

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 16, 2014

<u>PAGE</u>	<u>ITEM</u>	
12	3H-4	<b><u>REVISED SUMMARY:</u></b> Staff recommends motion to approve: Contract with Anzco, Inc. in the amount of \$376,337 for the construction of Fire-Rescue Station No. 48 Expansion. <b>SUMMARY:</b> The work consists of constructing a stand-alone addition to provide two each of offices, restrooms and living/sleeping spaces, as well as three emergency vehicle covered parking spaces. This project is being funded from the Fire Rescue Impact Fee Fund. The Small Business Enterprise (SBE) goal for this project is 15%. Anzco, Inc. group's bid includes participation of <del>21.9%</del> <u>16.24%</u> . Anzco, Inc. is a Palm Beach County business. The contract time is 160 calendar days to substantial completion. (Capital Improvements Division) <u>District 3 (JM) (FDO)</u>
15	3K-3	<b><u>DELETED:</u></b> Staff recommends motion to accept: an Assignment and Assumption of Utility Easement (Assignment) from the City of Belle Glade (City) on land owned by the Trustees of the Internal Improvement Trust Fund of the State of Florida (State). (WUD) (Further staff review)
18	3L-2	<b><u>REVISED TITLE &amp; SUMMARY:</u></b> Staff recommends motion to: <b>A) receive and file: 1)...2)...</b>  <ol style="list-style-type: none"><li>3. Project Agreement PB-14-182 Old Bridge Park Natural Area with FIND provides <u>50%</u> funding assistance <del>for the Project from October 1, 2014 to September 30, 2016;</del></li><li>4. Project Agreement PB-14-183 Torry Island Reef Project with FIND provides <u>50%</u> funding assistance <del>for the Project from October 1, 2014 to September 30, 2016;</del></li><li>5. Project Agreement PB-14-184 Peanut Island Erosion Control &amp; Artificial Reefs with FIND provides <u>50%</u> funding assistance <del>for the Project from October 1, 2014 to September 30, 2016;</del> 6)...7)...8)...<b>B) .....C)</b></li></ol> <b>SUMMARY:</b> On May 15, 2012, the Board of County Commissioners approved a Grant submission with the FIND Waterways Assistance Program for the South Lake Worth Inlet Sand Trap and Channel Project (R2012-0725). Delegation of authority to sign all future time extensions and other forms associated with this Project Agreement was approved at that time pursuant to PPM NO. CW-O-051. <u>Districts 1 &amp; 4 (SF)....On May 6, 2014, the Board of County Commissioners adopted a Resolution for Assistance (R2014-0614, 0615, 0616) with FIND for the construction of artificial reefs at Peanut and Torry Islands and the environmental enhancement of Old Bridge Park. A Resolution is required for the Clerk to disburse monies from the Vessel Registration Fee Trust Fund for the County's portion of the project. Districts, 1, 6 &amp; 7 (SF).....(ERM)</u>
28	3X-2	<b><u>DELETED:</u></b> Staff recommends motion to approve: an Interlocal Agreement with Palm Beach County Disaster Recovery Coalition, Inc. (DRC) for disaster response and recovery services in support of the Palm Beach County Comprehensive Emergency Management Plan (CEMP) in an amount not to exceed \$50,985 for the period commencing October 1, 2014 and ending September 30, 2015. (Public Safety) (Further staff review)

**REVISED SUMMARY: Staff recommends motion to approve: A)** an Economic Development Incentive Grant Agreement with Lockheed Martin Corporation in the amount of \$320,800;.... **SUMMARY:** On May 6, 2014, the Board of County Commissioners conceptually approved (R2014-0658) a Job Growth Incentive (JGI) Grant in the amount of \$320,800 for Project Palm Tree, representing one half of the required local match to the State Qualified Defense and Space Contractor (QDSC) Tax Refund Program. This Agreement discloses the company's name, Lockheed Martin Corporation, which was previously referred to as Project Palm Tree. The State has offered an incentive to the company of \$3.208 Million under the QDSC Program, which includes a 20% local match in the amount of \$641,600. Of this amount, the Cities of Riviera Beach and West Palm Beach have each agreed to provide a grant to the company in the amount of \$160,400 toward the remaining local match portion. The QDSC Program, authorized under s.288.1045, Florida Statutes, is intended to preserve and grow the State's high technology employment base and give Florida a competitive edge as defense, homeland security or space business contractors acquire new contracts or subcontracts, and it provides incentives to businesses who create or retain jobs. If the company is not awarded the new defense contract, no County funds will be distributed. In accordance with the Agreement, the company will retain 401 existing full-time positions for four years, at an average annual wage of \$84,900. No new jobs will be created. The Agreement states if the number of retained jobs falls below the required 401 for reasons not solely related to the Company's performance under the DOD contract, the Company shall forfeit a prorated portion of the Incentive Amount. Conversely, the Agreement states if the number of retained jobs falls below the required 401 strictly based upon the Company's failure to perform under the DOD contract, the County will recover all funding immediately. The Regional Economic Model estimates that this project will have a four year economic impact of \$356 Million. District 7 (DW) (Admin/DES)

**REVISED SUMMARY: Staff requests Board direction:** on the Board sponsoring and attending a full day "Fair and Impartial Policing" seminar to be conducted under the auspices of Catalyst for Justice, conducted by Dr. Lorie Fridell. **SUMMARY:** Commissioner Taylor asked that the Board consider this. Dr. Fridell's total fee to be paid by the County is approximately ~~\$3,000~~ ~~\$2,500~~ \$2,000 after a \$500 contribution by Catalyst For Justice (Consultant Services \$2,000 and Travel Expenses \$500) which will include the presentation of a one day workshop for the BCC on the science-based Fair and Impartial Policing Perspective. Dr. Fridell will also be available to meet with commissioners or their designee following the presentation. Similar seminars have been provided to various local law enforcement entities including the Sheriff. Possible dates include January 21, 22, or 23. The backup material provided indicates that Dr. Fridell offers several different lectures targeting different levels of police officers and includes one presentation that is for command officers and community leaders. The main concept she addresses seems to be her approach to examining personal biases and how those biases manifest themselves in police work, whether overtly or subconsciously. The Sheriff speaks well of the presentation and suggests that if the Board approves, to invite Criminal Justice Commission and municipal representatives to attend. Countywide (Admin)

**ADD-ON: Staff requests Board direction:** on whether to make an unsolicited offer to the City of West Palm Beach (City) to exchange the County's 1.8 acres of real estate holdings in the South Block of Government Hill for the 131 acre City-owned property at the southeast corner of 45<sup>th</sup> Street and Haverhill as well as parking and recreational use rights to approximately 27 adjacent acres of the M-1 Canal Conservation Easement (collectively Haverhill Site) in order to facilitate the development of a two-team spring training facility (Facility) for Washington Nationals and Houston Astros (collectively Teams). **SUMMARY:** On October 21, 2014, the Board conceptually approved a financing/funding plan (Funding Plan) in an amount not to exceed \$135,000,000 for the development of a Facility subject to the Teams identifying a site for the Facility. Since that time, the Teams have conducted due diligence evaluations on a variety of sites but have not found any that met programmatic, funding and/or timing requirements other than the Haverhill Site. County Staff believes that an offer to exchange the County's 1.8 acres in the TOD South Block currently appraised at \$4,874,000 is what would be necessary for the City to re-consider conveying the Haverhill Site for a Facility. While the Board had conceptually approved moving forward with the sale of its holdings on South Block it was based on development assumptions which are no longer valid. The impact of exchanging the County's 1.8 acres for the Haverhill Site are twofold: 1) the County may no longer have sufficient property on Government Hill to meet the County's projected long term need, and/or 2) the loss of \$4,874,000 in ad valorem value. In addition to the exchange of County property, the Teams will develop an eight acre City park and provide use rights to the 11 acre lake. The Teams will also allow the City to use the athletic fields/parking areas (20 acres) when not being used in support of Spring Training or a Sports Commission use. The City Park will be funded from the Teams share of savings (as described in the future Facilities Use Agreement between the County and Teams) from the Funding Plan as well as additional funds to be contributed by the Teams. No bed tax dollars will be used for the development of the City Park nor will the County's contribution to the Funding Plan be increased. (Administration) Countywide/District 7 (JM) (Admin)

**ADD-ON: Staff recommends motion to approve:**

**A)** Agreement with Metro Mobility Management Group, LLC (Metro) regarding Metro's compromise and settlement of NLRB Case 12-CA-025842 and a contribution from County in the amount of \$250,000;

**B)** Settlement Agreement and Release with the Amalgamated Transit Union Local 1577 (ATU) regarding ATU's Section 13(c) claims and authorizing a contribution of \$250,000 towards the compromise and settlement of NLRB Case 12-CA-025842 and other Section 13(c) matters;

**C)** Agreement pertaining to the Escrow Collection National Labor Relations Board (NLRB) Settlement regarding NLRB Case 12-CA-025842;

**D)** Budget Transfer of \$250,000 from General Fund Contingency Reserves to the Palm Tran Operations Fund; and

**E)** Budget Amendment of \$250,000 in the Palm Tran Operations Fund to recognize the transfer and establish budget for contribution payment.

**SUMMARY:** On October 21, 2014, the ATU notified the County that it was asserting a Section 13(c) claim against the County and Metro arising out of an unfair labor practice charge filed by the ATU against Metro in 2008. Recently, NLRB Administrative Law Judge Ringler issued a Supplemental Decision in NLRB Case 12-CA-025842, which ordered Metro to pay backpay to certain employees in the cumulative sum of \$1,964,255, plus interest. Metro has the right to file exceptions to the Supplemental Decision. The ATU contends that given Metro's financial condition, Metro will not be able to pay employees all backpay due, and that the County is responsible under its Section 13(c) Agreements for any unpaid backpay owed by Metro. ATU, Metro and the NLRB have entered into a Compliance Agreement under which Metro is to pay \$500,000 to the NLRB to resolve Case 12-CA-025842 and to satisfy all monetary obligations of Metro. Of this amount, Metro will contribute \$250,000 and the County will contribute \$250,000. The Settlement Agreement and Release with ATU compromises and satisfies ATU's and its individual members' Section 13(c) claims arising out of or relating to Case 12-CA-025842 and Metro's provision of paratransit services, in exchange for a contribution from County in the amount of \$250,000 towards the settlement of Case 12-CA-025842. ATU has also agreed that it will not file Objections to future federal grants based upon the acts or omissions of Metro relating to Case 12-CA-025842, Section 13(c) or Metro's paratransit contracts with the County. The County's contribution will be transferred to the NLRB pursuant to the terms of the Escrow Agreement. No funds will be contributed by County until after the Escrow Agent has notified the County that it has received Metro's payment of \$250,000. **Funding for the County's contribution will come from General Fund Contingency Reserves.** Countywide (DR) (Palm Tran)

**ADD-ON: Staff recommends motion to approve:** Memorandum of Agreement (MOA) with the State of Florida, Department of Health, for the period March 1, 2014, through December 31, 2014, in an amount not to exceed \$500,000 for the costs of purchase and distribution of drugs for Ryan White Clients in Palm Beach County participating in the AIDS Drug Assistance Program (ADAP State Program).

**SUMMARY:** This MOA will provide a funding allocation to the ADAP State Program from the Ryan White HIV Care Part A grant funds provided to Palm Beach County by the Health Resources Services Administration (HRSA). A total HRSA grant amount of \$7,653,485 was provided to the County this contract year. The ADAP State Program provides life-sustaining drugs to uninsured individuals living with HIV/AIDS and to individuals that do not have adequate prescription coverage. The allocation of Ryan White funds will help alleviate a shortfall in ADAP funding and ensure that Palm Beach County residents receive the needed HIV/AIDS prescription medication. Funds are available for this purpose under the grant and must be utilized by the end of the contract year, February 28, 2015. No County match is required. (Ryan White) Countywide (TKF) (Community Services)

**ADD-ON:** Lake Okeechobee Dike – FEMA Flood Maps (Administration Comments)

**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**

**DECEMBER 16, 2014**

**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 7 - 32)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 33 - 34)**
  
- 5. REGULAR AGENDA (Pages 35 - 40)**
  
- 6. BOARD APPOINTMENTS (Page 41)**
  
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\* \* \* \* \*

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- 3B-3 Contracts and claims settlements list

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- 3C-2 Task Order with HSQ Group, Inc. for design plans and construction bid documents associated with intersection improvements to Southwest 18<sup>th</sup> Street and Military Trail

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**N. LIBRARY** - None

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- 3X-2 Interlocal Agreement with Palm Beach County Disaster Recovery Coalition, Inc. for disaster response and recover services
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**REGULAR AGENDA**

**ADMINISTRATION**

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5C-2 Interlocal Agreement with the Village of Palm Springs for the annexation of seven enclaves (north of Lake Worth Road, east of Military Trail)

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5D-1 Local Preference Ordinance

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** a Contract to Administer Grant Funds with CareerSource Palm Beach County, Inc. **SUMMARY:** CareerSource Palm Beach County, Inc. currently operates as the County's administrative entity to provide policy guidance for implementing and exercising oversight with respect to job training activities under the Workforce Innovation Act of 2000 (Florida Statutes, Chapter 445). This Contract provides for CareerSource to perform the duties and responsibilities of a regional workforce board under State and Federal law. This Contract can be renewed annually by the County. CareerSource will not receive any compensation from the County under this Contract. Countywide (TKF)

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>
Budget Public Hearing	September 22, 2014
Environmental Control Board	October 7, 2014
Regular	October 7, 2014
Environmental Control Board	October 21, 2014
Regular	October 21, 2014

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** a Resolution to authorize the conveyance of a Palm Beach County (County) owned right-of-way parcel (Tract Z) for a right turn lane to the Florida Department of Transportation (FDOT). This parcel is located on the north side of Atlantic Avenue just east of the Florida Turnpike. **SUMMARY:** Approval of this resolution will authorize a County deed to convey Tract Z on Atlantic Avenue to FDOT, for a right turn lane associated with the entrance to the platted planned unit development known as Atlantic Commons – Plat One, as recorded in plat book 115, page 135 of the public records. FDOT has requested that the conveyance be free and clear of all encumbrances, reservations, mineral rights and rights of entry. District 5 (MRE)
2. **Staff recommends motion to approve:** a Task Order to the annual contract, R2014-0892, in the amount of \$170,155.13, with HSQ Group, Inc. (HSQ), for professional services for the Southwest 18<sup>th</sup> Street and Military Trail Intersection Improvements project (Project). **SUMMARY:** Approval of this Task Order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The Small Business Enterprise (SBE) goal for the Project is 15%. HSQ has proposed 57.92% SBE participation for this Project. HSQ is a Palm Beach County company and is a certified SBE. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

**A) receive and file** Exhibit 2 Scope of Work for FY2013 Competition Agreement for Project No. FL0281L4D051306, Project Flagler, with the U.S. Department of Housing and Urban Development, for the period of May 23, 2014, through May 22, 2015 in the amount of \$395,320; and

**B) receive and file** Exhibit 2 Scope of Work for FY2013 Competition Agreement for Project No. FL0277L4D051301, Project Northside, with the U.S. Department of Housing and Urban Development for the period of July 22, 2014 through July 21, 2015, in the amount of \$84,918; and

**C) approve** Budget Amendment of \$154,241 in HUD Fund to reconcile the budget with the actual grant award amount.

**SUMMARY:** The Shelter Plus Care Renewal Grants provide sponsor based rental assistance for up to 49 disabled single adults suffering from mental illness. There is no County cash match requirement for this grant, but an in-kind match is provided by the partner agency, The Jerome Golden Center for Behavioral Health, Inc., in the form of supportive services. These agreements were executed by delegated authority. On March 11, 2014, the Board of County Commissioners authorized the County Administrator, or his designee to execute agreements for this purpose. These agreements are being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's Office to note and receive this item. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

**A)** Contracts for Provision of Financial Assistance with the below listed agencies for the period October 1, 2014, through September 30, 2015 in an amount totaling \$736,815:

1. Comprehensive Alcoholism Rehabilitation Programs, Inc., for Behavioral Health services in an amount not to exceed \$393,694; and
2. The Center for Family Services of Palm Beach County, Inc., for Project Renew in an amount not to exceed \$131,400; and
3. Deaf and Hearing Resources of Palm Beach County, Inc., for Deaf Services programs in an amount not to exceed \$146,721; and
4. United Cerebral Palsy of Broward, Palm Beach and Mid-Coast Counties, Inc. for In-home Respite program in an amount not to exceed \$65,000.

**B)** Amendments to Contracts for Provision of Financial Assistance with the below listed agencies for the period October 1, 2014, through September 30, 2015, in an amount totaling \$214,525 to provide a variety of human service needs to the community:

1. Amendment No. 01 to Contract for Provision of Financial Assistance with City of Pahokee, (R2014-0239), increasing funding by \$131,364 for a new total contract amount not to exceed \$262,728; and
2. Amendment No. 01 to Contract for Provision of Financial Assistance with Deaf Service Center of Palm Beach County, Inc. n/k/a Deaf and Hearing Resources of Palm Beach County, Inc., (R2013-1624), increasing funding by \$83,161 for a new total contract amount not to exceed \$166,322.

**SUMMARY:** On July 22, 2014, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program and the Youth Violence/Diversion and Summer Camp Scholarship Programs being transferred to the new Youth Services Department. Earlier this year Deaf Service Center of Palm Beach County, Inc. changed its name and is now operating as Deaf and Hearing Resources of Palm Beach County, Inc. The contracts and amendments being recommended in this item reflect the dollar amounts approved by the Board for FY 2015. These contracts and amendments represent \$819,976 of the total FAA funding allocation of \$11,290,068 and \$131,364 of the total Youth Violence/Diversion and Summer Camp Scholarship allocation of \$968,118. Other contracts and amendments under these programs will be forthcoming upon receipt of all the required information. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

**A) receive and file** Florida Department of Children and Families (DCF) Grant Agreement No. IPZ03 for a period not to exceed June 30, 2016, in the amount of \$66,000 for homeless prevention services; and

**B) receive and file** Contract for Provision of Services with The Center for Family Services of Palm Beach, Inc., for the period November 1, 2014, through June 30, 2016, in an amount not to exceed \$66,000 for homeless prevention services; and

**C) approve** Budget Amendment of \$66,000 in the General Fund, Human Services Division, to establish the grant budget.

**SUMMARY:** These contracts were executed by the County Administrator in accordance with Resolution R2014-1026, which delegated signature authority to the County Administrator, or his designee. All funds must be expended no later than June 30, 2015. A report is due to DCF providing one-year follow up statistics; as a result, DCF is requiring the grant period be in force through June 30, 2016. The Budget Amendment is aligning the County budget with the actual grant award. These items are being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's Office to note and receive these contracts. No County funds are required. (Human Services) Countywide (TKF)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, supplementing Resolution No. R84-1206 of the County, as amended and supplemented, authorizing the issuance of the County's Water and Sewer Revenue Refunding Bonds, Series 2015 in an aggregate principal amount of not exceeding \$30,000,000 as additional parity obligations under Resolution No. R84-1206; providing a method for determining the actual principal amounts, interest rates, maturity schedule and redemption provisions for such Series 2015 bonds; making certain provisions and delegating certain responsibilities with respect to the notice, bidding and sale of the Series 2015 bonds to the County Administrator; appointing an escrow agent, paying agent and registrar for the Series 2015 bonds; approving the forms of the summary notice of sale, official notice of sale and official bid form with respect to such Series 2015 bonds; authorizing the preparation and use of a preliminary official statement and authorizing the execution and delivery of a final official statement, escrow deposit agreement and paying agent and registrar agreement; providing for compliance with certain continuing disclosure requirements; providing certain other details with respect thereto; and providing for an effective date. **SUMMARY:** On November 24, 2014, the County Financing Committee approved the advance refunding of all or a portion of the County's Water & Sewer Revenue Bonds, Series 2006A based on a target net present value savings of not less than 5.00%. The bonds will be sold on a competitive basis. Upon the adoption of the Resolution, staff and the County's financial advisor will monitor market conditions. In a competitive sale, the County will, when conditions appear favorable, mail its preliminary official statements and official notices of bond sale. A summary notice of bond sale will also be published in The Bond Buyer. Such notice will set a date and time the bids by underwriters will be due which, under Florida law, must be at least 10 days from the date of the notice. The County will reserve the right to change the bid due date or cancel the sale, if market conditions should deteriorate. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file:

**A)** Standard Equipment Use Agreement with the Palm Beach County Sports Commission, Inc. (JCC Maccabi Games);

**B)** Temporary Construction Easement with Sannlor Properties II, LLC, a Florida limited liability company (Morikami Park);

**C)** Standard License Agreement for Use of County-Owned Property with the Palm Beach Chapter of the Florida Engineering Society (Vista Center);

**D)** Standard License Agreement for Use of County-Owned Property with the South Florida Fair & Palm Beach County Expositions, Inc., a Florida not for profit corporation (South Florida Fair); and

**E)** Standard License Agreement for Use of County-Owned Property with Everglades Golden Retriever Rescue, Inc., (Animal Care and Control).

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The standard Agreements, dated from July 31, 2014 to October 10, 2014, have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or his designee. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013 (the "Resolution"). The Standard Equipment Use Agreement, dated July 31, 2014, was executed on behalf of the Board by the County Administrator or his designee, in accordance to Board approval on October 1, 2013. The Temporary Construction Easement, dated August 6, 2014, was executed on behalf of the Board by the Director of Facilities Development and Operations in accordance to Board approval on July 1, 2014. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (MJ)

2. Staff recommends motion to approve: a License Agreement (Agreement) with the School Board of Palm Beach County (School Board) for use of an office located at the South County Courthouse for School Board staff assigned to the Courts. **SUMMARY:** This Agreement will allow the School Board to utilize room 2E-220 on the second floor of the South County Courthouse as office space for staff assigned as a Court Education Liaison to provide services to the courts, juveniles and parents of juveniles involved in the court system. The use is permitted between 8:00AM and 5:00PM, five days a week, subject to security screening and the facility use rules and procedures. All access to the facility must be through the public, screened entrance. There is no fee for the use of the office but the School Board is responsible for returning the room to its pre-use condition and for reimbursing County for any damage caused by the use. The term of the Agreement is for five years. Either party may terminate the Agreement with written notice to the other party at any time, for any reason. (FDO) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Contracts with three firms to provide architectural services on a continuing contract basis for Facilities Development & Operations Department:

A) Colome' & Associates, Inc.;

B) Harvard Jolly, Inc.; and

C) Architecture Green, LLC.

**SUMMARY:** The purpose of these contracts is to have consultants pre-selected and under contract to provide architectural services for capital improvement or renovation projects generally with a construction value less than \$2,000,000. Consultant fees will be negotiated on an individual basis for the identified projects. These contracts will be for two years with three one-year renewal options. These contracts include a Small Business Enterprise (SBE) goal of 15%. Colome' & Associates, Inc. anticipates achieving 99% SBE participation, Harvard Jolly, Inc. anticipates 38% and Architecture Green, LLC anticipates 100%. All firms are local. (Capital Improvements Division) Countywide (JM)

4. **REVISED SUMMARY:** Staff recommends motion to approve: Contract with Anzco, Inc. in the amount of \$376,337 for the construction of Fire-Rescue Station No. 48 Expansion. **SUMMARY:** The work consists of constructing a stand-alone addition to provide two each of offices, restrooms and living/sleeping spaces, as well as three emergency vehicle covered parking spaces. This project is being funded from the Fire Rescue Impact Fee Fund. The Small Business Enterprise (SBE) goal for this project is 15%. Anzco, Inc. group's bid includes participation of ~~21.9%~~ 16.24%. Anzco, Inc. is a Palm Beach County business. The contract time is 160 calendar days to substantial completion. (Capital Improvements Division) District 3 (JM)

5. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Town of South Palm Beach (Town) for the provision of radio maintenance services. **SUMMARY:** This Agreement establishes the terms and conditions for the provision of radio equipment maintenance services for the Town by the Facilities Development & Operations Department/Electronic Services & Security Division. The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must outsource the labor, a separate labor rate is provided. The rates may be adjusted annually with notification by June 1 (effective that following October 1) in the County's sole discretion, but in no event shall the Town's fee schedule exceed the fee schedule applied to County departments. The term of this Agreement continues to October 5, 2017, or to the earlier expiration of the Town's Direct Access Agreement with the County (R2009-1661), and contains one renewal option for a term of four years. The Agreement may be terminated by either party, with or without cause with a minimum of ninety days notice. (ESS) District 2 (JM)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: two Loan Agreements and one Amendment to Agreement as follows:

A) Loan Agreement with Community Land Trust of Palm Beach County, Inc., under the Home Investment Partnership Program (HOME);

B) Loan Agreement with New South Bay Villas, LLC, under HOME; and

C) Amendment No. 002 to the Agreement (R2013-1809) with Riviera Beach Community Development Corporation, Inc., under HOME.

**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 documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolutions and Agenda Items 5B-3, 3I-3, 3I-4 and 3I-5, as approved by the Board of County Commissioners on September 10, 2013, April 1, 2014, and October 21, 2014. These executed documents are now being submitted to the BCC to receive and file. **The HOME Program matching requirement is met from State funds allocated under the State Housing Initiatives Partnership Program.** (DES Contract Development) Districts 3, 6 & 7 (TKF)

2. Staff recommends motion to approve: a Memorandum of Understanding (MOU) with the Federal Home Loan Bank of Atlanta (FHLBA) to fund the Veterans Homeownership and Preservation Program (VHPP), for the period January 1, 2015 to December 31, 2015, in the amount of \$500,000. **SUMMARY:** On October 21, 2014, the Board of County Commissioners approved \$1 Million in Fiscal Year 2014-2015 State Housing Initiative Partnership Program (SHIP) funds for the VHPP. The purpose of the VHPP is to provide decent, safe, and affordable housing to U.S. Armed Forces Veterans and Active Duty personnel residing or desirous of residing in Palm Beach County. Eligible veterans or active military personnel and eligible spouses with household incomes at or below 80% of area median income may participate. The program is matched with a FHLBA grant in the amount of \$500,000 for a total program allocation of \$1.5 Million. The FHLBA requires at a minimum a 2:1 match and if the program is successful, the FHLBA has preliminarily agreed to provide on-going funding for the program. The Department of Economic Sustainability will partner with the County's Department of Community Services, the Florida Department of Economic Opportunity and veteran housing providers to serve as intermediaries. The FHLBA has agreed to pay \$3,500 for marketing costs to launch the program. Funding will allow an income eligible veteran/active duty military personnel and surviving spouses to acquire a home with or without rehabilitation or rehabilitate and retrofit an existing home. The assisted home must be the eligible persons' principal place of residence. The County's investment shall be secured with a first and/or second mortgage loan and promissory note. **These are State SHIP grant funds which require no local match.** (MHI) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: a termination of removal agreement for future right-of-way between Palm Beach County, a political subdivision of the State of Florida, and Gastion, Inc. **SUMMARY:** Amoco Oil Company (Amoco) was a previous tenant of property located at 4481 Northlake Boulevard. Amoco installed a Gasoline Pumper-Mini Convenience Store in a future right-of-way of the County, which required a building permit from the County. As a condition of issuing the building permit, County and Amoco entered into a removal agreement for the future right-of-way, dated March 2, 1984, which required Amoco remove the Gasoline Pumper-Mini Convenience Store if requested by County. The current owner of the property, Gastion, Inc., requested the County terminate the removal agreement since the Gasoline Pumper-Mini Convenience Store which is subject to the removal agreement has been removed. District 2 (AH)

K. WATER UTILITIES

1. Staff recommends motion to approve:
  - A) a Third Amendment to the Interlocal Agreement between the Town of Lake Clarke Shores (Town) and Palm Beach County (County) for additional funding in the amount of \$29,127.81 for the Town of Lake Clarke Shores Lift Station Rehabilitation South Service Area - Phase II Project; and
  - B) Change Order No. 1 in the amount of \$29,127.81 with a 120 day time extension to the Contract with Hinterland Group, Inc.

**SUMMARY:** On March 6, 2012, the Board of County Commissioners (BCC) approved an Interlocal Agreement (R2012-0334) between the County and the Town which provided \$551,229 in Community Development Block Grant funding to manage wastewater system improvements in the Seminole Manor neighborhood. On July 16, 2013, the BCC approved an additional \$250,000 through the adoption of the 2014 Action Plan for the project. Hinterland Group, Inc. was awarded the Contract on April 1, 2014, in the amount of \$279,795. Additional funding in the amount of \$29,127.81 is required for additional upgrades to Lift Station No. 3. Under this Amendment, the Town is obligated to pay for this additional construction cost. Since this is a Federal funded project with its own requirements, the Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is not applicable to this contract. Hinterland Group, Inc. is a Palm Beach County company. (WUD Project No. 13-070) District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to receive and file: one Change Order; three Indemnity Agreements; and one Utility Concurrency Reservation Agreement as follows:

**A)** Change Order No. 1 with All Webbs Enterprises, Inc. in the amount of \$82,000 for Mechanical Integrity Testing of the Deep Injection Wells at Western Region Wastewater Treatment Plant and Western Region North Wastewater Treatment Plant. (WUD Project No. 14-055) (District 6) (JM);

**B)** Indemnity Agreement with William H. and Laurie B. Lynch, 1196 Egret Circle South, Jupiter, Florida 33458 (District 1) (MJ);

**C)** Indemnity Agreement with Wal-Mart Stores East, 4545 Hypoluxo Rd., Lake Worth, Florida 33463 (District 3) (MJ);

**D)** Indemnity Agreement with San Messina Cove Community Association, Inc., 3601 Quantum Boulevard, Boynton Beach, Florida 33426 (District 3) (MJ); and

**E)** Utility Concurrency Reservation Agreement with Manetto Hill Realty Venture, LLC, UCRA No. 03-01035-000 (District 3) (MJ).

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

3. ~~**DELETED: Staff recommends motion to accept:** an Assignment and Assumption of Utility Easement (Assignment) from the City of Belle Glade (City) on land owned by the Trustees of the Internal Improvement Trust Fund of the State of Florida (State).~~

~~**SUMMARY:** As a result of the recent transfer from the Glades Utility Authority, the County owns a 12" water main located at the Belle Glade State Municipal Airport. However, the easement for the water main, originally granted to the City by the State, still remains in the City's name, and needs to be assigned to the County. Palm Beach County Water Utilities is in the process of replacing the existing water main with a new 16" water main, and has requested that the State grant an additional easement area for the proper installation, maintenance and service of the new pipe. The State requires that the existing easement be assigned prior to their processing of an amendment to increase the easement area. The Assignment form has been provided by the State and requires Board of County Commissioners approval. District 6 (MJ)~~

4. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution R2014-0352; pertaining to the Special Assessment process for the 14th Road South Gravity Sewer Main Extension, reducing the individual assessment from \$24,944.26 to \$23,654.16 per acre. **SUMMARY:** On March 11, 2014, the Board of County Commissioners (Board) adopted Resolution R2014-0352 confirming the 14th Road South Gravity Sewer Main Extension. This project will extend gravity sewer main to five residential properties. Pursuant to Section 9 of Ordinance No. 2001-0010, property owners are entitled to a reduction in their individual assessment if the final cost of the project falls below the original estimate. The assessment adopted by the Board was based upon an estimated cost of \$122,476.30, while the final assessable cost is \$116,141.92. As a result the individual cost to the property owners was reduced from \$24,944.26 to \$23,654.16 per acre. (WUD Project No. 13-084) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to approve: Amendment No. 3 to a contract with Hinterland Group, Inc. (R2013-0062) for the Rehabilitation of Sanitary Sewer Concrete Structures and Lift Stations. **SUMMARY:** On January 15, 2013, the Board of County Commissioners (BCC) approved the Contract for the Rehabilitation of Sanitary Sewer Concrete Structures and Lift Stations, Project (R2013-0062) with Hinterland Group, Inc. On December 17, 2013, the BCC approved Amendment No. 1 to the contract which provided a one year renewal. On August 19, 2014, the BCC approved Amendment No. 2 (R2014-1184) to the contract that provided for an increase in the amount of \$510,000 to repair and rehabilitate five lift stations and 180 manholes for the remaining six months of the contract term. This Amendment provides for the renewal of the contract for an additional 12 month term in the amount of \$419,578, allowing for no increase in the unit prices for labor or materials under the renewal. The renewal of the contract does not guarantee or authorize any work. Work will be assigned during the 12 month renewal period by formal Construction Delivery Orders (CDO) drawn against this continuing contract with the project cost identified on each CDO. The unit prices contained in this renewal contract will be used in determining the cost of the CDO's. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. Hinterland Group, Inc. proposes to continue to meet the established goal of 15%. Hinterland Group, Inc. is a local Palm Beach County company. (WUD Project No. 12-001/VMG) Countywide (JM)
  
6. Staff recommends motion to approve: Contract Close-Out Agreement on construction Contract (R2012-1421) with Hinterland Group, Inc. (Hinterland) in the amount of \$325,000. **SUMMARY:** On October 2, 2012, the Board of County Commissioners approved a Contract (R2012-1421) in the lump sum amount of \$2,172,758 with Hinterland to construct improvements for the Wastewater Lift Station Rehabilitation Project (WUD 11-038). The project consisted of rebuilding eight wastewater lift stations and associated wastewater piping. Change Order No. 1 increasing the contract by \$75,879.02 was issued and included a 90 day time extension. No other change orders were issued. The Contract Close Out Agreement is a negotiated resolution of claims made by Hinterland and is within the project budgeted amount. The Contract was bid with a 15.2% overall Small Business Enterprise (SBE) participation goal, exceeding the SBE 15% goal. The actual SBE participation was 14.67%. (WUD Project No. 11-038) Districts 2, 5 & 7 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** Amendment No. 2 to the Primary Contract for the Palm Beach County Annual Dune and Wetland Restoration Project No. 2013ERM01 (R2013-1825) with Eastman Aggregate Enterprises, LLC (Eastman), to extend the Construction Contract for one year to December 16, 2015 for a not-to-exceed amount of \$4,450,665.23 for year two and add line items to the Contract for providing sand screening;

**B) authorize** Eastman to provide screening and additional hauling of sand for the Grassy Flats Restoration Project not to exceed \$277,781.20 and extend work time by 90 days retroactive to December 4, 2014 under Work Supplement No. 1825-01C, in accordance with Eastman's Contract (R2013-1825), as amended; and

**C) authorize** the County Administrator, or his designee, to sign Work Supplement No. 1825-01C for the Project.

**SUMMARY:** On December 17, 2013, the Board of County Commissioners approved two annual construction contracts for the Palm Beach County Dune and Wetland Restoration Project No. 2013ERM01 to Eastman (R2013-1825), a Palm Beach County limited liability company, and Rio-Bak Corporation (R2013-1826). Eastman has been issued two work orders totaling \$6,820,403.77; Rio-Bak has not been issued any work orders and declined a contract renewal. Amendment No. 2 for the Eastman Contract will increase work by a not-to-exceed amount of \$4,450,665.23 for year two, which includes a 1.5% rate increase based on the Consumer Price Index and allowed by the Contract, add new line items to provide sand screening, and extend the Contract for one year. Eastman committed to an overall 44.05% Small Business Enterprise (SBE) participation in the Contract. Eastman has achieved 56.05% SBE participation to-date. Funding for the Grassy Flats Restoration Project is supported by the Manatee Protection Program. Countywide/Districts 2 & 7 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. REVISED TITLE & SUMMARY: Staff recommends motion to:

**A) receive and file:**

1. Project Agreement Amendment to Project Agreement No. ICW-PB-12-01, South Lake Worth Inlet Sand Trap and Channel with the Florida Inland Navigation District (FIND), extends the project term one year from September 30, 2014 to September 30, 2015;
2. Project Agreement Amendment to Project Agreement No. ICW-PB-13-01, ICW Cut P-50 Dredging with FIND, extends the project term one year from September 30, 2014 to September 30, 2015;
3. Project Agreement PB-14-182 Old Bridge Park Natural Area with FIND provides 50% funding assistance ~~for the Project from October 1, 2014 to September 30, 2016;~~
4. Project Agreement PB-14-183 Torry Island Reef Project with FIND provides 50% funding assistance ~~for the Project from October 1, 2014 to September 30, 2016;~~
5. Project Agreement PB-14-184 Peanut Island Erosion Control & Artificial Reefs with FIND provides 50% funding assistance ~~for the Project from October 1, 2014 to September 30, 2016;~~
6. Interlocal Agreement with the Palm Beach County Sheriff's Office for manatee speed zone law enforcement services from November 15, 2014 to March 31, 2018;
7. Interlocal Agreement with the Town of Jupiter for manatee speed zone law enforcement services from November 15, 2014 to March 31, 2018;
8. Work Supplement No. 0640-6C with the Vance Construction Company in accordance with the Annual Artificial Reef & Breakwater Contract (R2012-0640), Project No. 2012ERM01 covers additional work for the Grassy Flats Restoration Project not to exceed \$588,952.26;

**B) adopt** a Resolution authorizing the Clerk of the Board to disburse \$644,190 from the Vessel Registration Fee Trust Fund to provide partial funding for projects Old Bridge Park Natural Area, Torry Island Reef Project, and Peanut Island Reef Project; and

**C) approve** a Budget Amendment of \$536,825 in the Environmental Enhancement Non-Specific Fund to recognize the FIND awards and provide necessary match.

**SUMMARY:** On May 15, 2012, the Board of County Commissioners approved a Grant submission with the FIND Waterways Assistance Program for the South Lake Worth Inlet Sand Trap and Channel Project (R2012-0725). Delegation of authority to sign all future time extensions and other forms associated with this Project Agreement was approved at that time pursuant to PPM NO. CW-O-051. Districts 1 & 4 (SF)

On February 5, 2013, the Board of County Commissioners approved an Interlocal Agreement with FIND for dredging Cut P-50 in the ICW (R2013-0165). Delegation of authority to sign future time extensions and other forms associated with this Interlocal Agreement was approved at that time pursuant to PPM No. CW-O-051. District 4 (JM)

On May 6, 2014, the Board of County Commissioners adopted Resolutions for Assistance (R2014-0614; R2014-0615, R2014-0616) with the FIND Waterways Assistance Program authorizing the submission of grant applications for the Old Bridge Natural Park Area Project, Torry Island Reef Project, and the Peanut Island Erosion Control & Artificial Reef Project. Delegation of Authority to execute these Agreements was approved at that time pursuant to PPM NO. CW-O-051. Districts 1, 6 & 7 (SF)

On August 19, 2014, the Board of County Commissioners approved a standard form Interlocal Agreement (R2014-1193) with law enforcement agencies for the enforcement of manatee speed zone laws within the estuarine waters of Palm Beach County. Delegation of authority to execute these standard form Agreements was approved at that time pursuant to PPM No. CW-O-051. District 4 (SF)

On May 6, 2014, the Board of County Commissioners adopted a Resolution for Assistance (R2014-0614, 0615, 0616) with FIND for the construction of artificial reefs at Peanut and Torry Islands and the environmental enhancement of Old Bridge Park. A Resolution is required for the Clerk to disburse monies from the Vessel Registration Fee Trust Fund for the County's portion of the project. Districts, 1, 6 & 7 (SF)

On September 9, 2014, the Board of County Commissioners approved Work Supplement No. 0640-6C with the Vance Construction Company in accordance with the Annual Artificial Reef & Breakwater Contract (R2012-0640), Project No. 2012ERM01 to cover additional work for the Grassy Flats Restoration Project. Delegation of authority to execute this Work Supplement was approved at this time pursuant to PPM No. CW-O-051. District 7 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

**A) approve** State of Florida Grant Agreement No. S0751 with the Florida Department of Environmental Protection (FDEP) for a 36-month term to reimburse up to \$2,075,000 for Lake Worth Lagoon Restoration Projects;

**B) approve** a Budget Amendment of \$2,075,000 in the Lake Worth Lagoon Ecosystem Fund;

**C) approve** a Budget Transfer of \$350,000 in the Natural Areas Fund to provide match for the West Palm Beach Living Shoreline Project (\$300,000) and the Bryant Park Living Shoreline Project (\$50,000); and

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

**SUMMARY:** The FDEP Agreement will reimburse \$2,075,000 of project costs and requires a 50:50 cost share match. The County's match will be met through a combination of grants, Manatee Protection Funds, and Vessel Registration Fees. The Agreement provides State funding for the following projects: Peanut Island Reef Complex, West Palm Beach Currie Park Living Shoreline, Palm Beach Grassy Flats Restoration Phase II, Bryant Park Living Shoreline, Old Bridge Park (Steinhardt Cove) Living Shoreline, Lake Worth Lagoon Monitoring, and grant administration. This Agreement is part of the State Legislature's disbursement of funds for restoring and protecting surface waters of the State. Countywide (SF)

4. Staff recommends motion to approve:

**A)** Amendment No. 1 to Grant Agreement No. 14PB1 (R2013-1333) with the Florida Department of Environmental Protection (FDEP) for the Jupiter/Carlin Shore Protection Project, extending the Agreement to December 31, 2015, and adding administrative provisions; and

**B)** Amendment No. 1 to Grant Agreement No. 14PB5 (R2014-0294) with the FDEP for the Singer Island Storm Repair Project, extending the Agreement to March 30, 2016, and adding administrative provisions.

**SUMMARY:** Amendment No. 1 of Agreement No. 14PB1 extends the termination date from December 31, 2014 to December 31, 2015, removes Federal participation, and includes additional local sponsor requirements for grant administration. Amendment No. 1 to Agreement No. 14PB5 extends the termination date from December 31, 2014 to March 30, 2016 and includes additional local sponsor requirements for grant administration. The additional local sponsor (County) requirements focus on contracting practices, diversity in contracting and invoicing. The County's own contracting practices are already in compliance with these new state requirements. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to authorize:

**A)** Work Order No. 0640-8 to construct a shoreline stabilization project at the Juno Dunes Natural Area at a cost not to exceed \$845,925 in accordance with The Vance Construction Company's (Vance) Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) for year 3;

**B)** Work Order No. 0640-9 to construct a system of breakwaters along the eroded shoreline at the Highland Beach Mangrove Sites at a cost not to exceed \$495,450 in accordance with Vance's Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) for year 3;

**C)** Work Order No. 0640-10 to construct breakwaters and artificial reefs at Peanut Island at a cost not to exceed \$307,800 in accordance with Vance's Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) for year 3; and

**D)** The County Administrator, or his designee, to sign Work Order Nos. 0640-8, 0640-9 and 0640-10.

**SUMMARY:** On May 1, 2012, the Board of County Commissioners approved an annual construction contract with Vance, a Small Business Enterprise, for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2012EMR01 Contract (R2012-0640). Work Order No. 0640-8 will authorize the construction of a shoreline stabilization project along Juno Dunes Natural Area at a cost of \$845,925. Work Order No. 0640-9 will authorize the construction of a shoreline stabilization project along the Highland Beach Mangroves at a cost of \$495,450. Work Order No. 0640-10 will authorize the construction of shoreline stabilization and artificial reef project at Peanut Island at a cost of \$307,800. Vance has been issued seven work orders totaling \$2,838,471.89. Vance committed to an overall 15.86% Small Business Enterprise (SBE) participation in the Contract. Vance has achieved 67.02% SBE participation to-date. Funding for Work Order Nos. 0640-8, 0640-09, and 0640-10 will come from Florida Inland Navigation District grants and a project agreement, County Vessel Registration Fees Non-Specific and Manatee funds. Outside funding contributions will cover approximately 58% of the project costs. Districts 1, 4 & 7 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

6. Staff recommends motion to:

**A) authorize** Work Supplement No. 0640-6D to the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) with The Vance Construction Co. (Vance) for additional monthly deployment of barges, reduction of other bid items, and extension of work time by 90 days retroactive to December 11, 2014 resulting in a \$102,623.88 decrease in the work order necessary to complete the Grassy Flats Restoration Project;

**B) approve** the retroactive payment of work items authorized by the Board on September 9, 2014 (R2014-1328) under the Grassy Flats Restoration Project Work Supplement No. 0640-6C to include work initiated on July 16, 2014; and

**C) authorize** the County Administrator, or his designee, to sign Work Supplement No. 0640-6D.

**SUMMARY:** On May 1, 2012, the Board of County Commissioners approved an annual construction contract with Vance, a Small Business Enterprise, for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2012EMR01 Contract (R2012-0640). Work Supplement No. 0640-6D will increase Work Order time by 90 days, increase the monthly deployment of barges, reduce several completed bid items resulting in a net decrease in work order costs of \$102,623.88 and approve the retroactive payment of work items authorized by the Board on September 9, 2014 (R2014-1328) under the Grassy Flats Restoration Project Work Supplement No. 0640-6C to include work initiated on July 16, 2014. District 4 (JM)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreement for a community event:

Joan Scherer, The Noteables concert, Canyon Town Center Amphitheater, on October 18, 2014.

**SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. The Parks and Recreation Department produced a popular cultural event at the Canyon Town Amphitheater. This event was attended by an estimated 400 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concert at the Canyon Town Center Amphitheater. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and is now being submitted to the Board to receive and file. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to:

**A) receive and file** a fully executed Florida Inland Navigation District Project Agreement for development of Waterway Park for the period October 20, 2014, through September 1, 2016; and

**B) approve** Budget Amendment of \$1,254,604 within the Park Improvement Fund to establish budget for the approved grant.

**SUMMARY:** On May 6, 2014, the Board authorized submission of a Waterways Assistance Program (WAP) grant application, R2014-0619, to fund a portion of the construction costs associated with the development of Waterway Park. The Board also authorized the County Administrator or his designee to execute the Project Agreement, the Florida Inland Navigation District (FIND) Project No. PB-14-181, and other grant forms related to this project if the grant was approved. The grant was approved, the Project Agreement has been fully executed in accordance with Board authorization, and is being submitted to the Board to receive and file and to establish budget for the grant. This grant requires a \$1,254,604 (50%) match, which will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue and a Florida Fish and Wildlife Conservation Commission Florida Boating Improvement Program grant. This \$1,254,604 grant is the second FIND grant awarded for construction costs for Waterway Park, for a total of \$2,675,000, or 50% of the estimated construction costs of \$5,350,000. This grant project must be completed and all required reimbursement information submitted to FIND on or before September 1, 2016, unless FIND approves a one year time extension. District 1 (AH)

3. Staff recommends motion to:

**A) receive and file** a fully executed 2014 South Florida Water Management District (SFWMD) Indian River Lagoon License Plate Funding Agreement for an environmental restoration project at Jupiter Beach Park; and

**B) approve** Budget Amendment of \$67,100 within the Park Improvement Fund (\$60,000 from SFWMD and \$7,100 from Jupiter Inlet District) to establish budget for the approved grant project.

**SUMMARY:** On August 19, 2014, the Board authorized submission of an Indian River Lagoon License Plate grant application to the SFWMD, R2014-1196, for environmental restoration at Jupiter Beach Park. This \$60,000 Indian River Lagoon License Plate grant will be matched with \$20,000 from the Parks and Recreation Department Capital Budget. The Board also authorized the County Administrator or his designee to execute the grant funding Agreement, SFWMD Agreement No. 4600003115, and other standard state and/or federal grant forms related to this project if the grant was approved. This grant was approved, the SFWMD Agreement has been fully executed, and is now being submitted to the Board to receive and file.

The Jupiter Inlet District has contributed \$7,100 to expand the scope of this project to be used for environmental restoration and drainage improvements, with a portion of the funding to go towards additional parking adjacent to the Jetty. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to:

**A) ratify** the signature of the Mayor on a Florida Coastal Partnership Initiative (FCPI) Grant Application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 29, 2014, requesting \$30,000 for the Jupiter Beach – DuBois Park ADA Accessibility Project;

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

**C) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

**SUMMARY:** This Grant Application requests \$30,000 from FCPI for the Jupiter Beach – DuBois Park ADA Accessibility Project. The grant elements include renovation of the pedestrian bridge which connects Jupiter Beach Park to DuBois Park, construction of new multi-purpose path for ADA access connecting the bridge to the parking area, Inlet fishing jetty and memorial benches, and removal of exotic vegetation and replanting with native species. The total project cost identified in this Grant Application is \$60,000. The grant request is for \$30,000, and requires a \$30,000 (50%) match, which will be funded from the Department's ADA Compliance Measures project. If the grant is awarded, project construction is required to be completed between July 1, 2015, and June 30, 2016. District 1 (AH)

5. Staff recommends motion to:

**A) ratify** the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) Grant Application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 29, 2014, requesting \$200,000 to fund a portion of the construction costs associated with the development of Gramercy Park;

**B) authorize** the County Administrator or his designee to execute the Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement including the Notice of Limitation of Use if the grant is approved; and

**C) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

**SUMMARY:** This Grant Application requests \$200,000 from FRDAP for the Gramercy Park development project. Grant project elements include a 92' x 56' hardscape court, 65' x 130' open playfield, multipurpose path, playground, parking lot, benches, fencing, water fountain, and landscaping with irrigation. The total grant project cost identified in this application is \$400,000. The grant request is for \$200,000, and requires a \$200,000 (50%) match, which will be funded from 2002 \$50 Million Recreational and Cultural Facilities Bond Issue. If the grant is awarded, and once the project is complete, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. This new neighborhood park will provide recreational opportunities for surrounding residents. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to:

**A) ratify** the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) Grant Application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 29, 2014, requesting \$200,000 to fund 50% of the project elements associated with the Okeeheelee Park South Lakefront Development grant project;

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

**C) authorize** the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

**SUMMARY:** This Grant Application requests \$200,000 from FRDAP for the Okeeheelee Park South Lakefront Development project. This grant project is part of the development of Okeeheelee Park South. Project elements include a new boat ramp, playground, picnic facilities, canoe/kayak launch, restroom, hiking trail, bike trail, equestrian trail, and car/trailer parking lot. The total project cost identified in this grant application is \$400,000. The grant request is for \$200,000, and requires a \$200,000 (50%) match, which will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue and Zone 2 Park Impact Fees. If the grant is awarded, and once the project is complete, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 2 (AH)

7. Staff recommends motion to:

**A) receive and file** a fully executed Florida Inland Navigation District (FIND) Waterways Assistance Program Grant Project Agreement for construction costs associated with the redevelopment of the west side of Burt Reynolds Park for the period October 20, 2014, through September 1, 2016;

**B) approve** Budget Amendment of \$750,000 within the Park Improvement Fund to establish budget for the approved grant; and

**C) approve** Budget Transfer of \$200,917 within the \$50 Million General Obligation Waterfront Access Bond Fund from Reserves to Burt Reynolds Park Boat Ramp Parking project.

**SUMMARY:** On May 6, 2014, the Board authorized submission of a Waterways Assistance Program (WAP) grant application, R2014-0617, to fund a portion of the construction costs associated with the redevelopment of the west side of Burt Reynolds Park. The Board also authorized the County Administrator or his designee to execute the Project Agreement, FIND Project No. PB-14-180, and other grant forms related to this project if the grant was approved. The grant was approved, the Project Agreement has been fully executed in accordance with Board authorization, and is being submitted to the Board to receive and file and to establish budget for the grant. The estimated construction costs for this grant project are \$1,500,000. The \$750,000 FIND grant requires a \$750,000 (50%) match, which will be funded from the Florida Boating Improvement Program (FBIP) and the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue. This grant project must be completed and all required reimbursement information submitted to FIND on or before September 1, 2016, unless FIND approves a one year time extension. District 1 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: an Interlocal Agreement for Fire Vehicle Maintenance with the City of Riviera Beach for a period of ten years. **SUMMARY:** This Agreement provides for the maintenance and emergency repair of the City of Riviera Beach's Fire-Rescue emergency response apparatus by Palm Beach County Fire Rescue Support Services personnel. Labor shall be calculated using the hourly rate listed as the Warranty Rate on the County's Rate Schedule for Warranty, Vehicle and Staff Charges in effect at the time of service. Labor, parts, commercial repair and reimbursable insurance repairs will generate approximately \$184,971 in external revenues which are expected to exceed the cost of the additional related operating expenses, estimated at \$143,740 for FY 2015. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:
  - A) approve** Nineteenth Amendment to contract with CGI Technologies and Solutions, Inc. (CGI) (R2002-1782), to extend the ending date of the Statement of Work from December 31, 2014 to December 30, 2015, at no additional cost to the County; and
  - B) authorize** the County Administrator or his designee, ISS Director, to approve and execute additional amendments associated with these services, up to a maximum dollar value of \$50,000 per order.

**SUMMARY:** The Nineteenth Amendment is a date extension to allow additional time for completion of the final deliverables specified in the original contract for Vendor Self-Service. Phase II of Vendor Self-Service will commence in May 2015 and will be implemented prior to December 31, 2015. CGI Technologies and Solutions, Inc. is not a Palm Beach County or Florida-based business. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to approve:

**A)** Amendment No. 2 to Contract for Consulting/Professional Services (R2011-2052) with Surdex Corporation to extend the term of the contract to December 19, 2015;

**B)** Amendment No. 2 to Contract for Consulting/Professional Services (R2011-2053) with BAE Systems Inc., to extend the term of the contract to December 19, 2015;

**C)** Amendment No. 2 to Contract for Consulting/Professional Services (R2011-2054) with Woolpert, Inc. to extend the term of the contract to December 19, 2015;

**D)** Task Order No. 2 to Contract R2011-2052 with Surdex Corporation to complete the western digital orthophotography at a cost of \$94,750;

**E)** Task Order No. 2 to Contract R2011-2053 with BAE Systems Inc. to complete the eastern digital orthophotography at a cost of \$167,341; and

**F)** a Budget Amendment in the Information Technology Capital Improvements Fund to recognize \$131,045 in revenue from the Property Appraiser's Office.

**SUMMARY:** The three above referenced firms were selected using the Consultant Competitive Negotiations Act (CCNA) process, with contracts entered into on December 20, 2011 to perform digital orthophotography and planimetric mapping for the County (R2011-2052, R2011-2053 and R2011-2054). These Amendments exercise the second of three one-year renewal options set forth in the original contracts. Work provided by the vendors has been of good quality and well managed. Task Order No. 2 with Surdex Corporation is to complete mostly 1 foot color digital orthophotography for the western areas at a cost of \$94,750, and Task Order No. 2 with BAE Systems is to complete  $\pm$  .5 foot color digital orthophotography for the eastern areas of Palm Beach County at a cost of \$167,341. Countywide (PK)

3. Staff recommends motion to approve: the First Amendment to Interlocal Agreement R2013-0308 with the City of Delray Beach. **SUMMARY:** The City of Delray Beach (City) has an existing Interlocal Agreement with Palm Beach County (R2013-0308) for network services, antenna placement and wireless services for use associated with the City's Digital Divide project. This First Amendment will update language to current contract standards, modify our placement height for antenna on the City's communications tower and replace equipment to current antenna specifications resulting in improved network services to existing Digital Divide project areas. This recommendation has no fiscal impact to Palm Beach County. The Florida LambdaRail LLC has approved connection of the City to the Florida LambdaRail. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

4. Staff recommends motion to:

**A) rescind** Interlocal Agreement (R2007-0352) dated February 27, 2007;

**B) approve** Interlocal Agreement for network services with the Palm Beach County School Board to update the language to current contract standards and revise the applicable fee structure based on additional network services requested which will generate an additional \$35,550 in FY2015 revenue to the County; and

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

**SUMMARY:** The Palm Beach County School Board (School Board) has an existing network services agreement with Palm Beach County (R2007-0352) for providing network connections to multiple school locations based on tiered billing rates. This Interlocal Agreement has been revised to include current contract standards and increase monthly network service fees by \$3,950 per month in FY2015 for additional network services requested by the School Board. The Florida LambdaRail LLC has approved connection of the School Board to the Florida LambdaRail network. Countywide (PFK)

5. Staff recommends motion to approve: a Virtual Private Network (VPN) Tunnel fee as a new supplemental service provided by Palm Beach County Information Systems Services (ISS) to external agencies. **SUMMARY:** Establishing this new VPN Tunnel fee as part of our existing rate structure for supplemental services will enable ISS to provide point-to-point connection between two locations requested by the external agency (Attachment 1 to the Agenda Item). The rate structure for the various supplemental services offered by ISS were developed based on an analysis of market pricing for similar services and will be applicable to all future agreements for such services provided to external agencies. Countywide (PFK)

6. Staff recommends motion to approve: 5<sup>th</sup> Maintenance Services Schedules to the Master Services Agreement with AT&T (R2009-1055) for maintenance in the amount of \$214,049 and purchase of equipment and other services pertaining to the County's Meridian telephone systems estimated at \$20,000, for a new total of \$234,049 for the period February 1, 2015, through February 1, 2016. **SUMMARY:** These 5<sup>th</sup> Maintenance Services Schedules provide quotes for the total cost of maintenance services, purchase of telephone equipment and other PBX-related services for the Meridian telephone systems located at the Judicial Center Complex and Airport Center. AT&T has offices in Palm Beach County. Countywide (PK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, to approve and adopt the 2015 revised Palm Beach County Local Mitigation Strategy (LMS) plan and provide an effective date. **SUMMARY:** Federal Emergency Management Agency has mandated that all LMS programs revise their plans every five years to bring them into compliance with Federal guidelines established in response to the Disaster Mitigation Act of 2000. Palm Beach County has successfully completed its 2015 revision process, and pending evidence or formal adoption of the Board of County Commissioners and its municipalities, participating local jurisdictions will be eligible to apply for and receive Federal pre-disaster and post-disaster mitigation assistance funds. Countywide (TKF)
  
2. ~~**DELETED: Staff recommends motion to approve:** an Interlocal Agreement with Palm Beach County Disaster Recovery Coalition, Inc. (DRC) for disaster response and recovery services in support of the Palm Beach County Comprehensive Emergency Management Plan (CEMP) in an amount not to exceed \$50,985 for the period commencing October 1, 2014 and ending September 30, 2015. **SUMMARY:** The County has allocated \$50,985 in ad valorem funding for disaster response and recovery services in support of the Palm Beach County Comprehensive Emergency Management Plan (CEMP). The DRC, with the assistance of the Division of Human Services, will fulfill all the responsibilities of a lead agency as outlined in the County's CEMP to include assistance for unmet needs of County residents, referrals for individuals/families seeking home repair assistance and coordination with Palm Beach County League of Cities to ensure municipal unmet needs are addressed and prioritized. For this Agreement, DRC will recruit non-profit agencies and faith based organizations to support disaster response efforts, expand and update resource registry, conduct community-wide disaster preparedness presentations and training sessions for various case-management agencies, develop a process for coordination, collection, and dissemination of the Unmet Needs Report, fulfill all the responsibilities of a lead agency as outlined in the County's CEMP, develop and conduct training for team members, and coordinate disaster response and repair activities in the event of a disaster. Countywide (TKF)~~
  
3. Staff recommends motion to approve: Memorandum of Understanding Drivers License and/or Motor Vehicle Record Data Exchange with the Florida Department of Highway Safety and Motor Vehicles (FDHSMV), which will allow the County's Public Safety Department Consumer Affairs Division to receive daily electronic information that ensures Vehicle for Hire and Tow Truck drivers meet Palm Beach County Vehicle for Hire and Tow Truck Code of Ordinance driver requirements. This Memorandum of Understanding will remain in effect for three years from the date of execution in the amount of \$10 per driver license transcript requested. **SUMMARY:** The signing of the Memorandum of Understanding Drivers License and/or Motor Vehicle Record Data Exchange with FDHSMV will allow the County, through its Consumer Affairs Division, to continue to ensure only authorized drivers with valid licenses are allowed to operate vehicle for hire taxis, sedans, limousines, vans, shuttles, non-emergency transportation vehicles, and tow trucks. This is to ensure the safety of the vehicle for hire drivers, tow truck operators, and the general public. The record data exchange provides an automated file from the State to the County on a daily basis. The file contains information on each authorized driver including notification of an invalid license, the reason why a license has been suspended or revoked, and a description of sanctions and traffic violations. There will be a \$10 fee paid to FDHSMV for each driver license transcript requested. A newly executed document is required by the State of Florida every three years as a condition of continuing the Drivers License and Motor Vehicle Record Data Exchange with the County under the provisions of the Driver's Privacy Protection Act, which protects the personal information contained within the files. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: the Palm Beach County Board of County Commissioners Section 125 Flexible Spending Plan Document, as Amended and Restated effective January 1, 2015. **SUMMARY:** The Internal Revenue Service announced on October 30, 2014 that the allowable inflation-adjusted annual contribution limit for medical expense flexible spending accounts (FSAs) will increase by \$50 to \$2,550 for the 2015 tax year. P&A Group, the current vendor for the Board's FSA program, has prepared an amended and restated Section 125 Flexible Spending Plan Document, also referred to as a "Cafeteria Plan" and updated the language for the medical expense reimbursement account option to allow for a maximum amount as permitted by Section 125(i) of the Internal Revenue Code, effective January 1, 2015 and forward. The Plan provides payroll tax savings dollars to employees as well as the Board. Countywide (TKF)

2. Staff recommends motion to:

**A) approve** payment of the required Transitional Reinsurance Program Annual Enrollment Contribution Submission in the amount of \$468,057.24 due for the Affordable Care Act (ACA)'s Transitional Reinsurance Program as established by Section 1341 of the ACA; and

**B) delegate** the County Administrator or his designee as the Authorizing Official, as defined by the ACA, to verify and acknowledge the annual enrollment count, supporting data, and accompanying required contribution as stated above.

**SUMMARY:** The ACA established the Transitional Reinsurance Program to stabilize premiums in the individual health insurance market and ACA exchanges. Contributing Entities, as defined by 45 CFR 153.20 which includes the Board's self-insured group health plan, are required to pay annual contributions for the 2014, 2015, and 2016 benefit (calendar) years. The contribution is due by January 15, 2015 and represents \$63 per enrolled participant for the current benefit year. Countywide (TKF)

AA. PALM TRAN

1. Staff recommends motion to:

**A) approve** the Federal Transit Administration (FTA) Fiscal Year 2015 Certifications and Assurances that will be used in conjunction with all Federal assistance programs administered by the FTA during Federal Fiscal Year 2015; and

**B) authorize** the County Administrator or his designee to electronically execute and file the required certifications and assurances on behalf of the Board of County Commissioners, and to transmit the Board's approval.

**SUMMARY:** On October 31, 2014, the Federal Transit Administration (FTA) published their annual list of pre-award certifications and assurances. This consolidated list of Federal laws and regulations must be approved by all applicants each year indicating their intent to comply with the regulations associated with grant applications submitted during the upcoming year. The Fiscal Year 2015 Certifications and Assurances must be approved within ninety days of the publication date in order for the County to apply for Federal assistance. FTA also requires an affirmation from the applicant's attorney that the applicant has the authority to make and comply with the Certifications and Assurances. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. **Staff recommends motion to approve:** a License Agreement (Agreement) with the School Board of Palm Beach County (School Board) for use of the County's bus wash facilities, for a fee of \$18.56 per wash for the period December 16, 2014 to December 15, 2017. **SUMMARY:** This Agreement will allow the School Board to utilize the County's bus wash facilities for washing school buses. The School Board owns 800 school buses which will be washed semi-annually and 110 leased school buses that will be washed quarterly. The Properties will be available for use five days a week, Monday through Friday from 8:00 a.m. to 3:00 p.m., excluding County holidays and emergency closures. The School Board shall pay a license fee of \$18.56 per school bus washed, on a quarterly basis, which includes all costs associated with the use of the facilities including utilities, staff costs and technology costs for monitoring and reporting usage. School Board will be responsible for any repairs resulting from the School Board's use. The County will provide the School Board with instructions and protocol for the proper use of the bus washes. The County is solely responsible for all utilities and for routine repair and maintenance of the facilities. The term of the Agreement is for three years with a mutual option for one three-year renewal at an updated bus wash fee to reflect County's then-current costs and fees. Countywide (MJ)

3. **Staff recommends motion to:**

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a five year Joint Participation Agreement (JPA) (FM No. 407184-2-84-01) with the State of Florida Department of Transportation (FDOT), in the initial amount of \$673,358 for FY 2015 which provides operating funding for fixed route services in the non-urbanized (the Glades) areas of Palm Beach County; establishing an effective date;

**B) approve** a Budget Amendment of \$2,449 in Palm Tran's Grants Fund 1341 to reconcile the budget to the actual grant award; and

**C) approve** a Budget Amendment of \$2,449 in Palm Tran's Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

**SUMMARY:** On January 12, 2010, the Board of County Commissioners approved a five year JPA FM No. 407184-1-84-06 (R2010-0118) that provided funds for fixed route services in the non-urbanized (the Glades) areas of Palm Beach County. That JPA is due to expire on December 31, 2014. FDOT has issued a subsequent five year JPA FM No. 407184-2-84-01 to provide Palm Beach County its annual allocation of the Rural Grant Program. The FDOT JPA is funded from the Rural Grant Program. This grant will offset the operating costs of the fixed route service in the Glades. The JPA will become effective upon execution, with an expiration date of December 31, 2019. FDOT will issue supplemental JPA's for the next four years to provide Palm Beach County yearly allocations for these funds. The JPA totals \$673,358 of which \$336,679 is from the State and \$336,679 the required local match. The local match for this JPA is included in Palm Tran's FY 2015 budget. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

4. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a five year Joint Participation Agreement (JPA) (FM No. 407188-2-84-01) with the State of Florida Department of Transportation (FDOT), in the initial amount of \$9,889,394 for FY 2015 to provide funding assistance to offset the operating costs of providing transit services to the public; establishing an effective date;

**B) approve** a Budget Amendment of \$178,978 in Palm Tran Grants Fund 1341 to reconcile the budget to the actual grant award; and

**C) approve** a Budget Amendment of \$178,978 in Palm Tran Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

**SUMMARY:** On February 23, 2010, the Board of County Commissioners approved a five year Agreement (R2010-0285) JPA FM No. 407188-1-84-02 with FDOT that provides operating costs for transit services. The JPA is due to expire on December 31, 2014. FDOT has issued a subsequent five year JPA FM No. 407188-2-84-01 to provide Palm Beach County its annual allocation. The FDOT JPA is funded from the Public Transit Block Grant Program to help offset the operating costs of mass transit in urbanized areas of the County. This grant will offset the operating costs for the fixed route service countywide. The JPA will become effective upon execution. The JPA totals \$9,889,394 of which \$4,944,697 is from the State and \$4,944,697 is the required local match. The local match for this JPA is included in Palm Tran's FY 2015 budget. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

**A)** an Interlocal Agreement with the City of Belle Glade in the amount of \$140,000 for the period of October 1, 2014, to September 30, 2015, to implement the Youth Violence Prevention Project in the targeted area;

**B)** an Interlocal Agreement with the City of Riviera Beach in the amount of \$100,000 for the period of October 1, 2014, to September 30, 2015, to implement the Youth Violence Prevention Project in the targeted area; and

**C)** a Contract with For the Children, Inc. in the amount of \$140,000 for the period of October 1, 2014, to September 30, 2015, to implement the Youth Violence Prevention Project in Lake Worth and surrounding communities.

**SUMMARY:** The Agreements and Contract authorize funding to support Youth Empowerment Centers in Belle Glade, Riviera Beach and Lake Worth. There are Youth Empowerment Centers operating in five cities and three are supported with County funds. Youth Empowerment Centers are a key component of the Youth Violence Prevention project approved and budgeted by the Board of County Commissioners. For the Children, Inc. is a non-profit organization contracted to operate the City of Lake Worth Center. The City provides in-kind support and supplemental funding. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to approve:** a Budget Transfer of \$345,410 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 15% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2015 estimated donation requirement is \$ \$107,158. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$448,516. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,067,791. Approval of this request will reduce the adopted State Law Enforcement Trust Fund balance to \$722,381. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (JB)

ORGANIZATION	AMOUNT
Florida Sheriff's Youth Ranches	\$130,000
Lost and Found of Palm Beach County, Inc.	\$12,000
National Campaign to Stop Violence (Do the Write Thing)	\$15,000
National Law Enforcement Officers Memorial Fund	\$5,000
Neighbors 4 Neighbors (Adopt a Bear)	\$10,000
Nope Task Force	\$15,000
Palm Beach County PAL – Tennis	\$25,410
Palm Beach County PAL - Cabana Youth Colony	\$20,000
Safety Council of Palm Beach County (Baby In Back)	\$3,000
Sunset House	\$10,000
Take Stock In Children - College For Kids	\$25,000
The ARC of Palm Beach County	\$25,000
United States Naval Sea Cadet Corps, American Veterans Division	\$10,000
Urban League of Palm Beach County	\$40,000
<b>Total Amount</b>	<b>\$345,410</b>

\* \* \* \* \*

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

A. Staff recommends motion to:

1) **determine** that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan (Plan) and that fewer than 20% of the FY 2013 construction projects are more than 12 months behind schedule as defined in Attachment “1” to the Agenda Item; and

2) **adopt** an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Program; providing for title; purpose; adoption of revised Program and revised list of projects contained in Exhibit “A”; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date.

**SUMMARY:** This is the annual update of the County’s Program which is required to be considered each year by the Program Ordinance. The Unified Land Development Code requires that concurrent with the adoption of the annual Program, the Board of County Commissioners must determine that the appropriate Findings of Fact associated with the Road Program have been made. Those Findings have been made and are defined in Attachment “1” to the Agenda Item. Exhibit “A” to the Ordinance contains the road projects to be undertaken by the County in the next five years and is included as Attachment “2” to the Agenda Item. Countywide (MRE)

B. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for local amendments to the Florida Fire Prevention Code; repealing and replacing Chapter 12, Article IV of the Palm Beach County Code (codifying Ordinance 2011-038) in its entirety; providing for legislative findings; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code; and providing for an effective date.

**SUMMARY:** Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has adopted an updated statewide minimum fire safety code, known as the Florida Fire Prevention Code, in Rule Chapter 69A-60 of the Florida Administrative Code. This updated Florida Fire Prevention Code will become effective on December 31, 2014, and is based on updated Florida editions of the National Fire Protection Association’s Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The local amendments to the Code were recommended by the Fire Code Board for approval by the Board of County Commissioners, including an increase in plan review and firework permit fees. Effective December 31, 2014, the County will enforce the updated Florida Fire Prevention Code with the Palm Beach County Local Amendments adopted by this Ordinance. Countywide (PK)

C. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, updating the Five-Year Capital Improvement Tables 1-17 of the 1989 Comprehensive Plan; providing for repeal of laws in conflict; providing for severability; and providing for an effective date. **SUMMARY:** This Ordinance updates the Five-Year Capital Improvement Tables in the Capital Improvements Element of the County's Comprehensive Plan. In accordance with the requirements of Section 163.3177(3), Florida Statutes, the Comprehensive Plan shall contain the projected schedule of improvements for five fiscal years that reflect the need to reduce existing deficiencies, remain abreast of needed replacements, and meet future demand. Countywide (RB)

4. PUBLIC HEARINGS CONTINUED

- D. **ADDITIONAL BACKUP: Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Sections 17-113 and 17-116 of the Code of Laws and Ordinances; codifying the Tourist Development Ordinance of Palm Beach County, Ordinance 95-30, as amended; providing for amendment to the levy of a sixth cent of tourist development taxes; providing for an amendment to the Tourist Development Plan to include marketing, promotion and beach renourishment; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date. **SUMMARY:** This Ordinance provides for the levy of a sixth (6<sup>th</sup>) cent Tourist Development Tax and the amendment of the Tourist Development Plan which will provide for the expenditure of one cent of “bed” tax revenues to be used for one or more of the authorized uses pursuant to Section 125.0104(5), Florida Statutes: AUTHORIZED USES OF REVENUE in Palm Beach County. The recommendation of the sixth cent distribution will be as follows: Special Projects will be assigned \$125,000 prior to the agency distribution and the remaining funds will be distributed as follows; Discover 35.88%, Beaches 31.66%, Cultural Council 15.38%, Sports 11.62%, Film & Television Commission 5.47%. The adoption of this Ordinance requires an extraordinary vote of the Board pursuant to Florida Statutes. (TDC) Countywide (DW)

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5. REGULAR AGENDA

A. ADMINISTRATION

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

A) an Economic Development Incentive Grant Agreement with Lockheed Martin Corporation in the amount of \$320,800;

B) a Budget Transfer of \$320,800 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund Job Growth Incentive (JGI) Program; and

C) a Budget Amendment of \$320,800 in the Department of Economic Sustainability Fund to recognize the funds from the General Fund.

**SUMMARY:** On May 6, 2014, the Board of County Commissioners conceptually approved (R2014-0658) a Job Growth Incentive (JGI) Grant in the amount of \$320,800 for Project Palm Tree, representing one half of the required local match to the State Qualified Defense and Space Contractor (QDSC) Tax Refund Program. This Agreement discloses the company's name, Lockheed Martin Corporation, which was previously referred to as Project Palm Tree. The State has offered an incentive to the company of \$3.208 Million under the QDSC Program, which includes a 20% local match in the amount of \$641,600. Of this amount, the Cities of Riviera Beach and West Palm Beach have each agreed to provide a grant to the company in the amount of \$160,400 toward the remaining local match portion. The QDSC Program, authorized under s.288.1045, Florida Statutes, is intended to preserve and grow the State's high technology employment base and give Florida a competitive edge as defense, homeland security or space business contractors acquire new contracts or subcontracts, and it provides incentives to businesses who create or retain jobs. If the company is not awarded the new defense contract, no County funds will be distributed. In accordance with the Agreement, the company will retain 401 existing full-time positions for four years, at an average annual wage of \$84,900. No new jobs will be created. The Agreement states if the number of retained jobs falls below the required 401 for reasons not solely related to the Company's performance under the DOD contract, the Company shall forfeit a prorated portion of the Incentive Amount. Conversely, the Agreement states if the number of retained jobs falls below the required 401 strictly based upon the Company's failure to perform under the DOD contract, the County will recover all funding immediately. The Regional Economic Model estimates that this project will have a four year economic impact of \$356 Million. District 7 (DW)

2. **REVISED SUMMARY: Staff requests Board direction:** on the Board sponsoring and attending a full day "Fair and Impartial Policing" seminar to be conducted under the auspices of Catalyst for Justice, conducted by Dr. Lorie Fridell. **SUMMARY:** Commissioner Taylor asked that the Board consider this. Dr. Fridell's total fee to be paid by the County is approximately ~~\$3,000~~ ~~\$2,500~~ \$2,000 after a \$500 contribution by Catalyst For Justice (Consultant Services \$2,000 and Travel Expenses \$500) which will include the presentation of a one day workshop for the BCC on the science-based Fair and Impartial Policing Perspective. Dr. Fridell will also be available to meet with commissioners or their designee following the presentation. Similar seminars have been provided to various local law enforcement entities including the Sheriff. Possible dates include January 21, 22, or 23. The backup material provided indicates that Dr. Fridell offers several different lectures targeting different levels of police officers and includes one presentation that is for command officers and community leaders. The main concept she addresses seems to be her approach to examining personal biases and how those biases manifest themselves in police work, whether overtly or subconsciously. The Sheriff speaks well of the presentation and suggests that if the Board approves, to invite Criminal Justice Commission and municipal representatives to attend. Countywide

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. **ADD-ON: Staff requests Board direction:** on whether to make an unsolicited offer to the City of West Palm Beach (City) to exchange the County's 1.8 acres of real estate holdings in the South Block of Government Hill for the 131 acre City-owned property at the Southeast corner of 45<sup>th</sup> Street and Haverhill as well as parking and recreational use rights to approximately 27 adjacent acres of the M-1 Canal Conservation Easement (collectively Haverhill Site) in order to facilitate the development of a two-team spring training facility (Facility) for Washington Nationals and Houston Astros (collectively Teams). **SUMMARY:** On October 21, 2014, the Board conceptually approved a financing/funding plan (Funding Plan) in an amount not to exceed \$135,000,000 for the development of a Facility subject to the Teams identifying a site for the Facility. Since that time, the Teams have conducted due diligence evaluations on a variety of sites but have not found any that met programmatic, funding and/or timing requirements other than the Haverhill Site. County Staff believes that an offer to exchange the County's 1.8 acres in the TOD South Block currently appraised at \$4,874,000 is what would be necessary for the City to re-consider conveying the Haverhill Site for a Facility. While the Board had conceptually approved moving forward with the sale of its holdings on South Block it was based on development assumptions which are no longer valid. The impact of exchanging the County's 1.8 acres for the Haverhill Site are twofold: 1) the County may no longer have sufficient property on Government Hill to meet the County's projected long term need, and/or 2) the loss of \$4,874,000 in ad valorem value. In addition to the exchange of County property, the Teams will develop an eight acre City park and provide use rights to the 11 acre lake. The Teams will also allow the City to use the athletic fields/parking areas (20 acres) when not being used in support of Spring Training or a Sports Commission use. The City Park will be funded from the Teams share of savings (as described in the future Facilities Use Agreement between the County and Teams) from the Funding Plan as well as additional funds to be contributed by the Teams. No bed tax dollars will be used for the development of the City Park nor will the County's contribution to the Funding Plan be increased. (Administration)Countywide/District 7 (JM)

B. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Exercise of the first option to extend Lease Agreement (R2006-0077), with Robert Weatherbee d/b/a The Sub Division, a sole proprietor, to continue to provide food services at the County's Vista Center 2300 Building in West Palm Beach at an annual rate of \$9,474.71 (\$27.15/SF). **SUMMARY:** Since January 1, 2007, Robert Weatherbee d/b/a The Sub Division (Weatherbee) has been leasing 349 square feet of space in the lunchroom area to provide food services at the County's Vista Center 2300 Building. On September 10, 2013, the Board approved a Third Amendment (R2013-1225) which extended the Lease for one (1) year through December 31, 2014, and added three additional one-year extension options. Weatherbee has requested the County's consent to his exercise of the first extension option which will extend the term through December 31, 2015. Annual Rent during this extension will be increased by four percent (4%) to \$9,474.71 (\$27.15/SF). (PREM) District 2 (HJF)
2. **Staff recommends motion to approve:** Amendment Number Seven to Lease Agreement (R97-2126D) with GC Skees Industrial, LLC for the County's continued use of 6,000 SF of office and warehouse space for the Palm Beach County Sheriff's Office at an annual rate of \$64,500.00 (\$10.75/SF). **SUMMARY:** Since January 1, 1998, the County has leased office and warehouse space at 1438 Skees Road in West Palm Beach. The County Administrator has authorized Staff to procure this Lease extension through direct negotiations rather than through an Invitation for Bid or Request for Proposal. The rent was reduced in 2012 to \$10/SF and has remained at that rate for the past three years. Rents for flex space have significantly increased over the last two years. This Amendment increases the rent to \$10.75/SF (7½%). Staff researched sites in the general vicinity and could not locate similar-type space at a lower rental rate. Further, several brokers were contacted and no better offers were received. This Amendment Number Seven: i) documents that GC Skees Industrial, LLC recently acquired the property and is the new Lessor; ii) extends the term of the Lease for three years to December 31, 2017, with two extension options for one year each; iii) increases the annual rent by seven and one-half percent (7½%) with four percent (4%) annual increases; iv) updates the insurance provisions; v) updates the Notice provision for the Lessor; and vi) incorporates updated non-discrimination requirements. All other terms of the Lease remain unchanged. (PREM) District 2 (HJF)

5. REGULAR AGENDA

C. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: an Interlocal Agreement with the Village of Palm Springs providing for the annexation of one enclave, generally located on the northwest corner of 2nd Avenue North & the Lake Worth Drainage District E4 Canal. **SUMMARY:** The Board of County Commissioners has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than 10 acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2014-61 adopted on November 13, 2014, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of one enclave consisting of one parcel totaling 0.67 acre, as identified in Exhibit A of the Interlocal Agreement. The Interlocal Agreement also provides for the annexation of the right-of-way segments identified in Exhibit B of the Interlocal Agreement, as well as the transfer of ownership and maintenance of the right-of-way segments identified in Exhibits C and D of the Interlocal Agreement. The annexation has been processed through the County's review Departments, including Fire Rescue; Engineering; Planning; Zoning; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Village has provided written notice to all owners of real property located within the enclaves. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RPB)
  
2. Staff recommends motion to approve: an Interlocal Agreement with the Village of Palm Springs providing for the annexation of seven enclaves, generally located north of Lake Worth Road, east of Military Trail. **SUMMARY:** The Board of County Commissioners has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than 10 acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2014-62 adopted on November 13, 2014, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of seven enclaves consisting of 40 parcels totaling 9.71 acres, as identified in Exhibit A of the Interlocal Agreement. The Interlocal Agreement also provides for the annexation of the right-of-way segments identified in Exhibit B of the Interlocal Agreement, as well as the transfer of ownership and maintenance of the right-of-way segments identified in Exhibits C and D of the Interlocal Agreement. The annexation has been processed through the County's review Departments, including Fire Rescue; Engineering; Planning; Zoning; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Village has provided written notice to all owners of real property located within the enclaves. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RPB)

5. REGULAR AGENDA

D. PURCHASING

1. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on January 13, 2015 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, setting forth and amending Section 2-80.41 through 2-80.48 of the Palm Beach County Code, the Local Preference in Purchasing Ordinance; amending Section 28.41 Title; amending Section 22-80.42 Definitions; adding Section 2-80.43 Applicability of Local Preference; amending Section 2-80.44 Preference for Local Businesses; amending Section 2-80.44.1 Preference for Glades Businesses; amending Section 2-80.44.2 Preference for the Use of Glades Subcontractors by Local Businesses; amending Section 2-80.45 Reciprocity; amending Section 2-80.47 Limitations; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The current Local Preference Ordinance (Ordinance No. 2002-065), as amended in 2009 (Ordinance No. 2009-095) and in 2010 (Ordinance No. 2010-011), provides a local preference to Palm Beach County vendors offering their goods or services to Palm Beach County. This Ordinance Amendment makes minor revisions to the Local Preference Code; makes local preference available to all procurements governed by the Purchasing Code instead of only to those procurements exceeding the Mandatory Bid or Proposal amount of \$50,000; and encourages a local preference for the purchase of goods and services that are exempt from the requirements of the Purchasing Code. Examples of exempt purchases include, but are not limited to, presenters and lecturers for county library programs, interlocal agreements, food service and retail leases and concessions; and event specific stage production or programming. A summary of the substantive recommended changes to the existing Local Preference Ordinance is attached to the Agenda Item. Countywide (DW)
  
2. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on January 13, 2015 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, setting forth and amending Section 2-4 of the Palm Beach County Code, the Palm Beach County Recycled Paper Product Procurement Ordinance; amending Section 2-4(a) Short Title; amending Section 2-4(b) Purpose; amending Section 2-4(c) Policies; amending Section 2-4(d) Definitions; amending Section 2-4(e) Requirements for Purchasing Solicitations and Contracts; amending Section 2-4(f) Responsibilities and Goals for Procurement of Sustainable Source Paper Products; amending Section 2-4(g) Annual Report; amending 2-4(h) Responsibilities and Reporting Requirements of Departments; amending Section 2-4(i) Responsibilities of the Purchasing Department; repealing Section 2-4(j) Exemptions; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The Palm Beach County Recycled Paper Product Procurement Ordinance was adopted in 1990 (Ordinance No. 90-13). It promotes the use of recycled paper products; discourages the use of paper products that are not recyclable; and sets forth a preferential procurement policy to encourage and promote the use of recycled and recyclable paper products by County departments, agencies and contractors. This Ordinance Amendment recognizes the importance of the use of sustainable source paper products, of which recycled paper products is a subset, and clarifies and updates the County's goal with regard to the use of sustainable source paper products. A summary of the substantive recommended changes to the existing Palm Beach County Recycled Paper Product Procurement Ordinance is attached. Countywide (DW)

5. REGULAR AGENDA

D. PURCHASING (Cont'd)

3. [Staff recommends motion to approve on preliminary reading and advertise for Public Hearing on January 13, 2015 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 2, Article III, Division 2, Part A (The Palm Beach County Purchasing Code); repealing and replacing Sections 2-51 through 2-58 of the Palm Beach County Code, which codified Ordinance No. 2005-062, Ordinance No. 2008-009, and Ordinance No. 2010-010, establishing a Centralized Purchasing System; providing for General Provisions; providing for Application/Exemptions; providing for Definitions; providing for Designation, Duties and Authority of the Director of Purchasing; providing for Delegation of Authority to Subordinate Staff and Authority of Departments of Engineering, Airports, Water Utilities, Facilities Development and Operations, and Environmental Resources Management; providing for a Mandatory Bid and Proposal Amount; establishing Requirement for Competitive Source Selection; providing for Alternative Source Selection; providing for Waiver of Requirements for Competitive Selection for Professional and Consultant Services; providing for Protested Awards; providing for Suspension and Debarment; providing for Vendor Preferences; prohibiting Conflicts of Interest; providing for repeal of laws in conflict; providing for severability; providing for savings clause; providing for inclusion in the Code of Laws; and providing for an effective date. **SUMMARY:** The current Purchasing Code (Ordinance No. 2005-062), as amended in 2008 (Ordinance No. 2008-009), and 2010 (Ordinance No. 2010-010), established a centralized purchasing system for the procurement of the County's non-construction related goods and services. This Amendment to the Purchasing Code includes revisions necessary to facilitate the efficiency of the County's procurement process. A summary of the substantive recommended changes to the existing Purchasing Code is attached to the Agenda Item. Countywide (DW)

E. ECONOMIC SUSTAINABILITY

1. [Staff recommends motion to approve:](#)
  - A)** Amendment No. 3 to the Agreement (R2011-1975) with the Business Development Board (BDB) allocating \$100,000 in supplemental funding for Fiscal Year 2014-2015;
  - B)** a Budget Transfer of \$100,000 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund; and
  - C)** a Budget Amendment of \$100,000 in the Department of Economic Sustainability Fund to recognize the funds from the General Fund.

**SUMMARY:** On December 6, 2011, the Board of County Commissioners (BCC) entered into an Agreement (R2011-1975) with the BDB to provide business recruitment assistance, business retention activities and business expansion services in Palm Beach County. The BCC and the BDB entered into a public-private partnership to promote the County, attract new businesses and assist in creating new industries in the County. The Agreement period is from October 1, 2011 through September 30, 2016, and is in its fourth year of the term. This Amendment allocates \$100,000 in supplemental funding to the BDB to support business marketing, recruitment, expansion and retention services for Palm Beach County. **These are County ad valorem funds.** Countywide (DW)

5. REGULAR AGENDA

F. PALM TRAN

1. **ADD-ON: Staff recommends motion to approve:**

A) Agreement with Metro Mobility Management Group, LLC (Metro) regarding Metro's compromise and settlement of NLRB Case 12-CA-025842 and a contribution from County in the amount of \$250,000;

B) Settlement Agreement and Release with the Amalgamated Transit Union Local 1577 (ATU) regarding ATU's Section 13(c) claims and authorizing a contribution of \$250,000 towards the compromise and settlement of NLRB Case 12-CA-025842 and other Section 13(c) matters;

C) Agreement pertaining to the Escrow Collection National Labor Relations Board (NLRB) Settlement regarding NLRB Case 12-CA-025842;

D) Budget Transfer of \$250,000 from General Fund Contingency Reserves to the Palm Tran Operations Fund; and

E) Budget Amendment of \$250,000 in the Palm Tran Operations Fund to recognize the transfer and establish budget for contribution payment.

**SUMMARY:** On October 21, 2014, the ATU notified the County that it was asserting a Section 13(c) claim against the County and Metro arising out of an unfair labor practice charge filed by the ATU against Metro in 2008. Recently, NLRB Administrative Law Judge Ringler issued a Supplemental Decision in NLRB Case 12-CA-025842, which ordered Metro to pay backpay to certain employees in the cumulative sum of \$1,964,255, plus interest. Metro has the right to file exceptions to the Supplemental Decision. The ATU contends that given Metro's financial condition, Metro will not be able to pay employees all backpay due, and that the County is responsible under its Section 13(c) Agreements for any unpaid backpay owed by Metro. ATU, Metro and the NLRB have entered into a Compliance Agreement under which Metro is to pay \$500,000 to the NLRB to resolve Case 12-CA-025842 and to satisfy all monetary obligations of Metro. Of this amount, Metro will contribute \$250,000 and the County will contribute \$250,000. The Settlement Agreement and Release with ATU compromises and satisfies ATU's and its individual members' Section 13(c) claims arising out of or relating to Case 12-CA-025842 and Metro's provision of paratransit services, in exchange for a contribution from County in the amount of \$250,000 towards the settlement of Case 12-CA-025842. ATU has also agreed that it will not file Objections to future federal grants based upon the acts or omissions of Metro relating to Case 12-CA-025842, Section 13(c) or Metro's paratransit contracts with the County. The County's contribution will be transferred to the NLRB pursuant to the terms of the Escrow Agreement. No funds will be contributed by County until after the Escrow Agent has notified the County that it has received Metro's payment of \$250,000. **Funding for the County's contribution will come from General Fund Contingency Reserves.** Countywide (DR)

G. COMMUNITY SERVICES

1. **ADD-ON: Staff recommends motion to approve:** Memorandum of Agreement (MOA) with the State of Florida, Department of Health, for the period March 1, 2014, through December 31, 2014, in an amount not to exceed \$500,000 for the costs of purchase and distribution of drugs for Ryan White Clients in Palm Beach County participating in the AIDS Drug Assistance Program (ADAP State Program). **SUMMARY:** This MOA will provide a funding allocation to the ADAP State Program from the Ryan White HIV Care Part A grant funds provided to Palm Beach County by the Health Resources Services Administration (HRSA). A total HRSA grant amount of \$7,653,485 was provided to the County this contract year. The ADAP State Program provides life-sustaining drugs to uninsured individuals living with HIV/AIDS and to individuals that do not have adequate prescription coverage. The allocation of Ryan White funds will help alleviate a shortfall in ADAP funding and ensure that Palm Beach County residents receive the needed HIV/AIDS prescription medication. Funds are available for this purpose under the grant and must be utilized by the end of the contract year, February 28, 2015. No County match is required. (Ryan White) Countywide (TKF)

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DECEMBER 16, 2014

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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DECEMBER 16, 2014

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

**ADD-ON:** Lake Okeechobee Dike – FEMA Flood Maps

B. COUNTY ATTORNEY

**DECEMBER 16, 2014**

**8. COMMISSIONER COMMENTS**

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

**B. District 2 – COMMISSIONER PAULETTE BURDICK**

**C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR**

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS**

**E. District 5 - COMMISSIONER MARY LOU BERGER, VICE 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."