

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

FINAL MEETING OF CURRENT BOARD

NOVEMBER 21, 2006

TUESDAY  
9:30 A.M.

COMMISSION  
CHAMBERS

1. CALL TO ORDER
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
2. ADOPTION OF AGENDA
  
3. CALL FOR UNFINISHED BUSINESS
  
4. COMMENTS FROM COMMISSIONERS
  
5. STAFF COMMENTS
  
6. COMMENTS FROM PUBLIC OFFICIALS AND GENERAL PUBLIC
  
7. ADJOURNMENT

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

**REORGANIZATION MEETING**

**NOVEMBER 21, 2006**

**TUESDAY  
9:45 A.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**  
(Sharon R. Bock, Clerk & Comptroller, presides)
  
- 2. OATH OF OFFICE TO NEWLY ELECTED COUNTY COMMISSIONERS**  
(Administered by Sharon R. Bock, Clerk & Comptroller)  
  
A. Roll Call
  
- 3. ADOPTION OF AGENDA**
  
- 4. ELECTION OF CHAIRPERSON**
  
- 5. ELECTION OF VICE CHAIRPERSON**  
(New Chairperson presides)
  
- 6. COMMENTS FROM PUBLIC OFFICIALS AND GENERAL PUBLIC**
  
- 7. ADJOURNMENT AND RECEPTION**

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

**NOVEMBER 21, 2006**

**TUESDAY  
10:30 A.M.**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  
- 3. CONSENT AGENDA (Pages 11 - 64)**
  
- 4. SPECIAL PRESENTATIONS - 10:30 A.M. (Page 65)**
  
- 5. PUBLIC HEARINGS - 10:30 A.M. (Pages 66 - 68)**
  
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD - PUBLIC HEARING - 10:30 A.M. (Page 69)**
  
- 7. REGULAR AGENDA (Pages 70 - 72)**
  
- 8. BOARD APPOINTMENTS (Pages 73 - 74)**
  
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NOVEMBER 21, 2006

### 3. CONSENT AGENDA APPROVAL

#### A. ADMINISTRATION

1. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida, directing the Palm Beach County Supervisor of Elections to hold a Municipal Election for the Town of Loxahatchee Groves on March 13, 2007; providing for Notice of Election; providing for transmittal by the Clerk; and providing for an effective date. **SUMMARY:** Chapter 2006-328, Laws of Florida provides that the Board of County Commissioners shall call the special election for the election of the five (5) town council members of the new Town of Loxahatchee Groves to be held on March 13, 2007. This is a ministerial action that is mandated by state law. District 6 (RPB)
  
2. **Staff recommends motion to approve:** Memorandum of Agreement with United Way of Palm Beach County in the amount of \$30,000 to support the assessment and protocol development of Palm Beach County's Unified Family Court's social service component. **SUMMARY:** All funds related to this Agreement will be used for the sole purpose of supporting the Community Alliance of Palm Beach County in the assessment and protocol development of Palm Beach County's Unified Family Court's social service component conducted by Dorothy Schwab, PhD. The work will be performed during the period May 1, 2006, through December 31, 2006 with the United Way of Palm Beach County acting as the fiscal agent. Funding for this Memorandum of Agreement will be provided from General Government expenditures. Countywide (DW)
  
3. **Staff recommends motion to approve:**
  - A) extension of the maintenance of 68 "cobra head" streetlights in the San Castle area for approximately ten (10) additional years;
  
  - B) Budget Transfer of \$100,000 from the Capital Outlay Fund San Castle Overlook Promenade project to the CCRT Street Lighting Maintenance Fund; and

**C)** Budget Amendment of \$100,000 in the CCRT Street Lighting Maintenance Fund to recognize and appropriate the transfer to the San Castle Street Lighting Maintenance project.

**SUMMARY:** The San Castle Street Lighting project was approved by the Board of County Commissioners (BCC) on February 6, 2001. The project entailed the installation and ten (10) year maintenance of 68 cobra head streetlights within the San Castle neighborhood. A total of \$100,000 was allocated to this project. The requested transfer of \$100,000 is needed to extend the maintenance of the lights approximately ten (10) additional years. Upon approval by the BCC, the San Castle Overlook Promenade project will be defunded and transferred to the San Castle Street Lighting Maintenance project. District 7 (AH)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**A. ADMINISTRATION (Cont'd)**

4. **Staff recommends motion to approve:** the allocation of \$4,200,000 by the Office of Community Revitalization/Countywide Community Revitalization Team (CCRT) for Fiscal Year 2006-2007 for the implementation of the following projects and initiatives:

**A)** Westgate - funding toward Recreation Center improvements (Splash Pad) (\$75,000) - District 2;

**B)** Westgate - funding toward the acquisition and development of a neighborhood park (Bridgeman Road) (\$50,000) - District 2;

**C)** Holt Estates - funding toward the construction of paving and drainage improvements on Sutton Terrace (\$34,000) - District 2;

**D)** Boutwell/Keast - funding toward the construction of paving and drainage improvements on McConnell Street (\$90,000) - District 2;

**E)** Boutwell/Keast - funding toward the construction of paving and drainage improvements on Kidd Street (\$63,400) - District 2;

**F)** Old Trail/Schall Circle - funding toward the construction of water improvements on Old Military Trail (\$41,000) - District 2;

**G)** Ranchose/Homewood Area - funding toward the development of a neighborhood park (\$125,000) - District 3;

**H)** Village of Palm Springs – one third of contribution toward the construction costs for a vacuum sewer system (\$304,163) - District 3;

**I)** Kenwood Estates - funding toward the construction of sidewalks and paving and drainage improvements on Clinton and Cambridge Streets (\$526,000) - District 3;

**J)** Herndon Park/Coconut Road - funding toward the construction of water improvements on Coconut Road, Carlton Drive, Marlin Street, Melvin Road, Regency Drive and Arden Street (\$286,400) - District 3;

**K)** Kenwood Estates - funding toward the acquisition and development of a Community Center (\$250,000) - Districts 2 & 3;

**L)** Watergate MHP - funding toward the acquisition and development of a neighborhood park (\$125,000) - District 5;

**M)** Canal Point - funding toward the development of a sanitary sewer system (\$500,000) - District 6;

**N)** Okeechobee Center - funding toward the development of Glades Pioneer Park Pool (\$75,000) - District 6;

**O)** City of Belle Glade - funding toward the construction of a storm water system (\$213,568) - District 6;

**P)** City of Belle Glade - funding toward Lift Station No. 1 improvements (\$125,000) - District 6;

**Q)** City of South Bay - funding toward street improvements (\$300,000) - District 6;

**R)** City of Pahokee - funding toward sewer repairs (\$336,469) - District 6;

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**A. ADMINISTRATION (Cont'd)**

**4. Motion/Title Continued**

**S)** Gramercy Park - funding toward the acquisition and development of a neighborhood park (\$125,000) - District 7;

**T)** All Districts - Neighborhood Partnership Grant (NPG) Program (\$200,000);

**U)** All Districts - Neighborhood Home Beautification Program (NHBP) (\$75,000);

**V)** All Districts - Residents Education to Action Program (REAP) (\$60,000);

**W)** All Districts - funding toward Project Exodus (\$75,000);

**X)** All Districts - homeless planning (\$45,000); and

**Y)** All Districts - Putting Kids First (\$100,000).

**SUMMARY:** The above projects were reviewed and recommended for funding by the CCRT Committee on October 10, 2006. Countywide (AH)

5. **Staff recommends motion to approve:** Extension Agreement for the City of Belle Glade FY 2005-2006 Neighborhood Partnership Grant (NPG) for the period of October 17, 2006 to April 17, 2007. **SUMMARY:** The City of Belle Glade is requesting a six (6) month extension of the agreement originally executed on October 18, 2005 (R2005-1936), in order to complete the project funded through the NPG Program in Fiscal Year 2005-2006. District 6 (AH)

## **B. CLERK AND COMPTROLLER**

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Zoning	August 23, 2006

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during August 2006. Countywide
5. **Staff recommends motion to receive and file:** proof of publications "Unclaimed Monies" advertised by the Clerk & Comptroller of Palm Beach County. **SUMMARY:** Pursuant to Florida Statutes 116.21, the Clerk advertised certain monies held which are subject to forfeiture to Palm Beach County. Florida Statutes 116.21 (2)(4) requires that the proof of publication "shall be filed and recorded in the minutes of the County Commission meeting" ... "and the cost of publishing the notices ... shall be paid by the County Commissioners." Countywide (PFK)



3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a Resolution transferring jurisdictional control, maintenance responsibilities, and ownership of Flying Cow Ranch Road from Rustic Road/Rustic Ranches north to Southern Boulevard, including the bridge over the C-51 Canal, to the Village of Wellington (Village). **SUMMARY:** This action will adopt a Resolution giving the Village control, responsibility, and ownership of Flying Cow Ranch Road, including the bridge, which is wholly within the Village limits. District 6 (MRE)

2. Staff recommends motion to:

**A) adopt** a Resolution amending the special assessment roll for the 89<sup>th</sup> Place North from Mandarin Boulevard east to canal paving improvement project (R2006-0114), Section 23, Township 42 South, Range 40 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program, to reflect a decrease in the total project costs from \$90,071 to \$59,087.35, resulting in a reduction of \$30,983.65; and

**B) approve** finalization of the assessment roll for the project so the assessment payments can be processed and collected by the Tax Collector's Office.

**SUMMARY:** Adoption of the Amended Resolution provides for the collection of fifty percent (50%) of the total project costs of \$59,087.35. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs, are \$1,009.70 per acre. District 6 (MRE)

3. Staff recommends motion to approve: The Second Amendment to the Financial Assistance Agreement (R2003-1859) with the Town of Jupiter (Town) for an extension of the completion date for improvements on the County's Center Street from Indiantown Road to State Road 811/Alternate A-1-A. **SUMMARY:** The original agreement provides for reimbursement, in an amount not-to-exceed \$226,400, to the Town for the planned improvements on the County's Center Street from Indiantown Road to State Road 811. This Second Amendment with the Town will extend the completion date from December 31, 2005 to December 31, 2006. The completion date of the improvements has been further delayed due to the Town's inability to obtain a substantial completion letter from the landscape architect before the Agreement's deadline occurred. District 1 (MRE)

4. Staff recommends motion to approve: the renewal of the Testing Lab Services Annual Agreement (R2005-1959) with the following firm:

**Original**

**Firm Name Agreement Date Resolution No.**

Nodarse & Associates, Inc.

October 18, 2005

R2005-1959

**SUMMARY:** This Agreement is being considered for renewal for required professional services, on a task order basis. Countywide (PFK)

5. **DELETED**

**NOVEMBER 21, 2006**

3. **CONSENT AGENDA APPROVAL**

C. **ENGINEERING & PUBLIC WORKS (Cont'd)**

6. **Staff recommends motion to approve:** a \$16,606,553.50 Contract with J.W. Cheatham, LLC, the lowest responsive, responsible bidder, for the construction of Persimmon Boulevard South Extension from 110<sup>th</sup> Avenue North to Okeechobee Boulevard (Project). **SUMMARY:** This Contract will provide the work necessary to construct the Project. The Small Business Enterprise (SBE) goal for the Project is 15% overall. District 6 (MRE)

7. **Staff recommends motion to approve:** a \$605,620.20 Contract with Rosso Paving & Drainage, Inc., the lowest responsive, responsible bidder, for the construction of Okeechobee Boulevard and Crestwood Boulevard Intersection improvements (Project). **SUMMARY:** This Contract will provide all the work necessary to construct the Project. The Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the Project by Rosso is 57.2%. District 6 (MRE)

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

**A)** a \$4,098,116.52 Contract with Community Asphalt Corporation (CAC), the lowest responsive, responsible bidder, for the construction of Okeechobee Boulevard from west of Clear Lake Bridge to Australian Avenue (Project); and

**B)** a Budget Amendment of \$424,411 in the Road Impact Fee Fund – Zone 2 to recognize utility reimbursements from Bellsouth Telecommunications (\$5,651) and from the City of West Palm Beach (\$418,759.50), and appropriate it to Okeechobee Boulevard from west of Clear Lake Bridge to Australian Avenue.

**SUMMARY:** This Contract will provide all the work necessary to construct the Project.

The Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the project by CAC is 15.1%. District 7 (MRE)

9. Staff recommends motion to:

**A)** accept a Right-of-Way Warranty Deed; and

**B)** approve payment of \$1,500,000 for Warranty Deed Parcels 100 and 165.

**SUMMARY:** The County made an appraised value offer of \$1,296,000, but the property owner did not accept it and made a counter-offer of \$1,500,000, a difference of \$204,000. The Engineering & Public Works Department has reviewed the \$1,500,000 counter-offer and recommends approval. These parcels are required for the planned roadway construction project of Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Coconut Boulevard. District 6 (PM)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**C. ENGINEERING & PUBLIC WORKS (Cont'd)**

10. Staff recommends motion to approve:

**A)** a Joint Participation and Project Funding Agreement with the City of West Palm Beach (City) concerning the funding of street lighting improvements for Okeechobee Boulevard (State Road 704) from west of Clear Lake Bridge to Australian Avenue (Project); and

**B)** a Budget Amendment of \$375,000 in the Road Impact Fee Fund – Zone 2 to recognize the participation of the City and appropriate it to Okeechobee Boulevard from west of Clear Lake Bridge to Australian Avenue.

**SUMMARY:** Through this Agreement, the City will make funds available for the replacement of the existing street lighting system within the limits of the Project. District 7 (MRE)

11. Staff recommends motion to:

**A)** adopt a Resolution authorizing the Chairperson to sign the Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) for partial reimbursement funding of \$170,000 to Unincorporated Area Only Trees Irrigation and Sod (O.T.I.S.) for State Road 7/U.S. 441 O.T.I.S. from the Broward County line to

Glades Road;

**B) approve** a JPA with the FDOT for partial reimbursement funding of \$170,000 to O.T.I.S. for State Road 7/U.S. 441 O.T.I.S. from the Broward County line to Glades Road;

**C) approve** a Budget Transfer of \$729,400 in the Transportation Improvement Fund from O.T.I.S. to State Road 7/U.S. 441 O.T.I.S. from the Broward County line to Glades Road; and

**D) approve** a Budget Amendment of \$170,000 in the Transportation Improvement Fund to recognize the JPA with the FDOT and appropriate it to State Road 7/U.S. 441 O.T.I.S. from the Broward County line to Glades Road.

**SUMMARY:** This item provides funding in the amount of \$899,400 for the installation of O.T.I.S. on State Road 7/U.S. 441 from the Broward County Line to Glades Road. This funding comes from the Transportation Improvement Funds and from FDOT. District 5 (MRE)

12. **Staff recommends motion to approve:** the First Amendment to an Agreement (R2004-2473) with Communities Finance Company, LLC (CFC) for intersection improvements at Military Trail and Hood Road to provide turn lanes at the intersection. **SUMMARY:** The agreement provides funding up to \$180,000 for construction of intersection improvements at Military Trail and Hood Road by CFC. CFC is already making improvements to Hood Road between Central Boulevard and Alternate A-1-A/SR 811 as a condition of its Evergrene Residential Development. The Amendment will extend the date for completion of the work from December 31, 2005 to December 31, 2006. Countywide (LB)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **C. ENGINEERING & PUBLIC WORKS (Cont'd)**

13. **Staff recommends motion to:**

**A) adopt** a Resolution amending the special assessment roll for two (2) combined projects including Fairview Street, Mee Court, Bertha Street, Penn Grove Street, and Filer Road paving and drainage improvements (Project), approved November 16, 2004 (R2004-2402), Section 25, Township 44 South, Range 42 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program, to reflect a decrease in the assessment to Property Control Numbers (PCN) 00-42-44-25-00-000-659.0, and 00-42-44-25-00-000-627.0, and refunds to the assessed property owners for

all overpayments; and

**B) approve** finalization of the assessment roll for the project so the assessment payments can be processed and collected by the Tax Collector's Office.

**SUMMARY:** Adoption of the amended Resolution provides for the revised assessment for two (2) properties: PCNs 00-42-44-25-00-000-659.0, and 00-42-44-25-00-000-627.0, that were owned by Mark F. and Shelli A. Elmer. Approval of this amended roll will increase the County's portion of the project costs by \$3,500. Staff believes this should be done in place of amending the roll to distribute this amount to over 60 other property owners. District 3 (MRE)

14. **Staff recommends motion to:**

**A) adopt** a Resolution amending the special assessment roll for the 63<sup>rd</sup> Lane North from Mango Boulevard to canal ¼ mile-east, Paving Improvement project (R2006-0413), Section 35, Township 42 South, Range 41 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program, to reflect a decrease in the total project costs from \$42,403 to \$38,802.28, resulting in a reduction of \$3,600.72; and

**B) approve** finalization of the assessment roll for the project so the assessment payments can be processed and collected by the Tax Collector's Office.

**SUMMARY:** Adoption of the Amended Resolution provides for the collection of fifty percent (50%) of the total project costs of \$38,802.28. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs, are \$970.06 per acre. District 6 (MRE)

15. **Staff recommends motion to:**

**A) adopt** a Resolution amending the special assessment roll for the 63<sup>rd</sup> Lane North from Royal Palm Beach Boulevard to Mango Boulevard, Paving Improvement project (R2006-0117), Section 23, Township 42 South, Range 41 East, under the Palm Beach County Municipal Service Taxing Unit (MSTU) Street Improvement Program, to reflect a decrease in the total project costs from \$42,403 to \$36,525.32, resulting in a reduction of \$5,877.68; and

**B) approve** finalization of the assessment roll for the project so the assessment payments can be processed and collected by the Tax Collector's Office.

**SUMMARY:** Adoption of the Amended Resolution provides for the collection of fifty percent (50%) of the total project costs of \$36,525.32. Assessments will be payable in ten (10) equal annual installments. The assessments, based on 50% of the amended total project costs, are \$1,043.89 per acre. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

16. Staff recommends motion to approve: a Release of Drainage Easement Rights. **SUMMARY:** This item will release the County's interest in a Drainage Easement, acquired at no cost, that has never been used and is not required. The easement is west of Military Trail, north of the Clayton Hutcheson Building. District 6 (PFK)
  
17. Staff recommends motion to approve: a Budget Transfer of \$2,000,000 in the Transportation Improvement Fund from the Reserve for District 5 to Lyons Road Construction from Atlantic Avenue to Boynton Beach Boulevard – District 5. **SUMMARY:** This Budget Transfer will contribute to the construction of Lyons Road from north of Atlantic Avenue to south of Boynton Beach Boulevard. District 5 (MRE)
  
18. Staff recommends motion to adopt: a Resolution approving recordation and filing of a Specific Purpose Survey Maintenance Map with the Clerk of the Circuit Court of and for Palm Beach County, Florida, declaring that the entire length of Seabreeze Drive from west of 3<sup>rd</sup> Road to east of 1<sup>st</sup> Road has been maintained by the County for over four (4) years and is, therefore, vested in the County. **SUMMARY:** This recordation and filing will establish and confirm title to Seabreeze Drive in accordance with Chapter 95.361, Florida Statutes, which provides that upon four (4) years maintenance of the road by the County and upon filing of a map with the Clerk, title to the road becomes vested in the County. The Road and Bridge Division Director has certified that such maintenance has been performed. District 2 (MRE)
  
19. Staff recommends motion to approve: Change Order No. 2 in the credit amount of (\$538,201) to Contract No. R2005-1021 with J.W. Cheatham, Inc. for construction of Seminole Pratt Whitney Road from 100<sup>th</sup> Lane North to Biotech Parkway and Biotech Parkway from Seminole Pratt Whitney Road to 1.076 miles east. **SUMMARY:** Due to a court order to stop work on Seminole Pratt Whitney Road from 100<sup>th</sup> Lane North to Biotech Parkway and Biotech Parkway from Seminole Pratt Whitney Road to 1.076 mile east, Palm Beach County negotiated amounts for partially completed work as required to terminate the construction contract prior to project completion. Change Order No. 2 reflects the negotiated quantity adjustments. This credit will lower the final contract amount by \$538,201. District 1 (MRE)
  
20. **DELETED**
  
21. Staff recommends motion to approve: a Budget Transfer of \$192,000 in the Transportation Improvement Fund from the Reserve for District 2 to Greenacres Illuminated Street Signs – District 2. **SUMMARY:** This Budget Transfer will fund the



installation of illuminated street signs by County forces at twelve (12) intersections within the City of Greenacres. District 2 (MRE)

22. **Staff recommends motion to approve:** a Contract Amendment of \$605,000 to the Annual Guardrail Contract (R2005-0635), dated April 5, 2005, with the guardrail contractor, Southeast Attenuators, Inc. **SUMMARY:** The Amendment to the annual guardrail contract extends the expiration date of the existing contract retroactively from September 30, 2006 to October 1, 2007. The dollar value of the contract is to be increased to a not-to-exceed amount of \$1,360,000. The Annual Guardrail Contract consists of furnishing and installing guardrail, furnishing guardrail products, removing and disposing of "old" guardrail and/or resetting of existing guardrail. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. The low bidder, Southeast Attenuators, Inc., failed to achieve any SBE participation. Countywide (MRE)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **C. ENGINEERING & PUBLIC WORKS (Cont'd)**

23. **Staff recommends motion to approve:** Contracts not-to-exceed the total value of \$7,205,000 for task orders, which may be issued for the Annual Asphalt Milling and Resurfacing Contract with the primary contractor, Ranger Construction Industries, Inc., the lowest responsive, responsible bidder and the secondary contractor, East Coast Paving, the second lowest responsive, responsible bidder. **SUMMARY:** The Annual Asphalt Milling and Resurfacing Contract consists of milling and disposal of existing asphalt pavement, maintenance of traffic, cleaning of surfaces for finish applications, and furnishing, hauling, and placement of specified courses. Small Business Enterprise (SBE) goals were established at 15% of the overall contract amount. The SBE participation committed for the project by Ranger Construction Industries (Ranger), the low bidder, is 10%. The SBE participation committed for the Project by East Coast Paving (East Coast), the second low bidder, is 11.4%. For the primary contract, while Ranger failed to meet the SBE requirement, the East Coast bid fell outside the limit for ranking of responsible consideration. For the secondary contract, while the East Coast bid failed to meet the SBE requirement, the bid of the third bidder fell outside the limit for ranking of responsible bidder consideration. Countywide (MRE)
24. **Staff recommends motion to approve:** a payment to the Seacoast Utility Authority (SUA) not-to-exceed \$26,500 for the design costs associated with the relocation of an existing underground potable water utility metering interconnection facility, as required for the construction of the Donald Ross Road and Alternate A-1-A/SR 811 intersection improvements (Project). **SUMMARY:** This payment to SUA of up to \$26,500 is required to cover the design costs associated with the relocation of its existing underground facilities, to allow for the construction of the Project. Payment to SUA is required

because the facilities are covered by an existing recorded utility easement. District 1 (MRE)

25. **Staff recommends motion to adopt:** ten (10) Resolutions declaring the acquisition of property known as Parcel 102, as a Partial Take in Fee Simple for Water Management Pond, and Parcels 702, 703, 704, 705, 706, 708, 719, 720 and 722 as Temporary Construction Easements, for the improvement of Lyons Road, from Glades Road to Yamato Road. **SUMMARY:** This action will adopt ten (10) Resolutions to authorize the filing of eminent domain proceedings against ten (10) parcels whose total appraised value is \$2,943,230. District 5 (PM)
  
26. **Staff recommends motion to approve:** authorization of the County Administrator or his designee, to sign purchase contracts on behalf of Palm Beach County for parcels settled at appraised value or administratively approved counter-offer amounts, as needed for the improvement and construction of West Atlantic Avenue, from 1,330 feet, more or less, west of Lyons Road to Starkey Road. **SUMMARY:** This action will authorize the County Administrator or his designee to sign certain purchase contracts on behalf of the County for this project only. District 5 (PM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **C. ENGINEERING & PUBLIC WORKS (Cont'd)**

27. **Staff recommends motion to approve:** Contract Amendment No. 3 for an increase of \$4,185,000 to the primary Annual Roadway Landscaping Contract (Contract) dated April 19, 2005, with Vila & Son Landscaping Corporation (R2005-0728) and the secondary Annual Roadway Landscaping Contract with Arazoza Brothers Corporation (R2005-0728.1), and an extension for the expiration date. **SUMMARY:** The amendments to the Annual Roadway Landscaping Contract extend expiration dates of the existing contracts to October 1, 2007. The contracts include furnishing and installing plant material and irrigation systems within Palm Beach County. The maximum value of work orders issued under the existing contracts, together with these amendments shall not, in any case exceed \$9,340,000. Small Business Enterprise (SBE) goals were established at 15% overall participation. Vila & Son Landscaping Corporation, who has done about 99% of the work, achieved 15.3% overall participation and Arazoza Brothers Corporation, doing about 1% of the work, achieved 0% participation. Countywide (MRE)
  
28. **DELETED**



29. **Staff recommends motion to adopt:** a Resolution re-designating one (1) parcel of County-owned land as County right-of-way. **SUMMARY:** The Board recently approved the re-designation of three (3) strips of County-owned land administered by Property & Real Estate Management (PREM) as right-of-way located on Gulfstream Road and Coconut Road in Lake Worth, Florida. An additional right-of-way re-designation, also administered by PREM, is necessary to increase the size of the Gulfstream Road re-designation by 96.45 square feet at the intersection with Lake Worth Road. This is needed to provide for a corner clip triangle. A formal resolution is required to record the re-designation in the Public Record. District 3 (PFK)

30. **Staff recommends motion to:**

**A) approve** a Maintenance Agreement with the Lake Worth Drainage District (LWDD) for Hypoluxo Road at the L-18 Canal;

**B) approve** an Easement in favor of LWDD for a ten (10) foot easement for the E-2-E Canal abutting the Florida Turnpike and lying north of Hypoluxo Road and perpendicular to the L-18 Canal; and

**C) accept** a Quit Claim Deed from LWDD for a parcel of land needed for the Hypoluxo Road from west of Lyons Road to west of Hagen Ranch Road project.

**SUMMARY:** This action will approve a Maintenance Agreement with LWDD, approve an Easement in favor of LWDD, and accept a Quit Claim Deed from LWDD, for Hypoluxo Road at the Florida Turnpike and the L-18 and E-2-E canals, all in connection with the Hypoluxo Road from west of Lyons Road to west of Hagen Ranch project. District 3 (PFK)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **C. ENGINEERING & PUBLIC WORKS (Cont'd)**

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

**A)** a Financial Assistance Agreement with Riverbridge Property Owners Association, Inc. (Association) to provide reimbursement funding not-to-exceed \$195,000; and

**B)** a Budget Transfer of \$65,000 in the Transportation Improvement Fund from Reserve for District 2 to Riverbridge - Jog Road from 950 feet north of 10<sup>th</sup> Avenue North to 1,150 feet south of Forest Hill Boulevard – District 2.

**SUMMARY:** This Agreement provides funding to reimburse the Association up to a maximum of \$195,000 of the cost to install buffer landscaping on Jog Road from 950

feet north of 10<sup>th</sup> Avenue North to 1,150 feet south of Forest Hill Boulevard. An additional Budget Transfer of \$65,000 against Fiscal Year 2008 and \$65,000 against Fiscal Year 2009 is to be done administratively after October 1st of each of these budget years in the Transportation Improvement Fund from Reserve for District 2. The Association will be responsible for the perpetual maintenance of these improvements. District 2 (MRE)

32. **Staff recommends motion to approve:** a Second Amendment to the Financial Assistance Agreement (R2004-1687) with the City of Palm Beach Gardens (City) for an extension of the completion date for the installation of improvements. **SUMMARY:** The original agreement provides for a reimbursement, in an amount not-to-exceed \$66,679, to the City for the City's effort to install improvements on Military Trail from I-95 north to the EPB-3 Canal. This Second Amendment with the City will extend the completion date from June 30, 2006 to June 30, 2007, as requested by the City. The completion of the improvements has been delayed by utility conflicts with the project. District 1 (MRE)

33. **Staff recommends motion to approve:** an Agreement of Purchase and Sale with the Florida Power & Light Company (FP&L) for the purchase of real property from FP&L, located northwest of Okeechobee Boulevard and Palm Beach Lakes Boulevard. **SUMMARY:** This action will approve an Agreement of Purchase and Sale with FP&L for the purchase of a parcel of real property (retention site) from FP&L. The retention site is needed to provide dry retention for drainage from Seminole Colony East. The Agreement also provides for an ingress and egress easement allowing FP&L to access its facilities on the retention site and a Right-of-Way Consent Agreement defining FPL's maintenance rights. FP&L will grant the County an ingress and egress easement across FP&L's abutting property. A purchase price of \$551,303 has been negotiated. District 2 (PFK)

34. **DELETED**

35. **Staff recommends motion to approve:** a Budget Transfer of \$5,000 in the Transportation Improvement Fund from Reserve for District 5 for requested special survey work. **SUMMARY:** This special purpose survey work (typically related to beautification projects), to be performed by the Survey Section as requested by the District Commissioner, will be accomplished at various locations in District 5. District 5 (MRE)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

## C. ENGINEERING & PUBLIC WORKS (Cont'd)

36. **Staff recommends motion to approve:** a \$200,000 Joint Project Participation Agreement with the City of West Palm Beach (City) for the construction of a new crossing of the City's "M" Canal by Palm Beach County's (County) 60<sup>th</sup> Street North project. **SUMMARY:** The Joint Project Participation Agreement establishes the City's willingness to pay for a portion of the "M" Canal work associated with the 60<sup>th</sup> Street North crossing. The City would have had to fund reconstruction of an existing crossing with their proposed widening of the Canal. Actual funding participation will be based on final design and construction costs. District 6 (MRE)
37. **Staff recommends motion to approve:** an Amendment to the Interlocal Agreement (R2004-0553), dated March 30, 2004, with the Village of Royal Palm Beach (Village) for installation of entrance signs. **SUMMARY:** This Amendment will extend the expiration date of the original Agreement to December 31, 2006. There will be no additional fiscal impact. District 6 (MRE)
38. **Staff recommends motion to approve:** an Amendment to the Interlocal Agreement (R2004-1503), dated June 22, 2004, with the City of Belle Glade (City) for reimbursement of construction costs for Avenue "A" and the approach road to the Gladeview Elementary School. **SUMMARY:** This Amendment will extend the expiration date of the original agreement to June 22, 2008. There will be no additional fiscal impact. District 6 (MRE)
39. **Staff recommends motion to approve:**
- A)** an Amendment to Agreement R2006-0300, dated February 28, 2006, in the amount of \$35,000, that will increase the amount reimbursed to the Town of South Palm Beach for street lighting along SR A1A/Ocean Boulevard; and
- B)** a Budget Transfer of \$35,000 in the Transportation Improvement Fund from Reserve for District 4 to Town of South Palm Beach A-1-A/Ocean Boulevard – District 4.
- SUMMARY:** This Amendment and Budget Transfer will increase by \$35,000 the amount reimbursed to the Town for installation of street lights along SR A-1-A/Ocean Boulevard to \$95,000. District 4 (MRE)
40. **Staff recommends motion to adopt:** a Resolution to designate as right-of-way a parcel of County-owned land administered by Property and Real Estate Management (PREM). **SUMMARY:** The adoption of this Resolution will serve to designate the subject property administered by PREM as right-of-way for Lyons Road. A formal Resolution is required to record such designations in the Public Record. District 5 (PFK)
41. **Staff recommends motion to approve:** a Contract with The Whitlock Group in the amount of \$1,164,801 for the installation of the Vista Center Video Wall System

(Project). **SUMMARY:** This Project replaces and upgrades the video wall system currently operating from the old engineering department, located at the Airport Hilton Center, to the new Vista Center facilities. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for the project by The Whitlock Group is 25.6% overall. District 2 (MRE)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **C. ENGINEERING & PUBLIC WORKS (Cont'd)**

42. **Staff recommends motion to:**

**A) approve** a Joint Participation Agreement (JPA) Amendment Number One to an Agreement previously approved May 3, 2005, under Resolution 2005-0862, with the Florida Department of Transportation (FDOT) for improvements along Okeechobee Boulevard, from I-95 to east of Australian Avenue; and

**B) adopt** a Resolution authorizing the JPA Amendment.

**SUMMARY:** In order to construct additional lanes, FDOT and Palm Beach (County) have partnered to make improvements with FDOT's proposed resurfacing project. This Amendment will allow additional time for construction and reimbursement of funds with regard to the previously approved Agreement. District 7 (MRE)

43. **Staff recommends motion to:**

**A) approve** Amendment Number One, to an Advance/Reimbursement Agreement previously approved under Resolution 2003-0312, with the Florida Department of Transportation (FDOT), which provided funding towards design, construction and construction administration associated with the Intelligent Transportation System (ITS) Operations Facility, at the County's Vista Center Facility; and

**B) adopt** a Resolution authorizing Amendment Number One to the Advance/Reimbursement Agreement.

**SUMMARY:** This Amendment will allow additional time for construction and reimbursement of funds with regard to the previously approved Advance/Reimbursement Agreement. The current Advance/Reimbursement Agreement allows FDOT to reimburse the County for the costs of design, construction, and construction administration associated with the ITS Operations Facility in the newly constructed County building located at the Vista Center, Parcel 22. District 2 (MRE)

44. **DELETED**

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

**A)** a Budget Transfer of \$150,000 in the Transportation Improvement Fund from Reserve for District 4 to Palmetto Park Bascule Bridge;

**B)** a Budget Transfer of \$150,000 in the Capital Outlay Fund from Palmetto Park Bascule Bridge to Grant - Centre for the Arts at Mizner Park - District 4; and

**C)** a Reimbursement Agreement in the amount of \$150,000, with the Centre for the Arts at Mizner Park for rental of an events tent.

**SUMMARY:** These Budget Transfers and Reimbursement Agreement will reimburse the Centre for the Arts at Mizner Park up to \$150,000 for the rental of an events tent in support of the Festival of the Arts Boca. District 4 (MC)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**D. COUNTY ATTORNEY**

1. **Staff recommends motion to approve and file with the Clerk of the Circuit Court:** the bonds on elected or re-elected Commissioners of Palm Beach County. **SUMMARY:** Immediately following the election, newly elected or re-elected Commissioners must secure bonding for presentation to the Board of County Commissioners for approval by the Board and then filed with the Clerk of the Circuit Court. Countywide (PFK)
2. **Staff recommends motion to approve:** Amendment No. 3 to the Agreement (R2004-2573) as amended by Amendment No. 1 (R2005-0744) and as amended by Amendment No. 2 (R2006-1239) with the law firms of Bryant Miller & Olive P.A. and Isaacs Williams, P.A. to provide bond counsel and related legal services for the issuance of approximately \$15 Million Public Improvement Revenue Bonds, Series 2006 for the funding of the construction and expansion of the Judicial Center Parking Garage. **SUMMARY:** The law firms were selected as bond counsel for the above financing by the Board at the October 17, 2006 meeting. This Amendment confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the law firms. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. Countywide (PFK)

**E. COMMUNITY SERVICES**

1. **Staff recommends motion to approve:** Amendment No. 003 to Facility Use Agreement (R2003-1965; dated November 18, 2003) with the Jewish Community Center of the

Greater Palm Beaches, Inc., renewing the agreement for one (1) year, providing funding in the amount of \$11,335 for a part-time Meal Site Manager, and updating certifications required by the State. **SUMMARY:** This Amendment provides for the continuation of a part-time Meal Site Manager at the Jewish Community Center of the Greater Palm Beaches, Inc. site located at 3151 N. Military Trail, West Palm Beach, for the period of January 1, 2007, through December 30, 2007. It also updates State required certifications regarding lobbying, debarment, data integrity compliance and audits. This site consists of Jewish participants who require a kosher meal. The \$11,335 will provide for the salary and fringe benefits for a site manager for 25 hours per week. The program is funded under the Older Americans' Act grant in the amount of \$10,202 (90%) and \$1,133 (10%) in County match. The County's portion is included in the FY 2007 budget and will be requested in the FY 2008 budget. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road. (TKF)

2. **Staff recommends motion to approve:** Amendment No. 001 to the Consulting/Professional Services Contract with Bull Nutrition Services, Inc. (R2005-2218; dated November 15, 2005), which renews the contract for a one (1) year period in the not-to-exceed amount of \$17,280 to provide licensed registered dietitian services for the Congregate and Home Delivered Meals program and updates certifications required by the State. **SUMMARY:** This Amendment is the first of up to three (3) renewable one (1) year terms that will allow Bull Nutrition Services, Inc. to continue to provide licensed registered dietitian services as required to insure compliance with the Older American's Act in the delivery of meals for the period of January 1, 2007, through December 30, 2007. The Amendment also updates the required State certifications regarding lobbying, disbarment, and auditing. The County will be billed on a monthly basis at a rate of \$40 per hour for an amount not-to-exceed \$17,280. This is the same rate as negotiated in the original contract. This service is funded under the Older American's Act grant in the amount of \$15,552 (90%) and County matching funds of \$1,728 (10%). The County funds are included in the FY 2007 budget and will be requested in the FY 2008 budget. (DOSS) Countywide, except for portions of District 3, 4, 5 & 7 south of Hypoluxo Road. (TKF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **E. COMMUNITY SERVICES (Cont'd)**

3. **Staff recommends motion to approve:** Amendment No. 002 to Standard Agreement No. IA006-1 (R2006-0181; dated February 7, 2006) for the Older Americans Act (OAA) Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) for the period January 1, 2006, through December 31, 2006, increasing the agreement amount by \$227,772 for a new total not-to-exceed amount of \$2,127,880, for various supportive services to seniors. **SUMMARY:** Additional funding has been granted under Title III of the OAA program grant. This Amendment will provide for an increase in Supportive Services by \$25,662, Congregate Meals by \$83,810, Home Delivered Meals by \$105,549, and Grandparent Services by \$12,751. There is a required County match



of \$25,308 (10%), which is currently in the budget. No additional County funds are needed. In the area south of Hypoluxo Road, Mae Volen Senior Center, Inc. currently provides OAA services under a similar grant from the AAA. (DOSS) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

4. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Audrey Greenwald, for the period of November 21, 2006, through September 30, 2007, in an amount of \$7,500, for speech and language services to Head Start children. **SUMMARY:** Audrey Greenwald will provide speech/language therapy by appropriate, licensed therapists to Head Start children. The provider is required to bill Medicaid for evaluations and services for children who are Medicaid eligible. Funding consists of \$6,000 (80%) in Federal funds and \$1,500 (20%) in County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)
5. **Staff recommends motion to approve:** Consulting/Professional Services Contract with South Florida Speech and Language Services, Inc., for the period of November 21, 2006, through September 30, 2007, in an amount of \$7,500, for speech and language services to Head Start children. **SUMMARY:** South Florida Speech and Language Services, Inc. will provide speech/language therapy by appropriate, licensed therapists to Head Start children in FY 2006-2007. The provider is required to bill Medicaid for evaluations and services for children who are Medicaid eligible. Funding consists of \$6,000 (80%) in Federal funds and \$1,500 (20%) in County funds. Funding is included in the FY 2007 budget. (Head Start) Countywide (TKF)
6. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Edward L. Peters, D.D.S., for the period of November 21, 2006, through September 30, 2007, in an amount of \$5,000, for dental services to non-Medicaid and uninsured Head Start children. **SUMMARY:** Edward L. Peters, D.D.S. will provide dental examinations and treatment services to non-Medicaid and uninsured Head Start children. Funding consists of \$4,000 (80%) Federal funds and \$1,000 (20%) County funds. The County's portion is included in the FY 2007 budget. (Head Start) Countywide (TKF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **E. COMMUNITY SERVICES (Cont'd)**

7. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Rima Jakuc, Psy. D. LMHC, NCC for the period of November 21, 2006, through

November 20, 2007, for a total not-to-exceed the amount of \$20,040, for mental health counseling services. **SUMMARY:** The Division of Senior Services (DOSS) received a grant from the Area Agency on Aging (AAA) under the Community Care for the Elderly (CCE) Program to provide mental health counseling services to seniors in Palm Beach County. Dr. Jakuc will provide mental health counseling to approximately ten (10) clients on an individual basis. Funding consists of \$18,036 (90%) State and \$2,004 (10%) County. The County match is already included in the budget and will be requested in the FY 2007 budget. The contract includes two (2) - one (1) year renewal options. (DOSS) Countywide, except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (TKF)

8. **Staff recommends motion to approve:** Agreements with Children's Services Council of Palm Beach County for the period of October 1, 2006, through September 30, 2007, in an amount of \$157,413 for Early Head Start services and \$297,551 for Head Start services as part of the local match fund for the Head Start and Early Head Start programs. **SUMMARY:** These agreements will allow Children's Services Council to provide up to \$157,413 as part of the matching funding requirement to provide full day/full year comprehensive Early Head Start services to a total of 180 pregnant mothers, infants/toddlers, and up to \$297,551 as part of the matching funds requirement to provide full day/full year Head Start services to 1,871 three (3) to five (5) year old children and their families. Services include comprehensive health, education, parental involvement, nutritional, social and other services. No County funding is required. (Head Start) Countywide (TKF)
  
9. **Staff recommends motion to approve:** Amendment No.001 to contract (R2006-1350, dated July 18, 2006) with Palm Beach County Health Department (PBCHD), streamlining procedures for budget line item revisions. **SUMMARY:** This Amendment will allow Palm Beach County Health Department and the County to streamline and expedite their processes so that services to clients will be uninterrupted during the contract period. It will authorize line item amounts in the contract budget to be approved by the contract manager and contract manager's supervisor. There is no change in the funding level and no County funds are required. (Ryan White) Countywide (TKF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **F. AIRPORTS**

1. **Staff recommends motion to receive and file:** six (6) original contract(s)/ agreement(s)/grant(s) for the Department of Airports:

- A)** Amendment No. 1 to Grant Agreement Number 3-12-0085-046-2006 to conduct an Environmental Impact Statement for Runway 9R/27L extension; conduct a Benefit Cost Analysis and develop a Stormwater Master Plan for PBIA;



**B)** Agreement to Terminate Hangar Lease Agreement for North County General Aviation Airport with Bosworth Aerial Surveys, Inc. Hangar Unit No. 2, Building 11220, effective October 17, 2006 (Amends R2004-0613);

**C)** Agreement to Terminate Hangar Lease Agreement for North County General Aviation Airport with Arthur Vasquez, Hangar Unit No. 8, Building 11220, effective September 27, 2006 (Amends R2003-1446);

**D)** Third Amendment to Terminal Building Lease Agreement with General Services Administration at PBI, effective August 24, 2006 (Amends R2003-0355);

**E)** Hangar Lease Agreement for North County General Aviation Airport with Aviair Corporation, Hangar No. 11720-16, effective August 29, 2006; and

**F)** Hangar Lease Agreement for North County General Aviation Airport with Joseph Masessa, Hangar No. 11720-07, effective September 18, 2006.

**SUMMARY:** Delegation of authority for execution of these standard County contracts/agreements/grants above was approved by the BCC pursuant to R2006-2086, R2004-1367, R2003-0355 and R2003-0522. Countywide (LMB)

## **2. Staff recommends motion to approve:**

**A)** Letter of Release from the Federal Aviation Administration (FAA) dated September 26, 2006 for the release of 0.73 acres (Parcel 153) located at Palm Beach County Park Airport (Lantana); and

**B)** a revised County Deed for the conveyance of approximately .073 acres to the Florida Department of Transportation (FDOT) for road right-of-way purposes.

**SUMMARY:** On August 15, 2006 (R2006-1401.1) the BCC approved a Property Exchange Agreement with the FDOT for two (2) properties at Palm Beach County Park Airport (Lantana). Closing on the exchange agreement was contingent upon the FAA's release of the County property (Parcel 153) from grant assurance requirements. The FAA, by its Letter of Release dated September 26, 2006 has concluded that Parcel 153 is no longer needed for aeronautical purposes and has agreed to release the Airport owner from the obligations, terms, and conditions of grant agreements. The Letter of Release requires a minor modification to the deed that was attached to the original property exchange agreement approved by the BCC on August 15, 2006 (R2006-1401.1). Countywide (LMB)

**NOVEMBER 21, 2006**

## **3. CONSENT AGENDA APPROVAL**

## F. AIRPORTS (Cont'd)

### 3. Staff recommends motion to approve:

**A)** a Contract with AJT and Associates, Inc. in the amount of \$173,716 for the Automated Weather Observing System (AWOS) project at Palm Beach County Park (Lantana) Airport; and

**B)** a Budget Amendment of \$171,399 in the Airports Improvement and Development Fund to establish budgeted expenditures of \$173,716 and recognize grant revenues of \$171,399.

**SUMMARY:** This project was advertised utilizing the competitive bid process. On June 27, 2006, three (3) bids were received to replace the existing Next Generation Weather Observing System (NEXWOS) with a Federal Aviation Administration (FAA) approved AWOS at Palm Beach County Park (Lantana) Airport. Of these three (3) bids AJT and Associates, Inc. has been identified as the best responsible/responsive bidder in the amount of \$173,716. The Disadvantage Business Enterprise (DBE) goal for this project was established at 15.00%. AJT & Associates, Inc. is a certified DBE and this contract will be 100% DBE participation. Countywide (JCM)

### 4. Staff recommends motion to approve:

**A)** a Contract with AFCO Constructors, Inc. in the amount of \$1,785,322 for the Concourse "B" and "C" Exterior Panel Repair project at Palm Beach International Airport (PBI); and

**B)** a Budget Amendment of \$3,266,542 in the Airports Improvement and Development Fund to establish budgeted expenditures and recognize grant revenues of \$3,266,542.

**SUMMARY:** This project was advertised utilizing the competitive bid process. On July 18, 2006, only one (1) bid was received from AFCO Constructors, Inc. in the amount of \$1,785,322 to repair the exterior panels of Concourse "B" and "C" at PBI. AFCO Constructors, Inc. has been identified as a responsible/responsive bidder in the amount of \$1,785,322. The Disadvantage Business Enterprise (DBE) goal for this project was established at 15.00%. AFCO Constructors, Inc. bid met the DBE requirements and a race neutral goal of 15%. The Budget Amendment provides budget and grant funding for the AFCO contract and other terminal improvements included in the grant. The other projects include replacement of the terminal skylight and terminal roof repair. The Federal Aviation Administration (FAA) grant will fund \$3,266,542 of the total estimated cost of \$4,355,389 or 75% of the eligible costs. Countywide (JCM)

5. Staff recommends motion to approve: First Amendment to the Fixed Base Operation Lease Agreement ("FBO Agreement") with Signature Flight Support Corporation, a Delaware corporation. **SUMMARY:** On September 30, 2004, the Board approved a lease agreement with Signature Flight Support Corporation for a fixed base operation at

the Palm Beach International Airport (R2004-1990). The Department of Airports is recommending approval of an amendment to the FBO Agreement correcting minor errors and inconsistencies contained in the FBO Agreement. Countywide (LMB)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**F. AIRPORTS (Cont'd)**

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

**A)** Amendment No. 2 to the contract with Walker Parking Consultants/Engineers, Inc., for consulting/professional services, in the amount of \$156,970 for the Department of Airports; and

**B)** Budget Transfer of \$156,970 in the Airports Improvement and Development Fund to authorize the transfer of \$156,970 from reserves.

**SUMMARY:** On July 13, 1999, the County entered into an Agreement (R99-1170D) with Walker Parking Consultants/Engineers, Inc. for professional engineering services for the design of Parking Structure No. 2 at Palm Beach International Airport (PBIA). On October 18, 2005, the County entered into Amendment No. 1 (R2005-2013) for additional professional engineering services. Amendment No. 2 contains the projects outlined in Exhibit "A" Scope of Services, and is a continuation of services initiated in Amendment No. 1, consisting of parking access and revenue control system (PARCS) consulting services. The fee for this Amendment is \$156,970. The SBE participation in this Amendment is 0%. The vendor has already exceeded the SBE goal. Countywide (JCM)

**7. Staff recommends motion to approve: the General Consulting Agreement with The LPA Group, Inc. for a term of two (2) years, with two (2) - one (1) year renewal options in the amount of \$1,420,544:**

Task I Specific Projects for 2006/2007\$ 920,544

Task III Misc. and Admin. Services for 2006/2007\$ 500,000

for the performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** In order to carry out the approved Capital Improvement Program for the County, the Department of Airports requires professional planning and design engineering services. In accordance with Florida Statutes 287.055 and the Federal Aviation Administration's Advisory Circular 150/5100-14 (current edition), The LPA Group, Inc. was competitively selected to provide these services. The first agreement of a potential multi-year contract

in the amount of \$1,420,544 will provide the Department of Airports with the needed continuing professional services to implement the approved Capital Improvement Program. The services identified and negotiated are as follows: Task 1–ULDC Article 16 Zoning Update, Building 846 Demo/Apron A Expansion Design Services, North County Airport Environmental Evaluation, Existing Long Term Parking Garage Inspection/Condition Appraisal, and Maintenance Compound Improvements; and Task III–Staff Extension, Misc. Planning/Engineering/ Construction Services. Certain tasks performed during the term of this contract will be eligible for State and Federal grant participation. The proposed fee was verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (CH2M Hill, Inc.). A DBE goal of 25% was set for this contract. The DBE participation for this contract is 28%. Countywide (JCM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **F. AIRPORTS (Cont'd)**

8. **Staff recommends motion to approve:** Change Order No. 2 to the contract with James A. Cummings, Inc. in the amount of \$263,493 for the Long Term Parking Garage project at Palm Beach International Airport (PBIA). **SUMMARY:** On May 16, 2006, the BCC approved the construction contract (R2006-0842) with James A. Cummings, Inc. for construction services for the Long Term Parking Garage at PBIA in the amount of \$61,666,000. On August 28, 2006, the Department of Airports approved Change Order No. 1 in the amount of \$15,750 for additional dewatering. Approval of Change Order No. 2 will provide funds to complete the following items: replacement of high voltage primary electric feeders to the terminal and existing parking garage and associated work; and revenue control and high mast duct bank relocation and associated work. There is no additional contract time associated with this work. The Small Business Enterprise (SBE) participation for this Change Order is 0%. The vendor has already exceeded the SBE goal. Countywide (JCM)

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

**A)** an Agreement to purchase the following property at a total cost of \$ 215,000. Said property is located West of Runway 9L at Palm Beach International Airport (PBIA):

Kyoji and Rita Kobayash  
170 North Sandra Lane  
West Palm Beach, FL 33415 Parcel W – 212  
Sales Price \$190,000  
Replacement Housing \$ 25,000; and

**B)** a Budget Transfer of \$215,000 from reserves to provide budget for the purchase of property West of Runway 9L at PBI.

**SUMMARY:** The above property is being acquired in accordance with Palm Beach International Airport's approved Part 150 Noise Compatibility Study, which recommended the acquisition of property. Countywide (LMB)

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

1. **Staff recommends motion to approve:** a negotiated Settlement offer in the amount of \$3,200 for the full satisfaction of a Code Enforcement Lien that was entered against Robert J. Smith on January 31, 2004. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on June 4, 2003, giving Robert J. Smith until October 2, 2003 to obtain a change of use permit for a single family unit, which was converted to and being used as a veterinary hospital. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Robert J. Smith on January 31, 2004. The cited code violations were fully corrected as of May 12, 2004. The total accumulated lien amount through September 30, 2006, the date settlement discussions began, totaled \$15,876.67, of which Robert J. Smith has agreed to pay the County \$3,200 (20.2%) for full settlement of his outstanding Code Enforcement Lien. District 6 (PM)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

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

2. **Staff recommends motion to approve:** a negotiated Settlement offer in the amount of \$18,530 for the full satisfaction of three (3) Code Enforcement Liens that were entered against Sand & Surf Investments, LLC on June 1, and July 20, 2005. **SUMMARY:** The Code Enforcement Special Master (CESM) entered three (3) Orders on March 2, 2005 on three (3) individual units giving Sand & Surf Investments, LLC until May 1, 2005 to repair damaged ceilings, roofs, facia and soffets on each of the three (3) units. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed against each unit. The CESM then entered one (1) claim of lien on June 1, 2005 and two (2) on July 20, 2005 against Sand & Surf Investments LLC. The cited code violations were fully corrected as of November 2 and 9, 2005. The total accumulated aggregate lien amounts through October 6, 2006, the date settlement discussions began, totaled \$37,059.03, of which Sand & Surf Investments, LLC has agreed to pay the County \$18,530 (50%) for full settlement of their three (3) outstanding Code Enforcement Liens. District 2 (PM)

3. **Staff recommends motion to approve:** a negotiated Settlement offer in the amount of \$17,300 for the full satisfaction of a Code Enforcement Lien that was entered against Chris Rodriquez and Wanda Figueroa on February 4, 2004. **SUMMARY:** The Code Enforcement Special Master (CESM) entered an Order on September 3, 2003, giving Mr. Rodriquez and Ms. Figueroa until January 1, 2004 to obtain all proper building permits for the construction of a room addition and slab, shed, and the installation of a fence, which were all done without required building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Mr. Rodriquez and Ms. Figueroa on February 4, 2006. The cited code violations were fully corrected as of February 17, 2006, the date the last of the permits were picked up by Mr. Rodriquez. The total accumulated lien amount through August 31, 2006, the date settlement discussions began, totaled \$51,886.83, of which Mr. Rodriquez and Ms. Figueroa have agreed to pay the County \$17,300 (33.3%) for full settlement of their outstanding Code Enforcement Lien. District 2 (PM)
  
4. **Staff recommends motion to approve:** a negotiated Settlement offer in the amount of \$15,000 for the full satisfaction of a Code Enforcement Lien that was entered against Peter & Melissa Movic on January 11, 1996. **SUMMARY:** The Code Enforcement Board (CEB) entered an Order on December 6, 1995, giving the Movics until December 16, 1995 to obtain a permit for an existing fence, to trim their hedges to the maximum allowed height per the approved 1991 Board of Adjustments variance, and to remove the inoperable/unregistered vehicles and the truck in excess of one (1) ton that were being kept on the property. Compliance with the CEB's Order was not achieved by the ordered compliance date and a fine in the amount of \$250 per day was imposed. The CEB then entered a claim of lien against the Movics on January 11, 1996. The cited code violations were fully corrected as of March 12, 1998. The total accumulated lien amount through December 16, 2005, the date settlement discussions began, totaled \$431,580.39, of which the Movics have agreed to pay the County \$15,000 (3.5%) for full settlement of their outstanding Code Enforcement Lien. District 3 (PM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)**

5. **Staff recommends motion to adopt:** a Resolution amending and restating in its entirety Resolution No. R2006-1044 adopted on June 6, 2006, authorizing the negotiated sale of Public Improvement Revenue Bond Anticipation Notes (Biomedical Research Park Project), Series 2006 (BANS) in the aggregate principal amount of \$16,300,600 for the purpose of providing interim financing for payment of the cost of acquisition of certain lands, together with related mineral rights, comprising a portion of what is known as the



“Briger Tract” to be used for permanent laboratory facilities and offices space for the Scripps Biomedical Research Institute and for payment of the cost of issuance of the Notes; providing for the application of the proceeds of the Notes; authorizing the issuance of Public Improvement Revenue Bonds (Biomedical Research Park Project) in an aggregate principal amount sufficient to pay the principal of, and interest on, the Notes when due or upon the earlier redemption thereof; determining certain details of said Notes; awarding the sale of the Notes to Suntrust Bank pursuant to a negotiated sale; appointing a paying agent and registrar for the Notes; authorizing the proper officials of the County to do all other things deemed necessary or advisable as to the sale and delivery of the Notes; and providing for an effective date. **SUMMARY:** On June 6, 2006, the Board adopted a Resolution authorizing the negotiated sale of Public Improvement Revenue Bond Anticipation Notes (Biomedical Research Park Project), Series 2006 in the aggregate principal amount of \$16,040,600, including closing costs of the BANS. The Resolution is being amended to include the additional costs of acquiring mineral rights, \$210,000 and real estate closing costs, \$50,000. The closing for the BANS will be on November 22, 2006, prior to the closing on the property. Countywide (PFK)

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

**A)** Budget Amendment of \$7,500,000 in the \$27 Million Sunshine Loan No. 7 2005 Capital Projects Fund to adjust the recording of loan proceeds and park improvements; and

**B)** Budget Amendment of \$7,500,000 in the \$7.5 Million Sunshine Loan No. 7B 2006 South County Regional Park Capital Projects Fund to record loan proceeds and park improvements for the improvements to South County Regional Park.

**SUMMARY:** On June 20, 2006, the Board approved Amendment No. 7 to the construction contract with The Weitz Company, Inc. for construction of South County Regional Park Parcel A - Phase III in an amount not-to-exceed \$18 Million. The Board approved the use of \$7.5 million from the \$34.5 Million Sunshine Pool Loan 2005, originally allocated to the construction of a 27-hole golf course at South County Regional Park, to fund a portion of the Weitz contract. The budget for the \$7.5M park improvements was setup in the \$34.5 Million Sunshine Loan 2005 Capital Fund. Upon closing the \$7.5 million portion of the original Sunshine Loan, the arbitrage consultants for the Sunshine Pool Loans requested that the loan proceeds be setup in a separate capital fund to track the expenditure of these funds for arbitrage purposes. The above budget amendments setup the separate fund. Countywide (PFK)

7. **Staff recommends motion to approve:** a Budget Transfer of \$342,000 between various County Departments in the General Fund to cover FY 2006 operating deficits caused by Hurricane Wilma related expenditures, increased retirement contributions for Medical Examiner staff and increased building lease costs for PBSO building sites. **SUMMARY:** Of the \$342,000 total transfer amount, \$154,000 is for over-expended FY 2006 operating accounts caused by Hurricane Wilma, \$136,000 for increased retirement contributions for Medical Examiner staff due to a change to the special risk category, and \$52,000 for PBSO building lease cost in excess of budget. Countywide (PFK)

### 3. CONSENT AGENDA APPROVAL

#### H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

**A) approve** a Standard License Agreement for individuals or organizations to conduct commercial activities at the 2300 Building of Vista Center upon approval of their application;

**B) approve** a Standard License Agreement for individuals or organizations to conduct non-commercial activities at the 2300 Building of Vista Center upon approval of their application; and

**C) authorize** the County Administrator, or his designee, to sign all future license agreements for the 2300 Building of Vista Center.

**SUMMARY:** The 2300 Building at Vista Center has been deemed a non-public forum per PPM No. CW-O-024, which means non-County activities are not allowed on the premises. Employee sponsored events which involve outside individuals or organizations will require a license agreement. These license agreements establish the standards terms and conditions under which an individual or organization may conduct an activity on the premises. Under both licenses, an individual or organization desiring to conduct an activity at Building 2300 of Vista Center will submit an application using the standard application which becomes an attachment to the license agreement. Employee events which involve commercial activity shall be charged a licensee fee, while non-commercial events shall be able to use the premises without charge. The Director of Facilities Development & Operations will be authorized to sign the license agreement on behalf of the County. (FDO Admin) Countywide (MJ)

2. Staff recommends motion to approve: First Amendment to the Agreement (R2004-1325) with the Clerk of the Circuit Court (Clerk) for the County to provide fleet management services. **SUMMARY:** The Agreement with the Clerk which provides the terms and conditions under which the County provides fleet management services will expire on June 8, 2007. The Agreement provides for one (1) - five (5) year renewal but renewals require approval by both parties. The Clerk has approved a renewal to extend the term of the Agreement until June 8, 2012. The renewal now requires Board approval. The County does not require any additional staffing and/or equipment to extend this Agreement, and as such, this Agreement will result in increased revenues to Fleet Management. (FD&O Admin) Countywide (JM)

3. Staff recommends motion to approve: an annual Contract with Commercial Cooling Concepts, Inc. in an amount not-to-exceed \$1,000,000 as one (1) of eight (8) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an



“as-needed” basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,000,000. The contract will terminate when a total of \$1,000,000 in work orders is issued among the pool of approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$1,000,000 at the sole option of the County. Staff will review the status of the contractor’s certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of eight (8) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)**

4. **Staff recommends motion to approve:** an annual Contract with Hawthorne Industries, Inc. in an amount not-to-exceed \$1,000,000 as one (1) of eight (8) approved HVAC contractors for installation, repair and/or replacement of HVAC systems on an “as-needed” basis for projects typically under \$100,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$1,000,000. The Contract will terminate when a total of \$1,000,000 in work orders is issued among the pool of approved HVAC contractors or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$1,000,000 at the sole option of the County. Staff will review the status of the contractor’s certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of eight (8) HVAC contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall, and will be tracked cumulatively for each work order issued. (FD&O Admin) Countywide (JM)
  
5. **Staff recommends motion to approve:** an annual Contract with Cabot Construction Company, Inc. in an amount not-to-exceed \$499,999.99 as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an “as-needed” basis for projects typically under \$25,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$499,999.99. The Contract will terminate when a total of \$499,999.99 in work orders

is issued or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$499,999.99, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The Contract allows for the award of all types of work not typically appropriate for assignment to commercial contractors. Work will primarily be awarded to address requests from the Division of Senior Services (DOSS) and the County Community Revitalization Team (CCRT) as well as routine boardups for PREM, HCD, PZB, etc. Work Orders are to be awarded on a lump-sum, competitively quoted basis among the pool of seven contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall. (FD&O Admin) Countywide (JM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)**

6. **Staff recommends motion to approve:** an annual Contract with Sunco Construction Services, LLC in an amount not-to-exceed \$499,999.99 as one (1) of seven (7) approved residential renovations contractors for residential building contracting services on an "as-needed" basis for projects typically under \$25,000 each. **SUMMARY:** This Contract is for one (1) year and is an indefinite-quantity contract with a maximum value of \$499,999.99. The Contract will terminate when a total of \$499,999.99 in work orders is issued or when the one (1) year time period has expired, whichever occurs first. The Contract provides for up to four (4) - one (1) year renewals, each for a not-to-exceed amount of \$499,999.99, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The Contract allows for the award of all types of work not typically appropriate for assignment to commercial contractors. Work will primarily be awarded to address requests from the Division of Senior Services (DOSS) and the County Community Revitalization Team (CCRT) as well as routine boardups for PREM, HCD, PZB, etc. Work Orders are to be awarded on a lump-sum, competitively quoted basis among the pool of seven contractors. Any work performed will be in accordance with the Contract. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. The goal for SBE participation is 15% overall. (FD&O Admin) Countywide (JM)
  
- 7, **Staff recommends motion to approve:** an Interlocal Agreement with the State of Florida, State Attorney's Office, 15<sup>th</sup> Judicial Circuit (Office) allowing for direct access to the County's 800 MHz Radio System. **SUMMARY:** This Interlocal Agreement provides

the terms and conditions under which the Office can directly access the County's 800 MHz Radio System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The Agreement requires that the Office pay annual fees of \$211.42/unit toward the renewal and replacement fund and \$154/unit toward maintenance and operation of the system infrastructure. The annual fees are consistent with those being charged to the County departments. The Office is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the System. The Office will be a member of the Law Enforcement User Committee which reviews and recommends policies and practices for the operation of the System. The Office has been continuously directly connected to the system since 2001 and paid a one (1) time \$2,089/unit access or capacity charge for each subscriber unit. The term of the Agreement is four (4) years with two (2) - four (4) year renewals. The Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of six (6) months notice. (FDO/ESS) Countywide (JM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)**

8. **Staff recommends motion to approve:** First Amendment to the Agreement (R2002-0548) with the Health Care District of Palm Beach County (District) allowing for interoperable communications through the countywide common groups of the County's 800 MHz Radio System. **SUMMARY:** The agreement which provides the terms and conditions under which District can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications will expire on April 16, 2007. The Agreement provides for three (3) - five (5) year renewals. District has approved a renewal to extend the term of the Agreement until April 16, 2012. The renewal now requires Board approval. The terms of the agreement are standard and have been offered to all municipalities and local branches of federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. District 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. (FDO/ESS) Countywide (JM)

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

**A)** Contract with West Construction, Inc. for the construction of the North County Ocean Rescue Headquarters building at Juno Beach Park in the amount of \$628,646; and

**B)** Budget Transfer of \$200,000 from the Park Impact Fees Zone 1 Reserves for Loggerhead Park Improvements to North County Ocean Rescue Headquarters project budget; and Budget Transfer of \$342,010 from Park Impact Fees Zone 1 projects: Ocean Cay Park Phase I(\$220,514), Diamondhead/Radnor Park (\$29,009), Ocean Reef Park Improvements (\$16,785), Jupiter Park Beach Expansion (\$75,702) to North County Ocean Rescue Headquarters project budget.

**SUMMARY:** This Contract provides for the construction of a new 2,463 square foot building to be used by the North County Lifeguards at Juno Beach Park. The Contract time for this project is 180 days. The SBE goal for this project is 15%. West Construction's participation is 36%. The total project cost is estimated at \$742,010. These Budget Transfers will fund construction budget shortfalls for the North County Ocean Rescue Headquarters (AKA Ocean Cay Phase II) caused by overall increases in the cost of construction and construction-related materials. (Capital Improvements Division) District 1 (JM)

10. **Staff recommends motion to approve:** a First Amendment to Lease Agreement (R2002-2261) with the School Board of Palm Beach County for continued use of approximately 4.53 acres located adjacent to the County Stockade on Fairgrounds Road for \$21,705.90. **SUMMARY:** Since 2002, the School Board has leased 4.53 acres of County-owned land located on the south side of Fairgrounds Road for use as a temporary grounds maintenance operation. The initial term of the lease was for three (3) years, with one (1) extension period, which will expire on December 16, 2006. This First Amendment will extend the term for six (6) months, from December 17, 2006, through June 16, 2007. The rent for this extension period is \$21,705.90. The School Board has requested this extension due to permitting delays for its new site. Staff supports this extension as it will not interfere with the County's construction schedule for the expansion of the adjacent County Stockade. All other terms of the lease agreement remain unchanged. (PREM) District 6 (HJF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)**

11. **Staff recommends motion to approve:** an Easement Agreement from the Village of Wellington for the expansion of the County's Wellington Library. **SUMMARY:** The County is in the process of constructing the expansion of the Wellington Library at the northwest corner of Royal Fern Drive and Forest Hill Boulevard. The County is required to construct a landscape berm and transition slope between the Library property and the adjacent property owned by the Village of Wellington. This easement is necessary to enable the County to construct the landscape berm. The easement area is 15 feet wide,

approximately 501.21feet in length, and contains 7,416 square feet (.17 acres). The Village will grant the easement at no charge. The Easement Agreement will be presented to the Village Council for approval on December 12, 2006. (PREM) District 6 (HJF)

12. **Staff recommends motion to approve:** a License Agreement with the State of Florida, Department of Veterans' Affairs (Department) for the installation and operation of an electronic kiosk to provide information concerning veterans in the lobby of the Governmental Center. **SUMMARY:** The Department has developed a project to place touch screen Veterans Outreach Kiosks in selected Florida counties with large veteran populations to provide easy access to information on veterans' benefits. The Department has requested that the County allow a kiosk to be installed in a County facility. The kiosk is funded by the Florida Legislature and the Department shall install, maintain and repair the kiosk. The County would only supply the electricity required to operate the kiosk and provide access to the internet through a data connection. The kiosks will operate on the Department of Highway Safety and Motor Vehicles (DHSMV) computer network. The kiosk, which will occupy less than two (2) square feet of floor space, will be installed in the lobby of the Government Center next to the Public Affairs' kiosk. There is no license fee associated with this Agreement. The License Agreement shall extend for five (5) years with an option to renew for one (1) additional five (5) year term. (FDO Admin) District 7 (MJ)
  
13. **Staff recommends motion to approve:** a First Amendment to the Interlocal Agreement (R2004-1555) with the Office of the Public Defender, 15<sup>th</sup> Judicial Circuit providing fleet management services until July 13, 2012. **SUMMARY:** The agreement with the Public Defender, which provides the terms and conditions under which the County provides fleet management services will expire on July 13, 2007. The Agreement provides for one (1) - five (5) year renewal but renewals require approval by both parties. The Public Defender has approved a renewal to extend the term of the agreement until July 13, 2012. The renewal now requires Board approval. The County does not require any additional staffing and/or equipment to extend this agreement, and as such, this agreement will result in increased revenues to Fleet Management. (FD&O Admin) Countywide (JM)
  
14. **Staff recommends motion to approve:** Amendment No. 1 to the contract with The Weitz Company (R2006-0345) for Construction Management Services for Phase I work at the Judicial Center Parking Garage in the amount of \$8,708,282. **SUMMARY:** This Amendment will provide for the construction of additional footings and shear walls to accommodate the addition of two (2) parking levels (Phase II). The approximate total cost for the construction of Phase I & II is \$12.2 M. The SBE goal for this project is 15%. The Weitz Company will be providing 0% SBE participation in Phase I. Phase I work will be self performed by The Weitz Company who are not SBE certified. The Weitz Company anticipates achieving the overall project goal of 15% when awarding the Phase II work. The duration for Phase I work is 168 days to completion. The overall project is scheduled for completion in late 2007. (Capital Improvements Division) District 7 (JM)



3. **CONSENT AGENDA APPROVAL**

H. **FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)**

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

**A)** Amendment No. 1 to the contract with C.R. Klewin Southeast, Inc. (R2004-2066) for Construction Management Services for Fire Rescue Administration/Training Facility establishing a Guaranteed Maximum Price (GMP) of \$37,107,000;

**B)** Budget Transfer of \$1,890,030 from the Fire Rescue MSTU Fund reserves to the Fire Rescue Improvement Fund to increase the Administration/Training Facility project budget;

**C)** Budget Amendment of \$1,890,030 in the Fire Rescue Improvement Fund to recognize funds transferred from the Fire Rescue MSTU Fund and to increase the Administration/Training Facility project budget;

**D)** Budget Transfer of \$2,293,500 from reserves in the Fire Rescue Improvement Fund to the Administration/Training Facility project to increase the budget;

**E)** Budget Transfer of \$290,000 in the Fire Rescue Impact Fee Fund from reserves to increase the Administration/Training Facility project budget; and

**F)** Budget Transfer of \$500,000 from Restricted Project Reserves in the Public Buildings Improvement Fund to increase the Administration/Training Facility project budget.

**SUMMARY:** Amendment No. 1 will provide for the construction of an administration building, training tower, observation platform, PBSO driver training range and associated site work located on Pike Road adjacent to the Southern Boulevard Florida Turnpike entrance. The SBE goal for this project is 15%. C.R. Klewin's GMP includes participation of 15%. The Contract time is 578 calendar days. The Budget Transfers are necessary to fund the project based on the construction contract and most recent estimates of other costs. This will increase the total budget \$4,473,530 to \$41,773,530. The \$500,000 Budget Transfer will fund work required by a previously issued (to the County) Lake Worth Drainage District permit, but being performed as part of this project. (Capital Improvements Division) District 6 (JM) (FD&O)

I. **HOUSING & COMMUNITY DEVELOPMENT**

1. **Staff recommends motion to approve:** Amendment No. 001 to an agreement (R2006-0559) with the City of Pahokee to modify the scope of the Solid Waste Facility project as funded under the Community Development Block Grant (CDBG) Program. **SUMMARY:** The agreement, which allocated \$150,000 for this project, included provisions that allow

the City to procure, and be reimbursed for, the services of an engineering consultant. The City wishes, instead to use its City Engineer for the project. The Amendment establishes the scope of services to be provided by the City Engineer, the prerequisites under which the City may be reimbursed for its Engineer's costs, and the documentation needed for such reimbursement. **These are Federal funds that require no local match.** District 6 (TKF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)**

2. **Staff recommends motion to approve:** Amendment No. 001 to an agreement (R2005-2410) with the Town of Jupiter, to extend the expiration date from September 30, 2006 to January 31, 2007, for the expenditure of \$79,347 in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Amendment provides an extension of four (4) months to the term of the existing agreement for improvements to Pine Gardens South Park and Daily Park in the Town of Jupiter. These funds will be used to purchase and install park shelters, playground equipment, and fencing. **These are Federal funds that require no local match.** District 1 (TKF)
  
3. **Staff recommends motion to approve:** Amendment No. 004 to an agreement (R2003-1701) with the Center for Family Services of Palm Beach County, Inc., to extend the expiration date from September 30, 2006 to December 31, 2006, for the expenditure of \$200,000 in Community Development Block Grant (CDBG) funds. **SUMMARY:** The Amendment provides an extension of three (3) months to the term of the existing agreement. The project entails the construction of a two (2) story building to contain offices, a medical clinic, a computer lab, a meeting room, and residential units at 1320 Henrietta Avenue in the City of West Palm Beach where the agency provides services to the homeless. The cost of construction is \$779,259. The amount above the funding made available through this agreement will come from the agency. The project is presently under construction, and the additional time is needed to allow its completion. **These are Federal funds that require no local match.** District 7 (TKF)
  
4. **Staff recommends motion to approve:** two (2) "Request for Release of Funds (RROF) and Certification" forms (HUD 7015.15) to comply with environmental grant conditions for project areas funded under the Community Development Block Grant (CDBG) Program for Fiscal Year 2006 - 2007, as follows: A) Town of Lake Park Project Area - \$ 45,353 for drainage improvements on Bayberry Drive; and B) City of Pahokee Project Area - \$ 400,000 for replacement of water and sewer lines between Banyan Avenue, Cypress Avenue, Annona Avenue, and South Lake Avenue. **SUMMARY:** CDBG-funded projects approved via the Action Plan on July 11, 2006 (R2006-1333), must comply with

24 CFR Part 58, which establishes regulations concerning the Environmental Review procedures for the CDBG Program. Under these regulations, the County is required to: 1) aggregate geographically or functionally, all activities into projects; 2) determine which projects are in need of an environmental assessment; and where applicable, issue an environmental clearance finding; 3) publish the finding to receive public input; and 4) request release of funds from the U.S. Department of Housing and Urban Development (HUD). Steps 1 through 3 have been finalized. Execution of RROFs and their submission to HUD will accomplish Step 4. The RROF forms document and certify that all steps have been taken with respect to HUD's environmental procedures. Before expending any CDBG funds for these activities, the County must receive a notification from HUD of the release of funds. Countywide (TKF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)**

5. **Staff recommends motion to receive and file:** a Summary of funding awards made to property owners for housing rehabilitation projects totaling \$33,026, approved between July 1, 2006, and September 30, 2006, pursuant to Resolution No. R94-1139. **SUMMARY:** On September 13, 1994, the Palm Beach County Board of County Commissioners (BCC) approved Resolution No. R94-1139 authorizing the County Administrator or his designee, and/or the Director of the Department of Housing and Community Development (HCD) to approve funding to property owners in accordance with policies of the various housing rehabilitation programs administered by HCD. The authorization also allowed for staff approval of additional funding for projects previously funded. This Summary of funding awards, which is reported quarterly, includes housing rehabilitation projects funded between July 1, 2006, and September 30, 2006. Funding awards made during this period in accordance with the authority delegated by the BCC totaled \$33,026. Projects not receiving approval through the delegated authority, are submitted directly to the BCC for approval and do not appear on this report. Countywide (TKF)
  
6. **Staff recommends motion to approve:** fifteen (15) agreements totaling \$277,666 for the FY 2006-2007 Emergency Shelter Grants Program (ESGP) with the following non-profit agencies, in the amounts and for the activities indicated, for the period October 1, 2006 to September 30, 2007:
  - A)** Adopt-A-Family of the Palm Beaches, Inc. - \$22,000 for provision of emergency rent and mortgage assistance to prevent homelessness for 115 individuals;
  
  - B)** Aid to Victims of Domestic Abuse, Inc. - \$20,000 for operation and maintenance of a transitional housing facility to benefit 36 homeless women and children victims of



domestic violence;

**C)** Center for Family Services of Palm Beach County, Inc. - \$10,000 for emergency rent, mortgage and utility payments to prevent homelessness for 34 individuals;

**D)** Children's Case Management Organization, Inc. - \$20,000 to provide emergency shelter and food through motel vouchers and food vouchers for 60 individuals; and emergency rent, mortgage and utility payments to prevent homelessness for 72 individuals;

**E)** Children's Home Society of Florida, Inc. - \$20,000 to provide food for 500 homeless youths at the Safe Harbor Runaway Center, an emergency shelter for homeless youths; and to provide food for up to 14 homeless mothers and their babies, for a total of 20 individuals at Transitions Home, a transitional housing facility for pregnant and mothering teenage women and their babies;

**F)** The Children's Place at Home Safe, Inc. - \$16,660 for utility expenses of The Children's Place – North Campus in West Palm Beach and The Children's Place - South Campus in Boca Raton to provide emergency shelter and 24-hour care for a combined total of 100 abused, neglected and homeless children;

**G)** Community Caring Center of Boynton Beach, Inc. - \$14,000 for emergency shelter for 50 homeless individuals through the use of motel vouchers and food vouchers; and emergency rent, mortgage and utilities payments to prevent homelessness for 302 individuals;

**H)** Faith-Hope-Love-Charity, Inc. - \$25,000 for operation and maintenance of Stand-Down House to provide emergency shelter for 108 homeless veterans; and for standardized needs assessment testing of 40 Stand-Down House residents by a licensed psychologist;

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)**

##### **6. Motion/Title Continued**

**I)** Farmworker Coordinating Council - \$20,000 for emergency rent, mortgage and utilities payments to prevent homelessness of 200 individual farmworkers;

**J)** Florida Housing Corporation - \$20,466 for the pro-rated share of electricity expense for 120 Homeless Disabled Adult Program enrollees at the Florida Housing Corporation's Palm Beach Assisted Living Facility;

**K)** Florida Resource Center for Women and Children, Inc. - \$19,000 for operation and

maintenance expenses for an emergency shelter; food vouchers and prescription medications to serve 100 homeless victims of domestic abuse;

**L)** The Lord's Place, Inc. (Boynton Beach Family Shelter) - \$20,000 for operation expenses for a transitional housing facility for 200 individual families;

**M)** The Lord's Place, Inc. (Café Joshua) - \$20,000 for operation expenses of Café Joshua, to provide meals and other day shelter services for 575 homeless guests who are referred for support services by other provider agencies throughout the County;

**N)** Urban League of Palm Beach County, Inc. - \$10,000 for emergency rental assistance to prevent homelessness of 64 individuals; and

**O)** Young Women's Christian Association of Palm Beach County, Florida (YWCA) - \$20,540 for operation and maintenance of YWCA Harmony House to provide an emergency shelter for 396 homeless women and children victims of domestic abuse.

**SUMMARY:** Palm Beach County will receive a total of \$302,666 in ESGP funds for FY 2006-2007 to assist the homeless and those at-risk of homelessness countywide. Funds will be used for the operation and maintenance of emergency shelters and transitional housing facilities, essential services to the homeless, and homeless prevention activities. **These agreements utilize Federal funds, and the required match will be met by the agencies. No match from County General Fund is required.** Countywide (TKF)

7. **Staff recommends motion to approve:** the Fourteenth (14<sup>th</sup>) Amendment to the Annual Consolidated Plan for FY 1996 - 1997. **SUMMARY:** The Fourteenth (14<sup>th</sup>) Amendment to the FY 1996 - 1997 Annual Consolidated Plan (R96-960D) proposes to change the use of a parcel of land (PCN: 00-42-41-03-01-000-0350) acquired in the Limestone Creek Area with Community Development Block Grant (CDBG) dollars. The land was acquired in 1997 at a cost of approximately \$25,000 for the Limestone Creek CDC (LCCDC) to construct an office building. The agency has become inactive, therefore, the construction of the office building has been stalled. The West Jupiter Community Group is proposing to use this land as a nature preserve to facilitate both the physical expansion of its Tutorial Enablement Center as well as the agency's curriculum. **These are Federal CDBG funds that require no local match.** District 1 (TKF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **I. HOUSING & COMMUNITY DEVELOPMENT (Cont'd)**

8. **Staff recommends motion to approve:** four (4) Agreements totaling \$180,000 for the FY 2006-2007 Community Development Block Grant (CDBG) Program with the following non-profit agencies, in the amounts and for the activities indicated, for the period October 1, 2006 to September 30, 2007:

**A)** Palm Beach County Association for Retarded Citizens, Inc. (d/b/a The ARC) - \$50,000 for provision of employment services and training to one hundred (100) persons with developmental disabilities;

**B)** Children's Coalition, Inc. - \$35,000 for the provision of after-school care and educational services for two hundred (200) disadvantaged students annually;

**C)** Consumer Credit Counseling Services, Inc. - \$20,000 for the provision of housing counseling services to one thousand four hundred fifty (1,450) people annually; and

**D)** Children's Home Society of Florida, Inc. - \$75,000 for the provision of transitional housing and support services for up to fourteen (14) homeless teenage mothers and their children annually.

**SUMMARY:** Palm Beach County will receive a CDBG entitlement for FY 2006-2007 of \$7,100,250 with program income projected in the amount of \$300,000 for a total of \$7,400,250. In its FY 2006-2007 Action Plan, the Board of County Commissioners allocated CDBG funds for the provision of public services, fair housing activities and activity delivery costs. These agreements will allocate \$180,000 in CDBG funds to four (4) subrecipients for the provision of public services. **These are Federal CDBG funds that require no local match.** Countywide (TKF)

## **J. PLANNING, ZONING & BUILDING**

1. **Staff recommends motion to:**

**A) approve** a standard Agreement of Services contract for Palm Beach County Special Master hearing officers; and

**B) authorize** the County Administrator to execute the standard agreement.

**SUMMARY:** Previously, the BCC approved the concept of paying Code Enforcement Special Masters. In order to achieve this, staff has determined that it would be necessary for each individual serving as a Special Master to enter into a contract with the County to serve in such capacity. The contract accomplishes this. Unincorporated (GB)

**NOVEMBER 21, 2006**

## **3. CONSENT AGENDA APPROVAL**

## K. WATER UTILITIES

1. **Staff recommends motion to approve:** Change Order No. 2 to the contract with Youngquist Brothers Drilling, Inc. (R2005-2068) for the Lake Region Water Treatment Plant Deep Injection Well Project, adjusting the contract amount by \$11,505.20. **SUMMARY:** In conjunction with the County's Sales and Use Tax Recovery Program, various materials were deleted from Youngquist Brothers Drilling's (Youngquist) scope of work in Change Order No. 1 (R2005-2068). Purchase Orders PBC 03-169-18 and PBC 03-169-19 were subsequently issued to vendors for direct purchase of these materials by the County. This resulted in estimated sales tax savings of \$58,793.38. A final reconciliation of direct purchased materials indicates fewer materials were utilized than originally estimated. The combined value of materials utilized for this project was \$923,173.22 as compared to the \$979,889.60 authorized for purchase, resulting in a difference of \$56,716.38. As a result of the quantity reduction, the contract with Youngquist Brothers Drilling must be increased by \$60,119.36 (\$56,716.38 plus 6% sales tax) to reconcile Change Order No. 1. The final sales tax savings to the County on this project is \$55,390.39. In addition to reconciling purchase orders, this Change Order reconciles the thirty (30) contract bid items, resulting in a decrease of \$47,402.16 to the contract amount. The Contractor has agreed to reimburse the County \$1,212 for damages to the plant entrance gate. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. Due to the specialized nature of the work, this contract with Youngquist Brothers Drilling, Inc. provides for zero SBE participation. (WUD Project No. 03-169) District 6 (JM)
2. **Staff recommends motion to approve:** Change Order No. 2 to the contract with AKA Services, Inc. (R2006-1003) for the Northern Region Utility Improvement Project Phase II, increasing the contract price by \$195,289. **SUMMARY:** This Change Order authorizes the Contractor to extend transmission mains and adjust manholes. The segment of the water and wastewater pipelines located between the northern terminal point of the Northern Region Utility Improvements Project Phase 1, along Grapeview Avenue, and the Mecca property were intended to be constructed by the Scripps infrastructure team, under the construction contract with Catalfumo. Since the Catalfumo contract has been suspended, it is necessary for the pipeline contractor to connect these pipelines into the Department's system. The elevation of four (4) air release valves needs to be adjusted to reflect conditions encountered in the field. Total change orders to date, excluding the \$2,425,897.24 sales tax recovery program change order, equal zero (0% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Change Order includes zero overall SBE participation. The Contractor's cumulative SBE participation, including this Change Order is 14.07% overall. (WUD Project No. 04-227A) District 6 (JM)

NOVEMBER 21, 2006

### 3. CONSENT AGENDA APPROVAL

#### K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Consultant Services Authorization No. 38 to the contract with Mathews Consulting, Inc. (R2005-0777) to provide construction inspection services for the Northern Region Utility Improvement Project – Phase III in the amount of \$139,622. **SUMMARY:** This project involves the construction of approximately seven (7) miles of potable water mains and wastewater force mains of varying sizes along the South Florida Water Management District C-18 Canal right-of-way, Beeline Highway (SR 710), and Innovation Drive terminating within the Beeline Community Development District. These proposed pipelines are part of the backbone transmission mains required to serve the Beeline Community Development District and Seacoast Utility Authority. The Consultant has agreed to provide construction inspection services for the duration of the project. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00%. The contract with Mathews Consulting, Inc. provides for 55% SBE participation overall. Consultant Services Authorization No. 38 includes 100% SBE participation. The consultant's cumulative SBE participation, including this Authorization, is 57.83% overall. (WUD Project No. 05-061) District 1 (MJ)

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

**A)** a First Amendment to Standard Potable Water and Wastewater Development Agreement with CJB Real Estate Management, LP, et al., and

**B)** a First Amendment to Standard Reclaimed Water Development Agreement with CJB Real Estate Management, LP, et al.

**SUMMARY:** On July 6, 2005, the Department entered into a Standard Potable Water and Wastewater Development Agreement and a Standard Reclaimed Water Development Agreement (R2005-1525 & R2005-1526 respectively) with CJB Real Estate Management, LP, et al. (CJB). Subsequent to executing the agreements, CJB purchased additional adjoining property and the Department adopted an Ordinance amending the boundaries of the Mandatory Reclaimed Water Service Area (R2006-015). Both agreements will be amended to revise the legal description of the CJB property. The Standard Reclaimed Water Agreement will also be amended to identify County-required off-site reclaimed water improvements and the corresponding oversizing credits and cash reimbursements entitled to CJB for completing the improvements. The Department and CJB agree that the oversizing credits and cash reimbursements shall not exceed \$157,000 for the work to be performed by CJB. District 5 (MJ)

**NOVEMBER 21, 2006**

### 3. CONSENT AGENDA APPROVAL

#### K. WATER UTILITIES (Cont'd)

##### 5. Staff recommends motion to approve:

**A)** Contract with Lanzo Construction Company to construct the Northern Region Utility Improvement Project - Phase III in the amount of \$9,264,000;

**B)** Change Order No.1 to the contract in the deductive amount of \$3,631,703.07 deleting materials for the purpose of sales tax recovery and designating Lanzo Construction Company as the County's agent for the inspection and receipt of the materials; and

**C)** Purchase orders with vendors of the materials for sales tax recovery in the amount of \$3,426,087.80.

**SUMMARY:** This project involves the construction of approximately seven (7) miles of potable water mains and wastewater force mains of varying sizes along the South Florida Water Management District C-18 Canal right-of-way, Beeline Highway (SR 710), and Innovation Drive terminating within the Beeline Community Development District. These proposed pipelines are part of the backbone transmission mains required to serve the Beeline Community Development District and Seacoast Utility Authority. The Beeline Community Development District will reimburse the County \$3,800,000 for the transmission pipelines. By approving Change Order No.1 to the contract and purchasing materials directly from vendors, total sales tax savings of \$205,615.27 can be achieved by the County. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.00%. This Contract with Lanzo Construction Company provides for 15.6% SBE participation. (WUD Project No. 05-061) District 1 (MJ)

##### 6. Staff recommends motion to approve:

**A)** Contract with The Dow Chemical Company/Filtec Corporation (Dow Chemical) for the Lake Region Water Treatment Plant (LRWTP) Reverse Osmosis Membrane Elements in the amount of \$1,398,400; and

**B)** Amendment No. 1 reducing the contract amount to \$786,600 by accepting Dow Chemical's standard terms and warranty provisions.

**SUMMARY:** On June 14, 2006, one (1) bid was received for the supply of reverse osmosis membrane elements for the LRWTP with Dow Chemical being the sole bidder in the amount of \$1,398,400. The Water Utilities Department recommends approval of Amendment No. 1 to accept an unsolicited bid alternate in the amount of \$786,600, by accepting Dow Chemical's standard terms and warranty provisions modifying the general conditions and deleting the Public Construction Bond, resulting in a savings of \$611,800. The Dow Chemical membrane elements have undergone a rigorous proof test



using the Floridan test wells for the LRWTP. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. Due to the specialized nature of the work, this Contract with Dow provides for zero SBE participation. (WUD Project No. 03-169) District 6 (JM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **K. WATER UTILITIES (Cont'd)**

7. **Staff recommends motion to approve:** a Contract with John J. Kirlin, Inc. Florida Division to construct the Northern Region Pumping Facility in the amount of \$7,917,000. **SUMMARY:** On September 28, 2006, three (3) bids were received for the construction of the Northern Region Pumping Facility with John J. Kirlin, Inc. being the low bidder in the amount of \$7,917,000. The Facility will be located at the County's Northern Region Utility site located adjacent to the Village of Royal Palm Beach's wastewater treatment plant and will pump the Village's wastewater to the East Central Regional (ECR) Water Reclamation Facility located east of the Florida Turnpike. The project includes an in-line booster wastewater pump station, odor control facilities, a water rechloramination facility and provisions for future water booster pumps. Upon completion of the pumping facility the Village of Royal Palm Beach will decommission their wastewater treatment plant. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15.00% overall. This Contract with John J. Kirlin, Inc. provides for SBE participation of 15.09% overall. (WUD Project No. 06-050) District 6 (JM)
  
8. **Staff recommends motion to approve:** a Contract for Asset Management Services with CH2M Hill, Inc. **SUMMARY:** This Contract is recommended for technical assistance with the Utility's ongoing Asset Management Program as prudent planning to ensure the integrity of the County's water and wastewater infrastructure. The Contract has a term of one (1) year, subject to two (2) annual renewals. The selected firm has agreed to meet or exceed a 15% small business participation goal. The consultant has included a list of certified small business (SBE) subcontractors which they intend to use to meet their goal. (WUD 06-049) Countywide (JM)
  
9. **Staff recommends motion to approve:** Change Order No. 13 to the contract with R.J. Sullivan, Corp. (R2004-1453) for the Water Treatment Plants (WTP) 2, 8 and 9 Improvements Project decreasing the contract price by \$40,218.87 and providing a 160 day time extension. **SUMMARY:** Change Order No. 13 authorizes the Contractor to perform various civil, mechanical, and electrical improvements for this project and provides the Contractor with additional time. At WTP 2 the Contractor will complete emergency repairs for a 24-inch water main and refurbish water softeners. At WTP 8,

electrical improvements related to the vacuum filter electrical service and power conditioning units will be performed. At WTP 9, the Contractor will relocate the exhaust pipe and install a new circuit breaker for the emergency generator. The Contractor will also modernize security components related to the closed circuit television system at all three water plant sites. Due to on-going construction activities at the water plants, site restoration work will be deleted from this contract and performed by the County in the future. Staff recommends a 160-day time extension to the Stage 2 Substantial and Final Completion dates for delays associated with the proposed improvements, electric utility coordination, and weather. Total change orders to date, excluding the \$2,669,145.64 sales tax recovery program change order, equal \$877,771.59 (6.3% increase). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Change Order includes zero overall SBE participation. The contractor's cumulative SBE participation, including this Change Order, is 26.47% overall. (WUD Project No. 01-182B) Districts 2 & 5 (JM)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **K. WATER UTILITIES (Cont'd)**

10. **Staff recommends motion to approve:** a Contract with Southeast Drilling Services, Inc. for the Systemwide Wellfield Improvements and East Central Regional Wastewater Treatment Facility (ECRWWTF) Wellhead Replacement Project in the amount of \$4,095,000. **SUMMARY:** On August 9, 2006, three (3) construction bids were received for construction of the Systemwide Wellfield Improvements and ECRWWTF Wellhead Replacement Project with Southeast Drilling Services, Inc. being the low bidder in the amount of \$4,095,000. This Project provides for construction of four (4) new and five (5) replacement surficial aquifer wells along with modifications to monitoring wells at the ECRWWRF. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15.0% overall. This Contract with the Southeast Drilling Services, Inc. provides for SBE participation of 19.37% overall. (WUD Project No. 05-041) Districts 2, 3 & 5 (JM)
  
11. **Staff recommends motion to approve:**
  - A)** an Agreement with the American Water Works Association Research Foundation (AwwaRF) in an amount not-to-exceed \$450,000 to conduct a tailored collaboration project;
  - B)** a Budget Transfer of \$450,000 in the Water Utilities Department Revenue Fund;
  - C)** a Budget Amendment of \$450,000 in the Water Utilities O & M Fund; and



**D)** a Budget Amendment of \$450,000 (decrease) in the Water Utilities Capital Improvement Fund.

**SUMMARY:** The Palm Beach County Water Utilities Department (PBCWUD) has traditionally obtained its drinking water supply from Biscayne Aquifer wells. These wells require recharge from the same regional water system used by agriculture and the Everglades ecosystem. Everglades restoration is the priority for water from the regional system and the South Florida Water Management District (SFWMD) has mandated strict limits for Biscayne Aquifer withdrawals. This mandate results in the need for very costly alternative water systems; such as brackish water reverse osmosis systems and the capture of water otherwise discharged to tide. PBCWUD's Capital Improvement Plan includes more than \$200 million for such projects over the next twenty (20) years. In order to optimize this large public expenditure, many complex factors including environmental benefits and risk must be considered. This collaboration project will develop a user-friendly computer guidance tool to allow for real-time analysis. It will also enable PBCWUD to more optimally meet the County's water supply needs. Being able to assess when and where to invest in alternative water supplies is expected to save the County millions of dollars. AwwaRF is a member-supported international, non-profit organization that sponsors research projects to help water utilities provide safe and affordable drinking water. Under this Agreement, AwwaRF will fund \$100,000 of the \$550,000 project cost. The project's designated research team includes the University of Florida and PBS&J, under contract with AwwaRF. The budget amendments are necessary to adjust the budgets for various funds and accounts in the Water Utilities Enterprise Fund to properly fund this project. Countywide (MJ)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **K. WATER UTILITIES (Cont'd)**

12. **Staff recommends motion to approve:** a Reclaimed Water Agreement with Addison Reserve Country Club, Inc. **SUMMARY:** This Reclaimed Water Agreement outlines the conditions necessary for Addison Reserve Country Club, Inc. to use reclaimed water to irrigate two (2) existing golf courses. The Department will be granted utility easements to construct, maintain, repair, replace, and operate the reclaimed water piping and equipment on the golf course property. The property owner will be provided an eight-inch meter to accommodate peak irrigation demands unique to golf courses. Although the Department does not have an established reclaimed water commodity rate for an eight (8) inch meter, the property owner has agreed to pay the current six (6) inch meter rate. Should the Department amend its Uniform Policies and Procedures Manual to include a monthly fee for an eight (8) inch reclaimed water meter, then the monthly rate to be paid by the property owner shall automatically be adjusted to the eight (8) inch rate, with no amendment to this Agreement required. (WUD Project No. 97-168) District 5 (JM)

13. **Staff recommends motion to approve:** an Interlocal Agreement for a Conceptual Feasibility Study of a Sub-Regional Lower East Coast Water Supply Solution with the City of Fort Lauderdale in an amount not-to-exceed \$80,909. **SUMMARY:** The City of Fort Lauderdale has retained the services of Hazen & Sawyer, P.C., an engineering consultant, to evaluate the conceptual feasibility of using L-8 Reservoir water on a sub-regional basis to meet potable water supply needs. Preliminary studies have recognized a significant supply potential to meet the needs of numerous public utilities in southeast Florida, including the Palm Beach County Water Utilities Department. Furthermore, this Study will consider wastewater reuse as surface water discharge for the satisfaction of remaining demands, not met after utilization of L-8 Reservoir water. The cost of these solutions will then be compared to the alternative cost of utilizing the Florida Aquifer to make up any supply deficits. Other utilities partnering in the cost of this feasibility study include Broward County and the cities of Hollywood, Plantation, Pompano Beach, and Sunrise. (WUD Project No. 07-009) Districts 1, 2, 3, 5 & 6 (MJ)

14. **Staff recommends motion to receive and file:** three (3) Standard Development Agreements and two (2) Standard Development Renewal Agreements complete with executed documents received during the months of September and October 2006:

**Standard Development Agreements**

**A)** Touse Homes, Inc. (conversion from UCRA)05-01084-000

**B)** Balmoral at Delray Lake Estates, LLC09-90002-000

**C)** Royal's O.K. Lunch, Inc.11-01007-000

**Standard Development Renewal Agreements**

**D)** Community Asphalt Corporation01-01065-R00

**E)** VPS Holding, Inc.02-01040-R00

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

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

## L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to adopt:** a Resolution requesting that the Florida Department of Environmental Protection (FDEP) review a funding application and support funding for shoreline protection projects within its Fiscal Year 2007/2008 Beach Erosion Control Assistance Program. **SUMMARY:** The County is requesting that the State appropriate \$1,000,000 for the Ocean Ridge Shore Protection Project, \$5,222,000 for the Juno Beach Shore Protection Project, \$2,256,000 for the South Palm Beach Shore Protection Project, \$4,160,000 for the Singer Island Shore Protection Project, \$1,290,000 for the Jupiter/Carlin Shore Protection Project, and \$178,150 for all permit-required monitoring associated with eligible projects. If the State Legislature approves funding for the projects, the County's projected expenditures for the projects would be \$16,384,550. Districts 1 & 4 (SF)
  
2. **Staff recommends motion to:**
  - A) approve** Memorandum of Agreement from the U.S. Department of Commerce-National Oceanic and Atmospheric Administration (NOAA) to provide up to \$72,190 in funding for the Coastal Lighting Compliance Project;
  - B) approve** a Budget Amendment of \$72,190 in the General Fund;
  - C) authorize** the addition to the ERM complement of two (2) student intern positions; and
  - D) authorize** the County Administrator or his designee to sign all future time extensions, task assignments, certifications and other forms associated with this grant, and necessary minor amendments that do not change the scope of work or terms and conditions of the contract.

**SUMMARY:** NOAA has grant funding available to enact management measures that will improve the productivity of local beaches to compensate for impacts from an August, 2000 oil spill in Broward County. NOAA selected a project in Palm Beach County that will improve compliance with Article 14.A (Sea Turtle Protection and Sand Preservation) of the Unified Land Development Code through the hiring of two (2) student interns to assist existing staff. The contract will provide funding in the amount of \$72,190 from October 31, 2006 to October 31, 2009. The grant does not require matching funds. Countywide (SF)
  
3. **Staff recommends motion to approve:**
  - A) Budget Transfer** of \$100,000 from District 1 Reserves in the Transportation Improvement Fund to the Cabana Colony Local Drainage project; and
  - B) Budget Transfer** of \$100,000 in the Capital Outlay Fund from the Cabana Colony Local Drainage Project to the Loxahatchee River Pedestrian Bridge project.

**SUMMARY:** These Transfers will provide substitute funding of \$100,000 for the Cabana

Colony Local Drainage project in the Transportation Improvement Fund, allowing for a \$100,000 transfer in the Capital Improvement Fund for the construction of a pedestrian bridge over the Loxahatchee River as a link in the Ocean to Lake Trail project. District 1 (SF)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)**

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

**A)** Budget Transfer of \$200,000 in the Economic Development Fund from the Office of Economic Development to the Department of Environmental Resources Management (ERM) to recognize ERM as the project manager for the construction of a trailhead as partial implementation of the Palm Beach County Lake Okeechobee Scenic Trail (LOST) Tourism Enhancement Master Plan; and

**B)** Budget Transfer of \$50,000 in the Natural Areas Fund from Reserves to the LOST Natural Area project to provide initial matching funds in support of the grant.

**SUMMARY:** The transfer between departments will allow ERM to manage a \$200,000 portion of a grant award from the Florida Department of Environmental Protection for the construction of a trailhead adjacent to the Herbert Hoover Dike as part of the LOST Tourism Enhancement Master Plan. The transfer from Natural Areas Fund Reserves will provide \$50,000 for start-up and non-grant eligible costs associated with the development of the natural area. Additional funds may be requested when a construction contract is brought forward for approval. District 6 (SF)

- 5. Staff recommends motion to approve:** Budget Amendment of \$87,500 in the Natural Areas Fund to recognize a \$87,500 grant award from the Florida Department of Agriculture and Consumer Services (FDACS) Division of Forestry and includes a local match of \$61,052 from Natural Areas Reserves to provide total funding of \$148,552 for the planting of trees along a portion of the C-18 canal through the Loxahatchee Slough Natural Area. **SUMMARY:** This Budget Amendment recognizes grant revenue of \$87,500 awarded from the FDACS 2005 Emergency Hurricane Supplemental Urban and Community Forestry Grant Program – Part 2. This grant will partially fund the planting of trees along a proposed multi-use trail along the C-18 Canal through the County-owned Loxahatchee Slough Natural Area. The grant project completion date will be September 30, 2007. The twenty-five percent (25%) County match is \$29,167. The overmatch is \$31,885. The match and overmatch will be provided in the Natural Areas Fund. District 1 (SF)

6. **Staff recommends motion to approve:** a Facilities Use Agreement with Palm Beach Atlantic University (PBAU) in the amount of \$675 for the use of the Weyenberg Center at PBAU for the Lake Worth Lagoon Symposium on May 16, 2007. **SUMMARY:** Palm Beach County is spearheading the effort to conduct the second Lake Worth Lagoon Symposium to be held on May 16, 2007. The symposium planning committee, chaired by PBC Department of Environmental Resources Management (ERM), investigated several options and found that the Weyenberg Center was the most reasonably priced among the options considered that could house 200 people. This Facilities Use Agreement required by PBAU falls under the Purchasing Ordinance Exemptions PPM No. CW-L-034 due to the fact that the Agreement is with a non-profit organization. Countywide (SF)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)**

7. **Staff recommends motion to:**

**A) adopt** a Resolution approving a revised standard form Internship Agreement to allow the Department of Environmental Resources Management (ERM) to enter an internship program with college-level students to conduct research relative to County-owned natural areas or other environmental projects constructed by the County on public lands; and

**B) authorize** the County Administrator or his designee to execute all future intern agreements, time extensions, task assignments, certifications and other forms associated with the Agreement, and necessary minor amendments that do not change the terms and conditions of the Agreement.

**SUMMARY:** On March 1, 2005, the Board of County Commissioners approved a standard form Internship Agreement allowing ERM to enter partnerships with local universities and their students for the purpose of research and monitoring on County Natural Areas or other public lands owned and/or managed by ERM. The original Internship Agreement has been modified to more specifically spell out the County's, the universities' and the students' responsibilities. In addition, Exhibit A (Agreement for Voluntary Assumption of Risk Between Palm Beach County and Student Intern) has been added. With the exception of minimal input by ERM staff, there will be no fiscal impact from this project. Countywide (SF)

8. **Staff recommends motion to approve:** execution of three (3) Construction Access

Easement Agreements (50-year term) with the Water Glades Property Owners Association, Dunes Towers Association, and the Eastpointe II Condominium Association relative to property included within the limits of the Singer Island Shore Protection Project. **SUMMARY:** The Singer Island Shore Protection Project includes dune restoration in an area determined by the Florida Department of Environmental Protection (FDEP) to be “critically eroded”. Dune restoration reconstructs past dune profiles and stabilizes the sand with appropriate native dune vegetation. Easement Agreements are required for construction access to the beach and dune areas within the project limits. These Easement Agreements are for a fifty-year (50) term beginning on the date of execution of the documents. District 1 (SF)

9. **Staff recommends motion to:**

**A) approve** a Budget Transfer of \$5,162,626 in the 1999 \$75M Conservation Fund, \$3,523,946 from Reserves and \$1,638,680 from various capital improvement projects to fund land acquisitions in the Cypress Creek Natural Area; and

**B) approve** a Budget Transfer of \$2,600,000 in the Natural Areas Fund including \$2M from Cypress Creek land acquisitions and \$600,000 from reserves to various capital improvement projects.

**SUMMARY:** These Transfers decrease land acquisition funding of \$2M in the Natural Areas Fund for Cypress Creek, allowing for the maximization of bond dollars for various land acquisitions under contract and in the future. The \$2M for Cypress Creek acquisitions in the Natural Areas Fund is replaced by the 1999 Bond Issue. An additional \$3,162,626 in capital improvement projects is freed up in the 1999 Bond to provide an increased contribution toward the purchase of the RV Holding property, prior to the issue of a potential \$17M Sunshine Loan. A transfer of \$600,000 from reserves in the Natural Areas Fund will provide partial replacement funding for capital improvements along with the \$2M exchanged for land acquisition. Countywide (SF)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)**

10. **Staff recommends motion to:**

**A) approve** Grant Contract (Contract) with Florida Communities Trust (FCT) that specifies the State standards for acquisition, which the County must meet, in order to receive Florida Forever Revenue Bond proceeds, partially covering acquisition expenses for the Delaware Scrub Natural Area for an amount that is lesser of 50% of the total approved project costs or \$3,542,500; and

**B) authorize** the County Administrator, or his designee, to execute all documents in connection with this grant on behalf of the County, provided that such documents do not



change the scope of work or terms and conditions of the Contract.

**SUMMARY:** The purchase of the Delaware Scrub Natural Area property (R2005-0927) from Bev Smith, Inc., was part of the County's Conservation Lands Acquisition Program and the Town of Jupiter's Open Space Preservation Program. Approval of this Contract is the first step necessary for State participation in cost sharing under the State's Florida Forever Grant Program. The Town is expected to approve and execute the Contract on November 21, 2006. The Contract requires the County and the Town to have followed standards for acquisition that are generally the same as those adhered to by the County for all of its conservation land acquisitions; approve and return the executed Contract to FCT by November 27, 2006; to submit to an audit; and to develop a Project Plan, including a management plan that will outline facility development, public use, and both natural and historic resources management for the Project Site. The Contract also requires the County and the Town of Jupiter as co-owners of the site to manage the Natural Area solely for the conservation, protection and enhancement of natural and historical resources and for passive, natural resource-based public outdoor recreation. The maximum amount of the grant award is the lesser of 50 % of the total approved project costs or \$3,542,500. The grant award will be shared by the County (\$1,806,675 or 51% of the actual grant award, whichever is less) and the Town of Jupiter (\$1,735,825, or 49% of the actual grant award, whichever is less). The plan must include specific public access facilities. Approval of the Project Plan by FCT is required before funds will be disbursed. If the Project Plan is approved within the time allotted by the Contract, the County and the Town will be asked to execute an Agreement and a Calculation. The Agreement will contain those terms and conditions of the Contract still applicable and the Calculation will detail the final approved acquisition costs and the share of those costs paid by the County and State, respectively. Due to the standard nature of Contract requirements and short turn-around allotted for Agreement and Calculation processing, authorization is requested for the County Administrator or his designee to execute all future documents in association with this grant. Execution of all documents in connection with this grant on behalf of the County may include but not be limited to the grant reconciliation statement, statements submitted as a part of the Project Plan, any addenda to this Contract, and the Grant Award Agreement (Agreement) and Grant Award Calculation (Calculation), provided that such documents do not change the scope of work or the terms and conditions of the Contract. District 1 (JMB)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **M. PARKS & RECREATION**

1. **Staff recommends motion to approve:** Agreement with Royal Palm Beach Youth Softball Association, Inc. for the period November 21, 2006, through May 1, 2007, in an amount not-to-exceed \$2,500 for funding of uniforms and equipment for the 14U Royal

Palm Beach Blue Thunder softball team. **SUMMARY:** This funding is to offset costs paid by Royal Palm Beach Youth Softball Association, Inc. for uniforms and equipment for the 14 U Royal Palm Beach Blue Thunder softball team. The 14U Royal Palm Beach Blue Thunder softball team serves 12 through 14 players who are age 14 and under. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to September 15, 2006. Funding is from the Recreation Assistance Program (RAP). District 6 (AH)

2. **Staff recommends motion to approve:** Agreement with the Village of Royal Palm Beach for the period November 21, 2006, through November 30, 2006, in an amount not-to-exceed \$15,000 for funding of 4<sup>th</sup> of July Celebration. **SUMMARY:** This funding is to offset costs paid by the Village of Royal Palm Beach for its 4<sup>th</sup> of July Celebration, which was held on July 4, 2006. The event was attended by approximately 10,000 spectators. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to July 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 6 (AH)
3. **Staff recommends motion to approve:** Agreement with The Acreage Athletic League, Inc. for the period November 21, 2006, through December 30, 2006, in an amount not-to-exceed \$2,000 for funding of uniforms and equipment for the Acreage Coyotes. **SUMMARY:** This funding is to offset costs paid by The Acreage Athletic League, Inc. for uniforms and equipment for the Acreage Coyotes. The Acreage Coyotes is an Acreage Athletic League all-star team comprised of approximately 15 youth from ages seven through eight. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to May 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 6 (AH)
4. **Staff recommends motion to approve:** Agreement with the Jewish Community Center of the Greater Palm Beaches, Inc. for the period November 21, 2006, through February 28, 2007, in an amount not-to-exceed \$2,000 for funding of senior citizen field trips. **SUMMARY:** This funding is to help offset costs for senior citizen field trips offered by the Jewish Community Center of the Greater Palm Beaches, Inc. The trips are offered on a monthly basis and serve approximately 30 participants per trip. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to June 1, 2006. Funding is from the Recreation Assistance Program (RAP). District 2 (AH)
5. **Staff recommends motion to approve:** Agreement with the City of Boynton Beach for the period November 21, 2006, through December 30, 2006, in an amount not-to-exceed \$3,700 for funding of the 2006 Heritage Festival. **SUMMARY:** This funding is to help offset costs for the annual Heritage Festival sponsored by the City of Boynton Beach, which was held in February of 2006. Approximately 4,000 participants attended this month-long community event. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to January 25, 2006. Funding is from the Recreation Assistance Program (RAP). District 7 (AH)



NOVEMBER 21, 2006

### 3. CONSENT AGENDA APPROVAL

#### M. PARKS & RECREATION (Cont'd)

6. **Staff recommends motion to receive and file:** First Amendment to Agreement (R2005-2082) with Community Neighborhood Helping, Inc. for funding of the Ballers "4" Life basketball program. **SUMMARY:** This fully executed First Amendment to Agreement extends the project completion date for the previously approved Agreement from December 31, 2005, to October 31, 2006, in order to allow for completion of the reimbursement for this completed project. The Amendment also provides a revised Exhibit "A", page 2 of 2 to accurately reflect costs expended for the Project. The Amendment is in accordance with Resolution R2005-1738, authorizing the delegation of authority for amending RAP agreements to the County Administrator or his designee. All other terms of the Agreement remain the same. Funding for the project is from the Recreation Assistance Program (RAP). District 7 (AH)

7. **Staff recommends motion to receive and file:** the following original executed Amendment to Request for Funding Form for School Board Recreation Assistance Program (RAP) project:

Spanish River Community High School design costs for Countess deHoernle Theatre Improvements (R2006-1136) to extend the project completion date from August 30, 2006 to July 30, 2007 – District 2.

**SUMMARY:** This fully executed Amendment to Request for Funding Form is being processed in accordance with the Interlocal Agreement for the Funding of Recreation Assistance Program (RAP) Projects (R2003-1747) approved by the Board on October 21, 2003. District 2 (AH)

8. **Staff recommends motion to receive and file:** the following original executed Request for Funding Forms for School Board Recreation Assistance Program (RAP) projects:

**A)** Palmetto Elementary School – Athletic Department expenses, in an amount not-to-exceed \$2,000 - District 2;

**B)** Secondary and Career Education – 5<sup>th</sup> Annual Race for the Arts, in an amount not-to-exceed \$2,500 - District 2;

**C)** H.L. Johnson Elementary School – purchase of musical instruments, in an amount not-to-exceed \$10,000 - District 6; and

**D) Secondary and Career Education - 2006 African American Studies Summer Institute, in an amount not-to-exceed \$5,000 - District 7.**

**SUMMARY:** These fully executed Request for Funding Forms are for School Board RAP allocations made in accordance with the Interlocal Agreement for the funding of RAP Projects (R2003-1747) approved by the Board on October 21, 2003. Districts 2, 6 & 7 (AH)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **M. PARKS & RECREATION (Cont'd)**

9. **Staff recommends motion to approve:** Agreement with South Florida Science Museum, Inc. for the period November 21, 2006, through December 30, 2006, in an amount not-to-exceed \$5,000 for funding of the 2006 Summer Science Camp Program. **SUMMARY:** This funding is to help offset costs for the South Florida Science Museum, Inc.'s annual summer camps. The 2006 Summer Camp Program was held from June 1 to August 8, 2006, and was attended by over 1,000 participants. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to April 15, 2006. Funding is from the Recreation Assistance Program (RAP). District 2 (AH)
  
10. **Staff recommends motion to approve:** Agreement with the Community Development Foundation, Inc. for the period November 21, 2006, through February 28, 2007, in an amount not-to-exceed \$6,000 for funding of the Children of Our Neighborhood event. **SUMMARY:** This funding is to help offset costs for a month-long cultural enrichment program offered by the Community Development Foundation, Inc. to the Delray Beach community through its After School Program. The event was held from September 17, 2006, to October 17, 2006, and consisted of an art program where approximately 75 After School Program students created Caribbean artwork that was displayed and interpreted to the community on the weekends. The Agreement allows for the reimbursement of eligible pre-Agreement expenses incurred subsequent to August 12, 2006. Funding is from the Recreation Assistance Program (RAP). District 7 (AH)
  
11. **Staff recommends motion to approve:** First Amendment to Agreement (R2005-1734) with New Hope Charities, Inc. for the construction of a community basketball court and purchase of equipment. **SUMMARY:** This Amendment is to extend the completion date for this project from March 12, 2007 to March 12, 2008. All other terms of the Agreement remain the same. Funding was approved on September 13, 2005, in the amount of

\$30,000 from the Park Improvement Fund – Glades Needs. District 6 (AH)

12. **Staff recommends motion to approve:** Recreation Assistance Program allocation to the Parks and Recreation Department in an amount not-to-exceed \$3,500 for the Veteran's Park Veterans' Day event. **SUMMARY:** This allocation provides \$3,500 to fund the Veterans' Day event which was held on November 11, 2006, at Veteran's Park in Boca Raton. This event was held in cooperation with the West Boca Veteran's Coalition for an expected audience of 500 people. Funding is from the Recreation Assistance Program (RAP). District 5 (AH)
  
13. **DELETED**

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **M. PARKS & RECREATION (Cont'd)**

14. **Staff recommends motion to receive and file:** the executed Independent Contractor Agreements received during the months of September and October:
  - A)** Joseph Hamilton, Breathing Workshop, West Jupiter Recreation Center. (HAMIL1071081006523300A);
  - B)** Steve Vancoppenolle, Water Exercise Instructor, North County Aquatic Center. (VANC00061006530500H);
  - C)** George Tillman, Teen Flag Football Referee, Westgate Park & Recreation Center. (TILL1068000906523200A);
  - D)** Alexis Cardona, Martial Arts Instructor, West Boynton Park & Recreation Center. (CARD00361006525200H);
  - E)** Kim Moser, Adult Classical Fencing Instructor, West Jupiter Recreation Center, (MO1025831006523300C);
  - F)** Kim Moser, Youth Classical Fencing Instructor, West Jupiter Recreation Center, (MO1025831006523300D);
  - G)** Robert Hein, Tennis Instructor, Various Locations (HEIN000110065201G);
  - H)** Sweet Boo, Inc., Kidz Art Instructor, West Jupiter Recreation Center

(SWEET1069831006523300A);

I) Stacey Webb, Cooking Instructor, West Jupiter Recreation Center (WEB162871006523300A).

**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 attached Independent Contractor Agreement(s) have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolution 02-2103, and are now being submitted to the Board to receive and file. Countywide (AH)

## N. LIBRARY

### 1. Staff recommends motion to:

**A) approve** the electronic filing of an Institutional Scholarship Application for \$8,000 with the Public Library Association (PLA); and

**B) authorize** the Chairperson to sign an award agreement if received and any other necessary forms and certifications related to the award.

**SUMMARY:** PLA is offering a Grow Your Own @ Your Library Institutional Scholarship to address the needs of public library staff working toward a master's degree in Library and Information Science (MLS). If awarded, the Library will select employees who are working towards obtaining an MLS to receive additional funding to cover tuition costs. The Library will administer the distribution of funds and comply with all reporting requirements to PLA. The scholarship program would begin in mid-February 2007 and continue to April 15, 2009. No matching funds are required. Countywide (TKF)

**NOVEMBER 21, 2006**

## 3. **CONSENT AGENDA APPROVAL**

### P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: Amendment No. 13 to the agreement with the Friends of Mounts Botanical Garden, which provides a grant of \$59,219 to the County for FY '07 for one (1) full-time position at the Mounts Botanical Garden, commencing October 1, 2006. **SUMMARY:** The Friends of the Mounts Botanical Garden (FMBG) are providing the County with funding in the amount of \$59,219 for one (1) position at the Mounts Botanical Garden for FY '07. The position will continue to support programming for the Mounts Botanical Garden and that of the FMBG. The support for programming will be coordinated with The Board of FMBG. Countywide (AH)

2. **Staff recommends motion to:**

**A) approve** Memorandum of Understanding with the Florida 4-H Foundation, Inc., a public corporation of the State of Florida through the University of Florida/IFAS Extension for the establishment of a fund designated and held for the use and benefit of the Palm Beach County 4-H Programs; and

**B) authorize** Cooperative Extension Service Director and her designee to generate additional funds locally to support 4-H Cooperative Extension Programs in Palm Beach County.

**SUMMARY:** By approving the Memorandum of Understanding, all funds will be moved from the existing Palm Beach County 4-H and Extension Foundation, Inc. (Foundation), to the Florida 4-H Foundation, Inc. This is a cost-saving measure that will allow funds to be administered by the Florida 4-H Foundation, Inc., in an account designated for Palm Beach County. The Director of Cooperative Extension Service and her designee will also be able to continue fund-raising activities to support 4-H Cooperative Extension Programs in Palm Beach County. This action is necessary because the Foundation was previously responsible for these activities, but has recently been dissolved. Countywide (AH)

**R. HUMAN RESOURCES**

1. **Staff recommends motion to approve:** Palm Beach County's 2006-2007 Affirmative Action Plan, a voluntary effort to correct under-representation where it exists in the Board of County Commissioners' workforce. There is no fiscal impact. **SUMMARY:** Implementation of this year's Plan focuses on methods and procedures for achieving targeted work unit goals, enhancing special recruitment efforts, and continuing to develop systems to correct under-representation. Minority representation for all job categories for 2005-2006 was 30.3% which is 2.3% above the availability. Females represented 37.3% of the County's workforce in 2005-2006 as compared to the availability of the labor force for all occupations of 46.0%. Countywide (MC)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**S. FIRE RESCUE**

1. **Staff recommends motion to adopt:** a Resolution authorizing the County Administrator or his designee (Fire Rescue Administrator), to execute certain Satisfaction and Release of Claim forms relating to Fire Rescue emergency transport fees and related service charges. **SUMMARY:** From time to time, it is necessary for the County Fire Rescue Department, or its billing agent, to file a claim in a probate proceeding in order to collect emergency transport fees and related service charges billed by the County in accordance with Section 13-58, Palm Beach County Code. Adoption of this Resolution will authorize the County Administrator or his designee (Fire Rescue Administrator) to provide satisfaction and release of probate claims as they relate to emergency transport fees and related service charges, once payment is made in full or otherwise settled in accordance with the appropriate authority and procedures established by the County. Countywide (SGB)
  
2. **Staff recommends motion to approve and ratify:** an Addendum to the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local No. 2928, IAFF, Inc. **SUMMARY:** Both parties are requesting an Addendum to the current Collective Bargaining Agreement, October 1, 2005, through September 30, 2008 (R2005-1908). This Addendum addresses the terms and conditions of employment for the employees of Belle Glade, Pahokee, and South Bay Fire Departments, who became County employees on October 1, 2006. This Addendum was developed jointly by Fire Rescue staff and Union Leadership. Countywide (SB)
  
3. **Staff recommends motion to approve:** an Interlocal Agreement with the Health Care District of Palm Beach County for the provision of Emergency Medical (Aeromedical) Services to become effective upon approval by both parties and remain in effect through December 31, 2009. This Agreement also extends the previous agreement (R2001-0890), as amended (R2004-2390), retroactively from December 31, 2005 through the commencement of this Interlocal Agreement. **SUMMARY:** This Interlocal Agreement provides Aeromedical services to the citizens of Palm Beach County by the partnering of the two (2) agencies utilizing Palm Beach County Fire Rescue licensed Paramedics and the Health Care District's air ambulance helicopters. This Agreement will commence upon approval by both parties and will remain in effect through December 31, 2009, with the option for additional four (4) year terms thereafter upon mutual written agreement of the parties. This Agreement also extends the term of the previous Agreement, as amended, retroactively from December 31, 2005 through the commencement of this Agreement. Countywide (SB)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**S. FIRE RESCUE (Cont'd)**

4. **Staff recommends motion to:**

**A) approve** an Electronic Data Interchange (EDI) Provider Trading Partner Agreement with Palmetto GBA, LLC; and

**B) authorize** the County Administrator or his designee (Fire Rescue Administrator) to execute the EDI Provider Trading Partner Agreement on behalf of the Board of County Commissioners.

**SUMMARY:** Tricare provides benefits to current and retired members of the Military and their dependents. Palmetto GBA, LLC (PGBA, LLC) is the claim-processing agent for Tricare. Providers submitting claims to Tricare are required to execute an EDI Agreement with PGBA, LLC to define the responsibilities of both parties when submitting claims electronically. This Agreement will allow the third-party billing agent contracted by Palm Beach County for billing and collection services as it relates to emergency transport by Fire Rescue, or its clearinghouse, to submit Tricare claims electronically, research patient eligibility, check the status of a claim, and obtain patient explanation of benefit statements. Countywide (SB)

5. **Staff recommends motion to approve:** an Agreement with Bar Education, Inc., d/b/a Keiser Career College, for clinical field experience for Paramedic and EMT students.

**SUMMARY:** This Agreement allows Palm Beach County Fire Rescue to provide clinical field experience to Paramedic and EMT students of the Keiser Career College. Paramedic and EMT students will respond with County paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. This clinical field experience is a component of the Paramedic and EMT training required for State certification, and will enhance the available job pool of qualified personnel. Countywide (SB)

6. **Staff recommends motion to approve and select:**

**A)** John Sluth for reappointment by the Town of Lantana as Trustee on the Lantana Firefighters' Pension Fund Board; and

**B)** Alan Handle for reappointment by the Town of Lantana as Trustee on the Lantana Firefighters' Pension Fund Board. Both of these terms will expire on September 28, 2008.

**SUMMARY:** Pursuant to Interlocal Agreement (R97-1252D) with the Town of Lantana relating to the Lantana Firefighters Pension Fund, the Town retained the power and responsibility to make appointments to the Fund's Board of Trustees for its Chapter 175 Plan. Any trustee to be appointed by Lantana first must be approved by the County. Interlocal Agreement (R97-1252D) was renewed and incorporated into the current Interlocal Agreement with the Town dated February 24, 2004 (R2004-0364). District 7 (SB)



NOVEMBER 21, 2006

### 3. CONSENT AGENDA APPROVAL

#### U. INFORMATION SYSTEM SERVICES

1. Staff recommends motion to:

**A) approve** three (3) separate Agreements for digital orthophotography and planimetric mapping with Surdex Corporation, BAE Systems National Security Solutions, Inc. (NSS) and Woolpert, Inc. beginning November 21, 2006 to November 21, 2008, with the option for up to three (3) - one (1) year renewals;

**B) authorize** the County Administrator or his designee to negotiate and execute a series of Task Orders of less than \$100,000. The total cost of the work to be completed will not exceed funding allocated for mapping projects identified in the GIS Capital Account (currently \$805,489 plus annual updates estimated at \$200,000 per year); and

**C) approve** Task Order No. 1 with Surdex Corporation for a not-to-exceed total amount of \$350,000.

**SUMMARY:** These Agreements will provide the professional services required to complete planimetric mapping and to provide updates to the digital orthophotography portion of the County's Geographic Information System (GIS) base map. This project is part of the Information Systems Services, Countywide GIS Capital Project. Surdex Corporation, BAE Systems National Security Solutions Inc. and Woolpert, Inc. were selected using the Consultant Competitive Negotiations Act (CCNA) process. The agreements allow for individual Task Orders for projects to be negotiated or assigned directly based upon the County's requirements. Task Orders amounting to more than \$100,000 will be brought to the Board for approval. Countywide (PFK)

2. Staff recommends motion to approve:

**A) IBM Master Services Attachment for ServiceElite to the IBM Corporation Customer Agreement (R94-247D);**

**B) IBM Statement of Work for ServiceElite for Hard Drive Retention Option and Account Advocate Services;**

**C) Change Authorization for ServiceElite for SoftwareXcel Services; and**

**D) the Schedule of Services provided by ServiceElite for contractual computer hardware maintenance and technical support services for the period December 1, 2006, through November 30, 2007, in the amount of \$211,765.**



**SUMMARY:** Palm Beach County entered into a Master Business Agreement with the IBM Corporation on March 1, 1994 (R94-247D). This Agreement is revised as required to reflect the County's needs for data processing equipment and services, including equipment maintenance. Based on an evaluation of the IBM equipment currently in use and a review of recent maintenance activities, an annual agreement is less costly than a per incident time and material maintenance contract. This new attachment to the IBM Corporation Customer Agreement will provide for computer hardware maintenance and technical support services to reflect our current needs. This ServiceElite supplement will automatically renew on December 1, 2007 under the same terms and conditions for an additional two (2) years. The Change Authorization for ServiceElite for SoftwareXcel Services addresses specifies charges and discounts for the number of processors in use by the County. The Schedule for Services addressed by this agenda item is the negotiated, contractual amount for first renewal year of this contract, with the option for two (2) additional one (1) year renewals. Countywide (PFK)

**NOVEMBER 21, 2006**

### **3. CONSENT AGENDA APPROVAL**

#### **U. INFORMATION SYSTEM SERVICES (Cont'd)**

3. **Staff recommends motion to approve:** the Fourth Amendment to the professional services contract with Anderson Solution Focus, LLC, (R2006-1155) a Kentucky Limited Liability Company for the period January 1, 2007, through August 31, 2007 in the amount of \$59,200 for a total contract amount of \$114,484.78. **SUMMARY:** The County has completed the implementation of the Justice Information Systems (JIS) Criminal and Traffic Court modules. Information System Services (ISS) entered into an emergency contract with Russell Craig Anderson in March 2006 to provide the JIS project with critical resource continuity to assist in the final implementation process. Mr. Anderson was an integral part of the JIS programming team as an employee of the vendor, Affiliated Computer Systems, Inc. (ACS). The retention of Mr. Anderson's knowledge, skills and abilities has been crucial to the completion of the JIS project. The First Amendment to this contract addressed specific conversion tasks and deliverables, and a timetable for those deliverables. The Second and Third amendments extended the contract period and increased the total contract amount to address additional work identified. This Fourth Amendment will also extend the contract period and increase the total contract amount for additional services from Anderson Solution Focus, LLC. The additional time and contract spending authority are required for continued JIS project implementation issue resolution, including the scripting of certain batch processes to promote efficient system operation, the development of custom forms as identified by the JIS user base since system implementation, and to assist with the implementation of the Public Defender module of the system. Countywide (PFK)

## X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** an Interlocal Agreement with the Town of Lake Clarke Shores pertaining to the use of the Geographic-based Alert and Notification System, "Dialogic," for a three (3) year period beginning November 21, 2006. **SUMMARY:** The Board of County Commissioners (BCC) approved on August 16, 2005 Agenda Item 3X1 authorizing the County Administrator or his designee to sign Dialogic agreements with the municipalities on behalf of the BCC. District 3 (DW)
  
2. **Staff recommends motion to receive and file:** standard Agreement with Roopa Wanchoo serving a "post-doctoral" externship in an amount not-to-exceed \$25,000 to provide psychological services to the Division of Youth Affairs for the period September 1, 2006 to August 31, 2007. **SUMMARY:** Roopa Wanchoo is a student completing doctoral studies in psychology and requires 2,000 hours of supervise services to obtain a state license. On October 3, 2006 (Agenda Item 3X2), the BCC authorized the County Administrator or his designee to approve these standard contracts. Countywide (DW)

**NOVEMBER 21, 2006**

## 3. **CONSENT AGENDA APPROVAL**

## X. PUBLIC SAFETY (Cont'd)

### 3. **Staff recommends motion to:**

**A) receive and file** the following State of Florida grants from the Florida Council Against Sexual Violence (FCASV): 1) Grant Amendment No. 1 to Contract No. 05DOH26 increasing the amount by \$52,814 not-to-exceed \$92,554, for rape counseling services for the period October 1, 2005 to June 30, 2007; and 2) Grant Contract No. 06OAG26 to receive \$43,351 for sexual battery recovery services for the period July 1, 2006 to June 30, 2007;

**B) approve** Budget Amendment of \$ 64,549 in the Public Safety Grant Fund to align the budget to the grant award amount; and

**C) approve** the addition of a 100% grant funded position, Victim Advocate (pay grade 25) to provide sexual battery recovery services.

**SUMMARY:** The BCC authorized, on January 10, 2006 (R2005-0095 and R2005-0096), the County Administrator or his designee to sign future grant contracts with FCASV. FCASV provided these grants to the Division of Victim Services to provide sexual battery recovery services to primary and secondary victims of sexual battery. The victim advocate position will provide sexual battery recovery services. No match is required.

This position will be eliminated when grant funds expire. Countywide (DW)

**AA. PALM TRAN**

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

**A)** Contract Amendment No. 1 for Standard Contract No. IA006-21 (R2006-0404) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA); and

**B)** Budget Amendment of \$13,335.35 in the Palm Tran operating budget to recognize additional funding.

**SUMMARY:** The AAA has acquired additional funding for transportation and is willing to provide Palm Beach County with \$13,335.35 in order to fund 988 additional Palm Tran Connection paratransit trips. The required County match is \$1,334 and is included in Palm Tran's FY 2007 budget. Countywide (DR)

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

**A)** an Assignment of Interest from the Palm Beach Metropolitan Planning Organization (MPO) in a \$2.3 Million Joint Participation Agreement (JPA) (No. 23689319401) with State of Florida Department of Transportation (FDOT) for the development of the Intermodal site; and

**B)** Budget Amendment of \$2,300,000 in Palm Tran's operating budget to recognize the JPA funds.

**SUMMARY:** Palm Beach Metropolitan Planning Organization (MPO) applied for and received an FDOT JPA in the amount of \$2,300,000. The JPA is to be used for the Intermodal facility construction in downtown West Palm Beach. Because Palm Tran is responsible for the property and has been actively working with Palm Beach County Facilities Management on the design of the intermodal facility, the MPO feels that it would be more appropriate for the JPA to be administered by Palm Tran. Countywide (DR)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**AA. PALM TRAN (Cont'd)**

3. **Staff recommends motion to ratify:**

**A)** a Labor-Management Agreement between Palm Tran, Inc. and the Amalgamated

Transit Union (ATU) Local 1577 covering Palm Tran bus operators, mechanics, utility workers and storekeepers for three (3) years becoming effective October 1, 2006; and

**B)** a Letter of Understanding between Palm Tran, Inc., and the ATU establishing an implementation schedule and clarifying other changes to the Labor-Management Agreement.

**SUMMARY:** The collective bargaining negotiating committees for Palm Tran and the ATU, have concluded negotiations and a new Labor-Management Agreement has been formalized. The proposed Agreement incorporating all agreed-upon terms was presented to the bargaining unit, which ratified the new Agreement on October 4, 2006 and is presented for the Board's consideration and ratification. The previous contract expired on September 30, 2006. This Agreement will become effective retroactively to October 1, 2006, through September 30, 2009. The Letter of Understanding establishes a timeline for implementation of some wages and benefits. The first wage increase will be retroactive to the first full pay period in October 2006. Countywide (DR) (Palm Tran)

## **BB. SHERIFF**

1. **Staff recommends motion to receive and file:** an Amendment to the National Institute of Justice "DNA Backlog Reduction Program" Cooperative Agreement to extend the grant period from August 31, 2006 to February 28, 2007. **SUMMARY:** On August 16, 2005, the Board approved an award to the Palm Beach County Sheriff's Office (PBSO) from the National Institute of Justice (NIJ) for the "Forensic Casework DNA Backlog Reduction Program" (R2005-1593) in the amount of \$191,807. Improvement in the sensitivity of Short Tandem Repeat (STR) technology has resulted in more cases being submitted for DNA analysis than would otherwise have been submitted. This has dramatically increased the total number of cases requiring DNA analysis. Florida's crime laboratories have not been able to keep pace with the demand for forensic DNA analysis, creating a significant backlog that is predominantly comprised of "no-suspect" cases. The primary objective of this program is to reduce the backlog of no-suspect cases requiring DNA analysis in State and County crime laboratories. Another goal is to increase Florida's DNA analysis production capability and capacity. DNA testing supports criminal investigations involving the identification or exclusion of putative suspects through the analysis of biological evidence recovered from crime scenes. There is no grant match required, nor or any County funds required. Countywide (DW)
2. **Staff recommends motion to receive and file:** an Amendment to the National Institute of Justice "DNA Capacity Enhancement Program" Cooperative Agreement to extend the grant period from September 30, 2006 to March 31, 2007. **SUMMARY:** On August 15, 2006, the Board approved an award to the Palm Beach County Sheriff's Office (PBSO) from the National Institute of Justice (NIJ) in the amount of \$152,103 for the "DNA Capacity Enhancement Program" (R2006-1505). The objective of this grant is to update the PBSO's DNA Section infrastructure in preparation for: 1) increase in DNA casework; 2) improved efficiency using the 5,000 square feet of newly renovated DNA laboratory space; and 3) a centralized DNA training area. There is no grant match required, nor are any County funds required. Countywide (DW)

**NOVEMBER 21, 2006**

**3. CONSENT AGENDA APPROVAL**

**BB. SHERIFF (Cont'd)**

**3. Staff recommends motion to:**

**A) ratify** the Chairman's signature on the Drug Farm Phase II Enhancement Grant award of \$50,000 for the period July 1, 2006, through June 30, 2007; and

**B) approve** Budget Amendment of \$50,000 increasing the Sheriff's Grant Fund in FY 2006.

**SUMMARY:** The purpose of the program is to assist units of local government to develop and implement residential substance abuse treatment programs in local correctional facilities in which prisoners are incarcerated from a period of time sufficient to permit substance abuse treatment. The Phase II segment of the Sheriff's Drug Farm, in existence since 1990, will benefit from this continued funding by enhancing the treatment parameters to include: Domestic Violence Reduction, Anger and Stress Management, Effective Parenting, and Job Skills Enhancement. The PBSO will exceed the 25% match requirement by providing \$74,434 through its approved operating budget. Countywide (DW)

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**NOVEMBER 21, 2006**

**4. SPECIAL PRESENTATIONS - 10:30 A.M.**

**A.** Proclamation declaring the month of December 2006 as "Joey Bergsma Retinoblastoma Awareness Month" in Palm Beach County (sponsored by Commissioner Greene)

**B.** Proclamation declaring the week of November 19 - 25, 2006 as "Disability Mentoring Week" (sponsored by Commissioner McCarty)

- C. Proclamation declaring the month of November 2006 as "Communities in Schools Awareness Month" in Palm Beach County (sponsored by Commissioner Newell)

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**NOVEMBER 21, 2006**

**5. PUBLIC HEARINGS - 10:30 A.M. (Motion to receive and file: Proof of publication)**

**A. Staff recommends motion to adopt:**

**A)** a Resolution of the Board of County Commissioners of Palm Beach County, Florida declaring an "Extraordinary Circumstance" pursuant to Palm Beach County Code Chapter 13, Article II, Emergency Medical Services, Division I; granting a four (4) year extension of existing emergency medical services Certificates of Public Convenience and Necessity for Medics Ambulance Service, Inc., to December 31, 2011;

**B)** a Resolution of the Board of County Commissioners of Palm Beach County, Florida declaring an "Extraordinary Circumstance" pursuant to Palm Beach County Code Chapter 13, Article II, Emergency Medical Services, Division I; granting a four (4) year extension of existing emergency medical services Certificates of Public Convenience and Necessity for Atlantic/Palm Beach Ambulance, Inc., doing business as American Medical Response to December 31, 2011; and

**C)** a Resolution of the Board of County Commissioners of Palm Beach County, Florida declaring an "Extraordinary Circumstance" pursuant to Palm Beach County Code Chapter 13, Article II, Emergency Medical Services, Division I; modifying the existing ALS Transport Only endorsement on Palm Beach County Fire Rescue's emergency medical services Certificates of Public Convenience and Necessity to provide an ALS Transport endorsement in a portion of their Service Area to allow for all emergency and non-emergency transport services within that designated area as of January 1, 2008.

**SUMMARY:** These resolutions implement, by the extension and modification of the existing ambulance and County Fire Rescue Certificates of Public Convenience and Necessity, a plan proposed by the private ambulance services and Palm Beach County to allow Palm Beach County Fire Rescue to provide all patient transportation services, in a portion of its service area, from the scene of 9-1-1 calls instead of the private ambulance providers. As a result of this proposed plan with the private providers, as of January 1, 2008, County Fire Rescue will be responsible for ALS services and all transport services within a portion of its service area consisting of the Glades area and the northern area of the County from Tequesta to West Palm Beach. In the remainder of the County, County Fire Rescue will continue to be the provider of ALS services and ALS Transport Only services within its service area, and the private providers will continue to be the providers of basic life support transportation. The private ambulance providers are requesting the issuance of a four (4) year extension of their current Certificate of Public Convenience and Necessity (CON) from January 1, 2008 to December 31, 2011.



Countywide (DW)

**POSTPONED FROM OCTOBER 17, 2006**

- B.** **Staff recommends motion to adopt:** a Resolution abandoning a portion of Fairgrounds Road and the unimproved thirty (30) foot wide road, lying in Tract 16, Block 7; a portion of the south twenty-five (25) feet of Tract 9, Block 7, Palm Beach Farms Company Plat 3, recorded in Plat Book 2, Page 45; and, all of Tract R-1, Palms West Industrial Park, recorded in Plat Book 71, Page 75, Public Records of Palm Beach County, Florida. **SUMMARY:** This petition site is located on the east side of Sansbury's Way, 0.25 miles south of Belvedere Road. The petitioner is requesting the abandonment to allow the auto auction to expand their business operations by consolidating numerous parcels. The abandonment ordinance requires consent from all the abutting property owners for public road abandonments. The petitioner was unable to obtain consent from one (1) abutting property owner. This owner was notified by certified mail dated August 28, 2006, and October 2, 2006, of this public hearing date. These notices give them the opportunity to present their comments either in writing or at the public hearing. District 6 (PFK)

**NOVEMBER 21, 2006**

**5. PUBLIC HEARINGS - 10:30 A.M. CONTINUED**

- C.** **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 28 of the Palm Beach County Code (Ordinance 92-15, as amended by Ordinance No. 99-5 and Ordinance 99-40); pertaining to the discharge of firearms and firearm sales in Palm Beach County, Florida; amending Section 28-21 of the Palm Beach County Code (definitions); amending Section 28-23 of the Palm Beach County Code (mandatory waiting period; criminal history records check requirement); providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; and providing for an effective date. **SUMMARY:** On August 15, 2006, the Board of County Commissioners directed the County Attorney's Office to update Chapter 28 of the Palm Beach County Code relating to the sale of firearms at the request of the State Attorney's Office. Minor amendments are necessary as a result of the reorganization of federal firearm regulations and a codification error by the Municipal Code Corporation. The amending ordinance will not result in any substantive changes to the code provisions regulating firearm sales in the County. Countywide (LMB)

- D.** **Staff recommends motion to:**

**A) conduct** a TEFRA public hearing concerning the issuance of \$12,000,000 revenue bonds for the benefit of Palm Beach Day Academy, Inc. and PBDA-Flagler Campus, Inc. (the "Bonds"); and

**B) adopt** a bond resolution authorizing the issuance of the Bonds.



**SUMMARY:** On October 17, 2004, the County approved the application of Palm Beach Day School, Inc. and PBDA-Flagler Campus, Inc. (jointly, the "Company") for the issuance of the Bonds. Bond proceeds will be used to: (i) refund the County's Industrial Development Revenue Bonds (The Palm Beach Day School Project) Series 1999 (the "Refunded Bonds") issued in November 1999 and outstanding in the principal amount of \$8,000,000; (ii) refinance existing debt of the Company in the amount of approximately \$2,000,000; (iii) pay the costs of various capital expenditures at the Palm Beach and West Palm Beach campuses of the Company (the "Project"); and (iv) pay the costs of issuance of the Bonds. Under the Internal Revenue Code, prior to the issuance of the Bonds, the Board is required to conduct a TEFRA public hearing. In order to authorize the Bonds the County is being requested to adopt a bond resolution. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 1 (PFK)

- E. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, enacting historic site designation for one (1) property. **SUMMARY:** The Resolution will authorize the designation of one (1) historic property: a segment of Old Indiantown Road that crosses through Philo Farms Subdivision lots A to T inc/less road right-of-way through lots J, T, I & S (PCN:00-41-40-35-01-024-0010). This property has been recommended for historic site designation by the County's Historic Resources Review Board (HRRB). If designated, this historic resource would be added to the Palm Beach County Register of Historic Places. In addition any alterations, demolition, renovations or other construction activity would require approval of a "Certificate of Appropriateness" and/or a "Certificate to Dig" from the County Archaeologist. District 1 (RB)

**NOVEMBER 21, 2006**

**5. PUBLIC HEARINGS - 10:30 A.M. CONTINUED**

- F. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Unified Land Development Code, Ordinance 03-067, as amended, as relates to an inclusionary workforce housing program, as follows: Article 1 - general provisions; Chapter I - definitions and acronyms; Article 2 - development review process; Chapter F – concurrency (adequate public facility standard); Article 3 - overlays & zoning districts; Chapter E - planned development districts (PDDS); Article 5 - supplementary standards; Chapter G - density bonus programs; Article 7 - landscaping; Chapter F - perimeter buffer landscape requirements; Article 12 - traffic performance standards; Chapter H - affordable housing; providing for interpretation of captions; repeal of laws in conflict; severability; a savings clause; inclusion in the Unified Land Development Code; and an effective date. **SUMMARY:** Palm Beach County Comprehensive Plan Text Amendment Round 2006-01 includes amendments that establish a Mandatory Workforce Housing Program (WHP). The BCC transmittal hearing was held on April 5, 2006, and an adoption hearing was held on August 21, 2006. While an Interim Policy is in effect, additional Unified Land Development Code (ULDC) amendments are needed to formally implement the program while incorporating

additional design related changes needed to address density bonus incentive provisions. ULDC amendments will enable the implementation of the Mandatory Program to coincide with the effective date for the Plan amendments. Key meeting and public hearing dates for these amendments have been incorporated under the title Meetings. Unincorporated (LB)

- G.** Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners providing for an ad valorem tax deferral for certain recreational and commercial working waterfront properties; providing for a title; providing for eligibility criteria; providing for application procedures; providing for deferred payment tax certificates; providing for termination of tax deferral; providing for prepayment of deferred taxes; providing for distribution of payment of deferred taxes; providing for construction; providing for penalties; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions and providing for an effective date. **SUMMARY:** In 2005, the Florida Legislature enacted F.S. 197.303 authorizing counties and municipalities to allow ad valorem tax deferrals for recreational and commercial working waterfronts if the owners are engaging in the operation, rehabilitation, or renovation of such properties. The tax deferral must be authorized by ordinance and would apply only to taxes levied by the government granting the deferral, i.e., the Board of County Commissioners. The deferred taxes would accrue interest at a rate calculated pursuant to Statute, but may not exceed 9.5% per year. The deferrals would not apply to the County's voted debt. On August 15, 2006, the Board directed staff to return with an ordinance to provide for tax deferrals, but to exclude lodging establishments and those working waterfronts located within the boundaries of a CRA. First reading of the ordinance was held on October 3, 2006. Countywide (PFK)

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**RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

**CONVENE AS THE CHILD CARE FACILITIES BOARD**

**NOVEMBER 21, 2006**

**6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD  
PUBLIC HEARING - 10:30 A.M. (Motion to receive and file: Proof of publication)**

- A.** Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Child Care Facilities Board, adopting the Palm Beach County Rules and Regulations governing Family Day Care Facilities: amending Article I and Articles III Through XV; re-numbering and amending Article XV(C) to become Article XVI Field Trips; adding Article XVII Classification of Violations; re-numbering and amending Article XVI to become Article XVIII Enforcement of the Rules and Regulations governing Family Day Care in Palm Beach County; providing short title and applicability; providing for authority; providing for definitions; providing for license procedure and requirements; providing for

exclusions, hearings, denial or revocation of licenses or night time care approval; providing for personnel, staff qualifications and supervision; providing for background and screening requirements; providing for physical facility; providing for medicines, first-aid and emergency medical procedures; providing for communicable disease control; providing for nutrition; providing for daily program and discipline; providing for care for children during nighttime hours; providing for transportation; providing for admission and record keeping; providing for field trips; providing for classification of violations; providing for enforcement; providing for repeal of laws in conflict; providing for inclusion in the Code; providing for severability; providing for a savings clause; and providing for an effective date. **SUMMARY:** The Board of County Commissioners, pursuant to a Special Act of the State of Florida, serves as the Child Care Facilities Board. In this capacity, the Board is required to promulgate rules and regulations as needed to protect the health and safety of persons within Family Day Care facilities. According to the Special Act, the local rules and regulations must meet or exceed the standards established by the State Department of Children & Families. The changes provided for in these Rules and Regulations are for the most part due to the cumulative inclusion of changes in state law, which occurred over the past three (3) years, and to clarify and include language comparable to the Palm Beach County Rules and Regulations governing child care, thereby providing parents in Palm Beach County with a daycare option which best ensures the health, safety and wellbeing of children in care. Countywide (GB)

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## RECESS AS THE CHILD CARE FACILITIES BOARD

## RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

NOVEMBER 21, 2006

### 7. REGULAR AGENDA

#### A. ADMINISTRATION

1. **Staff recommends motion to approve:** limited funding flexibility up to \$200K per year/per District reducing District Infrastructure funds (gas tax) and increasing Recreation Assistance Program District funds (RAP). **SUMMARY:** The Board has allocated \$1M District Infrastructure and \$200K RAP per District. There has recently been some Board interest in having some flexibility to supplement RAP and reduce Infrastructure funds if a Commissioner thinks that recreation projects require a greater allocation and priority than regular funding allows in their District. It is recommended that the Board consider allowing transfer of up to \$200K per year subject to annual budget allocation. This would have no effect on the overall County budget. If approved, staff would use general fund revenues to supplement the RAP Program and use the equivalent gas taxes to fund road maintenance expenses in the County Transportation Trust Fund. Countywide (PFK)

## B. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution approving the issuance of revenue bonds in an amount not-to-exceed \$50,000,000 (the "Bonds") by the Palm Beach County Health Facilities Authority (the "Authority"). **SUMMARY:** The proceeds of the bonds will be used by the Authority to make a loan to ACTS Retirement-Life Communities, Inc., formerly known as Adult Communities Total Services, Inc., ("ACTS") to acquire, construct and improve certain property for and improvements to the existing health care facilities of ACTS and to refinance debt incurred for such purposes. Approval of the Authority's issuance of the Bonds by the Board is required by the Internal Revenue Code, however, adoption of this resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay principal or redemption premiums, if any, or interest on the Bonds.** District 5 (PFK)

## C. ENGINEERING

1. **Staff recommends motion to approve:** a reimbursement in the amount of \$88,010 to Catalfumo Construction and Development (Catalfumo) for construction of a westbound right turn lane on RCA Boulevard at State Road 811/Alternate A-I-A (SR 811). **SUMMARY:** RCA Boulevard is currently being widened by Catalfumo. The County requested that Catalfumo include the construction of a westbound right turn lane on RCA Boulevard at SR 811. This authorization would provide for the reimbursement of certain costs associated with the construction of the turn lane. District 1 (MRE)

NOVEMBER 21, 2006

## 7. REGULAR AGENDA

### D. FIRE RESCUE

1. **Staff recommends motion to approve:** the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc., Battalion Chiefs' Supervisory Unit, for the period October 1, 2006, through September 30, 2009. **SUMMARY:** This Agreement was ratified by the Union membership and has a three (3) year cumulative fiscal impact of \$554,400. Countywide (SB)
2. **Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 19, 2006, at 9:30a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 13, Article II, Division 3 of the Palm Beach County Code, known as the "Palm Beach County Fire

Rescue Emergency Transport Fee Ordinance”; providing for an increase in emergency transport fees; 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:** The proposed ordinance amendment provides for an increase in the emergency transport fee schedule as follows:

<b>Effective Date</b>	<b>Basic Life Support (BLS)</b>	<b>Advanced Life Support-1 (ALS1)</b>	<b>Advanced Life Support-2 (ALS2)</b>	<b>Mileage</b>
January 1, 2007	\$450.00	\$450.00	\$610.00	\$ 8.00
January 1, 2008	\$470.00	\$470.00	\$630.00	\$ 8.50
January 1, 2009	\$490.00	\$490.00	\$650.00	\$ 9.00
January 1, 2010	\$510.00	\$510.00	\$670.00	\$ 9.50
January 1, 2011	\$530.00	\$530.00	\$690.00	\$10.00

Establishing these new rates will ensure that Fire Rescue continues to receive the Medicare maximum allowance for ground transportation services. These fees were last increased on April 1, 2004. The proposed rates are also comparable to other billing agencies within the County. Countywide (SGB)

**NOVEMBER 21, 2006**

**7. REGULAR AGENDA**

**E. HOUSING & COMMUNITY DEVELOPMENT**

1. **Staff recommends motion to approve:** the Assumption and Consent Agreements executed by Marina Clinton Associates, Ltd., Trust Lake Park, Ltd. and Trust Lake Park Two, Ltd. **SUMMARY:** The entities referenced above are selling their general partnership interest in Marina Bay Apartments and Venetian Isles to Shelter Corporation and Community Housing Corporation of America; who agreed to honor all obligations of the loan agreements. Both projects will be monitored annually by Florida Housing Finance Corporation and Palm Beach County’s Commission on Affordable Housing to ensure the projects remain in compliance with State and County loan conditions. Countywide (TKF)

**F. INTERNAL AUDITOR**

1. **Staff recommends motion to ratify:** the County Internal Auditor’s signature on an agreement with Cass, Levy and Leone, L.C. to provide fraud examination services relative to Discover Palm Beach County at an estimated cost of \$15,000 to \$20,000. **SUMMARY:** After an alleged fraud was discovered at Discover Palm Beach County, the County Internal Auditor was tasked with leading an investigation into the fraud. The accounting firm of Cass, Levy and Leone was selected to perform the fraud investigation based on recommendations from the law firm of Carlton Fields and on reference checks

with three (3) local attorneys. Countywide (PFK)

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

1. **Staff recommends motion to adopt:** a Resolution authorizing the negotiated sale of \$ Public Improvement Revenue Bonds, Series 2006 (Parking Facilities Expansion Project); awarding the sale thereof to Jackson Securities, LLC, Citigroup Global Markets Inc., and Loop Capital Markets, LLC, subject to the terms and conditions of a bond purchase agreement; authorizing the execution and distribution of a final official statement in connection with the delivery of the Series 2006 Bonds; appointing a registrar and paying agent; authorizing the purchase of bond insurance; authorizing funding a reserve by purchase of a surety bond and authorizing execution of a financial guaranty agreement in connection therewith and providing an effective date. **SUMMARY:** On October 24, 2006, the Board approved a Resolution authorizing the issuance of not exceeding \$16 Million principal amount of Public Improvement Revenue Bonds, Series 2006 (Parking Facilities Expansion Project). On Monday, November 20, 2006, the underwriters marketed the bonds and are presenting the bond purchase agreement to the Board today for approval. Countywide (PFK)

\* \* \* \* \*

**NOVEMBER 21, 2006**

**8. BOARD APPOINTMENTS**

**A. WORKFORCE ALLIANCE  
(Workforce Alliance)**

1. **Staff recommends motion to approve:** appointment of two (2) new members - Charles Rutherford from December 1, 2006, through January 31, 2007 with an additional period of January 2007 to January 2010 and Troy McLellan from December 1, 2006, through January 31, 2008 as follows:

<b>Nominee/ New Appointment</b>	<b>Seat No.</b>	<b>Term</b>	<b>Area of Representation</b>	<b>Position/Employer</b>	<b>Nominated By</b>
Charles Rutherford	34	12/1/06 Through 1/31/2010	Private Sector- Economic Development	MD Rutherford Mulhall, P.A.	Palm Beach County Business Development Board
Troy McLellan	23	12/1/06 Through 1/31/08	Private Sector- Economic Development	President, Greater Boca Chamber of Commerce	Greater Boca Chamber of Commerce

**SUMMARY:** The membership of Workforce Alliance, Inc. (Alliance) conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce



Innovation Act of 2000. The Workforce Investment Act of 1998 requests that an emphasis be placed on CEO's or highest level of management positions for both community and business sector appointments. Countywide (TKF)

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

1. Staff recommends motion to approve:

**A)** appointment of two (2) members; and

**B)** reappointment of three (3) members to the Construction Industry Licensing Board (CILB) for a three (3) year term:

**Appoint****Seat No.****Requirement**

Bruce A. Malasky	6	Residential Contractor
Harry Rosen	13	Consumer Member

**Reappoint****Seat No.****Requirement**

Steven C. Smyth	1	HARV Contractor
John A. Lowen	2	Electrical Contractor
Lee P. Feely	14	Consumer Member

**SUMMARY:** Mr. Bruce A. Malasky has been recommended as a new appointee to replace Edward Cury Seat No. 6, who is not eligible for another term on the CILB, by his respective organization. Mr. Harry Rosen has been recommended as a new appointee to replace Mal Behl Seat No. 13, who is not eligible for another term. The Palm Beach County Construction Industry Management Council recommends the following individuals: Mr. Steven C. Smith and Mr. John A. Lowen for a second term. Mr. Lee P. Feely has indicated a willingness to continue for another term. The nominations represent seats for the Residential Contractor, HARV Contractor and the Electrical Contractor and two (2) consumer members as so cited in the Special Act establishing the Construction Industry Licensing Board. Countywide (GB)

**NOVEMBER 21, 2006**

**8. BOARD APPOINTMENTS**

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

2. Staff recommends motion to approve: the reappointment of the following named individual to the Construction Board of Adjustment and Appeals (CBAA) for a three (3) year term from November 21, 2006 to November 21, 2009.



**NomineeSeat No.Requirement**

Arnold Rich 8Public

**SUMMARY:** The nomination represents the alternate member at-large from the public as required by the Palm Beach County Ordinance 2002-005, as amended, Palm Beach County amendments to the Florida Building Code, 2004 Edition. Countywide (DW)

**C. COMMISSION DISTRICT APPOINTMENTS**

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**NOVEMBER 21, 2006**

**9. MATTERS BY THE PUBLIC - 2:00 P.M.**

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**NOVEMBER 21, 2006**

**10. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**NOVEMBER 21, 2006**

**11. COMMISSIONER COMMENTS**

**A.District 1 - COMMISSIONER KAREN T. MARCUS**

**B.District 2 - COMMISSIONER JEFF KOONS**

**C.District 3 - COMMISSIONER WARREN H. NEWELL**

**D.District 4 - COMMISSIONER MARY MCCARTY**

**E.District 5 - COMMISSIONER BURT AARONSON**

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

**G. District 7 - COMMISSIONER ADDIE L. GREENE**

**12. 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."

November 21, 2006 - 9:30a.m.  
**Final Agenda**

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**NOVEMBER 21, 2006**

**PAGE      ITEM**

15            3C-6            **REVISED TITLE & SUMMARY: Staff recommends motion to approve:**

**A)** a \$16,606,553.50 Contract with J.W. Cheatham, LLC, the lowest responsive, responsible bidder, for the construction of Persimmon Boulevard South Extension from 110<sup>th</sup> Avenue North to Okeechobee Boulevard (Project); and

**B)** A Budget Transfer of \$15,000,000 in the Transportation Improvement Fund from Road Program Reserves - Fiscal Year 2004 to Persimmon Boulevard South Extension from 110th Avenue to Okeechobee Boulevard.

**SUMMARY:** This Contract will provide all the work necessary to construct the Project. The Small Business Enterprise (SBE) goal for the Project is 15% overall. The SBE participation committed for the project by JWC is 15%. District 6 (MRE)

15            3C-7            **REVISED TITLE: Staff recommends motion to approve:**

**A)** a \$605,620.20 Contract with Rosso Paving & Drainage, Inc., the lowest responsive, responsible bidder, for the construction of Okeechobee Boulevard and Crestwood Boulevard Intersection improvements (Project); and

**B)** a Budget Amendment of \$3,160 in the Road Impact Fee Fund - Zone 3 to recognize a utility reimbursement from BellSouth Telecommunications, Inc. and appropriate it to Okeechobee Boulevard and Crestwood Boulevard Intersection improvements.

- 15                    3C-9/7C-2\*    **DELETED: Staff recommends motion to:**
- A)** accept a Right-of-Way Warranty Deed; and
- B) approve** payment of \$1,500,000 for Warranty Deed Parcels 100 and 165. (Further staff review) (Engineering)
- 23                    3C-45            **DELETED: Staff recommends motion to approve: A)** a Budget Transfer of \$150,000 in the Transportation Improvement Fund.. (Further staff review) (Egineering)
- 24                    3E-1            **REVISED SUMMARY:** This Amendment provides for the continuation of a part-time Meal Site Manager at the Jewish Community Center of the Greater Palm Beaches, Inc. site located at 3151 N. Military Trail, West Palm Beach, for the period of ~~January 1, 2007, through December 30, 2007~~ January 2, 2007 through December 31, 2007....
- 24                    3E-2            **REVISED SUMMARY:** This Amendment is the first of up to three (3) renewable one (1) year terms that will allow Bull Nutrition Services, Inc. to continue to provide licensed registered dietitian services as required to insure compliance with the Older American's Act in the delivery of meals for the period of ~~January 1, 2007, through December 30, 2007~~ January 2, 2007 through December 31, 2007. The Amendment also updates the required State certifications regarding lobbying, ~~disbarment~~ debarment, and auditing....
- 32                    3G-5            **REVISED TITLE & SUMMARY: Staff recommends motion to adopt:** a Resolution amending and restating in its entirety Resolution No. R2006-1044 adopted on June 6, 2006, authorizing the negotiated sale of Public Improvement Revenue Bond Anticipation Notes (Biomedical Research Park Project), Series 2006 (BANS) in the aggregate principal amount of ~~\$16,300,600~~ \$16,322,600 for the purpose of providing interim financing for payment of the cost of acquisition of certain lands, together with related mineral rights, comprising a portion of what is known as the "Briger Tract" ... **SUMMARY:** On June 6, 2006, the Board adopted a Resolution authorizing the negotiated sale of Public Improvement Revenue Bond Anticipation Notes (Biomedical Research Park Project), Series 2006 in the aggregate principal amount of \$16,040,600, including closing costs of the BANS. The Resolution is being amended to include the additional costs of acquiring mineral rights, \$210,000 and real estate closing costs, ~~\$50,000~~ \$72,000. The closing for the BANS will be on November 22, 2006, prior to the closing on the property. Countywide (PFK)
- 62                    3AA-2            **DELETED: Staff recommends motion to approve: A)** an Assignment of Interest from the Palm Beach Metropolitan Planning Organization (MPO) in a \$2.3 Million Joint Participation Agreement (JPA) (No. 23689319401) with State of Florida Department of Transportation (FDOT) for the development of the Intermodal site; and... (Further staff review, moved to December 5, 2006) (Palm Tran)
- 72                    7G-1            **REVISED TITLE & SUMMARY: Staff recommends motion to adopt: a**

Resolution authorizing the negotiated sale of \$14,685,000 Public Improvement Revenue Bonds, Series 2006 (Parking Facilities Expansion Project); awarding the sale thereof to Jackson Securities, LLC, Citigroup Global Markets Inc., and Loop Capital Markets, LLC, .... **SUMMARY:** On October 24, 2006, the Board approved a Resolution authorizing the issuance of not exceeding \$16 Million principal amount of Public Improvement Revenue Bonds, Series 2006 (Parking Facilities Expansion Project). On Monday, November 20, 2006, the underwriters marketed the bonds and are presenting the bond purchase agreement to the Board today for approval. The true interest costs for the bonds is 4.31% and the cost of issuance is \$246,966.

72

7H-1

**ADD-ON: Staff recommends motion to approve:** a First Amendment to the Grant Agreement with The Scripps Research Institute dated May 23, 2006, to provide for the potential reimbursement of additional costs associated with the relocation of existing Florida Power and Light transmission and distribution lines. **SUMMARY:** On November 13, 2006, The Scripps Research Institute accepted the Guaranteed Maximum Price contract with The Weitz Corporation in the amount of \$157,932,268, which is the price established in the Grant Agreement, subject to closing on the Briger Site and removal of certain parking easements on the FAU Site. It is anticipated that both conditions will be satisfied by November 22, 2006. Scripps has not requested any additional funds from the County to construct the permanent facilities. Additionally, Scripps has indicated that it does not intend to request any additional funds associated with construction soft costs (\$24,421,398), costs to obtain the GMP (\$780,000), preliminary site work costs (\$1,257,291) or Florida Power and Light engineering costs (\$30,000). The Grant Agreement established an estimate of \$1,500,000 (not included in the GMP) for the relocation of the existing FPL transmission and distribution lines to facilitate construction of Scripps permanent facilities on the John D. McArthur Campus of Florida Atlantic University in Jupiter. On September 19, 2006, the Board of County Commissioners approved an additional \$831,000 for the relocation of the existing FPL facilities bringing the total cost required to be reimbursed by the County to \$2,331,000. Scripps has entered into a Relocation Agreement with FPL, based on actual bid results, which establishes an estimated maximum construction amount provided that there is no change in FPL's scope of work or schedule, no unusual field conditions are encountered and no unforeseen circumstances occur. This Amendment would require the County to pay all costs incurred by Scripps for the relocation of the FPL transmission and distribution lines, which may exceed \$2,331,000. FPL has commenced its relocation work on October 20, 2006, and is expected to complete on May 2, 2007. (Scripps Program) Countywide (LMB)

72

7H-2

**ADD-ON: Staff recommends motion to:**

**A) approve** an Agreement for Purchase and Sale with Sorel L. Bergman and Harriet E. Zelenka, Co-Trustees, for oil and mineral rights on the 70 acre Briger parcel in the amount of \$210,000; and

**B) direct** staff to close upon acquisition of the Briger parcel simultaneously with closing upon the oil and mineral rights and ratify and confirm the Agreement for

Donation and Purchase and Sale with the Lester Family Investments L.P. (R2006-0423), as amended.

**SUMMARY:** On February 28, 2006, the Board of County Commissioners approved an Agreement for Donation and Purchase and Sale with the Lester Family Investments L.P. (R2006-0423) for the acquisition of 70 acres of property known as the Briger parcel for the Scripps Research Institute Phase II facilities, as amended by an Amendment to Agreement (R2006-0903) approved by the Board May 16, 2006 (the "Agreement"). The Agreement gave the County ninety (90) days within which to perform due diligence on the property and stated that the sale will be as-is. During the due diligence period, staff learned that a third party, Sorel L. Bergman and Harriet E. Zelenka, as Co-Trustees, owned a 25% oil and mineral rights interest in the property and the Lester Family Investments, L.P. owned a 75% interest. The Lester Family will convey their oil and mineral rights interest to the County at closing. The remaining 25% interest needs to be acquired to provide clear title to the property to Scripps. (Scripps Program) Countywide (HJF)

72

7H-3

**ADD-ON: Staff recommends motion to approve:** Fourth Amendment to the Declaration of Easements (R1996-877D) for Off-Site Parking with Jupiter Stadium, Ltd and Aeries Land Acquisition, LLC. **SUMMARY:** On May 2, 2006 (R2006-0803), the Board of County Commissioners approved the new Grant Agreement with The Scripps Research Institute establishing their permanent facilities on a 30 acre parcel located on the John D. McArthur Campus of Florida Atlantic University. A condition precedent to the Agreement, requires all due diligence matters relating to the FAU site to be resolved prior to commencement of vertical construction. During the due diligence period, it was discovered that a parking easement for parking for the Jupiter Stadium was located within the Scripps' 30 acres. These amendments provide for the relocation of the parking easement outside Scripps' 30 acres, but still on FAU's property. (Scripps Program) Countywide (HJF)

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