

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MAY 17, 2016

<u>PAGE</u>	<u>ITEM</u>	
12	3D-1	<u>DELETED:</u> Staff recommends motion to authorize: the law firm of Gordon & Doner, P.A., to substitute Spencer Rose, Esq. as lead counsel to perform legal services under the Contract for Professional Legal Services between the County and Gordon & Doner, P.A., dated March 5, 2015. (County Attorney) (Further staff review)
14	3F-2	<u>DELETED:</u> Staff recommends motion to approve: A) approve an Agreement for Purchase and Sale for the following property at a purchase price of \$1,737,500 by a supermajority vote....(Airports) (Further staff review)
18	3H-4	<u>DELETED:</u> Staff recommends motion to approve: Contract with Ahrens Enterprises, Inc. d/b/a/ Ahrens Companies in the amount of \$1,172,800 to construct Burt Reynolds Park West Side Expansion, located in Jupiter, Florida. (FDO) (Further staff review)
26	3L-2*	<u>DELETED:</u> Staff recommends motion to: A) approve a Contract for Consulting/Professional Services with the University of Florida (UF) for an amount not to exceed \$59,646 providing for research and consultation services in the area of economic valuation of natural area lands beginning from Notice to Proceed for each Task until April 20, 2017; and..(ERM) (Further staff review)
34	4A	<u>REVISED SUMMARY:</u> Staff recommends motion to adopt: an Ordinance imposing a countywide local government infrastructure surtax of one percent (1.0%) on all authorized taxable transactions occurring within Palm Beach County, as authorized by Section 212.055(2), Florida Statutes, effective beginning January 1, 2017, for a period of ten years... SUMMARY: On May 3, 2016, the Board approved on first reading an infrastructure surtax plan for one cent, maximum 10 years, creation of an oversight committee to audit spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The ordinance has also been amended to include <u>an alternate sunset provision that the surtax will end earlier if \$2.7 billion is collected before prior to September 1st of any year that the Board agrees to take all necessary action to repeal this Ordinance and notify the Florida Department of Revenue prior to the applicable deadline so that the surtax will not continue for the following calendar year.</u> All funding must be expended as prescribed by Florida Statutes. This Ordinance for a one-cent infrastructure surtax includes ballot language for a referendum scheduled for November 8, 2016. If approved by the voters, the surtax will begin on January 1, 2017 for ten years, ending <u>on or before</u> December 31, 2026. In addition to creating an oversight committee(s), a project manager will be hired or assigned to coordinate and monitor the program....(Admin)
38	8D	<u>ADD-ON:</u> Request to present off-site, a Proclamation declaring June 20, 2016 as "World Refugee Day" in Palm Beach County. (Sponsored by Commissioner Abrams)

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

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

MAY 17, 2016

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 6 - 33)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 34)**

- 5. REGULAR AGENDA (Page 35)**

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3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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Q. CRIMINAL JUSTICE COMMISSION - None

R. HUMAN RESOURCES - None

S. FIRE RESCUE - None

T. HEALTH DEPARTMENT - None

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PUBLIC HEARINGS – 9:30 A.M.

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to: appoint one and reappoint two individuals to the Small Business Assistance Advisory (SBA) Committee for the seats and terms indicated below:

<u>APPOINT:</u> <u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Penny Pompei	6	Business Incubator Program	6/18/2016 – 6/17/2019	Vice Mayor Valeche Comm. Burdick Comm. Abrams Comm. McKinlay Comm. Taylor
<u>RE-APPOINT:</u> <u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Samuel Roman	7	Hispanic Business Org	5/17/2016 – 5/16/2019	Vice Mayor Valeche Comm. Burdick Comm. Abrams Comm. McKinlay Comm. Taylor
Pamela Stewart	13	Financial Institution that Assists Small Businesses	6/18/2016 – 6/17/2019	Vice Mayor Valeche Comm. Burdick Comm. Vana Comm. McKinlay Comm. Taylor

SUMMARY: The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code as amended on March 12, 2013. The committee consists of fifteen members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. Pamela Stewart has disclosed that Paragon Florida, Inc. contracted with the County for Business Assistance. The SBA Advisory Committee provides no regulation, oversight, management or policy-setting recommendations regarding the subject contracts. The SBA Advisory Committee supports the nominations and a memo was sent to the Board of County Commissioners on April 12, 2016 requesting approval of the recommendations. No other nominations were received. The current diversity count is: Hispanic: 2; White: 6; and African-American: 7. Countywide (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

2. **Staff recommends motion to approve:** the appointment of Jacqueline M. Medford to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the period May 17, 2016, through September 30, 2018:

<u>Nominee/ Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Jacqueline M. Medford	2	5/17/16-9/30/18	Private Sector	Northern Palm Beach County Chamber of Commerce

SUMMARY: On November 18, 2014, the Board of County Commissioners (BCC) approved the Third Amendment to (R2014-1650) Interlocal Agreement creating the Palm Beach Workforce Development Consortium (R2007-1220) which establishes the current Board composition. The Agreement states that 14 private sector members are appointed by the BCC. The Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 35 members with representation established in Attachment 4. Existing diversity makeup of the CareerSource Palm Beach County, Inc. Board of Directors' is as follows: 13 Male Caucasian; 5 Female Caucasian; 1 Male African-American; 5 Female African-American and 2 Male Hispanic American. Countywide (HH)

3. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the County Administrator or her designee (County HIPAA Privacy Officer or other designee) to execute HIPAA Business Associate Agreements; replacing Resolution No. R2003-0554; providing for effectiveness. **SUMMARY:** Pursuant to federal law, as a Health Insurance Portability and Accountability Act of 1996 (HIPAA) covered entity; the County is required to enter into Business Associate Agreements with its outside HIPAA business associates regarding the Protected Health Information of the County's HIPAA covered health care components (Fire Rescue Department, Risk Management Department and Senior Services Division); and from time to time the County acts as a HIPAA business associate for outside HIPAA covered entities and is required to enter into Business Associate Agreements with such entities regarding their Protected Health Information. This Resolution authorizes the County Administrator or her designee (County HIPAA Privacy Officer or other designee) to execute standard HIPAA Business Associate Agreements as either a covered entity or as a business associate, as applicable. Countywide (SGB)

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	March 1, 2016
Workshop	March 29, 2016

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during December 2015. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** termination of an Interlocal Agreement (Agreement) with the Town of Loxahatchee Groves (Town) for Land Development services effective through written notice to the Town. **SUMMARY:** On September 1, 2015, the Town voted to request the termination of the Agreement for Land Development services. Per the Agreement, the termination requires written notification from Palm Beach County. District 6 (MRE)
2. **Staff recommends motion to approve:** an Interlocal Agreement (Agreement) with the City of Boca Raton (City) regarding open cuts in Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads. **SUMMARY:** The City has agreed to follow the policies and procedures set forth by the County regarding open cuts in County roads. However, the City is requesting that it not be required to provide surety for the open cuts, as required by County PPM EL-O-3605 and EL-O-3606, but instead be bound by the terms and conditions of this Agreement requiring them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts. District 4 (MRE)
3. **Staff recommends motion to receive and file:**
 - A) County Incentive Grant Program (CIGP) Amendment Number One to the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A funding agreement, R2013-1291, with Florida Department of Transportation (FDOT); and
 - B) CIGP Amendment Number Two to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard funding agreement, R2012-1445, with FDOT.

SUMMARY: These receive and files will record executed Amendment Number One to the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A, R2013-1291, and executed Amendment Number Two to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard, R2012-1445, which extend the expiration dates for two existing funding agreements with FDOT. Resolution R2012-0035 allows the County Administrator to delegate to the County Engineer, Deputy County Engineer, and Assistant County Engineer, the authority to execute amendments with FDOT to extend expiration dates. Districts 6 & 7 District 1(MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to:

A) rescind Modification Number One to the Subgrant Agreement (Modification) with the State of Florida, Division of Emergency Management (DEM) approved by the Board of County Commissioners (Board) on December 15, 2015; and

B) receive and file updated Modification Number One to the Subgrant Agreement (Updated Modification) with the DEM which changed the expiration date to March 24, 2016, modified the scope to reflect the new expiration date, and was signed by the County Administrator on January 11, 2016.

SUMMARY: Rescinding the Modification is necessary because the DEM requested a minor change to the Modification after the Board approved the document. The Board approved the Modification on December 15, 2015. However, because the DEM did not execute the Modification prior to the Subgrant Agreement's, (R2015-0594), expiration, they requested a minor change to the Modification to reflect that the Subgrant Agreement is reinstated and extended rather than only extended. Resolution R2006-0401 authorized the County Administrator and/or his designees to execute agreements. After execution by the County Administrator, the DEM signed the Updated Modification on February 16, 2016. District 7 (MRE)

5. Staff recommends motion to approve:

A) an Interlocal Agreement (Agreement) with the City of South Bay (City) in the amount of \$115,000 for the Construction Inspection (Inspection) for the improvement of the City's Dr. Martin Luther King, Jr. Boulevard from Rosenwald Elementary School to U.S. 27 (Project); and

B) a Budget Amendment of \$115,000 in the Transportation Improvement Fund to recognize the Agreement with the City and appropriate it to the Project.

SUMMARY: Approval of this Agreement and Budget Amendment will allow Palm Beach County (County) to assist the City with the inspection for the Project which has a current estimated inspection cost of \$115,000. The City is receiving a federal grant administered through the Florida Department of Transportation (FDOT) for the Project. The City will reimburse the County for inspection services rendered as they receive grant funds from FDOT. The term of the Agreement will be from the date of Board of County Commissioners (Board) approval until the Project's construction is complete. District 6 (MRE)

6. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Loxahatchee River Environmental Control District (District) regarding open cuts in Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads.

SUMMARY: The District has agreed to follow the policies and procedures set forth by the County regarding open cuts in County roads. However, the District is requesting that it not be required to provide surety for the open cuts, as required by County PPM EL-O-3605 and EL-O-3606, but instead be bound by the terms and conditions of this Agreement requiring them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve: a Contract with Electrical Design Associates, Inc. (EDA), to provide the necessary professional services for street lighting design on a task order basis for Palm Beach County (County) projects, as required. **SUMMARY:** Approval of this Contract will provide the necessary professional services for street lighting design throughout the County for all user departments. At the option of the County, this contract may be renewed annually for a period of one year, with a maximum of two renewals. EDA is a Palm Beach County based company and is a certified Small Business Enterprise (SBE). The SBE goal for the Contract is 15%. The SBE participation committed for this Contract by EDA is 100%. Countywide (MRE)

8. Staff recommends motion to approve: a Consent to Easement Agreement (Agreement) with the United States of America, Department of the Army (DOA) for the Palmetto Park Road Bridge over Intracoastal Waterway, Project No. 2013607 (Project). **SUMMARY:** Approval of the Agreement will allow Palm Beach County (County) to work within the DOA easement to make repairs to the bridge and replace the existing bridge fender system associated with the DOA Permit No. SAJ-2015-03763. As part of the permit process, the County is required to obtain permission to use said easement for construction, improvement, and maintenance of the bridge. District 4 (MRE)

9. Staff recommends motion to approve: an annual Contract with Gerelco Traffic Controls, Inc. (Contractor), in an amount not to exceed \$1,000,000. **SUMMARY:** Approval of this Contract will facilitate, on a task order basis, the furnishing and installing of signals, furnishing of signal products, removal and disposal of "old" signals, and/or the resetting of existing signals. The Small Business Enterprise (SBE) goal for the Contract is 15%. The SBE participation committed for the project by the Contractor is 37.24% overall. The Contractor is a Palm Beach County company. In the 2015 fiscal year, approximately \$333,200 was spent on a similar annual contract. Countywide (MRE)

10. Staff recommends motion to approve: a Subordination of Utility Interests and Agreement for reimbursement for future facility relocations with Florida Power and Light Company (FPL) on a parcel of land located on the north side of Belvedere Road and west of Congress Avenue. **SUMMARY:** Approval of the Subordination Agreement will subordinate an FPL utility easement interest and allow Palm Beach County (County) to accept a warranty deed for additional right-of-way for Belvedere Road. As part of the platting process, the Hertz Corporation (Hertz) is required to provide the County with additional right-of-way on the north side of Belvedere Road, for a total of 55 feet from the centerline of Belvedere Road. The County requires that this right-of-way be free and clear of all encumbrances. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to approve:

A) Work Order No. 2015053-01 utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2016-0143 (Contract) with Ranger Construction Industries, Inc. (Ranger) in the amount of \$210,000 for Browns Farm Road from approximately one mile south of CR880 to approximately three miles south of County Road 880; and

B) Work Order No. 2015053-02 utilizing the County's Contract with Ranger in the amount of \$775,000 for Gator Boulevard from East Sugar House Road to Hatton Highway.

SUMMARY: Approval of these two Work Orders will allow the contractual services necessary to construct all the improvements. Funding is provided through the "Glades Area Roads Repair/Reconstruction" and "Reserve-Resurfacing" accounts within the Five Year Road Program. Per County PPM CW-F-050, these Work Orders exceed the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners (Board). Staff has coordinated the timing of these projects to minimize interference with the Glades' harvest season. District 6 (MRE)

12. Staff recommends motion to adopt: a Resolution to authorize the Palm Beach County (County) Administrator and/or her designees to respond with a Letter of No Objection to municipalities when the County receives a municipal Notice of Intent to establish a municipal quiet zone that would include a County maintained rail crossing.

SUMMARY: Various municipalities within the County have expressed a desire to create quiet zones along the Florida East Coast Railway due to the anticipated increase in the number of trains from the All Aboard Florida/Brightline project. Approval of this Resolution will allow the County Administrator and/or her designees to respond to a Notice of Intent to create a quiet zone with a Letter of No Objection on behalf of the County. Countywide (MRE)

13. Staff recommends motion to receive and file: a report of plat recordations from April 1, 2015, through March 31, 2016. **SUMMARY:** This report is a summary of subdivision plats recorded during the fiscal quarters since the previous report, as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Last year's reports were not spaced evenly through the year so this report covers more than the typical previous six months. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

14. Staff recommends motion to:

A) adopt a Resolution to approve the County Incentive Grant Program (CIGP) Agreement with the State of Florida Department of Transportation (FDOT) in the amount of \$2,880,000 for the right-of-way acquisition for the Congress Avenue extension from Northlake Boulevard to Alt. A-1-A (Project); and

B) approve a Budget Amendment of \$2,880,000 in the Road Impact Fee Fund – Zone 1 to recognize the CIGP Agreement with FDOT and appropriate the funds to the Project.

SUMMARY: Approval of this CIGP Agreement will allow Palm Beach County (County) to receive a grant of up to \$2,880,000 (50/50 matching funds) for the Project which has a current estimated right-of-way acquisition cost of \$5,760,000. The County will be responsible for all costs above this grant amount. District 1 (MRE)

D. COUNTY ATTORNEY

1. ~~**DELETED: Staff recommends motion to authorize:** the law firm of Gordon & Doner, P.A., to substitute Spencer Rose, Esq. as lead counsel to perform legal services under the Contract for Professional Legal Services between the County and Gordon & Doner, P.A., dated March 5, 2015.~~ **SUMMARY:** Since April 1, 2015, the County has contracted with the law firm of Gordon & Doner, P.A., to provide legal services to the County relating to personal injury protection (PIP) insurance claims for auto-related Fire-Rescue emergency transport services. The contract names Melissa Lewis as the lead attorney to provide legal services to the County, and requires the law firm to obtain the County's written authorization in order to substitute lead counsel. On March 8, 2016, the law firm advised the County that Melissa Lewis has left the firm. The law firm has identified Spencer Rose, who is now the attorney in charge of the firm's PIP department, as the lead attorney to perform the legal services under the contract. Upon the Board's approval for the firm to substitute Spencer Rose as lead counsel, the County Attorney's Office will, in accordance with Florida Bar rules, sign an acknowledgement that the County desires for Gordon & Doner to retain the County's files and continue to represent the County. Countywide (SGB)

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file: Amendment No. 1 to the Emergency Contract for Provision of Ryan White Part A HIV Health Support Services with the Health Care District of Palm Beach County (R2015-0846), for the period March 1, 2015, through February 29, 2016, increasing funding by \$140,000 for a new total contract amount not to exceed \$259,031. **SUMMARY:** The purpose of this Amendment is to increase the Grant Year 15 contract amount by \$140,000 to provide funds for the bulk purchase of HIV medications for Ryan White clients. The Department was unable to process a contract amendment within the grant period due to a leadership change at the Health Care District of Palm Beach County (Health Care District), which delayed the process. These funds will allow our system of care to provide additional HIV medications to Palm Beach County residents living with HIV/AIDS and meet shifting Ryan White service needs. This Amendment was executed by the County Administrator in accordance with Resolution R2013-0519, which delegates signatory authority to the County Administrator or her designee. This receive and file item is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's office to note and receive the executed amendment. No County funds are required. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for three year terms effective May 17, 2016:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>
4	Wisny Marcellus	Community Based Organizations Serving Affected Populations	05/16/2019
8	Mark D. White	Social Service Providers	05/16/2019

SUMMARY: The total membership shall be no more than 33 members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These appointments have successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends these appointments. Including the current request for appointment, the board makeup will consist of four Black females, four Black males, five White males, three White females, two Hispanic females, one Hispanic male and one Caribbean female. (Ryan White) Countywide (HH)

3. **Staff recommends motion to approve:** Amendment No. 3 to Contract for Provision of Financial Assistance with 211 Palm Beach/Treasure Coast, Inc. (211) (R2013-1390), for the period October 1, 2015, through September 30, 2016, to change the unit cost and unit cost definition for the Elder Outreach Program. **SUMMARY:** This amendment is necessary to incorporate changes to the Exhibit B-2 Units of Service Definition of the agreement. The requested changes only affect the cost unit definition and cost unit amount and will not change the total amount of the amendment or services delivered to the clients, but will ease the administrative strain that occurs when tracking individual client interactions per the previous unit definition. The new unit cost of \$22. covers direct client services as compared to the previous unit cost of \$42.32 which included indirect client services in addition to referral, service linkage and advocacy. The Agency interacts with many clients per day and approving this change will allow for more time to focus on client related matters. The annual contract allocation remains at \$37,988. (FAA) Countywide (HH)
4. **Staff recommends motion to approve:** Amendment No. 01 to Contract for Provision of Services with Catholic Charities of the Diocese of Palm Beach, Inc. (R2016-0495), for the period February 1, 2016, through June 30, 2016, to increase funding for homeless prevention by \$11,000 for a new total contract amount not to exceed \$43,928. **SUMMARY:** The Division of Human Services received Challenge Grant funding through a Florida Department of Children and Families (DCF) grant to provide homeless prevention services and performance measures evaluation. Catholic Charities of the Diocese of Palm Beach, Inc. was allocated funding to provide homeless prevention services to 23 households through financial assistance with rental and/or mortgage assistance. Due to an increased demand for financial assistance, additional County funds were included with the DCF allocation to meet this demand. Ten households will be served through these additional funds. All funds will be expended no later than June 30, 2016. No County match funds are required. (Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

A) Baggage System Improvements at Palm Beach International Airport, Financial Project Number 420374-1-94-01 approved by the Board on August 16, 2011 (R2011-1153), is hereby extended until December 31, 2016;

B) Security Enhancements and Improvements at Palm Beach International Airport, Financial Project Number 427911-1-94-01 approved by the Board on June 29, 2010 (R2010-1013 and R2010-1014) is hereby extended until September 30, 2016; and

C) Rehab Itinerant Apron at Palm Beach County Park Airport, Financial Project Number 423961-1-94-01 approved by the Board on September 11, 2012 (R2012-1243) and amended December 17, 2013 (R2013-1791 & R2013-1792), is hereby extended until September 30, 2016.

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

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

~~**A) approve** an Agreement for Purchase and Sale for the following property at a purchase price of \$1,737,500 by a supermajority vote. Said property is located on the north side of Belvedere Road directly across from Palm Beach International Airport (PBIA):~~

AVS Hospitality, LLC, a Florida Limited Liability Company	
2201 Belvedere Road, West Palm Beach, FL	Parcel B-2
Purchase Price:	\$1,737,500
Replacement Housing:	N/A

~~**B) accept** a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement; and~~

~~**C) approve** a Budget Transfer of \$1,737,500 in the Airport's Improvement and Development Fund.~~

SUMMARY: The subject property is a vacant site containing approximately 67,091 square feet (approximately 1.54 acres) and is located on the north side of Belvedere Road just east of North Congress Avenue and directly across from PBIA. In November 2015, the property was appraised by Anderson & Carr, Inc. at \$1,700,000, and in December, 2015, a Review Appraisal was completed by Edward E. Wilson, which supported the Anderson & Carr, Inc. determination of value. An offer to purchase was presented to the Seller on December 17, 2015 at the appraised fair market value of \$1,700,000. Per AECOM's Memorandum dated April 7, 2016, a settlement was proposed in the amount of \$1,737,500 which reflects a counteroffer, an increase of \$37,500 (2.21%) over the approved appraisal and initial offer amount of \$1,700,000. If the Board determines that the Seller's counter offer is a reasonable and justified amount, this agreement would be considered an Administrative Settlement under the FAA ORDER 5100.37B Chapter 3; Section 2 (3-20). Airport Revenue is available for the purchase of this property. **Pursuant to the Property & Real Estate Management Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to:

A) approve an Agreement for Purchase and Sale for the following property at a purchase price of \$265,000 by a supermajority vote. Said property is located West of Runway 10L at Palm Beach International Airport (PBIA):

Ride Safer, LLC, a Florida Limited Liability Company	Parcel W-306
4533 Bertram Street, West Palm Beach, FL	\$265,000
Purchase Price:	N/A
Replacement Housing:	

B) accept a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement.

SUMMARY: The subject property contains approximately 5,635 square feet (approximately 0.13 acres) and is improved with a 1,860 square foot one-story CBS retail building constructed in 1964. The property is located near the northwest corner of the intersection of Bertram Street and Military Trail, West of Runway 10L at PBIA. In December, 2015, the property was appraised by Anderson & Carr, Inc. for \$265,000, and in December, 2015, a Review Appraisal was completed by Edward E. Wilson, which supported the Anderson & Carr, Inc. determination of value. An offer to purchase was presented to the Seller on February 18, 2016, and accepted at the appraised fair market value of \$265,000. The property is vacant but the building does contain personal property that will be relocated in accordance with Public Law 91-646 (Uniform Act). Airport Revenue is available for the purchase of this property. **Pursuant to the Property & Real Estate Management Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to:

A) approve an Agreement for Purchase and Sale for the following property at a purchase price of \$240,000 by a supermajority vote. Said property is located West of Runway 10L at Palm Beach International Airport (PBIA):

Anthony Genovese	
190 Post Road, West Palm Beach, FL	Parcel W-138
Purchase Price:	\$240,000
Replacement Housing:	TBD

B) accept a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement.

SUMMARY: The subject property contains approximately 11,761 square feet (approximately 0.27 acres) and is improved with two structures that have a total of 1,954 square feet of enclosed building area, originally built in 1953 and 1972. The property is located on the east side of Post Road, west of Military Trail and south of Wallis Road, West of Runway 10L at PBIA. In November, 2015, the property was appraised by Anderson & Carr, Inc. for \$240,000, and in January, 2016 a Review Appraisal was completed by Edward E. Wilson, which supported the Anderson & Carr, Inc. determination of value. An offer to purchase was presented to the Seller on January 20, 2016 and accepted at the appraised fair market value of \$240,000. The property is occupied by a residential tenant. The tenant's eligibility for a replacement housing payment and the amount of any such payment (if any) cannot be determined at this time, but will be computed in accordance with the requirements of Public Law 91-646 (Uniform Act). Airport Revenue is available for the purchase of this property. **Pursuant to the Property & Real Estate Management Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

5. Staff recommends motion to:

A) receive and file an Award of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) in the amount of \$241,469 for law enforcement services at Palm Beach International Airport (PBIA); and

B) approve a Budget Amendment in the Airport's Operating Fund, for the receipt of \$241,469 of funding from the TSA for Fiscal Year 2016; and an increase to Airport's Reserve in the amount of \$241,469.

SUMMARY: Delegation of authority for execution of the LEO Agreements was approved by the Board of County Commissioners on August 14, 2012 (R2012-1093). Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) Budget Amendment of \$157,163,595 in the \$121.035M Revenue Refunding Bonds, Series 2016 debt service fund to budget bond proceeds, refunding bond premium, transfer from the refunded bonds' debt service reserve, transfer from the refunded bonds' debt service fund, costs of issuance, and payment to refunding bond escrow agent;

B) Budget Transfer of \$2,829,313 in the \$176.5M Public Improvement Revenue Bond, Series 2008 DS debt service fund to decrease the interest payment and increase the transfer to the Revenue Refunding Bonds, Series 2016 debt service fund; and

C) Budget Transfer of \$6,790,350 in the \$176.5M Public Improvement Revenue Bond, Series 2008 DSR debt service reserve fund to reduce the debt service reserve and increase the transfer to the Revenue Refunding Bonds, Series 2016 debt service fund.

SUMMARY: On March 1, 2016, the Board authorized the issuance of the Series 2016 Refunding Bond for a partial refunding for the Public Improvement Revenue Bonds, Series 2008 through a competitive sale as recommended by the County Financing Committee and the County's Financial Advisors. Through an electronic bid process, the County awarded the sale to Raymond James. **The refunding will save the County approximately \$18.7 million in debt service over the life of the bonds.** The County's AA+/Aa1 (AAA on General Obligation Bonds) credit rating increased the savings by approximately \$2,180,000. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) approve Budget Amendment of \$609,000 in the Public Building Improvement Fund recognizing revenue received and to increase the Airport Center Renovation project budget account; and

B) authorize the transfer of all assets, purchased pursuant to the project, to the Sheriff at completion of construction to monitor.

SUMMARY: This Budget Amendment establishes the project budget for the County to purchase and install modular furniture for the Palm Beach Sheriff's Office (PBSO) Human Resources, Risk Management and Central Records Units at Airport Center 2 building. While all of these equipment purchases are the responsibility of the County, historically the Board has placed the funds needed for the purchase of non-fixed equipment in the Sheriff's budget so that PBSO is responsible for the ordering, tracking, maintenance renewal and replacement of such items. Fixed equipment is purchased, tracked and maintained by FDO. PBSO and County Staffs have determined that it is in the best interests of both parties to have the procurement of the modular furniture undertaken by the County to ensure the proper coordination between the specifications and construction preparation and in terms of installation and delivery. At the completion of construction, Staff is recommending that all assets purchased from this funding be transferred to the Sheriff for tracking, maintenance and renewal/replacement. (FDO Admin) Countywide/District 2 (DC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Amendment No. 12 to the contract with Trillium Construction, Inc. (R2012-1002) in the amount of \$4,208,800 for the Water Utilities Department Western Region Operations Center (WUD WROC) Phase 2, 2A & 3 Project establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** Approval of Amendment No. 12 will allow for installation of a new, two megawatt emergency generator for WROC and Water Treatment Plant No. 11 (WTP 11), relocation of the existing WTP 11 two megawatt emergency generator to WROC and construction of two covered pavilions for portable generators, piping and equipment. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc.'s SBE participation for this Amendment is 28%. The time of construction is 422 days. This project will be funded by a one-time capital expenditure from user fees. Trillium Construction, Inc. is a Palm Beach County firm and 100% of the work will be done by Palm Beach County contractors with a 6% Glades contractor participation. (Capital Improvements Division) District 6 (DC)

3. **Staff recommends motion to approve:** Amendment No. 13 to the contract with Trillium Construction, Inc. (R2012-1002) in the amount of \$2,258,000 for the construction of two metal storage pavilions for the Water Utilities Department Southern Regional Operations Center on Jog Road establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** The work includes construction of two 13,000 square foot open storage pavilions, site improvements and electrical. The storage pavilions will store materials used for emergency repairs of the utilities infrastructure and portable generators for the emergency operation of waste water pump stations. The new pavilions will protect materials and generators from exposure to elements and allow for easy retrieval in any weather condition. The GMP includes the cost of the work, the construction manager's fee and contractor contingency. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc.'s SBE participation for this Amendment is 39.5%. Trillium Construction, Inc. is a Palm Beach County firm and is using Palm Beach County subcontractors for 99% of the work. The time of construction is 168 days. This project will be funded by a onetime capital expenditure from user fees. (Capital Improvements Division) Countywide/District 2 (DC)

4. **~~DELETED: Staff recommends motion to approve:~~** ~~Contract with Ahrens Enterprises, Inc. d/b/a/ Ahrens Companies in the amount of \$1,172,800 to construct Burt Reynolds Park West Side Expansion, located in Jupiter, Florida.~~ **SUMMARY:** This project consists of demolition of the existing building, reconfiguration of parking area with associated drainage, lighting, landscape, and irrigation, a new restroom/pavilion building and a pedestrian pathway connecting to the east side of the Park. Improvements will add 24 new boat/trailer parking spaces resulting in a total of 61 spaces and provide easier access and boat launching. This work was competitively bid with Ahrens Companies submitting the lowest responsive, responsible bid. Funding for this contract is a combination of Florida Inland Navigation District (FIND) Grants, Florida Boating Improvement Program (FBIP) and the 2006 \$50M Waterfront Access and Preservation General Obligation Bond. The total construction duration is 300 calendar days. The goal for Small Business Enterprises (SBE) participation is 15% and Ahrens Companies' participation for this Contract is 16%. Ahrens Companies is a Palm Beach County firm. (Capital Improvements Division) District 1 (DC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in approximately 5.9 acres of County-owned land to the Village of Royal Palm Beach (Village) without charge and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of the Village.

SUMMARY: On June 19, 2001, the County and the Village entered into an Interlocal Agreement (R2001-0930) for the joint acquisition, development and funding of a linear park on the northeast corner of Royal Palm Beach Boulevard and Sparrow Drive (Veteran's Park). The project entailed the purchasing of 13 one-half acre lots with \$550,000 in County funds. The County acquired six of the lots at a total cost of \$220,194. The Village acquired the remaining seven lots and was eligible for reimbursement up to \$287,200. Pursuant to the Interlocal Agreement, the Village was required to convey its seven parcels to the County, and the County leased the Park to the Village for a term of fifteen years, expiring on June 18, 2016, at one dollar (\$1.00) per year. The County is required to convey the Park to the Village at the end of the lease. The development, operation and maintenance of the Park is the responsibility of the Village. The deed will satisfy the County's final obligations under the Interlocal Agreement and contains a restriction limiting the use of the property to public park purposes. The Village requested the County not reserve mineral rights. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 6 (HJF)

6. Staff recommends motion to approve: an Interlocal Agreement with the cities of Boca Raton, Boynton Beach and Delray Beach (Cities) regarding the South Palm Beach County Communications Cooperative's connection to the County's 800 MHz Radio System terminating and replacing the preceding Interlocal Agreement R2011-0737. **SUMMARY:** This Interlocal Agreement, provides the terms and conditions under which the Cities can use specific components of the County's 800 MHz Radio System. The Interlocal Agreement provides for an effective date retroactive to February 3, 2016. The term of the Interlocal Agreement is for five years and expires on February 2, 2021 or the date that the County's Countywide P25 Public Safety Radio System is fully operational; whichever comes first. The Interlocal Agreement provides that the Cities shall pay its pro rata share of the operation and maintenance costs associated with the SmartZone TM Controller, which was installed in order to provide interoperability between the Cities' and County's individual systems. The currently calculated operation and maintenance cost is \$70,000, a proportionate share of which will be paid by each City based upon the number of talk groups each City operates. The Interlocal Agreement may be terminated by the County for cause or terminated by the Cities, with or without cause, with a minimum of sixty days notice. The Cities have been connected to the County's system for almost sixteen years. (FDO Admin) Countywide (DC)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a Loan Agreement with Royal Palm Place, Ltd. (RPP) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the Royal Palm Place affordable housing project; and

B) delegation of authority to the County Administrator, or her designee, to execute subordination agreements with Citibank, N.A. and Florida Housing Finance Corporation (FHFC).

SUMMARY: On September 9, 2014, the Board of County Commissioners (BCC) authorized the allocation of SHIP funds as the required local match under FHFC's State Apartment Incentive Loan (SAIL) Program. The Department of Economic Sustainability (DES) provided RPP a conditional award for a \$115,000 loan subject to approval of their Royal Palm Place affordable housing project by FHFC under the SAIL Program. The project, which will contain 125 affordable rental units, has now been approved by FHFC and is ready to proceed. The County's funds will be used for construction costs and will be secured by a mortgage and promissory note. The Loan Agreement requires RPP to pay annual interest payments on the loan over 30 years with the entire principal due at the end of the term. The Royal Palm Place project will be located between North Tamarind Avenue and Division Avenue just north of 15th Street in West Palm Beach. All 125 affordable rental units are intended to be rented to households whose incomes are at or below 60% of the area median income for a period of 30 years. Citibank, N.A. will be providing first mortgage financing for this project in the amount of \$14,500,000. FHFC will be providing a Sail Program loan of \$4,750,000 and an Extremely Low Income Gap Loan of \$495,000. RPP has requested that the County subordinate its \$115,000 mortgage to the mortgages securing these loans by means of subordination agreements. Delegation of authority to the County Administrator, or her designee, to execute the subordination agreements, subject to the County Attorney's approval of its content, is requested to enable a timely response when the closing is scheduled. **This project is projected to have a one year Economic Sustainability Impact of \$31.1 Million. These are SHIP funds which require no local match.** District 7 (JB)

2. Staff recommends motion to receive and file: one Amendment to Loan Agreement and one Agreement as follows:

A) Amendment No. 004 to the Loan Agreement (R2014-1921) with Community Land Trust of Palm Beach County, Inc. (CLT) under the Home Investment Partnership Program (HOME) (District 3); and

B) Agreement with Habitat for Humanity of Palm Beach County, Inc. and Habitat Housing Solutions, Inc. under HOME (Districts 3, 6 & 7).

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolution(s)/Agenda Item(s) 3I-4 and 3I-3 as approved by the BCC on October 21, 2014, and December 1, 2015. These executed documents are now being submitted to the BCC to receive and file. **HOME Program matching requirement is met from State SHIP funds.** (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) conceptually approve Neighborhood Renaissance, Inc. (NRI) to sell up to 20 homes assisted through the Neighborhood Stabilization Program 2 (NSP2) and to utilize program income from those sales to develop the Mango Cove Apartments; and

B) authorize the County Administrator or designee, to negotiate and execute a funding agreement, amendments thereto, and all other documents necessary for the transaction with NRI.

SUMMARY: On May 5, 2011, Palm Beach County entered into Agreement R2011-1029 providing \$12,131,968.07 in Federal NSP2 funding to NRI for the acquisition and rehabilitation of 70 foreclosed homes for rental to low, moderate, and middle income households. NRI successfully met all requirements under the Agreement. On December 21, 2015, NRI requested that the County allow it to sell up to 20 of the NSP2 middle-income units, and to use the program income from those sales to develop a 36 unit multi-family rental complex to be known as Mango Cove Apartments (the Project). The NSP2 units will be sold to home buyers with incomes no more than 120% of Area Median Income (AMI) and will bear NSP2 affordability restrictions for 30 years. The Project will be located on an unincorporated vacant property at 1561-1589 Florida Mango Road in West Palm Beach. On April 7, 2016, the Project received Conditions of Approval for a zoning variance, and the Project site plan is currently awaiting certification after being presented to the Development Review Officer on April 13, 2016. Total development cost of the Project is \$6.4 Million. Program income to be generated by the sale of the NSP2 units is estimated at \$2,925,000 and would be utilized for construction costs and other eligible development costs in order to make rental rates affordable. NRI has secured a commitment for first mortgage financing of \$3.12 Million from the Florida Community Loan Fund, and remaining Project financing would come from grants raised to date and a deferred developer fee. All apartments will be leased to households whose incomes are no more than 120% of AMI at rents not to exceed HUD Fair Market Rents. NSP2 affordability requirements will be secured by an encumbrance on the property for 30 years. **NSP2 program income funding has no matching requirement.** District 2 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: **A)** Proposed seat change of one current member of the Building Code Advisory Board; and **B)** Appointment of one new member to the Building Code Advisory Board:

A) Proposed seat change of one current member:

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term Expires</u>
3	2	Michael Grimm	Building Official	Building Officials Association of Palm Beach County	1/13/2017

B) Appoint one new member:

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Wayne Cameron	3	Building Official	Building Officials Association of Palm Beach County	5/17/2016–5/16/2019

SUMMARY: The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Building Officials Association of Palm Beach County has nominated Michael Grimm to change his current appointment in District 3, to serve as Building Official for District 2, where the majority of the community of Greenacres is located; and Wayne Cameron to serve as Building Official for District 3, where the majority of the community of Palm Springs is located. The Board is comprised of sixteen members: seven Building Officials, one from each commission election district appointed from nominees submitted by the Building Officials Association of Palm Beach County; seven members appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; and one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society. This advisory committee membership has 16 seats, 14 currently filled and 2 vacancies, and a diversity count of White: 13 (93%) Hispanic-American: 1 (7%). The gender ratio (male: female) is 14:0. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** executed Agreements received during the months of January, February and March 2016:

A) Utility Concurrency Reservation Agreement with Pulte Home Corporation, No. 02-01146-000 (District 6);

B) Utility Concurrency Reservation Agreement with Pilot Travel Centers, LLC, No. 16-01001-000 (District 6);

C) Standard Potable Water and Wastewater Development Renewal Agreement with Boynton Beach Associates XXIV, LLLP, No. 09-01051-000 (District 5) (OR BK 28065 PG 1264-1267); and

D) Standard Potable Water and Wastewater Development Agreement with Atlantis Self Storage, LLC, No. 02-01144-000 (District 3) (OR BK 28065 PG 1268-1278).

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

2. **Staff recommends motion to approve:** a Partial Release of a Utility Easement over property owned by Hedrick 33, LLC and encumbered by an exclusive Easement Deed to Lake Worth Drainage District (LWDD). **SUMMARY:** On April 13, 2015, Dave R. Hedrick and Cathleen T. Burk, the predecessors in interest to Hedrick 33, LLC, granted the County a Utility Easement (OR BK 27498 PG 243-247) for a future utility pipe installation to serve a proposed commercial site. A review of the preliminary plat for the encumbered property revealed an encroachment of the County Utility Easement into an exclusive LWDD easement (OR BK 4577 PG 1921). The LWDD Easement Deed grants LWDD has the authority to permit utility installations in their easement. LWDD confirmed that, following the release of the encroaching portion of the County Utility Easement, it will process a Utility Permit application for the proposed pipe installation. Water Utilities Department staff recommends the partial release of that portion of the Utility Easement that encroaches into the LWDD easement. The remaining portion of the Utility Easement will provide for adequate protection and access to future County facilities. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Supplement No. 1 to Work Authorization No. 2 for Western Region Waste Water Treatment Facility (WRWWTF) Power Improvements Phase 1 Project with Globaltech, Inc. in the amount of \$212,499.48. **SUMMARY:** On March 10, 2015, Board of County Commissioners (BCC) approved the Optimization and Improvements Design-Build Contract (Contract) (R2015-0315) with Globaltech, Inc. Work Authorization No. 2 was previously approved to cover the design, procurement of all long lead electrical equipment and installation of a new generator pad in Phase 1. Supplement No. 1 will cover the second phase of the necessary work and includes modifications to the electrical room, installation and start up of all electrical equipment, and Programmable Logic Controller programming. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Globaltech, Inc. provides for SBE participation of 75% overall. Supplement No. 1 includes 95.06% overall SBE participation. The cumulative SBE participation, including this Work Authorization is 96.64% overall. Globaltech, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 14-050) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: Amendment No. 1 to Contracts for Engineering/Professional Consulting Services (Contracts) with the following firms:
- A) Black & Veatch Corporation (R2014-0064) - Sustainability and Strategic Planning Consulting Services;
 - B) Hazen & Sawyer P.C. (R2014-0821) - Wastewater Engineering Services;
 - C) JLA Geosciences, Inc. (R2014-0822) - Utility Hydrogeologic Engineering Services;
 - D) Mathews Consulting, Inc. (R2014-0823) - General Utility, Architectural & Value Engineering Services;
 - E) Keshavarz & Associates, Inc. (R2014-0824) - Utility Distribution & Collection System Engineering Services;
 - F) Holtz Consulting Engineers, Inc. (R2014-0825) - Utility Distribution & Collection System Engineering Services;
 - G) Mock, Roos & Associates, Inc. (R2014-0826) - Utility Distribution & Collection System Engineering Services;
 - H) Hillers Electrical Engineering, Inc. (R2014-0827) - Electrical Instrumentation & Telemetry Engineering Services;
 - I) Smith Engineering Consultants, Inc. (R2014-0828) - Electrical Instrumentation & Telemetry Engineering Services; and
 - J) Kimley-Horn & Associates, Inc. (R2014-0829) - Water Plant & Water Resources Engineering Services.

SUMMARY: The Board of County Commissioners approved Contracts B through J for Engineering/Consulting Services on June 3, 2014 and Contract A Black & Veatch Corporation on January 14, 2014. The Water Utilities Department discovered an ambiguity in the contract documents relating to mark ups on sub-consultants contracts by the prime consultant. County procurement policies provide that a prime consultant may receive up to a 10% mark-up on services provided by sub-consultants when the services are to be provided by a sub-consultant that was not part of the original design team proposed to the County and the services were not required in the original scope of work. The Contracts were unclear regarding the applicability of this provision which created a conflict between Contracts and approved Procurement policies. Amendment No. 1 to the Contracts corrects this ambiguity and conforms the Contracts to approved procurement policies. No additional changes are being made to the Contracts as a result of Amendment No. 1. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

A) Amendment No. 1 to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0649) with The Vance Construction Co. (Vance) to extend the Construction Contract for one year to May 18, 2017 for a not-to-exceed amount of \$1,178,684.50 for year two;

B) Amendment No. 1 to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0650) with Coston Marine Services, Inc. (Coston) to extend the Construction Contract for one year to May 18, 2017 for a not-to-exceed amount of \$1,415,196.38 for year two; and

C) Amendment No. 1 to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0651) with Arbor Tree and Land, Inc. (ATL) to extend the Construction Contract for one year to May 18, 2017 for a not-to-exceed amount of \$1,566,048.20 for year two.

SUMMARY: On May 19, 2015, the Board of County Commissioners approved three annual construction contracts for Palm Beach County Artificial Reef & Breakwater, Project No. 2015ERM01 with Vance (R2015-0649), a Palm Beach County Small Business Enterprise (SBE) Company, Coston (R2015-0650), a Palm Beach County SBE Company, and ATL (R2015-0651), a Palm Beach County Company. Vance and ATL have not been issued any work orders. Coston has been issued two work orders totaling \$485,747. Amendment No. 1 for the Vance Contract will increase work by a not-to-exceed amount of \$1,178,684.50 for year two and extend the Contract for one year. Vance committed to an overall 54.94% Small Business Enterprise (SBE) participation in the Contract. Countywide (DC)

2. ~~**DELETED: Staff recommends motion to:**~~

~~**A) approve** a Contract for Consulting/Professional Services with the University of Florida (UF) for an amount not to exceed \$59,646 providing for research and consultation services in the area of economic valuation of natural area lands beginning from Notice to Proceed for each Task until April 20, 2017; and~~

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

~~**SUMMARY:** This Contract provides for an economic valuation of four of the many ecosystem services provided by the County's Natural Areas. UF will determine the value using choice experiment designed surveys completed by a random group of citizens of Palm Beach County. The surveys explain each of the four ecosystem service processes in layman's terms and then provide choices to the respondent that will provide a monetary value for that service as determined by the citizen responding. Returned surveys are collated by type of response and undergo a statistical analysis to determine the economic value expressed for each service in the study. The ecosystem services discussed include tourism/recreation, groundwater recharge/water storage, flood attenuation and open space property value premiums. Countywide (AH)~~

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. **Staff recommends motion to approve:** A continuing proxy appointing Vice Mayor Hal R. Valeche as Palm Beach County's representative for the purpose of voting at the June 2, 2016 landowners' annual meeting and any subsequent landowners' meetings of the Pal Mar Water Control District. **SUMMARY:** This proxy authorizes Commissioner Valeche to vote on behalf of the County at the annual landowners' meeting on June 2, 2016, and thereafter until revoked. The number of acres now owned by Palm Beach County in the Pal Mar Water Control District is 252.94. District 1 (AH)

M. PARKS & RECREATION

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

A) Sally Welsh-Chapela, Water Fitness Instructor, Therapeutic Recreation Complex, for the period April 1, 2016, through September 30, 2016; and

B) Palm Beach County Officials Association, Inc., Youth Basketball Officials, West Boynton Recreation Center, for the period April 30, 2016, through June 11, 2016.

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

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

A) License Agreement with Broadcast Music, Inc. (BMI) for the period January 1, 2016, through December 31, 2016, with automatic annual renewals, in an amount not-to-exceed \$8,596 to provide public performances including live performances, recorded performances, and music, in the BMI repertory, in accordance with the copyright laws of the United States;

B) Addendum to the License Agreement with BMI, which amends the License Agreement so it complies with the County's standard contract terms and provisions.

SUMMARY: Title 17 of the United States Code establishes property rights in musical works and grants creators and owners of copyrighted musical works the exclusive right to perform or authorize the performance of their works publicly. Under the law, owners and operators of facilities or presenters of concerts and other events are responsible for performances on the premises. The property owners must obtain a license to present musical performances in order to be in compliance with the copyright law. This Agreement provides for the County to present an entire musical performance spectrum of performances in the BMI repertory, within various venues in the County, in accordance with copyright laws, and provides for retroactive payment from January 1, 2016, which allowed the County to play music from BMI's repertory from that date. The Addendum amends the Agreement so it complies with the County's standard contract terms and provisions. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

A) receive and file Grant Agreement in the amount of \$1,227,796 awarded by the Florida Department of State, Division of Library and Information Services for FY 2016 State Aid to Libraries to begin upon execution of grant agreement until September 30, 2016; and

B) approve a downward Budget Amendment of \$35,178 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount.

SUMMARY: The Application was approved and the Agreement was executed by the County Administrator as authorized by the Board of County Commissioners on September 22, 2015 (R2015-1277). Notification of the award was issued on March 14, 2016. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2016 budget. Countywide (AH)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve:

A) Revised rate plan for Colocation Services including the lease of rack space in the new Palm Beach County Vista Data Center; and

B) The Sixth Amendment to Interlocal Agreement R2014-0171, effective June 1, 2016, with the Health Care District of Palm Beach County to add Colocation Services billable at the rate of \$97,560 per annum.

SUMMARY: The Health Care District of Palm Beach County (HCD) has an existing Interlocal Agreement for Network Services, as amended, with Palm Beach County (R2014-0171) for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Sixth Amendment adds Colocation Services to permit HCD to lease eight racks in the County's Vista Data Center which will serve as HCD's primary computing facility. Proposed rates for Colocation Services are market-based and will replace the rates previously approved for an existing external tenant (The Children Services Council). The revised FY 2016 service revenues collected from HCD will be \$60,720 reflecting a net annual increase of \$32,520 for the partial year and a \$10,500 reimbursement for one-time set-up fees. Annual revenues in succeeding years will be \$115,260. Countywide (PFK)

2. Staff recommends motion to approve: the Second Amendment to Interlocal Agreement R2013-0308, with the City of Delray Beach, to expand network services, for annual payments totaling \$86,976. **SUMMARY:** The City of Delray Beach (City) has an existing Interlocal Agreement, as amended, with Palm Beach County (R2013-0308) for network connectivity provided to the City Hall site. Under terms of this Second Amendment, all of the City's 40 remaining sites will be connected to the County network, "hand-off" services from the Palm Beach County Network to the GoRACK Data Center in Jacksonville via the Florida LambdaRail (FLR) network will be provided, and ownership of the City's existing fiber optic cable will be transferred to the County. The revised total FY 2016 service revenue is estimated at \$26,642, a net increase of \$23,342. Annual revenues for succeeding years will be \$90,276. Estimated one-time installation fees of \$50,000 will be reimbursed by the City. The Florida LambdaRail LLC has approved connection of the City to the Florida LambdaRail. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: six Interlocal Agreements with the Village of North Palm Beach, Town of Palm Beach, City of West Palm Beach, Village of Tequesta, City of Riviera Beach and City of Delray Beach for reimbursement from Emergency Medical Services (EMS) grant funding for medical equipment. **SUMMARY:** The County was awarded \$205,012 during the FY 2015-16 grant cycle from the State of Florida Department of Health, Bureau of Emergency Medical Services, to improve and expand the EMS systems. The grant funding may be used by the County or municipal agencies to purchase EMS equipment and accordingly, the County has agreed to reimburse the municipalities as follows: 1) Village of North Palm Beach for the purchase of one Power Cot Fastening System in an amount not to exceed \$20,000; 2) Town of Palm Beach for the purchase of a Knox Medvault System not to exceed the amount of \$14,000; 3) City of West Palm Beach for the purchase of one Zoll E-Series cardiac monitor not to exceed the amount of \$32,000; 4) Village of Tequesta for the purchase two cardiac compression devices not to exceed the amount of \$24,200; 5) City of Riviera Beach for the purchase of one controlled access pharmacy not to exceed the amount of \$15,500; and 6) City of Delray for the purchase of two cardiac compression devices not to exceed the amount of \$32,000. The remaining EMS grant funding will be used to purchase EMS equipment for the benefit of the citizens of the County and surrounding municipal agencies. On August 13, 2013, the County Administrator or designee was authorized to execute these standard agreements between the County and various governmental and non-governmental/private entities and make non-substantive and ministerial changes on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. There is no ad valorem funding required. Countywide (DC)

2. Staff recommends motion to receive and file:

A) approved Department of Health EMS Grant Program Change Request in the amount of \$66,670.47; and

B) two executed Interlocal Agreements with City of Boca Raton and the City of Boynton Beach for the reimbursement of Emergency Medical Services (EMS) grant funding for medical equipment.

SUMMARY: The \$66,670.47 represents rollover funding from the State of Florida Department of Health, Bureau of Emergency Medical Services for improvement and expansion of the EMS systems and interest earned during the FY 2014-2015 grant cycle. The grant funding may be used by the County or municipal agencies to purchase EMS equipment and accordingly, the County has agreed to reimburse the municipalities as follows: 1) City of Boca Raton for the purchase of ten Buckeye Camera Systems not to exceed the amount of \$28,500; and 2) City of Boynton Beach for the purchase of Target Solutions Software not to exceed the amount of \$16,100. The remaining EMS grant funding will be used to purchase EMS equipment for the benefit of the citizens of the County and surrounding municipal agencies. On August 13, 2013, the County Administrator or designee was authorized to execute these standard agreements between the County and various governmental and non-governmental/private entities and make non-substantive and ministerial changes on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. On December 2, 2014, R2014-1862 authorized the County Administrator or designee to sign EMS Grant Program Change Request forms after approval of the FY 2014-2015 grant application was obtained from the State of Florida, Department of Health, Bureau of Emergency Medical Services. **There is no ad valorem funding required.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) receive and file the following executed agreements with the State of Florida, Division of Emergency Management (FDEM) for the period September 30, 2015, through August 30, 2016:

1. Federally-funded Subaward and Grant Agreement 16-CI-S9-10-60-02-376 for FY 2015 Emergency Management Performance Grant Program (EMPG) funding in the amount of \$3,848 for Community Emergency Response Team (CERT) program initiatives;
2. Federally-funded Subaward and Grant Agreement 16-CC-S9-10-60-02-377 for FY 2015 (EMPG) funding in the amount of \$3,519 for Citizen Corps program initiatives to include CERT training and associated supplies; and

B) approve a Budget Amendment of \$7,367 in the Emergency Management Fund to recognize the grant awards.

SUMMARY: These are annual grants from FDEM for CERT and Citizen Corps program activities. R2012-1731 gave authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **In-kind donation of volunteer hours will be used to fulfill the matching requirement of \$3,865.68 for the CERT grant and \$3,525.84 for the Citizen Corps grant.** Countywide (DC)

4. Staff recommends motion to receive and file: four Grant Adjustment Notices (GAN) numbered 14, 15, 16, and 17 for the grant from the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) (2014-WE-AX-0011), which authorized expenditure requests and facilitated administrative filing through March 30, 2016:

- A) GAN No. 14 Training;
- B) GAN No. 15 Work Product-Newsletter;
- C) GAN No. 16 Training; and
- D) GAN No. 17 Training.

SUMMARY: As per grant guidelines, certain expenditures and work product require approval from the OVW GTEA grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. The approved grant budget, total grant, and scope of work remain the same. R2014-1633 authorized the County Administrator or designee to execute future awards, contracts, sub-recipient agreements, sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (DC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the 2016 Palm Beach County Comprehensive Emergency Management Plan (CEMP). **SUMMARY:** As required by Florida Statute, Chapter 252, the Division of Emergency Management has revised the County's CEMP that was previously approved by the Board of County Commissioners on December 20, 2011. The CEMP outlines how the various departments and agencies, both public and private, will discharge their responsibilities for providing direction and control during any large-scale disaster affecting Palm Beach County. Revisions to the 2016 CEMP compared to the 2011 CEMP include a modification to the core hazards facing the County (reduced from 14 to 12), updated descriptions of various coordinating procedures, hazard specific plans, and incident support plans. The 2016 version has also been written with the Emergency Management Accreditation Program (EMAP) standards in mind. Countywide (DC)

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

A) Contract for Consulting/Professional Services with Boys and Girls Clubs of Palm Beach County, Inc., for the period April 6, 2016, through August 31, 2016, in an amount not to exceed \$100,000, to employ youth and young adults for the 2016 Teen Employability Initiative Program (Program); and

B) Budget Transfer of \$100,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for new evidence-based/promising programming to the Boys and Girls Clubs of Palm Beach County, Inc. program (Unit 2528) to fund the cost associated with this Contract.

SUMMARY: The Boys and Girls Clubs of Palm Beach County, Inc. (BGCPBC) was founded in 1971 and is the largest facility-based youth development organization in Palm Beach County. The BGCPBC operates at thirteen locations, most of which are strategically located within high poverty areas throughout the county. This funding will allow the BGCPBC to offer the Program for thirty-six participants up to age 22. Those eligible to participate will be individuals in its Job Start to Job Smart program and alumni of the BGCPBC's camps. The Program will operate for a period of ten weeks during the summer, allowing each participant to be employed as a counselor for twenty hours per week over four days. The fifth day they will engage in education, job coaching and career exploration. This Program will emphasize employment in the Tri-City Glades area and is directly aligned with the objectives derived from the 2013 Youth Symposium. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Florida Division of Emergency Management Federally Funded Subgrant Agreement for a FY 2015 State Homeland Security Grant Program award for Operation Stonegarden, in the amount of \$150,000 for the period of March 23, 2016, through August, 31, 2017; and

B) approve a Budget Amendment of \$150,000 in the Sheriff's Grants Fund.

SUMMARY: On April 5, 2016, the Palm Beach County Sheriff's Office (PBSO) received a FY 2015 Homeland Security Grant Program award for Operation Stonegarden. Funds provided will be used to enhance the United States Border Patrol's mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DC)

2. Staff recommends motion to:

A) receive and file correspondence from the U.S. Department of Homeland Security, Transportation Security Administration (TSA) terminating our CY15 contract for the National Explosives Detection Canine Team Program (NEDCTP) effective December 31, 2015;

B) accept on behalf of the Palm Beach County Sheriff's Office, a new CY16 TSA NEDCTP contract award in the amount of \$1,010,000 for the period January 1, 2016, through December 31, 2019; and

C) approve a Budget Amendment of \$252,500 in the Sheriff's Grants Fund.

SUMMARY: On March 10, 2015, the Board of County Commissioners accepted a grant award from the U.S. Department of Homeland Security, Transportation Security Administration (TSA) to the Palm Beach County Sheriff's Office in the amount of \$1,262,500 (R2015-0353) to offset the costs of five Canine Teams at the Palm Beach International Airport (PBIA) for a period of five years commencing on January 1, 2015, through December 31, 2019. On February 4, 2016, TSA informed PBSO that the CY15 contract will be terminated and a new contract will be awarded commencing on January 1, 2016 due to an internal budgetary issue. Thus, we need to terminate the CY15 TSA contract and reduce the total contract award value to \$252,500 for the period January 1, 2015, through December 31, 2015. The new CY16 TSA contract will continue to fund our Canine Teams at PBIA from January 1, 2016, through December 31, 2019. Countywide (DC)

3. CONSENT AGENDA APPROVAL

DD. COMMISSION ON ETHICS

1. Staff recommends motion to approve: a Memorandum of Understanding (MOU) with the Delray Beach Downtown Development Authority and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics for a three year term, effective July 14, 2016. **SUMMARY:** The Delray Beach Downtown Development Authority (Delray Beach DDA) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU identifies the roles and responsibilities of the Commission on Ethics and the Delray Beach DDA in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Agency to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this Agreement must be used to fund Commission on Ethics operations. The MOU is subject to final approval of the Board of County Commissioners. District 4 (LB)

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

- A. **REVISED SUMMARY:** Staff recommends motion to adopt: an Ordinance imposing a countywide local government infrastructure surtax of one percent (1.0%) on all authorized taxable transactions occurring within Palm Beach County, as authorized by Section 212.055(2), Florida Statutes, effective beginning January 1, 2017, for a period of ten years; providing that imposition of the surtax shall be contingent on approval at a countywide referendum; providing for distribution of surtax revenues among the county, the municipalities in the county, and the School Board of Palm Beach County, Florida; providing for citizen oversight; providing ballot language and directing the Supervisor of Elections to hold a countywide precinct referendum election on November 8, 2016. **SUMMARY:** On May 3, 2016, the Board approved on first reading an infrastructure surtax plan for one cent, maximum 10 years, creation of an oversight committee to audit spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The ordinance has also been amended to include an alternate sunset provision that the surtax will end earlier if \$2.7 billion is collected before prior to September 1st of any year that the Board agrees to take all necessary action to repeal this Ordinance and notify the Florida Department of Revenue prior to the applicable deadline so that the surtax will not continue for the following calendar year. All funding must be expended as prescribed by Florida Statutes.

This Ordinance for a one-cent infrastructure surtax includes ballot language for a referendum scheduled for November 8, 2016. If approved by the voters, the surtax will begin on January 1, 2017 for ten years, ending on or before December 31, 2026. In addition to creating an oversight committee(s), a project manager will be hired or assigned to coordinate and monitor the program.

The local discretionary sales surtaxes apply to all transactions subject to the state tax imposed on sales, use, services, rentals, admissions, and other authorized transactions. The surtax applies to the first \$5,000 of any single taxable tangible personal property item. Items such as groceries, baby food, baby formula, and medicines are exempt from sales tax. Levying this surtax will partially shift the funding responsibility to visitors; about 25% of sales tax in Palm Beach County is paid by visitors, as opposed to funding infrastructure backlog through property taxes.

Florida's Department of Revenue (DOR) will distribute the surtax directly to the School District, each Municipality, and the County.

An interlocal agreement establishing a distribution formula that would be inclusive of all proposed partners has been approved by the County and the School Board. The Interlocal agreement will need to be approved by the governing bodies of the municipalities representing a majority of the County's population. Countywide (PFK)

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5. REGULAR AGENDA

A. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to adopt:** a Resolution denying the request to delegate to the Town Council of the Town of Lake Clarke Shores the exercise of all powers and responsibilities conferred on Palm Beach County by the Community Redevelopment Act for the purpose of establishing and operating the Town of Lake Clarke Shores Community Redevelopment Agency (CRA). **SUMMARY:** The item before the Board of County Commissioners (BCC) is to consider the creation of a new CRA at the request of the Town of Lake Clarke Shores within its municipal limits, generally located between Interstate 95 and Florida Mango Road, on the north and south sides of Forest Hill Boulevard. Chapter 163, Part III, F.S., gives the BCC, as the governing body of a charter county, full discretion to approve or deny a request to create a CRA within a municipality. The Town is seeking a delegation of all powers and responsibilities conferred in Chapter 163, Part III, F.S. including creation of a Redevelopment Trust Fund that utilizes increases in property tax revenues that would otherwise go to the County and other taxing authorities unless exempt pursuant to the statute. Specifically, the Town is requesting the County to: find that the “blighted area” proposed for the CRA meets the criteria contained in Chapter 163, Part III, Florida Statutes; delegate authority to create a Community Redevelopment agency to the Town; allow the Town to adopt a Community Redevelopment Plan; and authorize the establishment of a Redevelopment Trust Fund. While the Town concluded in the Finding of Necessity report that this area met 5 of the 15 criteria as factors present for blight, staff’s assessment is that the conditions in the proposed area do not meet the definition of blight, as defined in Chapter 163.340(8), F.S., since there is no existence of slum and blighted conditions contributing to the spread of disease and crime, contributing to the decrease in tax base, nor substantially impairing or hindering sound growth. District 3 (RPB)

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MAY 17, 2016

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MAY 17, 2016

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE, VICE MAYOR

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

ADD-ON: Request to present off-site, a Proclamation declaring June 20, 2016 as “World Refugee Day” in Palm Beach County.

E. District 5 - COMMISSIONER MARY LOU BERGER, MAYOR

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

9. ADJOURNMENT

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