

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 13, 2018

<u>PAGE</u>	<u>ITEM</u>	
24	3G-4	REVISED MOTION: Staff recommends motion to approve: an agreement with the Palm Beach Sheriff's Foundation for \$50,000 to allocate among police departments and <u>law enforcement officers</u> in Puerto Rico that have suffered structural damage, loss of power, supply shortages, and/or lack of funding to otherwise adequately police the territory.
56	4A-1	REVISED MOTION: Staff recommends motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article V of the Palm Beach County Code (Ordinance 1999-018, amended by Ordinance No. 2008-059) concerning work identification cards for individuals performing in adult entertainment establishments; amending Section 17-147(31) (definitions); <u>amending section 17-153(a) (work identification card required);</u> amending Section 17-153(c) (application for work identification card); amending Section 17-153(e) (fees); ...
60	5C2	REVISED SUMMARY: ... Lieff, Cabraser, Heinmann & Bernstein LLP; Robbins, Geller, Rudman & Dowd LLP; Weiss, Handler & Cornwell, P.A.; and The Ryles Firm, LLC.; Motley Rice LLC; Gelber Schachter & Greenberg, P.A.; and Colson Hicks Eidson, <u>P.A.</u> ; The Ferrearo Law Firm, P.A.; Napoli Skolnik, PLLC. <u>LLC</u> ; and Stull, Stull & Brody (Co Atty)
61	5D-2	REVISED SUMMARY: ... Staff has identified approximately twenty-eight percent (28%) <u>twenty nine percent (29%)</u> of the County's eligible census tracts for consideration to be presented to the Governor. <u>Countywide</u> (JB) (HES)
66	5H1	REVISED MOTION: Staff requests board direction recommends motion to approve: regarding the atypical development costs associated with the proposed acquisition of a 5.09 acre vacant parcel of land in unincorporated western Delray Beach for the development of a Fire Rescue Station.
70	6B-1	REVISED MOTION: Staff recommends a motion to approve: appointment of two new members to the Construction Industry Licensing Board (CILB). (PZB)

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Peter F. Ringle	3	Building Official	3/13/18-9/30/20	Mayor McKinlay Commissioner Burdick <u>Commissioner Valeche</u>
Mark E. Robinson	10	Swimming Pool Contractor	3/13/18-9/30/20	Florida Swimming Pool Association (FSPA) <u>Commissioner Valeche</u>
OR				
Haydee I. Ullfig	10	Swimming Pool	3/13/18-9/30/20	Mayor McKinlay

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

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

MARCH 13, 2018

**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 10)

3. CONSENT AGENDA (Pages 11-55)

4. PUBLIC HEARINGS - 9:30 A.M. (Pages 56-57)

**5. REGULAR AGENDA (Pages 58-68)
TIME CERTAIN 2:15 P.M. (Village of Palm Springs CRA Request) (5B-1) (Page 60)**

6. BOARD APPOINTMENTS (Pages 69-70)

7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 71)

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- 2C-6 Florida Sunshine Law Week
- 2C-7 Lord's Place Sleep Out/Sleep In to End Homelessness
- 2C-8 Florida Surveyors & Mappers Week
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2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring March 2018 as Women's History Month in Palm Beach County (Sponsored by Mayor McKinlay)
2. Certificate of Congratulations presented to Christian Allen for earning the 2018 Martin Luther King, Jr. Student Leadership Award (Sponsored by Vice-Mayor Bernard)
3. Proclamation declaring April 8-14, 2018 as National Crime Victims' Rights Week in Palm Beach County (Sponsored by Mayor McKinlay)
4. Proclamation declaring March 2018 as Florida Bicycle Month in Palm Beach County (Sponsored by Vice-Mayor Bernard)
5. Proclamation declaring April 2018 as Sexual Assault Awareness Month in Palm Beach County (Sponsored by Mayor McKinlay)
6. Proclamation declaring March 15-21, 2018 as Florida Sunshine Law Week in Palm Beach County (Sponsored by Commissioner Kerner)
7. Proclamation declaring April 2018 as the Lord's Place Sleep Out/Sleep In to End Homeless Month in Palm Beach County (Sponsored by Vice-Mayor Bernard)
8. Proclamation declaring March 18-24, 2018 as Florida Surveyors & Mappers Week in Palm Beach County (Sponsored by Commissioner Burdick)
9. Proclamation declaring April 1-7, 2018 as Little Free Libraries Week in Palm Beach County (Sponsored by Commissioner Kerner)
10. Proclamation declaring April 2018 as Child Abuse Prevention Month in Palm Beach County (Sponsored by Commissioner Burdick)
11. Proclamation declaring April 2018 as Ethics Awareness Month in Palm Beach County (Sponsored by Commissioner Berger)
12. Proclamation declaring April 2, 2018 as World Autism Day in Palm Beach County (Sponsored by Commissioner Valeche)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** Resolution adopted by the City Council of the City of Greenacres, Florida, opposing legislative efforts to impede the constitutional right of Florida's citizens to govern themselves under municipal Home Rule powers. **SUMMARY:** The City Council of the City of Greenacres adopted a Resolution (R2018-02) which opposes any legislative efforts to impede on the right of Florida's citizens to govern themselves under municipal Home Rule powers, as well as the legislature's intrusion into local finances and local business. For nearly 50 years, Floridian's have possessed the constitutional right of local self-government through its municipalities. Municipal Home Rule powers include all governmental, corporate and proprietary powers necessary to conduct municipal government, perform municipal functions and render municipal services for the unique benefit of the people who live and work within a municipality. Countywide (DW)

2. **Staff recommends motion to approve:** Water Control District appointment (NPBCID) to the Water Resources Task Force (WRTF) for the remainder of a full three year term commencing March 13, 2018 and ending September 30, 2019.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Seat Representative</u>	<u>Term Ending</u>
10	Gregory Block	Alternate	NPBCID	09/30/19

SUMMARY: The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; and one Indian Trail Improvement District (ITID) representative. The resolution also requires designated alternates for each seat. The alternate member slot for NPBCID has been open for a while due to a resignation. This slot is a NPBCID selection. The NPBCID appointee for the Seat 10 alternate is for the remainder of the current three-year term ending September 30, 2019. There are currently 13 members (the ITID member slot remains unfilled at this time) and six alternate members on the WRTF. The diversity of the current 19 Task Force members and alternates is as follows: twelve Caucasian males, one African-American male, and six Caucasian females. The proposed NPBCID alternate member appointee is a Caucasian male. Countywide (MJ)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to:

A) approve Agreement with Friends of Foster Children of Palm Beach County, Inc. in an amount not to exceed \$100,000 for the purchase of school supplies for the 2018 Palm Beach County Back to School Bash for the period beginning March 19, 2018 through October 31, 2018; and

B) authorize advance payments to the Friends of Foster Children of Palm Beach County, Inc. up to \$50,000 towards the purchase of school supplies.

SUMMARY: This Agreement provides a not to exceed amount of \$100,000 to the Friends of Foster Children of Palm Beach County, Inc. (Friends) to implement the 2018 "Palm Beach County Back to School Bash" (Bash). The Bash provides school supplies to Palm Beach County students from Pre-K through 12th grade enrolled in the public or charter school system. Participating students will also receive school physicals, immunizations and haircuts. The Bash is an annual event planned, funded and implemented through a collaboration of several nonprofit organizations, community and church based organizations and the County through the Office of Community Revitalization (OCR). In order to participate in the Bash, students must be referred by one of the agencies of the Bash collaborative, be registered prior to June 29, 2018 and given a personal invitation to the event. All participating referral agencies, municipalities, community groups and/or religious organizations are required to sign an agency agreement with the Friends and pay a nominal fee for every student referral-registration. Last year's fee was \$6.75 per student and the 2018 fee has not been set. The Bash has been tentatively scheduled for Saturday, July 28, 2018 prior to the start of the 2018/19 school year. In accordance with the Agreement, up to \$50,000 of the \$100,000 from the County may be provided as an advance payment to the Friends to use as upfront capital toward the purchase of the school supplies. Countywide (DW)

4. Staff recommends motion to approve: Interlocal Agreement with Broward County,

Miami-Dade County, and Monroe County for the cost share support of services for the Southeast Florida Regional Climate Change Compact effective March 1, 2018, and ending on February 28, 2021. **SUMMARY:** This Agreement replaces Agreement R2016-0725, which expired on February 28, 2018. The Agreement advances Palm Beach County's commitment to climate resilience planning and coordination locally and regionally. The Agreement authorizes Broward County to serve as the fiscal agent overseeing a contract with the non-profit Institute for Sustainable Communities for the continuation of staffing coordination, project management, and facilitation services for the Southeast Florida Regional Climate Change Compact. Pursuant to the terms of the Interlocal Agreement, each of the four counties will contribute an amount not to exceed \$50,000 per year for this purpose. This amount is unchanged from the previous agreement. Countywide (RPB)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

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

Meeting Type	Meeting Date
Zoning	November 30, 2017
Regular	December 19, 2017
Zoning	January 4, 2018
Regular	February 6, 2018

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; Water Utilities Department; Environmental Resources Department; and the Department of Airports during December 2016.

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** contract with R&D Paving, LLC (R&D) in the amount of \$691,425.55 for the construction of the Linton Boulevard and South Federal Highway intersection improvements (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to R&D, a Palm Beach County based company, to begin construction of the project. The work will include the addition of a west approach right turn lane and associated drainage. It also includes modifying the southeast and southwest mast arms, and milling and resurfacing for the existing pavement from east of the railroad tracks to west of the bridge. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, R&D, committed to 42.8% SBE participation. Districts 4 & 7 (LBH)
2. **Staff recommends motion to approve:** task order to the structural engineering annual contract R2017-0138 with Wantman Group, Inc. (WGI), in the amount of \$199,324.37 for professional services for the Smith Sundry Road over Lake Worth Drainage District Lat. 33 Canal (PB934411) bridge replacement. **SUMMARY:** Approval of this task order will provide the professional services necessary to prepare the structural plans for the construction of a two lane bridge on Smith Sundry Road to replace the existing bridge. The proposed bridge will provide two 11'-0" traffic lanes, with paved shoulders on each side. The Small Business Enterprise (SBE) goal for all contracts is 15%. WGI's SBE commitment for the contract is 15%. The SBE participation WGI is proposing for this task order is 62.51%. WGI is a Palm Beach County based company. **This project is partially funded by the infrastructure sales tax.** District 5 (LBH)
3. **Staff recommends motion to approve:** first amendment to the annual traffic loops contract R2017-0232, Project No. 2017050 dated March 14, 2017, with AUM Construction, Inc. (AUM), to increase the amount of the contract by \$350,000 and to extend the expiration date from March 13, 2018 to March 13, 2019. **SUMMARY:** Approval of this first amendment will increase AUM's contract from \$1,000,000 to \$1,350,000 and extend the expiration date from March 13, 2018 to March 13, 2019. The increased contract amount is based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County (County). To date, tasks in the amount of \$310,360 have been authorized for AUM with 100% Small Business Enterprise (SBE) participation, which meets their commitment of 100%. The SBE goal for all contracts is 15%. AUM is a County based company and is a certified SBE company. This is the first of two allowable renewals under this contract. After the second renewal, the contract will need to be rebid. Countywide (LBH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

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

A) first amendment to the annual traffic signal contract R2017-0234, Project No. 2017051, dated March 14, 2017, with Gerelco Traffic Controls, Inc. (Gerelco), to increase the amount of the contract by \$1,000,000 and to extend the expiration date from March 13, 2018 to March 13, 2019; and

B) first amendment to the annual traffic signal contract R2017-0235, Project No. 2017051, dated March 14, 2017, with Valiant Power South, LLC (Valiant), to increase the amount of

the contract by \$1,000,000 and to extend the expiration date from March 13, 2018 to March 13, 2019.

SUMMARY: Approval of these first amendments will increase Gerelco's and Valiant's contracts from \$3,000,000 to \$4,000,000 and extend the expiration dates from March 13, 2018 to March 13, 2019. The increased contract amounts are based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County. The Palm Beach County Small Business Enterprise (SBE) goal for all contracts is 15%. To date, tasks in the amount of \$628,674 have been authorized for Gerelco, with a contract goal of 23.1%. Tasks in the amount of \$179,587 have been authorized for Valiant, with a contract goal of 0.79%. Valiant had failed to meet the SBE goal, and the next lowest bidder, Horsepower Electric, Inc., had met the SBE requirement, but fell outside the limit of ranking for consideration. This is the first of two allowable renewals under these contracts. After the second renewal, the contracts will need to be rebid. Countywide (LBH)

5. **Staff recommends motion to receive and file:** proportionate share agreement for \$1,105,000, Project Control Number 1993-0057, with G.L. Homes of Florida II Corporation, dated November 27, 2017, for their proposed project located on the west side of Hagen Ranch Road approximately one-half mile north of Lake Ida Road. **SUMMARY:** This agreement is being submitted to the Clerk and Comptroller of Palm Beach County in accordance with Countywide PPM CW-O-051. It was executed by the County Administrator on November 27, 2017. Resolution R2016-0125 delegates authority to the County Administrator or designee to enter into certain proportionate share agreements on behalf of the Board of County Commissioners. District 5 (LB)
6. **Staff recommends motion to receive and file:** proportionate share agreement for \$963,310.43, Project Number 170412, with W & W V LLC, dated November 27, 2017, for their proposed project located at State Road 7 and Stribling Way. **SUMMARY:** This agreement is being submitted to the Clerk and Comptroller of Palm Beach County in accordance with Countywide PPM CW-O-051. It was executed by the County Administrator on November 27, 2017. Resolution R2016-0125 delegates authority to the County Administrator or designee to enter into certain proportionate share agreements on behalf of the Board of County Commissioners. District 6 (LB)
7. **Staff recommends a motion to adopt:** Resolution to abandon the 10 foot utility easement lying within lots 24 through 37, and the overlying non-exclusive utility easement within Tract R-5, plat of Flavor Pict Townhomes PUD, as recorded in Plat Book 121, Pages 193 through 201, public records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the utility easements that are in conflict with future plans for development by Lennar Homes, LLC (Owner). The petition site is located on the south side of Flavor Pict Road, approximately 1,158 feet west of Military Trail. Reviewing agencies and utility service providers have all approved this abandonment. District 5 (LBH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to receive and file: proportionate share agreement for \$350,096.28, Project Control Number 1991-0037, with Brightwork Acquisitions, LLC, dated January 9, 2018, for their proposed project located at 41 and 65 North Benoist Farms Road, and 8115 and 8135 Southern Boulevard. **SUMMARY:** This agreement is being submitted to the Clerk and Comptroller of Palm Beach County in accordance with Countywide PPM CW-O-051. It was executed by the County Administrator on November 27, 2017. Resolution R2016-0125 delegates authority to the County Administrator or designee to enter into certain proportionate share agreements on behalf of the Board of County Commissioners. District 2 (LB)
9. Staff recommends motion to adopt: resolution authorizing execution of a tri-party railroad reimbursement agreement with the Florida Department of Transportation (FDOT) and the South Florida Regional Transportation Authority (SFRTA) for the installation and maintenance of upgraded railroad grade crossing traffic control devices at the SFRTA crossing on 6th Avenue South, DOT/AAR Crossing Number 628146G. **SUMMARY:** The SFRTA will be responsible for installing and maintaining the traffic control devices and the FDOT will reimburse SFRTA for all installation costs. Palm Beach County (County) is the license holder for this crossing and is required to pay 50 percent (\$4,465) of the annual signal maintenance fee which currently is \$8,930 for this Class VI crossing. The other 50 percent of the annual signal maintenance fee is the responsibility of the SFRTA. District 3 (LBH)
10. Staff recommends motion to approve: contract with Johnson-Davis, Inc. (JDI) in the amount of \$681,519 for the construction of Congress Avenue from north of Okeechobee Boulevard to Ware Drive. **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to JDI, a Palm Beach County based company, to begin construction of the project. The project will remove an existing concrete bridge over the City of West Palm Beach "F" Canal and replace it with two 66" pipe culverts. The proposed work also includes reconstruction of drainage and sidewalks, and milling and resurfacing of pavement. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, JDI, committed to 26% SBE participation. District 7 (LBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: contract for Professional Legal Services with Gordon & Doner, P.A., for legal services relating to personal injury protection insurance claims for Fire Rescue emergency transport services, for a one year term commencing April 1, 2018, with one one-year renewal option. No payment shall be made by County; however, the law firm may retain any interest, penalties, postage and attorney's fees and costs paid by insurers arising from PIP demands and litigation. **SUMMARY:** Gordon & Doner, P.A. has provided the County with legal services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transports since April 1, 2015. The legal services provided include representation of, and expert advice to, the County in demands and lawsuits filed on the County's behalf against insurers to recover PIP insurance benefits due to the County for emergency transports. No payment shall be made by the County to the law firm; however the law firm may retain any interest,

penalties, postage and attorney's fees and costs paid by insurers arising from PIP demands and litigation, provided that the County has received full payment of all PIP benefits due or has duly authorized the settlement or compromise of a PIP claim. This contract is for a one-year term with one one-year renewal option at the County's discretion. Countywide (SGB)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida (the Board), amending the Rules of Procedure to be incorporated into Section 500.00 of the County's Administrative Code; and providing for an effective date. **SUMMARY:** The Board, at its February 27, 2018, workshop meeting, expressed its desire to hold Commissioner and Staff comments prior to the Consent Agenda. The adoption of this resolution accomplishes this change to the Official Agenda format. Countywide (DMN)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Memorandum of Understanding (MOU) with CareerSource Palm Beach County, Inc. (CareerSource), for the period March 13, 2018 through December 31, 2018, that will automatically renew annually for one year terms, to coordinate resources and ensure effective and efficient delivery of workforce services to residents of Palm Beach County. **SUMMARY:** This MOU establishes the general conditions and joint processes that will enable Palm Beach County and CareerSource to effectively collaborate as partners and integrate workforce services into the current "One-Stop" delivery system. The collaboration will result in a seamless and comprehensive array of education, job training and other workforce development services. The "One-Stop" delivery system will ensure that the needs of job seekers, youth and individuals with barriers to employment, including individuals with disabilities are addressed. Palm Beach County residents seeking assistance will have access to services, including access to technology and materials that are available through the "One-Stop" delivery system. The MOU requires a contribution to the infrastructure and career service costs. This requirement has been identified as in-kind cost of \$23,000. Dina Hill, an employee of CareerSource is a member of the Community Action Advisory Board. This board provides no regulation, management, or policy-setting recommendations regarding this MOU. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. **No County funds are required.** (Community Services Department) Countywide (HH)
2. **Staff recommends motion to approve:** Amendment No. 1 to Contract for Provision of Financial Assistance with American Association of Caregiving Youth, Inc. (AACY) (R2017-1627), for the period October 1, 2017 through September 30, 2020, to amend the cost unit rate and number of

clients served, for the provision of behavioral health care management services for youth.

SUMMARY: Amendment No. 1 is necessary in order to increase the cost unit rate and adjust the number of clients served. AACY works with middle and high school students who are caregiving youth currently caring for a family member with a physical and/or mental health condition. Many of the youths experience high level of stress, anxiety, and/or depression. AACY provides behavioral health support in school, out of school and at home. This amendment will allow AACY to increase support services to youth with on-going care management and behavioral health intervention. **No additional County funds are required.** (Financially Assisted Agencies) Countywide (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** Contracts for Provision of Ryan White Part A HIV Health Support Services with the below listed agencies, for the three year period, March 1, 2018 through February 28, 2020, in the amount totaling \$16,490,076, of which \$5,496,692 is budgeted in GY 2018 with an anticipated annual allocation of \$5,496,692 in each subsequent grant year, contingent upon a budgetary appropriation by the Board of County Commissioners, subject to funding approval by the Health Resources Services Administration (HRSA):

A) Legal Aid Society of Palm Beach County, Inc., for the provision of legal support services for persons living with HIV Spectrum Disease, in an amount not to exceed \$985,158, of which \$328,386 is budgeted in GY 2018 with an anticipated annual allocation of \$328,386 in each subsequent grant year for the term of this contract;

B) Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida, for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$1,547,832, of which \$515,944 is budgeted in GY 2018 with an anticipated annual allocation of \$515,944 in each subsequent grant year for the term of this contract;

C) Compass, Inc., for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$2,531,388, of which \$843,796 is budgeted in GY 2018 with an anticipated annual allocation of \$843,796 in each subsequent grant year for the term

of this contract; and

D) FoundCare, Inc., for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$11,425,698, of which \$3,808,566 is budgeted in GY 2018 with an anticipated annual allocation of \$3,808,566 in each subsequent grant year for the term of this contract.

SUMMARY: On January 23, 2018, the Board of County Commissioners approved funding allocations for the Ryan White Program. These agencies were selected and recommended for contracting through the Request for Proposal process. These contracts cover services for HIV affected clients which include medical case management, medical care, pharmacy, oral health care, legal support services and substance abuse treatment. Kimberly Rommel-Enright and Vicki Krusel, employees of Legal Aid Society of Palm Beach County, Inc., Lilia Perez and Quinton Dames, employees of FoundCare, Inc., and Patrice Huntley employee of Compass, Inc., are members of the HIV CARE Council. Marcia Hayden, employee of Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida is a member of the Planning Commission. 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 Section. 2-443, of the Palm Beach County Code of Ethics. **No County funds are required.** (Ryan White Program) Countywide (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Renewal Agreement No. IU016-9500 to Standard Agreement No. IU016-9500 (R2015-1608) for Nutrition Services Incentive Program (NSIP) with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2018 through December 31, 2018, in the amount of \$203,573.49, to revise, amend and replace portions of the standard

agreement to provide effective delivery of nutritious meals to seniors;

B) Renewal Agreement No. IA016-9500 to Standard Agreement No. IA016-9500 (R2016-0321) for Older Americans Act (OAA) with AAA, for the period January 1, 2018 through December 31, 2018, in the amount of \$1,905,045, to revise, amend, and replace portions of the standard agreement to provide in-home and community-based services to seniors; and

C) budget amendment of \$475,403 in the Division of Senior Services Administration Fund to align the budget to the actual grant award.

SUMMARY: Grant adjustments are made during the contract year to align services with need. These renewals are necessary to incorporate changes made to the standard agreements. The Division of Senior Services is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. **No additional County funds are required for these renewals.** (Division of Senior Services) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve:

A) Standard Contract with the State of Florida, Department of Health, for a period not to exceed March 31, 2018, for a total amount of \$100,000, to receive funds to purchase health insurance premiums and cost sharing assistance services for Ryan White clients;

B) Contract for Provision of Financial Assistance with FoundCare, Inc., for the period January 1, 2018 through March 31, 2018, for a total amount of \$68,000, for the provision of providing health insurance premiums and cost sharing assistance services for the health and support of persons living with HIV Spectrum Disease;

C) Contract for Provision of Financial Assistance with Compass, Inc., for the period January 1, 2018 through March 31, 2018, for a total amount of \$32,000, for the provision of providing health insurance premiums and cost sharing assistance services for the health and support of persons living with HIV Spectrum Disease; and

D) FY 2018 Budget Amendment of \$100,000 in the Ryan White Care Program fund to align budget to actual contract award through the State of Florida, Department of Health.

SUMMARY: The Standard Contract with the State of Florida, Department of Health will provide funds to allow for the purchase of health insurance premiums and cost sharing assistance services for persons living with the HIV Spectrum Disease. The contracts with FoundCare, Inc. and Compass, Inc. are necessary to allow for payment of health insurance premiums and cost sharing assistance services rendered during the contract year. Lilia Perez and Quinton Dames, employees of FoundCare, Inc., are members of the HIV CARE Council. Patricia Huntley, employee of Compass, Inc., is a member of the HIV CARE Council. This board provides 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 Section. 2-443, of the Palm Beach County Code of Ethics. Funds are from the State of Florida, Department of Health. **No County funds are required.** (Ryan White Program) Countywide (HH)

6. Staff recommends motion to approve: contract for Provision of Financial Assistance with Palm Healthcare Foundation, Inc., for the period April 1, 2018 through March 30, 2019, for a Behavioral Health Strategic Planning Consultant, in an amount not to exceed \$10,000. **SUMMARY:** Palm Healthcare Foundation, Inc. will contract with a professionally qualified consultant to implement the Palm Beach County Behavioral Health Strategic Plan (Plan). The consultant will engage current and new partners in the collective impact approach, develop a common agenda, prioritize initial areas of focus within the Plan for the community's collective work, identify shared measures and determine the organizational structure needed to implement the work. This work will occur in two phases - the approach development phase and the approach implementation phase. The consultant will facilitate the approach development phase only. Funding for this \$85,000 contract

will be provided by collaboration of community partners. The County's portion of the funding will provide an advance one-time payment of \$10,000 to Palm Healthcare Foundation, Inc. in accordance with Palm Beach County Administrative Code Rule 305.02. (Financially Assisted Agencies) Countywide (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. **Staff recommends motion to approve:** contract with Southeast Florida Behavioral Health Network, Inc. (SEFBHN) for the period April 1, 2018 through September 30, 2018, for the provision of immediate expansion of substance abuse treatment bed capacity for detoxification and varying levels of residential treatment, care coordination, and expanded prevention programs to educate the community about the dangers of opioid abuse, in the amount of \$550,000. **SUMMARY:** At the February 6, 2018 meeting, the Board of County Commissioners authorized staff to negotiate a contract with SEFBHN to expand treatment options in the County while staff continues to work with the Healthcare District on the establishment of an addiction stabilization facility. The attached contract will serve to immediately expand the substance abuse treatment bed capacity in the County for residents experiencing or at risk of experiencing a substance abuse disorder. Through this contract, SEFBHN will identify and subcontract with agencies for the provision of additional treatment beds, including scholarships from private substance abuse treatment and detox facilities, and coordinate care for those needing housing and employment supports. The contract will also provide for the engagement of families with children at risk of addiction through targeted prevention efforts. Ultimately, the services provided through this short term contract with SEFBHN will assist in leveraging existing and future federal, state and local funding to ensure a seamless continuum of care for residents with substance abuse disorders and expand the existing network of providers to best meet the needs of the community and individuals. (Financially Assisted Agencies) Countywide (HH)

F. AIRPORTS

1. **Staff recommends motion to receive and file:** License Agreement with The Hertz Corporation commencing January 6, 2018, and terminating April 30, 2018, providing for the use of 57,500 square feet of parking at 1146 Carmichael Road, north of Belvedere Road, for the parking of vehicles in connection with Hertz' car rental operations at the Palm Beach International Airport and the payment of a license fee in the amount of \$14,365.00 for the Term. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2007-2070. Countywide (AH)
2. **Staff recommends motion to receive and file:** four Consent to Sublease (Consent) documents for Atlantic Aviation West Palm Beach LLC (Atlantic) for Palm Beach

International Airport (PBI).

1. Consent for Atlantic and Cushion Peak LLC, effective 11/1/2016.
2. Consent for Atlantic and Field Management Services LLC, effective 11/1/2017.
3. Consent for Atlantic and Intrepid Production Holdings LLC c/o Airmax, effective 12/1/2017.
4. Consent for Atlantic and Five Point Aerial Survey, effective 12/1/2017.

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

3. Staff recommends motion to receive and file: one Consent to Sublease (Consent) document for Galaxy Aviation of Lantana, Inc. (Galaxy) for Palm Beach County Park Airport (LNA).

1. Consent for Galaxy and Unlimited Aircraft Restoration, Inc., dated 4/12/2017.

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

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: License Agreement with Atlantic Aviation – West Palm Beach, LLC (Atlantic), commencing December 21, 2017, terminating December 31, 2017 (Initial Term), and automatically renewing on a month-to-month basis thereafter but not beyond September 30, 2019, providing for the use of 17,400 square feet at Atlantic's entrance at Perimeter Road on the south side of Palm Beach International Airport (PBIA) for the parking of vehicles in connection with Atlantic's Fixed Base Operator operations at the PBIA and the payment of license fees in the amount of \$1,000.00 per month. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2007-2070. Countywide (AH)
5. Staff recommends motion to receive and file: Automobile Transport Operator Permit with TJ RAN Transport, LLC, commencing December 20, 2017, terminating September 30, 2018, with automatic October 1st to September 30th annual term renewals unless canceled. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2014-1576. Countywide (AH)
6. Staff recommends motion to receive and file: Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

A) Construct Apron, Taxilanes/Taxiways and Infrastructure (Taxiway W) at Palm Beach International Airport, Financial Project Number 418178-1-94-01 approved by the Board on May 21, 2013 (R2013-0607 and R2013-0608), amended December 17, 2013 (R2013-1793 and 2013-1794) and December 2, 2014 (R2014-1811 and R2014-1812), is hereby extended until March 31, 2018;

B) Rehabilitate Taxiway C at Palm Beach International Airport, Financial Project Number 425724-1-94-01 approved by the Board on December 17, 2013 (R2013-1786 and R2013-1787), is hereby extended until July 31, 2018;

C) Golfview Apron, Taxilanes/Taxiways and Infrastructure at Palm Beach International Airport, Financial Project Number 427902-1-94-01 approved by the Board on September 11, 2012 (R2012-1245), is hereby extended until March 31, 2018;

D) Taxiway C Drainage Improvements at Palm Beach International Airport, Financial Project Number 430993-1-94-01 approved by the Board on December 15, 2015 (R2015-1768 and R2015-1769), is hereby extended until December 31, 2018;

E) Miscellaneous Taxiway Rehabilitation (Taxiways F, G, H and M) at Palm Beach International Airport, Financial Project Number 436216-1-94-01 approved by the Board on February 3, 2015 (R2015-0145 and R2015-0146), is hereby extended until December 31, 2018;

F) Southside Pavement and Infrastructure Improvements (including access and landside improvements) at Palm Beach County Park Airport, Financial Project Number 422467-1-94-01 approved by the Board on August 16, 2011 (R-2011-1158) and amended January 26, 2016 (R2016-0044 and R2016-0045), is hereby extended until December 31, 2018; and

G) Fuel Farm Improvements at Palm Beach County Glades Airport, Financial Project Number 427892-1-94-01 approved by the Board on February 3, 2015 (R2015-0149 and R2015-0150), is hereby extended until October 31, 2018.

SUMMARY: Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. **Staff recommends motion to approve:** Change Order No. 8 to the Contract with Ranger Construction Industries, Inc. in the amount of \$85,751.19 and 302 Calendar Days to Construct Golfview Infrastructure, Phase 1 at Palm Beach International Airport (PBIA). **SUMMARY:** The Contract with Ranger Construction Industries, Inc. to Construct Golfview Infrastructure Phase 1 at PBIA in the amount of \$5,170,912.85 and 240 Calendar Days was approved by the Board on June 7, 2016 (R2016-0715). Approval of Changes Orders 1-7 in the amount of \$386,280.23 and 85 calendar days were approved under the delegated authorities detailed in PPM CW-F-050 with the provision that the time would be adjusted once the property acquisition for the right turn lane on Military Trail was resolved. Approval of Change Order No. 8 in the amount of \$85,751.19 and 302 calendar days will increase the Contract amount to \$5,642,944.27 and 627 calendar days. Ranger Construction Industries, Inc. has committed to 14.93% DBE participation for this project. The total to date participation for this contract is 11.39%. Countywide (AH)

8. **Staff recommends motion to approve:** Utility Easement Agreement with Florida Power & Light Company (FPL) for electric utilities to serve development of facilities on County-owned property under lease to Palm Auto Plaza, LLC (Palm Auto), south of the Palm Beach International Airport (PBIA). **SUMMARY:** Palm Auto is constructing a new retail auto sale and service facility on County-owned property south of PBIA pursuant to a Development Site Lease Agreement (R2014-0037). FPL is providing electric utility service and requires an easement. Countywide (AH)
9. **Staff recommends motion to receive and file:** Palm Beach International Airport Nonconcessionaire Rental Car Operator Ground Transportation Permit (Permit) with ER Travel, LLC, d/b/a Easirent (Easirent), commencing January 29, 2018, terminating September 30, 2018, and automatically renewing on an October 1st to September 30th annual basis until canceled, providing for ground transportation services and the payment of Permit fees equal to eight percent (8%) of rental car gross revenues. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2012-0629. Countywide (AH)
10. **Staff recommends motion to receive and file:** Terminal Space Lease Agreement with Flight Services & Systems, Inc., commencing on January 24, 2018, terminating on September 30, 2018, and automatically renewing on a year-to-year basis (October 1st through September 30th) thereafter, for the lease of approximately 162 square feet of space at the Palm Beach International Airport. **SUMMARY:** Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2011-1337. Countywide (AH)

MARCH 13, 2018

3. **CONSENT AGENDA APPROVAL**

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

1. **Staff recommends motion to approve:** negotiated settlement offer in the amount of

\$5,000 for the full satisfaction of a Code Enforcement Lien that was entered against Trevor and Karen Kennedy on March 15, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on November 2, 2016 for property owned by Trevor and Karen Kennedy (the Kennedys) giving them until January 31, 2017 to bring their property located at 5515 Colbright Road in Lake Worth into full Code Compliance. The property had been cited for electrical alterations to a barn structure on the property without the proper permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against the Kennedys on March 15, 2017. Code Enforcement issued an Affidavit of Compliance for the property on October 16, 2017 stating that as of October 12, 2017 the cited code violation was fully corrected. The total accrued lien amount on January 15, 2018, the date on which settlement discussions began, totaled \$13,108.55, of which the Kennedys have agreed to pay Palm Beach County \$5,000 (38%) for full settlement of their outstanding Code Enforcement Lien. District 3 (SF)

2. **Staff recommends motion to approve:** negotiated settlement offer in the amount of \$27,321 for the full satisfaction of a Code Enforcement Lien that was entered against Tyrone Sanders on November 4, 2009. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on June 3, 2009 for property owned by Tyrone Sanders (Mr. Sanders) giving him until September 1, 2009 to bring his property located at 4271 Whispering Pines Road in West Palm Beach into full Code Compliance. The property had been cited for building alterations and renovations without the required building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$75 per day was imposed. The CESM then entered a claim of lien against Mr. Sanders on November 4, 2009. Code Enforcement issued an Affidavit of Compliance for the property on April 6, 2016 stating that as of April 5, 2016 the cited code violations had been fully corrected. The total accrued lien amount on November 8, 2017, the date on which settlement discussions began, totaled \$273,210.19, of which Mr. Sanders has agreed to pay Palm Beach County \$27,321 (10%) for full settlement of his outstanding Code Enforcement Lien. District 2 (SF)
3. **Staff recommends motion to approve:** reappointment of the following individuals to the County Infrastructure Surtax Independent Citizen Oversight Committee (Surtax Committee) to complete the unexpired term beginning March 13, 2018 to April 30, 2020:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Mary O. Evans	12	Tri-City Education Committee
Patrick J. Franklin	14	Urban League of PBC

SUMMARY: The Surtax Committee has 19 seats from District Commission appointments and various organizations. Both Mary O. Evans and Patrick J. Franklin were appointed to the Surtax Committee on April 4, 2017 but have not met the attendance policy. Both have requested to be reappointed to the committee. Including these re-appointments, 17 positions are filled, the diversity count is: 4 African-American (24%); 1 Hispanic (6%); and 12 Caucasian (70%). The gender ratio (female: male) is 7:10. Countywide (DW)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: agreement with the Palm Beach Sheriff's Foundation for \$50,000 to allocate among police departments and law enforcement officers in Puerto Rico that have suffered structural damage, loss of power, supply shortages, and/or lack of funding to otherwise adequately police the territory. **SUMMARY:** At the Comprehensive Plan Public Hearing on January 31, 2018, Commissioner Kerner requested the Board to direct staff to bring an item to the Board for a donation of \$50,000 to assist police forces in Puerto Rico for damages received during Hurricane Maria. This donation will provide stability and safety for the residents so they may remain in Puerto Rico. Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file:
- A)** Standard License Agreement for Use of County-Owned Property dated January 19, 2018, with United Way of Palm Beach County, Inc. (Jupiter Community Action Program Building);
- B)** Standard License Agreement for Use of County-Owned Property dated January 11, 2018, Cultural Council of Palm Beach County, Inc. (Government Center); and
- C)** Standard License Agreement for Use of County-Owned Property dated January 5, 2018, with South Florida Fair and Palm Beach County Expositions, Inc. (9620 Weisman Way Wheel lot and paved rear parking area).
- 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 attached standard Agreements, dated from January 5, 2018 to January 19, 2018, have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)
2. Staff recommends motion to approve: First Amendment to Agreement for Art Services (Amendment) with Susan Narduli of Narduli Studio to expand the scope of services, extend the contract duration to a total of 275 days and increase the fixed fee amount by \$340,600 for the Palm Beach County Convention Center Courtyard. **SUMMARY:** On December 19, 2017, the Board approved an Agreement for Art Services (R2017-1895) with Susan Narduli (Artist) of Narduli Studio in the amount of \$454,000 for the design, permitting, fabrication and installation of "Light Play" sculptural screens and gates for the Palm Beach County Convention Center Courtyard. As identified in that item, a portion of the Artist's design contract and that other amendments and contracts would be

forthcoming in separate items to realize the entire artist lead Courtyard project. This Amendment is one of those additional amendments/contracts contemplated. Specifically, it was determined that two additional artist designed and fabricated gates are required to satisfy code requirements at an additional cost of \$241,100, as well as \$99,500 (for a total of \$340,600) and an extension of 120 days for the artist to oversee the design and construction of the entire Courtyard project to achieve a cohesive and integrated result. While a 120-day time extension to the Artist contract is required, the overall project duration will not change and will remain coordinated with the Convention Center's event schedule so as to not cause any interference with planned events. Funding for this Courtyard art project is from the \$68M Rev Bond AC2/Convention Center Parking Garage. Following the completion of the Artists' and architect's design, a separate construction contract will be presented to the BCC for approval. (FDO ADMIN) District 7/Countywide (MJ)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: contract with Cedars Electro Mechanical, Inc., in the amount of \$224,988 for the 810 Datura Street Chiller Replacement Project. **SUMMARY:** The work consists of the replacement of the chilled water unit, the outside air – air handler unit and associated piping and electrical. Despite this building being scheduled for replacement in the next 8-12 years, the work is required to maintain a healthy environment for employees and visitors. In addition, the new equipment is more efficient and meets new energy code requirements. The specifications were also reviewed to take into account the projected life of the building. This work was competitively bid with Cedars Electro Mechanical, Inc. submitting the lowest responsive, responsible bid. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Cedars Electro Mechanical, Inc. is an SBE and participation for this work order is 77%. Cedars Electro Mechanical, Inc. is a Palm Beach County business. The total construction duration is 90 days. The project was identified in the Five Year Capital Improvement Budget and its funding source is the Public Building Improvement Fund (Ad Valorem). (Capital Improvements Division) District 7 (LDC)
4. Staff recommends motion to approve: contract with Brian's Carpet & Commercial Flooring, Inc., in the amount of \$232,430 for the Governmental Center Complex – Tax Collector's Office – Carpet Replacement Project. **SUMMARY:** The work consists of the removal of the existing carpet and vinyl base on the 3rd Floor of the Governmental Center, which is over 20 years old, badly worn, and will begin to present safety/liability issues if not replaced. The new install will consist of 20" x 20" carpet tiles and 4" cove base and includes raising and replacing the existing furniture. This work was competitively bid with Brian's Carpet & Commercial Flooring, Inc. submitting the lowest responsive, responsible bid. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Brian's Carpet & Commercial Flooring, Inc. is a SBE and participation for this work order is 100%. Brian's Carpet & Commercial Flooring, Inc. is a Palm Beach County business. The total construction duration is 90 days. The project is included in the Five Year Capital Improvements Plan (CIP) and is funded from the Public Building Improvement Fund (Ad Valorem). (Capital Improvements Division) District 7 (LDC)
5. Staff recommends motion to approve: First Amendment to Interlocal Agreement

R2013-0545 dated May 7, 2013 with the City of Atlantis (City) to extend the term of the Agreement for interoperable communications through the countywide common groups of the County's Public Safety Radio System to May 6, 2023. **SUMMARY:** The Agreement, which provides the terms and conditions under which the City can program its radios and utilize the countywide common talk groups for certain inter-agency communications expire on May 6, 2018. The Agreement provides for three renewal options, each for a period of five years. The City has approved a renewal to extend the term of the Agreement 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 Project 25 (P25) radio capabilities in the 800 MHz spectrum. There are no charges associated with the Agreement. The Agreement may be terminated by either party, with or without cause with ten days' notice. This First Amendment renews the term, updates the attachment, modifies the provisions on preventative maintenance and notices, and adds the County's standard nondiscrimination provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: First Amendment to Interlocal Agreement R2013-0673 dated June 4, 2013 with the Town of Jupiter Inlet Colony (Town) to extend the term of the Agreement for interoperable communications through the countywide common groups of the County's Public Safety Radio System to June 3, 2023. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Town can program its radios and utilize the countywide common talk groups for certain inter-agency communications expire on June 3, 2018. The Agreement provides for three renewal options, each for a period of five years. The Town has approved a renewal to extend the term of the Agreement 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 Project 25 (P25) radio capabilities in the 800 MHz spectrum. There are no charges associated with the Agreement. The Agreement may be terminated by either party, with or without cause with ten days' notice. This First Amendment renews the term, updates the attachment, modifies the provisions on preventative maintenance and notices, and adds the County's standard nondiscrimination provision. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)
7. **DELETED**
8. Staff recommends motion to approve: First Amendment to the Agreement (R2015-0416) with JFK MEDICAL CENTER LIMITED PARTNERSHIP, a Delaware limited partnership licensed to do business in the State of Florida, d/b/a JFK Medical Center and

f/n/a Columbia JFK Medical Center, L.P. (Hospital), allowing for interoperable radio communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System. **SUMMARY:** The Agreement (the Agreement) provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide and EMS common talk groups for certain inter-agency communications. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement, but the Hospital is required to pay all costs associated with Hospital'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 attachment, modifies the provisions on preventative maintenance, and adds the County's standard nondiscrimination provision. The term of the Agreement is renewed beginning on April 7, 2018, and continuing through April 6, 2021, pursuant to the exercise of the first of three renewal options for three years. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

9. **Staff recommends motion to approve:** Interlocal Agreement with the United States Department of Justice, Federal Bureau of Investigations (FBI) allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (System). **SUMMARY:** This Agreement provides the terms and conditions under which the FBI can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the FBI. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The FBI is required to pay all costs associated with the FBI's subscriber units and to comply with the established operating procedures for the County's System. The agreement provides for an initial term of five years with three renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. **Staff recommends motion to:**

A) adopt Resolution authorizing a Release of Rights of Entry and Exploration for minerals for Habitat for Humanity of South Palm Beach County, Inc. (Habitat) owned properties located on NE 2nd Street between Seacrest Blvd. and E. Martin Luther King Jr. Blvd. in Boynton Beach, and

B) approve Release of Rights of Entry and Exploration.

SUMMARY: The Board approved the conveyance of three surplus properties to the City of Boynton Beach, via Florida Statutes Section 197.592(3). On December 4, 2017, the

City of Boynton Beach conveyed these properties to Habitat. Habitat is requesting that the County release the rights of entry and exploration for minerals from these properties in order to render the properties marketable. Staff has no reason to believe that there are any minerals of significant market value. (PREM) District 7 (HJF)

11. **Staff recommends motion to approve:** change in the principal owners of JR Wake Parks, LLC/Apex Wake Parks (Apex) as the Concessionaire under the Concessionaire Service Agreement (R2016-0397) for the operation of a wake board and water sports concession located in Okeeheelee Park in West Palm Beach. **SUMMARY:** On March 22, 2016, the Board approved the Concessionaire Service Agreement with Apex for the construction, operation and the maintenance of a wake board cable complex for wake boarding and water skiing, wake surfing, zip lining, tubing and kneeboard rentals, competitions, and lessons at the Park for the Park's patrons. Apex is currently waiting for their permits to be issued to begin construction. Palm Beach Cable, LLC and West Palm Cable, LLC are the principal owners of Apex with each having a 50% ownership interest in Apex. Palm Beach Cable, LLC and West Palm Cable, LLC are negotiating for Palm Beach Cable, LLC to acquire West Palm Cable, LLC. Palm Beach Cable, LLC is 51% owned by Greg Norman, Jr. and 49% owned by Great White Shark Enterprises, which is 99% owned by Greg Norman and 1% owned by GN Holdings, which is 100% owned by Greg Norman. West Palm Cable, LLC is 100% owned by Rene Hofmann. Upon the completion of the transaction, Apex will be 100% owned by Palm Beach Cable, LLC whose ownership will remain unchanged. Apex is requesting the County's consent for Palm Beach Cable, LLC to acquire West Palm Cable, LLC. Rene Hofmann will remain involved in the construction and operation of the wake board and water sports concession. Staff supports this ownership transfer as the principals of these organizations will remain essentially unchanged. The initial term of the Concession Service Agreement is for ten years, with two extension options for ten years each. All terms and conditions of the Concessionaire Service Agreement will remain in full force and effect. (PREM) District 2 (HJF)
12. **Staff recommends motion to approve:** exercise of the first option to extend the term of the Fourth Amendment to Lease Agreement (R2007-0395) dated March 13, 2007, with Tallman, LLC for the continued use of 4,990 SF of indoor secured vehicle storage space for Palm Beach County Sheriff's Office at an Annual Rent of \$84,000. **SUMMARY:** Since March 29, 2007, the County has leased approximately 4,990 SF of indoor storage and 6,000 SF of paved outdoor storage within the Murphy's Towing Complex located at 6907 Southern Boulevard in unincorporated Palm Beach County, for the operation of both indoor and outdoor secured vehicle storage for PBSO. On March 12, 2013 (R2013-0271), the Board approved the Fourth Amendment which deleted the 6,000 SF outdoor storage area and extended the term of the Lease Agreement to March 28, 2018, with two extension options. Exercise of this first option will extend the term of the Fourth Amendment to Lease Agreement for one year, from March 29, 2018 through March 28, 2019. The Annual Rent will remain at \$84,000 (\$7,000/monthly). PREM will continue to have administrative responsibility for this Agreement. (PREM) District 2 (HJF)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

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

A) budget transfer of \$70,000 in the Housing and Community Development Fund;

B) budget amendment of \$70,000 in the Public Building Fund to recognize the transfer;
and

C) Amendment No. 9 to the Amended Contract with Robling Architecture Construction, Inc. (R2016-0762) in the amount of \$436,024 for the Program REACH/Transitional Housing Facility (Facility) and site improvement establishing a Guaranteed Maximum Price (GMP).

SUMMARY: This Amendment authorizes the Construction Manager to install a fire protection system in three two-story buildings including permit drawings and site work, site lighting, building weatherproofing and ADA improvements of one unit of the Facility. Amendment No. 9 establishes a Guaranteed Maximum Price of \$436,024. The duration of construction is 108 days. This project will be funded from Community Development Block Grant Program funds and will be done through an Amended Contract (8/23/17) containing terms and conditions for federally funded projects. The work was bid and the bids came in higher than the estimate, plus a contingency was added due to the renovation nature of the work, which necessitated the additional funds and the budget transfer. Robling Architecture Construction, Inc. is a Palm Beach County business and it is anticipated that 100% of the work will be performed by Palm Beach County businesses. (Capital Improvements Division) District 3 (LDC)

14. **Staff recommends motion to approve:** Amendment No. 1 with RJS Construction Group, Incorporated, to extend the term through February 2, 2019 for the annual contract for general building minor construction services on an “as-needed” basis for projects typically under \$100,000 each. **SUMMARY:** This Amendment extends the term of this Contractor’s annual contract for Minor Construction services through February 2, 2019 to coincide with the term of the previously approved list of 16 contractors for this continuing contract. This continuing contract is an indefinite-quantity contract with a cumulative maximum value of \$9,000,000 across all the minor contractors. The Board originally approved the annual Contracts on February 3, 2015, and the original Contracts provided for an initial term of one year with four renewal options each for a period of one year each. During the term of these Contracts, the county awarded \$200,767 in work orders to RJS Construction Group, Incorporated. RJS Construction Group, Incorporated is a Palm Beach County business. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. RJS Construction Group, Incorporated has achieved 27.8% under this contract. The cumulative SBE participation for all work orders to-date is 47.8%. (Capital Improvements) Countywide (LDC)

15. **Staff recommends motion to approve:** contract with West Construction, Inc., in the amount of \$473,491 for Lake Lytal and Canal Point Parks – Playground Renovations. **SUMMARY:** The existing playground equipment and appurtenances have outlived their useful life and are too expensive to maintain. The new playground equipment will provide years of maintenance free enjoyment for patrons of these two Parks. This work was competitively bid with West Construction, Inc. submitting the only responsive, responsible bid. West Construction, Inc. is a Palm Beach County business. The total construction duration is 130 days. **The project is included in the Five Year Capital Improvements Plan (CIP) and is funded from the Infrastructure Sales Tax and Community**

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. Staff recommends motion to approve:

A) Restrictive Covenant over a portion of County property leased to Indian Trail Improvement District (ITID) for the Acreage Community Park South to satisfy grant funding requirements by the State of Florida, Department of State, Division of Cultural Affairs (Division) located in unincorporated Palm Beach County; and

B) Third Amendment to Agreement of Lease with ITID for Acreage Community Park.

SUMMARY: ITID was awarded a Cultural Facilities Grant to fund a portion of the costs associated with the construction of an outdoor amphitheater within Acreage Community Park South located at 140th Avenue North in the Acreage. The funded improvements will include a concrete outdoor stage area with natural lawn seating, lighting, sound system, restrooms, pathways and parking. The Cultural Facilities Grant requires a Restrictive Covenant be recorded restricting the use of the property to a cultural facility (Amphitheater) for a ten year period. It is anticipated that construction of the Amphitheater will be completed by June 15, 2018. This Third Amendment to Agreement of Lease incorporates the terms of the Cultural Facilities Grant Award Agreement entered into by the Division and ITID on January 3, 2017 into the Lease, incorporates certain language required by County and provides for ITID acknowledgement that its use of the Amphitheater parcel is subject to the restrictions and covenants of the Cultural Facilities Grant Award Agreement and that ITID will be solely responsible for performance of the terms thereof. (PREM) District 6 (HJF)

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) Agreement with the Pahokee Housing Authority, Inc. (Authority) in the amount of \$600,000 for sanitary sewer improvements at the Authority's public housing complexes at Fremd Village and Padgett Island including, but not limited to, repair of the lines using a slip-lining process and/or replacement of damaged lines which may include excavation, removal and replacement of on-site paving, sidewalks and landscaping, and rehabilitation of manholes as needed, for the period of March 13, 2018 to June 30, 2019; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Agreement with the Pahokee Housing Authority, Inc.

SUMMARY: This Agreement provides Community Development Block Grant (CDBG) funding for sanitary sewer improvements at the Authority's public housing complexes at Fremd Village and Padgett Island located on State Road 441 in Pahokee. The sewer improvements include, but are not limited to, repair of the lines using a slip-lining process and/or replacement of damaged lines which may include excavation, removal and replacement of on-site paving, sidewalks and landscaping, and rehabilitation of manholes as needed. Funding for the project was authorized by the Board of County Commissioners on August 15, 2017 via Agenda Item 5C-3. Delegation of authority to the County Administrator, or designee, to execute future amendments will allow timely execution of such amendments in order to facilitate continuous project implementation and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development (HUD) expenditure deadlines. **These are Federal CDBG funds which require no local match.** District 6 (JB)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve:

A) Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency in the amount of \$114,000 for the development of the Oswego Oaks Neighborhood Park including, but is not limited to, site grading, installation of electrical and lighting, construction of pathways, parking, landscaping, irrigation, fencing, benches, signage, and a gazebo, for the period of March 13, 2018 to March 31, 2019; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency.

SUMMARY: This Agreement provides Community Development Block Grant (CDBG) funding in the amount of \$114,000 for the development of the Oswego Oaks Neighborhood Park on vacant land located at Oswego Avenue and Seminole Boulevard in the Westgate/Belvedere Homes CRA in unincorporated Palm Beach County. The scope of the project includes, but is not limited to, site grading, installation of electrical and lighting, construction of pathways, parking, landscaping, irrigation, fencing, benches, signage, a gazebo and site amenities consistent with these types of improvements. Funding for the project was authorized by the Board of County Commissioners on August 15, 2017 via Agenda Item 5C-3. Delegation of authority to the County Administrator, or designee, to execute future amendments will allow timely execution of such amendments in order to facilitate continuous project implementation and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development expenditure deadlines. **These are Federal CDBG funds which require no local match.** District 7 (JB)

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

A) Agreement with the Town of Lake Park in the amount of \$38,198 for playground improvements at Bert Bostrom Park including, but not limited to, the purchase and installation of ADA compliant playground equipment and related site improvements, for the period of March 13, 2018 to December 31, 2018; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Agreement with the Town of Lake Park.

SUMMARY: This Agreement provides Community Development Block Grant (CDBG) funding for the installation of playground improvements at Bert Bostrom Park, located on Bayberry Drive in Lake Park, including, but not limited to, the purchase and installation of ADA compliant playground equipment, related site improvements and amenities consistent with these types of improvements. On July 11, 2017, the Board of County Commissioners approved the Fiscal Year 2017-2018 Action Plan (R2017-0941) which allocated \$38,198 for these playground improvements. Delegation of authority to the County Administrator, or designee, to execute future amendments will allow timely execution of such amendments in order to facilitate continuous project implementation and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development (HUD) expenditure deadlines. **These are Federal CDBG funds which require no local match.** District 7 (JB)

MARCH 13, 2018

3. **CONSENT AGENDA APPROVAL**

I. **HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)**

4. **Staff recommends motion to approve:** Agreement with the Village of Palm Springs for demolition services to eliminate blighted conditions which pose a threat to public health and safety in the community. **SUMMARY:** This Agreement establishes terms for the Village of Palm Springs' participation in the Department of Housing & Economic Sustainability's (HES) demolition program. HES utilizes Federal Community Development Block Grant (CDBG) and Neighborhood Stabilization Program (NSP) funds to undertake the demolition of structures which pose a threat to public health and safety or pose blighting conditions in the community. When the expenditure of Federal funds on the demolition of a property is \$25,000 or greater, United States Department of Housing and Urban Development (HUD) regulations (24 CFR 570.505) apply. These regulations require that for no less than five years following demolition, the property serve a CDBG/NSP eligible use such as affordable housing, a public facility, or a commercial facility which predominantly serves low and moderate income persons. This Agreement requires the municipality to place an encumbrance on the title to such properties in order to restrict their use, to secure the Federal funds, and to ensure compliance with HUD grant

requirements. The Agreement will begin on the date of its approval by the Board of County Commissioners and will remain in effect for a period of three years thereafter. **These are CDBG and NSP Federal funds which require no local match. District 3 (JB)**

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

A) Amendment No. 001 to an Agreement (R2017-1687) with the City of Belle Glade to revise the expense categories eligible for reimbursement regarding staff expenses for the provision of code enforcement services; and

B) delegated authority to the County Administrator, or designee, to execute amendments to the three Agreements R2017-1686, R2017-1687 and R2017-1688 with the City of South Bay, the City of Belle Glade, and the City of Pahokee relating to funding for the provision of code enforcement services as approved by the Board of County Commissioners on November 7, 2017.

SUMMARY: On November 7, 2017, the County entered into an Agreement (R2017-1687) with the City of Belle Glade to provide \$150,447 in Community Development Block Grant (CDBG) funds for the provision of code enforcement services. The City has requested to use the CDBG funds for eligible expenses in additional personnel related categories. The original Agreement provided for Code Enforcement Officer's salary, however, as a requirement for payment, certain categories such as health insurance, retirement and overtime must be delineated in the Agreement. This Amendment revises the categories to be eligible for reimbursement. Delegation of authority to the County Administrator, or designee, to execute future amendments to the Agreements approved on November 7, 2017, will allow timely execution of such amendments which will allow the City of South Bay, the City of Belle Glade, and the City of Pahokee to undertake code enforcement activities in a continuous uninterrupted manner and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development (HUD) expenditure deadlines. **These are Federal CDBG funds which require no local match. District 6 (JB)**

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

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

A) Loan Agreement with HTG Heron Estates Senior, LLC (HTG) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the Heron Estates Senior Apartments affordable housing project;

B) Mortgage Subordination Agreement with U.S. Bank National Association and HTG;

C) Subordination Agreement with Florida Housing Finance Corporation and HTG;

D) Subordination Agreement with Riviera Beach Housing Authority; and

E) delegation of authority to the County Administrator, or designee, to execute the aforesaid Subordination Agreements and future amendments to the Loan Agreement with HTG.

SUMMARY: On September 1, 2015 (Agenda Item 3I-6), the Board of County Commissioners (BCC) authorized the allocation of SHIP funds as the required local match under Florida Housing Finance Corporation's (FHFC) State Apartment Incentive Loan (SAIL) Program. The Department of Housing and Economic Sustainability (HES) provided HTG a conditional award for a \$115,000 loan subject to approval of the Heron Estates Senior Apartments affordable housing project by FHFC under the SAIL Program. The project, which will contain 101 affordable rental units, has been approved by FHFC and is ready to proceed. The County's funds will be used for construction costs and will be secured by a mortgage and promissory note. The Loan Agreement requires HTG to pay annual interest payments, subject to cash flow availability, on the loan over 30 years with the entire principal due at the end of the term. The project will be located on North Congress Avenue in Riviera Beach. All 101 affordable rental units will be rented to households whose incomes are at or below 60% of the area median income for a period of 30 years. U.S. Bank National Association will provide first mortgage financing for this project in the amount of \$12,000,000. FHFC will provide second and third mortgage financing in the amount of \$4,971,218 and \$720,500, respectively. The Riviera Beach Housing Authority will provide fourth mortgage financing in the amount of \$1,000,000. The project site is owned by the Riviera Beach Housing Authority and will be leased under a long term lease to HTG. HTG has requested that the County subordinate its \$115,000 mortgage to the afore stated four mortgages by means of the Subordination Agreements which are attached hereto in substantial form. Delegation of authority to the County Administrator, or designee, to execute the Subordination Agreements, subject to the County Attorney's approval of their content, is requested to enable a timely response when the closing is scheduled. **These are SHIP funds which require no local match.** District 7 (JB)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

7. Staff recommends motion to approve:

F) Loan Agreement with BDG Banyan Court, LP (BDG) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the 85 unit Banyan Court affordable rental housing project;

G) Mortgage Subordination Agreement with Valley National Bank and BDG;

H) Subordination Agreement with Florida Housing Finance Corporation and BDG; and

I) delegation of authority to the County Administrator, or designee, to execute the aforesaid Subordination Agreements and future amendments to the Loan Agreement with BDG.

SUMMARY: On July 12, 2016 (Agenda Item 3I-4), the Board of County Commissioners (BCC) authorized the allocation of SHIP funds as the required local match under Florida Housing Finance Corporation's (FHFC) State Apartment Incentive Loan (SAIL) Program. The Department of Housing and Economic Sustainability (HES) provided BDG a conditional award for a \$115,000 loan subject to approval of the Banyan Court affordable housing project by FHFC under the SAIL Program. The project, which will contain 85 affordable rental units, has been approved by FHFC and is ready to proceed. The County's funds will be used for construction costs and will be secured by a mortgage and promissory note. The Loan Agreement requires BDG to pay annual interest payments on the loan over 30 years with the entire principal due at the end of the term. The project will be located at 1716 3rd Avenue North in Lake Worth. All 85 affordable rental units will be rented to households whose incomes are at or below 60% of the area median income for a period of 30 years. Valley National Bank will provide first mortgage financing for this project in the amount of \$11,200,000. FHFC will provide second and third mortgage financing in the amount of \$5,400,000 and \$600,000, respectively. BDG has requested that the County subordinate its \$115,000 mortgage to the afore stated three mortgages by means of the Subordination Agreements which are attached hereto in substantial form. Delegation of authority to the County Administrator, or designee, to execute the Subordination Agreements, subject to the County Attorney's approval of their content, is

requested to enable a timely response when the closing is scheduled. **These are SHIP funds which require no local match.** District 3 (JB)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

A) adopt resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 1 South County Road, Palm Beach, (Commercial);

B) approve restrictive covenant for 1 South County Road, Palm Beach, (Commercial) requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

C) adopt resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 350 Worth Avenue, Palm Beach (Commercial); and

D) approve restrictive covenant for 350 Worth Avenue, Palm Beach (Commercial) requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The resolution will authorize a County tax exemption for the following historic properties located within the Town of Palm Beach: 1 South County Road, (property is privately owned for commercial use) and 350 Worth Avenue, (property is privately owned

for commercial use). If granted, the tax exemption shall take effect January 1, 2018, and shall remain in effect for ten years, or until December 31, 2027. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the 10 years ending December 31, 2027, is \$207,134. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$20,713 tax dollars will be exempted annually based on the 2018 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 1 & 7 (RPB)

2. **Staff recommends motion to approve:** reappointment of one member to the Building Code Advisory Board (BCAB).

<u>Reappoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Gary Kozan	8	Plumber/Plumbing Contractor	FAPGMI Palm Beach/Treasure Coast Chapter	03/13/18–03/12/21

SUMMARY: The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members: one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society; seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County. The Florida Association of Plumbing-Gas-Mechanical Inspectors Palm Beach/Treasure Coast Chapter has nominated Gary Kozan to be reappointed as the Plumber/Plumbing Contractor in Seat 8. This Advisory Board has 16 seats, 14 currently filled and 2 vacancies, and a diversity count of Caucasian: 12 (86%), African-American: 1 (7%) and Asian-American: 1 (7%). The gender ratio (male: female) is 13:1. The nominee is a Caucasian male. Countywide (SF)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to receive and file:** executed Termination of Removal Agreement received during the month of January 2018:

A) G. L. Mack, LLC, owners of property located at 5240 Okeechobee Blvd, West Palm Beach, Florida 33417, PCN 00-42-43-26-00-000-1014, recorded in Official Record Book 29581, Page 0308 on January 10, 2018.

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 listed property owners entered into Removal Agreement for future right of way or other easement within the County and have now decided to terminate the

Removal Agreement. The Termination of Removal Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Planning, Zoning & Building Department in accordance with Resolution 2015-1863, and are now being submitted to the Board to receive and file. Countywide (AH)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: executed Agreements received during the month of July and October 2017.

A) Standard Potable Water and Wastewater Development Agreement with Pulte Home Company, LLC, #09-01076-000 (District 5), Recorded in OR BK 29275 PG 1690.

B) Standard Potable Water and Wastewater Development Agreement with Lennar Homes, LLC, #02-01133-001 (District 6), Recorded in OR BK 29464 PG 1413.

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 and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department (WUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. (MJ)

2. Staff recommends motion to approve: release of a utility easement over property owned by Boca Raton Associates VII, LLLP. **SUMMARY:** The document will release the County's interest in a utility easement recorded in the Official Records of Palm Beach County, ORB 23941, Page 1949. During the site plan modification and platting process, it was discovered that an existing Utility Easement was determined to be within the property that no future public utility facilities will be installed. The Water Utilities Department has determined that the release of easement will not affect any existing public utility facilities or future public utility facilities and therefore recommends the release. District 2 (MJ)
3. Staff recommends motion to approve: partial release of a utility easement over property owned by CT BTS, LLC. **SUMMARY:** On November 2, 1998, a utility easement (Easement) was granted to the County for public water facilities associated with the development of the property identified by PCN 70-43-44-05-00-000-7030 (F.K.A. PCN 00-43-44-05-00-000-7030). The Easement was recorded in the Official Records of Palm Beach County, ORB 10726, Page 1894. During the site plan modification and platting process, it was discovered that a portion of the Easement was determined to be within the property being dedicated to Lake Worth Drainage District as part of the redevelopment. The Water Utilities Department has determined that the partial release of the Easement will not affect the existing water facilities and therefore recommends the partial release. District 2 (MJ)

MARCH 13, 2018

3. **CONSENT AGENDA APPROVAL**

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 3 for Improvements to Lift Stations 393, 1023, 5133 and the Abidjan Estates' Lift Station Project (Project) with Baxter & Woodman, Inc., d/b/a Mathews Consulting in the amount of \$191,739.31. **SUMMARY:** On June 20, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract for Consulting/ Professional Services for General Utility, Architectural & Value Engineering Services with Baxter & Woodman, Inc., (R2017-0815). Lift Stations 393, 1023, 5133 and the Abidjan Estates' Lift Station are operating with components past their expected service life and require improvements to meet WUD standards. CSA No. 3 provides engineering services, including but not limited to, design, permitting and bidding services for these improvements. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Baxter & Woodman, Inc., provides for SBE participation of 26% overall. CSA No. 3 includes 39.04% overall participation. The cumulative SBE participation, including CSA No. 3, is 30.35% overall. Baxter & Woodman, Inc., is headquartered in Crystal Lake, Illinois but maintains an office in Palm Beach County from which the majority of the work under CSA No. 3 will be undertaken. The Project is in the FY18 Capital Improvement Plan adopted by the BCC. (WUD Project No. 17-064) Districts 1, 4, & 6 (MJ)
5. **Staff recommends motion to approve:** Release of a Declaration of Easement over property owned by Kings Academy Inc. **SUMMARY:** On January 7, 2003, a Declaration of Easement was granted to the County for public utility facilities associated with the development of the property now identified by PCN 00-42-43-29-19-019-0000. The Declaration of Easement was recorded in the Official Records of Palm Beach County, ORB 14712, Page 1788. The 4-inch wastewater force main that was located within the easement has been relocated. The Water Utilities Department has determined that the release of easement will not affect any existing public utility facilities or future public utility facilities and therefore recommends the partial release. District 2 (MJ)
6. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida revising Chapters 1, 2, 3 and 6 of the Water Utilities Department's (WUD) Uniform Policies and Procedures Manual (UPAP). **SUMMARY:** The UPAP contains fees, standards, legal documents, policies and procedures that govern the provision of potable water, wastewater and reclaimed water services within the WUD service area. WUD updates the UPAP from time to time to ensure compliance with recently enacted laws and ordinances and to ensure that it continues to enable effective and efficient delivery of utility services. The proposed changes to the UPAP contained in the resolution include: amendments to definitions relating to residential and non-residential units (Chapter 1); modification of the time frame and other criteria required to establish a good account history for purposes of deposit refunding (Chapter 2); modification to allow Property Owners to apply for a Deferred Payment Plan when connecting to the County's fire line facilities (Chapter 3); modification of the Account Reactivation Fee to differentiate between calls received during business hours and calls received outside of business hours for same day service; and renaming of the Delinquent Account Reactivation Fee to Delinquent Account Fee and application of the Delinquent Account Fee to situations where a disconnect service order has been initiated but disconnection has not occurred (Chapter 6). A more detailed summary of the proposed changes is attached to the agenda item. The proposed changes were reviewed and approved by the WUD Advisory Board on January 26, 2018. (Finance and Administration) Countywide (MJ)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R2017-0675 pertaining to the Special Assessment process for the 68th Street North Water Main Extension (Project), reducing the individual assessment from \$56.33 to \$49.84 per front-footage. **SUMMARY:** On May 16, 2017, the Board of County Commissioners adopted Resolution R2017-0675 confirming the Project. Pursuant to Section 9 of Ordinance No. 2001-0010, property owners are entitled to a reduction in their individual assessment if the final cost of the project falls below the original estimate. The assessment adopted by the Board was based upon an estimated assessable cost of \$239,560.26 before construction. The actual assessable cost is \$211,959.50 after completion of construction. The Project is based on 18 residential properties with a total frontage of 4,252.80 feet. The individual cost to the property owners decreased from \$56.33 to \$49.84 utilizing the per front-footage. (WUD Project No. 16-079) District 6 (MJ)
8. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 for the Water Treatment Plant 9 (WTP 9) Variable Frequency Drives and Grounding Improvements with Hillers Electrical Engineering, Inc., (R2017-0819) in the amount not to exceed \$139,256.56. **SUMMARY:** On June 20, 2017, the Board of County Commissioners (BCC) approved the Contract for Consulting/Professional Services Electrical Instrumentation and Telemetry Engineering Services (Contract) with Hillers Electrical Engineering, Inc. CSA No. 4 will provide for professional/engineering services related to the WTP 9 Variable Frequency Drives and Grounding Improvements (Project). CSA No. 4 provides for the design of eight variable frequency drives on large pumps to improve energy efficiency. Grounding improvements and harmonic filters will be designed to improve safety and reduce motor maintenance. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Hillers Electrical Engineering, Inc., provides for SBE participation of 100% overall. CSA No. 4 includes an overall SBE participation of 100%. The cumulative SBE participation including CSA No. 4 is 100% overall. Hillers Electrical Engineering, Inc., is headquartered in Palm Beach County. The Project is in the FY18 Capital Improvement Plan adopted by the BCC. (WUD Project No. 18-016) District 5 (MJ)
9. Staff recommends motion to approve: contract with Gilmore Electric Company, Inc., for the Generator Lug Boxes at Water Treatment Plants (WTPs) 2, 3, 8, 9 & Southern Region Operations Center (SROC) in the amount of \$2,170,000.05. **SUMMARY:** On October 25, 2017, four bids were received to install a total of ten Generator Lug Boxes at WTPs 2, 3, 8, 9 & SROC (Project). The installation of exterior lug boxes for connection of temporary generators for electrical back up will improve safety and increase reliability of emergency power. The generator lug boxes will be used during scheduled maintenance and/or failure of the existing emergency generators. The low bidder, Gilmore Electric Company, Inc., was determined to be the lowest responsive and responsible bidder in the amount of

\$2,170,000.05. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Gilmore Electric Company, Inc., provides for SBE participation of 100% overall. Gilmore Electric Company, Inc., is headquartered in Palm Beach County. The Project is included in the FY18 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 17-023) Districts 2 & 5 (MJ)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

10. **Staff recommends motion to approve:** contract with Carrick Contracting Corporation (Contract) for the Morikami Pump Station Antenna Tower in the amount of \$219,692. **SUMMARY:** On December 5, 2017, two bids were received to furnish and install the Morikami Pump Station Antenna Tower (Project). The Project includes furnishing and installation of an antenna that will be used to read approximately 30,000 Advanced Metering Infrastructure water meters west of Delray Beach and Boca Raton. Carrick Contracting Corporation was determined to be the lowest responsive and responsible bidder in the amount of \$219,692. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract provides for SBE participation of 20.938% overall. Carrick Contracting Corporation is headquartered in Palm Beach County. The Project is included in the Water Utilities Department FY18 Budget (WUD Project No. 16-045) District 5 (MJ)
11. **Staff recommends motion to:**
 - A) adopt** resolution in support of an application to obtain a utility easement (Application) from the Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) on property located at 190 North Lake Avenue in the City of Pahokee;
 - B) approve** Consent of Easement to Use Corps of Engineers Right-of-Way (Consent of Easement) with the United States Army Corps of Engineers (Corps); and
 - C) delegate** to the County Administrator or designee the authority to execute the easement documents upon approval of the application by the TIITF.

SUMMARY: The Water Utilities Department (WUD) is planning to rehabilitate lift station (LS) 8206, which is located at 190 N Lake Avenue, Pahokee. WUD and its predecessors, the Glades Utility Authority and City of Pahokee have been operating this lift station for many years. WUD staff discovered the lack of an existing easement and has worked with staff from the Division of State Lands to expedite an application to identify and secure the

proposed Easement from TIITF. The proposed 700 square foot easement will facilitate WUD with the rehabilitation of this lift station and continue its operation and maintenance. Per the terms of the Application, the Board of County Commissioners is required to adopt a resolution in support of the Application for it to be considered by the TIITF. As a local government, the County will not be required to pay any fees for the application or proposed easement. WUD has additionally secured consent for the easement from the City of Pahokee and the Corps, who are management entities regarding the parcel. The Corps requires the execution of a Consent to Easement to undertake activities on infrastructure within the Corps Right-of-Way. Upon approval of the application for easement by the TIITF, the Division of State Lands transmits the easement documents to the County for execution. The legal description of the easement parcel is attached to the Application to be approved. WUD recommends the delegation of the authority to execute the easement to the County Administrator or designee unless there are material changes to the legal documents granting the easement. (WUD Project No. 15-096B) District 6 (MJ)

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3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

12. [Staff recommends motion to approve:](#) Consultant Services Authorization (CSA) No. 4 for the Water Treatment Plant 11 (WTP 11) High Service Pump Station Electrical Room Improvements with Kimley-Horn and Associates, Inc., (R2017-0903) in an amount not to exceed \$183,829.20. **SUMMARY:** On July 11, 2017, the Board of County Commissioners (BCC) approved the Contract for Consulting/Professional Services for Water Treatment and Water Resources Engineering Services (Contract) with Kimley-Horn and Associates, Inc., (R2017-0903). CSA No. 4 will provide for professional/ engineering services related to the WTP 11 High Service Pump Station Electrical Building Improvements (Project). WTP 11 is the sole source of drinking water for the Cities of Pahokee, Belle Glade, South Bay and unincorporated Canal Point. During Hurricane Irma, the high service pump station electrical building was close to inundation. Flooding of the high service pump station electrical building would cause failure of the high service pump and result in loss of drinking water to the service area. CSA No. 4 will provide for the design of a new electrical building primarily to mitigate the risk of future flooding. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Kimley-Horn and Associates, Inc., provides for SBE participation of 28% overall and Minority/Women Business Enterprise (M/WBE) participation of 7%. CSA No. 4 includes an overall SBE and M/WBE participation of 50.49% and 0% respectively. The cumulative SBE and M/WBE participation including CSA No. 4 is 54.89% and 5.32% overall. Kimley-Horn and Associates, Inc., is headquartered in Raleigh, North Carolina but maintains an office in Palm Beach County from which the majority of the work under CSA No. 4 will be undertaken. The Project is in the FY18 Capital Improvement Plan adopted by

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

13. Staff recommends motion to approve:

A) Contract (Contract) for the South County Reclaimed Water Transmission Pipeline Phase I (Project) with Chen Moore and Associates, Inc., for a period of five years commencing March 13, 2018 and ending March 12, 2023; and

B) Consultant Services Authorization (CSA) No. 1 with Chen Moore and Associates, Inc., for a sub-project consisting of approximately four miles of reclaimed water transmission pipeline in the amount not to exceed \$855,989.81.

SUMMARY: On April 5, 2016, the Board of County Commissioners (BCC) approved an

Interlocal Agreement with Broward County related to the construction, ownership, operation and maintenance of a Regional Reclaimed Water System (Agreement) to deliver reclaimed water from Broward County's northern wastewater treatment plant to the Water Utilities Department (WUD) service area (R2016-0470). The First Amendment to the Agreement was approved by the BCC on August 15, 2017 (R2017-1052). On October 25, 2017, Chen Moore and Associates, Inc., was selected through the CCNA process to provide WUD with professional engineering services associated with the Project. The Project provides for the first phase in the design of the infrastructure necessary to deliver reclaimed water from Broward County's northern wastewater treatment plant to the WUD service area and focuses on the western portion of the transmission infrastructure required to deliver reclaimed water to potential customers. The Project contains approximately 9 miles of this transmission pipeline and will be designed in sub-phases to provide for multiple competitively bid construction sub-projects. The term of the Contract is for five years and the project budget for the engineering services and construction (to be bid separately) is estimated to be between \$18,000,000 and \$22,000,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract provides for SBE participation of 82.5%. (WUD Project No. 17-035) CSA No. 1 provides for the engineering design services for approximately four miles of reclaimed water transmission pipeline for the first sub-project, Phase I A, at a cost not to exceed \$855,989.81. The construction of the reclaimed water transmission pipeline in Phase I A will allow for the delivery of reclaimed water to Burt Aronson South County Regional Park and Osprey Point Golf Course, in addition to other potential customers. CSA No. 1 provides for SBE participation of 91.66%. The cumulative SBE participation, since this is the first approval, is 91.66% overall. Chen Moore and Associates, Inc., is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work under this Contract will be undertaken. The Project is in the FY18 Capital Improvement Plan adopted by the BCC. (WUD Project No. 18-022) District 5 (MJ)

14. **Staff recommends motion to approve:** Subordination of Utility Interests to the State of Florida Department of Transportation (FDOT). **SUMMARY:** On September 1, 2009, a utility easement was granted to the County for public utility facilities associated with the development of the property identified as Peggy Adams Animal Rescue League of the Palm Beaches. The utility easement was recorded in the Official Records of Palm Beach County, ORB 23459, Page 842. The FDOT has an interest in a portion of this utility easement that has been determined necessary for highway purposes. The proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to FDOT. FDOT is willing to pay to have the County's facilities relocated in the future if necessary. The Water Utilities Department has determined that the subordination of utility interests will not affect any existing public utility facilities and therefore recommends the subordination. District 7 (MJ)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to:**

A) approve State of Florida Department of Environmental Protection Florida Greenways and Trails Program Designation Agreement (Agreement) for a portion of the Royal Palm Beach Pines Natural Area for a 20-year term beginning upon execution; and

B) authorize the County Administrator, or designee, to sign a Resource Certification (Certification) every five years during the term of the Agreement.

SUMMARY: An Application for Designation of a 761.1-acre portion of Royal Palm Beach Pines Natural Area as part of the Florida Greenways and Trails System was approved by the Florida Greenways and Trails Council on January 11, 2018. A 10.5-acre wetland leased by the County is not included in the Agreement. To maintain the designation, Certification is required every 5 years from the date of execution requiring that the natural, recreational, cultural or historic resources identified in the Agreement be maintained. The natural resources found within the designation area are maintained pursuant to Management Plan (12-18-2001) and approval of the Agreement is not expected to have any fiscal impact. District 6 (AH)

2. **Staff recommends motion to approve:** First Amendment to Agreement (R2017-0742) with Palm Beach County Fishing Foundation, Inc. (PBCFF) modifying the way donated reef units are quantified to include tonnage, beginning upon execution and ending June 30, 2019. **SUMMARY:** The Amendment allows for the acceptance of a minimum of 200 tons of reef unit material to satisfy agreement requirements. This allows for the donation to be quantified in tons rather than individual units. **There is no cost to the County.** District 1 (AH)

3. **Staff recommends motion to approve:** Management Plan (Plan) Update for Acreage Pines Natural Area and Acreage Community Park South (ACP South). **SUMMARY:** The Plan identifies natural resources present on the natural area and provides for the preservation, restoration, management and passive recreational use of those resources. It also identifies existing and proposed recreational uses at ACP South. The second update to the Plan will be due in 2028. The BCC approved the initial management plan for this site on August 17, 2004 (Item 6E-2). District 6 (AH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

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

A) approve State of Florida Department of Environmental Protection Standard Grant Agreement No. LP50206 (Agreement) with the State of Florida, Department of Environmental Protection (DEP) for the construction of a low pressure sanitary sewer system and reconstruction of lift station #1 for an amount not to exceed \$1,000,000 beginning on July 1, 2017 and expiring August 1, 2020;

B) approve budget amendment of \$1,000,000 in the Environmental Resources Capital Projects Fund (3654) to recognize the revenue award from the DEP Agreement;

C) approve Agreement with Lost Tree Village Property Owners Association, Inc. (LTVPOA) for the Lake Worth Lagoon Initiative Lost Tree Village Septic to Sewer Conversion Project (LTVPOA Agreement) for an amount not to exceed \$1,000,000 beginning on July 1, 2017 and expiring August 1, 2020. LTVPOA is responsible for 100% match with reimbursement not to exceed \$1,000,000; and

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

SUMMARY: DEP Agreement No. LP50206 will reimburse \$1,000,000 of Project costs to the County, which will act as the pass through agency to LTVPOA. This funding is part of the 2017-2018 State of Florida Legislature's General Appropriations Act Line Item 1606A. The effective dates of the Agreements are July 1, 2017, the date funding became available from the DEP. District 1 (AH)

5. Staff recommends motion to approve: Assignment Assumption and Consent Agreement (Agreement) with CB&I Environmental & Infrastructure, Inc. (CB&I), and APTIM Environmental and Infrastructure, Inc. (APTIM) for professional consultant services contract R2016-1523 (Contract) effective upon execution. **SUMMARY:** The Board of County Commissioners approved the Contract for coastal and marine engineering services with CB&I, a Palm Beach County company, on October 18, 2016 (R2016-1523). On June 30, 2017, CB&I was acquired by Veritas Capital and in conjunction with the sale was rebranded as APTIM. Approval of this Agreement will assign the Contract from CB&I to APTIM. CB&I has consented to assign their Contract and Task Order Authorizations to APTIM for the completion of work. Countywide (DC)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

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

A) The Long Run Band, Inc., The Long Run concert, Sunset Cove Amphitheater, on January 6, 2018; and

B) Gary Frost, Sour Mash Trio concert, Canyon Amphitheater, on January 20, 2018.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. The Parks and Recreation Department produced two cultural events at the Sunset Cove and Canyon Amphitheaters. These events were attended by an estimated 1,500 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concerts at Canyon 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 Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367, and are now being submitted to the Board to receive and file. District 5 (AH)

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

A) Music Jam Productions LLC, Florida Jazz and Blues Jam, Sunset Cove Amphitheater, for the period January 26, 2018 through January 28, 2018; and

B) Awesome Promotions LLC, Excision and Friends, Sunset Cove Amphitheater, for the period February 10, 2018 through February 11, 2018.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166 and are now being submitted to the Board to receive and file. The events help to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 15,000 people attended the events produced under the Amphitheater Rental Agreements. District 5 (AH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to:

A) receive and file fully executed Children's Services Council Grant Agreement for the Glades Family Fun Fest for the period January 24, 2018, to April 24, 2018; and

B) approve budget amendment of \$2,500 within the General Fund to establish budget for the approved grant.

SUMMARY: The Parks and Recreation Department submitted an electronic grant application on November 7, 2017, to the Children's Services Council of Palm Beach County. The Department was awarded the grant and the grant agreement was executed by the Director of Parks and Recreation on behalf of the Board of County Commissioners pursuant to PPM CW-F-003. The grant funding will be utilized to enhance the 3rd Annual Glades Family Fun Fest community event taking place in Belle Glade. The County was awarded grant funding which will support and educate the residents of Pahokee, Belle Glade and South Bay of the many benefits offered through local agencies in the area and to promote health and wellness through a variety of games and activities. The Glades Family Fun Fest is a free event for all ages and residents of western Palm Beach County. The collaboration helps align both organization's missions and reinforces the importance of children growing up healthy, safe and strong. **The grant does not require a County match.** District 6 (AH)

4. Staff recommends motion to receive and file: the following original executed Tee Time Advertising and Sales Agreement:

Golf Pipeline Inc. for the period October 1, 2017 through September 31, 2018 for 10% of each golf round sold.

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. This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director/Assistant Director of Parks and Recreation in accordance with Resolution 2013-1607, and is now being submitted to the Board to receive and file. This Agreement helps to sell tee times at non-peak times that would otherwise not be sold. County net revenues generated from this agreement are estimated at \$2,250. This item was originally scheduled for the January 23, 2018 Board meeting which was within the 90 day requirement of the above stated PPM; however, it was postponed due to an issue with the corporation's Sunbiz registration. This issue has since been resolved. Countywide (AH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to receive and file:** Data Use Agreement with the Research Foundation of the City University of New York (CUNY) on behalf of the CUNY Institute for State and Local Governance (ISLG) for the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge Project for the period of January 26, 2018 to September 30, 2022 at no cost to either party. **SUMMARY:** Palm Beach County was awarded \$2,000,000 from the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) Grant Program on October 2, 2017 to be one of 20 national Implementation sites. This grant proposes to reduce the county's jail population of 2,210 by 16.7% by September 30, 2019, through five strategies identified by the McArthur Core Team of stakeholders, including the Judiciary, State Attorney, Public Defender, Sheriff's Office, The Lord's Place, Department of Public Safety Division of Justice Services Pretrial Office, Clerk's Office, State and County Probation, West Palm Beach Police Department, and Court Administration. The five strategies include: 1) pretrial jail population reduction for low and medium risk defendants; 2) diversion and warrant reduction for low-level defendants; 3) case processing efficiencies for pretrial inmates; 4) racial and ethnic disparity identification and resolution; and 5) increased data capacity, analysis and evaluation. The SJC is a data-driven project and MacArthur has contracted with CUNY ISLG to provide data collection, coordination, and performance measures to all of the SJC sites. The data provided through this agreement is criminal justice data related to the jail population and court data related to criminal cases. This data collection and analysis will inform decision-making during the SJC initiative and enable MacArthur to evaluate and understand the success of the project. This agreement was executed on January 19, 2018 on behalf of the Board by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with Agenda Item 3Q-3 from August 14, 2012 and subsequent delegation by the County Administrator on June 27, 2016. Countywide (DC)

S. FIRE RESCUE

1. **Staff recommends motion to approve:** budget transfer of \$725,000 within the Fire Rescue Impact Fees Fund from the New Tactical Command Unit project to Fire Rescue Capital Reserves to temporarily defund this project until adequate Fire Rescue Impact Fees are collected. **SUMMARY:** Fire Rescue currently has one recently refurbished Tactical Command Unit (TCU). On March 11, 2014, the Board approved a budget transfer of \$725,000 from Impact Fees Reserves to fund the purchase of a new Mobile Incident Command Post (MICP) vehicle. Due to the current cash balance in the Fire Rescue Impact Fees Fund, staff is requesting to temporarily defund the New Tactical Command Unit project in order to ensure sufficient funding is available for higher priority projects. When sufficient Fire Rescue Impact Fees have been collected, budget for the New Tactical Command Unit project will be reestablished. Countywide (SB)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to:

A) ratify FY 2017 Assistance to Firefighters Grant (AFG) grant application electronically submitted to the U.S. Department of Homeland Security's (DHS), Federal Emergency Management Agency (FEMA) on February 1, 2018, requesting \$98,807 to fund 90% of the purchase of 149 single gas monitors, for a term beginning twelve months from the date of award; and

B) authorize the County Administrator, or designee, to act as the County's representative for the purpose of electronically signing and submitting the FY 2017 AFG grant application, including Applicant Acknowledgements, and Assurances and Certifications via the DHS FEMA website.

SUMMARY: This grant application requests \$98,807 from DHS FEMA for the purchase of

149 single gas monitors. The total project cost identified in the grant application is \$108,687. The required match for this grant is \$9,880 (10% of the federal share), which will be funded from Fire Rescue's contingency reserve and has been included in the FY 2018 budget. Fire Rescue has partnered with the University of Miami (UM) for cancer research, prevention, education and support. Firefighters are exposed to extreme hazardous environments containing hundreds of unmonitored toxins, and UM's research demonstrates the significance of Volatile Organic Compounds (VOC) that contain known and suspected carcinogens. If awarded, the grant will provide funding for 149 single gas monitors that have the capability of detecting VOCs. These monitors will be placed on all response vehicles to ensure that at least one gas monitor is on every incident. Countywide (SB)

3. Staff recommends motion to ratify: a 2017 Florida Department of Health (DOH) Emergency Medical Services (EMS) Matching Grant application electronically submitted on January 31, 2018, requesting \$137,730 to fund 75% of the cost of a Chronic Disease Management Project (CDMP). **SUMMARY:** This grant application requests \$137,730 from the DOH to fund the cost of a CDMP. The total project cost identified in the grant application is \$183,640. The required match for this grant is \$45,910 (25%), which will be funded from Fire Rescue's contingency reserve and has been included in the FY 2018 budget. This grant will provide funding for an on-call Chronic Disease Management Project Coordinator, overtime for paramedics, a vehicle and necessary medical equipment. The grant will fund the CDMP to assist patients diagnosed with congestive heart failure that have been recently released from the hospital to their home. The program will consist of a series of home visits over a 30-day period conducted by the Chronic Disease Management Coordinator and paramedics. The goal of the program is to reduce the number of non-emergency calls from the same individual and over-utilization of the 911 emergency medical care system. Countywide (SB)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: Amendment No. 1 to the Agreement with the South Florida Water Management District (SFWMD) (R2016-0278) to extend the delivery

date to June 1, 2018 for base LIDAR map data through the USGS 3DEP Grant program.

SUMMARY: On March 1, 2016 the Board executed an agreement with SFWMD (R2016-0278) for cost sharing to obtain base LIDAR map data through the USGS 3DEP Grant program. SFWMD agreed to contribute up to \$85,000 towards the LIDAR mapping project. The deliverable was due to SFWMD by December 31, 2017; however, delivery of Palm Beach County's LIDAR data by USGS has been delayed due to the recent hurricanes and unanticipated data processing issues. This Amendment has no fiscal impact, and merely extends the delivery date to June 1, 2018 and updates contact information in the Agreement. The Amendment also corrects a scrivener's error that indicated the Agreement was entered into on March 1, 2015, where, in actuality, it was entered into on March 1, 2016. All other terms and conditions of the Agreement remain unchanged. Countywide (DB)

2. **Staff recommends motion to approve:** Amendment No. 2 to the Joint Funding Agreement (JFA) (R2015-1403) with the U.S. Geological Survey (USGS) for Palm Beach County LiDAR procurement through the 3D Elevation Program (3DEP) Grant Program to revise the billing schedule to align with the revised delivery scheduled for August 31, 2018. **SUMMARY:** On March 22, 2016, the Board authorized their designee, ISS Director, to execute the USGS JFA (R2017-0192), with a local match of \$512,000 and a USGS grant of \$177,840 to start upon date of final execution and end date of March 31, 2017. The project was delayed to the next suitable capture window due to ground conditions and Amendment No. 1 (R2017-0193) was executed extending the end date and billing schedule to March 31, 2018. The project has experienced further delay due to the recent hurricanes and unanticipated data processing issues, requiring a change in the delivery schedule to August 31, 2018. All other terms and conditions of the Agreement remain unchanged. Countywide (DB)

X. PUBLIC SAFETY

1. **Staff recommends motion to:**

A) approve the following agreements to collaborate as partners for the placement of student interns for a term of five years beginning January 23, 2018, with no financial obligation:

1. Nova Southeastern University, Inc. (NSU); and
2. Barry University

B) authorize the County Administrator or designee to execute future agreements relating to internship programs with universities on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations.

SUMMARY: These agreements formalize the cooperative arrangements between NSU, Barry University and the County for the development and implementation of the practicum and internship program for mental health counseling and social work students. They outline the respective duties, responsibilities, policies, and procedures that will be undertaken by NSU, Barry University, and the County. NSU and Barry University will refer to the County students that have completed the required prerequisites for the internship. The County will provide a training program and training facilities, designate a supervisor, ensure students receive the required service hours, and evaluate performance by completing evaluations for each semester. The County, NSU, and Barry University will each be responsible for their own costs. Countywide (LDC)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve: Memorandum of Understanding (MOU) with CareerSource Palm Beach County, Inc. to facilitate ex-offender reentry services for the period March 13, 2018 through December 31, 2018, that will automatically renew annually for one-year terms. This MOU may be terminated for convenience at any time by either party upon 30 days written notice. **SUMMARY:** This MOU establishes the general conditions and joint processes that will enable Palm Beach County and CareerSource Palm Beach County to effectively collaborate as partners in regard to the employment of individuals with criminal histories. This is the second MOU between CareerSource and the Public Safety Department. The first (R2017-1390 - September 12, 2017) clarified roles as they related to the Integrated Reentry and Employment Strategies (IRES) project and this MOU satisfies federal requirements in accordance with the Workforce Innovation and Opportunity Act. The MOU requires a contribution which has been identified as in-kind costs of \$7,400 through existing Public Safety Department budget. Countywide (LDC)
3. Staff recommends motion to approve: First Amendment to contract for professional services with the Legal Aid Society of Palm Beach County, Inc. (R2017-1385) to revise the scope of work without changing the total funding amounts. **SUMMARY:** The original contract with the Legal Aid Society of Palm Beach County, Inc. was approved by the Board of County Commissioners on September 26, 2017 for the period of October 1, 2017 through September 30, 2018 in the amount of \$1,104,275 to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Public Guardianship and Domestic Violence Victim Representation. The contract currently provides legal assistance in consumer matters to elders. However, the Legal Aid Society has requested to include legal assistance in consumer matters for individuals under 65 years of age due to an increased need for the service. The first amendment provides for the scope of work to include services to citizens with consumer matters at a no-cost increase. Countywide (LDC)
4. Staff recommends motion to:
 - A) receive and file** executed Federally-Funded Sub award and Grant Agreement 18XDS-X1-10-60-01-246 with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding of \$113,495 from the FY 2017 Homeland Security Grant Program (HSGP) for the period December 11, 2017 through August 31, 2019, to conduct WebEOC administration and training activities for the region; and
 - B) approve** budget amendment of \$113,495 in the Emergency Management Fund to recognize the actual grant award.

SUMMARY: This is an annual federal grant from FDEM for which \$98,136 will be used to conduct WebEOC administration while \$15,359 will be used for training and exercise activities regionally in order to develop, and enhance emergency preparedness capabilities. Palm Beach, Broward and Miami-Dade Counties rotate responsibility of

administering this grant annually. R2012-1731 gave the authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (LDC)

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MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

A) receive and file Emergency Medical Services (EMS) County Grant ID Code C6050 Award Letter from the State of Florida Department of Health, Bureau of EMS to improve and expand the EMS system for the period December 20, 2017 through January 31, 2019 in the amount of \$201,688.

B) approve budget amendment of \$8,214 in the EMS Grant Fund to adjust the budget to reflect the actual grant award of \$201,688.

SUMMARY: The EMS County Grant is an annual grant provided to Palm Beach County from the Florida Bureau of EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. On December 5, 2017, R2017-1847 authorized the County Administrator to sign the FY 2017-2018 annual EMS county grant application. **No county matching funds are required for this grant.** Countywide (LDC)

Z. RISK MANAGEMENT

1. Staff recommends motion to receive and file: Executed Amendment to the Memorandum of Understanding (MOU) between the Palm Beach County Clerk and Comptroller (Clerk) and Palm Beach County Board of County Commissioners regarding addition of the PeopleSoft Health and Safety Module. **SUMMARY:** The Board previously delegated authority to the County Administrator to execute MOU No. R2014-1880, which allowed County employees to access the benefits module of the Clerk's PeopleSoft program. Staff recently learned that the PeopleSoft program also includes a health and safety module that can be activated to allow for the tracking of incident-related data to identify trends that will guide efforts in loss prevention and control. In order to provide staff with access to this module, it was necessary for the County Administrator to amend the MOU with the Clerk. The module will be added **at no additional cost to the County.** Countywide (HH)

2. [Staff recommends motion to approve:](#) renewal of the County's excess property, liability, and workers' compensation insurance program for the period April 1, 2018 through March 31, 2019 purchased through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc., under Contract No. 15-050/LJ, for a total cost not-to-exceed \$10,193,006. **SUMMARY:** The projected 2018-2019 excess insurance program renewal premiums reflect a total not-to-exceed cost of \$10,193,006, which is an 8.8% increase over the expiring premium. The overall County program remains very stable, however market rates are up substantially due to numerous natural disasters recorded in the last 12 months. While the largest impact is on property premiums, several other areas are also showing rate increases. The current premium projection is a worst-case scenario and our broker will continue to negotiate with excess carriers until the April 1st renewal. The County's total insurable property value currently stands at \$2.55 billion. Our coverage limits contemplate probable maximum loss modeling using various scenarios and include a \$1 million self-insured retention (SIR) with a 4% windstorm deductible per insured location. The program also includes \$5 million of excess liability insurance and excess workers' compensation insurance covering all costs in excess of \$2 million per occurrence. All state mandated surcharges and assessments are included within the estimated cost. Sufficient funds are budgeted for this coverage. Countywide (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

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

A) adopt Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Supplemental Joint Participation Agreement (JPA) Number 3 (FM No. 407188-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$10,675,910 to provide funding assistance for FY2018 to offset the operating costs of providing fixed route services to the public in Palm Beach County; establishing an effective date;

B) approve an upward budget amendment of \$312,778 in Palm Tran Grants Fund 1341 to reconcile the budget to the actual grant award; and

C) approve an upward budget amendment of \$312,778 in Palm Tran Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

SUMMARY: On December 16, 2014, the BCC approved a five year JPA FM No. 407188-2 (R2014-1975) that provided funds for Fixed Route Service in Palm Beach County in Fiscal Year 2015. FDOT has issued annual subsequent Supplemental JPAs to provide Palm Beach County its annual allocation of the Public Transit Block Grant Program. Palm Tran will be utilizing the funds exclusively to help offset the operating costs of providing fixed route service in the County; all routes are benefited by this grant. This supplemental JPA in the amount of \$10,675,910 for FY2018

will provide operating funding in the amount of \$5,337,955 for year four of the grant agreement, which requires a match of \$5,337,955. The match is included in Palm Tran's FY2018 budget, funded from the local option gas tax. Countywide (DR)

2. Staff recommends motion to:

A) adopt Resolution of the Board of County Commissioners of Palm Beach County, Florida (BCC), approving Supplemental Joint Participation Agreement (JPA) Number 3 (JPA) (FM NO. 407184-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$626,758 to provide funding assistance for FY2018 to offset the operating costs of providing fixed route services to the public in the non-urbanized (Lake Region) areas of Palm Beach County; establishing an effective date;

B) approve an upward budget amendment of \$501 in Palm Tran's Grants Fund 1341 to reconcile the budget to the actual grant award; and

C) approve an upward budget amendment of \$501 in Palm Tran's Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

SUMMARY: On December 16, 2014, the BCC approved a five year JPA FM No. 407184-2 (R2014-1973) that provided funds for Fixed Route Services in the non-urbanized (Lake Region) areas of Palm Beach County in Fiscal Year 2015. FDOT has issued annual subsequent Supplemental JPAs to provide Palm Beach County its annual allocation of the Rural Grant Program. Palm Tran will be utilizing the funds exclusively for operational expenses of fixed route service in the Lake Region, (Routes 40, 47 and 48). This supplemental JPA in the amount of \$626,758 will provide operating funding in the amount of \$313,379 for year three of the grant agreement, which requires a match of \$313,379. The match is included in Palm Tran's FY2018 budget, funded from the local option gas tax. District 6 (DR)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. **Staff recommends motion to:**

A) adopt Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Supplemental Joint Participation Agreement (JPA) Number 1 (FM No. 430296-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$389,000 to provide additional funding to assist mass transit operating in the Lakes Region Area of Palm Beach County, establishing an effective date;

B) approve an upward budget amendment of \$389,000 in Palm Tran Grants Fund 1341 to reconcile the budget to the actual grant award; and

C) approve an upward budget amendment of \$259,000 in Palm Tran Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

SUMMARY: On September 27, 2016, the BCC approved JPA FM No. 430296-2 (R2016-1406) that provided funds in Fiscal Year 2017 to allow Palm Tran to provide increased service frequency in two local routes in the Glades Region area, Routes 47 and 48. FDOT has issued a subsequent Supplemental JPA to provide Palm Beach County additional grant funds to allow Palm Tran to continue increased service for the two routes. This amount is more than was budgeted for in Fiscal Year 2018 and necessitates this upward budget amendment. This JPA will provide in Fiscal Year 2018 operating funding in the amount of \$389,000, for Palm Tran to continue to provide the same level of service in this area. This is the final year of funding for 30 minute service on these routes. No County funds are required as match to this grant. District 6 (DR)

4. **Staff recommends motion to approve:** four new appointments as At-Large members to the Palm Tran Service Board (PTSB) for the following terms:

<u>Nominee</u> <u>Appointment</u>	<u>Category, Seat Number</u>	<u>Term to Expire</u>	<u>Nominated By</u>
Selva Selvendran	Environmental Advocate Seat 3	09/30/21	Commissioner Burdick Commissioner Kerner Mayor McKinlay Vice Mayor Bernard
Danielle Jackson	Rep w/ Multicultural Experience Seat 6	09/30/19	Commissioner Burdick Commissioner Kerner Mayor McKinlay Vice Mayor Bernard
Carmencita Mitchell	Fixed Route Bus Rider Seat 9	09/30/19	Commissioner Burdick Commissioner Kerner Mayor McKinlay Vice Mayor Bernard
Allen Boyd II	Citizen at Large Seat 11	09/30/21	Commissioner Burdick Commissioner Kerner Mayor McKinlay

SUMMARY: The Palm Tran Service Board is composed of 13 At-Large members with specific seat categories. There are currently five vacancies on the Board and four candidates requesting appointments. A memo dated February 5, 2018, was circulated to the Board of County Commissioners (BCC) requesting support of the four candidates. No additional nominations were received. Including the four candidates, the ethnic and gender composition of the existing 12 members include: Caucasian: 6 (50%), African-American: 3 (25%), Multicultural: 3 (25%), Gender ratio (male: female) 9:3. For the one remaining vacancy, Palm Tran will conduct targeted outreach in an effort to proffer candidates for appointment that will improve the diversity composition of the Board. Countywide (DR)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

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

A) Contract for Provision of Services with Friends of Community Services, Inc. (Contract) for the period October 1, 2017 through September 30, 2018, in an amount not to exceed \$454,326 for Summer Camp Scholarship Program; and

B) budget transfer of \$11,347 in the Department's general fund budget to the Summer Camp Scholarship Program to fund the cost of the Contract.

SUMMARY: The Summer Camp Scholarship Program (SCSP) pays full tuition and associated fees for eligible children to attend day camp during the summer months. The Board of County Commissioners has allocated \$442,979 to fund summer camp scholarships for eligible children in FY 2018. This allocation includes an administrative fee not to exceed \$8,750. Staff is recommending \$9,097, currently budgeted for the Youth Violence Initiative, be reallocated to offer additional scholarships limited to youth involved in the juvenile justice system that may not otherwise be eligible for summer camp. Additionally, staff is recommending \$2,250 of the current operating budget, be allocated to the administrative expense incurred by the Agency carrying out the funding administration of the SCSP. Since 1995, Friends of Community Services, Inc. (Friends) has provided support for the SCSP. Friends receives these funds from the Children's Services Council of Palm Beach County, in addition to other grants and private donations resulting in the ability to provide approximately 2,779 scholarships to Palm Beach County youth to attend more than 90 camps. The effective date of service for the above contract submitted for approval is prior to this meeting date. Countywide (HH)

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

A) Community Based Agency Contract with Boys and Girls Clubs of Palm Beach County, Inc. (BGCPC), for the period March 13, 2018 through September 30, 2018, in an amount not to exceed \$230,000 for the Career Bound 2.0 Program to prepare youth and young adults for college and career readiness including summer employment opportunities; and

B) budget transfer of \$230,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for new evidence-based/promising programming to the Boys and Girls Club program (Unit 2528) to fund the cost associated with this Contract.

SUMMARY: The BGCPBC seeks to partner again with Palm Beach County in 2018 to fund the Career Bound 2.0 Program (Program). This funding will allow the BGCPBC to serve up to a total of 140 youth at four Clubs – Belle Glade Teen Center, Florence De George and Marjorie S. Fisher Clubs in West Palm Beach, and Max M. Fisher in Riviera Beach. BGCPBC will invite 100 regularly attending teen members and alumni at these Clubs to participate in the Program focusing on College Application Readiness, Financial Planning including FAFSA Preparation, and College Tours. In addition, up to 40 youth will be employed through the teen employability component over a period of ten weeks during the summer, allowing each participant to be employed as Junior staff for up to 40 hours per week with one day weekly assigned for training including job coaching and career exploration. The County has provided funding for summer programs for three years. Last summer, the pilot Career Bound 1.0 Program resulted in a 93% increased employability and work readiness skills, and provided 37 employment opportunities to youth. Districts 2, 6 and 7 (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

3. Staff recommends motion to approve:

A) Community Based Agency Contract with Digital Vibe, Inc. for the period June 11, 2018 through July 26, 2018, in an amount not to exceed \$22,750 for the Wellness Workshop Program; and

B) budget transfer of \$22,750 in the General Fund from the Head Start Match reallocation (Unit 1451) for new evidence-based/promising programming to fund the cost associated with this Contract.

SUMMARY: The Wellness Workshop Program is designed to combat childhood obesity by fostering a love of fitness and teaching children at an early age how to incorporate physical activity, healthy behaviors, and good nutrition into their everyday lives. Over a 6-week period, the Wellness Workshop Program will serve 350 children ages 5–12 at six out-of-school and summer camp programs in high-need communities throughout Palm Beach County. The Wellness Workshop

Program will cover: dance, health education; nutrition; music; and physical education. The Wellness Workshop Program will culminate with the KidsFit Jamathon, a 3-hour fitness event where close to 3,000 celebrate their accomplishment and gain additional resources to help sustain healthy lifestyles. Countywide (HH)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to approve:** budget transfer of \$253,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2018 donation requirement is \$302,934. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$611,500. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$2,172,355. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,919,355. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (DC)

ORGANIZATION	AMOUNT
Child Protection Team of Palm Beach, Inc.	\$10,000
Children's Case Management Organization, Inc.	\$5,000
Palm Beach County PAL, Inc. - Tennis Program	\$25,000
Palm Beach County PAL, Inc. - Youth Summit	\$10,000
Palm Beach County Substance Abuse Coalition, Inc.	\$3,000
Project Lift, Inc.	\$25,000
Speak Up for Kids of Palm Beach County, Inc.	\$100,000
Take Stock in Children Palm Beach County, Inc.	\$25,000
Urban League of Palm Beach County, Inc.	\$50,000
Total Amount	\$253,000

2. **Staff recommends motion to approve:** budget transfer of \$600,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO) to be used for the FY2018 match for the 2017 COPS Hiring Program grant. **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. The funds requested will be used for the FY2018 match for the U.S. Department of Justice Office of Community Oriented Policing Services 2017 COPS Hiring Program grant. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,919,355. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,319,355. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. No new positions are needed and no additional County funds are required. Countywide (DC)

MARCH 13, 2018

3. CONSENT AGENDA APPROVAL

DD. COMMISSION ON ETHICS

1. **Staff recommends motion to assign:** Code Enforcement Special Masters Thomas Dougherty, Christy Goddeau and Alcolya St. Juste to serve ex officio as Commission on Ethics Hearing Officers. **SUMMARY:** The Commission on Ethics Ordinance allows Hearing Officers to hear enforcement cases as an alternative to bringing cases before the entire Commission on Ethics. According to the Ordinance, these Hearing Officers are to be established by the Palm Beach County Bar Association, the Palm Beach County Hispanic Bar Association and the F. Malcom Cunningham, Sr. Bar Association. The three organizations collectively selected these three individuals to serve as Ethics Hearing Officers, who are all Code Enforcement Special Masters. The BCC is authorized to assign Code Enforcement Special Masters to serve ex officio as Hearing Officers for other County purposes pursuant Section 2.G.3.G. of the Unified Land Development Code. This motion will allow these three individuals to hear enforcement cases concerning the Code of Ethics. In accordance with Section 2-260.1 of the Commission on Ethics Ordinance,

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MARCH 13, 2018

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

A. PUBLIC SAFETY

1. Staff recommends motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article V of the Palm Beach County Code (Ordinance 1999-018, amended by Ordinance No. 2008-059) concerning work identification cards for individuals performing in adult entertainment establishments; amending Section 17-147(31) (definitions); amending section 17-153(a) (work identification card required); amending Section 17-153(c) (application for work identification card); amending Section 17-153(e) (fees); amending Section 17-153(g) (retention of performer roster and work identification card); amending Section 17-153(k) (requirement of managers, owners and operators to verify work identification cards of performers); amending Section 17-153(n) (violation subject to civil prosecution); providing for Section 17-153(o) (violations subject to all legal remedies); providing for inclusion in the Code Enforcement Citation Ordinance of Palm Beach County, Florida; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** Section 17-153 of the Adult Entertainment Ordinance requires performers in adult entertainment establishments to apply for work identification (ID) cards from the Public Safety Department and show proof that they are at least eighteen years old. This proposed amendment to the ordinance will establish a renewal period of two years for the work ID card to protect the vulnerable children and young adults. The current work ID card is valid for a lifetime. Additionally, each adult entertainment establishment will be required to retain a complete performer roster for a period of 30 days and a copy of the work ID for two years. Furthermore, the violation sections were modified to include additional legal actions by the county for violations to the Ordinance. Approximately 700 applications are processed annually. The cost of the program is approximately \$81,000 per year, which includes personnel costs, identification card equipment and supplies, and other administrative costs. The current ordinance provides that fees for work identification cards be established by Board resolution. The proposed amendment to the Adult Entertainment Ordinance was presented to the League of Cities on January 24, 2018 and was unanimously approved. Countywide (LDC)

MARCH 13, 2018

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

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** Budget amendments and transfers in various funds reflecting adjustments for balances brought forward, other revenues, reserves and operating expenses. The total of the adjustments is an increase of \$96,724,116 in 175 funds. **SUMMARY:** These budget amendments and transfers are necessary to adjust FY 2018 budgets to reflect differences between actual and estimated revenues and expenditures of FY 2017. These amendments adjust the balances brought forward, various revenue, expenditure, and reserve accounts to their audited balances. The proposed adjustments include \$23,548,367 additional reserves in the General Fund. The adjustment is a result of:

- \$3,906,618 net increase in revenues, excess fees and commission refunds from Constitutional Officers and Judicial: Sheriff's Office (\$242,454), Clerk and Comptroller \$28,061, Supervisor of Elections (\$243,308), Tax Collector \$3,078,746, Property Appraiser \$670,736, Judicial \$618,837;
- \$13,133,385 BCC department expenditures less than and revenues greater than originally estimated;
- (\$202,309) in other agencies (i.e. Commission on Ethics, Health Department, General Government, etc.) expenditures and revenues greater than originally estimated; and
- \$8,813,153 in major and other revenues greater than estimated.

FY 2019 budget projections currently assume these additional reserves will be carried forward to balance the annual budget. Countywide (DB)

MARCH 13, 2018

5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: revisions to the Office of Community Revitalization (OCR) America's Next Top Neighborhood Grant Program. **SUMMARY:** The program and its implementation schedule are being revised to facilitate the application process, better address residents' needs in Countywide Community Revitalization Team (CCRT) areas, and to align the grant and current budget cycles to eliminate the need for carrying over appropriated funds from one fiscal year to the next. Program revisions include: 1) clarifying the guidelines and simplifying the application; 2) forming a new grant review committee; 3) increasing the grant amount from \$5,000 to \$10,000; and 4) limiting funding to projects located in specific target areas which are in need of funding assistance. Countywide (DW)
2. Staff request Board direction: to create a new ad-valorem funded position in the Department of Housing & Economic Sustainability to serve as the community housing liaison; at a pay grade 46. **SUMMARY:** This item is a request for Board direction to create a new ad-valorem funded position in the Department of Housing & Economic Sustainability. The request for the position emanated from the 2017 PEACE Nehemiah Conference held at the Palm Beach County Convention Center. Rather than presenting the request through the upcoming budget process, staff is presenting it at this time at the behest of District 7 Commissioner Mack Bernard. As envisioned, the position would serve as the housing liaison for the County to the public, community groups, business organizations, municipalities, housing groups and quasi-governmental housing agencies. In addition, the position would support the efforts of providing affordable, workforce and permanent supportive and transitional housing throughout the County including performing some other housing related duties and responsibilities. In light of the federal and state funding constraints and as the proposed functionality of the job entails working across the various housing operations and programs, staff is recommending the position be funded from the general fund budget. If the Board should approve creation of the position, we will bring back a budget amendment to transfer funds from general fund contingency into the Department of Housing & Economic Sustainability budget for the remainder of this fiscal year. Full funding for the position would be included in the Department's proposed budget for the 2018-2019 FY. Countywide (JB)

MARCH 13, 2018

5. REGULAR AGENDA

B. PLANNING, ZONING & BUILDING TIME CERTAIN: 2:15 P.M.

1. Staff recommends a motion to:

A) adopt resolution denying the request to delegate to the Village Council of the Village of Palm Springs the exercise of all powers and responsibilities conferred on Palm Beach County by the Community Redevelopment Act for the purpose of establishing and operating the Village of Palm Springs Community Redevelopment Agency (CRA); **OR** If the Board chooses to deny motion **(A)**, the Board could consider motions **(B)** and **(C)**.

B) approve Interlocal Agreement between Palm Beach County and the Village of Palm Springs;
AND

C) adopt Resolution of the Board of County Commissioners of Palm Beach County, Florida, delegating the exercise of powers conferred by Chapter 163, Part III, Florida Statutes, "The Community Redevelopment Act of 1969" to the Village Council of the Village of Palm Springs, with the conditions outlined in the Interlocal Agreement.

SUMMARY: The item before the Board of County Commissioners (BCC) is to consider the creation of a new CRA with two sub areas at the request of the Village of Palm Springs within its municipal limits. The Congress Avenue sub area and the Lake Worth Road sub area are located within the central portion of the County. Chapter 163, Part III, F.S. (The Community Redevelopment Act of 1969), gives the BCC, as the governing body of a charter county, full discretion to approve or deny a request to create a CRA within a municipality. The Village is seeking a delegation of all powers and responsibilities conferred in the Community Redevelopment Act including creation of a Redevelopment Trust Fund that utilizes increases in property tax revenues that would otherwise go to the County and other taxing authorities unless exempt pursuant to the statute. Specifically, the Village is requesting the County to find that the "blighted area" proposed for the CRA meets the criteria contained in the Community Redevelopment Act; delegate authority to create a CRA to the Village; allow the Village to adopt a Community Redevelopment Plan; and authorize the establishment of a Redevelopment Trust Fund. The Village concluded in the Finding of Necessity report that both of the sub-areas met 5 of the 15 criteria factors present for blight in order to meet the statutory

requirements. In addition, the Village has projected a property value growth of 2.5% per year and could result in a projected fiscal impact to the County of approximately \$12 million over a 30-year period, based on the Village's millage rate of 3.650. Considering the County's average property value growth increase over the past 20 years is 5.54%, a growth rate of 4% may be more realistic and could result in a fiscal impact of \$22 million over a 30-year period, based on the Village's millage rate of 3.650. In Fiscal Year 2018, \$38.6 million in property tax revenue was redirected from the County to the 12 existing CRAs: 1 within unincorporated County and 11 within municipalities. Due to the fiscal impact, the current Administration has consistently supported denial of the creation of new CRAs and is recommending the Board approval of motion **(A)**.

However, the BCC as the governing body of a charter county has full discretion to approve or deny the request. In the event the BCC approves the request, County Administration and the Village of Palm Springs have agreed on the terms and conditions for the creation of the CRA. The Interlocal Agreement establishes that the County's contribution is exempt from future payments to the Redevelopment Trust Fund once a total payment of tax increment reaches \$28 million and that the County tax increment shall be calculated using the Village millage rate if the County millage rate exceeds the Village millage rate. The Resolution includes additional terms which exempt the Palm Beach County Fire Rescue Municipal Service Taxing Unit (MSTU) from payment of tax increment funds to the CRA, establishes that the base property values for calculating the tax increment are as of January 1, 2018 and limits the duration of the delegated powers to not exceed 30 years with no extensions. This would require Board approval of motions **(B)** and **(C)**. Districts 2 & 3 (RPB)

MARCH 13, 2018

5. REGULAR AGENDA

C. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Amendment No. 1 to the Contract (R2014-0722) with John Carey, Inspector General. **SUMMARY:** This amendment extends the current contract term to June 22, 2022, modifies the deferred compensation provision, and allows for the conversion of sick leave to vacation leave. Countywide (DO)

2. **Staff recommends motion to:**

A) select one of the three law firm teams, as described and identified below, as outside legal counsel to represent the County in the opioid litigation; and

B) approve the contract for Professional Legal Services with the selected law firm team to pursue litigation on behalf of the County for costs damages and other relief associated with the opioid epidemic in Palm Beach County.

SUMMARY: On December 5, 2017, the Board of County Commissioners (BCC) directed County staff to utilize a competitive selection process to recommend to the BCC three law firms/teams that could serve as outside legal counsel to represent Palm Beach County (County) in filing a lawsuit, on a contingency fee basis, to address the impact on the County caused by the opioid epidemic. Pursuant to the BCC's direction, on January 4,

2018, the County Attorney's Office issued a Request for Proposal (RFP CA2018-01) requesting proposals from law firms interested in serving as outside legal counsel to the County for the sole purpose of opioid litigation. On January 16, 2018, the County received nine proposals. On January 29 and 30, 2018, the Selection Committee reviewed, scored, and ranked the proposals in a public meeting. The following top three ranked proposers are being recommended to the BCC for consideration and selection: (in no particular order) Countywide (KP)

- Lieff, Cabraser, Heinmann & Bernstein LLP; Robbins, Geller, Rudman & Dowd LLP; Weiss, Handler & Cornwell, P.A.; and The Ryles Firm, LLC.
- Motley Rice LLC; Gelber Schachter & Greenberg, P.A.; and Colson Hicks Eidson, P.A.
- The Ferrearo Law Firm, P.A.; Napoli Skolnik, PLLC. LLC; and Stull, Stull & Brody

MARCH 13, 2018

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY

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

A) adopt Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Knight, a company authorized to do business in the State of

Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund Program not to exceed \$70,000 over a six year period; providing for severability; and providing for an effective date; and

B) conceptually approve Economic Development Incentive for Project Knight in the form of a cash grant not to exceed \$70,000 over a six year period and an ad valorem tax exemption not to exceed \$650,000 over a six year period.

SUMMARY: Project Knight is contemplating expanding in Palm Beach County. The project will invest \$25 million to renovate and equip its existing facility and create 100 new jobs over a three year period at an annualized average wage of \$92,124 and an annualized median wage of \$64,000. The estimated five year local economic impact is \$248,264,729. Project Knight qualifies for the Qualified Target Industry (QTI) Tax Refund program which continues to be funded by the Florida Legislature. The company is being offered an incentive of at least \$1,350,000. Of this amount, \$560,000 is from the State of Florida; \$140,000 is a required match from local government entities; and at least \$650,000 is in the form of ad valorem tax exemptions. Palm Beach County and the City of Palm Beach Gardens will equally provide the local match in the form of a cash grant. The cash grant will be paid over a period of six years provided the project meets the State of Florida requirements; paid according to the State's QTI Tax Refund schedule; and secured by a letter of credit or bond. Palm Beach County will provide an ad valorem tax exemption not to exceed \$650,000 over a six year period provided the project meets the requirements under s196.012, Florida Statutes, for an ad valorem tax exemption. The City will also provide an exemption over a ten year period. The company will be required to enter into a formal agreement memorializing their commitments and establishing the terms under which the cash and ad valorem exemption incentives will be disbursed. The company name will be disclosed at such time. District 1 (JB)

2. **Staff recommends motion to approve:** eligible Opportunity Zones census tracts to be approved by the Governor in Palm Beach County. **SUMMARY:** The Federal Tax Cuts and Job Act (the ACT) was signed into law on December 22, 2017. Included in the ACT was legislation that created Opportunity Zones, a federal tax incentive designed to subsidize private investment in distressed areas designated by the Governor. Eligible areas closely mirror census tracts as identified in U.S. Department of Housing and Urban Development grants and New Markets Tax Credit program. The incentive provides investors an up to nine-year deferral of capital gain reductions for investments located in an Opportunity Zone. Eligible investments under the ACT include commercial businesses and affordable housing rental developments. The ACT states that up to twenty-five percent (25%) of each State's qualified census tracts will be eligible to receive this designation. The Governor must identify the areas in the State to the U.S Treasury by March 21, 2018. The U.S. Treasury Department will then establish the final guidelines for the Opportunity Zones. Staff has identified approximately ~~twenty-eight percent (28%)~~ twenty nine percent (29%) of the County's eligible census tracts for consideration to be presented to the Governor. These census tracts were selected from eligible Opportunity Zones designated in Palm Beach County and based on areas identified for potential economic development and for mixed-income or affordable rental housing developments. **This is a Federal Program requires no local match.** Countywide (JB)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) approve the Workforce Housing Program Down Payment Assistance Strategy;

B) direct staff to not exceed thirteen percent (13%) in administrative costs to administer the Workforce Housing Program; and

C) authorize County Administrator, or designee, to execute any necessary document to implement the Workforce Housing Program Down Payment Assistance Strategy.

SUMMARY: At the February 27, 2018, Board of County Commissioners (BCC) Workshop, staff presented the Workforce Housing Program (WHP) Down Payment Assistance Strategy. Staff was authorized to finalize the strategy and present it at an upcoming BCC meeting. Palm Beach County's WHP was established in 2006 (Ord2006-055) to encourage the development of workforce housing units for households in low, moderate and middle-income groups. The program offers an in-lieu payment option whereby a developer that chooses to opt out of constructing workforce housing units can make a payment for each for-sale or rental unit. In-lieu payments are deposited in the Workforce Housing Trust Fund created to benefit households with incomes ranging from 60% to 140% of area median income. Currently, the Trust Fund has a balance of approximately \$3 Million generated from in-lieu payments from 38 for-sale units at \$81,500. Staff is proposing to use a portion of the funds for down payment assistance to eligible homebuyers using a tiered maximum subsidy detailed in Attachment 1 to this agenda item. Under the WHP, for-sale units are required to have a 15-year affordability period. If down payment assistance is provided, it will be secured by a 15-year mortgage. Currently, 121 workforce housing units are available for sale in the County. Due to the availability of these units and applicants that have expressed interest in purchasing workforce housing, staff is bringing forward the Down Payment Assistance Strategy. Countywide (JB)

MARCH 13, 2018

5. REGULAR AGENDA

E. CRIMINAL JUSTICE COMMISSION

1. **Staff seeks direction:** regarding continuation of reentry services for ex-offenders under the Department of Public Safety and first-year funds for the Criminal Justice Commission's (CJC) new Frequent User's System Engagement (FUSE) Project without the release of annual Edward Byrne Memorial Justice Assistance Grant (JAG) program funds from the U.S. Department of Justice and Florida Department of Law Enforcement for the grant period October 1, 2017 through September 30, 2018 in the amount of \$393,550 for reentry services and \$100,000 for the FUSE Project. **SUMMARY:** Palm Beach County receives two sources of Edward Byrne Memorial Justice Assistance Grant (JAG) program funds, one comes directly from the U.S. Department of Justice (DOJ) and the second is a pass-through from the Florida Department of Law Enforcement (FDLE). These grants were budgeted in FY18 to support the Department of Public Safety's Adult and Juvenile Reentry Programs in the amount of \$393,550 and the Criminal Justice Commission's (CJC) new Frequent Users Systems Engagement (FUSE) Project in the amount of \$100,000. On July 25, 2017, Attorney General Sessions announced immigration compliance requirements for the JAG Programs that "will increase information sharing between federal, state and local law enforcement, ensuring that federal immigration authorities have the information they need to enforce immigration laws and keep our communities safe". Palm Beach County submitted a grant application, including a signed certificate of compliance with the new immigration rules on August 30, 2017 to DOJ. FDLE also made application for the state's share of JAG funds that FDLE allocates to counties and cities. As of this date, all JAG funds have been put on hold by DOJ pending every state signing the new requirement that they comply with the immigration rules as announced by the Attorney General in July. No funds have been released to any jurisdiction in the nation by DOJ. The \$393,550 for the Reentry Programs was budgeted to fund two positions and juvenile and adult reentry services for ex-offenders leaving state prison and the county jail. Without the support of grant funds for the reentry program, the program will cease to exist. The \$100,000 for the FUSE Project was budgeted to fund services and housing for homeless persons frequently booked in the county jail. Without the support of grant funds for the FUSE Program, the targeted population of the 108 people who were admitted to the county jail three or more times in 2017 who also accessed homeless services in the county, will be reduced by 26% to approximately 80 people. **No County matching funds are required for this grant.** Countywide (LDC)

MARCH 13, 2018

5. REGULAR AGENDA

F. PARKS & RECREATION

1. **Staff recommends motion to authorize:** staff to evaluate the potential of forming a cooperative partnership with the YMCA of the Palm Beaches to relocate the existing YMCA Branch in Palm Springs to undeveloped land within Lake Lytal Park. **SUMMARY:** On December 7, 2017, the YMCA of the Palm Beaches (YMCAPB), submitted a proposal to Parks and Recreation regarding the possibility of relocating their existing YMCA Branch from Congress Avenue in the Village of Palm Springs to undeveloped land in Lake Lytal Park. The YMCAPB is planning a major facility expansion at their existing location to include an aquatic center, large health and fitness facility, teen center, sports fields, and an Olympic style skate park. Parks and Recreation is about to commence design of a new aquatic center on the undeveloped land at Lake Lytal Park with funds allocated through the approved Infrastructure Sales Tax. In an effort to eliminate duplicate facilities and expand programs and services for all ages within this densely populated service area, the YMCAPB has proposed relocating the YMCA expansion from Congress Avenue to the undeveloped portion of Lake Lytal Park. Cooperative partnerships such as this have been successfully implemented in Miami-Dade and Broward Counties, the City of Tampa and elsewhere around the country. Facilitating a cooperative arrangement at Lake Lytal Park would require the County to allocate approximately five acres of park property to the YMCAPB and enter into a long term lease (50+ years) for development, operation and maintenance of the new facilities and improvements. Because the YMCA is the nation's largest provider of aquatic training and drowning prevention, the YMCAPB is prepared to also enter into a management agreement to oversee the County's new Aquatic Facility,

thereby reducing ad valorem expenses. The potential of a collaborative partnership with the YMCAPB is a distinctive and timely opportunity that potentially could offer the residents of Central Palm Beach County some exceptional facilities and services. For this reason, staff supports the motion to authorize us to evaluate the potential of establishing a cooperative partnership with the YMCAPB to co-locate facilities at Lake Lytal Park. District 2 (AH)

MARCH 13, 2018

5. REGULAR AGENDA

F. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to adopt:** resolution: 1) authorizing the acceptance of a donation of goods and services, with conditions, from the Orange Bowl Committee (OBC) for the Orange Bowl Legacy Gift at Glades Pioneer Park; 2) finding that an emergency exists and it is in the public's best interest to waive Consultant's Competitive Negotiations Act (CCNA) selection requirements and competitive bidding requirements; and 3) authorizing the County Administrator or her designee(s) to negotiate a Project Agreement with the Orange Bowl Committee for the design and construction of park improvements at Glades Pioneer Park. **SUMMARY:** On a semi-annual basis, the Orange Bowl Committee

collaborates with a local governmental agency on a Legacy Gift Project to make significant improvements and upgrades to an existing park. Previous Orange Bowl Committee projects have been accomplished in parks within Miami-Dade and Broward counties. This year, the Committee has selected Palm Beach County's Glades Pioneer Park in Belle Glade as their project location. The Orange Bowl Committee has offered to design, permit and construct a project that will include a synthetic athletic field, an electronic scoreboard, goals, entry monument and related Orange Bowl amenities as specifically proposed in the draft Project Agreement. The project serves a public purpose in that it will beautify the area, improve community activity and create an asset for the people of Palm Beach County, particularly those residing in the Glades Region. The Project Agreement proposed by the Orange Bowl Committee requires that the Orange Bowl Committee select and contract with the necessary design professionals and construction firm for the project and this will negate the County's ability to include terms that require compliance with the Local and SBE preference policies. Since the OBC funding source would be lost as a result of the time it would require to comply with the competitive bidding requirements and it is the County's best interest to proceed, the conditions exist for an emergency procurement pursuant to the Purchasing Ordinance, and other applicable State required selection processes such as CCNA. The draft Project Agreement requires that the County provide 50% matching funds in an amount not to exceed \$1.5 million. On April 10, 2018, when the final Project Agreement is submitted to the BCC for approval, Staff will recommend a budget amendment and transfer from the general fund contingency reserves and/or capital project reserves to fund the County's match. Countywide/District 6 (LDC)

G. PUBLIC SAFETY

1. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida amending the work identification card application and duplicate card fees for individuals performing in adult entertainment establishments; repealing and replacing Resolution No. 2008-2350; and providing for an effective date. **SUMMARY:** This proposed amendment to the resolution increases fees for a new work ID from \$75 to \$100 and for a duplicate copy from \$25 to \$30. The current fees set in 2008 have not generated sufficient revenue to offset the cost of the department to administer the program. Approximately 700 applications are processed annually. The cost of the program is approximately \$81,000 per year, which includes personnel costs, identification card equipment and supplies, and other administrative costs. Countywide (LDC)

MARCH 13, 2018

5. REGULAR AGENDA

H. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff requests board direction recommends motion to approve: regarding the atypical development costs associated with the proposed acquisition of a 5.09 acre vacant parcel of land in unincorporated western Delray Beach for the development of a Fire Rescue Station. **SUMMARY:** On November 7, 2017 (R2017-1708), the Board approved an Agreement for Purchase and Sale to acquire a 5.09 acre parcel of land in unincorporated western Delray Beach to satisfy the need to construct a Fire Station in the southeastern area of the Ag Reserve. The subject site lies approximately 1,600 feet east of the Lyons Road/Linton Boulevard intersection and is currently being used as a plant nursery. The Phase 2 Environmental Study of the property indicated the presence of agrochemicals in the soil which are below the Commercial/Industrial Direct Contact target clean-up levels, but higher than the Residential Direct Contact target clean-up level. While the Station would be classified as a commercial use, Staff believes it appropriate to be very conservative and reduce the presence of agrochemicals to the residential target level. The cost to remove soils on the portion of the property to be developed for the Station is estimated to between \$900,000-\$1,200,000. This is approximately \$500,000-\$700,000 more than has been spent on other fire stations for the removal of unsuitable soils such as muck. Despite the additional cost resulting from the County's voluntary mitigation to residential target levels, Staff believes it appropriate to move forward at this time: 1) as all of the properties in Fire Rescue's search area appear to have historically been used in agricultural production and are likely to have similar levels of agrochemicals; 2) call volumes support the construction of the station in advance of anticipated new development which could provide a civic site; 3) due to the potential to sell approximately 2.5 acres of the property to a residential developer, thereby recovering a portion of the remediation costs; and 4) due to the possibility that the County could exchange the entire property with a developer for a civic site that has already been mitigated to residential standards thus eliminating the cost. The Study also identified groundwater contamination which will require that the County use potable water for landscape irrigation, which usage will be minimized through the implementation of xeriscaping so the additional operating cost is not material. Fire Rescue does not want to risk waiting for a civic site dedication in that projected call volumes in the service area may require the station prior to a potential civic site dedication becoming available. As such, Staff is recommending that the BCC approve proceeding to close per the terms of the Purchase and Sale Agreement with a \$10,000 reduction in price approved by the Seller. (PREM) District 5 (HJF)

MARCH 13, 2018

5. REGULAR AGENDA

H. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) adopt resolution authorizing the conveyance of a .02-acre parcel of property to the Town of Palm Beach without charge pursuant to Florida Statute 197.592(3); and

B) approve County Deed conveying the .02 acre parcel to the Town of Palm Beach.

SUMMARY: In 1945, this .02-acre parcel on the east side of North Ocean Boulevard in Palm Beach was dedicated on the plat of Ocean Terrace to all homeowners within the platted subdivision for access to the ocean and beach recreation. Some of the owners within the subdivision also received easements to use this parcel in the deeds to their properties. After the developer of the Ocean Terrace subdivision completed development of the subdivision, the developer stopped paying taxes. A tax deed was issued to the County in 1971. Tax foreclosure does not extinguish dedications by plat nor previously granted easement rights. Therefore, the County does not have clear title to sell this property. Over the years, homeowners within the subdivision have made several unsuccessful attempts to acquire this property, including a legal action which was dismissed. As there is no practical ability for the public to use this property or for the County to sell it, the County has not maintained it. Recently the Town of Palm Beach requested that the County convey this property to the Town to assist with the Town's coastal management program. This will provide the Town access to the beach for beach re-nourishment construction staging, and will also allow the Town to remove a decorative wall and concrete patio installed by owners within the subdivision which are badly in need of repair and encroach upon the Town's right-of-way. F.S. 197.592(3) requires that lands acquired by the County for delinquent taxes be conveyed to the municipality in which such lands are located. The Statute does not require an appraisal, and the assessed value is \$47,000. Conveying this property to the Town will: 1) allow the town to both use the property for its coastal management program; 2) relieve the County of liability and maintenance responsibility; and 3) transfer responsibility to the Town to address questions regarding the rights of the homeowners within the subdivision to use this property. (PREM) District 1 (HJF)

MARCH 13, 2018

5. REGULAR AGENDA

H. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

3. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on April 10, 2018 at 9:30 am:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be entitled "The Palm Beach County Criminal History Records Check Ordinance;" repealing and replacing sections 2-371 – 2-390 of the Palm Beach County Code which codified Ordinance no. 2003-030, as amended; providing for authority; providing for definitions; providing for the identification of facilities, contractor and employee positions; providing for criminal history records checks for contractor access to critical facilities; providing for criminal history records checks for engagement as a vulnerable population contractor; providing for criminal history records checks for contractor access to CJI facilities; providing for alternative compliance; providing for criminal history records checks for county employees - general policy; providing for criminal history records checks for employees - employment positions deemed critical to security and public safety; providing for criminal history records checks for employees - CJI requirement positions; providing for criminal history records checks for employees - CJI access positions; providing for enforcement; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date. **SUMMARY:** Florida Statutes currently require other government and non-governmental entities have Level 2 CHRCs conducted on employees that have direct contact with "vulnerable populations" (i.e.: children, seniors and/or the developmentally disabled). Fla Statute Chapter 125 authorizes Counties to require by Ordinance, Level 2 background checks of employees for positions that are deemed critical to security or public safety. Staff is recommending the County authorize Level 2 CHRCs on county positions deemed critical to public safety or security, consistent with the aforementioned statutes, in order to implement similar safeguards for County operated programs. Level 2 CHRC for Contractors with access to vulnerable populations. In addition, the Ordinance provides for

CHRCs for CJI Requirement Positions and CJI Access positions. A CJI Requirement Position requires the employee utilize and access highly sensitive criminal justice information (CJI) and databases as an integral job function. A CJI Access Position is a position that will require unescorted access to criminal justice information based on job location or duties. The Ordinance also: 1) sets forth the list of disqualifying offenses for CJI Requirement Positions and all other Employee positions Deemed Critical to Security or Public Safety; 2) grants authority to the Human Resources Department to determine which positions are critical to security or public safety. Consistent with BCC policy, prior offense information is not requested on County employment applications and CHRC will only be conducted after eligibility and a selection is made. Human Resources will make final employment eligibility determinations in consultation with the County Attorney's office. The only substantive change relative to Contractors (which include volunteers and unpaid interns) is to authorize Level 2 CHRCs on Contractors with direct contact on vulnerable populations using the statutory list of disqualifying offenses. Other changes include reducing the types of alternate compliance, which better align with the practical realities of constraints on information sharing, and to recognize changing re-run requirements for those that are subject to Federal Criminal Justice Information (CJI) requirements. The Ordinance also broadens the conduct of Level 2 CHRCs on Contractors and Employees requiring access to facilities containing CJI to include the State Attorney's Office, in addition to the Palm Beach County Sheriff's Office. If the Ordinance is advanced to Public Hearing, FDO will be including, as a companion item, a mid-year request for one full time Access Tech position within Electronic Services and Security Division of FDO. This request remains among the highest priority for FDO in FY 19 due to growth in the existing program since 2005 and existing workload but is being requested early now to allow for smooth implementation of the Security and Public Safety position and Vulnerable Population contractors without having adverse impacts on the existing programs. (FDO ADMIN) Countywide (DO/LDC)

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MARCH 13, 2018

6. BOARD APPOINTMENTS

A. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: appointment of one at-large member to the Groundwater and Natural Resources Protection Board (GNRPB) for a three-year term beginning March 13, 2018 and ending March 14, 2021.

<u>Nominee</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Nominated by</u>
Appoint			
James L. Andersen	7	Citizen possessing expertise and experience in managing a business	Comm. Valeche Comm. Abrams
OR			
Daniel H. Sohn	7	Citizen possessing expertise and experience in managing a business	Comm. Burdick
OR			
Ann McNeill	7	Citizen possessing expertise and	Mayor McKinlay

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 concerned citizen, and one member of an environmental organization. Ordinance 92-20 and Article 2.G.3.F.3. of the ULDC requires Seat No. 7 be filled by a citizen with expertise and experience in managing a business. The GNRPB has 7 seats, 6 seats currently filled and a diversity count of Caucasian: 6. The gender ratio (female: male) is 2:4. Two of the nominees are Caucasian males and one is an African American female. Mr. James L. Andersen disclosed that he has an ownership position in JLA Geosciences, Inc. that contracts with the County for Professional Consulting and Engineering Services. Ms. McNeill disclosed that she is the owner of two businesses, MCO Construction, Inc. and MCO Construction & Services, Inc. that contracts with County for construction services. The Groundwater and Natural Resources Protection Board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contracts. Disclosure of these contractual relationships 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. Countywide (AH)

MARCH 13, 2018

6. BOARD APPOINTMENTS

B. PLANNING, ZONING & BUILDING

1. Staff recommends a motion to approve: appointment of two new members to the Construction Industry Licensing Board (CILB).

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
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Peter F. Ringle	3	Building Official	3/13/18-9/30/20	Mayor McKinlay Commissioner Burdick <u>Commissioner Valeche</u>
Mark E. Robinson	10	Swimming Pool Contractor	3/13/18-9/30/20	Florida Swimming Pool Association (FSPA) <u>Commissioner Valeche</u>
OR				
Haydee I. Ullfig	10	Swimming Pool Contractor	3/13/18-9/30/20	Mayor McKinlay Commissioner Burdick

SUMMARY: The CILB 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. The nominations for appointment of two new members are as follows: Mr. Peter F. Ringle was nominated by the Building Officials Association of Palm Beach County (BOA) to serve his first 3-year term. There are two nominations for the Swimming Pool Contractor seat as follows: Mr. Mark Robinson was nominated by the Florida Swimming Pool Association (FSPA) and Mrs. Haydee I. Ullfig has indicated a willingness to serve a first 3-year term. The nominations represent the seat for one Building Official and one Swimming Pool Contractor as cited in the Special Act, and F.S. establishing the CILB. Memorandums for appointments and endorsements were sent to the Board of County Commissioners on January 5, 2018. No other nominations were received. The CILB has twelve seats currently filled and a diversity count of Caucasian: 8 (67%), Hispanic-American: 3 (26%) and Native-American: 1 (7%). The gender ratio (female: male) is 0:12. Mr. Ringle and Mr. Robinson are both Caucasian males and Mrs. Ullfig is a Hispanic-American female. Mr. Mark E. Robinson has disclosed that he is an officer of Commercial Energy Specialists Inc. that contracts with the County to provide bids. The Construction Industry Licensing Board of Palm Beach County provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract(s). 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. Countywide (SF)

C. COMMISSION DISTRICT APPOINTMENTS

MARCH 13, 2018

7. **MATTERS BY THE PUBLIC – 2:00 P.M.**

MARCH 13, 2018

8. **STAFF COMMENTS**

A. ADMINISTRATION COMMENTS

1. [Staff recommends motion to receive and file:](#) the updated Board Directive Report dated from September 1, 2015 to February 27, 2018. **SUMMARY:** At the February 6, 2018 Board of County Commission Meeting, direction was given to the County Administrator to bring back as a receive and file once a month a status report of the board directives to date. The report will be updated on an on-going basis. Countywide (DMN)

B. COUNTY ATTORNEY

MARCH 13, 2018

9. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

1. Request for off-site presentation of Proclamation celebrating the 20th Anniversary of the Edna W. Runner Tutorial Center

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 – COMMISSIONER DAVE KERNER

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER MARY LOU BERGER

1. Request for off-site presentation of Proclamation declaring March 22, 2018 as All People's Day in Palm Beach County

F. District 6 - COMMISSIONER MELISSA MCKINLAY, MAYOR

G. District 7 – COMMISSIONER MACK BERNARD, VICE MAYOR

10. 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."