

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MAY 6, 2014

<u>PAGE</u>	<u>ITEM</u>	
11	3E-3	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: five Contracts for Provision of Ryan White Part A HIV Health Support Services with listed provider agencies for the period March 1, 2014, through February 28, 2015, totaling \$5,316,695, for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief:(Community Services)
42	4G-1	<u>ADD-ON & WAITING FOR BACKUP:</u> Staff recommends motion to approve: Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (AAF), for a period not to exceed June 30, 2015, in an amount of \$26,431, for emergency financial assistance to families at risk of homelessness. SUMMARY: In 2013, the Florida Legislature created the Homeless Prevention Grant program to provide emergency financial assistance to families facing the loss of their housing due to a financial crisis. In accordance with Section 420.624, Florida Statutes, the grant application must be submitted by the lead agency for the Continuum of Care. The Division of Human Services serves in this capacity for Palm Beach County. The funding is sub-contracted with AAF to provide financial assistance such as rental and utility assistance for 12 families. On April 1, 2014, the BCC delegated signature authority to the County Administrator to sign the contract for this grant award; however, subsequently The Florida Department of Children and Families (DCF) changed the contract number, grant award amount and grant ending date. All funds must be expended no later than June 30, 2014. A report is due to DCF providing one-year follow up. DCF is requiring the grant be in force through the end of the reporting period. No County match funds are required. (Human Services) <u>Countywide</u> (TKF) (Community Services)

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

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

MAY 6, 2014

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

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL/SPECIAL PRESENTATIONS

- A. Additions, Deletions, Substitutions
- B. Adoption
- C. Special Presentations (Page 7)

3. CONSENT AGENDA (Pages 8 - 37)

4. REGULAR AGENDA (Pages 38 - 42)

TIME CERTAIN 10:30 A.M. (Comprehensive Annual Financial Report Presentation) (Page 40)

5. BOARD APPOINTMENTS (Page 43)

6. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 44)

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- 2C-3 25th Anniversary of the Westgate/Belvedere Homes CRA
- 2C-4 Juror Appreciation Month
- 2C-5 Water Reuse Week
- 2C-6 National Travel and Tourism Week
- 2C-7 Building Safety Month
- 2C-8 Emergency Medical Services Week
- 2C-9 International Internal Audit Awareness Month
- 2C-10 Palm Beach County Small Business Week
- 2C-11 National Missing Children’s Day
- 2C-12 A Day of Giving
- 2C-13 National Transit Action Month

CONSENT AGENDA

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B. CLERK & COMPTROLLER

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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- 3C-4 Supplement No. 9 with K-F Group, Inc. for design plans and construction bid documents relating to 60th Street
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D. COUNTY ATTORNEY

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2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Presentation by Florida Power & Light to Palm Beach County Water Utilities under the energy conservation program
2. Proclamation declaring May 2014 as “Teen Pregnancy Prevention Month” in Palm Beach County. (Sponsored by Commissioner Valeche)
3. Proclamation declaring May 2014 as the “25th Anniversary of the Westgate/Belvedere Homes Community Redevelopment Agency” in Palm Beach County. (Sponsored by Commissioner Burdick)
4. Proclamation declaring May 2014 as “Juror Appreciation Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
5. Proclamation declaring May 18 – 24, 2014 as “Water Reuse Week” in Palm Beach County. (Sponsored by Commissioner Berger)
6. Proclamation declaring May 3 – 11, 2014 as “National Travel and Tourism Week” in Palm Beach County. (Sponsored by Mayor Taylor)
7. Proclamation declaring May 2014 as “Building Safety Month” in Palm Beach County. (Sponsored by Commissioner Valeche)
8. Proclamation declaring May 18 – 24, 2014 as “Emergency Medical Services Week” in Palm Beach County. (Sponsored by Commissioner Burdick)
9. Proclamation declaring May 2014 as “International Internal Audit Awareness Month” in Palm Beach County. (Sponsored by Mayor Taylor)
10. Proclamation declaring May 12 – 16, 2014 as “Palm Beach County Small Business Week.” (Sponsored by Commissioner Berger)
11. Proclamation declaring May 25, 2014 as “National Missing Children’s Day” in Palm Beach County. (Sponsored by Commissioner Santamaria)

12. Proclamation declaring May 6, 2014 as "A Day of Giving" in Palm Beach County. (Sponsored by Commissioner Vana)
13. Proclamation declaring May 2014 as "National Transit Action Month" in Palm Beach County. (Sponsored by Commissioner Vana)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

Meeting Type	Meeting Date
Workshop	February 25, 2014
Zoning	February 27, 2014
Environmental Control Board	March 11, 2014
Regular	March 11, 2014
Workshop	March 25, 2014

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 November 2013. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **DELETED**
2. **Staff recommends motion to approve:** a Contract with Green Construction Technologies, Inc. (Green), in the amount of \$248,398, for the construction of Loxahatchee River Road gravity wall repairs (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County to issue a notice to proceed to Green, a Broward County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15% overall. The SBE participation proposed for the Project by Green is 1.61%. None of the other bidders met the SBE 15% goal. District 1 (MRE)

3. **CONSENT AGENDA APPROVAL**

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

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

A) Work Order No. 2013052-018 (Work Order), in the amount of \$486,000, to mill and resurface Browns Farm Road from approximately four miles south of County Road 880 to approximately eight miles south of County Road 880 (Improvements) utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2013-0235 with Community Asphalt Corp.; and

B) a Budget Transfer of \$520,000 in the Transportation Improvement Fund from Reserves to the Improvements.

SUMMARY: Approval of this Work Order will allow the contractual services necessary to construct the Improvements. Approval of the Budget Transfer will allow funding in the Transportation Improvement Fund through the "Glades Area Roads Repair/Reconstruction" account. Per County PPM CW-F-050, this Work Order exceeds the threshold relating to staff approvals of contracts, thus requiring the Board of County Commissioners' approval. District 6 (MRE)

4. **Staff recommends motion to receive and file:** Supplement No. 9 to project agreement dated August 16, 2005, R2005-1455, with K-F Group, Inc. (KFG), in a total amount of \$95,442.88, for professional services for the preparation of design plans and construction bid documents for 60th Street from west of Royal Palm Beach Boulevard to State Road 7 Extension project. **SUMMARY:** Filing of this Supplement No. 9 will provide notification to the Board of County Commissioners, required under PPM CW-F-050 that the cumulative value of the additional services exceeds \$250,000. Supplement No. 9, with a total amount of \$95,442.88, resulted in a cumulative value of \$338,400.91, for approved additional services. KFG is under contract as Palm Beach County's project consultant. District 6 (MRE)

5. **Staff recommends motion to adopt:** a Resolution to vacate a portion of a three foot wide utility easement along the north line of Lot 1 of the plat of Okeechobee Garden Estates, as recorded in Plat Book 23, Page 181, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this resolution will allow the petitioner to vacate a portion of the easement to allow for redevelopment of the site. The petition site is located east of Military Trail, on the north side of Okeechobee Boulevard. District 7 (MRE)

D. **COUNTY ATTORNEY**

1. **Staff recommends motion to approve:** Amendment No. 4 to the Agreement (R2010-1324) with the law firm of Edwards Wildman Palmer LLP (formerly known as Edwards Angell Palmer & Dodge LLP) (Attorney), to provide bond counsel and related legal services for the Palm Beach County, Florida Public Improvement Revenue Bonds (Palm Tran Project), Series 2014. **SUMMARY:** The Attorney was selected as bond counsel for the above financing by the County Financing Committee at the March 24, 2014 meeting. This Amendment No. 4 confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the Attorney. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to ratify:** signature of the Mayor on the Florida Department of Education Project Application for the period July 1, 2014, through June 30, 2015, in an amount not to exceed \$224,853, for the Farmworker Jobs & Education Program under Title I of the Workforce Investment Act. **SUMMARY:** The Farmworker Jobs & Education Program is funded by the Florida Department of Education to provide academic education and vocational training to farm workers and their dependents to help participants obtain permanent employment outside of farm work. Funding for Program Year 2014-2015 will provide enrollment and training services for 97 participants. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular agenda process and meet the submission deadline of April 15, 2014. No required match. Additional County funds of \$5,052 are available in the 2014 budget. (Farmworker Jobs & Education Program) Countywide (TKF)

2. **Staff recommends motion to receive and file:** Sponsorship Agreement providing support to the Mental Health Association of Palm Beach County, Inc., for the period March 7, 2014, through August 1, 2014, in an amount not to exceed \$3,000. **SUMMARY:** The Sponsorship Agreement will assist the Mental Health Association of Palm Beach County, Inc., a non-profit community organization in convening a series of public discussions and a half-day conference focusing on an important community mental health issue. County funds will help defray the estimated total cost for the program. In exchange for the sponsorship, the County has been recognized in promotional materials and be recognized at the events. More importantly, the County benefits from increased public awareness of mental health issues and has been able to apply information gathered in the sessions to needs considerations that are part of the Financially Assisted Agencies 2014 Mental Health Services Request for Proposals (RFP) development. This sponsorship agreement is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's Office to note and receive this item. This Agreement was executed by delegated authority. On February 4, 2014, the Board of County Commissioners authorized the County Administrator to execute a sponsorship agreement for this purpose. Countywide (TKF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** five Contracts for Provision of Ryan White Part A HIV Health Support Services with listed provider agencies for the period March 1, 2014, through February 28, 2015, totaling \$5,316,695, for Ryan White Part A Treatment Extension Act of 2009 HIV Emergency Relief:

A) Compass, Inc.	\$ 549,117
B) FoundCare, Inc.	\$3,524,449

C) Health Care District of Palm Beach County	\$ 444,031
D) Legal Aid Society of Palm Beach County, Inc.	\$ 289,245
E) Treasure Coast Health Council, Inc. d/b/a Health Council of SE FL	\$ <u>509,853</u>
Total	\$5,316,695

SUMMARY: A notice of grant award was received on January 23, 2014, from the Health and Human Services Health Resources Services Administration (HRSA), issuing a partial award in the amount of \$2,294,338 in Formula and Minority AIDS Initiative (MAI) funding. An additional grant award will be issued at a later date. These contracts are being funded based on level funding from the prior grant year. The contracts will be amended and the budget will be aligned once the final notice of award has been received. These agencies are selected and recommended for contracting through the Request for Proposal (RFP) process. These contracts cover services for HIV affected clients which includes medical case management, medical care, pharmacy oral health care, and substance abuse treatment. These contracts represent a modified reimbursement methodology to track actual cost of service instead of units delivered. The change is in response to a HRSA site visit report resulting in increased scrutiny and oversight of program and administrative expenses. Employees Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc., Marsharee Chronicle of Compass, Inc., Julie Graham of Treasure Coast Health Council, Inc., and Lavan Harper and Quinton Dames of FoundCare, Inc. serve on a County Advisory Board, the HIV CARE Council. Employee Mickale Linton of Legal Aid Society of Palm Beach County, Inc. serves on a County Advisory Board, the Head Start-Early Head Start Policy Council. These Boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agency contracts listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. No County funds are required. (Ryan White) Countywide (TKF)

4. **Staff recommends motion to approve:** appointment of the following individuals to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of three years beginning May 6, 2014:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
28	Kelly Martes	State Medicaid Agency	05/05/2017
17	Randall Rich	Affected Communities	05/05/2017

SUMMARY: The total membership shall be no more than 33 members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These appointments successfully completed the HIV CARE Council nominations process, and the HIV CARE Council has recommended their appointment. (Ryan White) Countywide (TKF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **DELETED**

6. **Staff recommends motion to adopt:** a Resolution repealing and replacing Resolution 2009-1549 establishing the Community Action Advisory Board. **SUMMARY:** A modified Resolution is necessary to clarify the process for nominating and selecting members to serve on the Community Action Advisory Board and to update various standard provisions in accordance with County advisory board policy. Public sector members are appointed by the Board of County Commissioners, low income sector members will be selected by a democratic process and the Advisory Board will recommend individuals to fill the seats for the private sector. All nominations shall be approved by the Board of County Commissioners and shall serve at the pleasure of the Board. (Community Action) Countywide (TKF)

F. AIRPORTS

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

A) Amendment No. 1 to the Construction Manager (CM) at Risk Contract with The Weitz Company, LLC for CM at Risk Services for terminal improvements at Palm Beach International Airport (PBIA) in the amount of \$2,097,138 and 185 calendar days for Terminal Restroom Renovations Phase 1 at PBIA; and

B) a Budget Transfer of \$254,153 in the Airport Improvement and Development Fund to provide budget for the Contract, plus an additional 10% for permit and inspection fees, and unforeseen renovations. This includes a transfer from Reserves of \$254,153.

SUMMARY: The CM at Risk Contract with The Weitz Company, LLC for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0664). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Weitz Company, LLC is an Iowa based firm; however, the work will be directly managed by their local South Florida office in Palm Beach County. Approval of Amendment No. 1 in the amount of \$2,097,138 and 185 calendar days will provide funds to complete Task W-1: Terminal Restroom Renovations Phase 1 at PBIA. This task authorization includes interior renovations to seven restrooms in the Terminal and Concourses. Passenger Facility Charge (PFC) funding of \$2,087,526 is being utilized to fund this project. The Disadvantaged Business Enterprise (DBE) goal for this contract was established at 13%. The total anticipated DBE participation for this project is 13.29%. Countywide (JCM)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. **Staff recommends motion to approve:** First Amendment to Fixed Based Operator Lease Agreement (Amendment) with Galaxy Aviation of Lantana, Inc. (Galaxy), modifying insurance provisions and updating non-discrimination language. **SUMMARY:** Galaxy provides fixed based operator services at the Palm Beach County Park Airport (Lantana Airport) pursuant to the Fixed Base Operator Lease Agreement dated December 17, 2013 (R2013-1795) (Lease). Galaxy is a Florida corporation with its principal place of business in Boca Raton, Florida. The Lease provides for the lease of the general aviation facilities located at the Lantana Airport, including the terminal building and aircraft hangars. This Amendment provides the option to

allow the County to continue to insure the buildings and improvements located at the Lantana Airport under the County's property, windstorm and flood insurance policy for up to three years after which Galaxy will be required to obtain separate coverage. Galaxy will reimburse the County for any increased insurance costs, if any, associated with the coverage. This Amendment also updates standard non-discrimination language. Countywide (HJF)

3. **Staff recommends motion to approve:** a Short Term Lease Agreement (Lease) with Enterprise Leasing Company of Florida, LLC, d/b/a National Car Rental, a Delaware limited liability company, (Enterprise) for the lease of a rental car facility located at the Palm Beach International Airport (Airport) commencing upon approval of the Lease, and expiring on December 31, 2014, with one automatic renewal for one month, resulting in net rental revenues of approximately \$30,293 over the initial term of the Lease. **SUMMARY:** This Lease provides for the short term lease of a vacant rental car facility located at 2401 Turnage Boulevard at the Airport. Enterprise is in the process of redeveloping its existing rental car facility, which will result in a disruption of its rental car operations. Enterprise has requested the short term lease of a rental car facility located on the Airport; however, it is in need of substantial refurbishment due the fact it has been vacant for a number of years. Rental for the initial term of the Lease is \$130,293. Enterprise has requested rental credit in an amount not to exceed \$100,000 toward the refurbishment and improvement of the facility. Approval of this item will result in the refurbishment of a vacant on-Airport rental car facility, which will make the site more desirable to future tenants as well as generate additional lease revenue to the County. Countywide (HJF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to:**

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida: (I) authorizing the issuance of not exceeding \$18,000,000 in original aggregate principal amount of its Public Improvement Revenue Bonds (Palm Tran project), Series 2014 for the purpose of financing or refinancing the cost of certain transportation equipment for the County's Palm Tran paratransit transportation service, and paying certain costs related thereto; (II) providing for the terms and payment of such series 2014 bonds; (III) providing for the rights, security and remedies of the holder thereof; (IV) making certain covenants and agreements in connection therewith; (V) delegating authority to proper officials of the County, in consultation with the County's financial advisor, to select a qualified financial institution pursuant to a competitive proposal process to purchase the series 2014 bonds and to award the sale of the series 2014 bonds to such purchaser, subject to certain parameters and other matters set forth in this resolution; (VI) authorizing the execution and delivery of a covenant agreement with the purchaser of the series 2014 bonds to set forth additional covenants of the county and matters relating to the series 2014 bonds as may be required by the purchaser; (VII) authorizing the proper officials of the county to do all other things deemed necessary or advisable in connection with the issuance of the series 2014 bonds; (VIII) providing for certain other matters in connection therewith; declaring the County's official intent to seek reimbursement for certain capital expenditures made with respect to the acquisition of all or a portion of the transportation equipment for the County's Palm Tran paratransit transportation service; and providing for an effective date;

B) approve Budget Amendment of \$17,845,000 in the \$17.9M Revenue Bonds, Series 2014

Palm Tran Connection Equipment Capital Fund to budget bond proceeds and costs of issuance;

C) approve Budget Amendment of \$78,562 in the \$17.9M Revenue Bonds, Series 2014 Palm Tran Connection Equipment Debt Service Fund to budget interest expense and a transfer from the General Fund; and

D) approve Budget Transfer of \$78,562 in the General Fund from General Government to establish an interfund transfer to the \$17.9M Revenue Bonds, Series 2014 Palm Tran Connection Equipment Debt Service Fund for interest expense.

SUMMARY: On January 28, 2014, the Board directed staff to purchase vehicles for Palm Tran Connection for use by three future private providers. The cost to purchase the required vehicles is \$17,767,000. The County Financing Committee met on March 24, 2014, and approved this issuance to be competitively bid as a direct bank placement as recommended by the County's Financial Advisor. The Board approved Edwards Wildman Palmer LLP as Bond Counsel for this financing. As it is a direct bank placement, Disclosure Counsel is not needed. This issue is a covenant to budget and appropriate with an estimated annual debt service payment of approximately \$3,800,000 per year, for five years. The first full debt service payment will be budgeted in FY 2015 with an interest only payment in FY 2014 of approximately \$79,000. Countywide (PFK)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** the appointment/reappointment of the following nominees to the Impact Fee Appeals Board for the three year term May 6, 2014, through May 5, 2017:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Reappoint Michael Haygood	1	Attorney	Mayor Taylor Vice Mayor Burdick Commissioner Valeche Commissioner Abrams
Appoint Charles Millar	3	General Public	Commissioner Valeche
Reappoint Richard Kleisley	5	Developer	Mayor Taylor Vice Mayor Burdick Commissioner Valeche

SUMMARY: The Impact Fee Appeals Board is composed of five members as follows: one traffic engineer; one accountant; one attorney; one representative of the general public and one developer/builder. Impact Fee Appeals Board members must be qualified electors of Palm Beach County at least two years prior to their appointment. This agenda item provides for the appointment/reappointment of members to a three-year term that will expire May 5, 2017. Each of the nominees has completed the required ethics training. Countywide (LB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a First Amendment to the Interlocal Agreement (R2008-0758) with the City of Fort Lauderdale (City) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to May 5, 2018. **SUMMARY:** The Agreement which provides the terms and conditions under which the City can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expired on May 5, 2013. The Agreement provided for three renewal options, each for a period of five years. The City has approved a renewal to retroactively extend the term of the Agreement to May 5, 2018 and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The City is required to pay all costs associated with the City's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This First Amendment renews the term, updates the notice provisions, updates the attachments, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General, and provides for the exclusion of third party beneficiaries. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to:**
 - A) approve** an Interlocal Agreement with the Town of Ocean Ridge (Participant) for the provision of radio maintenance services; and
 - B) authorize** the County Administrator or his designee to execute amendments to the Agreement which do not change the term and/or cost for services.

SUMMARY: The Agreement with the Participant provides for the provision of radio equipment maintenance services to be provided to the Participant by the Facilities Development & Operations and Electronic Services & Security Division (FDO/ESS). The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must outsource the labor, a separate labor rate is provided. The maintenance costs for future years shall be determined by the County's agreement with Motorola. The FDO/ESS rates may be adjusted annually with notification by June 1 (effective the following October 1) at the County's sole discretion, but in no event shall the Participant's fee schedule exceed the fee schedule applied to County departments. The term of the Agreement is retroactive from April 1, 2014 to the expiration date of the Participant's Direct Connect agreement on November 1, 2017 (three years and seven months). There is one four-year renewal option. The Agreement may be terminated by either party, with or without cause with a minimum of ninety days notice. (ESS) District 2 (JM)

3. **Staff recommends motion to approve:** a First Amendment to the Interlocal Agreement (R2009-1172) with the Town of Loxahatchee Groves (Town) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to July 20, 2019. **SUMMARY:** The Agreement which provides the terms and conditions under which the Town can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expires on July 20, 2014. The Agreement provided for three renewal options, each for a period of five years. The Town has approved a renewal to extend the term of the Agreement to July 20, 2019 and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The Town is required to pay all costs associated with the Town's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This First Amendment renews the term, updates the notice provisions, updates the attachments, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General, and provides for the exclusion of third party beneficiaries. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to receive and file:** Various executed License Agreements as follows:

A) Standard License Agreement for Use of County-Owned Property with Margaret Rita Boutros (North County Senior Center);

B) Standard License Agreement for Use of County-Owned Property with the Safety Council of Palm Beach County, Inc. (North County Senior Center);

C) Standard License Agreement for Use of County-Owned Property with the Palm Beach Jewelry and Antique Show, Inc. (Judicial Center Parking Garage); and

D) Standard License Agreement for Use of County-Owned Property with Boca Delray Division U.S. Naval Sea Cadet Corp (Eagle Academy).

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Standard License Agreements, dated from December 30, 2013 to March 11, 2014, have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or his designee in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013 (the "Resolution"). These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (MJ)

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

A) a Utility Easement in favor of the Town of Jupiter for a water utility line; and

B) a Utility Easement Agreement in favor of Florida Power & Light (FPL) for underground electrical services and an above ground transformer within the County's Bert Winters Park.

SUMMARY: Bert Winters Park is located on the west side of Ellison Wilson Road, just south of Donald Ross Road in Juno Beach. The County is in the planning stages of redeveloping the Park to incorporate the recently purchased 1 acre Palm Beach Marine Institute site and a 1.54 acre Frenchman's Reserve PUD Civic site which will be conveyed to the County later this year. During due diligence research of the Park it was discovered that both a water utility line and an FPL underground power line/conduit exist within the Park boundaries. However, easements have never been processed to record their location. The two non-exclusive easements only provide service to the Park property and will be granted at no charge and recorded to provide notice of the existence and location of the lines. (PREM) District 1 (HJF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to receive and file:** the termination of the Lease Agreement (R88-2142d) with The Lord's Place, Inc., a Florida not-for-profit corporation, for the Head Start facility located in Pahokee effective June 30, 2014. **SUMMARY:** The Pahokee Head Start site is located at 380 Dr. Martin Luther King, Jr. Boulevard in Pahokee and is owned by the City of Pahokee, and leased to The Lord's Place, Inc. (TLP) through a Lease dated February 11, 1986, as amended (City Lease). Soon after the City Lease was executed, the current facility was constructed by TLP. On December 13, 1988 (R88-2142D), the County entered into a Lease Agreement with TLP (County Lease) to lease the facility and has been providing Head Start services since January 1989. On September 24, 2013, the Board determined the County would not apply for Federal grant funding to continue providing Head Start services and supported Lutheran Services Florida, Inc. (LSF), assuming the County's role as principal grantee, in partnership with the School Board of Palm Beach County and the Children's Services Council of Palm Beach County, in obtaining the grant award. The City, TLP, County and LSF have determined that it is in the best interest for the City to enter into a new lease directly with LSF for the Head Start facility. Accordingly, the City has notified TLP that the City Lease will be terminated on June 30, 2014. The City and LSF are in negotiations to enter into a new lease for the continued operation of a Head Start facility in Pahokee that is expected to commence on July 1, 2014. The County will leave the fire and intrusion alarm systems that were installed and these improvements will become the property of the City upon the termination of the Lease as provided for in the Lease. (PREM) District 6 (HJF)

7. **Staff recommends motion to approve:** a Notice of Cancellation of Lease Agreement with the City of Lake Worth (R89-22) for the Osborne Community Center Head Start facility effective June 30, 2014. **SUMMARY:** On January 3, 1989 (R89-22), the Board approved a Lease Agreement with the City of Lake Worth. The Lease permitted Community Services' Head Start to use approximately half of the Osborne Community Center in Howard Park located at 1699 Wingfield Street. The current term of the Lease expires December 31, 2019. On September 24, 2013, the Board determined that the County would not apply for Federal grant funding to continue providing Head Start services and supported Lutheran Services Florida, Inc. (LSF), a Florida not-for-profit corporation, assuming the County's role as principal grantee, in partnership with the School Board of Palm Beach County and the Children's

Services Council of Palm Beach County, in obtaining the grant award. The Lease provides for a thirty day cancellation notice, and cancellation of this Lease will save the County approximately \$70,000 annually in maintenance costs. The County will also leave the fire and intrusion alarm systems that were installed in the County's portion of the Osborne Community Center which shall become the City's property upon surrender of the premises. LSF is currently negotiating a direct lease with the City and will be responsible for any charges imposed by the City for use of the Center. (PREM) District 7 (HJF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** appointment of one new board member to the Construction Industry Licensing Board:

<u>Appoint</u>		<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Michael	T.	8	Plumbing Contractor	5/06/14-	Mayor Taylor
McNamara				9/30/16	
					Vice Mayor Burdick
					Comm. Berger
					Comm. Valeche

SSUMMARY: The Construction Industry Licensing Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of 15 members. Michael T. McNamara applied for the vacant position which was left open upon the resignation of Joseph Hennessey. The nomination represents a seat for the Plumbing Contractor, as cited in the Special Act, and F.S. establishing the Construction Industry Licensing Board. A Memorandum was sent to the Board of County Commissioners on January 22, 2014, advising of the vacant position. No other nominations were received. Countywide (SF)

K. WATER UTILITIES

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

A) Amendment No. 1 to the Contract with Globaltech, Inc. for the Water, Wastewater and Reclaimed Water Improvements Design Build Contract (R2012-0159) adding Builders Risk Insurance; and

B) Work Authorization No. 12 for Water Treatment Plant No. 3 (WTP 3) Chemical Improvements in the amount of \$833,148.51.

SUMMARY: On January 24, 2012, Palm Beach County Board of County Commissioners (BCC) approved the Contract for Water, Wastewater and Reclaimed Water Improvements Design/Build Services with Globaltech, Inc. (R2012-0159). Builders Risk Insurance is being added to the Contract as the County no longer provides self insurance coverage. Work Authorization No. 12 will authorize replacement of the sulfuric acid piping, install a corrosion inhibitor system for the deep injection well and provide improvements to the chemical containment area at WTP 3. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with

Globaltech, Inc. provides for SBE participation of 75% overall. This Authorization includes 96.21% overall participation. The cumulative SBE participation, including this Work Authorization, is 91.08% overall. Globaltech, Inc. is a Palm Beach County and certified SBE Company. This project is included in the FY13-14 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 12-003) District 5 (JM)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to receive and file:** The following two documents:

A) a Contract with Energy Efficient Electric, Inc. in the amount of \$179,354 for Water Treatment Plant No. 8 (WTP No. 8) Wellfield Panel Upgrades. (WUD Project No. 12-055) (District 2) (JM); and

B) Standard Potable Water and Wastewater Development Agreement with Southern Investments Partnership, LP. No. 01-01226-000 (District 2)

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item. The documents have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Deputy Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file.

3. **Staff recommends motion to approve:** the Partial Release of a Utility Easement over property owned by Comcast of Florida/Georgia/Pennsylvania, L.P. **SUMMARY:** On May 4, 1995, a 32' x 150' utility easement was granted to the County for public water and wastewater facilities on the property identified by PCN 00-42-43-27-05-077-0931. This document will release the County's interest in a portion of the said utility easement recorded in the Official Records of Palm Beach County, Book 8809, Pages 715-717, over property owned by Comcast of Florida/Georgia/Pennsylvania, L.P. The Palm Beach County Water Utilities Department has determined that this portion of easement is no longer needed and therefore recommends the release. District 5 (MJ)

4. **Staff recommends motion to approve:** a Contract with Electron Corp. of South Florida for the Telemetry Information Management System Improvements (TIMS) project in the amount of \$737,111. **SUMMARY:** On February 19, 2014, four bids were received for Project No. WUD 12-023 to provide and install new remote telemetry units (RTU's) with programmable logic controllers (PLC's), antennas and solar panels at 35 lift stations and replace electrical panels at five stations. The low bidder, Electron Corp. of South Florida, is the lowest responsive, responsible bidder in the amount of \$737,111. Accordingly, Staff recommends award of this Contract to Electron Corp. of South Florida in the amount of \$737,111. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Electron Corp. of South Florida provides for SBE participation of 95% overall. Electron Corp. of South Florida is a Palm Beach company. This project is

included in the FY14-15 Capital Improvement plan adopted by the Board of County Commissioners. (WUD Project No. 12-023) Districts 1, 2, 3, 5 & 6 (JM)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Recreational Trails Program (RTP) Project Agreement No. T13009 (Agreement) with the Florida Department of Environmental Protection (FDEP) for \$175,566 to construct passive recreational facilities on the County's Winding Waters Natural Area, expiring two years from execution;

B) authorize the County Administrator, or his designee, to sign all future time extensions, and other forms associated with this Agreement and necessary minor amendments that do not change the scope of work or terms and conditions of the Agreement;

C) execute a Notice of Limitation of Use/Site Dedication identifying the Winding Waters Natural Area as an outdoor recreation area for the use and benefit of the general public in perpetuity; and

D) approve Budget Amendment of \$175,566 in the Environmental Resources Capital Projects Fund to recognize the award.

SUMMARY: County staff applied for and received a grant from the FDEP under the RTP, funded by the United States Department of Transportation, to help fund the construction of passive recreational facilities as part of the Winding Waters Natural Area Trail System (Project). The total Project cost is expected to be \$351,132. The Project was selected to receive a RTP grant award of \$175,566 (50% of the total expected Project cost). The County's match of \$175,566 is provided from non-ad valorem funds within the Natural Areas Fund. The Agreement will become effective upon execution by FDEP and will expire two years following its execution. A Notice of Limitation of Use/Site Dedication dedicating the Winding Waters Natural Area as an outdoor recreation site for the use and benefit of the general public must be recorded in the public records as part of the RTP grant documentation. The minimum dedication timeframe required by the FDEP is 99 years; however, staff recommends dedication in perpetuity. District 1 (SF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve Grant Agreement FWC-13130 with the Florida Fish and Wildlife Conservation Commission (FFWCC) to provide up to \$50,000 pass-through Federal funding (CFDA 15.605) and \$10,000 of state funding (CFSA 77.007) for constructing Juno Pier Site artificial reef, expiring August 31, 2014;

B) 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, terms or conditions of this grant;

C) approve naming a portion of this artificial reef created by deployment of donated concrete materials, Kwiecinski Reef;

D) approve Budget Amendment of \$70,000 in the Environmental Enhancement Saltwater Fund, including a transfer from Reserves of \$90,000 for a total of \$160,000 in project funding for the Juno Pier Site artificial reef;

E) adopt Resolution authorizing the Clerk of the Board to disburse \$90,000 from the Vessel Registration Fee Trust Fund to provide matching funding for this artificial reef project; and

F) authorize the County Administrator, or his designee, to sign Work Order 0640-7 under the Annual Artificial Reef and Breakwater Contract for up to \$160,000 which will cover artificial reef construction by Vance Construction Co. (a West Palm Beach company) at Juno Pier Reef Site.

SUMMARY: The FFWCC Grant Agreement will reimburse the County up to \$60,000 for placing approximately 900 tons of limestone boulders at Juno Pier Reef Site. Mr. Jim Kwiecinski will donate \$10,000 to the County to cover a portion of the cost for placing donated concrete for naming rights to that portion of placed material. Total project cost is \$160,000. The Resolution and Budget Transfer from County Vessel Registration Fees, a non-ad valorem source, will cover the County's \$90,000 cost which includes a 50% cost share for the FFWCC grant (\$60,000) and \$30,000 for deployment of donated materials. District 1 (SF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution for Assistance through Florida Inland Navigation District (FIND) Waterways Assistance Program authorizing submission of a grant application requesting \$251,875 of the estimated \$503,750 associated with construction of the Old Bridge Park Natural Area;

B) adopt a Resolution for Assistance through FIND Waterways Assistance Program authorizing submission of a grant application requesting \$166,800 of the estimated \$333,600 associated with construction of the Peanut Island Erosion Control & Artificial Reef Project;

C) adopt a Resolution for Assistance through FIND Waterways Assistance Program authorizing submission of a grant application requesting \$118,150 of the estimated \$236,300 associated with construction of the Torry Island Reef Project;

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

E) authorize the Director of the Department of Environmental Resources Management to serve as Liaison Agent with FIND for these projects.

SUMMARY: The FIND grant application process involves two steps. County staff submitted initial grant proposals for reimbursement funding of \$251,875 (Old Bridge Park Natural Area); \$166,800 (Peanut Island Erosion Control & Artificial Reef Project); and \$118,150 (Torry Island Reef Project) by the April 1, 2014 deadline. However, the initial proposal remains incomplete until the BCC adopts a resolution for each of the three proposed projects. FIND requires that the application be deemed complete by May 30, 2014; adoption of this agenda item will complete the County's application. The selection process is competitive. If successful in receiving approval for funding, the deadline for spending the grant(s) will be September 2016 with the possibility of a one-year extension. The County's (50%) matching share of up to \$536,825 is anticipated from a combination of state grants, Pollution Recovery Trust, Vessel Registration, and Manatee Protection funds to be determined depending on the award amount. Awards are expected to be announced in September 2014. Districts 1, 6 & 7 (SF)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. **Staff recommends motion to approve:** reappointments of two members to the Groundwater and Natural Resources Protection Board (GNRPB) for a term of three years beginning May 6, 2014, through May 5, 2017:

<u>Nominee</u>	<u>Representing</u>	<u>Seat No.</u>	<u>Nominated By</u>
William Snow	Professional Engineer	1	Palm Beach Chapter – Florida Engineering Society
Allen Trefry	Member of an Environmental Organization	3	Arthur R. Marshall Foundation & Florida Environmental Institute, Inc.

SUMMARY: Ordinance 92-20, as amended, and Article 2.G.3.F.3 of the Unified Land Development Code (ULDC) provide for a seven member GNRPB. The membership consists of one professional engineer, one attorney, one hydrologist or hydrogeologist, one citizen possessing expertise and experience in managing a business, one biologist or chemist, one citizen of PBC, and one member of an environmental organization. Ordinance 92-20 and Article 2.G.3.F.3. of the ULDC requires Seat No. 1 be filled by a Professional Engineer and Seat No. 3 be filled by a member of an environmental organization. William Snow has disclosed that he is employed with AECOM. AECOM contracts with the County for architectural, engineering, and construction services. The GNRPB provides no regulation, oversight, management, or policy-setting recommendations regarding AECOM contracts. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. No

other nominations were received. Countywide (SF)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

M. **PARKS & RECREATION**

1. **Staff recommends motion to:**

A) ratify the signature of the Mayor on a Waterways Assistance Program (WAP) Grant Application submitted to Florida Inland Navigation District (FIND) on March 31, 2014, requesting \$750,000 to fund 50% of the construction costs associated with the redevelopment of the west side of Burt Reynolds Park;

B) adopt Resolution for Assistance under the FIND WAP for grant funding for Burt Reynolds Park for construction costs associated with the redevelopment of the west side of the park in the amount of \$750,000;

C) authorize the County Administrator or his designee to execute the Grant Project Agreement, future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement, if the grant is approved; and

D) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FIND for this project.

SUMMARY: The total cost of the project identified in the FIND WAP Grant Application is \$1,500,000. This Grant Application requests up to \$750,000 (50%) to fund construction cost associated with redevelopment of the west side of Burt Reynolds Park. On March 28, 2014, the County also submitted a Grant Application to the Florida Fish and Wildlife Conservation Commission (FFWCC) Florida Boating Improvement Program (FBIP) requesting a \$300,000 grant to help pay for construction. If the grants are awarded, the balance of the project will be funded using money from the Palm Beach County Florida Boating Improvement Program (PBC FBIP). Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator or designee to approve grant documents and the Parks and Recreation Director to act as the Liaison for this project. District 1 (AH)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

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

2. **Staff recommends motion to:**

A) ratify the signature of the Mayor on a Waterways Assistance Program (WAP) Grant Application submitted to Florida Inland Navigation District (FIND) on March 28, 2013, requesting \$1,254,604 to fund 23.5% of the construction costs associated with the Waterway Park boat launching facility;

B) adopt Resolution for Assistance under the FIND WAP for grant funding for the Waterway Park project in the amount of \$1,254,604;

C) authorize the County Administrator or his designee to execute the Grant Project Agreement, future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions

of the Agreement, if the grant is approved; and

D) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FIND for this project.

SUMMARY: This Grant Application requests up to \$1,254,604 from the FIND WAP to pay for 23.5% of the estimated \$5,350,000 in construction costs associated with the development of the Waterway Park boat launching facility. In 2013, FIND awarded the County \$1,420,396 or 26.5%, R2013-1742, of the revised construction cost estimate for this project. If this requested grant is awarded, the two FIND grants will pay for 50% of the project costs. The balance of the project will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue and a \$400,000 Florida Fish and Wildlife Conservation Commission Florida Boating Improvement Program grant, R2014-0301. Due to grant related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator or designee to approve grant documents and the Parks and Recreation Director to act as the Liaison Agent for this project. District 1 (AH)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Boating Improvement Program (FBIP) Grant Application submitted to Florida Fish and Wildlife Conservation Commission (FFWCC) on March 28, 2014, requesting \$300,000 to fund 30% of the construction costs associated with the redevelopment of the west side of Burt Reynolds Park;

B) adopt Resolution for assistance under the Florida Boating Improvement Program for grant funding for Burt Reynolds Park for construction costs associated with the redevelopment of the west side of the park in the amount of \$300,000;

C) authorize the County Administrator or his designee to execute the Grant Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement, if the grant is approved; and

D) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FFWCC for this project.

SUMMARY: This Grant Application requests up to \$300,000 from the FFWCC FBIP to pay for 30% of the grant project cost of \$1,000,000 for construction costs associated with redevelopment of the west side of Burt Reynolds Park. On March 31, 2014, the County also submitted a grant application to the Florida Inland Navigation District Waterways Assistance Program requesting a \$750,000 grant to help pay for construction. If the grants are awarded, the balance of the project will be funded using money from the Palm Beach County Florida Boating Improvement Program and \$20,000 (2%) of Park and Recreation Department staff costs for construction oversight as in-kind services. Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator to approve grant documents and the Parks and Recreation Director to act as the Liaison for this project. District 1 (AH)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. [Staff recommends motion to receive and file:](#) the following original executed Entertainment Contractor Agreements for community events:

A) Warren Bradley Raker, The Crush concert; Canyon Town Center Amphitheater on January 18, 2014;

B) James Robinette, Inc., Riverdown concert; Sunset Cove Amphitheater on January 25, 2014;

C) Peter Sarfati, Solid Brass concert; Seabreeze Amphitheater on February 14, 2014;

D) Johnnie Riles, Blues Therapy & Jazz concert, Canyon Town Center Amphitheater on February 15, 2014;

E) Gary Frost, Big Vince and the Phat Cats concert, Seabreeze Amphitheater on March 14, 2014; and

F) Soars High Productions Inc., JP Soars concert, Canyon Town Center Amphitheater on March 22, 2014.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities we serve. The Parks and Recreation Department produced six popular cultural events at our Canyon Town Center, Seabreeze and Sunset Cove Amphitheaters. These events were attended by an estimated 4,050 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concerts at the Canyon Town Center Amphitheater. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

5. [Staff recommends motion to receive and file:](#) executed Independent Contractor Agreements received during the month of March:

A) Theresa A. Ruckert, Gentle Yoga Instructor, Therapeutic Recreation Complex, for the period April 1, 2014, through September 30, 2014;

B) Sally Welsh-Chapela, Water Fitness Instructor, Therapeutic Recreation Complex, for the period April 1, 2014, through September 30, 2014; and

C) Kiril Zahariev, USA Swimming Coach, North County Aquatic Complex, for the period May 1, 2014, through September 30, 2014.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. Districts 1 & 3 (AH)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. [Staff recommends motion to receive and file:](#) the following original executed Sponsorship Agreement:

Boynton Beach Associates XVIII, LLLP, cash sponsorship of a series of ten concerts and twelve movie nights, Canyon Town Center Amphitheater, for the period January 15, 2014, through December 30, 2014.

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 Sponsorship Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-0442, and is now being submitted to the Board to receive and file. These sponsored events help offer a balanced schedule of events which promote the quality of life in the communities we serve. District 5 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. [Staff recommends motion to receive and file:](#) a Contract executed on April 22, 2014 with the Palm Beach County Law Enforcement Exchange, Inc. (LEX) for \$100,000, for a Countywide Program Director, for the period of October 1, 2013, through September 30, 2014. **SUMMARY:** This document has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission in accordance with R2013-1450 that was approved by the Board on October 22, 2013 and is now being submitted to the Board to receive and file. The LEX project was initiated through grant funds provided by the Criminal Justice Commission. LEX is an organization comprised of criminal justice agencies sharing information through a formalized network that is designed to create inter-agency collaboration. In an effort to further enhance law enforcement coordination, the LEX Program Director will facilitate data and information sharing on a county-wide basis between 25 agencies, Palm Beach County Sheriff's Office, state and federal law enforcement at the county and municipal level. Countywide (PGE)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. [Staff recommends motion to:](#)

A) receive and file Amendment No. 0002 to the Memorandum of Understanding with the Department of Children and Families (DCF) to extend the grant period from March 28, 2014 to June 30, 2014 and increase the total grant award amount to \$315,717.46;

B) receive and file Contract with the Jerome Golden Center for Behavioral Health, Inc., a not-for-profit agency, reinstating and amending expired contract (R2012-1293) to extend the term from March 28, 2014 to June 30, 2014, and increase the amount to \$243,019.46; and

C) approve an upward Budget Amendment of \$4,199 in the Criminal Justice Grant Fund to reflect the interest applied.

SUMMARY: These documents have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission in accordance with R2011-1078 that was approved by the Board on July 19, 2011 and are now being submitted to the Board to receive and file. In September 2011, The Jerome Golden Center for Behavioral Health, Inc., formerly known as the Oakwood Center of the Palm Beaches, Inc., received \$132,968 of the DCF grant funds to provide supportive housing, mental health and substance abuse treatment services to dually-diagnosed repeat offenders. In July 2012, the grant funds from DCF, which are for a three year period, were extended to March 28, 2014. During this time, the contract with Jerome Golden was also extended to March 28, 2014, adding an additional \$105,852.46 for a total not to exceed \$238,820.46 (R2012-1293). On March 25, 2014, the grant funds from DCF were extended to June 30, 2014 and increased to \$315,717.46 to reflect the interest applied (Amendment No. 0002). This allowed the contract with Jerome Golden to be extended to June 30, 2014, increasing the amount to a total not to exceed \$243,019.46. Countywide (PGE)

S. FIRE RESCUE

1. **Staff recommends motion to approve:** a First Amendment to Interlocal Agreement Relating to Aeromedical Emergency Medical Services with the Health Care District of Palm Beach County effective retroactively to December 31, 2013, through September 30, 2014. **SUMMARY:** On December 7, 2010, the parties entered into an Interlocal Agreement Relating to Aeromedical Emergency Medical Services. The Agreement provides Aeromedical services to the citizens of Palm Beach County by the partnering of the two agencies utilizing Palm Beach County Fire Rescue licensed Paramedics and the Health Care District's air ambulance helicopters. The Agreement (R2010-2023) expired on December 31, 2013. This First Amendment will be effective retroactively to December 31, 2013 and remain in effect through September 30, 2014. Countywide (SB)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

U. INFORMATION SYSTEMS SERVICES

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

A) a wireless node fee; and

B) a new rate structure for network services provided to institutional customers who qualify for the Schools and Libraries "E-rate" Program.

SUMMARY: The above-referenced fee and rate are applicable to network services provided by Palm Beach County Information Systems Services to external agencies. The monthly node

fee will apply to wireless devices added to our network, such as WiFi radios for providing public wireless services at an external customer's site. The E-rate equivalent structure will establish a special discounted rate for E-rate eligible organizations, i.e., schools and libraries, when the County is not the primary provider for their network services. The discount will be equivalent to the E-rate paid by the School District to their primary service provider. These standard rate structures will be applicable to all future agreements for supplemental services provided to external agencies. This program builds upon Palm Beach County's history of collaboration with public sector agencies which has resulted in service improvements for the connected agencies, cost savings to the taxpayers, revenues to the County, and other intangible benefits. Countywide (PFK)

2. **Staff recommends motion to:**

A) rescind the Interlocal Agreement (R2011-1216) dated August 16, 2011;

B) approve the Interlocal Agreement for network services with Palm Beach County and the Town of Juno Beach; and

C) authorize the County Administrator or his designee, ISS Director, to approve and execute Task Orders associated with these services, up to a maximum dollar value of \$50,000 per Task Order.

SUMMARY: The Town of Juno Beach (Town) has an existing Interlocal Agreement with Palm Beach County for Network Services (R2011-1216) and wishes to replace this Interlocal Agreement to include current contract standards and reduce their monthly internet fees. The Town's monthly network services costs will decrease from \$495 to \$486 based on the revised fee structure approved by the Board of County Commissioners on January 14, 2014. The County's revised annual revenue in FY 2014 is \$5,868. The Florida LambdaRail LLC has approved connection of the Town to the Florida LambdaRail network. District 1 (PFK)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. **Staff recommends motion to approve:** First Amendment to the Agreement R2013-1454 with Nonprofits First, Inc. **SUMMARY:** Nonprofits First, Inc. (Nonprofits) has an existing agreement with Palm Beach County for Network Services (R2013-1454) and wishes to amend this agreement to update the non-discrimination language to current contract standards and reduce their monthly internet fees. Nonprofits monthly network services costs will decrease from \$300 to \$270 based on the revised fee structure approved by the Board of County Commissioners on January 14, 2014. The County's revised annual revenue in FY 2014 is \$3,360. The Florida LambdaRail LLC has waived their fee and approved connection of Nonprofits to the Florida LambdaRail network. District 3 (PFK)

4. **Staff recommends motion to approve:** First Amendment to Interlocal Agreement R2013-1673 with the Loxahatchee River Environmental Control District. **SUMMARY:** The Loxahatchee River Environmental Control District (District) has an existing agreement with Palm Beach County (R2013-1673) for Network and GIS Hosting Services and wishes to

amend this agreement to update the non-discrimination language to current contract standards, reduce their monthly internet fees and add GIS Map Server Services. The reduction in monthly internet fees will decrease the District's monthly network services costs from \$298 to \$268 based on the revised fee structure approved by the Board of County Commissioners on January 14, 2014. The additional GIS map server services will increase the District's monthly GIS hosting services from \$50 to \$125. The County's revised annual revenue for both network and GIS hosting services in FY 2014 is \$4,386 and includes a one-time revised \$500 installation and \$250 for new service setup fees. The Florida LambdaRail LLC has approved connection of the District to the Florida LambdaRail network. District 1 (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file:

A) U.S. Department of Justice Office on Violence Against Women, Domestic Violence Homicide Prevention Demonstration Initiative (2013-HI-AX-K012) Adjustment Notice to extend the grant period for an additional seven months to September 30, 2014; and

B) First Amendment to Contract (R2013-1455) with Aid to Victims of Domestic Abuse, Inc. which extends the completion date from March 31, 2014 to September 30, 2014; and

C) First Amendment to Agreement (R2013-1456) with Florida State University Board of Trustees which extends the completion date from March 31, 2014 to September 30, 2014.

SUMMARY: On June 4, 2013, the Board of County Commissioners approved the acceptance of the U.S. Department of Justice, Office on Violence Against Women (OVW) Grant No. 2013-HI-AX-K012 in the amount of \$200,000 with no County matching funds required. On February 7, 2014, an administrative no cost extension was granted by OVW to extend the project end date from March 31, 2014 to September 30, 2014. The extension was granted to all project participants to address the delay in appointing the project's national evaluator as a result of the federal government shut down at the end of 2013. R2013-0705 authorizes the County Administrator or his designee to execute contracts, amendments/modifications utilizing funding from the Department of Justice, Office on Violence Against Women on behalf of the Board of County Commissioners. Countywide (PGE)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve: the splitting of one full-time Cook II position (Pay Grade 09) into two part-time Cook II positions at twenty hours per week at the Highridge Family Center. **SUMMARY:** The Highridge Family Center is a residential facility for sixty "at-risk" youths, who are provided three months of behavioral modification and family therapy. During their stay, they are provided nutritional meals and a positive and consistent dining experience. On a weekly basis, the kitchen provides over 1,400 meals to residents. The splitting of one full-time Cook II position into two part-time Cook II positions at twenty hours per week will allow for more flexible, effective, and efficient scheduling of kitchen and dining staff at the Highridge residential facility for youths. Countywide (PGE)

3. **Staff recommends motion to approve:** the at-large appointments of the following individuals to the Emergency Medical Services Advisory Council (EMS Council) for the term from May 6, 2014 to September 30, 2017:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Roger Kirk	18	PBC Independent Hospital CEO	Self
Mark Bryan	20	PBC Tenet Hospital CEO	Tenet Healthcare
Gina Melby	19	PBC HCA Hospital CEO	HCA East Florida Division

SUMMARY: Per Resolution (2014-0100), the Board of County Commissioners (BCC) approved a representative make-up of the Emergency Medical Services Council to include twenty members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. Previously, the EMS Advisory Council had one established hospital CEO seat and now, with the new Resolution 2014-0100, we have established a total of three hospital CEO seats. These three seats represent one HCA Hospital CEO, one Tenet Hospital CEO, and one Independent Hospital CEO. The new Resolution allows the HCA and Tenet Hospital Regional CEOs to each nominate a CEO from their respective organizations and the six Independent Hospital CEO's to each have the opportunity to make their nominations, and the BCC to select one of each of the nominations to fill each hospital CEO seat. A letter was sent to Palm Beach County Hospital and Regional Hospital CEOs on March 3, 2014 seeking nominations for the above three at-large seats. Countywide (PGE)

AA. PALM TRAN

1. **Staff recommends motion to approve:** an Agreement with the South Florida Regional Transportation Authority (SFRTA) to provide space, equipment, and personnel at its Tri-Rail ticket office, located at the Downtown West Palm Beach Intermodal Facility, for the sale of Palm Tran bus passes. **SUMMARY:** Palm Tran has identified a need for an additional, customer convenient facility for the sale of both discounted and full price Palm Tran bus passes. Under this Agreement, SFRTA will provide space and personnel to sell Palm Tran bus passes from its station office located at the Intermodal Facility. Palm Tran will provide a computer, training, equipment, and will reimburse SFRTA 50% of the cost for one full-time clerical employee. The FY 2014 cost for this Agreement is included in Palm Tran's approved budget. This Agreement continues in effect until terminated by either party. Countywide (DR)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

AA. PALM TRAN (Cont'd)

2. **Staff recommends motion to approve:**
- A)** an upward Budget Amendment of \$279,328 in the Palm Tran Grant Fund for a Joint Participation Agreement with the Florida Department of Transportation for increased bus service on Route 73; and

B) an upward Budget Amendment of \$279,328 in the Palm Tran Operating Fund to account for the transfer from the Grant Fund.

SUMMARY: On September 10, 2013, the Board of County Commissioners approved a Joint Participation Agreement (JPA) R2013-1209 with the Florida Department of Transportation (FDOT) for operating funds to increase service on Route 73, expanding the service along Boynton Beach Boulevard from Military Trail west to 441. The JPA provides funds for two years and became effective when it was executed by FDOT on October 18, 2013. These upward budget amendments increase Palm Tran's budget to account for this award. The JPA provides funding for 50% of the cost of the increased bus service. The other 50% is funded with ad valorem funds and is included in Palm Tran's current budget. District 5 (DR)

3. [Staff recommends motion to:](#)

A) receive and file the executed FY 2012 Section 5307 Federal Transit Administration (FTA) Grant Agreement of \$14,762,445 allocated to Palm Beach County; and

B) approve an upward Budget Amendment of \$1,153,478 in the Palm Tran Grant Fund to reconcile the FY 2014 budget to the actual award amount.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The FTA Grant Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Palm Tran Executive Director or Assistant Director through the County Administrator in accordance with Resolution R2013-1469, approved by the BCC on October 22, 2013. This document is now being submitted to the BCC to receive and file. The current budget reflects the anticipated grant award when the budget was approved. This upward budget amendment will reconcile the current budget to the actual grant award. Countywide (DR)

MAY 6, 2014

3. **CONSENT AGENDA APPROVAL**

BB. MEDICAL EXAMINER

1. [Staff recommends motion to:](#)

A) receive and file the 2013 Paul Coverdell Forensic Sciences Improvement Grant (2013-CD-BX-0018) through the Florida Department of Law Enforcement to receive \$1,500 to pay for forensic odontology services, for the period October 1, 2013, through March 31, 2015; and

B) approve a Budget Amendment of \$1,500 in the General Fund to recognize the grant award.

SUMMARY: The National Institute of Justice has awarded a Paul Coverdell Forensic Sciences Improvement Grant to the Palm Beach County Medical Examiner's Office, through the Florida Department of Law Enforcement. The grant funding will be used to provide forensic odontology services to assist in identifying deceased whose identity was unable to be known through other sources. On June 4, 2013, the County Administrator or his designee was

authorized to execute future grant agreements, amendments, and modifications with the Florida Department of Law Enforcement. **No County match is required for this grant.**
Countywide (PGE)

CC. SHERIFF

1. **Staff recommends motion to receive and file:** Grant Adjustment Notices 1 through 3, which amend the grant project; and Grant Adjustment 4, which extends the grant period from March 31, 2014, through September 30, 2014. **SUMMARY:** On October 16, 2012, the Board of County Commissioners accepted this award to provide \$376,252 in reimbursable funding. The original grant period was October 1, 2012 through March 31, 2014 (R-2012-1583). The purpose of this grant is to increase the efficiency of the crime lab through equipment, contractual services and training support. Grant Adjustments 1 through 3 modifies the scope of the project, which does not impact the award value or time period. However, Grant Adjustment 4 extends the grant period from March 31, 2014 through September 30, 2014. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

2. **Staff recommends motion to:**

A) accept on behalf of the Palm Beach County Sheriff's Office, Memorandum of Agreement with the City of Miami, for a FY '13 Urban Area Security Initiative Grant to provide \$495,908.48, effective until March 31, 2015; and

B) approve a Budget Amendment of \$495,909 in the Sheriff's Grant Fund.

SUMMARY: This Memorandum of Agreement provides a means of funding various domestic security activities within the County and Region 7 using federal Urban Area Security Initiative funds through the City of Miami, as the Miami UASI's fiscal agent. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

3. **Staff recommends motion to:**

A) accept a Subrecipient Agreement for Federal Grant Funding Assistance Through Florida's Administering Agenda: The Florida Department of Law Enforcement for the "FY 2013 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program" in the amount of \$28,144 for the period of October 1, 2013, through March 31, 2015; and

B) approve a Budget Amendment of \$28,144 in the Sheriff's Grant Fund.

SUMMARY: The National Institute of Justice awarded these funds to the Florida Department of Law Enforcement for the "2013 Paul Coverdell National Forensic Sciences Improvement

Grant.” On August 21, 2013, the Palm Beach County Sheriff’s Office was awarded funds to improve the quality of forensic services. Funds provided will be used for: travel, training, supplies and to pay overtime and benefits for Latent Print Examiners, Firearm Examiners, and Evidence Technician staff. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

4. **Staff recommends motion to:**

A) receive and file Modification No. 2 to Subgrant Agreement between the Florida Division of Emergency Management and the Palm Beach County Sheriff’s Office, for Operation Stonegarden, to reinstate the grant agreement and to extend the grant period from July 31, 2013, through June 30, 2014; and

B) approve a Budget Amendment of \$103,372 in the Sheriff’s Grant Fund to reinstate the grant award.

SUMMARY: The Palm Beach County Sheriff’s Office received an award to offset overtime and equipment costs associated with enhancing the United States Border Patrol’s mission to secure the Nation’s coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. The Board of County Commissioners (BOCC) accepted this grant for \$100,000, on December 7, 2010 (R2010-2040). On September 10, 2013, the BOCC accepted a grant modification to increase the grant award in the amount of \$110,000 for a total of \$210,000 (R2013-1212). This Grant Modification will reinstate the agreement and extend the grant period from July 31, 2013, through June 30, 2014 to expend the balance of the grant. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

MAY 6, 2014

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont’d)

5. **Staff recommends motion to:**

A) accept on behalf of the Palm Beach County Sheriff’s Office, a High Intensity Drug Trafficking Area Program grant in the amount of \$110,417, for the Palm Beach Narcotics Task Force, for the period of January 1, 2014, through December 31, 2015; and

B) approve a Budget Amendment of \$110,417 in the Sheriff’s Grant Fund.

SUMMARY: On March 17, 2014, the Palm Beach County Sheriff’s Office received an award from the Office of National Drug Control Policy. The funds will be used for overtime reimbursement and other expenses associated with the Palm Beach Narcotics Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

6. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending a U.S.

Department of Justice, Community Oriented Policing Services, Child Sexual Predator Program grant to extend the grant period from February 28, 2014, through August 31, 2014. **SUMMARY:** The Board of County Commissioners (BOCC) accepted this grant for \$500,000, on November 16, 2010; the original period for this grant was September 1, 2010, through August 31, 2012 (R2010-1936). On October 12, 2012, the BOCC received and filed an agenda item extending the grant period from August 31, 2012, through February 28, 2014(R2012-1438). This agenda item will extend the grant period from February 28, 2014, through August 31, 2014. The Palm Beach County Sheriff's Office (PBSO) received an award to implement Palm Beach County's Child Sexual Predator Strategy. The purpose of the strategy is to enhance the PBSO's Sexual Predator Offender Tracking Unit; maintain PBSO's Strategically Targeting Online Predators Program at its current staffing level; develop a multidisciplinary team to assist in the development, implementation, and evaluation of the strategy; and to increase community awareness through education forums and a public awareness campaign. Funding provided will be used for: salaries and benefits of two allocations previously funded by the FY 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant; supplies, contractual services, and travel associated with the strategy. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required until grant funding expires in FY 2014. Countywide (PGE)

DD. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** the Second Amendment to the Agreement (R2012-1318) with the Cultural Council of Palm Beach County, Inc. (the "Cultural Council") amending the Purchasing Guidelines to allow for "piggyback" purchases. **SUMMARY:** This Amendment to the Agreement amends the Purchasing Guidelines to allow the Cultural Council to procure goods and services without requiring a competitive selection through purchases off contracts of other entities ("piggyback" purchases). Countywide (DW)

MAY 6, 2014

4. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on May 20, 2014 at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, amending Palm Beach County Code Chapter 2, Article IV, Division 3, (the Palm Beach County Living Wage Ordinance) (Ordinance 2003-004, as amended by Ordinance 2004-002 and Ordinance 2011-004) amending Sections 2-148 Definitions, 2-149 Living wage, 2-150 Implementation, and 2-150.1 Compliance and enforcement, for the inclusion of Paratransit Transportation Services; providing for repeal of laws in conflict; providing a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement, penalty and captions; and providing for an effective date. **SUMMARY:** At the February 25, 2014, Board of County Commissioners' Workshop, concerning the upcoming Request for Proposals (RFP) for Palm Tran Connection paratransit services, the Board directed Staff to prepare an amendment to the Palm Beach County Living Wage Ordinance to extend its provisions to contractors awarded contracts for the provision of paratransit transportation services and their subcontractors. Currently, the

Ordinance applies only to construction contracts. Countywide (JM/DR)

2. Staff requests motion to:

A) adopt a Resolution establishing the County Administrator Selection Advisory Committee; and

B) approve Scope of Services and direct staff to proceed with a Request for Proposal (RFP) for the selection of an Executive Search Consultant to coordinate the search for the new County Administrator.

SUMMARY: County Administrator Robert Weisman will retire from Palm Beach County government in August 2015. In March 2014, County Staff presented to the Palm Beach County Board of County Commissioners (BCC) options for administering a selection process for a replacement for Mr. Weisman. The BCC recommended formation of a County Administrator Selection Advisory Committee (Committee), and use of an Executive Search Consultant to conduct a nationwide recruitment for Mr. Weisman's replacement. County Staff drafted a timeline of activities to implement the County Administrator selection process. The timeline commences with BCC approval in May 2014 to advertise an RFP to select and contract with an Executive Search Consultant. Interviews with finalists are projected to occur in early 2015, with a start date of the new County Administrator projected to be approximately 30 days prior to Mr. Weisman's retirement date. Countywide (DO)

MAY 6, 2014

4. **REGULAR AGENDA**

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

3. Staff recommends motion to:

A) adopt a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Palm Tree as a Qualified Defense Contractor and Space Flight Business pursuant to s.288.1045, Florida Statutes; providing for local financial support for the Qualified Defense and Space Contractor Program not to exceed \$320,800; and providing for an effective date; and

B) conceptually approve an Economic Development Incentive Grant in an amount not to exceed \$320,800.

SUMMARY: Project Palm Tree is an engineering company with operations located in Palm Beach County. The company is pursuing a U.S. Department of Defense business contract to support continuing operations at its local facilities, which directly affects at least one half of its local employees. The State of Florida has identified Project Palm Tree as a qualified business under the State's Qualified Defense and Space Contractor (QDSC) Tax Refund Program. The QDSC Program, authorized under s.288.1045, Florida Statutes, is intended to preserve and grow the State's high technology employment base and give Florida a competitive edge as defense, homeland security or space business contractors acquire new contracts or subcontracts, and it provides incentives to businesses who create or retain jobs. The State has determined that Project Palm Tree is eligible to receive up to \$3.208 million under the

QDSC program for the retention of 401 full-time jobs. No new jobs will be created. The State's incentive requires a 20 percent local match, which is to be provided by the County in the amount of \$320,800, by the City of Riviera Beach in the amount of \$160,400, and by the City of West Palm Beach in the amount of \$160,400. Staff's recommendation is based on the high number of jobs that could potentially be lost in a target industry if the company is unable to compete for additional defense contracts. The company will be required to retain its existing 401 full-time positions at an average annual salary of \$84,900 for four years and to enter into a formal Agreement, approved by the Board of County Commissioners, memorializing their commitments and establishing criteria for funding distribution. If the company is not awarded the new defense contract, no County funds will be distributed. The Regional Economic Model estimates that this project will have a local economic impact of \$356 Million over a four year period. **Funding for the Economic Development Incentive Grant will come from the General Fund Contingency Reserve.** District 7 (DW)

B. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** the charter of the Southeast Florida Public Market Fair Association, Inc. (the "Public Market Fair Association"). **SUMMARY:** Section 616.03, Florida Statutes, requires that the proposed charter of the Public Market Fair Association must be approved by the Board of County Commissioners before the final approval of the Public Market Fair Association's charter by a circuit court judge. The proposed Public Market Fair Association's charter has been approved by the Florida Department of Agriculture and Consumer Services. The Public Market Fair Association will serve as a forum for farmers, growers, artisans, merchants, craftsmen and other local vendors to sell fresh produce, prepared foods, handmade crafts and other foods and products. The Public Market Fair Association will also offer entertainment and other cultural activities. It is anticipated that the Public Market Fair Association's annual event will be held in May the Memorial Day holiday weekend, which will not interfere with or detract from the South Florida Fair which takes place in January-February of each year. Countywide (PFK)

MAY 6, 2014

4. REGULAR AGENDA

C. CLERK & COMPTROLLER

TIME CERTAIN 10:30 A.M.

1. **Staff recommends motion to receive and file:** Presentation of the Palm Beach County Comprehensive Annual Financial Report for fiscal year ending September 30, 2013. **SUMMARY:** The Clerk & Comptroller's Office will provide a year-end financial review based on the Palm Beach County Comprehensive Annual Financial Report for FY 2013. Countywide (DN)

D. LIBRARY

1. **Staff recommends motion to:**
 - A) approve** *Read Down Your Fines* overdue fines reduction program for children starting June 1, 2014, through May 31, 2015; and
 - B) authorize** Library to utilize similar programs in the future to reduce fines from library cards

for children up to age eighteen if the program is deemed successful.

SUMMARY: Beginning with the Library System's 2014 Summer Reading Program in June, and continuing for one year, children up to age eighteen can spend time reading in the library and get financial credit to pay overdue fines on their library cards (one Dewey book buck = 15 minutes). If a replacement library card is needed, but the child has no money, they can read for one hour to pay for the card. Financial credit would not apply to charges for lost or damaged materials. Children cannot read to defray future fines. Children without fines who wish to participate may read for one hour and redeem their Dewey book bucks for a library bag. Countywide (AH)

MAY 6, 2014

4. REGULAR AGENDA

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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

A) Budget Transfer in the amount of \$9,689,545 from the Sheriff's Mobile Data Capital Project Fund (Fund 3058) while allowing sufficient funding for FY 2014;

B) Budget Transfer in the amount of \$6,394,352 in the Sheriff's Mobile Data Debt Service Fund (Fund 2058) to reallocate funds for payment of debt service for FY 2014;

C) Budget Transfer in the amount of \$435,193 in the Public Building Improvement Fund (Fund 3804) to reallocate funding for existing projects;

D) Budget Transfer in the amount of \$400,000 in the Capital Outlay Fund (Fund 3900) to reallocate funding for existing capital projects;

E) Budget Transfer in the amount of \$2,460,000 in the Information Technology Fund (Fund 3901) to reallocate funding for existing capital projects;

F) Budget Transfer in the amount of \$9,689,545 in the General Fund (Fund 0001) to reallocate funding to various capital project and debt service funds and to recognize additional reserves.

SUMMARY: In January 2008, the County borrowed \$35 million for the Sheriff's Mobile Data Project. Due to a vendor change and the complexity of the project, only about two-thirds of the proceeds have been expended. Bond counsel has advised that in order to comply with IRS spend-down expectations, the County should utilize the balance of the proceeds for existing capital projects and debt service so the remaining cash will be expended by the end of this fiscal year. This series of budget transfers reallocates the remaining loan proceeds to other County capital projects/debt service and leaves \$3.1 million in the Mobile Data capital fund to cover projected current year expenditures. The \$9.7 million being removed from the fund will be re-budgeted, as needed, annually during the budget process until a total of \$35 million has been expended. Staff from OFMB and the Sheriff's Budget Division have worked cooperatively on this plan. The funds being added to General Fund reserves will be used to offset next year's revenue requirement. Countywide (PFK)

MAY 6, 2014

4. REGULAR AGENDA

F. TOURIST DEVELOPMENT COUNCIL

1. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on May 20, 2014, at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Sections 17-116 of the Code of Laws and Ordinances as codified in the Tourist Development Ordinance of Palm Beach County, Ordinance 95-30, as amended; providing for an amendment to the tourist development plan to authorize the expenditure of additional revenues for the promotion and marketing of Palm Beach County tourism and for the renovation of the airport center building and the relocation of the tourist development council and its agencies; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for applicability; and providing for an effective date. **SUMMARY:** This Ordinance provides for an amendment to the County's Tourist Development Plan to authorize the expenditure of the bed tax operating reserve fund of the 1st Cent of the Tourist Development Tax ("bed tax") for a marketing stimulus campaign of \$2 Million to promote County tourism by all agencies and \$6 Million to establish the budget renovation of the Airport Center Building and the relocation of the Tourist Development Council and Convention and Visitor's Bureau, d/b/a Discover Palm Beach County, Inc., the Palm Beach County Sports Commission and the Palm Beach County Film & TV Commission. Countywide (DW)

G. COMMUNITY SERVICES

1. **ADD-ON:** [Staff recommends motion to approve:](#) Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (AAF), for a period not to exceed June 30, 2015, in an amount of \$26,431, for emergency financial assistance to families at risk of homelessness. **SUMMARY:** In 2013, the Florida Legislature created the Homeless Prevention Grant program to provide emergency financial assistance to families facing the loss of their housing due to a financial crisis. In accordance with Section 420.624, Florida Statutes, the grant application must be submitted by the lead agency for the Continuum of Care. The Division of Human Services serves in this capacity for Palm Beach County. The funding is sub-contracted with AAF to provide financial assistance such as rental and utility assistance for 12 families. On April 1, 2014, the BCC delegated signature authority to the County Administrator to sign the contract for this grant award; however, subsequently The Florida Department of Children and Families (DCF) changed the contract number, grant award amount and grant ending date. All funds must be expended no later than June 30, 2014. A report is due to DCF providing one-year follow up. DCF is requiring the grant be in force through the end of the reporting period. No County match funds are required. (Human Services) Countywide (TKF)

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MAY 6, 2014

5. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MAY 6, 2014

6. MATTERS BY THE PUBLIC – 2:00 P.M.

MAY 6, 2014

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

MAY 6, 2014

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK, VICE MAYOR

Request approval to present off-site, a Proclamation declaring May 14, 2014 as “Working Dog Handlers and K-9 Police Dogs Day” in Palm Beach County.

C. District 3 - COMMISSIONER SHELLEY VANA

Request approval to present off-site, a Certificate of Appreciation for Michael D. Baker

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

Request approval to present off-site, a Proclamation declaring May 2014 as “Civility Month” in Palm Beach County.

E. District 5 - COMMISSIONER MARY LOU BERGER

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

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

Request approval to present off-site, a Proclamation declaring May 17, 2014 as “Williams Syndrome Awareness Day” in Palm Beach County.

9. ADJOURNMENT

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