

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**APRIL 16, 2019**

<u>PAGE</u>	<u>ITEM</u>	
9	3A-3	<b>DELETED: DUPLICATE ITEM</b>
10	3B-3	<b>REVISED BACKUP</b>
13	3C-8	<b>REVISED MOTION AND SUMMARY: Staff recommends motion to adopt: A) a resolution to <del>endorse the</del> <u>in support of an application to the Palm Beach County Transportation Planning Agency (TPA) from the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) for the Federal Transportation Alternative Program (TAP) grant funding for the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) for the installation of sidewalks, a median and streetlights on Cherry Road between Military Trail and Quail Drive in the Belvedere Homes neighborhood; and B) a resolution to <del>endorse the</del> <u>in support of an application to the Palm Beach County TPA TAP grant funding for from the Westgate CRA for TAP grant funding for the installation of wider multi-use sidewalks, landscaping, and streetlights on Seminole Boulevard between Oswego Avenue and Okeechobee Boulevard in the Westgate Estates neighborhood. SUMMARY: Approval of these resolutions will comply with the a Palm Beach County Transportation Planning Agency (TPA) requirement, that for federally funded projects, a resolution is necessary to establish the local agency's commitment to construction, operation and maintenance of 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 of the projects. If the application is approved, the Westgate CRA will execute a Memorandum of Understanding (MOU) with the County's Engineering and Public Works Department. The MOU covers the Westgate CRA's commitment to pay for the County's costs and any overruns, and commits them to maintain the projects after the construction is completed. The Engineering Department will administer the projects County to work through a County staff liaison (Engineering Department) as they perform the project from design through construction. The Westgate CRA will be responsible for maintenance upon construction completion of each project.</u> (Eng)</u></b>
38	5C-3	<b>REVISED SUMMARY: The proposed LHAP maintains the existing strategies, which are: Purchase Assistance, First Mortgage Loan Assistance Program, Owner Occupied Housing Rehabilitation, Emergency Repairs, Replacement Housing, Disaster/Post Disaster/Mitigation Recovery, Foreclosure Prevention, Rental Housing Entry Assistance, Developer Assistance Rental Program, and Single Family New Construction. <del>In addition, two new strategies are being proposed: Developer Homeownership Program strategy and the Maintenance of the Existing Supply of Affordable Housing Incentive Strategy.</del> The LHAP strategies are detailed in Attachment 4 to this agenda item. Additionally, the proposed LHAP includes a definition for "Project Delivery Costs" which will be used to clarify costs associated with project implementation, and a first priority ranking for Veterans, Special Needs and Family Self Sufficiency (FSS) Program graduates. (HES)</b>

**REVISED SUMMARY:** Staff is recommending the BCC eliminate the County's existing audit requirement and accept the State's audit requirement. The State utilizes their external auditor, ~~RMS~~ RSM, (also the County's external auditor) to demonstrate the company's compliance with the required information (number of new jobs created, existing and new jobs retained and average annual wage of new jobs) for a three-year job maintenance period on a payment request basis. (Admin)

**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 16, 2019**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL/BCC AND STAFF COMMENTS**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  - C. Staff Comments (Page 6)
  - D. Commissioner Comments (Page 7)
  
- 3. CONSENT AGENDA (Pages 8-31)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 32-33)**
  
- 5. REGULAR AGENDA (Pages 34-39)**
  
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 40)**
  
- 7. BOARD APPOINTMENTS (Page 41)**
  
- 8. ADJOURNMENT (Page 42)**

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- 3A-2 Streetlight operation and maintenance in the Homes at Lawrence CCRT area

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- ~~3A-3 Funding for the Supervisor of Elections Federal Election Activities grant for FY 2019~~
- 3A-4 Reappointments to the Florida Atlantic Research & Development Authority
- 3A-5 Resolution encouraging the United States Congress to address climate change and urging them to enact the Energy Innovation and Carbon Dividend Act of 2910, H.R. 763

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

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- 3C-2 Contract with Russo Site Development, Inc. for the construction of Lantana Road and Edgecliff Avenue intersection improvements project

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**PUBLIC HEARINGS – 9:30 A.M.**

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**APRIL 16, 2019**

**2C. STAFF COMMENTS**

**1. ADMINISTRATION COMMENTS**

**2. COUNTY ATTORNEY**

**APRIL 16, 2019**

**2D. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER HAL R. VALECHE**

**District 2 – COMMISSIONER GREGG K. WEISS**

Request for off-site Proclamation declaring April 27, 2019 as “Army Chief Warrant Officer 2 Jonathan R. Farmer Day” in Palm Beach County

**District 3 – COMMISSIONER DAVE KERNER, VICE MAYOR**

**District 4 – COMMISSIONER ROBERT S. WEINROTH**

**District 5 - COMMISSIONER MARY LOU BERGER**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD, MAYOR**

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to:

**A) approve** an Agreement with Friends of Foster Children of Palm Beach County, Inc. (Agreement) in an amount not to exceed \$100,000 for the purchase of school supplies for the 2019 Palm Beach County Back to School Bash (Bash) for the period beginning April 22, 2019 through October 31, 2019; and

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

**SUMMARY:** This Agreement provides a not to exceed amount of \$100,000 to the Friends to implement the 2019 Bash. The Bash provides school supplies to Palm Beach County students from Pre-K through 12<sup>th</sup> grade enrolled in the public or charter school system. Participating students will also receive school physicals, immunizations and haircuts. The Bash is an annual event planned, funded and implemented through a collaboration of several nonprofit organizations, community and church based organizations and the County through the Office of Community Revitalization. The Bash was originally approved by the BCC in 2006. In order to participate in the Bash, students must be referred by one of the agencies of the Bash collaborative, be registered prior to June 28, 2019 and given a personal invitation to the event. All participating referral agencies, municipalities, community groups and/or religious organizations are required to sign an agency agreement with the Friends and pay a nominal fee for every student referral-registration. Last year's fee was \$7.50 per student and the 2019 fee has not been set. The Bash has been tentatively scheduled for Saturday, July 27, 2019 prior to the start of the 2019/20 school year. In accordance with the Agreement, up to \$50,000 of the \$100,000 from the County may be provided as an advance payment to the Friends to use as upfront capital toward the purchase of the school supplies. Countywide (HH)

2. Staff recommends motion to approve:

**A)** an expenditure of \$48,000 to extend the operation and maintenance of 18 cobra head streetlights in the Homes at Lawrence CCRT area for an additional ten years;

**B)** a budget transfer of \$48,000 from the CCRT Street Lighting Project account in the Capital Outlay Fund to the Office of Community Revitalization (OCR) Special Projects and Initiatives Fund for the Homes at Lawrence Street Lighting Project (Project) account; and

**C)** a budget amendment of \$48,000 in the CCRT Street Lighting Maintenance Fund to recognize and appropriate the transfer to the OCR Special Projects and Initiatives Fund.

**SUMMARY:** The Board of County Commissioners approved the Project on March 11, 2008. Homes at Lawrence received 18 cobra head streetlights with ten years of maintenance through the Neighborhood Street Lighting Program. The Project was requested by the Palm Beach County Sheriff's Office and residents of this CCRT area to address public safety concerns. The Project entailed the installation and ten-year operation and maintenance of 18 cobra head streetlights along neighborhood streets. A total of \$120,000 was allocated to this Project; \$80,000 for the installation of the lights and \$40,000 for their ongoing operation and maintenance for a ten-year period. The requested transfer of \$48,000 is needed to ensure there will be sufficient funds to cover the ongoing operation and maintenance of the lights for an additional ten-year period. District 3 (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. ~~Staff recommends motion to authorize: the Mayor to sign the Certificate Regarding Matching Funds certifying that the Board of County Commissioners will provide matching funds in the amount of \$18,490.78 for the Supervisor of Elections' Federal Election Activities grant for FY 2019. SUMMARY: The 2018 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 \$123,271.87. The County is required to provide a 15% match of \$18,490.78, which is included in the SOE's FY 2019 budget. Countywide (DN)~~

4. Staff recommends motion to approve: the reappointment of two individuals to the Florida Atlantic Research & Development Authority (Authority):

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Frederick Yentz	1	PBC Resident/Employed In the Private Sector	Comm. Weinroth	06/07/19-06/06/23
Michael Daszkal	3	PBC Resident/Employed In the Private Sector	Comm. Berger	04/16/19-04/15/23

**SUMMARY:** On October 3, 1985, the Board of County Commissioners (BCC) adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised of seven members: three Palm Beach County representatives, three Broward County representatives and the President of Florida Atlantic University or designee. Representatives must be employed in the private sector and reside in the County in which they represent. Even though these are at-large appointments, historically, staff has requested nominations for the Authority from the District 4 Commissioner and the District 5 Commissioner. Commissioner Weinroth has nominated Frederick Yentz and Commissioner Berger has nominated Michael Daszkal. The current diversity of the two Palm Beach County representatives is two Caucasian males. One Palm Beach County representative is vacant. Countywide (HH)

5. Staff recommends motion to adopt: a resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, encouraging the United States Congress to take action to address climate change and urging them to enact the Energy Innovation and Carbon Dividend Act of 2019, H.R. 763 (EICDA) or similar legislation. **SUMMARY:** On April 2, 2019, the BCC directed staff to draft a resolution encouraging the United States (U.S.) Congress to take action to address climate change and urging them to enact the EICDA or similar legislation. EICDA seeks to impose a national carbon fee on fossil fuels based on the amount of carbon dioxide the fuel will emit when burned and allocate the collected proceeds to all U.S. households in equal shares via a monthly dividend. Setting a national price on carbon emissions will help ensure that the full environmental, health, and social costs of greenhouse gas emissions are included in fossil fuel prices, which will lead to greenhouse gas emissions reductions. Southeast Florida is one of the most vulnerable areas in the country to climate change impacts, especially sea level rise. United Nations climate scientists have said that the world has only until the year 2030 to make massive and unprecedented changes to global energy infrastructure to limit climate change consequences to moderate levels. To achieve climate stabilization, greenhouse gas emissions, including carbon dioxide emissions, should be reduced. Approval of this item advances Palm Beach County's commitment to climate mitigation policies and is consistent with the Southeast Florida Regional Climate Change Compact. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

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
Comprehensive Plan	January 28, 2019

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 May 2017. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a contract with Arbor Tree & Land, Inc. (Arbor) in the amount of \$998,615 for the construction of County Road 880 – Twenty Mile Bend Slope Protection (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to Arbor, a Palm Beach County based company, to begin construction of the Project. The proposed work consists of canal slope stabilization, guardrail, and asphalt. This bid was solicited on November 18, 2018 prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements in effect at that time. The SBE goal for all projects is 15%. Arbor committed to 85% SBE participation. Arbor is a certified SBE. Construction completion is expected in late 2019. **This project is funded through the infrastructure sales tax.** District 6 (YBH)
2. **Staff recommends motion to approve:** a contract with Rosso Site Development, Inc. (Rosso) in the amount of \$226,214.01 for the construction of Lantana Road and Edgecliff Avenue intersection improvements (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to Rosso, a Palm Beach County based company, to begin construction of the Project. The Project involves the construction of a westbound right turn lane on Lantana Road at Edgecliff Avenue. The work includes milling and resurfacing of pavement, and installation of drainage, curb and gutter and sidewalks. This bid was solicited on November 4, 2018 prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements in effect at that time. The SBE goal for all projects is 15%. Rosso committed to 45% SBE participation. Rosso is a certified SBE. Construction completion is expected in 2019. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: a contract with R&D Paving, LLC (R&D) in the amount of \$549,770.25 for the construction of Belvedere Road and Sansbury's Way intersection improvements (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to R&D, a Palm Beach County based company, to begin construction of the Project. The Project will correct a misalignment of Sansbury's Way through the Belvedere Road intersection, realign and extend the left turn lanes on the east and west approaches, and reconstruct all four curb returns and curb ramps at the intersection. This Project also includes milling and resurfacing of the intersection. This bid was solicited on November 18, 2018 prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements in effect at that time. The SBE goal for all projects is 15%. R&D committed to 37.8% SBE participation. R&D is a certified SBE. Construction completion is expected in late 2019. District 2 (YBH)
4. Staff recommends motion to approve: the first amendment to the Interlocal Agreement (R2013-1773) with the South Indian River Water Control District (District) dated December 17, 2013, to redefine the Palm Beach County (County) road rights-of-way segments to be maintained by the District and to increase the yearly road maintenance cost that the County reimburses the District by \$5000. **SUMMARY:** Approval of this first amendment will enable the District to continue to provide maintenance for various County road rights-of-way located within the boundaries of the District, which have been under interlocal agreement since 1984, for a revised amount from \$32,000 to \$37,000 yearly. This annual amount was calculated based on the expected maintenance cost that the County anticipates for each of the roads. District 1 (YBH)
5. Staff recommends motion to:
  - A) approve** an interlocal agreement (Agreement) with the Village of Palm Springs (Village) for the installation and maintenance of decorative art wrap (Art Wrap) on Palm Beach County (County) traffic signal control cabinets; and
  - B) adopt** a resolution delegating to the County Administrator or designee the authority to enter into Art Wrap agreements with local agencies and municipalities.

**SUMMARY:** Approval of this Agreement will allow the Village to affix Art Wrap on County operated and maintained signal cabinets. The Village shall present the Art Wrap to the County for its review and approval. The Village shall be responsible for the permitting, installation, placement, maintenance, and removal of the Art Wrap should it interfere with the operation of the traffic signals, at no cost to the County. Adoption of this resolution will authorize the County Administrator or designee to execute future Art Wrap agreements. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

**A)** Change Order No. 4 with Kiewit Infrastructure South Co. (Kiewit) in the amount of \$255,508.99 to replace the bascule leaves couplers on the Camino Real Road/Boca Club over the Intracoastal Waterway Bridge Rehabilitation Project R2017-1202 (Project);

**B)** Change Order No. 5 with Kiewit in the amount of \$668,000 including a time extension of 70 days, to complete the structural steel repairs for the Project; and

**C)** a budget transfer of \$1,600,000 in the Road Program Sweep Reserve and appropriate it to the Project's account. Per PPM CW-F-050, these change orders exceed the \$100,000 threshold relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners' approval.

**SUMMARY:** Approval of these change orders and budget transfer will allow Kiewit to replace the worn mechanical motor couplers, complete the structural repairs, and include a time extension of 70 days to complete the additional work encountered while in the field. The Small Business Enterprise (SBE) goal for all contracts is 15%. Kiewit proposed 15.9% SBE participation. Their SBE participation for this change order is 0% and their cumulative SBE participation to date including this change order is 5%. However, Kiewit expects to meet their SBE goal by completion of the contract. District 4 (YBH)

7. Staff recommends motion to adopt: a resolution to support the submittal of a Local Initiatives Program (LIP) grant application through the Palm Beach Transportation Planning Agency (TPA) to the Florida Department of Transportation (FDOT) for funding to construct 7' buffered bicycle lanes on Cresthaven Boulevard between Jog Road and Military Trail/S.R. 809 (Project) and to commit to fund the local share of project delivery and the associated ongoing operation and maintenance expenses. **SUMMARY:** Adopting this resolution will support Palm Beach County's (County) LIP application submittal for funding to construct the project on both sides of Cresthaven Boulevard for a 2.1 mile segment. If selected, the proposed project will be built within the existing road right-of-way and the County will enter into a grant reimbursement agreement with the FDOT. As part of the application process, the TPA requires this resolution to support the LIP application submittal, and the County's commitment to fund design, construction management, and operation and maintenance of the project. The LIP grant will fund 100% of the project's construction at an estimated cost of \$3,916,325.91. The County's local participation funding for the project's design and construction management is estimated at \$758,509.88. Funding for construction provided by the LIP will be programmed in 2024. **This project is partially funded through the infrastructure sales tax.** County surtax funds programmed in 2024 for resurfacing this segment of Cresthaven Boulevard in the amount of \$300,000 will offset the County's local participation funding. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to adopt:

**A)** a resolution to ~~endorse the~~ in support of an application to the Palm Beach County Transportation Planning Agency (TPA) from the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) for the Federal Transportation Alternative Program (TAP) grant funding for the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) for the installation of sidewalks, a median and streetlights on Cherry Road between Military Trail and Quail Drive in the Belvedere Homes neighborhood; and

**B)** a resolution to ~~endorse the~~ in support of an application to the Palm Beach County TPA TAP grant funding for from the Westgate CRA for TAP grant funding for the installation of wider multi-use sidewalks, landscaping, and streetlights on Seminole Boulevard between Oswego Avenue and Okeechobee Boulevard in the Westgate Estates neighborhood.

**SUMMARY:** Approval of these resolutions will comply with the a Palm Beach County Transportation Planning Agency (TPA) requirement, that for federally funded projects, a resolution is necessary to establish the local agency's commitment to construction, operation and maintenance of 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 of the projects. If the application is approved, the Westgate CRA will execute a Memorandum of Understanding (MOU) with the County's Engineering and Public Works Department. The MOU covers the Westgate CRA's commitment to pay for the County's costs and any overruns, and commits them to maintain the projects after the construction is completed. The Engineering Department will administer the projects County to work through a County staff liaison (Engineering Department) as they perform the project from design through construction. The Westgate CRA will be responsible for maintenance upon construction completion of each project. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a settlement agreement with Cove Club Investors, Ltd., a Florida Limited Partnership d/b/a Boca Dunes Golf and Country Club (Cove Club) in the amount of \$550,000 to settle a lawsuit against Palm Beach County (County) arising out of issues concerning County Water Treatment Plant #9. **SUMMARY:** Cove Club operates a semi-private golf and country club, known as Boca Dunes Golf and Country Club, in Boca Raton, Florida. In 2013, Cove Club sued the County in the lawsuit styled Cove Club Investors, LTD. v. Palm Beach County, in the Circuit Court of the 15th Judicial Circuit in and for Palm Beach County, Florida, Case No. 2013-CA-003916 (Pending Lawsuit), for an injunction, damages, inverse condemnation, trespass, negligence, and private nuisance regarding the County's alleged pumping of excessive amounts of water from wells located on or about Cove Club's golf course, interfering with Cove Club's ability to irrigate the golf course and causing water features to run dry. Cove Club alleges that these events began occurring in the mid-2000s and has alleged damages to its business in excess of \$10 million dollars, including the value of water use rights taken; loss of golf course revenue; costs to modify its irrigation system; pump station replacement costs; pump repair costs; as well as expert fees incurred. After court-ordered mediation in September 2015 and extensive negotiations thereafter, the parties conditionally settled the Pending Lawsuit for \$550,000, subject to the approval of the Palm Beach County Board of County Commissioners. District 5 (AP)

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file: Amendment No. 1 to the Intergovernmental Agreement for Provision of Ryan White Part A HIV Health Support Services with the Health Care District of Palm Beach County (HCD) (R2018-0371), for the period March 1, 2018 through February 28, 2019, to increase the contract total amount by \$7,187 for a new contract amount not to exceed \$132,587 for emergency financial assistance and nutritional supplements. **SUMMARY:** The purpose of Amendment No. 1 is to increase the contract total amount by \$7,187. Funds in the amount of \$7,187 were swept from the AIDS Pharmaceutical Assistance category into the Emergency Financial Assistance category. The amendment will align the changes in dollar amounts swept during the past year and cover increases to the Emergency Financial Assistance category. Termination of the contract for future grant years was the sole decision of HCD, whose management decided not to continue with the contract. HCD provides emergency financial assistance and nutritional supplements for persons living with HIV Spectrum Disease. The Board of County Commissioners authorized the County Administrator or designee to execute agreements for this purpose. 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. **No County funds are required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

**A) ratify** the signature of the Mayor on the FY 2017 Homeless Management Information System Capacity Building Project Application, for a two year period to be determined by the grantor, in the amount of \$150,000 annually, for two new grant funded positions; and

**B) delegate** to the County Administrator or designee signatory authority on additional forms and any other necessary documents related to the FY 2017 Homeless Management Information System Capacity Building Project Application.

**SUMMARY:** The Division of Human and Veteran Services (DHVS) is applying for funds in the amount of \$150,000, per project year for two new grant funded positions. The funding will be used in improving the Palm Beach County Continuum of Care (CoC) Homeless Management Information System (HMIS). The new grant funded positions will have the responsibility of improving the HMIS software and to upgrade, customize and improve HMIS data quality. These positions are contingent upon receipt of the actual grant award and will be eliminated if the grant is discontinued. The Department of Housing and Urban Development has a two phase process. Phase I is the submission of the grant application. Phase II is contingent upon Phase I. **A 25% County match is required.** The DHVS is supporting the match requirement with in-kind services in the amount of \$207,364 for a two year period. The emergency signature process was utilized because there was insufficient time to submit this grant application through the regular agenda process. (Division of Human and Veteran Services) Countywide (HH)

3. Staff recommends motion to:

**A) receive and file** a Notice of Award Grant No. H89HA00034-26-00 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), for the budget period March 1, 2019 through February 29, 2020, in the amount of \$7,375,244 for new and existing programs to continue improving health outcomes for clients with HIV/AIDS; and

**B) approve** a budget amendment in the amount of \$3,096,107 in the Ryan White Care Program fund to align the budget to the actual grant award.

**SUMMARY:** On October 16, 2018, the Board of County Commissioners ratified the Ryan White Part A HIV Emergency Relief Grant Program Application (R2018-1542). 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.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve: three reappointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council, effective April 16, 2019:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Term Expires</u>
16	Glenn Krabec	11/06/2020
19	Mary Jane Reynolds	04/15/2022
21	Cecil Smith	04/15/2022

**SUMMARY:** The Palm Beach County HIV CARE Council (HIV CARE Council) nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. All members have successfully completed the HIV CARE Council’s nomination process and the HIV CARE Council recommends their reappointments. The total membership shall be no more than 33 at-large members, per Resolution No. 2011-1560. The diversity count for the 22 seats that are currently filled is Caucasian: 9 (41%), African-American: 9 (41%), Hispanic-American: 3 (14%), and Asian-American: 1 (4%). The gender ratio (female:male) is 13:9. Ms. Reynolds is African- American, Mr. Krabec is Caucasian and Mr. Smith is African-American. Staff conducted targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Ryan White Program) Countywide (HH)

5. Staff recommends motion to receive and file:

**A)** a contract for Provision of Ryan White Part A HIV Health Support Services with AIDS Healthcare Foundation, Inc. (AHF), for the period March 1, 2019 through February 28, 2020, in an amount not to exceed \$88,825, for the provision of AIDS pharmaceutical assistance services for persons living with HIV Spectrum Disease; and

**B)** an Intergovernmental Agreement for Ryan White Part A HIV Health Support Services with Florida International University Board of Trustees (FIU), for the three year period December 31, 2018 through December 30, 2021, in the amount totaling \$75,000, of which \$25,000 is budgeted in GY 2019 with an anticipated annual allocation of \$25,000 in each subsequent grant year contingent upon a budgetary appropriation by the Board of County Commissioners, subject to funding approval by U.S. Department of Health and Human Services, Health Resources and Services Administration for the provision of program evaluation services intended to improve health outcomes for persons living with HIV Spectrum Disease.

**SUMMARY:** The AHF contract will cover pharmaceutical assistance services for HIV affected clients and replace the expiring contract with the Health Care District of Palm Beach County following its discontinuance of offering this service. AHF will review patient eligibility, disseminate the Ryan White Drug Assistance Formulary to all participating pharmacies and physicians treating HIV/AIDS patients, fill prescriptions to eligible clients and review and prepare trend analysis of pharmaceutical usage. AHF will serve an estimated 400 clients. The collaboration between FIU and the Ryan White Program will provide evaluation services for the Ryan White Program and research opportunities for FIU. This collaborative with the Ryan White Program will include activities of well-trained students who can help with short-term and long-term evaluation and quality improvement projects. This item was executed by delegated authority. 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. 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. **No County funds are required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: Terminal Space Lease Agreement (Agreement) with PrimeFlight Aviation Services, Inc., a Delaware corporation (PrimeFlight), commencing March 7, 2019 and terminating on September 30, 2019 (Initial Term), and automatically renewing on an annual basis each October 1st to September 30th until canceled, for PrimeFlight to lease approximately 308 square feet of ticket office space in the Palm Beach International Airport (PBI) terminal building for payment of rental in the amount of \$13,598.54 for the Initial Term. **SUMMARY:** PrimeFlight provides aeronautical services, including skycap and wheelchair services to airlines at PBI. The Agreement provides for the lease of 308 square feet of terminal space. The Agreement terminates PrimeFlight's prior Terminal Space Lease Agreement dated December 1, 2017 (R2018-0026), under which PrimeFlight leased 193 square feet of ticket office space. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2018-0995. Countywide (AH)

2. Staff recommends motion to:

**A) adopt** a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$1,250,000 for the conversion of Gate B1 to an International Gate at Palm Beach International Airport. This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2021; and

**B) approve** a budget amendment of \$1,250,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget additional project costs of \$1,250,000 for a total project cost of \$2,500,000; which includes a transfer from Reserves in the amount of \$1,250,000.

**SUMMARY:** The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$1,250,000 or 50% of the eligible project costs, whichever is less. Airport Local Funding in the amount of \$1,250,000 is also available for a total project cost of \$2,500,000. Countywide (AH)

3. Staff recommends motion to:

**A) adopt** a resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) increasing the original FDOT funding share by additional \$1,200,000 and revising the total cost of the project for General Aviation Federal Inspection Service (GAFIS) Facility Improvements at Palm Beach International Airport (PBI). The grant expiration date is December 31, 2020; and

**B) approve** a budget amendment of \$1,200,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and increase the project cost by \$2,400,000; which includes a transfer from Reserves of \$1,200,000.

**SUMMARY:** On December 5, 2017, the Board of County Commissioners adopted a Resolution (R2017-1788) approving a Joint Participation Agreement (R2017-1789) with the FDOT in the amount of \$2,250,000 or 50% of the eligible project costs, whichever is less, for GAFIS at PBI under a multi-year funding plan. The FDOT has issued SJPA Number 1 as part of the second year funding, increasing the original funding share by an additional \$1,200,000 for a revised FDOT participation of \$3,450,000 bringing the revised total cost of the project to \$6,900,000. The County's current local share for this project is \$1,200,000. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to:

**A) adopt** a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$288,000 for the Emergency Generator for Fuel System at Palm Beach County Glades Airport (PHK). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2021; and

**B) approve** a budget amendment of \$288,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project costs of \$360,000; which includes a transfer from Reserves in the amount of \$72,000.

**SUMMARY:** The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$288,000 or 80% of the eligible project costs, whichever is less. Airport local funding in the amount of \$72,000 is also available for a total project cost of \$360,000. Countywide (AH)

5. Staff recommends motion to:

**A) adopt** a resolution approving a Termination Agreement with the Florida Department of Transportation (FDOT) for the Golfview Commercial Property Acquisition at Palm Beach International Airport (PBI); and

**B) approve** a budget amendment of \$4,704,879 in the Airport's Improvement and Development Fund to terminate the receipt of a grant from the FDOT, and reduce budget project cost of \$9,409,758; which includes a transfer to Reserves in the amount of \$4,704,879.

**SUMMARY:** On June 20, 2017, the Board adopted a resolution (R2017-0791) approving a Joint Participation Agreement (JPA) (R2017-0792) with the FDOT in the amount of \$4,704,879 for the Golfview Commercial Property Acquisition at PBI. The grant expiration date is December 31, 2019. Based on the inability of the County to successfully acquire the properties originally anticipated under this agreement, it has been determined that this JPA is no longer needed; therefore, the FDOT has provided a Termination Agreement relieving both parties of any obligations under this agreement. Countywide (AH)

6. Staff recommends motion to approve: Advertising Concession Agreement (Agreement) with In-Ter-Space Services, Inc., a Pennsylvania corporation, d/b/a Clear Channel Airports (CCA), commencing April 1, 2019 for an initial five-year term, with an initial minimum annual guarantee of \$300,000. **SUMMARY:** The Agreement allows CCA to install, operate, and maintain advertising displays at the Palm Beach International Airport (PBI) for payment of an initial minimum annual guarantee (MAG) of \$300,000 or a percentage fee equal to the sum of 57% of annual gross revenues for advertising displays, whichever is greater. The MAG adjusts annually based on the greater of the preceding year's MAG or 85% of the preceding year's percentage fee. CCA is required to invest a minimum of \$740,000 to update the advertising displays at PBI during the initial term. The Agreement provides for a two-year renewal option, subject to an additional capital investment of \$200,000. CCA has committed to achieving the RFP's Airport Concession Disadvantaged Business Enterprise participation goal of 7.5%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to authorize: the Mayor to sign the Certificate Regarding Matching Funds certifying that the Board of County Commissioners will provide matching funds in the amount of \$18,490.78 for the Supervisor of Elections' Federal Election Activities grant for FY 2019. **SUMMARY:** The 2018 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 \$123,271.87. The County is required to provide a 15% match of \$18,490.78, which is included in the SOE's FY 2019 budget. Countywide (DN)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an agreement with the South Florida Fair and Palm Beach County Expositions, Inc. (Fair) for use of the Fair's Expo Center West building (Expo Center) for sheltering special needs evacuees during emergencies (also known as the Special Needs Shelter) through April 15, 2039. **SUMMARY:** On December 15, 1998, the County entered into an agreement with the Fair whereby the County funded a project to retrofit and harden the Expo Center for use as a Special Needs Shelter. The 1998 project included the installation of generators and other emergency power equipment (collectively, Emergency Power Equipment) all of which became the maintenance responsibility of the Fair. If the Expo Center was used in an emergency, the County was required to operate and maintain the Expo Center during the County's emergency use and pay the Fair for the use of the Expo Center. The 1998 agreement expired on December 14, 2018. Similarly, this agreement allows the County to continue to be entitled to exclusive use and possession of the Expo Center immediately prior to, during, and after an emergency event, and requires that the County pay the Fair for such use. This agreement also permits the County to continue to be able to conduct periodic inspections and tests of the Expo Center and Emergency Power Equipment to ensure operability in case of an emergency event. Under this agreement, the County is now responsible for: 1) the restoration and repair of any and all damage to the Expo Center; 2) the inspection, maintenance, repair and replacement of the Emergency Power Equipment; 3) all injuries occurring during its use and possession of the Expo Center; and 4) hardening and improving the Expo Center to better support the County's emergency use of the center, if the County so chooses. The County is also responsible for seeking reimbursement from FEMA for any use related restoration costs and emergency sheltering expenses, but remains financially and physically responsible for all restoration/repair damages regardless of FEMA's reimbursement determination. This agreement also mentions the July 2018 Emergency Power Equipment fuel tank's release and the subsequent remediation required, and acknowledges that the County will submit an insurance claim against its policy and provide Fair with any insurance proceeds it receives as a result of the fuel release insurance claim. The term of this agreement is for 20 years and the County can terminate for any reason with ten business days' notice to Fair. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to receive and file: a notice of exercise of the tenth option to extend the term of the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for one year to May 1, 2020 at an annual rental of \$1. **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 tenth extension option will extend the term of the Lease Agreement through May 1, 2020. The Winsbergs have the right to exercise their option to extend. 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. This is the last extension option available to the Winsbergs. WUD supports the extension and will continue to have administrative responsibility for this Lease Agreement. This parcel cannot be used for affordable housing due to deed restrictions. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 5 (HJF)
  
3. Staff recommends motion to approve: a first amendment to Water Service Agreement (Amendment) between the County and the Town of Jupiter (Town) for additional water service capacity reservation and connections required by Loggerhead Marine Life Center (Center) for their proposed expansion project at Loggerhead Park. **SUMMARY:** The Center leases 2.39 acres for their scientific research and rehabilitation center for sea turtles. The Center is in the process of expanding their facility, which will require capacity reservation in excess of what was previously reserved in a Water Service Agreement (Agreement) between the County and the Town of Jupiter (R2005-1077). This first amendment will reserve an additional 9.1 Commercial Equivalent Residential Connections (ERC). All other terms and conditions of the agreement remain unchanged. Pursuant to the terms of the lease, the Center is obligated to pay all utility connection and assessment fees and the Center has already paid the required fees to the Town. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Change Order No. 20 to the contract with Hedrick Brothers Construction Company, Inc. (R2016-0430) increasing the Guaranteed Maximum Price (GMP) in the amount of \$2,340,317 and 284 days for the Main Detention Center Renewal/Replacement Project. **SUMMARY:** The Board approved Amendment No. 2 in the amount of \$7,928,506 with Hedrick Brothers Construction Company, Inc. for the replacement of the electronic infrastructure and systems (locking control, access, control, intercom, CCTV, nurse call and fire alarm) in the south tower of the Main Detention Center. This change order will complete the replacement of all analog CCTV infrastructure and cameras located in the south tower of the Main Detention Center Facility, which are almost 30 years old and past their useful life. The replacement of the infrastructure and cameras with digital/IP models is required in order to maintain security and functional standards as well as ensure consistency in video quality and operational features. The South Tower will remain occupied during construction except for the immediate area of work. This change order increased the contract duration by 284 days, but overlaps with other authorized work enabling the County to realize savings in: 1) concurrent work requirements, 2) supervision, overhead and general condition costs, 3) security awareness/training required for construction crews, and 4) to set performance accountability with a single contractor. The Small Business Enterprise (SBE) goal established by the SBE Ordinance for this contract is 15%. Hedrick Brothers Construction Co., Inc.'s SBE participation for this change order is 88%. Including this change order, Hedrick Brothers Construction Co., Inc.'s overall SBE participation is 76.6%. **This change order will be funded from Countywide Building Repair/Replacement funds (Ad Valorem).** Hedrick Brothers Construction Co., Inc. is a Palm Beach County business and it is anticipated that 100% of this work will be performed by Palm Beach County businesses. (Capital Improvements Division) Countywide/District 2 (LDC)

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:
- A) an Agreement to Terminate Economic Development Incentive Agreement with Cancer Treatment Centers of America Global, Inc. (Company);
  - B) a budget transfer of \$357,500 from the Economic Development Fund to the General Fund; and
  - C) a budget amendment of \$357,500 in the General Fund to recognize the transfer from the Economic Development Fund to the General Fund.
- SUMMARY:** On November 22, 2016, the County entered into an Economic Development Incentive Agreement (R2016-1737) with the Company to provide a total incentive package not to exceed \$357,500 over a five year period consisting of a cash grant not to exceed \$157,500 as one half of the local match requirement to the State's Qualified Target Industry (QTI) Tax Refund program and a cash subsidy not to exceed \$200,000 as one half of the local match requirement to the State's Quick Action Closing Fund (QACF). The Company requested to withdraw from the incentive programs at the State and County levels. To date, the County has not disbursed any funds pursuant to the Agreement. Execution of this Agreement to Terminate Economic Development Incentive Agreement will amicably terminate the original Agreement. The \$357,500 cash match funded by the general fund contingency reserve is being returned to the general fund. District 4 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to receive and file: the following documents:

**A)** Amendment 001 to the Agreement (R2018-1583) with The Children's Place at HomeSafe, Inc. under the Community Development Block Grant (CDBG) Program;

**B)** Subordination Agreement - Governmental Entity with Jones Lang Lasalle Multifamily, LLC, under the State Housing Initiatives Partnership (SHIP) Program;

**C)** Conditional Loan Agreement with Gulfstream Goodwill Industries, Inc., under the SHIP Program;

**D)** Amendment 002 to the Loan Agreement (R2017-0427) with Neighborhood Renaissance, Inc., under the Neighborhood Stabilization Program 2 (NSP2); and

**E)** First Amendment to Mortgage and Security Agreement and Modification of Promissory Note with Neighborhood Renaissance, Inc., under NSP2.

**SUMMARY:** Amendment 001 with The Children's Place at HomeSafe, Inc. will add beneficiaries from a second facility located at their 4854 Haverhill Road Campus. The Subordination Agreement - Governmental Entity with Jones Lang Lasalle Multifamily, LLC, subordinates the County's mortgage, which was received in exchange for a loan for the construction of Calusa Estates, a 114 unit affordable rental project in Belle Glade. The Conditional Loan Agreement with Gulfstream Goodwill Industries, Inc., provides funding for the construction of six single occupant, housing units in West Palm Beach. Amendment 002 with Neighborhood Renaissance, Inc., amends the Loan Agreement, which provides up to \$4,500,000 for the construction of Mango Cove Apartments, a 36 unit affordable rental project in unincorporated Palm Beach County. The First Amendment to Mortgage and Security Agreement and Modification of Promissory Note with Neighborhood Renaissance, Inc., extends the completion date of the Mango Cove Apartments project. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Mayor, the County Administrator, and the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 3I-3, 3I-3, 5C-5 and 5C-6, as approved by the BCC on May 17, 2016, July 11, 2017, July 10, 2018 and July 10, 2018, respectively. 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. **Federal CDBG and NSP2 funds as well as State SHIP funds do not require a local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to execute and consent: to an Assignment and Assumption Agreement (Agreement) for the Brownfield Site Rehabilitation Agreement (BSRA) between Pine Lantana Road Holdings, LLC, a Florida Limited Liability Company (Seller) and Lantana Parcel, LLC, a Florida Limited Liability Company (Buyer) for property located at 4965 Lantana Road, Property Control Number 00-42-44-36-37-001-0000 (Subject Property), a Brownfield site located in unincorporated Palm Beach County. **SUMMARY:** On September 27, 2016, the County designated the subject property a Brownfield by Resolution R2016-1417. Since that time, the BSRA was entered into between the Seller and the Florida Department of Environmental Protection (FDEP), the agency overseeing Brownfields in the State, for the voluntary cleanup of the subject property. The FDEP requires that when a Brownfield designated property is being sold, the responsibilities of the BSRA be assigned to the new owner with the consent of FDEP and the local government having jurisdiction over the subject property. As the local government with jurisdiction, the County's consent of the Agreement will facilitate assignment of the responsibility for rehabilitation of the subject property to the Buyer in coordination with the FDEP. Approval by the County is required; however, the approval does not in any way obligate the County, nor are any County funds pledged for the implementation of the cleanup. **No County funds for implementation are required.** District 3 (JB)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: Amendment No. 2 to the State of Florida, Department of Environmental Protection (FDEP) Amended and Restated Contract No. GC913 (R2018-1206) providing reimbursement to the County for FDEP related training and travel costs not to exceed \$28,000. **SUMMARY:** Petroleum storage tank compliance services under a series of contracts with FDEP have been in effect since 1988. Amendment No. 2 will reimburse the County for FDEP related training and travel costs not to exceed \$28,000. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this contract was approved June 12, 2018. 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. Countywide (SF)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following executed Entertainment Contractor Agreements between Palm Beach County and

A) Peter Sarfati, Solid Brass, Seabreeze Amphitheater, on February 14, 2019 and

B) SRB Entertainment, LLC, Samantha Russell Band, Canyon Amphitheater, on February 16, 2019.

**SUMMARY:** These 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. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: the following executed Sound and Light Production Services Contractor Agreements between Palm Beach County and

A) Blackwood Productions, LLC, Forbidden Kingdom Festival, Sunset Cove Amphitheater, for the period February 15, 2019, through February 18, 2019 and

B) Blackwood Productions, LLC, Solid Brass, Seabreeze Amphitheater, for the period February 14, 2019, through February 15, 2019.

**SUMMARY:** These Sound and Light Production Services 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 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 1 & 5 (AH)

3. Staff recommends motion to receive and file: the following executed Amphitheater Rental Agreements between Palm Beach County and

A) Forbidden Kingdom Music Fest, LLC, Forbidden Kingdom Fest, Sunset Cove Amphitheater, for the period February 15, 2019, through February 18, 2019 and

B) The Alliance for Eating Disorders Awareness, Inc, Celebrating Everybody Walk, Sunset Cove Amphitheater, on February 23, 2019 and

C) Grand Slam Events, LLC, Jupiter Seafood Festival, Seabreeze Amphitheater, for the period February 21, 2019 through February 25, 2019.

**SUMMARY:** These Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. These programs are part of a balanced schedule of events, which promotes the quality of life in the communities we serve. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 1 & 5 (AH)

S. FIRE RESCUE

1. Staff recommends motion to approve: a Donation Agreement with the Palm Beach County Sheriff's Office (Sheriff) to provide ballistic vests and helmets to the County for Fire Rescue training purposes. **SUMMARY:** The Sheriff currently owns 40 Point Blank Body Armor ballistic vests and 26 3M Level III ballistic helmets which have expired, are surplus and/or serve no useful function to the Sheriff. This equipment will be conveyed to the County "as is" and will be used by Fire Rescue's Training Division for training purposes only. The Sheriff typically destroys ballistic material after its useful life has been reached or surpassed. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

2. Staff recommends motion to approve:

**A)** a Memorandum of Agreement with the City of Miami relating to Fire Rescue's participation in the Program to Prepare Communities for Complex Coordinated Terror Attacks Grant Program 2016 under the United States Department of Homeland Security (USDHS) Federal Emergency Management Agency (FEMA) Preparing for Emerging Threats and Hazards Grant Agreement Number EMW-2016-GR-00097-S01, which will reimburse the County for overtime costs associated with participating in a regional full scale Complex Coordinated Terror Attacks exercise for the period of April 16, 2019 through September 30, 2019; and

**B)** a budget amendment of \$15,000 within the Fire/Rescue MSTU Fund to recognize the grant award and establish a budget for the approved sub-recipient grant.

**SUMMARY:** This Memorandum of Agreement relates to the City of Miami's USDHS FEMA Grant Agreement Number EMW-2016-GR-00097-S01 grant award for funding various domestic security activities within the South Florida region. The funding to be provided by the City of Miami will reimburse the County for overtime costs associated with Fire Rescue's participation in a regional full-scale CCTA exercise, known as Heat Shield 3, to be held in May 2019. This event supports the CCTA Program's goal of conducting exercises to validate capabilities and identify opportunities for additional corrective action. **No County matching funds are required.** Countywide (SB)

3. Staff recommends motion to receive and file: fully executed standard agreements for swimming lessons for FY 2019 with:

**A)** City of Palm Beach Gardens;

**B)** City of West Palm Beach; and

**C)** 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. These standard 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)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

**A) rescind** Interlocal Agreement R2016-1894;

**B) approve** the replacement Interlocal Agreement for network services and disaster recovery server hosting services with the Village of Palm Springs for an annual revenue of \$4,800; and

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

**SUMMARY:** The Village of Palm Springs has an existing Interlocal Agreement with Palm Beach County (R2016-1894) for network services and has requested an increase in network bandwidth and the addition of disaster recovery server hosting services. The County recommends rescinding the existing Agreement and replacing it with a new Agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide the increased level of network and server hosting services to the Village of Palm Springs and will generate \$4,800 in annual revenues to the County, a net increase of \$1,500. The Florida LambdaRail LLC has approved connection of the Village of Palm Springs to the Florida LambdaRail network. District 3 (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to approve: the contract for Consulting/Professional Services with Compass, Inc., for the period retroactive to February 1, 2019 through July 31, 2019 for a not to exceed contract amount of \$10,000 to provide outreach to the Lesbian, Gay, Bisexual, Transgender, Questioning (LGBTQ+) community. **SUMMARY:** Palm Beach County Division of Victim Services (DVS) was awarded a Sexual Assault Services Program Formula Grant, Contract#18SAS26, (R2018-1814) from the Florida Council Against Sexual Violence (FCASV) in the amount of \$99,654. To assist in meeting the requirements of the grant with FCASV, Compass, Inc. will collaborate with the DVS to increase awareness and accessibility of victim services within the LGBTQ+ communities by enhancing outreach. Compass, Inc. will assign a staff member to dedicate ten hours per week to collaborate with DVS to assist with developing LGBTQ+/safe signage and bus shelter advertisements, provide sexual assault needs assessment to clients referred by the various agency partners and refer to DVS, participate in tabling events, other outreach events, and large events such as Pridefest, Red Hat Brunch, the Women's Wellness Conference, Transgender Day of Remembrance, promote DVS on the Compass, Inc. website and other social media platforms, and assess for sexual assault related issues when fielding phone calls and engaging walk-ins at the Compass Community Center and refer to DVS. Compass, Inc. will also participate in support groups at least once per month to discuss and promote sexual assault services, attend the Sexual Assault Response Team monthly meeting and report the above activities on a quarterly basis to the DVS and Certified Rape Crisis Center. The contract is retroactive to February 1, 2019, due to the grantor's delay in approval of the deliverables. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to receive and file:

**A)** an amended term purchase order (B3AE2F) for \$250,000 for contractual reentry services from the Florida Department of Corrections (FDC) for the service period of August 15, 2018 through June 30, 2019, and

**B)** the following first amendments to Contracts/Interlocal Agreement for Adult Reentry Services:

1. Contract #R2018-1651, The Lord's Place, Inc. (TLP)
2. Contract #R2018-1652, Gulfstream Goodwill Industries, Inc. (GGI)
3. Interlocal Agreement #R2018-1653, City of Riviera Beach

**SUMMARY:** The State of Florida FY2018-19 General Appropriations Act, provided \$250,000 (CSFA#70.011) in non-recurring revenue for reentry services (case management, support services, transitional housing, substance abuse and mental health treatment, etc.). The target population is active and recently released inmates from a FDC facility convicted in and returning to Palm Beach County through the Regional and State Transitional Offender Reentry (RESTORE) Initiative. Services are provided contractually by three agencies, TLP, GGI, and City of Riviera Beach. The term purchase order and the contracts/interlocal agreement were amended to adjust the pre or post release case management unit rate based on updated agency costs to provide the services. The overall amount of the contracts/interlocal agreement did not change. The new unit rates were approved retroactive to December 1, 2018. On October 16, 2018, the Board of County Commissioners authorized the County Administrator or designee to execute amendments associated with these contracts/interlocal agreement after legal sufficiency by the County Attorney's Office and within budgeted allocations. Countywide (LDC)

3. Staff recommends motion to receive and file: the executed Amendment 1 to the Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (FDHSMV) contract number 0612-18 (R2018-0794), to add language addressing access to and disclosure of data that may include the deceased date of an individual. **SUMMARY:** The Division of Consumer Affairs (DCA) received a request from FDHSMV to execute Amendment 1 to MOU #0612-18, which amends R2018-0794 by adding language to comply with state and federal law pertaining to data disclosure and access of deceased date of individuals. The amendment was executed and transmitted to FDHSMV by the County on 12/18/18 and was returned to the county fully executed on February 19, 2019. DCA uses the FDHSMV records in order to perform driving history background checks of Vehicle for Hire and Tow Truck driver applicants; deceased dates of individuals are not used as part of the permitting process. R2018-0798 authorized the County Administrator or designee to sign future FDHSMV MOUs along with all attachments and required applications, certifications, amendments, renewals or updated memoranda for access, as well as, other forms necessary to maintain an active status with the FDHSMV for driver history checks to verify compliance with the Vehicle for Hire and Tow Truck Ordinances administered by the DCA. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, accepting the grant award for FY18 Section 5310 from the State of Florida Department of Transportation (FDOT), in the amount of \$1,096,966 for capital assistance under grants for the enhanced mobility of seniors and individuals with disabilities CFDA 20.513, as administered by the Florida Department of Transportation (FDOT);

**B) authorize** the County Administrator or designee to sign the Notice of Grant Award FFY2018/YR43;

**C) approve** the purchase of 15 paratransit vehicles from Florida Transportation Systems, Inc. from FDOT Contract TRIPS-17-CA-FTS-C utilizing \$1,096,966 in FDOT funds, \$121,885 in required match and \$13,549 in overmatch for a cumulative purchase price of \$1,232,400 pursuant to the terms and conditions of the Notice of Grant Award FFY2017 Section 5310;

**D) authorize** the County Administrator or designee to submit FDOT Order Form Contract TRIPS-17-CA-FTS-C to request purchase of the vehicles/equipment and/or expenditure of grant funds pursuant to a grant award;

**E) approve** a downward budget amendment of \$135,434, in Palm Tran's Operating Fund 1340, to reallocate funds to Palm Tran's Capital Fund 1341 to meet match requirements;

**F) approve** an upward budget amendment of \$135,434, in Palm Tran's Capital Fund 1341, to establish match funds; and

**G) approve** a budget transfer of \$135,434, in the General Fund 0001, reducing the transfer to Palm Tran Operating Funds 1340 and increasing the transfer to Palm Tran Capital Fund 1341 to establish revenue budget for non-grant funded expenditures.

**SUMMARY:** Palm Tran will utilize this grant to purchase 15 replacement paratransit vehicles at a total cost of \$1,232,400. The vehicles being replaced were purchased in 2015 with the Public Improvement Revenue Bond funds and have reached their end of life. This Notice of Grant Award, in the amount of \$1,096,966, for FY2018 Section 5310 funds requires a 10% match of \$121,885. An overmatch of \$13,549 is required to fully equip the vehicles to place them into service. The Notice of Award became effective upon FDOT Execution on February 11, 2019 and vehicles must be ordered by May 15, 2019. The required match is included in Palm Tran's FY2019 budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, accepting the grant award for FY16 Section 5310 from the State of Florida Department of Transportation (FDOT), in the amount of \$436,425 for capital assistance under grants for the enhanced mobility of seniors and individuals with disabilities CFDA 20.513, as administered by the Florida Department of Transportation (FDOT);

**B) authorize** the County Administrator or designee to sign the Notice of Grant Award FFY2016;

**C) approve** the purchase of six paratransit vehicles from Florida Transportation Systems, Inc. from FDOT Contract TRIPS-17-CA-FTS-C utilizing \$436,425 in FDOT funds, \$48,492 in required match and \$8,043 in overmatch for a cumulative purchase price of \$492,960 pursuant to the terms and conditions of the Notice of Grant Award FFY2016 Section 5310;

**D) authorize** the County Administrator or designee to submit FDOT Order Form for Contract TRIPS-17-CA-FTS-C to request purchase of the vehicles/equipment and/or expend grant funds pursuant to a grant award;

**E) approve** a downward budget amendment of \$56,535, in Palm Tran's Operating Fund 1340, to reallocate funds to Palm Tran's Capital Fund 1341 to meet match requirements;

**F) approve** an upward budget amendment of \$56,535, in Palm Tran's Capital Fund 1341, to establish match funds; and

**G) approve** a budget transfer of \$56,535, in the General Fund 0001, reducing the transfer to Palm Tran Operating Funds 1340 and increasing the transfer to Palm Tran Capital Fund 1341 to establish revenue budget for non-grant funded expenditures.

**SUMMARY:** Palm Tran will utilize this grant to purchase six replacement paratransit vehicles at a total cost of \$492,960. The vehicles being replaced were purchased in 2015 with the Public Improvement Revenue Bond funds and have reached their end of life. This Notice of Grant Award, in the amount of \$436,425, for FY16 Section 5310 funds requires a 10% match of \$48,492. An overmatch of \$8,043 is required to fully equip the vehicles to place them into service. The Notice of Grant Award became effective upon FDOT Execution and vehicles must be ordered by May 15, 2019. The required match is included in Palm Tran's FY2019 budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to:

**A) approve** the Fiscal Year 2019 Certifications and Assurances to the Federal Transit Administration (FTA); and

**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.

**SUMMARY:** On March 13, 2019, the FTA released the FY2019 list of Certifications and Assurances. The annual list covers 18 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 to signify the County's commitment to comply with requirements applicable to any award the County pursues during FY2019. The FTA also requires an affirmation from the applicant's attorney that the applicant has authority to make and comply with the Assurances. This document does not allocate any funding or pledge any county funds. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to approve: an Addendum to Interlocal Agreement (R2014-0863) (Addendum) with the Children's Services Council of Palm Beach County (CSC), extending the Agreement one year, October 1, 2019 through September 30, 2020, to allow the County more time to meet its commitment to expand evidence-based/promising programming for youth and young adults, at no additional cost to the County. **SUMMARY:** In June 2014, the Board of County Commissioners (Board) approved an Interlocal Agreement (Agreement) with the CSC, which implemented the partnership between the CSC and the County relative to the federal Head Start Program. The Agreement created the framework for local program support and the transfer of local program oversight and matching fund provision to the CSC. Over a five-year timeframe, the Agreement obligated the County to make annual payments towards the Head Start match for the first four years, ending in July 2018, and beginning in October 2016, obligated the County to reallocate the amount equal to the reduction in the annual match to fund additional youth programming. All the payments to the CSC required under the Agreement have been made and this Addendum allows the County additional time to invest in additional evidence-based/promising programming for youth and young adults and fulfill its necessary reporting requirements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to approve:

**A)** a Community Based Agency Contract with Boys and Girls Clubs of Palm Beach County, Inc. (BGCPBC), for the period April 16, 2019 through September 30, 2019, in an amount not to exceed \$230,000 for the Career Bound 2.0 Program to prepare youth and young adults for college and career readiness including summer employment opportunities; and

**B)** a budget transfer of \$230,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this contract.

**SUMMARY:** The BGCPBC seeks to partner again with Palm Beach County in 2019 to fund the Career Bound 2.0 Program (Program). This funding will allow the BGCPBC to serve up to a total of 140 youth at four of its Clubs – Belle Glade Teen Center, Florence De George and Marjorie S. Fisher Clubs in West Palm Beach, and Max M. Fisher in Riviera Beach. This multi-prong Program will equip 120 teens and 20 alumni with the knowledge, skills, academic success, personal attributes, and first-employment experience required to be career ready. In addition, up to 40 youth will be employed through the teen employability component over a period of ten weeks during the summer, allowing each participant to be employed as Junior staff for up to 40 hours per week with one day weekly assigned for training including job coaching and career exploration. The County has provided funding for summer programs for four (4) years. Last summer, the Program resulted in a 97.5% increased employability and work readiness skills, and provided 45 employment opportunities to youth, exceeding contracted expectations. Districts 2, 6 & 7 (HH)

CC. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Sub-Contract Agreement between the Palm Beach County Sheriff's Office and the Florida Department of Transportation, for the State of Florida Drug Recognition Expert (DRE) Call-Out Project in the amount of \$2,500, for the period of March 26, 2019 through September 1, 2019; and

**B) approve** a budget amendment of \$2,500 in the Sheriff's Grant Fund.

**SUMMARY:** On March 7, 2019, the Florida Department of Transportation (FDOT) awarded a DRE grant to the Palm Beach County Sheriff's Office in the amount of \$2,500, to support FDOT's efforts to reduce Driving under the Influence traffic offenses. These funds will be used to pay for overtime costs to conduct a DRE evaluation. **There is no match requirement associated with this award.** Countywide (LDC)

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

A. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the signing and submission of the FY2017 Section 5310 grant application, supporting documents and assurances to the Florida Department of Transportation (FDOT);

**B) authorize** the County Administrator or designee to sign the application, supporting documents and assurances and accept a resulting grant award with terms consistent with the grant application and resolution authorizing the grant application's signing and submission;

**C) approve** the purchase of 12 paratransit vehicles from Florida Transportation Systems, Inc. from FDOT Contract TRIPS-17-CA-FTS-C utilizing \$883,244 in FDOT funds, \$98,138 in required match and \$4,538 in overmatch for a cumulative purchase price of \$985,920 pursuant to the terms and conditions of the resulting Notice of Grant Award;

**D) authorize** the County Administrator or designee to submit the Order Form FDOT Contract TRIPS-17-CA-FTS-C to request purchase of the vehicles/equipment and/or expenditure of grant funds pursuant to a grant award;

**E) approve** an upward budget amendment of \$102,676 in Palm Tran's Capital Fund 1341 to establish matching funds; and

**F) approve** a budget transfer in the General Fund 0001 of \$102,676 decreasing the Contingency Reserves and increasing the transfer to Palm Tran's Capital Fund 1341.

**SUMMARY:** Palm Tran is submitting the FY17 Section 5310 application CFDA 20.513, for the acquisition of 12 replacement paratransit vehicles, at an anticipated cost of \$985,920. The vehicles being replaced were purchased in 2015 with the Public Improvement Revenue Bond funds and have reached their end of life. The grant will provide \$883,244 of the projected cost and requires a local match of \$98,138 (10%). An overmatch of \$4,538 is required to fully equip the vehicles to place them into service. Palm Tran is requesting the match, in the amount of \$102,676, from the General Funds Contingency Reserves. The grant has an anticipated start date of April 2019 and is expected to be completed by September 2019. Countywide (DR)

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

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

Continued from January 15, 2019

1. Staff recommends motion to:

**A) adopt** an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Unified Land Development Code, Ordinance 2003-70, as amended, by amending Article 13, concerning countywide impact fee amounts and certain benefit zones, as follows: Chapter B – County district, regional, and beach parks impact fee; Chapter C – fire-rescue impact fee; Chapter D – library impact fee; Chapter E – law enforcement impact fee; Chapter F – public buildings impact fee; Chapter G – school impact fee; Chapter H – road impact fee; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Unified Land Development Code; providing for an effective date.

**B) implement:**

**I.** reduced road impact fees for residential and general retail where calculated by the methodology;

**II.** school impact fees at 95% of the amount calculated by the methodology phased in over a two year period;

**III.** reactivation of fire rescue impact fees at 95% of the amount calculated in the methodology;

**IV.** parks, public buildings, library, law enforcement and all other road impact fees at the current levels; and

**V.** changes to the road, school and park impact fee benefit zones.

**C) authorize** staff to enter a new contract with Tindale Oliver Associates to revise the impact fee update report to capture the latest trip generation rates, capital infrastructure costs and credits.

**SUMMARY:** The first reading was approved by the BCC on December 4, 2018 with permission to advertise the Public Hearing on January 15, 2019. This item is continued from the Public Hearing on January 15, 2019. At the Commission meeting on January 15, 2019, the Board of County Commissioners (BCC) directed staff to meet with various construction and development industry representatives so that consultants Tindale Oliver & Associates (TOA) could provide a detailed explanation of the impact fee study and methodology. During the March 13<sup>th</sup> meeting, TOA revealed that the latest Institute of Traffic Engineers (ITE) data showed trip generation rates had declined since the completion of the impact fee update; that inclusion of the latest ITE data would result in lower road impact fees for general office at less than or equal to 200,000 square feet and certain other land uses; that the 2015 capital infrastructure costs used in the report were now old. Considering this information, staff now recommends entering a new contract with TOA so that the impact fee update report may be revised to capture the latest ITE data and the most recent capital infrastructure costs. Preliminary estimates are that the revisions will cost between \$115K - \$145K and take approximately one year to complete. Following completion of these updates, staff will bring the impact fee study back to the BCC for final consideration and adoption. Fees were last increased June 14, 2014. Countywide (LB)

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5. REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

**A) confirm** previous BCC direction to design and construct a County owned Supervisor of Elections (SOE) Production Facility (Production Facility); and

**B) commence** design for the facility and proceed with a priority which will allow the County-owned Production Facility to be ready for occupancy no later than June 21, 2023.

**SUMMARY:** On July 21, 2009 (R2009-1211) the Board entered into a Sublease with Huttig Building Products (Huttig or Lease) for 76,603 sf of warehouse and office space for the SOE. On September 22, 2015, the BCC approved (R2015-1342) an extension to the lease for a period of five years, with one option to renew for two years, which if fully exercised would extend the lease to June 21, 2023 and recommended that the County and SOE explore options to construct a County owned facility for the SOE with a targeted completion date prior to the expiration of this term. In September 2018, the Board approved \$1,500,000 to commence the design of a County-owned SOE Production Facility, but staff planned to: 1) seek confirmation on the decision to construct a County-owned facility to replace the existing leased space; and 2) commence and prioritize staff efforts and capital funding to coincide with delivering the facility at the right point in the election cycle. Staff has conducted early coordination with Supervisor Link who concurs with the need to move forward with plans for a County facility that better meets the needs of the SOE and has the flexibility to be responsive to the changing requirements/equipment. It is the opinion of Supervisor Link that significant program improvements and efficiencies would be realized if the two facilities (Main Office on Gun Club) and the Production Facility (in Riviera Beach) were co-located. As such, the first task assigned to the design team will be a full programming study and site analysis to document those efficiencies, develop options for accomplishing same on County owned property, and compare a co-located option against the current option which has the Main Office and the Production Facility on properties approximately 2 miles apart. In order to complete the programming study and site analysis, design and construction by the beginning of 2023, it will be necessary to make this the highest priority of all new construction projects. (PREM) (Countywide/District 7) (HJF)

5. REGULAR AGENDA

B. COMMUNITY SERVICES

1. Staff recommends motion to approve: Amendment No. 2 to the contract for Provision of Financial Assistance with Southeast Florida Behavioral Health Network, Inc.(R2018-1678) (SEFBHN), to extend the end date from May 31, 2019 to September 30, 2019 and increase the contract amount by \$798,000 for a new total contract amount not to exceed \$1,348,000, for the continuation of expanded bed capacity, treatment of substance use disorders, care coordination and prevention programs to educate the community about the dangers of opioid and substance use disorders. **SUMMARY:** On October 16, 2018, the Board of County Commissioners (BCC) authorized staff to continue a previous six-month contract with SEFBHN, for the period of October 1, 2018 through March 30, 2019, to expand treatment options in the County. During this period of time, 227 Palm Beach County residents received treatment and care coordination services and 163 Palm Beach County residents received overdose prevention/education and life-skills training. On March 12, 2019, the BCC approved Amendment No. 1 extending the end date to May 31, 2019. Under Amendment No. 2, SEFBHN will continue to subcontract with agencies for the provision of additional treatment beds, including scholarships from private treatment of substance use disorders and detox facilities, and will continue to provide for the engagement of families with children at risk of addiction through targeted prevention efforts and family members with custody of children of substance using parents. Expanded services under this agreement will provide outreach and other services to substance using pregnant women and women with children, provide recovery support services through recovery peer support and establishment of recovery community centers and allied recovery community organizations, and facilitate planning and data integration efforts through an Opioid Response Plan steering committee and other County initiatives. The services provided by SEFBHN will continue to assist in leveraging existing and future federal, state, and local funding to ensure a seamless continuum of care for residents with substance use disorders, including co-occurring and poly substances, expand recovery support capacity and expand the existing network of providers to best meet the needs of the community and individuals. Linda Kane, employee of SEFBHN, is a member of the Palm Beach County Homeless Advisory Board (HAB). The HAB provides no regulation, oversight, management, or policy-setting recommendations regarding the agency 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. (Community Services Department) Countywide (HH)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. [Staff recommends motion to approve on preliminary reading and advertise for a public hearing on May 7, 2019 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing an exemption from certain ad valorem taxation to encourage economic development in the County for Carrier Corporation, an existing business; providing for a finding that requirements have been met; providing for the amount of revenue available from ad valorem tax sources for the current fiscal year; providing for the amount of revenue lost by virtue of the economic development ad valorem tax exemptions currently in effect; providing for the estimated revenue lost attributable to the exemption granted to Carrier Corporation; providing for the period of time for which the exemption will remain in effect and the expiration date of the exemption; providing for annual reporting requirement; providing for applicability; providing for inclusion in the Code of Laws and Ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** This item seeks Board of County Commissioners (BCC) approval of an ad valorem tax exemption ordinance on preliminary reading and permission to advertise for a public hearing on May 7, 2019. On April 2, 2019 (Agenda Item 5C-2), the BCC approved Economic Development Incentive Agreement (Agreement) with Carrier Corporation (Company) for Project Knight providing a cash grant in an amount not to exceed \$70,000 over a six year period and an Ad Valorem Tax Exemption in an amount not to exceed \$650,000 over a six year period. The Company which is owned by United Technologies Corporation, serves customers in the commercial aerospace, defense, and building industries. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$700,000. Of this amount, \$560,000 is from the State of Florida and \$140,000 is a required match from local government entities, split equally between Palm Beach County (\$70,000) and the City of Palm Beach Gardens (\$70,000). The BCC approved an additional incentive in the form of an Ad Valorem Tax Exemption in an amount not to exceed \$650,000 based on the high average and median wages of the jobs to be created as well as the significant economic impact of this project and the Company's key role in the County's economic success and competitiveness. The Agreement requires the Company to make a minimum \$25 Million capital investment, create 100 new jobs over a three year period at an annualized average wage of \$91,124 excluding benefits and a median wage of \$64,000 excluding benefits. The Company is required to maintain the new jobs for five years from the date the Agreement becomes effective. This project is estimated to have a \$248 Million economic impact over a five year period. As required under Palm Beach County's Economic Development Ad Valorem Tax Exemption Program implemented by the BCC through adoption of Ordinance 2013-022, the Company has filed an application with the Property Appraiser's (PA) office, and the PA has issued a determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption (attached as Exhibit B to the proposed Ordinance). This Ordinance is being presented to the BCC as required by Florida Statute. The Ad Valorem Tax Exemption is for real property and tangible personal property improvements undertaken as the Company renovates and equips an existing facility in Palm Beach Gardens. Additionally, in Agenda Item 5C-2 the BCC is being requested to approve a similar ordinance for Project Diamond which is also being undertaken by the Company. Project Knight and Project Diamond are separate projects of the Company and there will be no duplication in the jobs created or maintained for each. District 1 (JB)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. [Staff recommends motion to approve on preliminary reading and advertise for a public hearing on May 7, 2019 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing an exemption from certain ad valorem taxation to encourage economic development in the County for Carrier Corporation; providing for a finding that requirements have been met; providing for the amount of revenue available from ad valorem tax sources for the current fiscal year; providing for the amount of revenue lost by virtue of the economic development ad valorem tax exemptions currently in effect; providing for the estimated revenue lost attributable to the exemption granted to Carrier Corporation; providing for the period of time for which the exemption will remain in effect and the expiration date of the exemption; providing for annual reporting requirement; providing for applicability; providing for inclusion in the Code of Laws and Ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** This item seeks Board of County Commissioners (BCC) approval of an ad valorem tax exemption ordinance on preliminary reading and permission to advertise for a public hearing on May 7, 2019. On October 20, 2015, the Board of County Commissioners (BCC) approved an Economic Development Incentive Agreement (R2015-1521) with Carrier Corporation and Otis Elevators Company for Project Diamond providing an Ad Valorem Tax Exemption in an amount not to exceed \$3 Million over a ten year period. Carrier Corporation (Company) which is owned by United Technologies Corporation, serves customers in the commercial aerospace, defense, and building industries. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$2.66 Million. Of this amount, \$2,128,000 is from the State of Florida and \$532,000 is a required local match from Palm Beach County. The City of Palm Beach Gardens approved a cash incentive totaling \$630,000 and a 100% Ad Valorem Tax Exemption for up to five years and a 50% exemption for year six through ten. The BCC approved an additional incentive in the form of an Ad Valorem Tax Exemption in an amount not to exceed \$3 Million based on the high average and median wages of the jobs to be created as well as the significant economic impact of this project and the Company's key role in the County's economic success and competitiveness. The Agreement requires the Company to make a minimum \$115 Million capital investment, create 380 new jobs over a six year period at an annualized average wage of \$85,000 excluding benefits and retain these jobs for a period of five years. Additionally, 70 existing full-time jobs are required to be retained for a period of five years. The Company is required to maintain the new jobs for five years from the date the Agreement becomes effective. This project is estimated to have a \$662 Million economic impact over a five year period. As required under Palm Beach County's Economic Development Ad Valorem Tax Exemption Program implemented by the BCC through adoption of Ordinance 2013-022, the Company has filed an application with the Property Appraiser's (PA) office, and the PA has issued a determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption (attached as Exhibit B to the proposed Ordinance). This Ordinance is being presented to the BCC as required by State statute. The Ad Valorem Tax Exemption is for real property and tangible personal property improvements undertaken as the company renovates and equips an existing facility in Palm Beach Gardens. District 1 (JB)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Local Housing Assistance Plan (LHAP) as required by the State Housing Initiatives Partnership (SHIP) Program Act, Subsections 420.907-420.9079, Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code; authorizing and directing the County Administrator, or designee, to execute any necessary documents and certifications needed by the State; authorizing the submission of the LHAP for review and approval by the Florida Housing Finance Corporation (FHFC); and providing an effective date. **SUMMARY:** Palm Beach County has participated in the SHIP Program since 1993. The State requires that Palm Beach County submit an LHAP to FHFC every three years. The proposed LHAP, which is due May 2, 2019, covers Fiscal Years 2019-2020, 2020-2021, and 2021-2022. By approving the LHAP and submitting it to FHFC, the County will be in a position to receive funding under the SHIP Program during the three upcoming years when the State makes funding allocations to participating jurisdictions. The proposed LHAP maintains the existing strategies, which are: Purchase Assistance, First Mortgage Loan Assistance Program, Owner Occupied Housing Rehabilitation, Emergency Repairs, Replacement Housing, Disaster/Post Disaster/Mitigation Recovery, Foreclosure Prevention, Rental Housing Entry Assistance, Developer Assistance Rental Program, and Single Family New Construction. ~~In addition, two new strategies are being proposed: Developer Homeownership Program strategy and the Maintenance of the Existing Supply of Affordable Housing Incentive Strategy.~~ The LHAP strategies are detailed in Attachment 4 to this agenda item. Additionally, the proposed LHAP includes a definition for "Project Delivery Costs" which will be used to clarify costs associated with project implementation, and a first priority ranking for Veterans, Special Needs and Family Self Sufficiency (FSS) Program graduates. SHIP regulations require that at least 65% of a local jurisdiction's allocation be earmarked for homeownership activities. **These are State SHIP funds which require no local match.** Countywide (JB)

5. REGULAR AGENDA

D. ADMINISTRATION

1. Staff recommends motion to approve: a modification of the Economic Development Incentive (EDI) Agreement audit requirement and retention of the existing performance security requirement. **SUMMARY:** Staff is recommending to the Board of County Commissioners' (BCC) to consider approval of a modification to the EDI Agreement audit requirement and retention of the existing performance security requirement. On January 15, 2019, the BCC directed staff to revisit the EDI Agreement audit and performance security requirements in connection with the Board's discussion regarding the termination of the Agreement with TBC Corporation. County Administration and the Department of Housing & Economic Sustainability (HES) staff developed the recommended modifications with input from the Inspector General's Office, the Internal Auditor, the Office of Financial Management and Budget, the Business Development Board (BDB) and the State Department of Economic Opportunity. On March 26, 2019, County Administration and HES staff met separately with the BDB staff regarding the proposed recommendations on the two subject provisions. Based on feedback received April 4, 2019, the BDB supports staff recommendations on the two subject provisions. Staff is recommending the BCC eliminate the County's existing audit requirement and accept the State's audit requirement. The State utilizes their external auditor, RSM, (also the County's external auditor) to demonstrate the company's compliance with the required information (number of new jobs created, existing and new jobs retained and average annual wage of new jobs) for a three-year job maintenance period on a payment request basis. Whereas, under the County requirements, companies are allowed to utilize an internal or external auditor to demonstrate compliance with the required information (number of new jobs created, existing and new jobs retained, average annual and median wage for new jobs and capital investment and advertising compliance) for a five-year job maintenance period at the end of the Agreement term. If the BCC accepts the State audit requirements it would not include the additional information required by the County related to the capital investment, advertising and median wage. HES staff would verify compliance with these three additional requirements through internal reports from the company. Staff is also recommending the BCC retains the County's existing performance security requirement. The County provides incentives in the form of cash and/or Ad Valorem Tax Exemption and requires companies to meet all required terms for the duration of the Agreement. Whereas, the State provides incentives in the form of refunds on certain taxes paid, through the Qualified Target Industry Tax (QTI) and does not require repayment on any funds disbursed, regardless if the company fulfills all required terms for the duration of the Agreement. (The State also has a High Impact Performance Incentive program, which provides incentives in the form of cash and requires a form of security on a case by case basis. However, the County has not yet participated in this program). Both the State and the County allow for a pro-rata share of the payment if companies fall below 100% of the new job creation commitment. However if the job creation falls below 80% of the commitment, the Agreement could be terminated. Staff supports maintaining the County's performance security in the form of an irrevocable Letter of Credit or Cash Bond to continue to protect taxpayer dollars as well as reduce potential litigation costs to recover disbursed funds. The BCC's approval of the modification to the County's audit requirement would make the County's EDI Agreement provisions align substantially with the State requirements. On October 16, 2018, the BCC approved ten modifications to the EDI Agreement (5B-1) to mirror the State definitions and streamline certain programmatic requirements, and to retain the audit and performance security requirements. Approval of this modification to the audit requirement will further align State and County requirements. Staff recommends BCC approval. Countywide (JB)

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**RECESS AS THE BOARD OF COUNTY COMMISSIONERS**

**CONVENE AS THE CHILD CARE FACILITIES BOARD**

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: the appointment of one member to the Child Care Advisory Council to fill the position of a representative who operates a parochial child care facility. The appointment will expire September 30, 2020.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY</u>
Sandra Wilensky	3	Represents and operates a parochial child care facility.	Staff

**SUMMARY:** The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for appointment to Seat # 3, Sandra Wilensky, is the operator of a child care facility owned by Temple Beth Torah of Palm Beach County, Inc. With this approval, the Council will consist of seven members: one African-American male (14.3%), one African-American female (14.3%), and five Caucasian females (71.4%). The gender ratio (female: male) is 6:1. Countywide (HH)

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**ADJOURN AS THE CHILD CARE FACILITIES BOARD**

**RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS**

APRIL 16, 2019

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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**APRIL 16, 2019**

**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."