

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 10, 2018

<u>PAGE</u>	<u>ITEM</u>	
8	2C-11	ADD-ON: Proclamation declaring April 2018 as Dr. Martin Luther King Jr. Memorial Month in Palm Beach County (Sponsored by Commissioner Burdick)
8	2C-12	ADD-ON: Proclamation declaring April 2018 as National County Government Month in Palm Beach County (Sponsored by Mayor McKinlay)
8	2C-13	ADD-ON: Proclamation declaring April 8-14, 2018 as National Library Week in Palm Beach County (Sponsored by Commissioner Abrams)
29	3I-2	REVISED SUMMARY: Amendment 001 with Neighborhood Renaissance, Inc. (NRI), amends the Loan Agreement which provides up to \$4,500,000 in <u>NSP2 SHIP</u> funds for the construction of 36 rental units. These executed documents are now being submitted to the BCC to receive and file....
47	3U-2	REVISED MOTION AND SUMMARY: Staff recommends motion to approve: A) Addendum Agreement FL17-1861-02 - <u>03</u> to Pricing Schedule Agreement, FL10-1778-00 for AT&T Switched Ethernet Service, R-2010-0666 required to provide improved service offerings from AT&T to allow for the continued upgrade of the County's NG911 network; and, B) Special Service Arrangement Agreement (SSA) FL17-1424-03 - <u>04</u> with AT&T for enhanced E911 transport equipment to allow for the continued upgrade of the County's NG911 network. SUMMARY: These agreements will allow County Public Safety, 911 Division, to continue to modernize and enhance the E911 network to serve the citizens of Palm Beach County. The Addendum Agreement (FL17-1861-02 - <u>03</u>) will allow the County to move certain E911 circuits to AT&T due to the elimination of this circuit offering by the current provider, State of Florida MyFloridaNetwork (MFN). The Special Service Arrangement Agreement (FY17-1424-03 - <u>04</u>) will allow the County to complete the service re-engineering plan for the E911 network under a single service provider. Together, these agreements and the service reconfiguration could potentially save over \$500,000 per year in 911 service costs.... (ISS)

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

APRIL 10, 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/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 8)
 - D. Staff Comments (Page 9)
 - E. Commissioner Comments (Page 10)

- 3. CONSENT AGENDA (Pages 11-53)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 54-55)**

- 5. REGULAR AGENDA (Pages 56-62)**

- 6. BOARD APPOINTMENTS (Page 63)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 64)**

- 8. ADJOURNMENT (Page 65)**

* * * * *

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- 2C-2 Second Chance Month
- 2C-3 Certificate of Congratulations to Jazzman Lezama

- 2C-4 National Corrections Officers and Employees Week
- 2C-5 Water Conservation Month
- 2C-6 Palm Beach County Small Business Week
- 2C-7 Palm Beach County Sheriff's Office Volunteer Day
- 2C-8 Fair Housing Month
- 2C-9 National Teen Pregnancy Prevention Month
- 2C-10 Florida Water Professionals Month
- 2C-11 Dr. Martin Luther King Jr. Memorial Month
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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 64)

ADJOURNMENT (Page 65)

APRIL 10, 2018

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring April 2018 as Drowning Prevention Awareness Month in Palm Beach County (Sponsored by Vice Mayor Bernard)
2. Proclamation declaring April 2018 as Second Chance Month in Palm Beach County (Sponsored by Commissioner Kerner)
3. Certificate of Congratulations to Jazzman Lezama on being honored as a Youth Ambassador by the Florida Department of Juvenile Justice (Sponsored by Vice Mayor Bernard)
4. Proclamation declaring May 6-12, 2018 as National Correctional Officers and Employees Week in Palm Beach County (Sponsored by Commissioner Kerner)
5. Proclamation declaring April 2018 as Water Conservation Month in Palm Beach County (Sponsored by Mayor McKinlay)
6. Proclamation declaring April 29-May 5, 2018 as Palm Beach County Small Business Week in Palm Beach County (Sponsored by Commissioner Valeche)
7. Proclamation declaring April 18, 2018 as Palm Beach County Sheriff's Office Volunteer Day in Palm Beach County (Sponsored by Mayor McKinlay)
8. Proclamation declaring April 2018 as Fair Housing Month in Palm Beach County (Sponsored by Commissioner Berger)
9. Proclamation declaring May 2018 as National Teen Pregnancy Prevention Month in Palm Beach County (Sponsored by Commissioner Burdick)
10. Proclamation declaring April 2018 as Florida Water Professionals Month in Palm Beach County (Sponsored by Commissioner Berger)
11. **ADD-ON:** Proclamation declaring April 2018 as Dr. Martin Luther King Jr. Memorial Month in Palm Beach County (Sponsored by Commissioner Burdick)

12. **ADD-ON:** Proclamation declaring April 2018 as National County Government Month in Palm Beach County (Sponsored by Mayor McKinlay)
13. **ADD-ON:** Proclamation declaring April 8-14, 2018 as National Library Week in Palm Beach County (Sponsored by Commissioner Abrams)

APRIL 10, 2018

2D. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

2. COUNTY ATTORNEY

APRIL 10, 2018

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER PAULETTE BURDICK

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER STEVEN L. ABRAMS

District 5 - COMMISSIONER MARY LOU BERGER

1. Request for off-site presentation of Proclamation declaring April 18, 2018 as Business Ethics Day in Palm Beach County

District 6 - COMMISSIONER MELISSA MCKINLAY, MAYOR

1. Request for off-site presentation of Proclamation declaring April 13, 2018 as MV Grand Classica Day in Palm Beach County

District 7 – COMMISSIONER MACK BERNARD, VICE MAYOR

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. [Staff recommends motion to approve:](#) League of Cities appointment to the Water Resources Task Force (WRTF) for the remainder of a full three year term commencing April 10, 2018 and ending September 30, 2018.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Seat Representative</u>	<u>Term Ending</u>
6	Don Magruder	Alternate	League of Cities	09/30/18

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 for this League of Cities seat has been open for a while due to a resignation. This slot is a League of Cities selection. The League of Cities appointee for the Seat 6 alternate is for the remainder of the current three-year term ending September 30, 2018. There are currently 13 members (the ITID member slot remains unfilled at this time) and seven alternate members on the WRTF with a diversity count of Caucasian: 19 (95%), African-American: 1 (5%). The gender ratio (female:male) is 6:14. The proposed League of Cities alternate member appointee is a Caucasian male. (MJ)

2. **Staff recommends motion to approve:** payment in an amount not to exceed \$9,000 for participation in the 12th Annual Palm Beach Partners Business Matchmaker Conference & Expo to be held on September 21, 2018, in the Kravis Center Cohen Pavilion. **SUMMARY:** The Palm Beach County Office of Small Business Assistance, Department of Airports, and Palm Tran are participating with the City of Riviera Beach, the School District of Palm Beach County, the City of West Palm Beach, the Center for Technology, Enterprise & Development, Inc. (TED Center), Paragon Florida, Inc., and the Solid Waste Authority (SWA) to present the 2018 Business Matchmaker Conference & Expo (a statewide conference). This is the 12th Annual Matchmaker Conference & Expo held in Palm Beach County, and Palm Beach County will contribute a total of \$9,000 with the County's contribution broken down as follows: the Office of Small Business Assistance – \$3,000, Department of Airports – \$3,000, and Palm Tran – \$3,000. Payment will be made on or before May 4, 2018, to the Center for Technology Enterprise and Development, Inc., the fiscal agent for the conference. The conference and expo will provide Small Business Enterprise owners an opportunity to collaborate with larger businesses in an effort to increase business opportunities and knowledge of programs offered by the above listed governmental and non-profit partners. Countywide (HH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **Staff recommends motion to authorize:** Mayor to sign the Certificate Regarding Matching Funds certifying that the Board of County Commissioners will provide matching funds in the amount of \$21,020.93 for the Supervisor of Elections' Federal Election Activities grant for FY 2018. **SUMMARY:** The 2017 Florida Legislature appropriated funds specifically for federal election activities. These funds are distributed to the Supervisors of Elections (SOE) pursuant to a formula based on active registered voters in each county. Palm Beach County's share of the State funding is \$140,139.56. The County is required to provide a 15% match of \$21,020.93 which is included in the SOE's FY 2018 budget. Countywide (DN)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

Meeting Type	Meeting Date
Zoning	January 25, 2018
Workshop	January 30, 2018
Comprehensive Plan	January 31, 2018
Zoning	February 22, 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 January 2017. Countywide
5. **Staff recommends motion to receive and file:** list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services (§28.30, §28.31, §257.36 (6))

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** contract with R.J. Behar & Company, Inc. (RJB), in the amount of \$89,814.76 for professional construction engineering and inspection (CEI) services for the construction phase of the Overhead Flashing School Zone Signs project. **SUMMARY:** Approval of this contract will provide the professional CEI services necessary for the construction phase of the overhead flashing school zone signs at five school locations throughout Palm Beach County (County). The schools are West Riviera Elementary, Lincoln Elementary, Roosevelt Elementary, Palm Springs Middle and Hidden Oaks Elementary. The Small Business Enterprise (SBE) goal for all contracts is 15%. The SBE participation committed to by RJB at the time they were selected for this project was 0% overall. However, the SBE participation RJB is now proposing for this contract is 11.20%. RJB is based in Broward County with an office located in Palm Beach County. Districts 2, 3 & 7 (LBH)

2. **Staff recommends motion to approve:** the second amendment to the annual street lighting design contract with Electrical Design Associates, Inc., (EDA) R2016-0603, dated May 17, 2016, to extend the contract expiration date from May 16, 2018 to May 16, 2019, modify the fee schedule, and allow for other amendments to the contract. **SUMMARY:** Approval of this second amendment will extend the expiration date of the annual street lighting design contract with EDA from May 16, 2018 to May 16, 2019; adjust their hourly rates as allowed in the original contract; amend "Section 5.2. Payments"; and add "Section 21 – Chapter 119, F.S. Public Records" and "Section 22 – Additional Reporting" to the original contract per Palm Beach County (County) requirements. To date, tasks in the amount of \$25,602.64 have been authorized for EDA with 100% Small Business Enterprise (SBE) participation which meets their commitment of 100%. EDA is a County based company and is a certified SBE company. This is the second of two allowable renewals under this contract. After this renewal, the contract will need to be re-solicited. Countywide (LBH)

3. **Staff recommends motion to receive and file:**

A) Amendment Number Two to the County Incentive Grant Program (CIGP) agreement, R2013-1291, with the Florida Department of Transportation (FDOT) extending the expiration date of the CIGP agreement for the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A project from December 31, 2017 to June 30, 2018; and

B) Supplemental Agreement Number One to the Local Agency Program (LAP) agreement, R2016-0023, with FDOT extending the expiration date of the LAP agreement for the Canal Point Pedestrian Bridge Over the L-10 Canal project from December 31, 2017 to June 30, 2018.

SUMMARY: These agreements are being submitted to the Clerk and Comptroller of Palm Beach County in accordance with Countywide PPM CW-O-051. The Deputy County Engineer approved the CIGP Amendment Number Two on November 7, 2017 and the LAP Supplemental Agreement Number One on November 9, 2017. These approvals are authorized by resolution R2012-0035 and the County Administrator's delegation letters. Districts 1 & 6 (LBH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. **Staff recommends motion to:**

A) adopt resolution to approve a County Incentive Grant Program (CIGP) agreement with the State of Florida Department of Transportation (FDOT) that allows the County to receive up to \$110,000 toward the design of the SR-7 at Weisman Way Intersection Improvements project (Project); and

B) approve budget amendment of \$110,000 in the Road Impact Fee Fund – Zone 3 Fund to recognize the CIGP agreement with FDOT and appropriate the funds to the project.

SUMMARY: Adoption of the Resolution to approve this Agreement will allow Palm Beach County (County) to receive a grant of up to \$110,000 (50/50 matching funds) toward the project which has a current estimated design cost of \$220,000. The County will be responsible for all costs above this grant amount. District 6 (LBH)

5. **Staff recommends motion to approve:** contract with Engecon Construction, Inc. (ECI) in the amount of \$4,413,458.07 for the construction of bridges at Sandalfoot Boulevard and State Road 7, and at SW 3rd Street and State Road 7 (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to ECI, a Palm Beach County based company, to begin construction of the project. The

project includes all work necessary to remove the existing bridges and construct the new bridges, drainage and traffic signals. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, ECI, committed to 23.2% SBE participation. District 5 (LBH)

6. **Staff recommends motion to approve:** release and termination of rights of reverter (Release) to remove a reverter clause contained in five Palm Beach County (County) deeds given to Community Land Trust of Palm Beach County, Inc. (CLT) for surplus lands along Kirk Road. **SUMMARY:** As requested by the County's Housing Finance Authority, the Release will allow CLT to provide clear title to future purchasers by removing the reverter clause contained in the deeds from the County now that land is being used for affordable housing. District 3 (LBH)

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

A) interlocal agreement with the City of West Palm Beach (City) in the amount of \$1,003,252.80 for water main and force main utility adjustments as part of the Australian Avenue and Palm Beach Lakes Boulevard project; and

B) budget amendment of \$1,003,253 in the Road impact Fee fund – Zone 2 to recognize reimbursement funding from the City and appropriate it to the project.

SUMMARY: Approval of this agreement will allow Palm Beach County (County) and the City to jointly participate in construction of utility adjustments as part of the roadway project. The City agrees to reimburse the County for the cost of these utility adjustments, which were included in the bid. This budget amendment is necessary to recognize the funding from the City for the utility improvements to be incorporated into the County's construction of the project. District 7 (LBH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. **Staff recommends motion to approve:** interlocal agreement with the City of Boynton Beach (City) to allow the City to use Palm Beach County's (County) Municipal Service Taxing Unit (MSTU) program to assess benefitting property owners for the cost of aquatic management services to clean up the private canals in Lake Shore Haven and Lake Eden Plat Four (Project). **SUMMARY:** Approval of the agreement will allow the City to use the County's MSTU program (County Code, Chapter 26 – Special Districts, Article II, Municipal Service Taxing Unit), to establish an assessment on the benefitting

property owners for the cost of the project. The City requested the County facilitate an assessment process for monthly aquatic management services including algae, border grass and invasive exotic plant control for 10 years. The City will prepare the scope of services and specifications and will oversee all aspects of the project at the City's cost. The City will also reimburse the County a maximum of \$5,000 for administration of the MSTU program. District 4 (LBH)

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** filing of articles of dissolution for the Palm Beach County Public Building Corporation, Inc. (Corporation) a Florida non-profit corporation with Federal I.D. Number 32-0289969. **SUMMARY:** The Corporation was created in 1981 for the purpose of structuring certain bond transactions. Bonds are no longer processed in the same manner and the Corporation is no longer utilized for any transactions. By dissolving the Corporation, the County will no longer be paying annual fees to maintain the Corporation active with the Division of Corporations. Countywide (DB)

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** appointments to the Homeless Advisory Board, effective April 10, 2018:

<u>Seat No</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term Ending</u>
5	Anne Gerwig	Palm Beach County League of Cities Representative	Palm Beach County League of Cities	09/30/19
7	Sally Chester	Homeless Coalition of Palm Beach County Representative	Homeless Coalition of Palm Beach County	09/30/20
9	Kelly Smallridge	Business Community Representative	Economic Development Council	09/30/20

SUMMARY: On May 1, 2007, the Board of County Commissioners established the Homeless Advisory Board (HAB) to implement the Ten-Year Plan to End Homelessness in Palm Beach County. The total membership for the HAB shall be no more than 14 at-large members, per Resolution No. R2016-0038, comprised of members representing government, business, providers, law enforcement, advocates, education, faith-based and the formerly homeless. Members representing the Palm Beach County Continuum of Care and the homeless community are essential to the work of this board. Ms. Anne Gerwig has disclosed that she is employed by Alan Gerwig & Associates, Inc., which contracts with the County for services. The HAB provides no regulation, oversight, management, or policy setting recommendations regarding contracts. The Board has 14 seats; 9 seats are currently filled with a diversity count of African-American: 5 (56%), Caucasian: 3 (33%) and Native-American: 1 (11%). The gender ratio (female: male) is 4:5. The nominees are three Caucasian females. The Contracts-Grant Coordinator and staff conduct targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** appointment to the Community Action Advisory Board (CAAB), effective April 10, 2018:

<u>Seat No</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
4	Anne Lynch	Public Sector Representative	09/30/19	Vice Mayor Bernard Comm. Burdick Comm. Kerner CAAB

SUMMARY: The total membership for the Community Action Advisory Board shall be no more than 15 at-large members, per Resolution No. R-2014-0588, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. The Resolution requires that CAAB members solicit and recommend Public Sector member nominations for transmittal to the Board of County Commissioners (BCC). The BCC was notified by memo dated March 1, 2018 seeking nominations for the above at-large seat. Ms. Lynch meets all applicable guidelines and requirements outlined in the Resolution adopted by the BCC on May 6, 2014. The Board has 15 seats; 14 seats are currently filled with a diversity count of African-American: 13 (93%) and Caucasian: 1 (7%). The gender ratio (female:male) is 10:4. Ms. Lynch is a Caucasian female. The Community Action Program Coordinator and staff conduct targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Community Action Program) Countywide (HH)

3. **Staff recommends motion to receive and file:** Notice of Award Grant No. H89HA00034 from the U.S. Department of Health and Human Services, Health Resources and Services Administration, for the budget period March 1, 2018 through February 28, 2019, in an amount not to exceed \$1,542,341, for new and existing programs to continue improving health outcomes for clients with HIV/AIDS. **SUMMARY:** On December 5, 2017, the Board of County Commissioners ratified the Mayor’s signature on the Ryan White Part A HIV Emergency Relief Grant Program application (R2017-1776). This amount represents approximately 20% of the anticipated final award. The grant will allow the Community Services Department to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. **No County match is required.** The budget will be amended once final notice of award is received. (Ryan White Program) Countywide (HH)
4. **Staff recommends motion to approve:** restructuring of seats for current members of the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council, effective April 10, 2018. The HIV CARE Council nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Due to an effort to most accurately reflect mandatory requirements, seat changes for the current members are being recommended. On January 29, 2018, the CARE Council

approved the recommendation to restructure membership seating to 27 seats, six-seat reduction from the previous structure of 33 seats. All changes to membership seating are in compliance with the U.S. Department of Human Services, Health Resources and Services Administration (HRSA) and per the HIV CARE Council Resolution R2011-1560. The seat changes will allow for greater focus on members' responsibilities to participate and make recommendations concerning program plans and priorities. No currently seated members will be displaced from the CARE Council as a result of the restructuring. (Ryan White Program) Countywide (HH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. [Staff recommends motion to approve:](#)

A) Contract for Provision of Ryan White Part A HIV Health Support Services with AIDS Healthcare Foundation, Inc., for the three year period March 1, 2018 through February 28, 2021, in the amount totaling \$562,050, of which \$187,350 is budgeted in Grant Year (GY) 2018 with an anticipated annual allocation of \$187,350 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), for the provision of improving health outcomes for persons living with HIV Spectrum Disease; and

B) Intergovernmental Agreement for Ryan White Part A HIV Health Support Services with the Health Care District of Palm Beach County, for the three year period March 1, 2018 through February 28, 2021, in the amount totaling \$376,200, of which \$125,400 is budgeted in GY 2018 with an anticipated annual allocation of \$125,400 in each subsequent grant year contingent upon a budgetary appropriation by the Board of County Commissioners, subject to funding approval by HRSA, for the provision of improving health outcomes for persons living with HIV Spectrum Disease.

SUMMARY: On January 23, 2018, the Board of County Commissioners approved funding allocations for the Ryan White Program. The listed agencies were selected and recommended for contracting through the Request for Proposal process. These contracts cover services for HIV affected clients which include nutritional supplements, emergency financial assistance, local supplemental drug reimbursement program, medical case management, early intervention services, laboratory diagnostic testing, outpatient/ambulatory medical care and medical transportation. Kristen Harrington, employee of AIDS Healthcare Foundation, Inc. is a member of the HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agency contract listed above. 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 County Code of Ethics. **No County funds are required.** (Ryan White Program) Countywide (HH)

6. **Staff recommends motion to adopt:** resolution amending R2014-0588, providing for a minimum of four meetings per year and amended attendance policy of the Community Action Advisory Board, and providing for an effective date. **SUMMARY:** The proposed Resolution amends R2014-0588 by modifying the number of meeting dates per year. Resolution R2014-0588 required Community Action Advisory Board (CAAB) members to meet a minimum of ten times per year. The proposed Resolution provides that CAAB members will meet a minimum of four times a year. Other counties within Florida with similar advisory boards have adopted a meeting schedule allowing for quarterly meetings, which has proven effective. This modification allows for greater focus on members' responsibilities to participate in implementation of programs designed to serve low-income citizens of their County, while still allowing an opportunity to make recommendations concerning program plans, priorities, and budgets. The board's modified attendance policy has been approved by its members and does not conflict with the provisions of the Board Resolution No. R2013-0193 which established uniform policies and procedures for County advisory boards. (Community Action Program) Countywide (HH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** License Agreement with Airport Terminal Services, Inc., commencing February 13, 2018, terminating February 28, 2018 (Initial Term), and automatically renewing on a month-to-month basis thereafter but not beyond September 30, 2019, providing for the use of ten square feet of space on the third level of the Palm Beach International Airport terminal for the placement of two self-service kiosks that convert cash to prepaid credit cards and the payment of license fees in the amount of \$73.29 per square foot. **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 approve:** Voluntary Termination Agreement for Development Site Lease Agreement for Specialized Aviation Service Operator Facility at North Palm Beach County General Aviation Airport (Agreement) with Platinum Aviation Holdings, LLC (Platinum), effective April 30, 2018. **SUMMARY:** Platinum has lost its operating partner for its Development Site Lease Agreement for Specialized Aviation Service Operator Facility at the North Palm Beach County General Aviation Airport (Lease) and has requested the Lease be terminated. Platinum will continue to remit ground rent until the April 30, 2018, effective date of the Agreement. The Department of

Airports does not object to this termination. Countywide (HJF)

3. **Staff recommends motion to approve:** Amendment No. 12 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-27: Security Improvements Phase 3 – Replace Existing Controllers at Palm Beach International Airport (PBIA) in the amount of \$393,088 and 150 Calendar Days. **SUMMARY:** The Contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0663). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Board exercised the first one-year renewal option on May 5, 2015 (R2015-0550); the second one-year renewal option on May 3, 2016 (R2016-0557), and the final one-year renewal option on May 2, 2017 (R2017-0538). The Morganti Group, Inc. is a Danbury, Connecticut based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$24,855,225. Approval of Amendment No. 12 in the amount of \$393,088 and 150 Calendar Days will provide funds to complete Task M-27: Security Improvements Phase 3 – Replace Existing Controllers at PBIA. Airport Local Funds are being utilized to fund this project. The Disadvantaged Business Enterprise goal for this contract is 13%. The total to date participation for this contract is 16%. Countywide (AH)

4. **Staff recommends motion to:**

A) adopt resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$217,199 for Security Infrastructure and Operational Improvements Program at Palm Beach County Park Airport (LNA). This JPA will become effective upon final execution by the FDOT with an expiration date of December 31, 2020; and

B) approve budget amendment of \$217,199 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$271,499; which includes a transfer from Reserves of \$54,300.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$217,199 or 80% of the eligible project costs, whichever is less. Airport Local Funding in the amount of \$54,300 is also available for a total project cost of \$271,499. Countywide (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

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

A) Amendment No. 13 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-28: Third Level Improvements

at Palm Beach International Airport (PBIA) in the amount of \$7,637,600 and 420 Calendar Days;

B) budget amendment of \$2,900,000 in the Airport's Improvement and Development Fund to recognize Passenger Facility Charge (PFC) revenue, and to decrease Airport Reserves by \$4,737,600 to provide budget for The Morganti Group, Inc. contract of \$7,637,600; and

C) budget transfer of \$2,900,000 in the Airport's PFC fund to transfer PFC funds to the Airport's Improvement and Development Fund, including a transfer from PFC Reserves in the amount of \$2,900,000.

SUMMARY: The Contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0663). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Board exercised the first one-year renewal option on May 5, 2015 (R2015-0550); the second one-year renewal option on May 3, 2016 (R2016-0557) and the final one-year renewal option on May 2, 2017 (R2017-0538). The Morganti Group, Inc. is a Danbury, Connecticut based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$24,855,225. Approval of Amendment No. 13 in the amount of \$7,637,600 and 420 Calendar Days will provide funds to complete Task M-28: Third Level Improvements at PBIA. Airport Passenger Facility Charges and Local funds are being utilized to fund this project. The Disadvantaged Business Enterprise goal for this contract is 13%. The total to date participation for this contract is 16%. Countywide (AH)

6. **Staff recommends motion to approve:** Amendment No. 14 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-33: Concourse B Holdroom and Lobby Furniture at Palm Beach International Airport (PBIA) in the amount of \$3,117,900 and 240 Calendar Days. **SUMMARY:** The Contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0663). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Board exercised the first one-year renewal option on May 5, 2015 (R2015-0550); the second one-year renewal option on May 3, 2016 (R2016-0557) and the final one-year renewal option on May 2, 2017 (R2017-0538). The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$24,855,225. Approval of Amendment No. 14 in the amount of \$3,117,900 and 240 Calendar Days will provide funds to complete Task M-33: Concourse B Holdroom and Lobby Furniture at PBIA. Local funds are being utilized to fund this project. The Disadvantaged Business Enterprise goal for this contract is 13%. The total to date participation for this contract is 16%. Countywide (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. [Staff recommends motion to approve:](#)

A) Amendment No. 15 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-36: Parcel I Site Access Roadway & Utilities Project at Palm Beach International Airport (PBIA) in the amount of \$4,951,000 and 330 Calendar Days; and

B) budget transfer of \$1,831,000 in the Airport's Improvement and Development fund to provide budget for The Morganti Group, Inc. contract; including a transfer from Reserves of \$1,831,000.

SUMMARY: The Contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0663). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Board exercised the first one-year renewal option on May 5, 2015 (R2015-0550); the second one-year renewal option on May 3, 2016 (R2016-0557) and the final one-year renewal option on May 2, 2017 (R2017-0538). The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$24,855,225. Approval of Amendment No. 15 in the amount of \$4,951,000 and 330 Calendar Days will provide funds to complete Task M-36: Parcel I Site Access Roadway & Utilities Project at PBIA. Florida Department of Transportation funds and Airport Local funds are being utilized to fund this project. The Disadvantaged Business Enterprise goal for this contract is 13%. The total to date participation for this contract is 16%. Countywide (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to approve: Amendment No. 2 to the General Consulting Agreement with CH2M Hill, Inc. for Consulting/Professional Services in the amount of \$2,065,542.89 and to exercise the first one year renewal option for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement (R2016-0700) with CH2M Hill, Inc. for general airport planning and design was approved on June 7, 2016 in the amount of \$1,877,401.43 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was previously approved by the Board on June 20, 2017 (R2017-0795) increasing the amount of the contract by \$2,308,452.97. Approval of Amendment No. 2 will exercise the first one year renewal option for the continuation of services provided under this Agreement and will provide an additional \$2,065,542.89 to complete the following tasks: Task I Services – Palm Beach County Glades Airport (PHK) Fuel Farm Replacement Construction Administration (CA) Services; North Palm Beach County General Aviation Airport (F45) Perimeter Security Fence Improvements CA Services; Palm Beach County Park Airport (LNA) Fuel Farm and Wash Rack Design, Permitting and Bidding Services; PHK Runway and Taxiway Rehabilitation Design and Bidding Services; Palm Beach International Airport (PBI) Construct Golfview Infrastructure CA Supplemental Services; PBI Emergency Power Assessment; PBI Accessibility Transition Plan Consulting and Design; PBI Service Animal Relief Area Design, Permitting, Bidding and CA Services; PBI Airfield Circuitry Master Plan Drawings Update; PBI Customs and Border Protection Facility Review and Development Assessment; PBI Parcel I Site Access roadway and Utilities CA and Quality Acceptance (QA) Materials Testing Services; PBI Concourse C Holdroom Seating Design and Bidding Services; LNA Southside Redevelopment Program Phase 1 and 2 Additional Construction Management and Inspection Services; 2018 Environmental Compliance Monitoring, Inspection and Training Services; and Task III Services - Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM

CW-F-050, by way of a separate proposal or task authorization. CH2M Hill, Inc. is an Englewood, Colorado based firm, however, the majority of the work to be completed in this Agreement will be completed and/or managed through their Palm Beach Gardens, Florida office in conjunction with Palm Beach County-based subconsultant firms. A Disadvantaged Business Enterprise (DBE) goal of 15% was set for this contract. CH2M Hill, Inc. committed to 21% in their proposal. The anticipated DBE participation based upon the approved tasks is approximately 17.11%, which will increase as additional tasks are assigned by the County. The current paid to date DBE participation is approximately 12.86%. Approval of this Amendment No. 2 is anticipated to increase the DBE participation to 21.34%. Countywide (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. **Staff recommends motion to approve:** Other Transaction Agreement (OTA) with the United States of America, acting through the Transportation Security Administration (TSA), providing for the use of security checkpoint and baggage makeup areas at the Palm Beach International Airport (PBI) at no cost to the TSA and for the reimbursement of the County for janitorial services in the amount of \$2,198.80 per month, electrical costs incurred by the County for the TSA's equipment and HVAC and lighting for TSA's passenger and baggage screening space in the amount of \$10,816.20 per month, commencing June 1, 2018, terminating on May 31, 2019, and automatically renewing on a June 1st to May 31st annual basis to May 31, 2023. **SUMMARY:** Pursuant to the Aviation and Transportation Security Act (ATSA) of 2001, the TSA is required to conduct screening of all passengers, property and baggage. In order to carry out its statutory mandate, the TSA requires use of security checkpoint and baggage makeup areas at PBI and space for a TSA radio transmitter. Although the County is not permitted to charge the TSA for use of the security checkpoint and baggage makeup areas under the ATSA, the OTA is necessary to formalize the obligations of the TSA and County related

to use of the areas by the TSA. The OTA also provides for TSA's reimbursement to the County for electrical costs and janitorial services performed by the County's janitorial contractor at the security checkpoint and baggage makeup areas. The OTA will automatically renew each June 1 until May 31, 2023, unless the OTA is terminated. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** negotiated settlement offer in the amount of \$17,500 for the full satisfaction of a Code Enforcement Lien that was entered against George S. Tolmie on March 4, 2015. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on December 3, 2014 for property owned by George S. Tolmie (Mr. Tolmie) giving him until January 2, 2015 to bring his property located at 4878 Kirkwood Road in Lake Worth into full Code Compliance. The property had been cited for overgrowth of vegetation. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Mr. Tolmie on March 4, 2015. Code Enforcement issued an Affidavit of Compliance for the property on March 8, 2017 stating that as of March 7, 2017 the cited code violation had been fully corrected. The total accrued lien amount on December 15, 2017, the date on which settlement discussions began, totaled \$50,396.84, of which Mr. Tolmie has agreed to pay Palm Beach County \$17,500 (35%) for full settlement of his outstanding Code Enforcement Lien. District 3 (SF)

2. **Staff recommends motion to approve:** negotiated settlement offer in the amount of \$10,617 for the full satisfaction of a Code Enforcement Lien that was entered against Realtyfire Investments WPB 11512, LLC on June 7, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on September 7, 2016 for property owned by Realtyfire Investments WPB 11512, LLC (Realtyfire) giving them until September 17, 2016 to bring this property located at 11512 56th Place North in West Palm Beach into full Code Compliance. The property had been cited for a pool fence barrier in disrepair. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$500 per day was imposed. The CESM then entered a claim of lien against Realtyfire on June 7, 2017. Code Enforcement issued an Affidavit of Compliance for the property on March 20, 2017 stating that as of November 7, 2016 the cited code violation had been fully corrected. The total accrued lien amount on December 7, 2017, the date on which settlement discussions began, totaled \$26,541.12, of which Realtyfire has agreed to pay Palm Beach County \$10,617 (40%) for full settlement of their outstanding Code Enforcement Lien. District 6 (SF)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to approve:** negotiated settlement offer in the amount of \$21,415 for the full satisfaction of a Code Enforcement Lien that was entered against

John D. Gwynn on May 22, 2007. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on February 7, 2007 for property owned by John D. Gwynn (Mr. Gwynn) giving him until March 9, 2007 to bring his property located at 4682 Davis Road in Lake Worth into full Code Compliance. The property had been cited for overgrown vegetation and debris. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Mr. Gwynn on May 22, 2007. Code Enforcement issued an Affidavit of Compliance for the property on November 21, 2007 stating that as of November 21, 2007 the cited code violation had been fully corrected. The total accrued lien amount on August 31, 2017, the date on which settlement discussions began, totaled \$64,244.38, of which Mr. Gwynn has agreed to pay Palm Beach County \$21,415 (33%) for full settlement of his outstanding Code Enforcement Lien. District 3 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file:

A) First Amendment to Interlocal Agreement with Town of Lake Park dated December 20, 2017 to extend the term of the Agreement for acceptance of Town referred individuals into the Homeless Resource Center (HRC) to July 10, 2022;

B) First Amendment to Interlocal Agreement with Town of Jupiter dated January 29, 2018 to extend the term of the Agreement for acceptance of Town referred individuals into the Homeless Resource Center (HRC) to May 21, 2022;

C) First Amendment to Interlocal Agreement with Town of Palm Beach dated January 29, 2018 to extend the term of the Agreement for acceptance of Town referred individuals into the Homeless Resource Center (HRC) to May 21, 2022;

D) First Amendment to Interlocal Agreement with Village of Palm Springs dated January 11, 2018 to extend the term of the Agreement for acceptance of Village referred individuals into the Homeless Resource Center (HRC) to May 21, 2022;

E) First Amendment to Interlocal Agreement with City of Belle Glade dated February 14, 2018 to extend the term of the Agreement for acceptance of City referred individuals into the Homeless Resource Center (HRC) to July 10, 2022; and

F) First Amendment to Interlocal Agreement with Town of Jupiter Inlet Colony dated February 14, 2018 to extend the term of the Agreement for acceptance of Town referred individuals into the Homeless Resource Center (HRC) to May 21, 2022.

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 interlocal agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or her designee. The Standard Interlocal Agreement was approved by the Board on December 20, 2011 with Agenda Item 3H-7. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to receive and file:

A) Standard License Agreement for Use of County-Owned Property dated February 12, 2018, with Gloria Raya (Mid County Senior Center); and

B) Standard License Agreement for Use of County-Owned Property dated February 16, 2018, with Kerry Barnes (North County Senior Center).

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 have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or her 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)

3. Staff recommends motion to approve: Amendment No. 10 to the contract with Robling Architecture Construction, Inc. (R2016-0762) in the amount of \$1,950,348 for the Osprey Point Golf Course New Cafe (Phase II) establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** This Amendment authorizes the construction of a 4,030 sq. ft. new café consisting of a dining room for 100 patrons, a full service bar, full service kitchen, restrooms and other ancillary support spaces. The duration of construction is 420 days. The Small Business Enterprise (SBE) goal established by the SBE Ordinance for this contract is 15%. Robling Architecture Construction, Inc.'s SBE participation for this Amendment is 15.2% and including this Amendment, Robling Architecture Construction, Inc.'s overall SBE participation is 33.6%. This project will be funded from park impact fees zone 3 and golf course revenue. Robling Architecture Construction, Inc. is a SBE and 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 5 (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Annual Contracts with the following contractors for Painting & Weatherproofing on an as-needed basis for projects typically under \$100,000:

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) A-1 Paint, Inc. of Palm Beach	Local	SBE
B) Advanced Painting Contractors, Inc.	Local	Non-SBE
C) Clean Air Restoration, Inc. d/b/a Chandler Construction Company	Local	Non-SBE
D) H.A. Contracting Corp.	Local	Non-SBE
E) WGM Quality Painting, Inc.	Local	SBE

SUMMARY: These Contracts are for two years and is an indefinite-quantity with a maximum value of \$1,000,000 across all Painting contractors. The Contract will terminate when a total of \$1,000,000 in work orders are issued among the pool of Painting contractors, or when the two year term period has expired, whichever occurs first. The contract provides for up to three one-year term renewals, each for a not-to-

exceed total amount of \$500,000 at the sole option of the County. Firms may become pre-qualified and join the bidding pool at any time during the term or renewals. The work consists of the painting interior and/or exterior, surface treatment including but not limited to caulking, sealants, patching, priming and application of paint coating to the substrates and systems. The work is to be awarded as work orders on a lump sum, competitively quoted basis among the pool of five Painting contractors. The specific magnitude of the work shall be determined by individual work orders issued. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. SBE actual participation will be identified on each work order, and will be tracked cumulatively for each work order issued. (Capital Improvements) Countywide (LDC)

5. **Staff recommends motion to approve:** Annual Contracts with the following contractors for demolition on an as-needed basis for projects typically under \$100,000:

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) Allied Bean Demolition, Inc.	Non-Local	Non-SBE
B) Arbor Tree and Land, Inc. d/b/a ATL Diversified Industries	Local	SBE
C) ATF Builders, Inc.	Non-Local	Non-SBE
D) Bader's Group, LLC	Local	SBE
E) Camino Real Group, Inc. d/b/a Alpha Wrecking Group	Non-Local	Non-SBE
F) Cross Environmental Services, Inc.	Non-Local	Non-SBE
G) GHD Services, Inc.	Local	Non-SBE
H) The BG Group, LLC.	Local	Non-SBE

SUMMARY: These Contracts are for two years and is an indefinite-quantity with a maximum value of \$500,000 across all demolition contractors. The Contract will terminate when a total of \$500,000 in work orders are issued among the pool of Demolition contractors, or when the two year term period has expired, whichever occurs first. Firms may become pre-qualified and join the bidding pool at any time during the term or renewals. The contract provides for up to three one-year term renewals, each for a not-to-exceed total amount of \$500,000 at the sole option of the County. The work consists of the demolition of specified structures and the demolition of other items such as swimming pools, septic tanks, fences and similar site elements. The work is to be awarded as work orders on a lump sum, competitively quoted basis among the pool of eight Demolition contractors. The specific magnitude of the work shall be determined by individual work orders issued. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. SBE actual participation will be identified on each work order, and will be tracked cumulatively for each work order issued. (Capital Improvements) Countywide (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** Third Amendment to Interlocal Agreement (R2002-2063) with the Solid Waste Authority of Palm Beach County, (Authority) to extend the term of the Agreement for interoperable radio communications through the

countywide common talk groups of the County's 800 MHz Radio System to November 18, 2022. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Authority can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on November 18, 2017. The Agreement provided for three renewal options, each for a period of five years. The Authority has approved a renewal to extend the term of the Agreement to November 18, 2022, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The Authority is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with ten days' notice. This Third Amendment renews the term, updates the attachment, and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

7. **Staff recommends motion to approve:** First Amendment to Interlocal Agreement R2013-0612 dated May 21, 2013 with the Town of Jupiter (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 May 20, 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 expires on May 21, 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)

8. **Staff recommends motion to approve:** First Amendment to Interlocal Agreement (R2012-1095) with City of Miramar, a political subdivision of the State of Florida (City) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to August 14, 2022. **SUMMARY:** The Agreement, which provides the terms and conditions under which the City can program its radios and utilize the countywide common talk group's inter-agency communications expired on August 14, 2017. 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 to August 14, 2022, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The City is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. 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, updates the County's responsibilities, provides the disclosure of County Code Section 2-421-2440 establishing the Office of the Inspector General and

adds standard County nondiscrimination and Third Party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. **Staff recommends motion to approve:** Declaration of Easement over a portion of Fire Station No. 57 located within the Boca Lago PUD in unincorporated Palm Beach County. **Summary:** The County's Fire Station No. 57 is being replatted as part of a Pulte Home Company (Pulte) residential redevelopment project known as Boca Lago PUD Replat No. 1 – PULTE, all located within the Boca Lago PUD. The County's Land Development Division is requiring that Pulte include the Fire Station in the replat to establish the site as a platted parcel. During County departmental review of the Pulte replat, the County's Water Utility Department requested that PREM record a Declaration of Easement over an existing WUD lift station in the southwest corner of the Fire Station site. The easement area measures approximately 21'x32' and covers an area of 680 square feet (.02 acres). The easement will be recorded to provide public notice of its existence and location. (PREM) District 5 (HJF)

10. **Staff recommends motion to receive and file:** notice of exercise of the ninth option to extend the term of the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for one year for rent of \$1/yr. **SUMMARY:** In 1996, the County purchased 175 acres of property from the Winsbergs for the development of the Water Utilities Department's Green Cay Wetlands Water Reclamation project. The property is located off Hagen Ranch Road between Boynton Beach Boulevard and Atlantic Avenue. The Board approved the original Lease Agreement in May of 1999 (R99-842D), which allowed the Winsbergs to continue to farm the property until the Water Utilities Department (WUD) was ready to construct its project. Over time, as WUD constructed phases of the Water Reclamation Project, the area leased to the Winsbergs was reduced and the Winsbergs currently lease approximately 60 acres. The next phase of the Water Reclamation Project is not expected to be implemented within the next three years. Exercising this ninth extension option will extend the term of the Lease Agreement through May 1, 2019. The Winsbergs have the right to exercise their option to extend and the Board has no discretionary authority to not allow the exercise of the option. The County will continue to have the right to terminate this Lease Agreement upon 120 days' notice. The annual rental rate for this extension will continue to be \$1/yr. One one-year extension options remain available to the Winsbergs. WUD supports the extension and will continue to have administrative responsibility for this Lease Agreement. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 5 (HJF)

11. **Staff recommends motion to approve:** Utility Easement in favor of the City of Lake Worth to support John Prince Park. **SUMMARY:** The Palm Beach County Parks Department has developed 4.2 acres within John Prince Park on the north side of 6th Avenue South for a five pen dog park, which has been named Lake Woof Dog Park. The dog park is located along the southwest shore of Lake Osborne and features five

potable water drinking fountains with multiple taps to accommodate both dogs and their owners. Each separate pen includes a drinking fountain. This easement is required for the water lines serving the water fountains. This easement is approximately 1,513' long by 15' – 23' wide and covers an approximate area of 22,933 square feet (0.53 acres). The non-exclusive easement will be granted to the City of Lake Worth at no charge since this easement is required by the City as a condition of providing water service. This non-exclusive easement will be recorded to document its existence and location. (PREM) District 3 (HJF)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. **Staff recommends motion to approve:** Unity of Title to unify County and State owned property located within Morikami Park (Park), west of Delray Beach, as one plot of land. **SUMMARY:** The Park is an existing +/-173.17 acre Palm Beach County Regional Park located in unincorporated Palm Beach County, west of Delray Beach. The Park is comprised of nine individual parcels, seven of which are owned by the County and two are owned by the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (Trustees). The County and Trustees have agreed to record a Unity of Title for the Park property to unify the County land and Trustees land as one plot of land to support the future development of the Park. Upon the recording of the Unity of Title, the County and Trustees parcels will be considered as a single unified property that will simplify future development of the property for County park purposes. (PREM) District 5 (HJF)

13. **Staff recommends motion to approve:** Standard License Agreement in favor of Thalle Construction Company, Inc. (Thalle) for the placement of temporary storm water discharge pipes and a staging area for construction materials within the County's Paul Rardin Park. **SUMMARY:** Paul Rardin Park is located at 460 State Road 715, northwest of Belle Glade. The U.S. Army Corps of Engineers (USACE) is replacing a water control structure adjacent to the Park as part of the restoration of the Herbert Hoover Dike. Thalle was awarded the construction project. The Board initially approved a License Agreement in 2014 (R2014-1040), allowing Thalle to use part of the Park for the placement of temporary above ground storm water discharge pipes and the staging of construction materials for the project. Due to delays in the project, the Board approved additional License Agreements in October 2015 (R2015-1390) and in January 2017 (R2017-0047), which expired on December 20, 2017. Prior to the expiration of the License Agreement, Thalle assured Staff that the project would be completed and the

property vacated by mid December 2017. On December 13, 2017, Thalle advised Staff that the project completion would be delayed due to lack of materials to finish construction of the embankment on the levy. Thalle has requested the continued use of the Park for an additional 12 months until December 20, 2018. Staff received the executed copy of the License Agreement from Thalle on February 26, 2018, and placed the item on the first available agenda. The license area is 34,000 square feet (.78 acres). The County may terminate the License Agreement at any time. The restoration of the Herbert Hoover Dike is in the best interest of the community's safety and welfare. The construction project is federally funded and any charge for the license would be passed through to the USACE. Therefore, this License Agreement is being granted at no charge. (PREM) District 6 (HJF)

14. **Staff recommends motion to receive and file:** notice of exercise of the 17th one year extension option under the Lease with Bedner Farm, Inc. (R2001-0582) for Bedner Farm's continued agricultural use of approximately 246 acres located in the Ag Reserve for \$122,918.50/year. **SUMMARY:** Bedner Farm leases two parcels of property in the Ag Reserve from the County. One parcel is approximately 156 acres located just west of the Turnpike and north of Atlantic Avenue. The other parcel is approximately 90 acres located west of U.S. 441 and north of Boynton Beach Boulevard. The Lease currently expires on May 31, 2018. Exercising this 17th option extends the term to May 31, 2019. There remain 24 annual extension options through May 31, 2043. The annual rental rate is currently \$122,918.50/year (\$500/acre). Pursuant to the Lease, Bedner Farm has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. PREM will continue to have administrative responsibility for this Lease. (PREM) Districts 5 & 6 (HJF)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to:**

A) approve standard form Purchase Agreement for Tax Credits (Purchase Agreement) in connection with the State of Florida's Voluntary Cleanup Tax Credit (VCTC) Program; and

B) authorize the County Administrator, or designee, to execute the standard form Purchase Agreement.

SUMMARY: On December 15, 2015, the Board of County Commissioners (BCC) adopted Resolution R2015-1793 authorizing the Department of Housing and Economic Sustainability (HES) to utilize the VCTC Program to actively support the cleanup and

redevelopment of designated Brownfield sites within the County for business growth and expansion opportunities. This program provides for tax credits to be issued to applicants as an incentive to conduct voluntary cleanup of certain dry-cleaning solvent contaminated sites and sites in designated Brownfield areas. Local governments that apply for and receive tax credits from the Florida Department of Environmental Protection can offset cleanup costs by selling their tax credits for an amount between 80-85% of the face value of the tax credit. Funds received from the sale of tax credits will replenish the County's Brownfields Revolving Loan Fund Program. The standard form Purchase Agreement recommended for BCC approval will be used by the County to sell these credits. The Purchase Agreement is presented for approval in anticipation of its use for projects that are being processed by HES at this time. **No County funds for implementation are required.** Countywide (JB)

2. **Staff recommends motion to receive and file:**

A) Certificate of Award for Developer Affordable For-Sale Housing Units to Community Land Trust of Palm Beach County, Inc., under the Impact Fee Affordable Housing Assistance Program (IFAHAP); and

B) Amendment 001 to the Loan Agreement (R2017-0427) with Neighborhood Renaissance, Inc., under the Neighborhood Stabilization Program 2 (NSP2).

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 documents have been executed on behalf of the Board of County Commissioners (BCC) by the Mayor or the County Administrator in accordance with Agenda Items 5A-1, and 3I-3 as approved by the BCC on December 19, 2017, and May 7, 2016, respectively. The Certificate of Award for Developer Affordable For-Sale Housing Units awards \$53,062.78 in IFAHAP funds as a reimbursement of impact fees associated with the construction of 20 homes. Amendment 001 with Neighborhood Renaissance, Inc. (NRI), amends the Loan Agreement which provides up to \$4,500,000 in NSP2 SHIP funds for the construction of 36 rental units. These executed documents are now being submitted to the BCC to receive and file. **NSP2 grant funds are Federal funds which do not require a local match. IFAHAP funds are from interest earned by the Impact Fee Fund.** Districts 2 & 3 (JB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. [Staff recommends motion to receive and file:](#) documents executed in connection with loans made to Businesses located in un-incorporated Palm Beach County under the Housing and Urban Development (HUD) Section 108 Loan Program.

Kiddie Haven Pre-School, Inc.

- A) Section 108 Loan Agreement, dated January 28, 2014, for \$131,000.
- B) Deposit Account Control Agreement, dated January 28, 2014.
- C) Palm Beach County Section 108 Promissory Note, dated January 28, 2014, for \$131,000.
- D) Security Agreement, dated January 28, 2014, for \$131,000.
- E) Guaranty Agreement, dated January 28, 2014, for \$131,000.
- F) Borrower's Certificate, dated January 28, 2014.
- G) Section 108 Loan Program Agreement between Palm Beach County & Kiddie Haven Pre-School, Inc., dated January 28, 2014 for \$131,000.

Pinewood Cleaners, Inc. (dba Cricket Cleaners)

- A) Section 108 Loan Agreement, dated April 14, 2014, for \$179,000.
- B) Security Agreement, dated April 14, 2014, for \$179,000.
- C) Palm Beach County Section 108 Promissory Note, dated April 14, 2014, for \$97,000.
- D) Palm Beach County Section 108 Promissory Note, dated April 14, 2014, for \$82,000.
- E) Section 108 Loan Program Agreement between Palm Beach County and Pinewood Cleaners, Inc., dated April 14, 2014, for \$179,000.
- F) Collateral Security Agreement, dated April 14, 2014, for \$179,000.
- G) Guarantor's Certificate, dated April 14, 2014.
- H) Guaranty Agreement, dated April 14, 2014, for \$179,000.
- I) Borrower's Certificate, dated April 14, 2014.

Magic Bubbles, Inc.

- A) Collateral Security Mortgage Agreement, dated November 17, 2014, for \$277,000.
- B) Collateral Security Mortgage and Security Agreement (w/ Assignment of Leases and Rents), dated November 17, 2014, for \$277,000.
- C) Mortgage Amendment, dated May 1, 2015, for \$277,000.
- D) Section 108 Loan Program Agreement between Palm Beach County and Magic Bubbles, Inc., dated November 17, 2014, for \$277,000.
- E) Section 108 Loan Agreement, dated November 17, 2014, for \$277,000.
- F) Security Agreement, dated November 17, 2014, for \$277,000.
- G) Subordination Agreement, dated November 17, 2014.
- H) Palm Beach County Section 108 Promissory Note, dated November 17, 2014, for \$277,000.
- I) Guaranty Agreement, dated November 17, 2014, for \$277,000.
- J) Mortgagor's Certificate, dated November 17, 2014, for \$277,000.
- K) Borrower's Certificate, dated November 17, 2014.

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now

being submitted to the Board to receive and file. **These are Federal funds which require no local match.** District 3 (JB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. [Staff recommends motion to receive and file:](#) documents executed in connection with loans made to businesses located in unincorporated Palm Beach County under the Housing and Urban Development (HUD) Section 108 Loan Program.

BI Development Group, LLC.

A) Partial Release of Mortgage Lien from Pam Beach County to BI Development Group, LLC, dated November 16, 2016.

B) Mortgage and Security Agreement (with Assignments of Leases and Rents), dated October 5, 2016, for \$478,507.

C) Cross-Default, Cross-Contribution, and Cross-Collateralization Agreement, dated, October 5, 2016.

D) Intercreditor Agreement between First bank and Palm Beach County, dated, October 5, 2016.

E) Section 108 Loan Agreement, date, October 5, 2016, for \$478,507.

F) Section 108 Loan Program Agreement between Palm Beach County and BI Development Group, LLC, dated October 5, 2016, for \$478,507.

G) Palm Beach County Section 108 Promissory Note, dated October 5, 2016, for \$478,507.

H) Guaranty Agreement, dated October 5, 2016, for \$478,507.

I) Guarantor's Certificate for Permits ETC, Inc., dated October 31, 2016.

J) Guarantor's Certificate for Atlantic Engineering Services, Inc., dated October 31, 2016.

Kwik Stop No: 1819, Inc.

A) Palm Beach County Section 108 Promissory Note to Kwik Stop No: 1819, Inc., dated April 1, 2016 for \$186,700.

B) Section 108 Loan Agreement, Agreement between Palm Beach County and Kwik Stop No: 1819, Inc., dated April 1, 2016 for \$186,700.

C) Section 108 Loan Program Agreement between Palm Beach County and Kwik Stop No: 1819,

Inc., dated April 1, 2016 for \$186,700.

D) Collateral Mortgage and Security Agreement w/ Assignment of Leases and Rents, dated April 1, 2016 for \$186,700.

E) Security Agreement, dated April 1, 2016 for \$186,700.

F) Collateral Security Agreement (RM & MS#101), dated April 1, 2016 for \$370,300.

G) Collateral Security Agreement (SB Corner Store), dated April 1, 2016 for \$370,300.

H) Collateral Security Agreement (South Bay Investors), dated April 1, 2016 for \$370,300.

I) Collateral Security Agreement (Moore Haven Marathon), dated April 1, 2016 for \$370,300.

J) Collateral Security Agreement (M&K's, LLC), dated April 1, 2016 for \$370,300.

K) Collateral Security Agreement (M&N Corporation#101), dated April 1, 2016 for \$370,300.

L) Collateral Security Agreement (Clewiston Marathon), dated April 1, 2016 for \$370,300.

M) Subordination, Non-disturbance and Attornment Agreement, dated April 1, 2016.

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. **These are Federal funds which require no local match. District 6 (JB)**

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

5. **Staff recommends motion to receive and file:** documents executed in connection with loans made to Businesses located in un-incorporated Palm Beach County under the Housing and Urban Development (HUD) Section 108 Loan Program.

Deep Waters Marine, Inc.

A) Palm Beach County Section 108 Loan Agreement with Deep Waters Marine, Inc., dated, December 7, 2016 for \$423,000.

B) Section 108 Loan Program Agreement between Palm Beach County and Deep Waters Marine Air, Inc., dated, December 7, 2016 for \$423,000.

C) Palm Beach County - Section 108 Promissory Note, dated, December 7, 2016 for \$423,000

Rhema Holdings, LLC.

A) Palm Beach County Section 108 Loan Agreement with Rhema Holdings, LLC, dated, December 7, 2016 for \$246,000

B) Section 108 Loan Program Agreement between Palm Beach County and Rhema Holdings, LLC, dated, December 7, 2016 for \$246,000.

C) Mortgage and Security Agreement with Assignment of Leases and Rents, dated, December 7, 2016 for \$246,000

D) Collateral Security Mortgage and Security Agreement with Assignments of Leases and Rents, dated, December 7, 2016 for \$423,000

E) Intercreditor Agreement, dated, December 7, 2016

F) Collateral Security Agreement, dated, December 7, 2016

G) Guaranty Agreement, dated, December 7, 2016

H) Palm Beach County - Section 108 Promissory Note, dated, December 7, 2016 for \$246,000

I) Assignment and Assumption of Retail Installment Contract, dated, December 7, 2016

Tepuy Commercial Properties, LLC

A) Palm Beach County Section 108 Loan Agreement with Tepuy Commercial Properties, dated, March 31, 2017 for \$248,000

B) Section 108 Loan Program Agreement between Palm Beach County and Tepuy Commercial properties, dated, March 31, 2017 for \$248,000.

C) Collateral Security Agreement, dated, March 31, 2017 for \$248,000

D) Palm Beach County – Section 108 Promissory Note, dated, March 31, 2017 for \$248,000.00

E) Mortgage Agreement with Assignment of Leases and Rents, dated, March 31, 2017 for \$248,000

F) Intecreditor Agreement between Bank of Belle Glade and Palm Beach County, dated, March 31, 2017

G) Guaranty Agreement, dated, March 31, 2017

H) Environmental Indemnity Agreement, dated, March 31, 2017

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or Designee in accordance

with Resolution R2009-0725, and are now being submitted to the Board to receive and file. **These are Federal funds which require no local match.** District 7 (JB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

6. **Staff recommends motion to receive and file:** documents executed in connection with loans made to Businesses located in un-incorporated Palm Beach County under the Housing and Urban Development (HUD) Section 108 Loan Program.

EHR Tech, LLC.

A) Section 108 Loan Agreement, dated October 14, 2013, for \$609,000.

B) Section 108 Loan Program Agreement between Palm beach County and EHR Tech, LLC, dated October 14, 2013, for \$609,000.

C) Mortgage and Security Agreement (w/ Assignment of Leases & Rents), dated October 14, 2013, for \$609,000.

D) Cross-Default, Cross-Contribution, and Cross-Collateralization Agreement, dated October 14, 2013, for \$609,000.

E) Security Agreement, dated October 14, 2013, for \$609,000.

F) Palm Beach County Section 108 Promissory Note, dated October 14, 2013, for \$609,000.

G) Guaranty Agreement, dated October 14, 2013.

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GUS Distributing, Corp.

A) Section 108 Loan Program Agreement between Palm Beach County and GUS Distributing Corp., dated January 16, 2014, for \$196,000.

B) Section 108 Loan Agreement, dated January 16, 2014, for \$196,000.

C) Collateral Mortgage and Security Agreement (w/ Assignment of Leases and Rents), dated January 16, 2014, for \$196,000.

D) Collateralization Agreement, dated January 16, 2014, for \$196,000.

E) Section 108 Promissory Note, dated January 16, 2014, for \$196,000.

- F) Control Agreement, dated January 16, 2014, for \$196,000.
- G) Pledge Agreement, dated January 16, 2014, for \$196,000.
- H) Guarantor's Certificate, dated January 16, 2014.
- I) Borrower's Certificate, dated January 16, 2014.

Samar Baroush, Abdul and Ghasiba Shatara.

- A) Section 108 Loan Program Agreement between Palm Beach County and Samar Barhoush, Abdul and Ghasiba Shatara, dated September 10, 2013, for \$51,000.
- B) Section 108 Loan Agreement, dated September 10, 2013, for \$51,000.
- C) Mortgage and Security Agreement (w/ Assignment of leases and Rents), dated September 10, 2013, for \$51,000.
- D) Collateralization Agreement, dated September 10, 2013, for an extended loan of \$51,000.
- E) Purchase Agreement, dated September 10, 2013, for \$51,000. Pledge Agreement, dated September 10, 2013, for \$51,000.
- F) Control Agreement, dated September 10, 2013.
- G) Section 108 Promissory Note, dated September 10, 2013, for \$51,000.
- H) Pledge Agreement, dated September 10, 2013.

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. **These are Federal funds which require no local match. District 6 (JB)**

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

- 7. **Staff recommends motion to receive and file:** documents executed in connection with loans made to Businesses located in un-incorporated Palm Beach County under the Housing and Urban

Development (HUD) Section 108 Loan Program.

Jupiter CY, LLC

- A) Section 108 Loan Program Agreement with Jupiter CY, LLC for \$2,300,000;
- B) Palm Beach County Section 108 Loan Agreement with Jupiter CY, LLC for \$2,300,000;
- C) Mortgage and Security Agreement with Assignment of Leases and Rents from Jupiter CY, LLC for \$2,300,000;
- D) Collateral Mortgage Agreement from 1410 S.B. PT, LLC for \$2,300,000;
- E) Control Agreement with Melbourne RI Manger, LLC;
- F) Control Agreement with Marina Del Ray Apartments Limited Partnership;
- G) Purchase Agreement with Ronald Finvarb and Richard Finvarb;
- H) Pledge Agreement with Ronald Finvarb;

SSB Investment, Inc.

- A) Mortgage and Security Agreement with Assignment of Leases and Rents, dated March 20, 2013, for \$244,000.
- B) Environmental Indemnity Agreement, dated March 20, 2013.
- C) Palm Beach County Promissory Note, dated March 20, 2013, for \$244,000.
- D) Section 108 Loan Agreement, dated March 20, 2013, for \$244,000.
- E) Section 108 Loan Program Agreement between Palm Beach County and SSB Investment, Inc., dated March 20, 2013, for \$244,000.

BI Development Group, LLC.

- A) Palm Beach County Section 108 Promissory Note, dated August 29, 2013 for \$1,028,000.
- B) Mortgage and Security Agreement w/ Assignment of Leases and Rents, dated August 29, 2013 for \$1,028,000.
- C) Cross-Default, Cross-Contribution, and Cross-Collateralization Agreement, dated August 29, 2013 for Section 108, DOE, and USDA IRP Loan.
- D) Section 108 Loan Agreement, dated August 29, 2013 for \$1,028,000.
- E) Section 108 Loan Program Agreement between Palm Beach County and BI Development Group, LLC, dated August 29, 2013 for \$1,028,000.
- F) Pledge Agreement, dated August 29, 2013 for Section 108, DOE, and USDA IRP Loan.
- G) Control Agreement (M.I.M., Inc.), dated August 29, 2013 for \$1,028,000.

H) Control Agreement (Purdy Lane, Inc.), dated August 29, 2013 for \$1,028,000.

I) Redemption Agreement (Purdy Lane, Inc.), dated August 29, 2013 for \$1,028,000.

J) Redemption Agreement (M.I.M., Inc.), dated August 29, 2013 for \$1,028,000.

K) Guaranty Agreement, dated August 29, 2013 for Section 108, DOE, and USDA IRP Loan.

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. **These are Federal funds which require no local match. Districts 1 & 6 (JB)**

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

8. [Staff recommends motion to receive and file:](#) documents executed in connection with loans made to Businesses located in un-incorporated Palm Beach County under the Housing and Urban Development (HUD) Section 108 Loan Program.

RM & MS #101, LLC.

A) Palm Beach County Section 108 Promissory Note to RM & MS #101, LLC, dated April 1, 2016 for \$370,300.

B) Section 108 Loan Agreement, Agreement between Palm Beach County and RM & MS #101, LLC, dated April 1, 2016 for \$370,300.

C) Section 108 Loan Program Agreement between Palm Beach County and RM & MS #101, LLC, dated April 1, 2016 for \$370,300.

D) Mortgage and Security Agreement w/ Assignment of Leases and Rents, dated April 1, 2016 for \$370,300.

E) Intercreditor Agreement, dated April 1, 2016 for \$370,300.

F) Collateral Security Agreement (Kwik Stop), dated April 1, 2016 for \$370,300.

G) Collateral Security Agreement (SB Corner Store), dated April 1, 2016 for \$370,300.

H) Collateral Security Agreement (South Bay Investors), dated April 1, 2016 for \$370,300.

- I)** Collateral Security Agreement (Moore Haven Marathon), dated April 1, 2016 for \$370,300.
- J)** Collateral Security Agreement (M&K's, LLC), dated April 1, 2016 for \$370,300.
- K)** Collateral Security Agreement (M&N Corporation#101), dated April 1, 2016 for \$370,300.
- L)** Collateral Security Agreement (Clewiston Marathon), dated April 1, 2016 for \$370,300.

Direct Fresh Marketing, Inc.

- A)** Palm Beach County Section 108 Promissory Note, dated December 11, 2015 for \$321,000.
- B)** Mortgage and Security Agreement w/ Assignment of Leases and Rents, dated December 11, 2015 for \$321,000.
- C)** Section 108 Loan Program Agreement between Palm Beach County and Direct Fresh Marketing, Inc, dated December 11, 2015 for \$321,000.
- D)** Section 108 Loan Agreement, dated December 11, 2015 for \$321,000.
- E)** Intercreditor Agreement, dated December 11, 2015 for \$321,000.
- F)** Collateral Security Agreement, dated December 11, 2015 for \$321,000.
- G)** Security Agreement, dated December 11, 2015.
- H)** Guaranty Agreement, dated December 11, 2015 for \$321,000.

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or Designee in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. **These are Federal funds which require no local match. Districts 6 & 7 (JB)**

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

9. **Staff recommends motion to execute:** “Certification By State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan” for the Pahokee Housing Authority in connection with their Fiscal Year 2018 Annual Public Housing Authority (PHA) Plan. **SUMMARY:** The Pahokee Housing Authority has prepared its Annual PHA Plan for the Fiscal Year beginning July 1, 2018. The Department of Housing and Urban Development requires the County to confirm that the plans and programs outlined in their Annual PHA Plan are consistent with those set forth in the County’s Consolidated Plan. Confirmation of this consistency is documented through a “Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan.” The Department of Housing and Economic Sustainability (HES) has reviewed the Pahokee Housing Authority’s draft Annual PHA Plan and determined that the goals, objectives and plans outlined therein are consistent with those outlined in the Palm Beach County FY 2015-2020 Consolidated Plan. Specifically, the Annual PHA Plan will: continue the provision of affordable housing to very-low income persons in the Glades; serve veterans under the Veterans Affairs Supportive Housing Program; increase the stock of affordable housing units via demolition and/or disposition of existing housing units to convert into Low Income Housing Tax Credit units; develop vacant sites in collaboration with private partners; prioritize the special needs population; implement improved safety measures in its properties; adopt a deconcentration and income targeting policy; implement a Section 8 Project-Based Voucher Program in its new development activities; improve the quality and choice of assisted housing; ensure equal opportunity and affirmatively furthering fair housing; promote youth programs and self-sufficiency. The County’s Fiscal Year 2015-2020 Consolidated Plan identified the City of Pahokee as an area which lacks adequate and suitable housing. The County’s Fiscal Year 2015-2020 Consolidated Plan prioritizes the need for affordable rental housing, economic development and job training, and public services for residents of this area. District 6 (JB)

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 the historic rehabilitation of the property located at 55 SE 7th Avenue, Delray Beach, (Residential); and

B) approve restrictive covenant for 55 SE 7th Avenue, Delray Beach, (Residential) requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The resolution will authorize a County tax exemption for the following historic property located within the City of Delray Beach: 55 SE 7th Avenue, (property is privately owned for Residential use). If granted, the tax exemption shall take effect January 1, 2018, and shall remain in effect for 10 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 \$47,089. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$4,708 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. For fiscal year 2017-2018, the BCC has approved a total of two exemptions totaling \$20,713. District Z (RPB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

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

2. 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 the historic rehabilitation of the property located at 421 31st Street, West Palm Beach, (Residential);

B) approve restrictive covenant for 421 31st Street, West Palm Beach, (Residential) 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 the historic rehabilitation of the property located at 317 Cordova Road, West Palm Beach, (Residential);

D) approve restrictive covenant for 317 Cordova Road, West Palm Beach, (Residential) requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

E) adopt resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 327 Dyer Road, West Palm Beach, (Residential); and

F) approve restrictive covenant for 327 Dyer Road, West Palm Beach, (Residential) 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
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historic properties located within the City of West Palm Beach: 421 31 Street, (property is privately owned for residential use); 317 Cordova Road (property is privately owned for residential use); and 327 Dyer Road, (property is privately owned for residential use). If granted, the tax exemption shall take effect January 1, 2018, and shall remain in effect for 10 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 properties. The estimated total tax exempted for the 10 years ending December 31, 2027, is \$111,620. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$11,162 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. For fiscal year 2017-2018, the BCC has approved a total of two exemptions totaling \$20,713. District 2 (RPB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** contract with Hinterland Group, Inc., (Contract) for the Lift Station Rehabilitation Project B; Bid Package 1 (Project) in the amount of \$4,215,900. **SUMMARY:** On November 8, 2017, five bids were received for the rehabilitation of 28 lift stations located throughout the Water Utilities Department (WUD) service area. Hinterland Group, Inc., was determined to be the lowest responsive and responsible bidder in the amount of \$4,215,900. The Project will provide for the lift station upgrades necessary to meet current WUD standards. The Project work involves upgrading the mechanical, electrical and civil components including discharge piping, pumps, control panel, slabs, wet well, valve vaults and putting all stations on the WUD Supervisory Control and Data Acquisition (SCADA) system. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract provides for SBE participation of 95% overall. Hinterland Group, Inc., is a Palm Beach County company. The Project is included in the WUD FY 18 Budget. (WUD

2. **Staff recommends motion to approve:** Amendment No. 1 to the Contract with Mock, Roos & Associates, Inc., for Consulting/Professional Services for the Lift Station Rehabilitation Project B (Project) in an amount not to exceed \$247,209.66. **SUMMARY:** On September 13, 2016, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Consulting/Professional Services Contract (Contract) with Mock, Roos & Associates, Inc., for design and bidding services required to rehabilitate 60 lift stations for a term of five years (R2016-1172). Amendment No. 1 to the Contract updates the Scope of Work to provide engineering services during construction for 28 lift stations to be rehabilitated under the Project. These services include coordination meetings, construction inspection, shop drawing review, responding to requests for information (RFIs), review of Operation and Maintenance (O&M) Manuals, assistance with issuance of Substantial and Final Completion and record drawings review. No time extension will be provided as part of Amendment No. 1. The Small Business Enterprise (SBE) participation established by the SBE Ordinance is 15% overall. The Contract with Mock, Roos & Associates, Inc., provides for SBE participation of 98% overall. Amendment No. 1 has 100% of SBE participation. The cumulative SBE participation, including Amendment No. 1 is 100%. Mock, Roos & Associates, Inc., is a Palm Beach County company. The Project is included in the WUD FY18 Budget. (WUD Project No. 15-096B) Countywide (MJ)

3. **Staff recommends motion to approve:** Encroachment Agreement (Agreement) with Florida Gas Transmission Company LLC (FGT). **SUMMARY:** The Water Utilities Department (WUD) plans to construct an 18-inch water main along Belvedere Road crossing an existing easement (Book 27363, Page 1648) on the east side of the Florida Turnpike. The existing easement is granted to FGT by the Florida Department of Transportation for their use only. Prior to the construction of the water main, FGT has requested that the County enter into an Agreement to allow the installation of the water main within their easement area and crossing their existing utilities. FGT requested that the County execute the Agreement first as FGT will be recording the Agreement. (WUD Project No. 15-102) District 2 (MJ)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

4. **Staff recommends motion to approve:** Change Order No. 5 with R. J. Sullivan Corp., for the Water Treatment Plant (WTP) No. 8 Anion Exchange System Project in the amount of \$299,115 with a 45-day time extension to the final completion date. **SUMMARY:** On March 22, 2016, the Board of County Commissioners (BCC) approved the Contract for the WTP No. 8 Anion Exchange System Project (Project) (R2016-0372) with R.J. Sullivan Corp. Change Order No. 5 provides for additional water quality and operational improvements and requires an increase of \$299,115 and 45 calendar days for final completion of the Project. The Anion Exchange System removes both color and organics and was substantially complete on January 11, 2018. The free chlorine disinfection has been moved from pre-filtration to post anion exchange to reduce disinfection byproducts. Additional water quality improvements are needed to optimize disinfection throughout the treatment process. Operation improvements are needed to better interface existing equipment with the new anion exchange system. The Contract provides for SBE participation of 62.98%. Change Order No. 5 provides for 56% SBE participation. The cumulative SBE participation including Change Order No. 2 is 62.80%. R.J. Sullivan Corp., maintains an office in Boca Raton from which the majority of the work will be undertaken. This Project is included in the Water Utilities Department (WUD) FY 18 Budget. (WUD Project No. 13-022) District 2 (MJ)

5. **Staff recommends motion to approve:** Work Authorization (WA) No. 10 for Improvements to Lift Station 8148 (Project) Project with Hinterland Group Inc. in the amount of \$243,713.45. **SUMMARY:** On March 10, 2015, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Lift Station Rehabilitation Continuing Construction Contract (Contract) with Hinterland Group, Inc. (R2015-0318). WA No. 10 provides for the rehabilitation of Lift Station 8148. The Scope of Services involves upgrading the mechanical, electrical and civil components, including discharge piping, pumps, control panel, slabs, wet well, valve vaults, and putting all stations on the WUD Supervisory Control and Data Acquisition (SCADA) system. A temporary construction easement has been granted to WUD providing access to the site through January 17, 2019, and the necessary improvements will be completed before that date. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Hinterland Group, Inc., provides for SBE participation of 100%. WA No. 10 includes 100% overall participation. The cumulative SBE participation, including WA No. 10 is 100% overall. Hinterland Group, Inc., is a Palm Beach County company. The Project is included in the FY18 Capital Improvement Plan adopted by the BCC. (WUD Project No. 15-023) District 6 (MJ)

APRIL 10, 2018

3. **CONSENT AGENDA APPROVAL**

L. **ENVIRONMENTAL RESOURCES MANAGEMENT**

1. **Staff recommends motion to:**

A) approve Florida Department of Environmental Protection (FDEP) Office of Greenways and Trails Application (Application) for Designation of Public Lands or Waterways as part of the Florida Greenways and Trails System for a portion of the Hungryland Slough Natural Area (Natural Area); and

B) authorize County Administrator, or designee, to execute the FDEP Greenways and Trails Program Designation Agreement (Agreement) and sign a Resource Certification (Certification) every five years during the term of the Agreement.

SUMMARY: The Application requests that a 2,987-acre portion of the Natural Area be designated as part of the Florida Greenways and Trails System. A 160-foot-wide strip of land along the western boundary of the Natural Area is reserved for a proposed road right of way and is not part of the Application. If the Application is approved by the State's Greenways and Trail Council, the County is required to sign a 20-year term Agreement to complete the designation. To maintain the designation, Certification is required every 5 years from the date of execution requiring that the site's natural, recreational, cultural, and/or historic resources be maintained. The natural, recreational and historic resources found within the designation area are maintained pursuant to Management Plan (Item 3.L.1, 5/21/02), and neither the Application nor Agreement are expected to have any fiscal impact. District 1 (AH)

2. **Staff recommends motion to:**

A) approve Interlocal Agreement (Agreement) with the Town of Lantana (Town) for the construction of two mangrove planters at Lyman Kayak Park (Project) at a cost of \$15,000 for a term beginning upon execution through December 31, 2019;

B) approve budget transfer of \$15,000 from the Manatee Protection Program to the Project; and

C) authorize County Administrator, or designee, to sign all future time extensions and necessary minor amendments that do not significantly change the terms or conditions of the Agreement.

SUMMARY: The Project includes placement of armor stone to protect the planting areas and provide habitat for colonizing oysters. The Town is committed to provide the necessary armor stone and long-term maintenance of the site upon completion. The County's cost is estimated at \$15,000, which will come from Manatee Funds. District 4 (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

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

A) approve termination of State Financial Assistance Recipient Agreement No. 024757 with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during the contract period October 1, 2017 through September 30, 2018, for an amount not to exceed \$52,566.66;

B) approve State Financial Assistance Recipient Agreement No. 025118 (Agreement) with FDACS for mosquito control activities performed during the contract period of October 1, 2017 through September 30, 2018, for an amount not to exceed \$52,566.66; and

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

SUMMARY: Agreement No. 024757 was terminated by FDACS because of internal payment issues by FDACS. Agreement No. 025118 corrects FDACS internal processing issues by changing the recipient's name from Palm Beach County to Palm Beach County, acting on behalf of Palm Beach County Mosquito. All other terms of Agreement No. 024757 remain the same in Agreement No. 025118. Countywide (AH)

4. **Staff recommends motion to:**

A) accept Purchase Order No. B2A889 from the Department of Health (DOH) providing for domestic mosquito control services in the effort to mitigate the spread of the Zika virus;

B) approve budget amendment of \$325,000 in the General Fund to recognize DOH funding for Purchase Order No. B2A889; and

C) authorize Office of Financial Management & Budget (OFMB) to administratively amend the budget to recognize funding associated with purchase orders received from the State of Florida DOH for mitigating the spread of the Zika virus.

SUMMARY: DOH has issued a Statement of Work 17-180 (SOW) and Purchase Order No. B2A889 for Palm Beach County Mosquito Control to provide domestic mosquito control services for the mitigation of the Zika virus. ERM is anticipating additional purchase orders. The time and amount of future purchase orders are uncertain as previous purchase orders have been issued monthly; therefore, ERM is requesting OFMB's authorization to administratively amend the budget. All purchase orders must be completed in the time and manner specified in the SOW. Allowable expenses include backpack sprayers and pesticides, barrier spray (Adulticide and Larvicide), and mosquito surveillance supplies used for biological and chemical control of larval

and adult mosquitoes. Countywide (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. **Staff recommends motion to receive and file:** following original executed Independent Contractor Agreement:

Palm Beach County Officials Association, Inc., Youth Basketball League, Westgate Recreation Center, for the period of February 17, 2018 through May 5, 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. This Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822, and is now being submitted by the Board to receive and file. District 7 (AH)

2. **Staff recommends motion to receive and file:** following original executed Amphitheater Rental Agreement:

Grand Slam Events, Jupiter Seafood Festival, Seabreeze Amphitheater, for the period March 1, 2018, through March 5, 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 Agreement has 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 is now being submitted to the Board to receive and file. This program is part of a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 15,000 people attended the event produced under the Amphitheater Rental Agreements. District 1 (AH)

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

A) Peter Sarfati, Solid Brass, Seabreeze Amphitheater, on February 14, 2018;

B) Richard Smith, Big City Dogs, Canyon Amphitheater, on February 17, 2018;

C) Richard Benjamin, The Fabulons, Canyon Amphitheater, on March 17, 2018; and

D) Blackwood Productions LLC, The Fabulous Fleetwoods, Canyon Amphitheater, on April 21, 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 three popular cultural events at Canyon Amphitheater and one popular cultural event at Seabreeze Amphitheater. These events were attended by an estimated 1,800 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concerts at the 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. Districts 1 & 5 (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. **Staff recommends motion to approve:** month-to-month boat slip lease and service agreement and Addendum to lease and service agreement with Seven Kings Management, Inc., a Florida corporation for and on behalf of the City of Riviera Beach for \$704.00 per month. **SUMMARY:** The Parks and Recreation Department is responsible for the operation and maintenance of Peanut Island Park, which is only accessible by County staff via boat. The Parks and Recreation Department has been renting a boat slip at the Riviera Beach Marina since 1999. In 2016, the City of Riviera Beach entered into a management agreement with Seven Kings Management, Inc. to manage the Marina necessitating a revised contract and lease agreement with Seven Kings Management, Inc. Our current rental rate is \$534.34 per month and has not increased since 2003. Under Seven Kings Management Inc., the rent will increase to \$704.00 per month. The agreement term is month-to-month and is revocable by 90 day notice to Seven Kings Management, Inc. The City of Riviera Beach Marina meets requirements with regard to proximity and travel distance from Peanut Island Park, boat slip size, accessibility, parking, utilities, gasoline, security, and price. There are no adequate land based County owned boat slip facilities nearby that provide the essential services available at the City of Riviera Beach Marina. District 1 (AH)

5. **Staff recommends motion to:**

A) approve Project Cooperation Agreement with O.B. Pioneer Park, LLC (OBLLC) for the design, permitting and construction of an Orange Bowl Field at Glades Pioneer Park;

B) approve Escrow Agreement with OBLLC and Sharon R. Bock in the amount of \$1.5 million for the County's 50% financial match of the project cost; and

C) approve \$1,500,000 budget transfer from the General Fund Contingency Reserve to the Orange Bowl Field at Glades Pioneer Park Project budget.

SUMMARY: On March 13, 2018, the Board adopted resolution R2018-0331 authorizing: 1) the acceptance of a donation of goods and services, with conditions, from the Orange Bowl Committee for the Orange Bowl Legacy Gift at Glades Pioneer Park; 2) finding that an emergency exists and it is in the public's interest to waive the Consultant's Competitive Negotiations Act and competitive bidding selection requirements; and 3) authorized the County Administrator, or designees, to negotiate a Project Agreement with the Orange Bowl Committee for the design and construction of park improvements at Glades Pioneer Park. For the past several weeks, staff has negotiated a Project Cooperation Agreement with the OBLLC that allows for the OBLLC to donate \$1.5 million towards a renovation project at Glades Pioneer Park provided that the County contribute a matching amount and agree to name the field "Orange Bowl Field at Glades Pioneer Park". The term of the Project Cooperation Agreement is April 10, 2018 until December 15, 2018 or six months after the approval of 100% of the Construction Documents, whichever is later. Staff has also negotiated with the OBLLC and the Clerk & Comptroller on an Escrow Agreement for the disbursement of County funds towards the project with Clerk and Comptroller, Sharon R. Bock, serving as Escrow Agent. The Escrow Agreement requires that the County and the OBLLC each indemnify the Clerk and Comptroller, serving as Escrow Agent, 50% equally, against any costs, claims or actions the Escrow Agent may incur as a result of the Escrow Agreement, except for any acts or omission that constitutes willful misconduct, bad faith, breach of fiduciary duty,

gross negligence or fraud by the Escrow Agent. The County's Parks and Recreation and Facilities Development and Operations Department's design standards will be adhered to throughout the project and are included as part of the Project Cooperation Agreement. Both parties have agreed that \$70,000 of the project funds will be set aside for ongoing monthly specialized maintenance of the synthetic athletic turf for 48 months following project conclusion. District 6 (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. **Staff recommends motion to:**

A) approve agreement with the Palm Beach County School Board to implement the Summer Food Services Program for children at all Palm Beach County Library System branches from June 4, 2018 through August 3, 2018, excluding holidays and weekends; and

B) authorize the County Administrator or designee to execute this Agreement and similar agreements with the School Board for future Food Service Programs for children up to the age of 18 if the program is deemed successful.

SUMMARY: The School Board Summer Food Service provides meals to all children in approved geographical areas of need where 50 percent or more of the children qualify for free and reduced price meals during the school year. All children 18 years and under are eligible for nutritious lunch meals and an afternoon snack. The service is conducted by the Palm Beach County School Board School Food Service who will serve lunch in the meeting rooms of the selected Palm Beach County Library System locations. Summer Food Services staff members are responsible for delivery, distribution, and clean up during the lunch program. The School Board will leave snack items to be shared in the late afternoon from the Children's Services desks in the library for children 18 years and under. In the summer of 2017, a total of 10,237 lunches and 10,675 snacks were served at seven participating Palm Beach County Library System locations and the Mandel Library of West Palm Beach. Countywide (AH)

2. **Staff recommends motion to:**

A) approve agreement with the Palm Beach County School Board to coordinate efforts to increase adult literacy learners' access to resources and instructors across Palm Beach County from June 1, 2018 through July 31, 2020; and

B) authorize the County Administrator, or designee, to execute substantially similar agreements with the Palm Beach County School Board in the future if this initial agreement is continued in

subsequent fiscal years.

SUMMARY: The Palm Beach County Library System and the Palm Beach County School Board provide complementary services to adult literacy learners, serving both native English speakers seeking to increase reading comprehension and those seeking to learn English as a second language. This agreement would result in the School Board providing Palm Beach County Library tutor/student teams access to the School Board's Delray Full Service Center and Adult Education Center in West Palm Beach. It will allow library program students living in the West (Glades) Area to enroll in the School Board's Adult Education literacy services including assessments, with fees waived for services and office supplies needed by School Board instructors in the West Area. In exchange the Library System will add Burlington English software to Library public access computers, provide advanced reservation access to the Belle Glade Branch Library study rooms, and provide avenues for improved information sharing to support literacy efforts in Palm Beach County. Countywide (AH)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

R. HUMAN RESOURCES

1. **Staff recommends motion to approve:** Contract with NMS Management Services, Inc., to provide drug and alcohol testing services for Palm Beach County's employee drug and alcohol testing program, at an annual cost of \$41,450. **SUMMARY:** NMS Management Services, Inc. will provide drug and alcohol testing for Palm Beach County applicants and employees in safety-sensitive positions, as required under the Omnibus Transportation Employee Testing Act of 1991. Services shall commence on May 1, 2018, for a term of five years, at an annual cost of \$41,450. Countywide (DO)

S. FIRE RESCUE

1. **Staff recommends motion to receive and file:** fully executed standard Interlocal Agreements for Swimming Lessons for FY 2018 with:

A) Village of Wellington; and

B) City of West Palm Beach.

SUMMARY: On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or designee (the Fire Rescue Administrator), to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. These standard Interlocal Agreements have been fully executed by the Fire Rescue Administrator, and are now being submitted to the Board as a Receive and File agenda item in accordance with Countywide PPM CW-O-051 for the Clerk and Comptroller's Office to receive and file. Countywide (SB)

2. **Staff recommends motion to receive and file:** fully executed standard Independent Contractor Agreement for Swimming Lessons for FY 2018 with The Young Men's Christian Association of the Palm Beaches, Inc. **SUMMARY:** On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or designee (the Fire Rescue Administrator), to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. This standard Interlocal Agreement has been fully executed by the Fire Rescue Administrator, and is now being submitted to the Board as a Receive and File agenda item in accordance with Countywide PPM CW-O-051 for the Clerk and Comptroller's Office to receive and file. Countywide (SB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. **Staff recommends motion to:**

A) ratify FY 2017 Fire Prevention and Safety (FPS) grant application electronically submitted to the U.S. Department of Homeland Security's (DHS), Federal Emergency Management Agency (FEMA) on March 15, 2018, requesting \$209,172 to fund 95% of

the purchase and distribution of 3,000 smoke and carbon monoxide alarms, for a term beginning three years from the date of award; and

B) authorize the County Administrator, or designee (Fire Rescue Administrator), to act as the County's representative for the purpose of electronically signing and submitting the FY 2018 FPS grant application, including Applicant Acknowledgements, and Assurances and Certifications via the DHS FEMA website.

SUMMARY: This grant application requests \$209,172 from DHS FEMA for the purchase and distribution of 3,000 smoke and carbon monoxide alarms through Fire Rescue's Family Fire Risk Reduction Program. The total project cost identified in the grant application is \$219,630. The required match for this grant is \$10,458 (5% 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's Family Fire Risk Reduction Program is a fire safety education and smoke and carbon monoxide alarm installation program. The program distributes multi-lingual fire safety education materials and installs smoke and carbon monoxide alarms to high risk families through outreach programs, presentations, community door to door canvassing events, and other individual inquires to Fire Rescue's Community Education Section. The objectives of the program are to; educate residents on home fire safety and prevention methods, and inform public of the risks of smoke inhalation, fire dangers, and carbon monoxide poisoning. The goals of the program are to: increase the number of homes that have smoke and carbon monoxide alarms installed, reduce the number of fire-related and other hazard-related injuries, and prevent the loss of life from residential fires. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** Task Order No. 1 with BAE Systems Inc. to locate and provide Global Positioning System (GPS) coordinates of features within Palm Beach County's water distribution system and wastewater collection system for a not to exceed amount of \$500,000. **SUMMARY:** Palm Beach County Water Utilities Department (PBC WUD) requires professional surveying services to locate and provide GPS coordinates of features within the water distribution system as well as the wastewater collection system in Water & Wastewater Zones 1, 2, 3, 4, 5 and 6. PBC WUD desires to use an approach that delivers the most value in terms of quality, schedule and cost. The collected GPS coordinates will assist PBC WUD with realigning valves, fire hydrants and manholes within its utility service area to an accurate field location based on surveying above ground assets. The improved accuracy will enhance PBC WUD's ability to efficiently locate utility assets, improve cost estimates of capital improvement projects and locate assets with a high degree of accuracy. BAE SYSTEMS will work with the PBC WUD to develop a mutually agreeable pilot area delivery schedule for all six Zones. Countywide (DCB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Addendum Agreement FL17-1861-03 to Pricing Schedule Agreement, FL10-1778-00 for AT&T Switched Ethernet Service, R-2010-0666 required to provide improved service offerings from AT&T to allow for the continued upgrade of the County's NG911 network; and,

B) Special Service Arrangement Agreement (SSA) FL17-1424-04 with AT&T for enhanced E911 transport equipment to allow for the continued upgrade of the County's NG911 network

SUMMARY: These agreements will allow County Public Safety, 911 Division, to continue to modernize and enhance the E911 network to serve the citizens of Palm Beach County. The Addendum Agreement (FL17-1861-03) will allow the County to move certain E911 circuits to AT&T due to the elimination of this circuit offering by the current provider, State of Florida MyFloridaNetwork (MFN). The Special Service Arrangement Agreement (FY17-1424-04) will allow the County to complete the service re-engineering plan for the E911 network under a single service provider. Together, these agreements and the service reconfiguration could potentially save over \$500,000 per year in 911 service costs. The continued implementation of the NG911 network developed and administered by the Public Safety and Information Systems Services Departments will rely on the provisions and capabilities provided in these agreements. These agreements will be appended to the existing AT&T Master Agreement, #201004050310UA, approved by the Board of County Commissioners on April 10, 2010 (R2010-0666). Countywide (DCB)

3. Staff recommends motion to approve: Management Control Agreement (MCA) between the Palm Beach County Board of County Commissioners (County) and the State Attorney's Office, 15th Judicial Circuit (SAO) as required by the U.S. Department of Justice, Federal Bureau of Investigation Criminal Justice Information Systems (CJIS) Security Policy. **SUMMARY:** ISS provides various data transport and network services used to operate SAO systems, including access to the National Crime Information Center (NCIC) and the Florida Crime Information Center (FCIC). The CJIS Security Policy requires that a formal MCA be entered into with any non-criminal justice agency, such as ISS, having access to NCIC and/or FCIC, criminal history and criminal justice information. Countywide (DCB)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to:**

A) approve Criminal History Record User Agreement (User Agreement) and Agency Contact Form for Non-Criminal Justice Purposes with the Florida Department of Law Enforcement (FDLE) Criminal Justice Information Services (CJIS) which authorizes the Department of Public Safety Division of Consumer Affairs (DCA) to process “level 2” criminal history background checks on vehicle for hire (VFH) drivers through FDLE’s databases;

B) authorize County Administrator, or designee, to sign future User Agreements and Agency Contact Forms including amendments and renewals with the FDLE CJIS for “level 2” criminal history background checks for the VFH and Home Caregiver ordinances administered by the DCA;

C) approve Volunteer & Employee Criminal History System (VECHS) Application for Qualified Entities which authorizes the DCA to process “level 2” criminal history background checks on home caregivers through FDLE’s databases; and

D) authorize County Administrator, or designee, to sign future VECHS applications, user agreements, amendments and/or renewals for criminal history background checks on home caregivers with the FDLE.

SUMMARY: The DCA received a request from the FDLE to sign a new User Agreement to enable DCA to process “level 2” criminal history background checks on vehicle for hire drivers by using live scan technology to submit fingerprints to the FDLE and Federal Bureau of Investigation (FBI) databases. The new User agreement includes non-substantive changes compared to the agreement currently in place, which was approved by the Board of County Commissioners on August 19, 2014 (R2014-1214). The User agreement outlines the responsibilities of both parties to include retention of applicant fingerprints, notification program, privacy, and security. Alternatively, DCA also uses the VECHS program to administer “Level 2” criminal background checks on home caregivers by using the same live scan technology to submit fingerprints to the FDLE and Federal Bureau of Investigations (FBI) databases. DCA received a request from the FDLE to sign a new VECHS application. The updated VECHS application was requested by FDLE to re-evaluate DCA’s justification to be an approved user through the VECHS program. Subsequently, if the VECHS application is denied, DCA will request approval to process “level 2” background checks on home caregivers through the non-VECHS program to resemble the process used for vehicle for hire drivers. FDLE instructed DCA to follow this administrative process. Countywide (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. **Staff recommends motion to receive and file:** four Grant Adjustment Notice (GAN) numbered 31, 32, 33, and 34, with the US Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) (2014-WE-AX-0011), which facilitated administrative filing and approvals through February 16, 2018.

1. GAN #31: Hold Funds;
2. GAN #32: Release Funds;
3. GAN #33: Duplicate to GAN #30 Work Product Approval; and
4. GAN #34: Remove Special Condition #42 (HIV Certification) for compliance.

SUMMARY: As per grant guidelines, certain expenditures and work product require approval from the OVW GTEA grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. GAN #31 placed a hold on funds due to delinquent financial reports. This was an error due to the previous grant manager providing an incorrect date of grant close-out. GAN #32 released the funds as all Financial Status Reports had been submitted and all financial reporting requirements were met. GAN #33 is a duplicate of GAN #30, that was received and filed on February 6, 2018, (R2018-0183) which facilitated approval of producing a 7-point response card specifically for law enforcement to assist with response to sexual assault cases. GAN #34 removed special condition #42 as HIV certification was provided for compliance. R2014-1633 authorized the County Administrator, or designee, to execute future awards, contract, sub-recipient agreements and sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (LDC)

3. **Staff recommends motion to receive and file:** term purchase order (B20D51) for \$500,000 for contractual reentry services from the Florida Department of Corrections (FDC) for the service period of November 1, 2017 through June 30, 2018. **SUMMARY:** The FY2017-18 General Appropriations Act provided \$500,000 in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners. The funding is for reentry services (case management, support services, transitional housing, substance abuse and mental health treatment, etc.) for former inmates and offenders returning to Palm Beach County from the FDC through the Regional and State Transitional Offender Reentry (RESTORE) Initiative. Administrative issues

have caused a delay in the processing of this item. **No county matching funds are required for this grant.** Countywide (LDC)

4. **Staff recommends motion to receive and file:** approved Florida Department of Health Emergency Medical Services (EMS) Section, Grants Unit Change Request in the amount of \$9,459.91 for EMS Grant ID Code C6050 to improve and expand EMS systems for the period December 20, 2017 through January 31, 2019. **SUMMARY:** The County was awarded \$201,688 during the FY 2017-18 grant cycle from the State of Florida Department of Health, Bureau of EMS, to improve and expand the EMS systems. Unspent balance of \$6,940.62 from the previous FY 2016-17 grant cycle, Grant ID Code C5050, plus interest earned of \$2,519.29 for a sum total of \$9,459.91 will roll over into the FY 2017-18 grant cycle, Grant ID Code C6050 bringing the total to \$211,147.91. The grant funding may be used by the County or municipal agencies to purchase EMS equipment or provide training. On December 5, 2017, R2017-1847 authorized the County Administrator to sign the Grant Budget Change Request form for the EMS County Grant Award funds. **There is no ad valorem funding required.** Countywide (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. **Staff recommends motion to approve:** contract for consulting/professional services with The Lord's Place, Inc. for a not-to-exceed contract amount of \$30,000 to provide transitional housing services for the Family Drug Court/Dependency participants for a contract term April 10, 2018 through September 30, 2021. **SUMMARY:** The Division of Justices Services, in conjunction with the Fifteenth Judicial Circuit and other collaborators operates the Family Drug Court program. The Family Drug Court program is a rehabilitation program designed to identify, case manage, drug test, and provide outpatient and inpatient substance abuse treatment services to substance abusing parents of abused and neglected children. This contract will provide Family Drug Court client(s) being discharged from residential treatment who need housing to enter either Burkle Place or Halle Place. These facilities provide the only housing available to family units for substance abusing indigent citizens and are managed by The Lord's Place, Inc. It will offer short-term housing with a goal for the client to obtain stable employment and housing that supports reunification. Countywide (LDC)

Z. **RISK MANAGEMENT**

1. **Staff recommends motion to:**

A) ratify the signature of the Mayor on the Memorandum of Understanding For Driver's License and/or Motor Vehicle Record Data Exchange; and

B) delegate to the County Administrator, or designee, signature authority to execute any future renewals, addendums or other documents related to this Memorandum of Understanding.

SUMMARY: The Memorandum of Understanding For Driver's License and/or Motor Vehicle Record Data Exchange with the Florida Department of Highway Safety and Motor Vehicles allows the County, through its Risk Management Department, to continue to ensure only authorized drivers with valid licenses are allowed to operate County vehicles. This is to ensure the safety of County employees and the general public. The record data exchange provides an automated file from the State to the County on a weekly basis. The file contains information on each authorized driver including notification of an invalid license, and the reason why a license has been suspended or revoked. A newly executed document is required by the State of Florida every three years as a condition of continuing the Driver's License and Motor Vehicle Record Data Exchange with the County under the provisions of the Driver's Privacy Protection Act, which protects the personal information contained within the files. Countywide (HH)

APRIL 10, 2018

3. **CONSENT AGENDA APPROVAL**

AA. **PALM TRAN**

1. **Staff recommends motion to:**

A) approve electronic submittal of the Fiscal Year 2018 Certifications and Assurances to the Federal Transit Administration (FTA);

B) authorize the County Administrator or designee to electronically execute and file the required Certifications and Assurances on behalf of the Board of County Commissioners (BCC) and to bind the BCC's compliance with the Certifications and Assurances; and

C) approve FTA Master Agreement FTA MA (24) dated October 2, 2017.

SUMMARY: On February 26, FTA released the FY2018 list of Certifications and Assurances. The annual list of Assurances covers 21 categories such as Lobbying, Alcohol and Controlled Substances Testing, Seniors and Individuals with Disabilities Programs, Non-Discrimination, DBEs and Hiring Preferences. FTA requires grantees to submit Certifications and Assurances within 90 days of publication. Submitting the assurances to the FTA, signifies the County's commitment to comply with the pre-award requirements that apply to any award the County pursues during FY2018. The FTA also requires an affirmation from the applicant's attorney that the applicant has authority to make and comply with the Assurances. The FTA Master Agreement MA (24) contains the standard terms and conditions for an award of federal assistance administered by the FTA and supersedes the previous FTA MA (23) dated October 1, 2016. These documents do not allocate any funding or pledge any county funds. Countywide (DR)

2. **Staff recommends motion to approve:** contract amendment increasing the not to exceed amount to \$125,000 with Fisher & Phillips, LLP for specialized professional services in the area of collective bargaining agreement negotiations and related labor and employment matters. **SUMMARY:** Palm Tran has employees represented by two labor unions, the Service Employees International Union (SEIU) and the Amalgamated Transit Union (ATU) Local 1577. Fisher & Phillips, LLP provides representation, on an as needed basis, in the areas of collective bargaining negotiations, terminations, arbitrations and labor issues. Due to the volume of matters generated by the two labor unions, Palm Tran needs to execute a contract amendment increasing the not to exceed amount of the contract from \$75,000 to \$125,000 in order to allow for the continued utilization of the professional services provided by Fisher & Phillips. The amendment takes effect upon Board approval. The termination date of the original agreement is September 30, 2019 with two one-year renewal options. Countywide (DR)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

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

A) receive and file First Amendment to the Interlocal Agreement, dated February 22, 2018, with the Port of Palm Beach on behalf of the Palm Beach County Sheriff's Office to provide an additional \$150,000 in grant funds for the Port Security Program and likewise to extend the current project period from August 31, 2017 to August 31, 2018; and

B) approve budget amendment in the amount of \$150,000 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners accepted this grant award for \$22,500 on May 2, 2017(R2017-0593). This First Amendment to the Interlocal Agreement will provide an additional \$150,000 in reimbursable funding to support equipment expenses to conduct training exercises at the Port. There is a \$50,000 cash match associated with this award which will be provided through our Law Enforcement Trust Funds. Countywide (LDC) Countywide (LDC)

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

A) receive and file Grant Modification 4, dated March 7, 2018, with the Office of National Drug Control Policy to provide an additional \$36,619 in grant funds for the Palm Beach County Narcotics Task Force; and

B) approve budget amendment of \$36,619 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners (BCC) accepted this grant award for \$90,354 on March 14, 2017(R2017-0355). On August 15, 2017, the BCC accepted Grant Modification #1, which provided an additional \$67,331 in reimbursable funding to support additional overtime expenses and equipment costs (R2017-1089). On October 17, 2017, the BCC accepted Grant Modifications #2 and Grant Modification #3 which combined provided an additional \$50,000 in reimbursable funding to support operating expenses. This Grant Modification #4 will provide an additional \$36,619 in reimbursable funding. There is **no match requirement** associated with this award.

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

A) accept on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area (HIDTA) Program grant in the amount of \$47,639 for the Palm Beach Narcotics Task Force, for the period of January 1, 2018 through December 31, 2019; and

B) approve budget amendment of \$47,639 in the Sheriff's Grant Fund.

SUMMARY: On March 7, 2018, the Palm Beach County Sheriff's Office (PBSO) received an award from the Office of National Drug Control Policy. The funds will be used for overtime reimbursement and other expenses associated with the Palm Beach Narcotics Task Force. There is **no match requirement** associated with this award. Countywide (LDC)

APRIL 10, 2018

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

4. **Staff recommends motion to:**

A) accept on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY2018 Statewide Criminal Analysis Laboratory System Project between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of October 1, 2017 through September 30, 2018; and

B) approve budget amendment of \$412,014 in the Sheriff's Grant Fund.

SUMMARY: The Florida Department of Law Enforcement provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office operates the Palm Beach County Crime Laboratory. This grant award provides funding for personnel, equipment, training, and expenses to operate the Crime Lab. There is no match requirement associated with this award. Countywide (DC)

5. **Staff recommends motion to approve:** budget amendment of \$3,293,988 in the General Fund to recognize the federal allocation received by the Palm Beach County Sheriff's Office under the Fiscal Year 2017 Presidential Residence Protection Assistance Grant (PRPA). **SUMMARY:** On December 20, 2017, the Palm Beach County Sheriff's Office received a federal grant award from the U.S. Department of Homeland Security/Federal Emergency Management Agency as reimbursement for the

extraordinary law enforcement personnel costs incurred for protection activities directly associated with the designated residence of the President during the period January 21, 2017 through September 30, 2017. There is no match requirement associated with this award. No new positions are needed. Countywide (LDC)

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** resolution to endorse the Local Initiatives Program (LI) grant funding for the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) to install Complete Streets elements in the Westgate Avenue Corridor by providing bike lanes, street trees, pedestrian scale lighting and on street parking in certain areas (Project). **SUMMARY:** Approval of this resolution will comply with a Palm Beach County Transportation Planning Agency requirement, that for federally funded projects, a resolution is necessary to establish the local agency's commitment to construct, operate and maintain the project. Since Palm Beach County (County) is a certified agency for the Local Agency Program, the Westgate CRA has requested the County's endorsement and support of the project. The Westgate CRA will be responsible for the design through construction and maintenance, with the County's (Engineering Department) endorsement. District 7 (RPB)

2. **Staff recommends motion to approve:** resolution to endorse the Transportation Alternatives Program grant funding for the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) to install sidewalks and streetlights in the Belvedere Heights neighborhood Phase 2 Project (Project). **SUMMARY:** Approval of this resolution will comply with a Palm Beach County Transportation Planning Agency requirement, that for federally funded projects, a resolution is necessary to establish the local agency's commitment to construct, operate and maintain the project. Since Palm Beach County (County) is a certified agency for the Local Agency Program, the Westgate CRA has requested the County's endorsement and support of the project. The Westgate CRA will be responsible for the design through construction and maintenance, with the County's (Engineering Department) endorsement. District 2 (RPB)

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APRIL 10, 2018

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

A. HOUSING AND ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to:**

A) approve application of Tuscan Gardens of Delray Beach Properties, LLC for the issuance of the County's tax-exempt and/or taxable Revenue Bonds, Series 2018 (the Bonds), in an aggregate principal amount not to exceed \$32,755,000;

B) conduct Tax Equity and Fiscal Responsibilities Act (TEFRA) public hearing pursuant to Section 147(f) of the Internal Revenue Code, as amended concerning the proposed issuance of one or more series of Revenue Bonds in an aggregate principal amount not to exceed \$69,000,000; and

C) adopt resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of the County's tax-exempt and/or taxable Revenue Bonds, Series 2018, in the aggregate principal amount not to exceed \$69,000,000 for the purpose of providing funds to make a loan to Tuscan Gardens of Delray Beach Properties, LLC and/or any one or more affiliates thereof (the "Obligated Group") to provide funds to finance, refinance, or reimburse all or a portion of the costs of: (I) developing approximately 7.57 acres of land in unincorporated Palm Beach County, Florida near Delray Beach, Florida to serve as an assisted living and memory care rental community for seniors known as Tuscan Gardens of Delray, consisting of approximately 130 total units of senior housing, including 80 assisted living units and 50 memory support units (the "Project"); (II) funding capitalized interest on the Bonds; (III) funding certain pre-development costs of the Project; (IV) funding debt service reserve; (V) refunding the County's taxable revenue bonds (Tuscan Gardens of Delray Beach Project) Series 2017; and (VI) funding the cost of issuance for the Bonds; authorizing the execution and delivery of a loan agreement with the Obligated Group and a trust indenture; awarding the sale of the Bonds by a negotiated sale; authorizing officials of the County to take certain action in connection with the issuance of the Bonds; making certain other covenants and agreements in connection with the issuance of the Bonds; and providing an effective date.

SUMMARY: The Obligated Group has requested the County issue tax-exempt and/or taxable Revenue Bonds in an amount not to exceed \$69,000,000, inclusive of \$36,245,000 from an application approved by the Board of County Commissioners pursuant to a TEFRA public hearing on December 20, 2016 and \$32,755,000 from the 2018 application. Bond proceeds will be used to: finance, refinance, or reimburse all or a portion of the costs of the acquisition, construction, pre-development, development, installation and equipping of a senior living facility and the underlying land, including related facilities, fixtures, furnishings and equipment, to be located on approximately 7.57 acres at the southwest corner of the intersection of Frost Lane and Sims Road near Delray Beach in unincorporated Palm Beach County, Florida 33484; fund capitalized interest on the Bonds; fund certain pre-development costs of the Project; refund the County's taxable revenue bonds issued on December 15, 2017; and fund the cost of issuance for the Bonds. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.**
District 5 (DB)

APRIL 10, 2018

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

B. PALM TRAN

1. Staff recommends motion to:

A) **approve** filing of the Section 5339 Federal Transit Administration (FTA) electronic Grant Application for \$1,616,858 in capital funds allocated to Palm Beach County Board of County Commissioners (BCC) in FY2017;

B) **approve** filing of Standard Form LLL - Disclosure of Lobbying Activities;

C) **authorize** the County Administrator or designee to electronically execute, on behalf of the BCC, and to transmit electronically the BCC's approval of the grant application, award, and the resulting grant agreement; and

D) **approve** upward budget amendment of \$65,977 in Palm Tran's Grants Fund 1341 to recognize the grant award.

SUMMARY: The FTA distributes Section 5339 funds to provide public transportation capital grants to assist financing capital projects for bus and bus facilities that will benefit the nation's transit systems. The grant will fund a portion of the construction for the expansion of Palm Tran's South County administrative and maintenance facility, which is currently at full capacity. The current estimated project cost is \$25 million and is expected to be completed in late 2019. On November 5, 2013, the BCC approved the acquisition of the land to expand the existing facility (R2013-1609). The project will increase space for administration, training/orientation and provide additional parking for buses and employees. The final planning approval is estimated to be completed in June 2018, and the projected construction completion date is projected for December 2019. Execution of the FTA award represents the County's legal affirmation to abide by FTA and other federal requirements as described in The Master Agreement FTA MA (24) dated October 1, 2017, submitted for Board approval on April 10, 2018 under item 3AA-1. The grant requires a 20% local match, which is being met by the use of toll revenue credits "soft match" provided by the Florida Department of Transportation. The grant also requires execution of a Standard Form LLL - Disclosure of Lobbying Activities. **No County funds are required.** Countywide (DR)

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APRIL 10, 2018

5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Interlocal Agreement among Palm Beach County (County), the City of West Palm Beach (City), and the School Board of Palm Beach County (School Board) for Certification of Small and/or Minority/Women-Owned Business Enterprises to simplify the certification process and reduce the volume of paperwork required of small and minority/women-owned business enterprises (SBEs and M/WBEs). **SUMMARY:** The County, City and School Board wish to enter into an agreement for certification of SBEs and M/WBEs to simplify the certification process. Each agency will accept the certification of SBEs and M/WBEs by the other agencies, except where differences in support documentation and domicile requirements occur. In the case of discrepancies in required support documentation, the agencies have agreed to the use of a coversheet that will explain what, if any, additional documents will be required by the other agencies. **There will be no additional cost to the County to implement this program.** Countywide (HH)

2. **Staff recommends motion to approve:** amendment to the Interlocal Agreement with the Palm Beach Metropolitan Planning Organization d/b/a the Palm Beach Transportation Planning Agency (TPA) for Staff and Services to extend the term of the Agreement from September 30, 2018 to September 30, 2019. **SUMMARY:** On March 12, 2013, Palm Beach County and the TPA entered into an Interlocal Agreement for Staff and Services. This Amendment revises the current agreement (R2013-0211) between the TPA and the County by extending the term of the Agreement from September 30, 2018 to September 30, 2019, and granting to the TPA, the option to extend the term of the Agreement for up to two additional one year periods. These modifications were requested by the TPA to accommodate the TPA's exploration of the transition to an agency that would no longer be hosted by the County. In the event the governmental entities making up the TPA (i.e., the county, municipalities and the port) agree to provide a portion of the financial contributions necessary for the operation of the TPA, the compressed term of the Agreement should allow for an easier cessation of services, facilitate the independence of the TPA, and the termination of the Agreement. The Amendment also terminates the TPA's relationship with the County Attorney's Office, without the necessity for action by either party, upon contract with outside counsel. This modification was requested by the County Attorney. At the February 15, 2018 TPA Governing Board meeting, the TPA Board approved the Amendment to the Interlocal Agreement for Staff and Services between Palm Beach County and the Palm Beach Metropolitan Planning Organization. Countywide (DR)

B. PLANNING, ZONING & BUILDING

1. **Staff requests motion to approve:** four positions for the Building Division to be utilized in Contractors Certification Division as follows: three Senior Clerk Typists and one Field Investigator. Building Division will be funding the four positions. **SUMMARY:** The four new positions will focus on State Contractors registration and unlicensed contractors. The proposed positions will reside within the Contractors Certification Division to support the Building Division permitting and regulatory enforcement. This would include registering and maintaining current licensing information for State Certified Contractors applying for permits in unincorporated Palm Beach County and to conduct investigation and enforcement of complaints relating to State Certified and unlicensed contractors. The additional staff would enhance and improve customer service. Two thirds of the contractors currently registered with the County are State Licensed contractors. Pursuant to Florida Statutes, the registration of these contractors can be funded with permit fees from the Building Division. In addition, Florida law authorizes permit fees to be utilized to fund investigation and enforcement activity relating to State Certified and unlicensed contractors. Countywide (AH)

APRIL 10, 2018

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to:**

A) approve acquisition of four parcels of land (Parcels) and the adjacent drainage easement in the Brooks Subdivision site, located in the City of Riviera Beach;

B) delegate authority to the County Administrator, or designee, to execute all actions and documents necessary to complete the acquisition; and

C) authorize expenditure of up to \$120,000 to be used for the acquisition of the four Parcels.

SUMMARY: Brooks Subdivision is a single-family affordable housing development that was not completed, and remains vacant. It is comprised of 22 lots, including 18 lots owned by the County, the four Parcels currently owned by Brook's Subdivision LLC., and a drainage easement. The four Parcels are currently delinquent on taxes and are scheduled to be auctioned for a Tax Deed Sale at the end of April 2018. The four Parcels are also encumbered by multiple liens and a mortgage to the City of Riviera Beach (the City) in excess of \$500,000, and a judgment resulting from the original development in excess of \$200,000. If approved, the County would acquire the four Parcels through a donation from the owner(s) or through auction via Palm Beach County Tax Deed Sale. Staff anticipates that the four Parcels would be acquired by auction and the drainage easement acquired by donation. If the four Parcels are acquired through

auction, the County's bid will not exceed the appraised value on the four Parcels and the judgement would be eliminated with the transfer of title. However, the liens and mortgage in favor of the City will remain, and staff would endeavor to work towards a satisfactory resolution with the City in an effort to achieve the common goal of developing the property for affordable and/or workforce housing. The total cost to acquire the four Parcels through auction is estimated not to exceed \$120,000. Due to the nature of the tax deed sale process, the environmental assessment for these parcels will be completed after taking title to the parcels. Acquiring the four Parcels along with the drainage easement would complete the County's ownership of the entire subdivision, provide site control and enable its future development for affordable and/or workforce housing. The funding for the acquisitions and all expenses related thereto would be through the State Housing Initiatives Partnership (SHIP) Program. **These are grant funds and require no local match.** District 7 (JB)

APRIL 10, 2018

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

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

A) adopt Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Zeus 2, 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 \$301,000 over an eight year period; providing for severability; and providing for an

effective date; and

B) conceptually approve Economic Development Incentive for Project Zeus 2 in the form of a cash incentive not to exceed \$301,000 over an eight year period and an ad valorem tax exemption not to exceed \$1,548,000 over an eight year period.

SUMMARY: Project Zeus 2 is contemplating expanding operations in Palm Beach County or Georgia. The project will invest \$100,400,000 to construct a new facility, renovate an existing facility, and equip both. The project will create 215 new jobs over a five year period at an annualized average wage of \$91,124. The estimated five year local economic impact is \$551 Million. Project Zeus 2 qualifies for the Qualified Target Industry (QTI) Tax Refund program which continues to be funded by the Florida Legislature. The company is being offered a \$3,053,000 incentive. Of this amount, \$1,204,000 is from the State of Florida and \$301,000 is a required match from local government entities. Palm Beach County will provide the required local match as a cash grant as the project would be located in unincorporated Palm Beach County in addition to an ad valorem tax exemption not to exceed \$1,548,000 provided the project meets the requirements under s196.012, Florida Statutes, for an ad valorem tax exemption. The incentive will be paid over a period of eight years provided the project meets the State of Florida requirements; paid according to the State's QTI Refund and secured by a letter of credit or bond. The company will be required to enter into a formal agreement memorializing their commitments and establishing 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)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) adopt Resolution of the Board of County Commissioners of Palm Beach County, Florida, recognizing the need for affordable housing and the importance of financially supporting the preservation, redevelopment, and creation of affordable housing; repealing and replacing Resolution No. 2009-2013 in its entirety; providing for severability; and providing for an effective date; and

B) approve revised Impact Fee Affordable Housing Assistance Program (IFAHAP) Guidelines.

SUMMARY: On November 17, 2009, the Board County Commissioners adopted Resolution 2009-2013 to authorize the use of impact fee investment earnings from roads, parks, and public buildings for affordable housing projects. On September 14, 2010 (Item 5E-1), the BCC approved the IFAHAP Guidelines that established eligible uses of funding, affordability standards, and a funding application process. On January 10, 2017 (Item 5B-1), the BCC approved revisions to the guidelines to expand program operating procedures and affordability requirements. The proposed new Resolution will repeal and replace R2009-2013 in order to delete outdated time-specific language and to remove requirements for IFAHAP policy review and funding recommendations by the Commission on Affordable Housing. The proposed revisions to the IFAHAP Guidelines: update the department name; enhance application submittal requirements with additional information necessary to determine project viability; clarify that program assistance is provided only in the form of a certificate that reduces impacts fees due, but disallows reimbursement of impact fees already paid; and correct an inconsistency in the affordability period required of rental housing projects. Following BCC approval, PPM CW-F-036, Impact Fee Affordable Housing Assistance Program, will be revised to make departmental operating procedures consistent with changes to the Resolution and Guidelines. Countywide (JB)

4. Staff recommends motion to adopt: Resolution by the Board of County Commissioners of Palm Beach County, Florida, modifying financing fees for Industrial Development Bonds in Palm Beach County; rescinding Resolution R2012-1010; and providing for an effective date. **SUMMARY:** Support for the Industrial Development Bond (IDB) program is provided by the Department of Housing and Economic Sustainability (HES) and the County Attorney's Office, including: financial and project eligibility analysis; review and preparation of all ordinances, resolutions, or agreements; and other procedures necessary to facilitate each IDB issuance, re-funding, or re-financing. On June 19, 2007, the Board of County Commissioners (Board) approved Resolution R2007-0927, establishing policies and fees for the County's IDB program. On July 10, 2012, the BCC approved Resolution R2012-1010; setting maximum financing fees for for-profit and non-profit bond applications (\$100,000 and \$50,000, respectively); and eliminating financing fees for bond re-financing and re-funding. The approved 2012 fee

structure charges different application fees based on the applicant, application type, and application amount, and places fee caps on projects, although to date no project has requested an issuance large enough to trigger the fee maximums. The recommended fee schedule simplifies the process and aligns Palm Beach County fees with those charged by other counties in the State. The proposal sets one fee structure for all applicants and application types, reduces the number of incremental fees that were based on the bond amount from seven incremental rates down to two rates and removes fee caps as demonstrated in Attachment 2. Countywide (DB)

APRIL 10, 2018

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

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

A) adopt Resolution by the Board of County Commissioners (BCC) of Palm Beach County, Florida authorizing Palm Beach County (PBC) to enter into a Controlling Entity Agreement with the Bank of Belle Glade and CIDC-Palm Beach County Community Development Entity LLC (CDE); authorizing the CDE to submit New Markets Tax Credit (NMTC) Program applications to the United States Department of the Treasury Community Development Financial Institutions Fund (CDFI Fund); authorizing the acceptance of funding through the NMTC Program; authorizing the use of funds awarded through the NMTC Program to spur new or increased private-sector investments in designated projects in Palm Beach County and rural counties surrounding Lake Okeechobee; authorizing the Department of Housing and Economic Sustainability to establish and manage the NMTC loan program; authorizing the County Administrator, or designee, to execute all documents required to apply for and receive funds awarded through the NMTC Program and all documents required to implement the NMTC loan program, and issue debt obligations pursuant thereto, and to provide additional information as may be required; repealing Resolution 2011-1106; providing for severability; and, providing for an effective date; and

B) repeal Resolution 2011-1106 in its entirety.

SUMMARY: On July 19, 2011, the BCC adopted Resolution R2011-1106 and approved an Agreement (R2011-2007) establishing PBC as the controlling entity of the CDE. The NMTC Program is a PBC Legislative Priority and the CDE has applied in previous years without success for the NMTC funds. Previous tax credit applications submitted by the CDE were for \$40,000,000. Partnering with a local bank and providing funding opportunities to rural counties through NMTC allocations, improves the qualification of the applicant and increases the chance of success. The allocated tax credits are sold to private investors to raise capital for economic and community development projects. Investors receive a 39% tax credit against their federal income tax, which has made the

NMTC Program highly competitive. In the event the application is successful, PBC will receive and manage 80% of the allocated tax credits to apply towards qualifying projects within PBC, and the Bank of Belle Glade will control the remaining 20% to apply towards projects located in the rural counties surrounding Lake Okeechobee. Additionally, the CDE will collect fees of 5% of the awarded amount and 1% on project loans. Fees collected, less any administrative costs, will be split equally between PBC and the Bank of Belle Glade. The 2018 NMTC Program has not been released by the U.S. Department of Treasury, so the submittal dates and tax credit amounts are not yet known. **No County funds will be pledged to complete any project financed through the sale of credits allocated through the NMTC Program. These are federal funds that do not require a match.** Countywide (JB)

APRIL 10, 2018

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

6. [Staff recommends motion to adopt:](#) Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the amended Local Housing Assistance Plans (LHAP) for Fiscal Years 2013-2016 and 2016-2019 as required by the State Housing Initiatives Partnership (SHIP) Program Act, Subsections 420.907-420.9079, Florida Statutes; and Rule Chapter 67-37, Florida Administrative Code; authorizing the submission of the amended LHAPs for review and approval by the Florida Housing Finance Corporation (FHFC); providing for severability; and providing an effective date. **SUMMARY:** At the February 27, 2018, Board of County Commissioners (BCC) Workshop, staff presented the amendments to the SHIP LHAP's. Staff was authorized to finalize the amendments and present them at an upcoming BCC meeting. On April 16, 2013, the BCC approved the SHIP 2013-2016 LHAP (R2013-0487 and R2013-0488), and on April 19, 2016 the BCC approved the SHIP 2016-2019 LHAP (R2016-0503). These LHAPs establish how Palm Beach County utilizes its SHIP allocation for the fiscal years identified. The proposed amendments to the LHAPs are provided in detail in the attached in ~~strikethrough~~/underline format. Three of the amendments are to make the strategies consistent with the current SHIP requirements and to align the funding assistance and terms for the various income categories as

summarized in Attachment 1 and below. The fourth amendment is a new strategy that would promote and support the construction of single-family homes, which is consistent with the County's efforts to provide affordable housing options to eligible individuals.

1. First Mortgage Loan Assistance Program and the Replacement Housing: The existing maximum award each program allows is \$220,000. The amendment increases the award to \$317,647 in accordance with SHIP regulations, which allow awards up to 90% of the average area purchase price as established by the U.S. Treasury, which currently is \$317, 647 for Palm Beach County.

2. Owner Occupied Housing Rehabilitation, Roof Repair Replacement, and Emergency Repair: The existing Programs have tiered maximum awards and affordability periods based on income levels. The proposed amendment aligns funding assistance for all income categories at a maximum of \$80,000 and establishes a 15-year affordability period. It also places the primary emphasis on addressing code, health, life, safety and hurricane hardening and requires consent from all property owners (i.e. duplex, triplex, etc.) when implementing work that impacts multiple owners.

3. Disaster Mitigation Program: The proposed amendment allows long-term hurricane hardening measures that help prevent future storm damage. It also aligns the maximum award amount (\$58,000) for all eligible homeowners. The proposed amendment will also reduce the affordability period on the mortgage from 30 years to 15 years.

4. Single Family New Construction Program: To encourage the development of affordable single-family homes, we propose adding a strategy that would assist general contractors, non-profits and/or for-profit housing developers in developing homeownership opportunities. Funds can be used for eligible construction related costs. The maximum assistance provided per unit will not exceed 90% of average area purchase price for Palm Beach County as established by the U.S. Treasury.

These amendments impact both the 2013-2016 LHAP and the 2016-2019 LHAP. **These are State SHIP Program grant funds which do not require a local match.** Countywide (JB)

APRIL 10, 2018

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

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

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APRIL 10, 2018

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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APRIL 10, 2018

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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APRIL 10, 2018

8. 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."