

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 16, 2013

<u>PAGE</u>	<u>ITEM</u>																
8	3E-1	<u>DELETED:</u> Staff recommends motion to: A) receive and file Notice of grant award from the Department of Health and Human Services for the period March 1, 2013, through February 28, 2014, in an amount not to exceed \$3,554,902; and...(Community Services) (Further staff review)															
11	3E-6	<u>REVISED TITLE:</u> Staff recommends motion to approve: appointment of Ellen Van Arsdale to the Homeless Advisory Board to complete the term of Marcia Andrews effective April 16, 2013, ending September 30, 2014 and Appointment of Sylvia Moffett to the Homeless Advisory Board effective April 16, 2013, ending April 15, 2014 <u>September 30, 2015</u> :															
		<table border="1"><thead><tr><th><u>Seat #</u></th><th><u>Appointment</u></th><th><u>Member Category</u></th><th><u>Term Ending</u></th><th><u>Nominated By</u></th></tr></thead><tbody><tr><td>3</td><td>Ellen Van Arsdale</td><td>PBC School District</td><td>09/30/2014</td><td>PBC School District</td></tr><tr><td>15</td><td>Sylvia Moffett</td><td>League of Cities</td><td>04/15/2016 09/30/2015</td><td>League of Cities Representative</td></tr></tbody></table>	<u>Seat #</u>	<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>	3	Ellen Van Arsdale	PBC School District	09/30/2014	PBC School District	15	Sylvia Moffett	League of Cities	04/15/2016 09/30/2015	League of Cities Representative
<u>Seat #</u>	<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>													
3	Ellen Van Arsdale	PBC School District	09/30/2014	PBC School District													
15	Sylvia Moffett	League of Cities	04/15/2016 09/30/2015	League of Cities Representative													
		(Community Services)															
26	3L-7	<u>REVISED TITLE:</u> Staff recommends motion to: A) approve a Local Agency Program (LAP) Agreement (Agreement) with the Florida Department of Transportation (FDOT) in an amount not to exceed \$750,000 for reimbursement of construction and construction engineering and inspection (CEI) costs of Pântano Trail from Loxahatchee Slough Natural Area to Riverbend Park (FM No. 427654-2-58-01/-68-01) to be completed on or before June 30, 2015; <u>B) approve</u> Budget Amendment of \$750,000 in the Environmental Capital Projects Fund to recognize the Agreement funding; and <u>Federal-Aid Project Funding Request in support of the LAP Agreement;</u> <u>B)C) authorize</u> the County Administrator, or his designee, to sign all forms and necessary minor amendments that do not change the scope of work, terms or conditions of this Agreement <u>approve</u> Budget Amendment of \$750,000 in the Environmental Capital Projects Fund to recognize the Agreement funding; and <u>C)D) authorize</u> the County Administrator, or his designee, to sign all forms and necessary minor amendments that do not change the scope of work, terms or conditions of this Agreement. (ERM)															
32	4A	<u>REVISED SUMMARY:</u> On January 15, 2013, the Board approved the First Amendment to the Interlocal Agreement establishing the Glades Utility Authority (First Amendment). Pursuant to the First Amendment, the County will absorb the Glades Utility Authority (GUA) water and wastewater system and customers and reduce current rates by 6.5%. These reduced rates will be charged to customers for a period of eight years. After the initial eight years, the GUA's rates will revert to the County's rates plus seven percent. Existing GUA rates are approximately 75% higher than current County rates, and revenue from the rate differential will be used to pay debt service on the bonds being absorbed and to pay "Host Fees" to the Cities of Belle Glade, Pahokee, and South Bay. The proposed ordinance will adopt the rates currently being charged by the GUA and include those rates in Chapter 6 of the Water Utilities Department's Uniform Policies and Procedures Manual. <u>Exhibit "A" to the Ordinance attached to the April 2, 2013, preliminary reading agenda item has been modified to remove the Water Utilities Department account deposit fees and miscellaneous fees, as said fees have previously been adopted by the Board of County Commissioners.</u> The revision does not affect any rates currently being charged to existing Water Utilities customers. (WUD)															

32	4B	<p><u>REVISED TITLE:</u> Staff recommends motion to adopt: 1) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article IX (Ordinance No. 2008-43, amended by Ordinance No. 2011-007, amended by Ordinance No. 2011-032, amended by Ordinance No. 2011-040, amended by Ordinance No. 2012-009, and amended by Ordinance No. 2013-003); relating to taxicabs and other vehicles for hire, to be known as the Vehicle for Hire Ordinance; amending Section 19-213 (Definitions); amending Section 19-214 (Compliance with article required); amending Section 19-218 (Business permit application); amending Section 19-220 (Vehicle requirements); amending Section 19-221 (Vehicle decal requirements); amending Section 19-226 (Commercial automobile liability insurance); amending Section 19-227 (Driver requirements; failure to comply); amending Section 19-235 (Start-up), providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date; and 2) a Resolution of the Board of County Commissioners of Palm Beach County, Florida; repealing Resolution No. R2011-1977, and establishing a schedule of fees required by the revised Vehicle for Hire Ordinance, <u>and establishing minimum commercial automobile liability insurance limits for Vehicle for Hire companies.</u> (Public Safety)</p>
36	5D-1	<p><u>DELETED:</u> Staff recommends motion to authorize: staff to seek proposals to construct and operate a culturally authentic Japanese Inn (Ryokan) at the Morikami Museum and Japanese Gardens. (Parks) (Further staff review)</p>
40	8D	<p><u>ADD-ON:</u> Approval to present off-site, a Certificate of Commendation to Irwin Stovroff for his life-long service to his Country. (Sponsored by Mayor Abrams)</p>
40	8E	<p><u>ADD-ON:</u> Approval to present off-site, a Proclamation declaring April 2013 as “Parkinson’s Disease Awareness Month” in Palm Beach County. (Sponsored by Commissioner Berger)</p>
40	8G	<p><u>ADD-ON:</u> Approval to present off-site, a Proclamation declaring April 19 – 20, 2013 as “Ending Homelessness Weekend” in Palm Beach County. (Sponsored by Commissioner Taylor)</p>

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 (*).

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

APRIL 16, 2013

**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

- 3. CONSENT AGENDA (Pages 6 - 31)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 32)**

- 5. REGULAR AGENDA (Pages 33 - 37)**

- 6. BOARD APPOINTMENTS (Page 38)**

- 7. STAFF COMMENTS (Page 39)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Task Order No. 2 to the contract with Trillium Construction, Inc. (R2012-1002) in the amount of \$186,570 for construction management services related to the Convention Center Hotel Construction Phase Services. **SUMMARY:** This Task Order No. 2 will assist staff with the implementation of the Convention Center Hotel during the design, permitting, and construction phase of the project. The County entered into the Agreements with Related New York on November 30, 2012. Related New York has until May 2014 to commence construction or forfeit the \$5 million security deposit. The Small Business Enterprise (SBE) goal for this contract is 15%. The SBE participation for this Task Order is 0%. The cumulative SBE participation including this Task Order is 10% overall. Trillium Construction, Inc. is a Palm Beach County company. Funds were previously approved by the Board of County Commissioners for this purpose. Countywide (JM)

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	January 15, 2013
Comprehensive Plan	January 28, 2013
Regular	February 5, 2013
Joint Workshop	February 21, 2013
Zoning	February 28, 2013

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** the renewal of the Intersection Improvement Annual Agreements with Arcadis U.S., Inc., (Arcadis), whose original agreement was dated May 17, 2011, R2011-0703 and Kimley-Horn and Associates, Inc. (KHA), whose original agreement was dated May 17, 2011, R2011-0704. **SUMMARY:** Approval of these renewal agreements will extend required professional services for one year, on a work task order basis. These renewal agreements will continue for the period from May 17, 2013 through May 16, 2014. These are the second and final renewals of two possible one year renewals contemplated in the original agreements. Arcadis and KHA are both Palm Beach County companies. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. **Staff recommends motion to approve:** agreements with Civil Design, Inc. (CDI), Michael B. Schorah & Associates, Inc. (Schorah) and Simmons & White, Inc. (S&W) to provide the necessary professional services for civil engineering on a work task order basis, for Palm Beach County-wide (County) projects, as required. **SUMMARY:** Approval of these agreements will provide the necessary professional services for civil engineering throughout the County for all user Departments. At the option of the County, these agreements may be renewed annually for a period of one year, with a maximum of two renewals. CDI, Schorah and S&W are Palm Beach County companies and are certified Small Business Enterprises (SBE). Countywide (MRE)

3. **Staff recommends motion to approve:** Ten appraiser agreements (Agreements) with the appraisal firms: Anderson & Carr, Inc.; Appraisal and Acquisition Consultants, Inc.; Callaway and Price, Inc.; Cardo Appraisal Group, LLC.; Jenkins Appraisal Services, Inc.; M.R. Ford & Associates, Inc.; Parrish and Edwards, Inc.; Real Estate Analysts, LLC.; S.F. Holden, Inc. and The Spivey Group, Inc. (Firms), to provide right-of-way acquisition appraisal services. **SUMMARY:** Approval of these Agreements will allow the Firms to remain on Palm Beach County's (County) pre-qualified appraiser list for one year from April 21, 2013, through April 20, 2014, with an option to renew for one additional year. All Firms have at least one principal of the firm certified as a State-Certified General Appraiser; met a minimum of eight years appraisal experience; has the required expert witness experience; and has not been removed from the County list in the past three years. All the Firms have offices in the County. The County advertised for these services in January 2013. Countywide (MRE)

4. **Staff recommends motion to approve:** Change Order No. 8 for a 57 day time extension with Community Asphalt Corporation for the Northlake Boulevard Bridge over the Loxahatchee Slough project (R2011-0556) (Project). **SUMMARY:** Approval of Change Order No. 8 will extend the Project due to delays allowed under the Contract (weather, etc.). Per PPM CW-F-050, the threshold to decide approval authority must be calculated by multiplying the number of days by the daily delay charge. This total of \$120,897 puts this time extension over the threshold requiring Board of County Commissioners approval. District 6 (MRE)

5. **Staff recommends motion to approve:** a Contract not to exceed the total value of \$5,800,000 for task orders which may be issued for the Annual Pathway & Minor Construction Contract (Contract), Project No. 2013051, with Wynn & Sons Environmental Construction Co., Inc. (Contractor), the lowest, responsive, responsible bidder. **SUMMARY:** Approval of this Contract will provide for construction and/or resurfacing of pathways and parking areas, construction of speed humps, traffic separators, miscellaneous concrete works and other minor construction projects. The Small Business Enterprise (SBE) goal for the project is 15%. The SBE participation committed for the project by the Contractor is 100% overall. The Contractor is a Palm Beach County company. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to receive and file:** the official Transcript for the closing of the Palm Beach County, Florida \$10,032,000 Public Improvement Revenue Bonds (Unified Messaging System Project), Series 2013 (the "Bonds"). **SUMMARY:** The official transcript for the Bonds has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

E. COMMUNITY SERVICES

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

~~A) receive and file~~ Notice of grant award from the Department of Health and Human Services for the period March 1, 2013, through February 28, 2014, in an amount not to exceed \$3,554,902; and

~~B) approve~~ eight Contracts for Provision of Ryan White Part A HIV Health Support Services with listed provider agencies for the period March 1, 2013, through February 28, 2014, totaling \$6,119,816, for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief:

1. Compass, Inc.	\$ 459,390
2. Comprehensive AIDS Program of Palm Beach County, Inc.	\$2,407,120
3. FoundCare, Inc.	\$ 615,308
4. Gratitude House, Inc.	\$ 3,614
5. Health Care District of Palm Beach County	\$ 528,345
6. Legal Aid Society of Palm Beach County, Inc.	\$ 205,682
7. Palm Beach County Health Department	\$1,432,634
8. Treasure Coast Health Council, Inc. d/b/a Health Council of SE FL	\$ 467,723
Total	\$6,119,816

SUMMARY: A Notice of Grant Award from the Department of Health and Human Services Health Resources and Services Administration was received on February 15, 2013, and conveys a partial award totaling \$3,554,902. The balance of the Federal funding will be awarded at a later date. These contracts are being funded at 75% based on the previous years' grant award. The contracts will be amended and the budget will be aligned once the final notice of award has been received. These agencies are selected and recommended for contracting through the Request for Proposal process. These contracts cover services for HIV affected clients which includes medical case management, medical care, pharmacy oral health care, and substance abuse treatment. Employees Roz Collins of Gratitude House, Inc., Mary Kannel and Rafael Abadia of Palm Beach County Health Department, Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc. Marsharee Chronicle and Lorenzo Lowe of Compass, Inc., Julie Graham of Treasure Coast Health Council, Inc., and Elaine Esplin of Comprehensive AIDS Program of Palm Beach County, Inc. serve on a County Advisory Board, the HIV CARE Council. Employee Mickale Linton of Legal Aid Society of Palm Beach County, Inc. serves on a County Advisory Board, the Head Start-Early Head Start Policy Council. These Boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agency contracts listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. No County funds are required. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: reappointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of three years with expiration dates as indicated:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
2	Vicki Tucci	Community Based Organization	04/15/2016
11	Mary Kannel	Local Public Health Agencies	04/15/2016
12	Mary Reynolds	Affected Communities	04/15/2016
14	Glenn Krabec	Affected Communities	04/15/2016
16	Cecil Smith	Affected Communities	04/15/2016
19	Shirley Samples	Affected Communities	04/15/2016
21	Laurence Osband	Affected Communities	04/15/2016
24	Juny Tetevi	Non-Elected Community Leaders	04/15/2016
31	Shantreirra Monroe	Part D	04/15/2016
33	Thomas McKissack	Representative of/or PLWHA	04/15/2016

SUMMARY: The Palm Beach County HIV CARE Council bylaws state that total membership shall be no more than 33 members. Founding members were appointed for two year terms with subsequent terms of three years. The Palm Beach County HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These nominees have successfully completed the Palm Beach County HIV CARE Council nominations process, and have been recommended for reappointment. Vicki Tucci has disclosed that she is employed by Legal Aid Society of Palm Beach County, Inc., that contracts with the County for legal services. Shantreirra Monroe has disclosed that she is employed by Families First of Palm Beach County, that contracts with the County for services. Thomas McKissack has disclosed that he is employed by The Jerome Golden Center for Behavioral Health, Inc., that contracts with the County for services. The Palm Beach County HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

A) ratify the signature of the Mayor on Modification 001 to the Community Services Block Grant (CSBG) Agreement No. 13SB-FZ-10-60-01-021 (R2012-1636) with the Florida Department of Economic Opportunity for the period October 1, 2012, through September 30, 2013, in an amount not to exceed \$1,293,505 to provide self sufficiency services to low income individuals and families;

B) ratify the signature of the Mayor on the Low Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No. 13EA-0F-10-60-01-023 with the Florida Department of Economic Opportunity for the period March 1, 2013, through March 31, 2014, in an amount not to exceed \$3,930,514 to provide energy payment assistance to low income consumers;

C) approve Budget Amendment of \$442,950 in the Community Action Program (CAP) fund to establish the additional funding; and

D) approve Budget Amendment of \$1,839,707 in the Low Income Home Energy Assistance Program fund to reconcile the budget with grant award.

SUMMARY: Modification No. 001 will incorporate adjusted funds of \$280,718 and carryover funds of \$162,232 for an amended CSBG allocation of \$1,077,921. The required match of \$215,584 and overmatch of \$9,335 brings the new CSBG budget to \$1,302,840. No new County funds are required. The additional funding will enable CAP to provide self-sufficiency services to additional low income families. LIHEAP funds of \$3,930,514 are for a 13-month period and will enable CAP to provide assistance to approximately 13,000 low income households with energy bills and crisis assistance to prevent service disconnection or to restore utility services. These changes were planned for in the sequestration item on April 2nd. No County match funds are required for the LIHEAP grant. (Community Action Program) Countywide (TKF)

4. Staff recommends motion to receive and file:

A) Amendment 001 to Standard Agreement No. IU013-9500 (R2012-1871) for the Nutrition Services Incentive Program (NSIP) with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period October 1, 2012, through September 30, 2015, to amend paragraph 4 and amend paragraph 3.1 Attachment I of the Standard Agreement; increasing the reimbursement rate for eligible congregate and home delivered meals from \$0.68 to \$0.72; and

B) Amendment 002 to Standard Agreement No. IU012-9500 (R2012-0047) for NSIP grant with AAA for the period October 1, 2011, through December 30, 2012, to decrease the total amount of the agreement by \$74,362.22 for a new total amount not to exceed \$244,897.78; amend paragraph 4 and paragraph 3.1 Attachment I of the Standard Agreement and revise and replace Attachment III, Exhibit 1.

SUMMARY: Division of Senior Services receives funds through the AAA to supplement the cost of providing meals to seniors through the Older Americans Act Congregate and Home Delivered Meal programs. These Federal funds are provided through the Department of Elder Affairs. No County funds are required. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve:

A) Standard Agreement No. IA013-9500 for the Older Americans Act (OAA) Federal grant with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2013, through December 31, 2015, in an amount not to exceed \$2,006,624 for in-home and community based assistance to older persons and caregivers; and

B) Budget Amendment of \$473,614 in the DOSS Administration Fund to align the budget to the actual grant award.

SUMMARY: This is the resulting Agreement of the Service Provider Application (SPA) to the Request for Proposal (RFP) approved by the Board of County Commissioners on December 1, 2009 (R2009-2054) which allows DOSS, as a AAA Lead Agency, to provide older persons with appropriate supportive services. This is a three (3) year Agreement effective when signed by both parties. Services are funded with \$2,006,624 in Federal funds, \$222,958 in County required funds, \$1,633,295 in additional County funds, \$164,689 in Nutrition Services Incentive Program funds, and \$59,812 in Program Income funds. Sufficient funding is included in the current budget to meet County obligations. County funding of \$464,063 to meet FY 2014 obligations will be requested in the FY 2014 budget process. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

6. **REVISED TITLE:** Staff recommends motion to approve: appointment of Ellen Van Arsdale to the Homeless Advisory Board to complete the term of Marcia Andrews effective April 16, 2013, ending September 30, 2014 and Appointment of Sylvia Moffett to the Homeless Advisory Board effective April 16, 2013, ending ~~April 15, 2016~~ September 30, 2015:

<u>Seat #</u>	<u>Appointment</u>	<u>Member Category</u>	<u>Term Ending</u>	<u>Nominated By</u>
3	Ellen Van Arsdale	PBC School District	09/30/2014	PBC School District
15	Sylvia Moffett	League of Cities	04/15/2016 09/30/2015	League of Cities Representative

SUMMARY: On May 1, 2007, the Board of County Commissioners established the Homeless Advisory Board (HAB) to develop a Ten-Year Plan to End Homelessness in Palm Beach County (Ten-Year Plan). Resolution R2011-1233 was approved by the BCC on August 16, 2011, reducing the membership from 36 to 19. Seat 15 was not filled at that time. City of West Palm Beach Commissioner, Sylvia Moffett, was recommended by the League of Cities as their representative. Seat 3 was previously occupied by Palm Beach County School District Member Marcia Andrews. Due to a conflict of meeting dates between the Homeless Advisory Board and the Palm Beach County School District, Ms. Andrews was unable to attend the HAB meetings. Ellen Van Arsdale was recommended by the Palm Beach County School District to serve on the Homeless Advisory Board as their representative. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: Memorandum of Understanding with Workforce Alliance, Inc., for the period April 16, 2013, through June 30, 2014, for delivery of Program workforce services to farm workers. **SUMMARY:** This Memorandum of Understanding (MOU) will establish an organizational framework to integrate the delivery of Program workforce services into the One-Stop delivery system. The MOU satisfies the Program delivery requirement contained in the Workforce Investment Act of 1998. No County funds are required. (Farmworker Jobs & Education Program) Countywide (TKF)

F. AIRPORTS

1. Staff recommends motion to approve: a Contract with GCR, Inc. in the amount of \$541,005 for the implementation and maintenance of the Airports Properties and Revenue Management Software (APRMS). **SUMMARY:** In response to Request for Proposal No. 12-074/SC, four proposals were received for the APRMS Project. County staff determined GCR, Inc. to be the only responsive proposer and after an evaluation by a six member selection committee, recommended GCR for contract award. GCR's principal place of business is in New Orleans, Louisiana. The selection committee consisted of representatives from the Department of Airports (DOA), Information Systems Services, and the Office of Small Business Assistance. The selection process included detailed functional and technical criteria, live demonstration of the proposer's software, reference checks of similar users, and evaluation of the proposer's staffing, approach, and pricing. GCR, Inc's proposal also includes 15% Small Business Enterprise participation, meeting the County's goal. The Contract provides for the implementation of the APRMS and subsequent maintenance for a period of five years, with an option to extend for an additional five years at the County's sole discretion. The contractor has furnished a Performance Bond in the amount of \$100,000 which will be maintained until the DOA fully accepts the system implementation as complete. The Contract value consists of three components: software and installation (\$253,005), five year maintenance (\$88,000), and optional services (\$200,000). Optional services will be used for the implementation of various interfaces to fully integrate the APRMS with other financial systems and to provide point of sale solutions for various revenue sources. All funding is from Airport revenues; no ad valorem funding will be used. Countywide (AH/DW)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution approving Supplemental Joint Participation Agreement (SJPA) Number 3 with the Florida Department of Transportation (FDOT) increasing the original funding for security improvements at North Palm Beach County General Aviation Airport and Palm Beach County Glades Airport; and

B) approve a Budget Amendment of \$245,958 in the Airport Improvement and Development Fund to recognize additional funds from the SJPA; and increase the project cost to \$307,448, which includes a transfer from the reserves in the amount of \$61,490.

SUMMARY: On September 23, 2008, the Board of County Commissioners (BCC) adopted a Resolution (R2008-1636) approving a Joint Participation Agreement (JPA) with the FDOT in the amount of \$1,500,000 or 80% of the eligible project costs, whichever is less, to construct aprons and taxilanes at North Palm Beach County General Aviation Airport. On January 13, 2009, the BCC adopted a Resolution (R2009-0080) approving SJPA Number 1 amending the original project description to include construct hangars at North Palm Beach County General Aviation Airport due to a need for additional hangars in lieu of apron and taxilane construction, with no increase in funding. Of the original \$1,500,000 in FDOT funding, \$158,000 remained after completion of the hangar construction, which could be reprogrammed to another project.

On May 1, 2012, the BCC adopted a resolution (R2012-0622) approving SJPA Number 2 amending the original project description to include Airport security improvements at North Palm Beach County General Aviation Airport and Palm Beach County Glades Airport, and amending the FDOT's participation on the balance of the original project from 80% to 100% to utilize the remaining \$158,000 in the JPA. This SJPA No. 3 increases the original funding by \$245,958 and amends the FDOT's participation on this additional funding from 100% to 80% to offset increased cost for miscellaneous general aviation security improvements. With this additional funding, the total funding provided in this JPA is \$1,745,958, of which \$1,342,000 was used for hangar construction, and the remaining \$403,958 will be used on security improvements at North Palm Beach County General Aviation Airport and Palm Beach County Glades Airport. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated Settlement in the amount of \$125,000, for the full satisfaction of four Code Enforcement Liens that were entered against FRB One, LLC on June 4, 2008, August 26, 2008, October 1, 2008 and April 7, 2010. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered three separate Orders resulting in four Code Liens against FRB One, LLC. The Orders gave FRB One, LLC certain dates to achieve compliance with building code and zoning violations or daily fines ranging from \$100 to \$250 per day would begin accruing if compliance with the CESM's Orders were not achieved by the ordered compliance dates. The CESM then entered claims of liens against FRB One, LLC on June 4, 2008, August 26, 2008, October 1, 2008, and April 7, 2010, as the violations had not been corrected by the ordered dates in each of the respective cases. The cited code violations were all fully corrected as of July 6, 2010. The total accumulated and aggregate lien amounts through January 31, 2013 totaled \$563,055.49 for which FRB One, LLC has agreed to pay the County \$125,000 (22.2%) for full settlement of their four outstanding Code Enforcement liens. District 3 (PM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) Consultant Services Authorization (CSA) No. 8 to the contract with Leo A. Daly Company (R2011-0112) in the amount of \$349,602 to provide architectural/engineering design services for a new Library Annex to be located on Cherry Road in West Palm Beach; and

B) a Budget Transfer in the amount of \$614,602 in the Library Impact Fees Fund from the Reserves to the Annex capital project.

SUMMARY: Since 1999, the County on behalf of the Library Department has leased space within the Mil-Lake Plaza located on Lake Worth Road in Greenacres. On November 20, 2012, the Board approved a final renewal option to extend the lease to March 31, 2015. This CSA will provide design services for a stand-alone facility to meet the Library Department needs to replace the existing leased space. These services will include the architectural and structural design with mechanical and electrical, parking, landscaping, irrigation and site lighting. Leo A. Daly Company has a continuing services contract for architectural services which provides for a Small Business Enterprise (SBE) participation goal of 32% SBE, 12% M/WBE. The participation on this CSA is 39.5% SBE, 14.0% M/WBE. When added to the consultant's participation to date, the SBE participation is 28.2%, M/WBE participation is 6.6%. Leo A. Daly Company is a Palm Beach County firm using all Palm Beach County subconsultants. The estimated construction cost is \$3,500,000 and will be funded from Library Impact Fees. (Capital Improvements Division) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 2 to annual minor construction contracts extending the term for one year and increasing the maximum dollar value to \$1,000,000:

<u>Contractor</u>	<u>Original Contract Resolution #</u>	<u>SBE or Non SBE</u>	<u>Work Orders during 2nd term</u>	<u>Total SBE Participation to Date</u>
All-Site Construction, Inc.	R2011-1599	SBE	\$88,000	60.9%
Andrea Construction, Inc.	R2011-1601	SBE	\$149,375	60.8%
Coral-Tech Associates, Inc.	R2011-1603	Non SBE	\$7,140	55.6%
Ralph Della-Pietra, Inc.	R2011-1610	SBE	\$28,016	43.7%
Robling Architecture Construction, Inc.	R2011-1611	SBE	\$77,000	68.9%
Joe Schmidt Construction, Inc.	R2011-1612	SBE	\$88,850	41.2%
Triton Associates, Inc.	R2011-1614	SBE	\$11,395	72.8%

SUMMARY: This agenda item is a renewal to the general building minor construction contract which was awarded to sixteen approved participants. This annual Minor Construction contract is an indefinite-quantity contract with a maximum cumulative value per year. Projects are bid among the pre-qualified participants. The original contracts provided for an initial one year term with four - one year renewal options with a \$500,000 cumulative limit. Amendment No. 1 approved by the Board on October 2, 2012, (R2012-1373 to 1382), reduced the original list of sixteen pre-qualified bidders to ten, extended the contracts for one year, and reset the maximum cumulative value to \$500,000. Staff is bringing forward Amendment No. 2 at this time because the contract has reached its maximum dollar value within this renewal period as the bidding process used by this contract has increased versus using the job order contracting method as in the past. Staff is requesting the limit be increased to \$1,000,000 and the contract extended for another year in order to cover the projected need. During the second term of this contract, the County has awarded \$449,776 in work orders. All contractors are Palm Beach County companies with the exception of Coral-Tech Associates, Inc. who is a Broward County company. Small Business Enterprise (SBE) participation goals for the minor construction contracts are 15%. The cumulative SBE participation for all work orders issued the first year is 46.8%. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: a Second Amendment to Interlocal Agreement (R2002-2063) with the Solid Waste Authority (SWA) to extend the term of the Interlocal Agreement (Agreement) for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to November 18, 2017. **SUMMARY:** The Agreement (R2002-2063) amended by First Amendment (R2007-0491), provides the terms and conditions under which the SWA can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expired on November 19, 2012. The Agreement provided for three renewal options, for a period of five years each. Both parties must approve the renewal option. The SWA has approved a retroactive renewal to November 18, 2017. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The SWA is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This Second Amendment retroactively renews the term, updates the notice provisions, modifies the provision on access and release of programming codes, and provides for disclosure of County Ordinance No. 2011-009 establishing the Office of the Inspector General. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

4. Staff recommends motion to approve: a Third Amendment to Agreement (R2004-0456) with Columbia Hospital (Palm Beaches) Limited Partnership, d/b/a West Palm Hospital, (Hospital) to extend the term of the agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to March 15, 2016. **SUMMARY:** The Agreement, which provides the terms and conditions under which Hospital can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expired on March 15, 2013. The Agreement provided for three renewal options, each for a period of three years. Both parties must approve the renewal option. Hospital has approved a renewal to March 15, 2016. The renewal now requires Board approval. The terms of the agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. Hospital is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This Third Amendment renews the term, updates the notice provisions, modifies the provision on access and release of programming codes, and provides for disclosure of County Ordinance No. 2011-009 establishing the Office of the Inspector General. The Third Amendment corrects the name and entity status of Hospital from Columbia Hospital, Inc. to Columbia Hospital (Palm Beaches) Limited Partnership, d/b/a West Palm Hospital. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** a First Amendment to Agreement (R2009-1416) with Atlantic/Palm Beach Ambulance, Inc. d/b/a AMR, (AMR) to extend the term of the agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to August 31, 2015. **SUMMARY:** The Agreement, which provides the terms and conditions under which AMR can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expired on August 31, 2012. The Agreement provided for one renewal option, for a period of three years. Both parties must approve the renewal option. AMR has approved a retroactive renewal to August 31, 2015. The renewal now requires Board approval. The terms of the agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. AMR is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This First Amendment retroactively renews the term, updates the notice provisions, modifies the provision on access and release of programming codes, and provides for disclosure of County Ordinance No. 2011-009 establishing the Office of the Inspector General. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

6. **Staff recommends motion to approve:** a Third Amendment to Agreement (R2004-0458) as amended by (R2007-0278) and as amended by (R2010-0193) with Jupiter Medical Center, Inc. ("Hospital") to retroactively extend the term of the agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to March 15, 2016. **SUMMARY:** The Agreement, which provides the terms and conditions under which Hospital can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on March 15, 2013. The Agreement provided for three renewal options, each for a period of three years. Both parties must approve the renewal option. Hospital has approved a retroactive renewal to extend the term of the Agreement to March 15, 2016. The renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. Hospital is required to pay all costs associated with the subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This Third Amendment retroactively renews the term, updates the notice provisions, modifies the provision on access and release of programming codes, and provides for disclosure of County Ordinance 2011-009 establishing the Office of the Inspector General. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. **Staff recommends motion to receive and file:** a notice of exercise of the 12th one year extension option under the Lease Agreement with Bedner Farm, Inc. (R2001-0582) for Bedner Farm's continued agricultural use of approximately 246 acres located in the Ag Reserve for \$122,918.50/year. **SUMMARY:** On April 17, 2001, the Board approved the Lease Agreement with Bedner Farm, Inc. for the use of two parcels of property in the Ag Reserve for row crops. One parcel is approximately 156 acres located just west of the Turnpike and north of Atlantic Avenue. The other parcel is approximately 90 acres located west of U.S. 441 and north of Boynton Beach Boulevard. The initial term of the Lease Agreement was for one year ending May 31, 2002, with nine - one year extension options. The Board previously approved various amendments (R2007-0827 and R2010-0083) which provided for additional renewal options and rent reduction. The current expiration date of the Lease Agreement is May 31, 2013. Exercising this twelfth option will extend the term to May 31, 2014. There remain nine annual extension options through May 31, 2023. The annual rental rate is currently \$122,918.50/year (\$500/acre). Pursuant to the Lease Agreement, Bedner Farm has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. (PREM) Districts 5 & 6 (HJF)

8. **Staff recommends motion to approve:** a Utility Easement Agreement in favor of Florida Power & Light Company for electrical services to the County's Water Utilities Department's (WUD) vacuum pump station located on 5th Street, north of Belvedere Road, in West Palm Beach. **SUMMARY:** WUD is working with the Westgate CRA to provide sewer service to the Belvedere Homes area and is constructing a vacuum pump station on Department of Airports property located on 5th Street, north of Belvedere Road, which requires electrical hook up. The easement includes two easement areas being approximately 12'x 60', containing 720 sq. ft. and 8'x15', containing 120 sq. ft. The combined easement area total is approximately 840 sq. ft. (0.02 acres). WUD will maintain the pump station. This non-exclusive easement is being granted at no charge as it is required to provide electrical service to the pump station. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: the purchase of various easements from United States Sugar Corporation (U.S. Sugar) for a total amount of \$20,500 for construction and operation of water supply wells to serve the Lake Region Water Treatment Plant:

A) a Well Site and Utility Easement;

B) an Access and Utility Easement;

C) a Buffer Easement; and

D) a Temporary Construction Easement

SUMMARY: The County operates the Lake Region Water Treatment Plant, east of State Road 715 on Hooker Highway, in Belle Glade. Two additional wells are required to handle the raw water demand for the LRWTP. The Well Site and Utility Easement include two well sites; each site is approximately 100'x60' and in total comprise approximately 12,000 square feet (0.28 acres). The Access and Utility Easement is approximately 30'x2,784.68', containing approximately 83,542.65 square feet (1.92 acres). The Buffer Easement encompasses semi-circular parcels surrounding each well site and in total comprise approximately 23,416 square feet (.54 acres) The Buffer easement prohibits uses that may cause sanitary hazards to the well sites. The Temporary Construction Easement adjoining each well site is irregular in shape and in total comprise approximately 28,000 square feet (.64 acres). M.R. Ford & Associates, Inc. provided an appraisal in March 2012, for the well site parcels and the easement areas with a total value of \$25,000. U.S. Sugar agreed to sell the easements for a total cost of \$20,500. The County will be responsible for recording fees, doc stamps, title insurance and premium expenses, estimated to be \$1,471.18. Payment and acceptance of executed easements is anticipated to occur before June 1, 2013. (PREM) District 6 (HJF)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2011-0901) with the City of Lake Worth to extend the expiration date from May 1, 2013, to September 30, 2013. **SUMMARY:** On June 21, 2011, the County entered into an Agreement (R2011-0901), as amended by Amendment No. 001 (R2012-1104) on August 14, 2012, with the City of Lake Worth to provide \$200,000 in Community Development Block Grant funds (CDBG) for a building addition to the Norman Wimbley Gymnasium located at 1515 Wingfield Street, Lake Worth. The project's construction schedule was impacted due to delays in obtaining building permits. The five months time extension will allow the City to complete the project. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve:

A) Amendment No. 002 to a Conditional Grant Agreement (R2009-0658) with Habitat for Humanity of Palm Beach County, Inc. (Habitat);

B) a Second Mortgage and Note Modification Agreement with Habitat; and

C) an Amended and Restated Mortgage Subordination Agreement in favor of Palm Beach County Housing Finance Authority (HFA).

SUMMARY: On April 21, 2009, the County entered into a Conditional Grant Agreement (R2009-0658) with Habitat to provide \$750,000 of State Housing Initiatives Partnership (SHIP) funds for the acquisition of a 3.5 acre parcel of land where 19 affordable homes will be constructed and known as Kennedy Estates II. The proposed development of these homes at Kennedy Estates II is the second phase by Habitat to provide affordable housing in this area west of the Town of Jupiter. Habitat is required to complete the construction of these homes by June 30, 2013. Seven homes are to be sold to low income households whose incomes are at or below 80% percent of median income and 12 homes are to be sold to very low income households whose incomes are at or below 50% of median income. To date, Habitat has completed the on-site infrastructure work, has begun construction on four homes and submitted permit applications for four homes. The proposed amendments will provide Habitat until June 30, 2014 to complete all homes. On June 12, 2011, the County subordinated its Mortgage which secured the SHIP funds to the HFA mortgage which anticipated a maturity date of June 30, 2013. Since the maturity date of the HFA mortgage is being changed to coincide with the County's mortgage, execution of the Amended and Restated Mortgage Subordination Agreement is recommended. This will maintain the County's Mortgage in a subordinate position to that of the HFA mortgage while alleviating any unclarity that might arise from the change in maturity date. **These are State SHIP funds which require no local match.** (BH&I) District 1 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve:

- A) Amendment No. 001 to the Conditional Grant Agreement (R2008-1870) with Neighborhood Renaissance, Inc. (NRI);
- B) First Amendment to the Declaration of Restrictive Covenant with NRI;
- C) Second Mortgage and Note Modification Agreement with NRI; and
- D) Subordination Agreement with Florida Community Loan Fund, Inc.

SUMMARY: On October 21, 2008, the County entered into a Conditional Grant Agreement (R2008-1870) with NRI to provide \$375,000 in State Housing Initiatives Partnership Program (SHIP) funds towards the construction of five homes. According to the Mortgage and Promissory Note executed to secure these funds, NRI was to complete and convey these homes to income-eligible County approved homeowners by January 1, 2010. NRI was able to convey one of these homes to a County approved homeowner; however, potential homebuyers for the remaining homes have had difficulty obtaining private financing. On March 6, 2012, the County entered into a First Mortgage and Note Modification Agreement (R2012-0323) to extend the deadline for the conveyance of the remaining four homes to December 31, 2013. The documents recommended for approval by the Board of County Commissioners will further facilitate the occupancy of the remaining units by income eligible households. These documents accomplish the following: 1) Allow the occupancy of the homes under a three year lease-purchase arrangement; 2) Allow rental occupancy for a five year period; 3) Extend the term of the mortgage and note five years; 4) Update various definitions to current standards; 5) Subordinate the County's mortgage to a new first mortgage holder as part of NRI's refinancing of two existing private mortgages; and 6) Require NRI to pay approximately \$8,000 to cover the County's monitoring costs for a five year period. **These are SHIP grant funds which require no local match.** (DES Contract Development) District 7 (TKF)

4. Staff recommends motion to approve: Amendment No. 003 to an Agreement (R2010-2008) with the City of Pahokee to extend the expiration date from April 30, 2013 to December 31, 2013. **SUMMARY:** On December 7, 2010, the County entered into an Agreement (R2010-2008) with the City of Pahokee to provide \$92,817 in Community Development Block Grant Funds (CDBG) for the construction of a restroom and concession stand building at City Park in the City of Pahokee. The project's construction schedule was impacted due to unforeseen delays with the contractor. The eight months time extension will allow the City to complete the project. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to approve: an Agreement with Adopt-A-Family of the Palm Beaches, Inc. (Adopt-A-Family) in the amount of \$154,575 for the period of October 1, 2012, to March 31, 2014. **SUMMARY:** This Agreement will be funded from the second allocation of the Emergency Solutions Grants (ESG) Program for Fiscal Year 2011-2012. Adopt-A-Family will provide assistance for rental security deposits, utility deposits, rent and utility payments to 32 homeless households. The award of these funds to Adopt-A-Family was recommended by the Homeless Housing Alliance Executive Committee on February 20, 2012, and approved by the Homeless Housing Alliance on February 23, 2012. At the time these funds became available Adopt-A-Family was the only provider actively operating a rapid re-housing program. **These are Federal ESG funds which require a match of \$154,575 (100%). An in-kind match will be provided by Adopt-A-Family of the Palm Beaches in the amount of \$154,575.** (DES Contract Development) Countywide (TKF)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: **A)** reappointment of one member; and **B)** appointment of one new member to the Building Code Advisory Board:

A. Reappoint

<u>Member</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Anthony Mack	7	Building Official, District 7	BOAPBC	4/16/13-4/15/16

B. Appoint

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Mike Grimm	3	Building Official, District 3	BOAPBC	4/16/13-1/10/14

SUMMARY: The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for board members is three years. The Building Official's Association of Palm Beach County has nominated Anthony Mack and Mike Grimm. Anthony Mack has previously served on the Board in Seat 7. Mike Grimm is completing the term of Bette Lowe who resigned from her seat on the Board. The Board is comprised of 16 members; composed of 7 Building Officials, one from each commission election district; 7 members appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; 1 registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; and 1 professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a 20-year term Florida Greenways and Trails Designation Agreement (Designation Agreement) with the Florida Department of Environmental Protection for the County's Winding Waters Natural Area; and

B) authorize the County Administrator, or his designee, to sign a Resource Certification once every five years from the date of this Designation Agreement.

SUMMARY: On November 5, 2012, staff submitted an Application for Designation of the Winding Waters Natural Area to become part of the Florida Greenways and Trails System. The application was subsequently approved by the Florida Greenways and Trails Council on December 12, 2012. To maintain the designation, the County is required to submit a "Resource Certification" once every 5 years from the date of this Designation Agreement. The Resource Certification states that the natural, recreational, cultural or historic resources identified in the Designation Agreement are being maintained. Since the natural, cultural and/or historic resources found within the designation area are already being maintained pursuant to a Natural Resources Conservation Service grant (R2007-1222), approval of the Designation Agreement is not expected to have any fiscal impact. District 7 (SF)

2. Staff recommends motion to receive and file: three original documents:

A) Sponsorship Agreement (R2012-1905) with the Palm Beach County Fishing Foundation, Inc. (PBCFF) for Sponsorship of the Lake Worth Lagoon Symposium on May 15, 2013;

B) Modification 4 to Contract No. WHIP 2002 724209070L3 (R2008-0401) with the U.S. Department of Agriculture (USDA) for the Yamato Scrub Natural Area deletes the remaining prescribed burns and three restoration areas, and extends the expiration date to one year after the last management activity (prescribed burn or brush management) was completed; and

C) Modification 5 to Contract No. WHIP 2002 724209070ZP (R2008-0400) with the U.S. Department of Agriculture (USDA) for the Juno Dunes Natural Area deletes the remaining prescribed burn item and extends the expiration date to one year after the last management activity (prescribed burn or brush management) was completed.

SUMMARY: On December 18, 2012 (R2012-1905) the Board of County Commissioners approved a Resolution delegating authority to the County Administrator and the Director of ERM to execute Sponsorship Agreements for the provision of benefits to a sponsor when an event or program is hosted by the Department Environmental Resources Management (ERM). On March 11, 2008 (R2008-0399 through 0403), the Board of County Commissioners approved Contract No. WHIP 2002 724209070L3 with the USDA for the Yamato Scrub Natural Area (R2008-0401) and Contract No. WHIP 2002 724209070ZP (R2008-0400) for the Juno Dunes Natural Area. Delegation of authority to sign all future time extensions, task assignments, certifications, and other forms associated with this project agreement was approved on March 19, 2008 pursuant to PPM No. CW-O-051. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve a 20-year term, Tri-Party Florida Greenways and Trails Designation Agreement (Designation Agreement) with the Florida Department of Environmental Protection and the Town of Jupiter for the County's North Jupiter Flatwoods Natural Area; and

B) authorize the County Administrator, or his designee, to sign a Resource Certification once every five years from the date of this Designation Agreement.

SUMMARY: On April 23, 2012, staff submitted an Application for Designation of the North Jupiter Flatwoods Natural Area to become part of the Florida Greenways and Trails System. The application included 144.8 acres of land owned and managed by the County, as well as a 9.3-acre cypress dome that is owned by the Town of Jupiter (Town) and managed by the County as provided for in an Interlocal Agreement dated August 20, 2002 (R2002-1435). Authorization for inclusion of the Town-owned property was provided via a signed "Owner Consent" form. The application was subsequently approved by the Florida Greenways and Trails Council on December 12, 2012. To maintain the designation, the County is required to submit a "Resource Certification" once every 5 years from the effective date of this Designation Agreement. The Resource Certification states that the natural, recreational, cultural or historic resources identified in the Designation Agreement are being maintained. Since the natural area is already being maintained in accordance with the Board-approved management plan (September 13, 2005; Item 5F-1) and an Interlocal Agreement with the Town of Jupiter (R2002-1435), approval of the Designation Agreement is not expected to have any fiscal impact. District 1 (SF)

4. Staff recommends motion to approve: Task Order No. 1435-06 to a continuing Contract (R2010-1435) with Taylor Engineering, Inc. (Taylor) in the amount of \$170,316.16 for sea turtle monitoring services in association with the South Lake Worth Inlet Maintenance Dredging Project, the South Lake Worth Inlet Sand Transfer Plant Reconstruction Project, the Ocean Ridge Shore Protection Project, and the Singer Island Dune Restoration Project. **SUMMARY:** The Board of County Commissioners approved the Contract with Taylor, a Palm Beach County company, on September 14, 2010 (R2010-1435) and renewed the Contract for one year on August 14, 2012 (R2012-1124). This Task Order No. 1435-06 authorizes Taylor to manage sea turtle monitoring activities during the 2013 sea turtle nesting season. There is 79.8% Small Business Enterprise (SBE) sub consultant participation on the Task Order. Taylor committed to an overall 19% SBE participation in the Contract. Districts 1 & 4 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) approve an Interlocal Agreement with the City of West Palm Beach (WPB) for the Baywinds Preserve/Pond Cypress Preserve Structure Operation and Management Protocol; and

B) authorize the County Administrator, or his designee, to sign all necessary minor amendments that do not change the scope of work, terms or conditions of this Agreement.

SUMMARY: The Department of Environmental Resources Management (ERM) currently manages the 1737-acre Pond Cypress Natural Area pursuant to the Management Plan that was approved by the Board of County Commissioners (BCC) on July 20, 2010; agenda item number 5C-1. WPB has constructed a culvert structure to hydrologically link the Pond Cypress Natural Area to the Baywinds Wetland Preserve during specific water stage levels as outlined in the Interlocal Agreement. Overflow water from the Pond Cypress Natural Area is currently discharged into water management systems or drainage canals and ultimately lost to tide. WPB wishes to receive this water, when available, for the benefit of downstream wetlands and groundwater recharge areas. District 6 (SF)

6. Staff recommends motion to:

A) adopt a Resolution for Assistance through the Florida Fish and Wildlife Conservation Commission's (FWC) Florida Boating Improvement Program (FBIP) in support of a submitted grant application requesting \$199,000 to cover a portion of the \$3,048,807 for construction of the Fullerton Island Boating Facility project within the Town of Jupiter; and

B) authorize the County Administrator, or his designee, to sign the project agreements, all future time extensions, task assignments, certifications, statements and other forms associated with these documents, and any necessary minor amendments that do not change the scope of work or terms and conditions of these documents; and

C) authorize the Director of the Department of Environmental Resources Management (ERM) to serve as the Project Manager for the project.

SUMMARY: The County has timely submitted a grant proposal which will reimburse the County up to \$199,000 from the FWC Florida Boating Improvement Program (FBIP) for the Fullerton Island Boating Facility project. The project includes the construction of a boat basin, six new day slips and an educational kiosk. Separate funding will be used to restore the island by removing exotic vegetation and spoil material to create mangrove, seagrass and maritime hammock. The total cost of the project is estimated at \$3,048,807. The County's share, estimated at \$1,894,474 will be provided by ERM services, Parks Department, Vessel Registration and Manatee Protection funds. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

7. **REVISED TITLE:** Staff recommends motion to:

A) approve a Local Agency Program (LAP) Agreement (Agreement) with the Florida Department of Transportation (FDOT) in an amount not to exceed \$750,000 for reimbursement of construction and construction engineering and inspection (CEI) costs of Pântano Trail from Loxahatchee Slough Natural Area to Riverbend Park (FM No. 427654-2-58-01/-68-01) to be completed on or before June 30, 2015;

B) approve Budget Amendment of \$750,000 in the Environmental Capital Projects Fund to recognize the Agreement funding; and Federal-Aid Project Funding Request in support of the LAP Agreement;

~~**B) C) authorize** the County Administrator, or his designee, to sign all forms and necessary minor amendments that do not change the scope of work, terms or conditions of this Agreement~~ **approve** Budget Amendment of \$750,000 in the Environmental Capital Projects Fund to recognize the Agreement funding; and

~~**C)D) authorize** the County Administrator, or his designee, to sign all forms and necessary minor amendments that do not change the scope of work, terms or conditions of this Agreement.~~ (ERM)

SUMMARY: The Agreement will encumber \$750,000 in FDOT Transportation Alternatives (TALU) funds, authorized by Section 1122 of the Moving Ahead for Progress in the 21st Century Act (MAP-21) established in 23 U.S.C. 213, to reimburse the cost of construction and CEI of 5.6 miles of the proposed Northeast Everglades Natural Area (NENA) Pântano Trail. This project includes a ten-foot wide shellrock or equivalent bicycle/pedestrian path, shade shelter, bicycle racks and informational signs. The path will connect the Loxahatchee Slough Natural Area to Riverbend Park and the Jupiter Farms neighborhood utilizing the levees of the South Florida Water Management District canals C-18E and C-18W. Specific federal requirements for contract bidding and job reporting apply. No County match is required; however, the project cost estimate exceeds the \$750,000 reimbursement by \$106,000. The additional \$106,000 would come from a non ad valorem portion of the Natural Areas Fund. District 1 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Budget Transfer of \$150,000 within the 2005 \$25 Million Recreational and Cultural Facilities Bond fund from the South Bay RV and Recreation Center project to the Jim Brandon Equestrian Center Painting project. **SUMMARY:** This budget transfer will provide the additional funding necessary to clean and paint the covered arena at the Jim Brandon Equestrian Center. The under roof structure of the covered arena is comprised of beams, stanchions and wires. These components have rusted over the last five years and they need to be stripped, cleaned, and repainted with a rust resistant paint. The arena roof is 40,500 sq. ft. and is roughly between 30 and 45 feet above ground. This project will cost approximately \$250,000. Currently, there is \$100,000 available in the Jim Brandon Equestrian Center Painting project budget, and this transfer of \$150,000 is necessary to fully fund this project. Funding for this budget transfer is from the 2005 \$25 Million Recreational and Cultural Facilities Bond and is available from the South Bay RV and Recreation Center. The Jim Brandon Equestrian Center project needs to be completed this summer while equine activities are slower. The South Bay RV and Recreation Center project is currently on hold pending additional design and engineering plans. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: the following original executed Amphitheater Rental Agreements:

A) Karma Entertainment Group, LLC, 80's Fest concert, Sunset Cove Amphitheater, for the period February 22, 2013, through February 24, 2013; and

B) Reach Communications Inc., Casting Crowns concert, Sunset Cove Amphitheater, for the period March 2, 2013, through March 3, 2013.

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 Amphitheater Rental 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 2009-0335, amended by Resolutions 2009-1807 and 2012-1715, and are now being submitted to the Board to receive and file. These events help to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 7,700 persons attended the events produced under these Amphitheater Rental Agreements. District 5 (AH)

3. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreements for community events:

A) Sid Parker, Sid Parker Orchestra concert; Canyon Town Center Amphitheater, on February 16, 2013; and

B) Maximum Bands Entertainment LLC, "Led Hed" concert; Seabreeze Amphitheater, on March 1, 2013.

SUMMARY: The Parks and Recreation Department produced two popular cultural events at our Canyon Town Center and Seabreeze Amphitheaters. These events were attended by an estimated 1,700 people and generated positive support and goodwill for the County. A sponsorship with GL Homes offset the expenses of the concert at the Canyon Town Center Amphitheater. 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 Entertainment 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 2008-1109, amended by Resolution 2010-0644, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreements:

A) Karen Lindquist, Outdoor Skills Instructor, Daggerwing Nature Center, for the period March 26, 2013, through March 29, 2013; and

B) Elaine Margaret Williamson, Water Fitness Instructor, Gleneagles Country Club Aquatic Center, for the period April 1, 2013, through October 1, 2013.

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. These 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 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. Districts 3 & 5 (AH)

5. Staff recommends motion to receive and file: the following original executed Sound and Light Production Services Contractor Agreements:

A) City Sound and Recording LLC; 80's Fest concert, Sunset Cove Amphitheater, for the period February 23, 2013, through February 24, 2013;

B) City Sound and Recording LLC; Led Zeppelin Tribute Act concert, Seabreeze Amphitheater, on March 1, 2013; and

C) City Sound and Recording LLC; Casting Crowns concert, Sunset Cove Amphitheater, for the period March 2, 2013, through March 3, 2013.

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 Sound and Light Production Services 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 2009-0592, amended by Resolution 2010-0645, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

6. Staff recommends motion to approve: a Professional Services Contract with Kiril Zahariev, in an amount not-to-exceed \$150,000 for one year, with two additional twelve month renewal options, effective May 1, 2013, through April 30, 2014, for USA swimming coaching services at the North County Aquatic Complex. **SUMMARY:** Recreation instructors and sports officials are exempt from the Purchasing Ordinance. Resolution 94-422, amended by 2002-2103, 2007-0409 and 2012-0168, granted Departmental authority to sign independent contractor agreements with recreation instructors and sports officials. Kiril Zahariev contracted with the County over the past nine years as a swim coach for the Jupiter Dragons Swim Team at the North County Aquatic Complex. Due to the term of the contract coupled with the size of the program, this contract now exceeds the intent of authority originally delegated, so staff recommends that the coaching services with Kiril Zahariev be approved through the use of a professional services contract. This is a self sustaining program in which revenues exceed expenditures, with the County retaining 20% and the contractor receiving 80%, for a total contract amount not-to-exceed \$150,000 per year. This coach utilizes two additional coaches in providing this service. District 1 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: reappointment of the following individuals to the Criminal Justice Commission for the period April 16, 2013, through December 31, 2015:

<u>Reappoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Mr. Gerald Richman	28	12/31/15	Economic Council
Mr. Randolph Johnson, Sr.	31	12/31/15	Economic Council

SUMMARY: The Criminal Justice Commission is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated Mr. Gerald Richman and Mr. Randolph Johnson, Sr. for reappointment effective April 16, 2013. Countywide (PGE)

S. FIRE RESCUE

1. Staff recommends motion to approve: a Third Amendment to Interlocal Agreement for Interfacility Ambulance Funding (R2008-2243, as previously amended by R2011-0772 and R2012-0370) with District Hospital Holdings, Inc., d/b/a Lakeside Medical Center, effective March 8, 2013, to extend the term of the Agreement for an additional one year period through March 7, 2014, in an amount not-to-exceed \$159,868 during the one year extension period. **SUMMARY:** This Third 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 year period through March 7, 2014. 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 Third Amendment extends funding for an additional year, in an amount not to exceed \$159,868, 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)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. **Staff recommends motion to approve:** delegation of authority to the County Administrator or his designee to execute standard Bus Pass Sales Agreements with other governmental agencies on behalf of the Board of County Commissioners, in substantially the form of the Pro Forma Letter Agreement, following approval by the County Attorney or her designee for legal sufficiency. **SUMMARY:** Palm Tran has received requests from several Municipal libraries to sell our bus passes as a convenience to their (and Palm Tran's) patrons. The County operated libraries already provide this service and a test program with the Village of North Palm Beach Library has been successful. Executed agreements would be brought to the Board as receive and file items. Countywide (DR)

2. **Staff recommends motion to:**
 - A) approve** the Federal Fiscal Year 2013 Certifications and Assurances to be used in connection with all Federal assistance programs the Federal Transit Administration (FTA) administers during Federal Fiscal Year 2013; and

 - B) authorize** Palm Tran's Executive Director and Assistant Executive Director, through the County Administrator, to electronically execute and file the required certifications and assurances, on behalf of the Board of County Commissioners, and to transmit the Board's approval.

SUMMARY: Palm Tran needs to execute and file the required annual certifications and assurances on behalf of the Board of County Commissioners before FTA may award a Federal grant or cooperative agreement. The applicant must provide to FTA all certifications and assurances pertaining to itself or its project as required by Federal laws and regulations. Selecting and submitting certifications and assurances to FTA, through FTA's Transportation Electronic Award and Management system signifies the county's intent to comply with the requirements of those certifications and assurances to the extent they apply to a program for which the county submits an application for assistance in Federal Fiscal Year 2013. FTA's Certifications and Assurances are generally pre-award requirements, i.e., those requirements of Federal law and regulations the Applicant must fulfill before FTA is legally authorized to award Federal financial assistance to an Applicant. FTA requires a current (Federal Fiscal Year 2013) attorney's affirmation of the Applicant's legal authority to certify compliance with the funding obligations in this document; the attorney's signature from a previous year is not acceptable. Countywide (DR)

3. **Staff recommends motion to approve:** Contract with WTC Backgrounds & Drug Testing, Inc. (WTC), to provide professional medical consultation, specimen collection and laboratory and Medical Review Officer (MRO) services for Palm Tran's drug free workplace program for a period of two years, with options to extend, in an amount not to exceed \$35,000 per year. **SUMMARY:** The contractor provides, on an as needed basis, specimen collection, alcohol breath testing, specimen analysis, and MRO services during normal business hours and on location collection and testing after normal hours when needed. The Contract is for two years, May 1, 2013, through April 30, 2015, with three – one year options to renew. WTC Backgrounds & Drug Testing, Inc. is a Palm Beach County company. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. Staff recommends motion to:

A) receive and file a Grant Modification dated November 29, 2012, to extend the agreement period for the Miami Urban Area Security Initiative (UASI) Regional Maritime Radar Project from December 31, 2012, through February 28, 2013, and to reduce the award amount to \$719,643;

B) receive and file a Grant Modification dated March 6, 2013, to extend the agreement period for the Miami UASI Regional Maritime Radar Project from February 28, 2013, through April 30, 2013; and

C) approve a Budget Amendment to reduce the grant budget amount from \$1,010,300 to \$719,643.

SUMMARY: On December 18, 2012, the Board of County Commissioners accepted our agreement with Miami-Dade County, as the fiscal agent for the Miami Urban Area Security Initiative grant, to provide \$1,010,300 in reimbursable funding for the implementation of the Regional Maritime Radar Project. The original expiration period was through December 31, 2012 (R2012-1926). However, these grant modifications will extend the agreement period through April 30, 2013 and reduce reimbursable funding to \$719,643 due to cost savings. These funds will be used for the purchase of equipment and installation of a Maritime Coastal Radar to support international border and waterway security. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

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

A. **REVISED SUMAMRY:** Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adopting rates for the Glades Utility Authority Service area; incorporating the rates into the Palm Beach County Water Utilities Department’s Uniform Policies and Procedures Manual; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** On January 15, 2013, the Board approved the First Amendment to the Interlocal Agreement establishing the Glades Utility Authority (First Amendment). Pursuant to the First Amendment, the County will absorb the Glades Utility Authority (GUA) water and wastewater system and customers and reduce current rates by 6.5%. These reduced rates will be charged to customers for a period of eight years. After the initial eight years, the GUA's rates will revert to the County's rates plus seven percent. Existing GUA rates are approximately 75% higher than current County rates, and revenue from the rate differential will be used to pay debt service on the bonds being absorbed and to pay "Host Fees" to the Cities of Belle Glade, Pahokee, and South Bay. The proposed ordinance will adopt the rates currently being charged by the GUA and include those rates in Chapter 6 of the Water Utilities Department’s Uniform Policies and Procedures Manual. Exhibit “A” to the Ordinance attached to the April 2, 2013, preliminary reading agenda item has been modified to remove the Water Utilities Department account deposit fees and miscellaneous fees, as said fees have previously been adopted by the Board of County Commissioners. The revision does not affect any rates currently being charged to existing Water Utilities customers. District 6 (MJ)

B. **REVISED TITLE:** Staff recommends motion to adopt:

1) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article IX (Ordinance No. 2008-43, amended by Ordinance No. 2011-007, amended by Ordinance No. 2011-032, amended by Ordinance No. 2011-040, amended by Ordinance No. 2012-009, and amended by Ordinance No. 2013-003); relating to taxicabs and other vehicles for hire, to be known as the Vehicle for Hire Ordinance; amending Section 19-213 (definitions); amending Section 19-214 (compliance with article required); amending Section 19-218 (business permit application); amending Section 19-220 (vehicle requirements); amending Section 19-221 (vehicle decal requirements); amending Section 19-226 (commercial automobile liability insurance); amending Section 19-227 (driver requirements; failure to comply); amending Section 19-235 (start-up), providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date; and

2) a Resolution of the Board of County Commissioners of Palm Beach County, Florida; repealing Resolution No. R2011-1977, and establishing a schedule of fees required by the revised Vehicle for Hire Ordinance and establishing minimum commercial automobile liability insurance limits for Vehicle for Hire companies.

SUMMARY: The proposed Ordinance amendments were approved by the Vehicle for Hire (VFH) industry March 6, 2013 and the Board of County Commissioners on March 26, 2013. These amendments will enhance the quality of services offered to Palm Beach County residents and visitors. Several of the new requirements will take effect on June 1, 2013, and others will take effect within the next eighteen to sixty months. Some of the changes will require the VFH industry to accept credit cards, establish a uniform policy, and removes the ten year age limit on vehicles provided they are inspected bi-annually by an Automotive Service Excellence (ASE) certified mechanic after 350,000 miles or if older than seven years, whichever comes first. The Resolution, as required by the Code of Ordinances, establishes a new transfer, sale or change of ownership fee of \$500, and new company registration fee of \$10,000. These new fees will be effective as of June 1, 2013. Countywide (PGE)

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5. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to adopt:** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, concurring with Palm Beach County's inclusion within the Service Area of Foreign-Trade Zone (FTZ) 135; and supporting the application of the Port of Palm Beach District for Alternate Site Framework designation through a letter of support. **SUMMARY:** The Port of Palm Beach District (Port) is federally-designated as Grantee of FTZ 135. Pursuant to a Resolution passed by its Board on December 20, 2012, the Port is applying to the U.S. Foreign-Trade Zones Board for an Alternate Site Framework (ASF) designation. The ASF designation would expand FTZ 135 to include the counties of Palm Beach, Martin and St. Lucie, in their entirety, allowing companies broader access to FTZ benefits and shortening the process for FTZ activation. Companies operating in an FTZ can defer, reduce or eliminate customs duties on foreign products admitted into zones for storage, exhibition, assembly, manufacture, and processing. It is anticipated that the Port will be able to expand international trade and exports, attract new off-shore activity and encourage the retention of domestic activity, assist state and local economic development efforts, and create employment opportunities by having this designation. As part of the ASF application process, each county to be included in the FTZ is requested to provide a letter of support/concurrence to accompany the application. There is no fiscal impact associated with this item. (DES) Countywide (DW)

2. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Local Housing Assistance Plan (LHAP) as required by the State Housing Initiatives Partnership (SHIP) Program Act, Subsections 420.907-420.9079, Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code; authorizing and directing the County Administrator to execute any necessary documents and certifications needed by the State; authorizing the submission of the LHAP for review and approval by the Florida Housing Finance Corporation (FHFC); and providing an effective date. **SUMMARY:** Palm Beach County has participated in the SHIP Program since 1993. Funding levels for the Program have been significantly reduced Statewide with the County receiving approximately \$2 million during the last four Fiscal Years compared to receiving approximately \$36 million during the prior four Fiscal Years. While SHIP Program funding is not guaranteed for the upcoming Fiscal Years, the State requires that Palm Beach County submit an LHAP to FHFC every three years. The proposed LHAP, which is due on May 2, 2013, covers Fiscal Years 2013-2014, 2014-2015 and 2015-2016. By approving the LHAP and submitting it to FHFC, the County will be in a position to receive funding under the SHIP Program during the three upcoming years if the State makes any funding allocations to participating jurisdictions. The LHAP includes the following strategies: First Mortgage Loans, Purchase Assistance, Housing Rehabilitation/Barrier Free, Emergency, Replacement Housing, Disaster Mitigation, Utility Connection/Impact Fee, Foreclosure Prevention, Rental Housing Entry, and Developer Assistance Rental. Additionally, the proposed LHAP includes a definition for "Project Delivery Costs" which will be used to clarify costs associated with project implementation. SHIP regulations require that at least 65% of a local jurisdiction's allocation be earmarked for homeownership activities. **These are State SHIP funds which require no local match.** (B&H) Countywide (TKF)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution authorizing the lease of certain real property to Jupiter Community Health Services, Inc. (JCHS);

B) approve a Development Agreement with JCHS;

C) authorize the County Administrator or his designee to execute the Temporary Construction Easement (TCE) and Lease pursuant to the terms of this Development Agreement (Agreement); and

D) approve a Budget Amendment of \$896,000 in the Public Building Improvement Fund to recognize revenue and establish a project budget.

SUMMARY: In October 2012, Staff was authorized to negotiate with JCHS, a 501(c)(3) corporation, for the expansion of Health Department operated and County-owned Jupiter Health Center (Expansion) on Indiantown Road to create a facility from which JCHS can operate a no cost medical/dental clinic as a volunteer provider of services to eligible Palm Beach County residents. The Agreement: **1)** establishes the fund raising milestones for JCHS and the process by which JCHS will transfer all funding required for the Expansion to the County, **2)** provides the process by which the County will plan, design and construct the Expansion, **3)** includes a TCE in favor of JCHS allowing for the placement and operation of an interim medical/dental clinic facility during the development of the Expansion, and **4)** provides for a 30 year Lease with two - ten year options to extend at \$1/yr of the Expansion facility to JCHS. The Agreement provides for the following fundraising milestones: **1)** pre-design and planning phase expenses within 90 days from the execution of the Agreement, **2)** design phase expenses within 12 months from the completion of the planning phase, **3)** 20% of construction phase expenses within 12 months of design approval, **4)** 60% of construction phase expenses within 24 months of design approval, and **5)** 100% of construction phase expenses within 36 months of design approval. Failure to achieve any milestone funding requirements will result in termination of the Agreement unless the County approves an extension. The Expansion will proceed in phases and each phase will commence upon County receipt of approval from JCHS and the required funding for the next phase. The County will procure all services required for the Expansion pursuant to County standard procurement practices. In consideration for JCHS's donation of funds for this Expansion, which will be designed to County standards and become a County-owned asset, County is waiving its staff charges associated with the Development Agreement and will assume ongoing maintenance and capital renewal/replacement responsibility for the Expansion identical to the responsibilities that the County has at other County-owned and Health Department operated clinics. The Health Department strongly supports this item and believes this to be an important partnership to provide the ideal delivery model for developing a continuum of care for patients waiting for insurance approval, who may not currently qualify for care or who may intermittently qualify for care. (FDO Admin) Countywide (HJF)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) a Purchase and Sale Agreement with AMIkids, Inc., to acquire a 1 acre out parcel within the County's Bert Winters Park, in unincorporated Juno Beach for \$1,000,000;

B) a Memorandum of Agreement; and

C) a Budget Transfer of \$1,005,347 within the \$50 Million General Obligation Waterfront Access Bond from reserves to the Bert Winters Park AMIkids, Inc. land acquisition project.

SUMMARY: AMIkids, Inc., recently closed their school for troubled youths formerly known as the Palm Beach Marine Institute, located inside the County's Bert Winters Park and directly on the intra-coastal waterway. The 1 acre site contains a multi-building facility with two classroom wings and two front office sections totaling 6,575 square feet. In June 2012, AMIkids, Inc. obtained an appraisal from Callaway & Price, Inc., which valued the property at \$1,200,000. Staff obtained an additional appraisal from Anderson & Carr, Inc., which valued the property at \$1,215,000. The average of both appraisals is \$1,207,500. AMIkids has been marketing the property for \$1,500,000. Staff has negotiated a price of \$1,000,000. Acquisition of this property will remove a potentially conflicting use, provide additional water frontage on the Intracoastal and provide space within the buildings for rowing clubs and other park programs. Staff will complete the due diligence process, including an environmental audit prior to closing. The County will be responsible for recording fees and title insurance expenses estimated to be a total of \$5,347. A Memorandum of Agreement will be recorded to provide public notice of the County's rights under this Agreement. The Budget Transfer will establish a project expense budget and move \$1,005,347 from the Waterfront Access Bond reserves to purchase the 1 acre AMIkids site. **The Agreement for Purchase and Sale must be approved by a supermajority vote (5 Commissioners).** (PREM) District 1 (HJF)

C. FIRE RESCUE

1. **REVISED BACKUP:** Staff recommends motion to approve and ratify: the Collective Bargaining Agreement between Palm Beach County and the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc., for the period October 1, 2012, through September 30, 2015. **SUMMARY:** On December 2, 2008, the Board approved a Collective Bargaining Agreement (CBA) with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. (R2008-2254) for the period October 1, 2008, through September 30, 2011. The County continued to operate under the terms and conditions of the expired agreement as the parties negotiated the terms and conditions of a new bargaining agreement. This new agreement was ratified by the Union membership on April 3, 2013 and has no fiscal impact on previous fiscal years. The three-year cumulative fiscal impact amounts to a savings of \$2.6 million and includes across-the-board increases as follows:

FY 2013	October 1, 2012	0%
FY 2014	October 1, 2013	0%
FY 2015	October 1, 2014	3%

Countywide (SB)

5. REGULAR AGENDA

D. PARKS & RECREATION

1. ~~**DELETED: Staff recommends motion to authorize:** staff to seek proposals to construct and operate a culturally authentic Japanese Inn (Ryokan) at the Morikami Museum and Japanese Gardens.~~ **SUMMARY:** Recently the Parks and Recreation Department was contacted by a not-for-profit children focused charity, Medical Missions for Children (“MMC”), regarding their desire to lease 14 acres in Morikami Park to construct and operate a five-star Japanese Inn and Spa. Morikami Park encompasses 170 acres west of Jog Road in southern Palm Beach County and first opened in 1977. In 1993, a new Museum opened as the only museum in the United States dedicated exclusively to Japanese culture. Over the past 35 years, various master plans for the Morikami Park, Museum and Gardens have been produced with future elements that include additional lakes, gardens, exhibits, artisan village, and a Japanese Inn. The proposal from MMC includes the construction and operation of a five-star Inn and Spa on 14 acres within Morikami Park. The project is proposed to be constructed in proximity to and with connectivity to the Museum and Gardens, and include co-promotion of Morikami events, festivals, and wedding packages. MMC would pay the County annual ground lease payments and property taxes on its proposed multi-million dollar site improvements. The lease of up to 14 acres within Morikami Park for a Japanese Inn has the support of the Morikami, Inc. Board of Trustees. After a review of the proposal from MMC and further consultation with the County Attorney’s Office, it was determined that the County should solicit proposals from interested development groups on this project. Board approval is requested to develop an RFP for the construction and development of a traditional and culturally designed Japanese Inn within Morikami Park. District 5 (HF)

5. REGULAR AGENDA

E. ADMINISTRATION

1. Staff recommends motion to approve:

A) the allocation of \$1,737,910 by the Office of Community Revitalization for the implementation of the following projects and initiatives: **1)** All Districts – Funding toward repairs of neighborhood parks (\$50,000); **2)** All Districts – Funding toward the Resident Education to Action Program (\$150,000); **3)** All Districts – Funding towards Putting Kids First (\$75,000); **4)** Limestone Creek - Funding toward water improvements on 181st and 182nd Streets (\$72,010) (District 1); **5)** Plantation Community - Funding toward drainage improvements on Meridian Road (\$95,000) (District 2); **6)** Plantation Community/Cam Estates - Funding for the installation and ongoing maintenance of streetlights on Drexel Road (\$230,000) (District 2); **7)** Lake Worth West – Funding toward the expansion of the community center (\$300,000) (District 3); **8)** Watergate Estates – Funding toward construction and maintenance of neighborhood park (\$230,000) (District 5); **9)** Canal Point - Funding towards the implementation of the L-10 Canal Improvement Project (\$350,000) (District 6); **10)** San Castle - Funding for the San Castle Fast Find Project (\$5,000) (District 7); and **11)** Herndon Park- Funding toward paving and drainage improvements on Penny Lane (\$180,900) (District 3);

B) authorization for special assessments to individual homeowners be capped at \$25 per abutting foot for the proposed Penny Lane Paving and Drainage Improvement Project in the Herndon Park CCRT area;

C) authorization to allocate an amount not to exceed \$32,500 from the Municipal Services Taxing Unit (MSTU) Program for special assessments for the proposed Penny Lane Paving and Drainage Improvement Project in the Herndon Park Countywide Community Revitalization Team (CCRT) area;

D) Budget Transfer of \$230,000 in the Capital Outlay Fund from the CCRT Reserve Funding Account to the Drexel Road Street Lighting Project (\$90,000 for design and installation and to the CCRT Street Lighting Maintenance Fund for Drexel Road (\$140,000);

E) Budget Amendment of \$140,000 in the CCRT Street Lighting Maintenance Fund to recognize and appropriate the budget transfer from the Capital Outlay Fund; and

F) Budget Transfer of \$1,507,910 from the CCRT Reserve Funding Account to the remaining projects to establish project budgets for those projects.

SUMMARY: The above projects were reviewed and recommended for funding by the Countywide Community Revitalization Team (CCRT) on February 12, 2013. The CCRT is comprised of neighborhood representatives as well as representatives from various County departments and agencies, including: the School District, the PBSO, Community Services, Water Utilities Department, Engineering Department, Department of Economic Sustainability, Code Enforcement, Planning, Zoning and Building Divisions, Parks and Recreation, Fire Rescue, Animal Care and Control, Drowning Prevention, Health Department, and the Solid Waste Authority. Funding is available from CCRT Recouped Funding Reserves, which resulted from previously scheduled or completed CCRT projects. Details of each project listed above are provided under Attachment 1 to the Agenda Item. Countywide (AH)

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APRIL 16, 2013

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

APRIL 16, 2013

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

Request approval to present off-site, a Certificate of Appreciation to Stuart Caine for 10 years of dedicated service to the Coalition of Boynton West Residential Associations.

D. District 4 – COMMISSIONER STEVEN L. ABRAMS, MAYOR

ADD-ON: Approval to present off-site, a Certificate of Commendation to Irwin Stovroff for his life-long service to his Country.

E. District 5 - COMMISSIONER MARY LOU BERGER

ADD-ON: Approval to present off-site, a Proclamation declaring April 2013 as “Parkinson’s Disease Awareness Month” in Palm Beach County.

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR, VICE MAYOR

ADD-ON: Approval to present off-site, a Proclamation declaring April 19 – 20, 2013 as “Ending Homelessness Weekend” 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."