the loan agreements, the County requested that the Bank extend the maturity date for each loan agreement for one year. The Bank has agreed to extend the loan agreements for one year with all other terms and conditions remaining unchanged. The County will continue to pay an annual fee of .65% (\$365,808) for the letters of credit issued to satisfy the debt service reserve requirements under the loan agreements. The County expects to continue to renew the loan agreements each year. On January 26, 2012, the County Financing Committee (CFC) reviewed and approved moving forward with the extension of the loan agreements. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Change Order No. 4 to the contract with Cedars Electro-Mechanical, Inc. (R2010-1270) in the amount of \$110,243 and a time extension of 60 days for the Judicial Center Central Energy Plant (CEP) Chiller Replacement Project. **SUMMARY:** The original scope of the project consists of the planned renewal and replacement of four (4) 650 ton water cooled centrifugal type chillers which provide the air conditioning to the Judicial Center and the State Attorney/Public Defender Buildings due to age, condition, reliability and to switch refrigerant which has been out of production since 1995. The project originally included only replacement of three of the four electrical starters for the chiller motors, as one of the existing starters was refurbished in 2009 after a severe failure. During construction it became evident the refurbished starter would require multiple modifications in order to be compatible with the new chillers. It was then determined that replacement with a new starter would provide better reliability and a longer life expectancy for the same cost. As the chiller would not operate without a compatible starter and the chiller is required to provide reliable chilled water to the Judicial Center, the contractor has installed the new starter prior to Board of County Commissioners' approval in order to bring the CEP on line. The certainty of replacing the starter and the time frame involved required an immediate decision in order to continue with the work. All funding for this project is ad valorem from the five (5) year Countywide Repair, Replacement and Renovation account contingency line. The SBE participation for the original contract is 100% and participation for the Change Order is 100% resulting in a total of 99.9% to date. Cedars Electro-Mechanical, Inc. is a Palm Beach County company. (Capital Improvements) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) a Cross Access Easement Agreement with Noble Net Lease IIIC, LLC; and

B) a Shared Access Easement Agreement with Noble Net Lease IIIC, LLC across County and Noble Net Lease IIIC, LLC, properties located in unincorporated West Palm Beach.

SUMMARY: The County was recently contacted by Noble Net Lease IIIC, LLC (NNL) regarding property they purchased on the north side of Okeechobee Boulevard in unincorporated West Palm Beach. The NNL site lies between the County's Okeechobee Library property on the east and the County's vacant parcel on the west, all of which are serviced by a frontage road off of Okeechobee Boulevard. The Cross Access Easement will document the shared use of the frontage road crossing the County's property and, in turn, allow users of the County property use of the frontage road over the NNL property. In addition, an existing common driveway straddles both the vacant County property and the NNL site. The Shared Use Easement will establish the common rights of both the County and NNL regarding the use of the shared driveway. The cross access easement area on the County property is 50 feet wide, totals 437 feet in length, and covers 21,850 square feet (.50 acre). The Shared Access Easement runs 16' to 32' in width, is a total of 210' in length, and covers 6,336 square feet (.15 acre). The easements provide mutually beneficial access to the properties and the local roadway network, and encompass property which is already in use for the specified purposes. As such, neither party is paying any compensation for the easements. Both easements will be recorded to provide public notice of their existence. (PREM) District 2 (HJF)

3. Staff recommends motion to approve: a Utility Easement Agreement in favor of BellSouth Telecommunications, Inc., d/b/a AT&T Florida, for communication services at the West County Jail expansion property in Belle Glade. **SUMMARY:** The County is in the process of expanding infrastructure at the West County Jail. AT&T's existing communications facilities for the Jail property are exhausted. In order to provide service to the County's new Jail, Eagle Academy, Palm Tran and existing Drug Farm buildings, an additional communication cabinet is needed. AT&T requires an easement located near the intersection of State Road 80 and State Road 15. The easement area is approximately 31' wide by 42' long and contains 1,303 sq. ft. (0.03 acres). This non-exclusive easement is being granted at no charge as it will provide communication service for the benefit of the County facilities. (PREM) District 6 (HJF)

4. Staff recommends motion to approve: a Third Amendment to Lease Agreement (R2007-0395) with Tallman, LLC, for the County's continued use of approximately 10,990 SF of indoor and outdoor secured vehicle storage for the Palm Beach County Sheriff's Office at an annual rate of \$95,793.22 (\$8.72 per SF). **SUMMARY:** Since March 29, 2007, the County has leased approximately 4,990 SF of indoor storage warehouse building and approximately 6,000 SF of a paved outdoor storage area within the Murphy Towing Complex located at 6907 Southern Boulevard in unincorporated Palm Beach County for the operation of both indoor and outdoor secured vehicle storage for PBSO. Tallman, LLC, provides maintenance, repair and security of the site, and delivers, places and moves up to fifty (50) vehicles a month for PBSO at no cost, while complying with PBSO evidence handling requirements and the County's Access to Critical Facilities Procedures. This Third Amendment exercises the fourth option to extend the term of the Lease Agreement for one (1) year to March 28, 2013, and deletes the rent adjustment provision thereby keeping the rent constant at \$95,793.22/year (\$8.72 per SF). (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment Number Five to Lease Agreement (R2000-2059) with Palm Coast Plaza, Inc., for the County's continued use of 11,650 SF of office space in the Palm Coast Plaza at 3040 South Military Trail in Lake Worth. **SUMMARY:** Palm Tran currently leases 12,625 SF of office space within the Palm Coast Plaza for the operation of Palm Tran Connection. The current term of the Lease Agreement expires March 31, 2012, with one (1) remaining extension option of two (2) years. This Amendment Number Five: i) exercises the option extending the term of the Lease Agreement to March 31, 2014, ii) maintains the current rental rate of \$20.40 per SF through March 31, 2014, iii) returns Suite "L" containing 975 SF to the landlord effective April 1, 2012, and iv) updates the Lease Agreement to include the Inspector General wording. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 3 (HJF)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: a First Mortgage and Note Modification Agreement with Neighborhood Renaissance, Inc. (NRI) to extend the deadline for the construction and conveyance of five (5) homes from January 1, 2010, to December 31, 2013. **SUMMARY:** On October 21, 2008, the County entered into a Conditional Grant Agreement with NRI (R2008-1870) to provide \$375,000 in State Housing Initiatives Partnership Program (SHIP) funds towards the construction of five (5) homes. According to the Mortgage and Promissory Note executed to secure these funds, NRI was to have completed and conveyed these homes to County approved homeowners whose incomes are at or below 60% of the area median income by January 1, 2010. To date, NRI has been able to convey one (1) of these homes to a County approved homeowner. NRI entered into lease-to-purchase agreements for the remaining four (4) homes which were completed in 2008. Homebuyers for the remaining homes have had difficulty obtaining private financing to complete their purchases of these homes. In addition, the discontinuation of funding from various down payment assistance programs has hindered progress on these anticipated sales. NRI continues to work with its lenders and homebuyers in an effort to meet its obligations and has requested a time extension to December 31, 2013, to enable it to do so. **These are SHIP grant funds which require no local match.** (MHA) District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) approve a Satisfaction of Mortgage for Adopt-A-Family of the Palm Beaches, Inc. (AAF); and

B) accept a Declaration of Restrictions from AAF.

SUMMARY: On May 4, 1999, the County entered into a Home Rental Program Assistance and Loan Agreement with AAF to fund \$424,286 in HOME Investment Partnership (HOME) Program funds for the rehabilitation of 37 units at 1736 Lake Worth Road, Lake Worth, FL 33460. The facility has been in operation since 1997 and is the largest permanent supportive housing project for homeless families in Palm Beach County. All of the supportive housing facilities operated by AAF are reported to operate at maximum capacity. The funding was secured by a Mortgage and Security Agreement and a Promissory Note. One half of the funding was provided in the form of a repayable loan to be paid over 15 years at three percent (3%) interest for a total of \$263,703.60 and the other half was provided as a forgivable loan to be completely forgiven over 15 years. To date, AAF has made a total of 52 payments totaling \$76,181.04 leaving a remaining loan balance of \$187,522.56 provided the loan was not paid off early. The balance owed on the forgivable portion is \$63,642.90. The annual operating costs for the facility are approximately \$700,000. AAF receives approximately \$200,000 annually from the Department of Housing and Urban Development towards operating costs. The total annual rental income is less than \$30,000. The remaining \$470,000 must be raised through private donations. Rising operating costs coupled with a decline in private donations and Federal grants have prevented AAF from making additional payments. AAF has requested the restructuring of the debt owed under their Promissory Note. The restructured debt converts the entire balance owed to a forgivable loan, places a restriction on the property for an additional ten (10) years ending on December 31, 2024, and requires its continued use as a supportive housing facility. Acceptance and recording of the Declaration of Restrictions will accomplish the aforesaid purposes in exchange for which the County will provide a Satisfaction of Mortgage to remove the encumbrance and debt obligations previously created by the Mortgage and Security Agreement. Staff is recommending approval due to the fact that this facility is the largest family supportive housing facility in the County and AAF has been a key homeless service provider in the community as well as in helping to develop and implement the County's Ten Year Plan to End Homelessness. **These are Federal HOME Program grant funds which require no local match.** (Contract Development) District 7 (TKF)

3. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2011-0507) with the Town of Lake Park to extend the expiration date from March 31, 2012, to November 30, 2012. **SUMMARY:** This Amendment provides a time extension of eight (8) months to the term of the existing Agreement with the Town of Lake Park for the construction of a restroom/storage building at Bert Bostrom Park located in Lake Park. The work includes the construction of an Americans with Disability Act (ADA) compliant restroom/storage building and an access walkway/ramp connecting the building to Bayberry Drive on the south side of the park. **These are Federal Community Development Block Grant funds which do not require a local match.** (Contract Development) District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to receive and file: four (4) Amendments to Agreements and one (1) Amendment to a Declaration of Restrictions as follows:

A) Amendment No. 002 to the Loan Agreement (R2011-1942) with Westgate Plaza Apartments, Ltd. under the Neighborhood Stabilization Program 2 (NSP2);

B) Amendment No. 003 to the Loan Agreement (R2012-0130) with Colonial Lakes Apartments, Ltd. under NSP2;

C) Amendment No. 001 to a Loan Agreement (R2011-1797) with Community Land Trust of Palm Beach County, Inc. under NSP2;

D) Amendment No. 002 to an Agreement (R2010-1944) with Community Land Trust of Palm Beach County, Inc. under NSP2; and

E) First Amendment to the Declaration of Restrictions for Rental Properties with Community Land Trust of Palm Beach County, Inc. under NSP2.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The above Amendments have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator, or designee, in accord with Agenda Item R2009-1122 approved by the Board on July 7, 2009. These Amendments are now being submitted to the Board to receive and file. **These are Federal NSP2 funds which require no local match.** (DES Contract Development) Districts 2 & 3 (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, changing the street name of Hayword Terrace to Haywood Terrace, located in Plat Book 53, pages 72 - 77. **SUMMARY:** Town Villas Homeowners Association has asked the Palm Beach County Board of County Commissioners to rename Hayword Terrace to Haywood Terrace to correct the spelling to that of which the homeowners are accustomed to. Upon receiving a copy of the approved resolution, PZ&B Staff will implement the name change by notifying appropriate parties and agencies. District 5 (RB)

2. Staff recommends motion to approve:

A) an Agreement with the Tax Collector for collection of non-ad valorem assessments for lot clearing, nuisance abatement, boarding and demolition of unsafe structures, securing open and unsafe swimming pools and other property maintenance to eliminate nuisances on private real property; and

B) an Agreement with the Property Appraiser for collection of non-ad valorem assessments for lot clearing, nuisance abatement, boarding and demolition of unsafe structures, securing open and unsafe swimming pools and other property maintenance to eliminate nuisances on private real property.

SUMMARY: On November 15, 2011, the Palm Beach County Board of County Commissioners approved by Resolution (R2011-1833), a Notice of Intent to utilize the uniform method of collecting non-ad valorem assessments for the cost of providing lot clearing and abating nuisances in accordance with the Palm Beach County Property Maintenance Code; boarding and demolition of unsafe structures; securing open and unsafe swimming pools; and other property maintenance to eliminate nuisances on private real property. Agreements with the Tax Collector and the Property Appraiser are required to allow the necessary flow of information to enable this billing procedure to be implemented. Unincorporated (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) an Interlocal Agreement with the Town of Lake Clarke Shores (Town) to manage wastewater system improvements in the Seminole Manor neighborhood (Interlocal Agreement); and

B) a contract award to Lanzo Lining Services, Inc. (Lanzo) in the amount of \$473,280 for the construction of the Town of Lake Clarke Shores Sewer Rehabilitation South Service Area - Phase II Project (Contract).

SUMMARY: The Interlocal Agreement provides the terms and conditions under which the County shall manage the construction of wastewater system improvements in the Town's service area. Palm Beach County Water Utilities Department was awarded a Community Development Block Grant in the amount of \$551,229 in the neighborhood known as Seminole Manor for wastewater system improvements. The Town of Lake Clarke Shores Sewer Rehabilitation South Service Area - Phase II Project involves the rehabilitation of a portion of the wastewater system located within the north section of Seminole Manor. This project will reduce groundwater infiltration and inflow in the sewer system which will reduce sewer flows to the East Central Regional Water Reclamation Facility (ECR). This will help reduce pumping and treatment costs at the ECR facility. Lanzo shall perform these services in accordance with the Contract. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Lanzo is not a Palm Beach County company, but will commit to 29.82% of work by Palm Beach County SBE subcontractors. There were no local bidders for this project. (WUD Project No. 11-139) District 3 (MJ)

2. Staff recommends motion to receive and file: an executed Indemnification Agreement with Canyon Lakes Homeowner's Association received during the month of November 2011. **SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts/agreements/ grants/procurement items must be submitted by the initiating Department as a receive and file agenda item. The Indemnity Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Deputy Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and is now being submitted to the Board to receive and file. (WUD Project No.11-542) District 5 (MJ)

3. Staff recommends motion to approve: Contract with D.B. Construction Services, Inc. for the Water Treatment Plant (WTP) No. 3 Permeate Pipeline Replacement in the amount of \$1,285,000. **SUMMARY:** On December 7, 2011, six (6) bids were received for the WTP No. 3 Permeate Pipeline Replacement with D.B. Construction Services, Inc. being the lowest responsible, responsive bidder in the amount of \$1,285,000. This Contract will replace the corroded ductile iron permeate pipeline at WTP No. 3 with a corrosion resistant HDPE and stainless steel pipeline. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. This Contract with D.B. Construction Services, Inc. provides for SBE participation of 15.17% overall. D.B. Construction Services, Inc. is not a Palm Beach County company, but will commit to 15.17% of work by Palm Beach County SBE subcontractors. (WUD Project No. 11-074) District 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: a Facility Encroachment Agreement/Communications Cable or Fiber Optic Line Protection Rider (Agreement) with CSX Transportation, Inc. (CSX) for construction of utility pipelines across an existing right-of-way (CSXT File No. CSV679839). **SUMMARY:** The Department of Water Utilities (WUD) is in the process of constructing water and wastewater transmission mains to serve the North County General Aviation Airport. Construction of the project necessitates installing both water and wastewater pipelines within CSX Transportation's railroad right-of-way. The crossing is located approximately 5,700 feet north of CSX Mile post SX-954.36 (north of the SFWMD C-18 Canal). The Agreement must be executed for a fee of \$8,000 (\$4,000 per pipe installation), plus a fee of \$150 for Project Coordinator and a fee of \$375 for General Liability Insurance Surcharge for project total of \$8,525. The Agreement will continue in effect in perpetuity. (WUD Project No. 10-020) District 1 (MJ)

5. Staff recommends motion to approve: a Budget Amendment for transfer of \$100,000 from the Water Utilities Department (WUD) to the Department of Economic Sustainability (DES). **SUMMARY:** This Amendment allows for a one-time transfer of funds to be used by DES for costs associated with the staffing and administration of grant funds provided by the State of Florida for Disaster Recovery Initiative (DRI) projects for water and wastewater infrastructure. DES is responsible for administration of the State of Florida funded Disaster Recovery Initiative projects. At present, WUD is managing construction efforts for over \$9,000,000 of these funds. WUD has no capability or expertise in administering these types of grants and must rely on DES for this effort. Within DES, the administrative duties related to these DRI projects have placed a strain on limited resources. This transfer of funds will allow them to secure additional resources to assist in this area. Countywide (MJ)

6. Staff recommends motion to approve: a Contract with Giannetti Contracting Corporation in the amount of \$3,894,228.70 for the construction of paving, grading, drainage, water and wastewater infrastructure improvements within the Belvedere Homes Community (Base Bid, Phase I only). The approval is contingent upon approval by the Florida Department of Economic Opportunity. **SUMMARY:** On February 22, 2012, eight (8) bids were opened for the Belvedere Homes Infrastructure Improvements (Phase I), with Giannetti Contracting Corporation being the lowest responsible responsive bidder in the amount of \$3,894,228.70 for Phase I. The drainage improvements include the construction of storm sewers and the grading of the swales. The potable water improvements include the replacement of asbestos cement water main pipes (15,000 ft in Phase I), installation of new water services and fire hydrants. The wastewater system improvements include the construction of a vacuum type sewer collection system consisting of pipes providing wastewater services to 321 properties in Phase I. The Water Utilities Department (WUD) will administer the project for Westgate/ Belvedere Homes Community Redevelopment Agency (CRA). Funding for this project has been provided by WUD, CRA and the Palm Beach County Department of Economic Sustainability (DES) under the Community Development Block Grant Disaster Recovery Initiative (CDBG DRI) Program. The partially Federally Funded Project has participation goals of 22.4% MBE and 6.9% WBE. The Contract with Giannetti Contracting Corporation includes 13.27% MBE, 13.27% WBE participation. Although SBE participation is not required by the Contract, a Good Faith Effort has been made by Giannetti Contracting Corporation, who provides for SBE participation of 14.58% overall. (WUD Project No. 10-502) District 2 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** an Agreement with PBA Holdings, Inc. (PBA), (formally known as Palm Beach Aggregates) to accept the conveyance of a 2.87-acre parcel of property to be used as a portion of a wildlife corridor pursuant to Environmental Conditions 2, 6 and 9 of Resolution R2010-684, Control No. 1989-0052. **SUMMARY:** As part of PBA's development approval for a Type IIIB excavation, PBA accepted a condition to convey, to Palm Beach County, a wildlife corridor adjacent to the L-8 canal. This Agreement accepts conveyance of the 2.87-acre parcel as part of that wildlife corridor, thereby partially satisfying the requirements of the development order. This Agreement also requires PBA to complete a planting plan on the 2.87 acre parcel and to provide \$20,000 to the County to partially offset the cost of maintaining the corridor. District 6 (SF)

2. **Staff recommends motion to ratify:** an Interlocal Agreement with the City of West Palm Beach for law enforcement services in the estuarine waters of Palm Beach County during manatee season, not to exceed \$16,875 as an award amount for FY 2012. **SUMMARY:** On July 19, 2011, the Board of County Commissioners approved a standard form Interlocal Agreement for law enforcement services in the estuarine waters of Palm Beach County during manatee season. West Palm Beach asked to revise the standard form Agreement by changing the indemnification clause and adding an inspector general clause. The minor changes were approved by the County Attorney's Office. Districts 2 & 7 (SF)

3. **Staff recommends motion to:**
 - A) approve** Contract with the Loggerhead Marineline Center of Juno Beach in the not-to-exceed amount of \$688,412.38 for sea turtle monitoring services in association with the Juno Beach Shoreline Protection Project and the Jupiter Carlin Shoreline Protection Project, expiring December 31, 2014; and

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

SUMMARY: Environmental permits issued by state and federal agencies for the Juno Beach Shoreline Protection Project and the two (2) Jupiter Inlet Maintenance Dredging Projects require monitoring activities to assess the impact of the beach nourishment on sea turtles for up to four (4) nesting seasons post-construction. Similar conditions are expected for the Jupiter Carlin Shoreline Protection Project, scheduled for winter 2013/2014. The Loggerhead Marineline Center of Juno Beach will conduct all permit-required sea turtle monitoring for these projects. The Contract is funded by tourist development taxes and is eligible for cost sharing from Florida Department of Protection, Florida Inland Navigation District, Jupiter Inlet District, and the United States Corps of Engineers. The Contract includes standard tasks that total \$575,088.75 and optional tasks that may be required which total a not-to-exceed amount of \$113,323.64. Upon execution by both parties, the Contract is retroactive to March 1, 2012 and expires December 31, 2014. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. **Staff recommends motion to approve:** Change Order No. 2 to construction Contract (R2011-1042) with Brang Construction, Inc. to reduce the Contract amount by \$143,427.71 and extend the time by three (3) days for South Cove Natural Area, Project No. 2011ERM02. **SUMMARY:** The Board of County Commissioners approved the South Cove Natural Area Project No. 2011ERM02 on July 19, 2011 (R2011-1042). Change Order No. 2 will reduce the cumulative Contract amount to \$2,358,433.29 and will increase the cumulative Contract time to 194 days. This Change Order will provide structural engineering calculations and associated materials for the boardwalk railing, eliminate three (3) mangrove planters and a portion of oyster reef and provide time for unavoidable delays. The Small Business Enterprise (SBE) participation of 22.91% as set forth in the Contract will be increased to 24.27%. District 7 (JM)

5. **Staff recommends motion to approve:** an Indemnification Agreement with AG/Hov Delray, L.L.C. **SUMMARY:** In 2005, Home Devco Tivoli Isles, Inc., a predecessor of AG/Hov Delray, L.L.C. posted a cash bond with the County in the amount of \$28,453 to secure its obligation to complete certain littoral shelf requirements on its property pursuant to the Excavation Approval No. E200504. The property was subsequently sold to K. Hovnanian Standing Entity, L.L.C. and ultimately to AG/Hov Delray, L.L.C. AG/Hov Delray, L.L.C., which operates the development as Four Seasons at Delray Beach, is currently in compliance with Excavation Approval No. E200504 and has requested return of the bond. Because a predecessor in interest to AG/Hov Delray, L.L.C. posted the bond with the County, this Indemnity Agreement is necessary to indemnify the County from and against any and all claims to the bond that may hereinafter be made by any third party. District 5 (SF)

M. PARKS & RECREATION

1. **Staff recommends motion to approve:** First Amendment to Agreement with 814 Community Center LLC and TAB Development, Inc. in an amount not-to-exceed \$500,000 for the funding of U.B. Kinsey Educational and Community Center construction costs to extend the project completion date from April 20, 2012, to March 5, 2014. **SUMMARY:** This First Amendment to Agreement R2009-0674 provides a 24-month extension from the date of execution of this First Amendment, which extends the project completion date from April 20, 2012, to March 5, 2014. The Amendment to the Agreement was requested by TAB Development, Inc., to allow them additional time to arrange funding prior to the start of construction. The Amendment also includes Inspector General requirements, as now required in all County agreements. All other terms of the Agreement, including the funding amount of \$500,000, remain the same. Funding is from the 2002 \$50 Million Recreation and Cultural Facilities Bond. District 7 (PK)

2. **Staff recommends motion to approve:** First Amendment to Agreement with the City of Pahokee for funding of Pahokee Athletic Field improvements to extend the project completion date from August 1, 2012, to February 12, 2013. **SUMMARY:** This First Amendment to Agreement, R2011-0151, extends the project completion date from August 1, 2012, to February 12, 2013. This Amendment was requested by the City of Pahokee to extend the project completion time and avoid a conflict with an adjacent Community Development Block Grant renovation project. All other terms of the Agreement, including the funding amount of \$60,000, remain the same. Funding is from the 2002 \$50 Million Recreation and Cultural Facilities Bond. District 6 (PK)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: executed Independent Contractor Agreements received during the months of December of 2011 and January of 2012:

A) Mary Lou Putnam, Water Exercise Instructor, North County Aquatic Complex, for the period January 26, 2012, through January 25, 2013;

B) Team Elite Athletic Management International, Inc., Competitive Swim Team Coach, Aqua Crest Pool, for the period January 1, 2012, through June 30, 2012; and

C) Palm Beach County Officials Association, Inc., Volleyball Official, West Boynton Park and Recreation Center, for the period January 31, 2012, through April 12, 2012.

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 above Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 02-2103, 07-0409 and 12-0168, and are now being submitted to the Board to receive and file. Districts 1, 3 & 7 (AH)

N. LIBRARY

1. Staff recommends motion to approve:

A) a Budget Transfer of 1,432,454 within the Library Impact Fee Fund with \$1,354,437 being transferred from the Belle Glade Library project to the Acreage Library project and \$78,017 being transferred from Reserves to the Acreage Library Project;

B) a Budget Transfer of \$1,432,454 within the 22.3M GO 06 Library District Improvement Bond Fund from the Acreage Project with \$1,354,437 being transferred to the Belle Glade Library project and \$78,017 being transferred to Reserves; and

C) an increase of the Acreage Library project budget from \$19,396,922 to \$19,644,682, an increase of \$247,760 from Impact Fee reserves.

SUMMARY: This agenda item reallocates impact fees and bond funds being utilized for construction of two (2) library projects. On September 13, 2011, the Board of County Commissioners approved an agenda item for construction of the Belle Glade Library. The contract funding of \$6,099,651 included \$1,354,437 from impact fees Zone 1. The balance of the funding was principally from Library Expansion Bond funds. It has been determined that Zone 1 impact fees can't be used to fund this project due to the project's location outside the Zone 1 boundary. The Acreage Library project, which is also under construction, is eligible for the use of Zone 1 impact fees. Approval of this item reallocates funding previously approved for these two (2) projects from impact fees to bond funds for the Belle Glade Library and from bond funds to impact fees for the Acreage Library. This resolves the impact fee issue with no net increase or decrease in project construction budgets. The final motion adds \$247,760 for purchase of Acreage Library opening day collections. These funds will be administratively transferred by the Office of Financial Management & Budget once sufficient impact fees have been collected. The Acreage Library project is the final project in the Library Expansion Program II that qualifies for impact fee funds. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY (Cont'd)

2. Staff recommends motion to:

A) receive and file Grant Agreement in the amount of \$1,028,622 awarded by the Florida Department of State, Division of Library and Information Services for FY 2012 State Aid to Libraries; and

B) approve a Budget Amendment of \$24,169 to increase the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount.

SUMMARY: The Application was approved and the Agreement was signed by the Board of County Commissioners on September 13, 2011 (R2011-1406 and R2011-1407). Notification of the award was issued on January 23, 2012. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2012 budget. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to:**

A) receive and file three Grant Adjustment Notices from the Bureau of Justice Assistance to change the scope of work of the grant projects to be used for the Riviera Beach Justice Service Center; and

B) approve the Interlocal Agreement for \$212,165 with the City of Riviera Beach as a partner to continue providing reentry services at the Justice Service Center from October 1, 2011, through September 30, 2012 as outlined in the Palm Beach County Criminal Justice Commission Reentry Task Force's 5-Year Strategic Plan.

SUMMARY: Changes to the grants' scopes of work include reallocation of \$37,089 from "Interest Income," \$60,000 from the "Pride Probation Referral Program," and \$20,017 from "Interest Income" for the continuation of reentry services at the Riviera Beach Justice Service Center. The Riviera Beach Justice Service Center has been operational for five (5) years and serves released offenders from state facilities with a variety of services, with the ultimate goal being successful reintegration into the community and reduction in recidivism. The Riviera Beach Justice Service Center provides services on-site or through referrals. Services include employment-training and education, substance abuse, mental health, legal assistance, life skills, and court assistance. The Board previously approved the FY 2012 Justice Assistance Grant (JAG) Application on August 16, 2011 (R2011-1210). There is no match requirement for JAG funds. Countywide (PE)

2. Staff recommends motion to:

A) approve the Interlocal Agreement with the University of South Florida for \$100,000 to provide an evaluation of reentry services in Palm Beach County for the period of February 7, 2012, to February 6, 2013; and

B) receive and file two (2) approved Grant Adjustment Notices from the Bureau of Justice Assistance to change the scope of work of the grant project to be used for the evaluation services.

SUMMARY: This Agreement will provide \$100,000 in Bureau of Justice funding to evaluate a minimum of nine (9) reentry programs in Palm Beach County that have received funding through Palm Beach County Board of County Commissioners from 2002 to 2011. The change of scope is moving lapsed salary funds for two (2) positions to be utilized for the evaluation. Countywide (PE)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: the First Amendment to the Agreement (R2011-0769), dated May 17, 2011 with the Lord's Place, Inc. for reentry services to add \$2,165 to the existing reentry services project to assist newly released jail inmates in obtaining Florida Identification cards. **SUMMARY:** The Amendment will increase the Agreement amount by \$2,165 and will be used to assist ex-offenders in obtaining Florida Identification cards and necessary support documentation required by the Department of Highway Safety and Motor Vehicles. The additional funds are from the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Local Solicitation. There is no match requirement for JAG funds. Countywide (PE)

4. Staff recommends motion to approve: Contracts for substance abuse treatment with:

A) Counseling Services of Lake Worth, Inc. for \$68,706;

B) Drug Testing and Counseling Services, Inc, for \$44,100; and

C) Drug Abuse Foundation of Palm Beach, Inc. for \$68,706, for the period from December 1, 2011, through September 30, 2013.

SUMMARY: The \$200,000 Department of Justice Grant for Adult Drug Court necessitated new contracts which expand the services provided by the Court in order to be compliant with the requirements of the grant. The services include drug testing, counseling, group and individual. Weekly meetings with staff and the judge are also included. The total amount of the contracts is \$181,512. The remainder of the grant will be used for training and travel for Drug Court staff over the course of the two (2) year period. Countywide (PE)

5. Staff recommends motion to approve:

A) the First Amendment to the Contract with Gulfstream Goodwill Industries, Inc. (R2011-1074) reducing the contract by \$26,428 to \$98,963;

B) the First Amendment to the Contract with The Lord's Place, Inc. (R2011-1075) reducing the contract by \$10,000 to \$207,995;

C) the First Amendment to the Interlocal Agreement with the City of Riviera Beach (R2011-1076) reducing the agreement by \$32,362 to \$133,030; and

D) the First Amendment to the Legal Services Agreement with the Public Defender's Office (R2100-1077) increasing the agreement by \$39,390 to \$136,790.

SUMMARY: Palm Beach County accepted a grant award of \$750,000 (Resolution Number R2010-1590) on July 19, 2011 from the Department of Justice to facilitate the successful reintegration of offenders as they return to the County from the Department of Corrections. Pre and post release services are delivered through a collaboration with service providers and the Florida Department of Corrections. The original term of the grant was for twelve months (ending in September 2011). A twelve month extension was granted that extends the term to twenty-four months (through September 2012). The contracts have been restructured based on project expenditures throughout the grant period. All other terms of the contracts, including expiration dates and scopes of work will remain unchanged. Countywide (PE)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

6. Staff recommends motion to approve: a Contract for Professional Services for Gulfstream Goodwill Industries, Inc. for \$112,165 to provide reentry services from October 1, 2011, through September 30, 2012. **SUMMARY:** Gulfstream Goodwill Industries, Inc. is working to bridge a gap in services in western Palm Beach County and in West Palm Beach including surrounding municipalities. Gulfstream Goodwill Industries, Inc. will provide intensive case management and employment services to ex-offenders returning from the County Jail and from the State Department of Corrections. This agreement will be funded through the Edward Byrne Memorial Justice Assistance Grant (JAG) Local Solicitation. There is no match requirement for the JAG Program. Countywide (PE)

7. Staff recommends motion to approve: a reimbursement to the City of Riviera Beach up to the amount of \$44,000. **SUMMARY:** The Florida Department of Law Enforcement approved two (2) - three (3) month extensions on August 30, 2011 and February 9, 2012 for youth violence partners with unexpended grant dollars. The Interlocal Agreement with the City of Riviera Beach (R2010-530) for the Youth Violence Prevention Project (YVPP) expired on September 30, 2011. An extension was prepared but never executed by the City. Services continued thereby allowing this reimbursement. Funding for the YVPP are federal Justice Assistance Grant dollars requiring no local match. Countywide (PE)

8. Staff recommends motion to approve:
 - A) the Second Amendment to the Department of Juvenile Justice Contract (R2011-0535) to include monitoring services to pretrial home-detention youth in Palm Beach County; and

 - B) the Second Amendment to the Contract with Gulfstream Goodwill Industries, Inc., (R2011-0536) a not-for-profit agency, to include pretrial home-detention youth with monitoring services in Palm Beach County.

SUMMARY: The Department of Juvenile Justice awarded the Palm Beach County Criminal Justice Commission funds to provide home detention monitoring services to juveniles in Palm Beach County. The initial contract with Gulfstream Goodwill Industries, Inc. was to provide home detention monitoring services to juveniles in Palm Beach County and this funding will revise the language to expand the program to include pretrial home detention youth. Countywide (PE)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one (1) fully executed license agreement with the Town of Palm Beach, for training at the Palm Beach County Fire Rescue Regional Training Center, for the period December 28, 2011, through December 27, 2012. **SUMMARY:** On December 6, 2011, the Board adopted Resolution No. R2011-1962, which authorized the County Administrator, or his designee (Fire Rescue Administrator) to execute a one (1) year standard license agreement with outside fire rescue/public safety agencies and other authorized entities, providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. Pursuant to Countywide PPM CW-O-051, one (1) fully executed license agreement that has been executed by the Fire Rescue Administrator and the Town of Palm Beach, is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. The Licensee will be responsible for the payment of User Fees. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve: a Renewal to Participating Agency Agreement with Miami-Dade County for a two (2) year period effective retroactively to October 1, 2011. **SUMMARY:** Miami-Dade County is the Sponsoring Agency responsible for coordinating the Urban Search and Rescue (US&R), Florida Task Force 1 (FL TF1), on behalf of the Federal Emergency Management Agency (FEMA). If the FL TF1 is mobilized, Miami-Dade may request the services of Palm Beach County Fire-Rescue to provide certain specialty service to the FL TF1. The existing Cooperative Agreement between FEMA and Miami-Dade requires the Sponsoring Agency to enter into a Memorandum of Agreement with each Participating Agency to delineate the responsibilities of the parties for US&R activities, while providing a mechanism for reimbursement by FEMA of the costs incurred by the Participating Agency when the FL TF1 is mobilized. On July 21, 2009, the Board approved an agreement (R2009-1202) providing for the operational and financial reimbursement procedures. That agreement expired on September 30, 2011. Approval of this Renewal Agreement will extend the term of agreement, retroactively to October 1, 2011, through September 30, 2013. Countywide (SB)

3. Staff recommends motion to receive and file: one (1) fully executed license agreement with the Fire Training Officers of the Palm Beaches, Inc., for training at the Palm Beach County Fire Rescue Regional Training Center, for the period February 7, 2012, through February 9, 2012. **SUMMARY:** On December 6, 2011, the Board adopted Resolution No. R2011-1962, which authorized the County Administrator, or his designee (Fire Rescue Administrator) to execute a standard license agreement for up to one (1) year with outside fire rescue/public safety agencies and other authorized entities, providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. Pursuant to Countywide PPM CW-O-051, one (1) fully executed license agreement that has been executed by the Fire Rescue Administrator and the Fire Training Officers of the Palm Beaches, Inc., is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. The Licensee will be responsible for the payment of User Fees. Countywide (SB)

4. Staff recommends motion to receive and file: two (2) original standard agreements for the Fire Rescue Department:
 - A) Independent Contractor Agreement for Swimming Lessons with the Young Men's Christian Association of South Palm Beach County, Inc.; and
 - B) Interlocal Agreement for Swimming Lessons with the City of Palm Beach Gardens.**SUMMARY:** On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, two (2) standard County agreements that have been executed by the County Administrator, or his designee (the Fire Rescue Administrator) are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

5. Staff recommends motion to approve: a Second Amendment to Interlocal Agreement for Interfacility Ambulance Funding (R2008-2243, as previously amended R2011-0772) with District Hospital Holdings, Inc., d/b/a Lakeside Medical Center, effective March 8, 2012, to extend the term of the Agreement for an additional one (1) year period through March 7, 2013, in an amount not-to-exceed \$153,719 during the one (1) year extension period. **SUMMARY:** This Second Amendment extends the Interlocal Agreement for Interfacility Ambulance Funding with Glades Hospital Holdings, Inc. (now known as District Hospital Holdings, Inc.), d/b/a Glades General Hospital (now known as Lakeside Medical Center) ("Hospital"), a public hospital located in the Glades area of Palm Beach County that predominantly serves a population residing within the Fire/Rescue Municipal Service Taxing Unit (MSTU). The Hospital entered into a Healthcare Transportation Service Agreement with American Medical Response (AMR) on March 8, 2008, which has been renewed for an additional one (1) year period through March 7, 2013. This Transport Agreement requires AMR to station an ambulance at the Hospital to provide interfacility transport services for patients under the care of the Hospital, and the Hospital to pay AMR for ambulance transports as well as an annual Stationing and Availability Fee. Pursuant to the Hospital's request, the County agreed to fund one-half the Availability Fee. This Second Amendment extends funding for an additional year, in an amount not to exceed \$153,719, to correspond with the Transport Agreement's renewal and updates certain other contract provisions. Having a dedicated interfacility ambulance provider in the Glades area has eased the strain on the resources of the County and its Fire/Rescue MSTU for emergency response in that area, and promotes the public health, safety and welfare within the County, including within the Fire/Rescue MSTU. Countywide (SB)

AA. PALM TRAN

1. Staff recommends motion to approve: Interlocal Agreement with the Village of Wellington to reimburse, in part, Palm Beach County for the delivery of door-to-door paratransit transportation services to Village of Wellington residents with American with Disabilities Act (ADA) eligibility, in an amount of \$40,000 for the period of October 1, 2011, through September 30, 2012. **SUMMARY:** This Interlocal Agreement with the Village of Wellington will provide paratransit services to residents who are no longer eligible for Americans with Disabilities Act (ADA) paratransit services due to the redefinition of the ADA core area. This Agreement takes effect as of October 1, 2011, and expires September 30, 2012, in the amount of \$40,000. Countywide (DR)
2. Staff recommends motion to approve: the Third Amendment to the Contract with WTC Backgrounds & Drug Testing, Inc. (WTC) (R2007-0712), to extend the Contract for two (2) additional years. WTC provides professional medical consultation, specimen collection and laboratory and Medical Review Officer (MRO) services for Palm Tran's drug free workplace program in an amount not to exceed \$21,000 per year. **SUMMARY:** The contractor provides, on an as needed basis, specimen collection, alcohol breath testing, specimen analysis, and MRO services. The initial Contract was for three (3) years, with two (2) - one (1) year options to renew. Both options have been exercised and we desire to extend the Contract for an additional two (2) years upon the same terms and conditions other than the Unit pricing for the testing services, which have remained the same for the past five (5) years, which will be increased by five percent (5%), effective May 1, 2012. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida affirming the BCC's desire to continue as the Community Transportation Coordinator (CTC) for Palm Beach County; requesting the Metropolitan Planning Organization (MPO) of Palm Beach County adopt a Resolution officially recommending the BCC as the CTC for Palm Beach County, and requesting the MPO notify the Florida Commission for the Transportation Disadvantaged (CTD) accordingly. **SUMMARY:** Since 1999, the BCC doing business as Palm Tran, has been the designated CTC for the Palm Beach County. It has fulfilled all CTD requirements to coordinate transportation services for the transportation disadvantaged with the most cost effective and efficient service. The agreement between the BCC and CTD to provide services as the designated CTC for Palm Beach County expires June 30, 2012. Chapter 427, Florida Statutes requires the MPO to recommend a CTC to the CTD for approval. The BCC needs to notify the MPO by letter and resolution of its desire to continue as the CTC for Palm Beach County. Countywide (DR)

4. **Staff recommends motion to approve:** Contract with Creative Outdoor Advertising of America, Inc. under which they will install, maintain, and service advertising bus benches along Palm Tran's fixed routes. **SUMMARY:** The initial term of the contract is for ten (10) years and will provide the County with an estimated \$379,500 in revenue. At its option, the County may extend the Contract for an additional five (5) years. At start up, the Contractor will remove all existing advertising benches and replace them with modern American with Disabilities Act (ADA) compliant benches (with two waste containers for recycling). In addition, the surface areas at the benches will be brought up to current ADA standards all at no cost to the County. Thereafter the Contractor will maintain the benches, surrounding area, and handle waste pick up. Monthly payment to the County will be based on the number of advertising benches in service each month. Countywide (DR)

BB. SHERIFF'S OFFICE

1. Staff recommends motion to:
 - A) **accept**, on behalf of the Palm Beach County Sheriff's Office, a Florida Department of Transportation Highway Safety Grant for the Palm Beach County Speed & Aggressive Driving Enforcement & Education Project, in the amount of \$115,000 for the period of January 24, 2012, through September 30, 2012; and
 - B) **approve** a Budget Amendment of \$115,000 increasing the Sheriff's Grants Fund.

SUMMARY: On January 23, 2012, the Florida Department of Transportation awarded a Highway Safety Grant to the Palm Beach County Sheriff's Office in the amount of \$115,000. These funds will be used to pay for overtime and equipment associated with the Project. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PE)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF'S OFFICE (Cont'd)

2. Staff recommends motion to:

A) accept a Florida Department of Law Enforcement Florida Consortium "2011 Paul Coverdell National Forensic Sciences Improvement Grant" in the amount of \$73,007 for the period October 1, 2011, through September 30, 2012; and

B) approve a Budget Amendment of \$73,007 in the Sheriff's Grants Fund.

SUMMARY: The National Institute of Justice awarded these funds to the Florida Department of Law Enforcement for the "2011 Paul Coverdell National Forensic Sciences Improvement Grant." On January 12, 2012, the Palm Beach County Sheriff's Office was awarded funds to improve the quality of forensic services. Funds provided will be used for: travel, training, supplies, and to pay overtime and benefits for Latent Print Examiners, Firearm Examiners, and Evidence Technician Staff. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PE)

3. Staff recommends motion to receive and file: the Second Amendment, amending the Agreement with the City of Miramar, a municipal corporation of the State of Florida, as the fiscal agent for the Ft. Lauderdale Urban Area Security Initiative to extend the agreement period for the Regional Virtual Fusion Center from August 31, 2011, through December 30, 2011. **SUMMARY:** On January 12, 2010, the Board of County Commissioners (BCC) accepted this agreement to provide \$336,900 in reimbursable funding; the original period for this agreement was August 27, 2009, through May 31, 2011 (R2010-0121). On October 18, 2011, the BCC received and filed an agenda item extending the grant period from May 31, 2011, through August 31, 2011 (R2011-1653). This agenda item will extend the agreement period from August 31, 2011, through December 30, 2011. This agreement provides a means of funding various domestic security activities within the County and region using federal Urban Area Security Initiative (UASI) funds through the City of Miramar as the Ft. Lauderdale UASI's fiscal agent. These funds and related equipment will be used for the Regional Virtual Fusion Center hosted by PBSO. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PE)

CC. SUPERVISOR OF ELECTIONS

1. Staff recommends motion to approve: Precinct boundary changes submitted by Susan Bucher, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** Precinct boundary changes as indicated. Countywide (TKF)

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4. REGULAR AGENDA

A. ADMINISTRATION

1. [Staff recommends motion to approve:](#) naming of the Central Palm Beach County Homeless Resource Center as the Senator Phillip D. Lewis Center effective with the opening of the facility. **SUMMARY:** Senator Phillip D. Lewis was one of the original members of the Homeless Advisory Board and has been an active participant on several key sub-committees. He was also instrumental in obtaining funding for initial efforts of homeless planning and development of the Homeless Resource Center. Senator Lewis served in the Florida State Senate for ten years and was Senate President 1979-1980. The Homeless Advisory Board and the Board of the Homeless Coalition are recommending the naming of the County's first Homeless Resource Center to be the Senator Phillip D. Lewis Center in recognition of his tireless efforts on behalf of the homeless residents of Palm Beach County. This naming will be an exception to Countywide PPM No. CW-O-044(A) which requires County facilities to be named according to location and/or function. Staff has concluded that the exception is appropriate and justified in this case and is within the authority of the Board of County Commissioners. Countywide (TKF)
2. Medical Home Day Presentation
3. Food Initiative and Palm Beach County Food Bank Presentation

B. COUNTY ATTORNEY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on March 20, 2012 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to posting of underage drinking signs; providing for definitions; providing for general requirements; providing for enforcement; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for captions; providing for applicability; and providing for an effective date. **SUMMARY:** The Board of County Commissioners of Palm Beach County, Florida, having been made aware that underage drinking and service of alcoholic beverages to minors is an increasing problem in Palm Beach County, has determined that an effective way to combat this problem is to make the general public aware of the general prohibitions against service of alcohol to minors and the penalties associated with such service. This ordinance requires the posting of signs with such information by vendors and certain other dispensers of alcoholic beverages warning of the prohibition against and the penalties associated with the sale or provision of alcoholic beverages to minors. Countywide (LB)

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. [Staff recommends motion to receive and file:](#) the LEANBREAKTHRU Consulting Group's final report on the study of the Department of Engineering and Public Works and the staff response to the study. **SUMMARY:** On October 24, 2011, staff was presented with the final report LEANBREAKTHRU Consulting Group's study of the Engineering and Public Works Department. This study, which was performed free of charge, was to be an "operational transformation approach focused on identifying, aligning and capturing cost reduction targets." While some of the Consultant's minor recommendations have been implemented, staff did not find more significant recommendations to be viable or justified. After reviewing the report and its findings, staff provided a written response in December 2011. Countywide (PFK)

4. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. **Staff recommends motion to adopt:** a Resolution: (I) authorizing the issuance of not to exceed \$16,200,000 Capital Improvement Revenue Bonds, Series 2012 for the purpose of paying the County's Capital improvement Bond Anticipation Notes, Series 2009; (II) covenanting to budget and appropriate from legally available non-ad valorem revenue amounts sufficient to pay the principal of and interest on said bonds; (III) providing for the rights of holders of said bonds; (IV) delegating authority to the Chair or County Administrator to award the sale of said bonds; (V) amending Resolution No. R2009-0698 adopted on April 21, 2009; (VI) and providing an effective date. **SUMMARY:** The bonds are used to retire the Series 2009 BANs and to pay the cost of issuance of the bonds. The Series 2009 BANs were for various building rehabilitations. The County Financing Committee met on January 26, 2012 and approved this issuance to be competitively bid as a direct bank placement as recommended by the County's Financial Advisor. Bond counsel will be Bryant Miller Olive as they are next on the bond counsel rotation schedule. As it is a direct bank placement, disclosure counsel is not needed. This issue is a covenant to budget and appropriate with an estimated annual debt service payment of approximately \$1.36 million per year, for 15 years. Countywide (PFK)

D. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to:**

A) adopt a Resolution authorizing the conveyance of the County's interest in 0.91 acres of surplus property to the Village of Wellington without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 197.592(3); and

B) approve a County Deed in favor of the Village of Wellington.

SUMMARY: The Village of Wellington requested the conveyance of a County-owned unimproved surplus property located west of Flying Cow Road, between Deer Path Lane and Norris Road in Rustic Ranches. The 0.91 acre property is approximately 30' wide and 1,300' in length, and was acquired by Tax Deed in June 2001. It is located within the Village's municipal boundaries and has an assessed value of \$39,075. The property is being conveyed pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus property acquired by Tax Deed to the municipality in which it is located. The property is being conveyed without obtaining an appraisal. The subject property has been declared surplus and serves no present or future County purpose. The Village proposes to utilize the property to maintain the adjacent drainage canal. The Department of Economic Sustainability has reviewed this conveyance and has no objections. This conveyance will relieve the County of potential liability for occurrences on this property and also the cost of maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **All purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners) pursuant to the PREM Ordinance.** (PREM) District 6 (HJF)

4. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** selection of the proposal submitted by Pope Farms, Inc. as the most responsive to RFP 2011-102-RCB for the lease of the 1900 +/- acre Mecca Property for agricultural/farming purposes. **SUMMARY:** In December of 2011, Staff issued a Request For Proposals (RFP) to lease the Mecca Property for farming and assume responsibility for maintenance of the entire 1900 acre property, less the approximately 10 acre Water Utilities site. Maintenance of the property costs the County roughly \$250,000/year. The initial term was limited to five (5) years to preserve options for disposition of the property. Extension options were allowed, subject to County approval. Three (3) responses to the RFP were received: 1) Pope Farms; 2) Harvest Time Market and Hundley Farms; and 3) Mecca Farms. Pope Farms proposed to lease 750 acres for five (5) years with three (3) options to extend, each for five (5) years, with all options subject to County approval. Pope Farms proposes to grow sugar cane and pay rent at the rate of \$200/acre farmed/year (\$150,000/year). Both Harvest Time Market/Hundley Farms and Mecca Farms proposed to pay \$0 in rent during the first five (5) years. Due to Pope's rent payment of \$150,000/year during the first five (5) years, Staff determined it to be the most responsive since options potentially resulting in a higher rent over a longer term are not consistent with the County's efforts to ultimately dispose of the property. Staff reviewed the financial structure of this proposal with bond counsel to ensure that revenue received from this lease will not violate any IRS limitations on private activity revenue under the bonds issued for acquisition and development of the property. (PREM) District 1/Countywide (HJF)

E. PARKS & RECREATION

1. **Staff recommends motion to authorize:** staff to negotiate a lease of 1.75 acres of County property within Loggers' Run Park with DROP IN SK8PARK INC. (DISP) to construct and operate a Skate/BMX facility. **SUMMARY:** The Board of Directors of DISP, a 501(c)(3) not-for-profit corporation, is requesting that the County enter into a no-cost long term lease agreement for 1.75 acres on the east side of Loggers' Run Park. DISP is proposing to construct a skate and BMX facility utilizing the existing covered roller hockey rink and adjoining area. DISP would bear all costs for construction, operation, and maintenance of the facility with revenue from user fees, lessons, foundation grants, fundraisers, and a pro shop. Once staff has negotiated the specific lease arrangements with DISP, an agreement will be brought back to the Board for consideration. District 5 (AH)

4. REGULAR AGENDA

F. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: an Interlocal Agreement with the Village of Palm Springs providing for the annexation of 20 enclaves, generally located east of Kirk Road, north of Lake Worth Road, west of Davis Road and south of Canal Road with Exhibit B and C as amended. **SUMMARY:** The Board of County Commissioners (BCC) has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than 10 acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2012-05, adopted on January 26, 2012, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of 20 enclaves consisting of 47 parcels totaling 14.77 acres, as identified in Exhibit A of the Interlocal Agreement. The Village has provided written notice to all owners of real property located in the enclaves as shown in attachment 4 (of the Agenda Item). The Interlocal Agreement also provides for the annexation of the right-of-way segments identified in Exhibit B (as amended) of the Interlocal Agreement; as well as the transfer of operation and maintenance of the right-of-way segments identified in Exhibit C (as amended) of the Interlocal Agreement. Exhibit B is amended to remove Lake Worth Road as it is a State Road and Exhibit C is amended to correct the segment's name for Lakewood Road. The annexation has been processed through the County's review departments, including Fire-Rescue, Sherriff Office, 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. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RB)

4. REGULAR AGENDA

F. PLANNING, ZONING & BUILDING (Cont'd)

2. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on March 20, 2012 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, **repealing** Ordinance 2009-001 Palm Beach County Amendments to the Florida Building Code, 2007 Edition, Chapter 1 “Administration” and Section and Figure 1609.1 Basic Wind Speed Map of Palm Beach County, Appendix F “Proposed Construction Building Codes for Turf and Landscape Irrigation Systems” of the 2007 Florida Building Code, Plumbing Volume, with Palm Beach County Amendments “Exhibit A” of Ordinance 2009-002, and Sub-Section 7-36(B) of Article III, Sections 7-52, 7-53 and 7-55 of Article IV, and Articles V, VII, VIII, X, And XI of the Palm Beach County Code of Ordinances; **adopting** the Palm Beach County Amendments to the Florida Building Codes (FBC) 2010 Edition Chapter 1 “Administration” (FBC-Building) and Flood and Wind Provisions (FBC-Building and Residential), and Appendix F “Construction Building Codes for Turf and Landscape Irrigation Systems” (FBC-Plumbing) with Palm Beach County Amendments, and Sub-Section 7-36(b) of Article III Palm Beach County Code of Ordinances; providing for applicability; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for a savings clause; providing for severability; and providing for an effective date. **SUMMARY:** The Legislature adopted F.S. 553.73, mandating a Statewide Florida Building Code (FBC), and allowing local governments to adopt their own Administrative Chapter of the FBC, 2010 Edition, applicable in the unincorporated area of Palm Beach County, and those municipalities having an Interlocal Agreement for the provision of County plan review and inspection services. Significant change in this administrative chapter is the ability to place a non- ad valorem assessment on a property for costs associated with abatement of unsafe buildings and other entities. This chapter is based upon recommendations of the Palm Beach County Building Code Advisory Board. Figures 1609 A, B, and C in the FBC are accurate for basic wind design to the County, and provides for local government to establish specific wind speed/wind borne debris lines using physical landmarks, whenever possible. As a result of landscape irrigation regulations adopted in the last code cycle, many cross connections of drinking water and irrigation systems have been abated, and proper water conservation designs have been implemented. Practical application brought forth some few areas where there was a redundancy of proper regulation. Those redundancies are being eliminated. The 2010 FBC will include flood resistant provisions applicable in flood hazard areas, a change from previous editions. The code refers to local floodplain management ordinances, that are required to be incorporated into the FBC 2010 Edition, in accordance with new legislation in 553.73, F.S. Unincorporated (AH)

4. REGULAR AGENDA

F. PLANNING, ZONING & BUILDING (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for a total of one (1) historic property located within the City of West Palm Beach; and

B) approve the restrictive covenant for the historic property, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The Resolution will authorize a County tax exemption for the following historic property located within the City of West Palm Beach:

Address: 420 - 28th Street, West Palm Beach (Residential)

If granted the tax exemption will take effect January 1, 2012, and remain in effect for ten (10) years, or until December 31, 2021. The exemption will apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2012 Countywide Millage Rate, it is estimated that approximately \$ 956 tax dollars will be exempted annually. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 7 (RB)

G. PUBLIC AFFAIRS

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County Florida; repealing Resolution No. R91-1489, as amended, which created the Education and Government Programming Advisory Board; and providing for an effective date. **SUMMARY:** At the June 7, 2011 board meeting, the Board of County Commissioners directed staff to identify advisory boards that are no longer needed. A review of the Education and Government Programming Advisory Board determined that the mission of the EG Board would be better served through meetings with media/public relations groups and public forums with subject matter experts to encourage public input. Countywide (MJ)

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5. BOARD APPOINTMENTS

A. ADMINISTRATION
(Workforce Alliance, Inc.)

1. Staff recommends motion to approve: the appointment of the Steven M. Parrish to the Workforce Alliance, Inc. (Alliance) Board of Directors for the period March 6, 2012, to March 5, 2015:

<u>Nominee/ Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated by</u>
Steven M. Parrish	2	3/06/2012-03/05/2015	Private Sector	Workforce Alliance, Inc.

SUMMARY: The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. Policy for this item is defined in R2007-1220 Agreement between Palm Beach County, Florida (County) and Alliance dated July 10, 2007. Per this Agreement, seventeen (17) private sector member appointments shall be made by County. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. The Alliance Board of Directors is comprised of a minimum of forty members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, one-stop partners. Countywide (TKF)

(Water Resources Task Force)

2. Staff recommends motion to:

A) ratify Tanya Quickel and Henry Shaw of Indian Trail Improvement District (ITID) as the member and the alternate, respectively, for the ITID seat on the Palm Beach County Water Resources Task Force (Seat No. 14), and John Callaghan of Juno Beach as an alternate for one of the League of Cities seats on the Palm Beach County Water Resources Task Force (Seat No. 4), effective March 6, 2012; and

B) appoint David Brown of the Town of Jupiter Utilities and Kofi Boateng of Boynton Beach Utilities as the member and the alternate, respectively, for the Utility seat on the Palm Beach County Water Resources Task Force (Seat No. 8), effective March 6, 2012.

SUMMARY: The Water Resources Task Force is comprised of 14 members: six (6) City elected officials; one (1) County Commissioner; one (1) special independent district water and/or wastewater provider or utility water or wastewater provider representative; one (1) Lake Worth Drainage District representative; one (1) drainage/water control district representative; one (1) South Florida Water Management District Governing Board member; one (1) environmental representative; one (1) land owner actively farming to represent agricultural interests; one (1) Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of several Task Force members and alternates, two (2) new members and three (3) new alternates are being submitted to be ratified or approved by the Board of County Commissioners. Countywide (MJ)

5. BOARD APPOINTMENTS

**B. PLANNING, ZONING & BUILDING
(Construction Board of Adjustments and Appeals)**

1. **Staff recommends motion to approve:** **A)** reappointment of one (1) member; and **B)** appointment of one (1) new member to the Construction Board of Adjustment and Appeals (CBAA):

<u>Reappoint</u> Albert Godfrey	<u>Seat</u> 3	<u>Requirement</u> Electrical Contractor	<u>Nominated By</u> CIMC	<u>Term</u> 3/7/2012-3/6/2015
<u>Appoint</u> Tom Donegan	<u>Seat</u> 9	<u>Requirement</u> Alternate Contractor	<u>Nominated By</u> CIMC	<u>Term</u> 3/7/2012-3/6/2013

SUMMARY: Palm Beach County Ordinance 89-31 created the Construction Board of Adjustment and Appeals. Albert Godfrey is nominated by the Construction Industry Managements Council of Palm Beach County, with a term of office of three (3) years. Tom Donegan is nominated by the Construction Industry Management Council of Palm Beach County, with a term of office of one (1) year. The nominations represent electrical contractor and the alternate contractor member of the Board as required by the Palm Beach County Ordinance 2009-001, as amended, Palm Beach County Amendments to the Florida Building Code, 2007 Edition. The Board is comprised of seven (7) members consisting of one (1) registered architect; one (1) registered engineer; one (1) general contractor; one (1) electrical contractor; one (1) HVAC contractor; one (1) plumbing contractor and any other contractor licensed category. In addition to the seven (7) members, there should be two (2) alternate members, one (1) member with the qualifications referenced above and one (1) member at-large from the public. (Building Division) Unincorporated (SF)

(Construction Industry Licensing Board)

2. **Staff recommends motion to approve:** **A)** appointment of one (1) new member; and **B)** reappointment of one (1) current member to the Construction Industry Licensing Board (CILB):

<u>Appoint</u> Jeff Meve	<u>Seat No.</u> 1	<u>Requirement</u> HARV Contractor	<u>Term</u> 03/06/12-09/30/12	<u>Nominated by</u> Comm. Burdick Comm. Marcus
<u>Reappoint</u> Ronald Daniels	<u>Seat No.</u> 5	<u>Requirement</u> General Contractor	<u>Term</u> 03/06/12- 09/30/14	<u>Nominated by</u> Comm. Burdick Comm. Marcus Comm. Taylor

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Chapter 67-1876, Laws of Florida, as amended. The Special Act and subsequently Florida State Statute sets forth the membership of the Board, which consists of 15 members. The above named members have been recommended by the Plumbing Air Conditioning Industry Fund (Mr. Meve) and the Associated General Contractors of America, Inc. (Mr. Daniels). Jeff Meve was nominated to replace Ms. Susan Stokes who was unable to continue to serve. The Associated General Contractors of America, Inc. recommends the reappointment of Mr. Ronald Daniels to complete a full term. The nominations represent seats for a HARV Contractor, and a General Contractor as cited in the Special Act and F.S. § 489.131 establishing the Construction Industry Licensing Board. Memorandums were sent to the Board of County Commissioners on December 30, 2011 and January 9, 2012 advising of the vacant positions; no other nominations were received. Countywide (SF)

5. BOARD APPOINTMENTS

C. FIRE RESCUE
(Fire Rescue Advisory Board)

1. Staff recommends motion to approve: appointment/reappointments to the Fire Rescue Advisory Board for the terms indicated below:

<u>Appoint:</u> <u>Nominee</u>	<u>Seat No.</u>	<u>Category</u>	<u>Term</u>	<u>Nominated By</u>
Phyllis Richland	6	Consumer	03/06/2012- 03/05/2015	Commissioner Burdick

<u>Reappoint:</u> <u>Nominee</u>	<u>Seat No.</u>	<u>Category</u>	<u>Term</u>	<u>Nominated By</u>
Richard Galeta, DDS	4	Health Care Service	03/06/2012- 03/05/2015	Commissioner Marcus Commissioner Vana Commissioner Abrams

Titus Rich	7	Consumer	03/06/2012- 03/05/2015	Commissioner Marcus Commissioner Taylor
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Wallace DuPont	1	Professional	03/06/2012- 03/05/2015	Commissioner Marcus Commissioner Taylor
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SUMMARY: The Fire Rescue Advisory Board was created by Resolution No. R89-1661 and revised by No. R92-596 on April 28, 1992. This Board consists of seven (7) (At Large) members with specific fields of expertise and serve three (3) year terms. The appointment of Ms. Richland will fill the expired term left by Ms. Karasick, who resigned on February 24 2011. On March 14, 2011, a memo was distributed to the County Commissioners requesting nominations to the board. No other nominations have been received. Countywide (SB)

D. COMMISSION DISTRICT APPOINTMENTS

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MARCH 6, 2012

6. MATTERS BY THE PUBLIC – 2:00 P.M.

MARCH 6, 2012

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

MARCH 6, 2012

8. COMMISSIONER COMMENTS

A. District 1 - COMMISSIONER KAREN T. MARCUS

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, CHAIR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS, VICE CHAIRMAN

E. District 5 - COMMISSIONER BURT AARONSON

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

Request approval to present off-site, a Proclamation declaring March 15, 2012 as “National TRIO Day” in Palm Beach County.

Request approval to present off-site, a Proclamation declaring March 29, 2012 as “Philip D. Lewis Day” in Palm Beach County.

9. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 6, 2012

<u>PAGE</u>	<u>ITEM</u>	
7	2C-4	<u>ADD-ON:</u> Proclamation recognizing the 100 th Anniversary of the Girl Scouts of the U.S.A. and 2012 as the “Year of the Girl”. (Sponsored by Commissioner Vana)
7	2C-5	<u>ADD-ON:</u> Proclamation recognizing the 100 th Anniversary of the American Institute of Architects. (Sponsored by Commissioner Abrams)
7	2C-6	<u>ADD-ON:</u> Certificate of Congratulations to Krista Springer Basore on her selection for a Marshall Memorial Fellowship. (Sponsored by Commissioner Abrams)
20	3K-5	<u>REVISED TITLE:</u> Staff recommends motion to approve: a Budget Amendment for transfer of \$100,000 from the Water Utilities Department (WUD) to the Department of Economic Sustainability (DES). <u>A)</u> Budget Amendment of \$100,000 decreasing the Water Utilities Capital Improvement Fund; <u>B)</u> Budget Transfer of \$100,000 in the Water Utilities Revenue Fund to establish a transfer to the Disaster Recovery Initiative fund; and <u>C)</u> Budget Amendment of \$100,000 increasing the Disaster Recovery Initiative Fund for cost associated with staffing and administration grant fund for Disaster Recovery Initiative Projects. (WUD)
24	3Q-1	<u>DELETED:</u> Staff recommends motion to: A) receive and file three Grant Adjustment Notices from the Bureau of Justice Assistance to change the scope of work of the grant projects to be used for the Riviera Beach Justice Service Center; and....(CJC) (Further staff review)
29	3AA-4	<u>DELETED:</u> Staff recommends motion to approve: Contract with Creative Outdoor Advertising of America, Inc. under which they will install, maintain, and service advertising bus benches along Palm Tran's fixed routes. (Palm Tran) (Further staff review)
31	4A-1*	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: naming of the Central Palm Beach County Homeless Resource Center as the Senator Phillip <u>Philip</u> D. Lewis Center effective with the opening of the facility. SUMMARY: Senator Phillip <u>Philip</u> D. Lewis was one of the original members of the Homeless Advisory Board and has been an active participant on several key sub-committees. He was also instrumental in obtaining funding for initial efforts of homeless planning and development of the Homeless Resource Center. Senator Lewis served in the Florida State Senate for ten years and was Senate President 1979-1980. The Homeless Advisory Board and the Board of the Homeless Coalition are recommending the naming of the County's first Homeless Resource Center to be the Senator Phillip <u>Philip</u> D. Lewis Center in recognition of his tireless efforts on behalf of the homeless residents of Palm Beach County. This naming will be an exception to Countywide PPM No. CW-O-044(A) which requires County facilities to be named according to location and/or function. Staff has concluded that the exception is appropriate and justified in this case and is within the authority of the Board of County Commissioners. <u>Countywide</u> (TKF) (Admin)

- 31 4C-1 **DELETED: Staff recommends motion to receive and file:** the LEANBREAKTHRU Consulting Group's final report on the study of the Department of Engineering and Public Works and the staff response to the study. (OFMB) (Moved to April 3, 2012)
- 32 4D-1* **DELETED: Staff recommends motion to: A) adopt** a Resolution authorizing the conveyance of the County's interest in 0.91 acres of surplus property to the Village of Wellington without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 197.592(3); and...(FDO) (Further staff review)
- 36 4F-4 **ADD-ON: Staff recommends motion to approve:** a Consent For Annexation into the Village of Wellington of two (2) parcels owned by Palm Beach County, generally located west of State Road 7 and north of Forest Hill Blvd. **SUMMARY:** The Village of Wellington has requested the voluntary annexation of two county-owned properties totaling approximately 25 acres as described in Attachment A. These County-owned properties are part of the Village's planned Medical Arts District and are located west of State Road 7 and north of Forest Hill Blvd as identified in Attachment B (of the Agenda Item). By signing the Consent for Annexation, Palm Beach County does not transfer ownership rights for the parcels, but rather consents to the properties being annexed into, and included within, the municipal boundary of the Village of Wellington. The County approved a Constrained Roadways at Lower Level Service designation (CRALLS) for this area, conditioned upon three major actions occurring. Annexation is one of the three actions. This annexation is consistent with the requirement of the utilization of the CRALLS as stated in the County's Comprehensive Plan Transportation Element Objective 1.2-44.d(1) "*No County Traffic Performance Standards approval letter, development order or permit that is dependent on this CRALLS shall be issued unless and/or until: 1) all unincorporated properties located on the west side of State Road 7 between Old Hammock Way to the north and Forest Hill Boulevard to the south are annexed into Wellington*". 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. None of the departments are opposed to the annexation. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan. District 6 (RB) (PZB) (Added in order to meet the Village of Wellington's annexation deadline)

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