

BOARD OF COUNTY COMMISSIONERS  
BOARD MEETING  
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 10, 2015

<u>PAGE</u>	<u>ITEM</u>	
12	3C-5	<b><u>DELETED:</u> Staff recommends motion to approve: A)</b> an assumption of a Tri-Party Piping, Paving and Parking Agreement (Agreement Assumption) with Lake Worth Drainage District (LWDD) and Regency Centers, L.P. for the maintenance of an existing pipe and improvements located within a portion of the L-18 Canal;....(Engineering) (Further staff review)
16	3E-2	<b><u>REVISED TITLE &amp; SUMMARY:</u> Staff recommends motion to approve: A)</b> Issuance of termination notice to Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) Contract R2014-1901, effective March 15, 2015; and  <b>B)</b> Amendment No. 01 to Contract for Provision of Financial Assistance with <del>The Jerome Golden Center for Behavioral Health, Inc., (R2014-1695),</del> <u>Drug Abuse Foundation of Palm Beach County, Inc., (R2014-1692),</u> for the period <del>March 16, 2015</del> <u>October 1, 2014,</u> through September 30, 2015, to increase funding by <del>\$165,568</del> <u>\$153,000,</u> for a new total contract amount not to exceed <del>\$1,316,096</del> <u>\$903,353.</u>  <b>SUMMARY:</b> Contract termination is being recommended for CARP due to a failure of the agency to provide reasonable assurances that patient care, service delivery, financial accountability and other essential performance requirements and contract provisions are being maintained, and will be maintained in the future. CARP has failed to adequately address the monitoring concerns of the County and has lost State funding provided through the managing entity, Southeast Florida Behavioral Health Network, Inc. (SEFBHN) and the Department of Corrections, and has stopped accepting patients. To avoid a disruption of services, staff is recommending an expansion of our current contract with <del>The Jerome Golden Center for Behavioral Health Inc.</del> <u>the Drug Abuse Foundation of Palm Beach County, Inc.</u> to provide detoxification treatment beds for the duration of the contract period March 16, 2015, through September 30, 2015. No new County funding is required. <u>Countywide</u> (HH) (Community Services)

- 52                    5A-2                    **REVISED TITLE & SUMMARY:** Staff recommends motion to: **A) adopt** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Diamond, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s. 288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund with High-Impact Sector bonus in an amount not to exceed \$532,000; and providing for an effective date; and ~~**B) conceptually approve** local financial support for the Quick Action Closing Fund in an amount not to exceed \$2,468,000; and **CB) conceptually approve** an Economic Development Incentive for Project Diamond in the form of an Ad Valorem Tax Exemption over ten (10) years, in an amount not to exceed \$3 Million, as the local financial support for the State's Qualified Target Industry Tax Refund (\$532,000) and Quick Action Closing Fund (\$2,468,000) programs.~~
- SUMMARY:** Project Diamond is a subsidiary and regional managing office project locating in Palm Beach County with a \$115 Million capital investment, which the Regional Economic Model estimates will have a five (5) year local economic impact of \$662.4 Million. The company plans to create 450 new jobs at an average annual wage of \$85,000, and will be required to maintain the new jobs in Palm Beach County for a five (5) year period. It is anticipated that the State of Florida will provide \$2.66 Million in the form of a Qualified Target Industry Tax Refund (QTI) with High-Impact Sector Bonus, and \$4.9 Million from the Quick Action Closing Fund (QACF), which includes the local financial support. The local match from Palm Beach County will be provided in the form of an Ad Valorem Tax Exemption in an amount not to exceed \$3 Million over a period of ten (10) years provided the project meets the requirements under Florida Statute 196.012. The company will be required to enter into a formal agreement memorializing their commitments and establishing terms under which the local match will be provided. At such time the company name will be disclosed. Other states under consideration by the company include North Carolina and Georgia. Countywide (JB) (Admin/DES)
- 54                    5A-4                    **REVISED SUMMARY:** Staff recommends motion to approve: **A)** a Budget Transfer of \$5,000,000 from reserves in the 1st Cent Tourist Local Option Tax Fund to increase the Public Building Improvement transfer line; **B)...C)...D).** **SUMMARY:** The Access Agreement and the Due Diligence and Planning Services Agreement (collectively Agreements) act as precursors to the Interlocal Agreement, Developer and Sports Facility Use Agreements (collectively Operative Agreements) contemplated by the material term sheet which was approved by the City and the County on February 2<sup>nd</sup>, 2014 and 3<sup>rd</sup>, 2014 2015 respectively. The Agreements are necessary in order to gather the information needed for the City, County and the LLC to negotiate the Operative Agreements in a timeframe which is consistent with the Teams' intent to open the new facility for the 2017 spring training season. The Access Agreement identifies the purposes and terms under which the City will allow access to the Property, by which the County may begin to submit permit and development applications to regulatory agencies and allows for pre-Interlocal Agreement land reclamation activities. The Due Diligence and Planning Agreement: 1) assigns all of the County obligations under the Access Agreement to the LLC; 2) identifies the terms under which the LLC can proceed with land reclamation and design activities prior to the Operative Agreement being executed; and 3) the terms under which the County will fund these activities through the project budget. The Due Diligence and Planning Agreement also requires that the LLC reimburse the County for all expenses paid in the event that the Operative Agreements are never executed (project does not move forward). (Administration) Countywide/District 7 (HF/MJ) (Admin/FDO)
- 56                    5B-3                    **ADD-ON:** Staff recommends motion to approve: a Temporary Operating Agreement (TOA) between the County and Rasier, LLC, a subsidiary of Uber Technologies, Inc. (Uber) allowing Uber to operate as a vehicle-for-hire company in Palm Beach County. **SUMMARY:** The TOA sets forth the terms and conditions that Uber agrees to comply with in order to operate in Palm Beach County. The agreement includes insurance, background checks, driver history reports and standards, and vehicle safety requirements, as well as other provisions, including the payment of \$15,000 to the County for administration and enforcement costs related to the TOA. Countywide (DN) (County Attorney)

**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**

**MARCH 10, 2015**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
  
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
  - C. Special Presentations (Page 9)
  
- 3. CONSENT AGENDA (Pages 10 - 48)**
  
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 49 - 50)**
  
- 5. REGULAR AGENDA (Pages 51 - 58)**
  
- 6. BOARD APPOINTMENTS (Page 59)**
  
- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 60)**
  
- 8. STAFF COMMENTS (Page 61)**
  
- 9. COMMISSIONER COMMENTS (Page 62)**
  
- 10. ADJOURNMENT (Page 62)**

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- 2C-2 National Crime Victims' Rights Week
- 2C-3 Canal Point Baptist Church Day
- 2C-4 National Coalition of 100 Black Women – West Palm Beach Chapter's Women's History Day
- 2C-5 Vietnam Traveling Memorial Wall Week
- 2C-6 Child Abuse Prevention Month
- 2C-7 Sexual Assault Awareness Month

**CONSENT AGENDA**

**A. ADMINISTRATION**

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- 3A-1 Ratification of the League of Cities' Treasure Coast Regional Planning Council Appointments
- 3A-2 CareerSource Palm Beach County, Inc. Board of Directors reappointment

**B. CLERK & COMPTROLLER**

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

**C. ENGINEERING & PUBLIC WORKS**

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- 3C-1 Second Amendment to annual Roadway Landscaping Contract with Superior Landscaping and Lawn Service, Inc. extending expiration date
- 3C-2 Maintenance and Removal Agreement with Janus Hotels and Resorts, Inc. for proposed accessibility ramp within right-of-way on Donald Ross Road

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- 3C-3 Interlocal Agreement with City of Lake Worth transferring jurisdictional control, maintenance responsibility and ownership of Boutwell Road (Lake Worth Rd. to 360 feet south of 10<sup>th</sup> Ave. North)
- 3C-4 Agreement with Strawberry Lakes Master Corporation, Inc. for traffic control jurisdiction by the Sheriff's Office
- 3C-5 Assumption of a Tri-Party Piping, Paving and Parking Agreement with the Lake Worth Drainage District and Regency Centers, LP for maintenance of an existing pipe within the L-18 Canal
- 3C-6 Work Order 2013052-035 with Community Asphalt Corp. to mill and resurface Cain Boulevard (Glades Road to Yamato Road)

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- 3C-7 Second Amendment to renew civil engineering annual contracts with three firms to extend services for one year
- 3C-8 Five Work Orders with Community Asphalt Corp for five resurfacing projects
- 3C-9 Deleted

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- 3C-10 Second Amendments to two annual asphalt milling and resurfacing annual contracts
- 3C-11 Contract with American Consulting Engineers of Florida, LLC for preparation of design plans and construction bid documents relating to Old Dixie Highway project (Yamato Road to Linton Blvd.)
- 3C-12 Agreement with Canyon Isles Homeowners Association, Inc. for traffic control jurisdiction by the Sheriff's Office
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- 3C-14 Work Order with Gerelco Traffic Controls, Inc. to construct mast arm traffic signal at Canyon Lakes Drive/Lake Royal Road at Lyons Road

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3E-3 Contract for Provision of Financial Assistance with The Jerome Golden Center for Behavioral Health, Inc. for mental health and substance abuse co-occurring treatment services

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3E-4 Amendments to several Area Agency on Aging programs relating to services for seniors

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3E-5 Addition of one full-time grant funded position for an Information Management System Specialist relating to oversight and administration of the Client Management Information System

3E-6 Amendment No. 005 with the Florida Department of Elder Affairs relating to the Adult Care Food Program

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3F-1 Airport Consent to Assignment of Subconcession Agreement with The Hertz Corporation relating to the operation of a rental car brand at PBIA

3F-2 Third Amendment to Advertising Concession Agreement with In-Ter-Space Services, Inc. for use of vacant advertising displays

3F-3 Seventh Amendment to Retail Concession Agreement with Paradies-Palm Beach, LLC for use of additional storage space and removal of the liquor sales at PBIA

3F-4 Hotel-Motel Courtesy Shuttle Operator Permit with Island Hospitality Management V, Inc.

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3F-5 License Agreement with Jet Aviation Associates, Ltd. for overflow parking

3F-6 License Agreement with Avis Rent A Car System, LLC for a portion of paved parking area at Building 1475 at PBIA

3F-7 License Agreement with Evans Consoles Incorporated for a 3,500 sq.ft. portion of Building 1169 at PBIA

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- 3H-3 Contract with Fine Line Construction Contractors, Inc. for annual general contractor services
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- 3H-5 Contract with Robling Architecture Construction, Inc. for annual general contractor services
- 3H-6 Interlocal Agreement with the Food and Drug Administration – Office of Criminal Investigations allowing for interoperable communications through the County’s Public Radio System
- 3H-7 First option to extend Lease Agreement with Wallace K. Lutz, Sr. and Theresa C. Lutz, for lease of office space at 607 South Main Street in Belle Glade

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- 3H-8 Quitclaim Deed from the United States of America, through the Administrator of General Services conveying 5.76 acres of property in unincorporated Delray Beach

**I. ECONOMIC SUSTAINABILITY**

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- 3I-3 Budget Amendments relating to several federal housing programs
- 3I-4 2014 Crime Statistics Report relating to the Palm Beach County Urban High-Crime Job Tax Credit Program and the Re-ranking Status Letter/Program

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- 3K-2 Assignment and Assumption of Utility Easement from the City of Belle Glade relating a 12” water main located at the Belle Glade State Municipal Airport
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  - 3M-3 Agreement with the U.S. Olympic Committee for development and implementation of a Paralympic Sport Club
  - 3M-4 Deed of Conservation Easement to South Florida Water Management District for a 48.42 acre lake mitigation area in John Prince Memorial Park's Square Lake/East Slough restoration area
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- 3M-5 Declaration of Conservation Easement in favor of Palm Beach County for two sites at Riverbend Park (4.90 acres)
  - 3M-6 Fourth Amendment with Acme Improvement District, Boys and Girls Clubs of Palm Beach County, Inc. and the Village of Wellington relating to funding of the Wellington Boys and Girls Club facility

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**Q. CRIMINAL JUSTICE COMMISSION** - None

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**S. FIRE RESCUE** - None

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3U-3 Second Amendment with Health Care District of Palm Beach County relating to network services

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**W. PUBLIC AFFAIRS** - None

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3X-1 Interlocal Agreement with the Office of the State Attorney, Fifteenth Judicial Circuit relating to investigative services involving sexual assault cases

3X-2 Contract for Consulting/Professional Services in relief veterinary shelter services with Leonid Vidrevich, D.V.M.

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3X-3 Agreement with Best Friends Animal Society to become a member of the Best Friends No More Homeless Pets Network

**Y. PURCHASING** - None

**Z. RISK MANAGEMENT**

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3Z-1 Renewal of the County's excess property, liability, and workers' compensation insurance program purchased through Arthur J. Gallagher Risk Management Services, Inc.

**AA. PALM TRAN**

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3AA-1 Resolution approving Supplemental No. 1 Joint Participation Agreement with the Florida Department of Transportation related to Route 73

3AA-2 Resolution approving submission of a Section 5311 Grant Application to the Florida Department of Transportation

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3AA-3 Vendor Service Agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. relating to transportation services for the Division of Senior Services program

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3CC-3 Donation from The Howard E. Hill Foundation, Inc. for the FY 2015 Gunfire Detection and Location project

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**DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY**

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**PUBLIC HEARINGS – 9:30 A.M.**

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4A Petroleum Contamination Cleanup Criteria Ordinance

4B Pollutant Storage Tank System Compliance Ordinance

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**ADMINISTRATION**

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5A-2 Resolution recommending Project Diamond as a Qualified Target Industry business/Ad Valorem Tax Exemption

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5A-3 Kratom warning signs Ordinance/Agreement with Substance Awareness Coalition to implement kratom prevention and education strategies

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5A-4 Budget Transfer/Amendment/Access Agreement and Due Diligence and Planning Services Agreement relating to a new spring training facility

**COUNTY ATTORNEY**

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5B-1 Resolution amending the County's Investment Policy

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**ENGINEERING & PUBLIC WORKS**

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5C-1 Repurchase of lands for future realignment and extension of Seminole Pratt Whitney Road from the South Florida Water Management District

MARCH 10, 2015

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**ECONOMIC SUSTAINABILITY**

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**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 60)

**STAFF COMMENTS** (Page 61)

**COMMISSIONER COMMENTS** (Page 62)

**ADJOURNMENT** (Page 62)

**MARCH 10, 2015**

**2C. SPECIAL PRESENTATIONS – 9:30 A.M.**

1. Proclamation declaring March 2015 as “Florida Bicycle Month” in Palm Beach County. (Sponsored by Commissioner Valeche)
2. Proclamation declaring April 19 – 25, 2015 as “National Crime Victims’ Rights Week” in Palm Beach County. (Sponsored by Mayor Vana)
3. Proclamation declaring March 1, 2015 as “Canal Point Baptist Church Day” in Palm Beach County. (Sponsored by Commissioner McKinlay)
4. Proclamation declaring March 29, 2015 as “National Coalition of 100 Black Women – West Palm Beach Chapter’s Women’s History Day” in Palm Beach County. (Sponsored by Commissioner Taylor)
5. Proclamation declaring April 8 – 13, 2015 as “Vietnam Traveling Memorial Wall Week” in Palm Beach County. (Sponsored by Commissioner Valeche)
6. Proclamation declaring April 2015 as “Child Abuse Prevention Month” in Palm Beach County. (Sponsored by Mayor Vana)
7. Proclamation declaring April 2015 as “Sexual Assault Awareness Month” in Palm Beach County. (Sponsored by Commissioner McKinlay)

\* \* \* \* \*

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to ratify: the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC) for the term ending November 30, 2015:

<u>Nominees</u>	<u>Seat No.</u>	<u>Requirement</u>
<u>Alternate appointments:</u>		
Allie Biggs, City of Pahokee	5A	Palm Beach County Official
Abby Brennan, Village of Tequesta	8A	Palm Beach County Official

**SUMMARY:** In accordance with the TCRPC Rules of Order (Rules), on December 2, 2014, the Board of County Commissioners appointed six Commissioners (three members and three alternates) to serve on the TCRPC. In addition, as required by the Rules, the BCC also ratifies the League’s representatives. At the December 2 meeting, the League had no representatives for two alternate seats. The League has notified the staff that they have now selected two members to fill the two vacant alternate seats, and based on the Rules, the alternate members must now be ratified by the BCC. Countywide (RPB)

2. Staff recommends motion to approve: the reappointment of Steven M. Parrish to the CareerSource Palm Beach County, Inc. Board of Directors for the period March 10, 2015, through September 30, 2017:

<u>Nominee/ Appointment</u>	<u>Seat No.</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Steven M. Parrish	2	Private Sector	Business Development Board of Palm Beach County, Inc.

**SUMMARY:** The membership of CareerSource Palm Beach County, Inc. conforms to the requirements of the Workforce Investment Act (WIA) of 1998, and the Workforce Innovation Act of 2000. Policy for this item is defined in R2007-1220 Agreement between Palm Beach County, Florida (County) and CareerSource Palm Beach County, Inc. dated July 10, 2007. Per this Agreement, 17 private sector member appointments shall be made by County. The Workforce Investment Act of 1998 requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 35 members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, or one-stop partners. Countywide (JB)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	December 2, 2014
Joint Workshop	December 3, 2014
Regular	December 16, 2014
Zoning	January 8, 2015
Regular	January 13, 2015
Workshop	January 27, 2015
Zoning	January 29, 2015

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during August 2014. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Second Amendment (Amendment) to the Annual Roadway Landscaping Contract (Contract), R2013-0358, Project No. 2013054, dated April 2, 2013, with Superior Landscaping & Lawn Service, Inc. (Contractor). **SUMMARY:** Approval of this Amendment will extend the contract expiration date from April 2, 2015 to April 1, 2016. The contract provides that its term may be extended for a defined period of time, with a total contract time span of 36 months. This is the second extension of this contract and will bring the total authorized contract time to 36 months. The contract consists of labor, materials, equipment and incidentals required to prepare the site to final grade, install landscape trees, plants, sod and irrigation systems in accordance with the plans and as specified by various Palm Beach County Departments on an as needed basis. Countywide (MRE)
2. **Staff recommends motion to approve:** a Maintenance and Removal Agreement with Janus Hotels and Resorts, Inc. (Janus), for a proposed accessibility ramp within the right-of-way of Donald Ross Road. **SUMMARY:** Approval of the Maintenance and Removal Agreement will define Janus' responsibilities for operation and maintenance of the accessibility ramp, and future removal if required. The accessibility ramp will provide direct pedestrian access from a Holiday Inn Express hotel to the sidewalk on the south side of Donald Ross Road. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: an Interlocal Agreement with City of Lake Worth (City) transferring jurisdictional control, maintenance responsibility, and ownership of Boutwell Road from Lake Worth Road to approximately 360 feet south of 10<sup>th</sup> Avenue North, to the City. **SUMMARY:** Approval of this Interlocal Agreement will give the City jurisdictional control, maintenance responsibility, and ownership of Boutwell Road from Lake Worth Road to approximately 360 feet south of 10<sup>th</sup> Avenue North, which is wholly within the City's municipal limits. Palm Beach County currently has this section of Boutwell Road under its jurisdiction. District 3 (MRE)
  
4. Staff recommends motion to approve: an Agreement with Strawberry Lakes Master Corporation, Inc. (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this Agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon its roadways during normal patrol hours within the Community. District 3 (MRE)
  
5. ~~**DELETED: Staff recommends motion to approve:**~~  
  
~~**A)** an assumption of a Tri-Party Piping, Paving and Parking Agreement (Agreement Assumption) with Lake Worth Drainage District (LWDD) and Regency Centers, L.P. for the maintenance of an existing pipe and improvements located within a portion of the L-18 Canal;~~  
  
~~**B)** an Agreement Assumption with LWDD and Bank Street Partners, LLC for the maintenance of an existing pipe and improvements located within a portion of the L-18 Canal; and~~  
  
~~**C)** an Agreement Assumption with LWDD and ARR Realty Investments, LLC for the maintenance of an existing pipe and improvements located within a portion of the L-18 Canal.~~  
  
**SUMMARY:** Approval of these agreement assumptions will satisfy the request from LWDD to have the new property owners associated with Boynton Lakes Plaza affirm their obligations to maintain the existing pipe and paving, landscaping, lighting and signage improvements located in a portion of the L-18 Canal along Hypoluxo Road near the intersection of Congress Avenue. District 3 (MRE)
  
6. Staff recommends motion to approve: Work Order No. 2013052-035 (Work Order) in the amount of \$322,000 to mill and resurface Cain Boulevard from Glades Road to Yamato Road (Improvements) utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2013-0235 with Community Asphalt Corp. **SUMMARY:** Approval of this Work Order will allow the contractual services necessary to construct the Improvements. Per County PPM CW-F-050, this Work Order exceeds the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve: the Second Amendment to renew the civil engineering annual contracts with Civil Design, Inc. (CDI), R2013-0413, Michael B. Schorah & Associates, Inc. (Schorah), R2013-0414, and Simmons & White, Inc. (S&W), R2013-0415, all whose original contracts were dated April 16, 2013. **SUMMARY:** Approval of these second amendments to the annual contracts will extend the required professional services for one year, on a task order basis. These amendments with CDI, Schorah and S&W will extend the contract period from April 16, 2015 through April 15, 2016. These amendments are the second and final renewals of two possible one-year renewals contemplated in the original contracts. The consultants are all Palm Beach County companies and are certified as small business enterprises. Countywide (MRE)

8. Staff recommends motion to approve:

**A)** Work Order 2013052-036 utilizing Palm Beach County's (County) Annual Asphalt Milling and Resurfacing Contract R2013-0235 (Contract) with Community Asphalt Corp. (Community) in the amount of \$421,000 for Northlake Boulevard from Osprey Isles Boulevard/112<sup>th</sup> Terrace to State Road 7 (Districts 1 & 6);

**B)** Work Order 2013052-037 utilizing the County's Contract with Community in the amount of \$517,000 for Glades Road from Ponderosa Drive to State Road 7 (District 5);

**C)** Work Order 2013052-038 utilizing the County's Contract with Community in the amount of \$195,000 for Australian Avenue from Belvedere Road to Old Okeechobee Road (Districts 2 & 7);

**D)** Work Order 2013052-039 utilizing the County's Contract with Community in the amount of \$934,000 for Congress Avenue from Boynton Beach Boulevard to Miner Road (Districts 3 & 4); and

**E)** Work Order 2013052-040 utilizing the County's Contract with Community in the amount of \$333,000 for Haverhill Road from Belvedere Road to Okeechobee Boulevard (Districts 2 & 7).

**SUMMARY:** Approval of these five Work Orders will allow the contractual services necessary to construct all the improvements. Funding is provided through the 'Reserve-Resurfacing' account within the Five Year Road Program. Per County PPM CW-F-050, these Work Orders exceed the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners. (MRE)

9. **DELETED**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

10. Staff recommends motion to approve:

**A)** a Second Amendment to the annual asphalt milling and resurfacing contract (Contract), Project No. 2013052, dated March 12, 2013, with Community Asphalt Corp., R2013-0235, to increase the amount of the Contract by \$2,000,000; and

**B)** a Second Amendment to the annual asphalt milling and resurfacing contract (Contract), Project No. 2013052, dated March 12, 2013, with Ranger Construction Industries, Inc., R2013-0236, to increase the amount of the Contract by \$2,000,000.

**SUMMARY:** Approval of these amendments will increase these Contract amounts by \$2,000,000 from \$12,110,000 to \$14,110,000. The increased Contract amounts are based on estimated amounts to be expended throughout Palm Beach County by the Engineering and Public Works Department. Countywide (MRE)

11. Staff recommends motion to approve: a Contract in the amount of \$1,674,638.26, with American Consulting Engineers of Florida, LLC (ACE), for professional services for the Old Dixie Highway from Yamato Road to Linton Boulevard project (Project). **SUMMARY:** Approval of this Contract 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%. ACE has committed to 30.50% SBE participation for the Project. ACE is a Palm Beach County company. Districts 4 & 7 (MRE)

12. Staff recommends motion to approve: an Agreement with Canyon Isles Homeowners Association, Inc. (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon its roadways during normal patrol hours within the Community. District 5 (MRE)

13. **DELETED**

14. Staff recommends motion to approve: a Work Order to construct a mast arm traffic signal at the intersection of Canyon Lakes Drive/Lake Royal Road and Lyons Road, PBC Intersection ID Number 46450 (Project), utilizing Palm Beach County's (County) annual traffic signal contractor, Gerelco Traffic Controls, Inc. (Gerelco), for the amount of \$275,115.72. **SUMMARY:** Approval of this Work Order will allow Gerelco to construct the Project. Per County PPM CW-F-050, this work order exceeds the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

15. Staff recommends motion to approve:

**A)** a Work Order to construct a mast arm traffic signal at the intersection of Donald Ross Road and Port Circle, PBC Intersection ID Number 08935 (Project), utilizing Palm Beach County's (County) annual traffic signal contractor, Gerelco Traffic Controls, Inc. (Gerelco), for the amount of \$275,627.82; and

**B)** a Budget Amendment of \$100,000 in the Transportation Improvement Fund to recognize reimbursement funding from Frenchman's Yacht Club Developers, LLC and appropriate it to the Project.

**SUMMARY:** Approval of this Work Order and Budget Amendment will allow Gerelco to construct the Project. Per County PPM CW-F-050, this Work Order exceeds the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners. District 1 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the IRS Form 8038 in relation to the change in use of the proceeds of the County's Variable Rate Demand Revenue Bonds, Series 2004 (The Community Foundation for Palm Beach and Martin Counties, Inc. Project) (the "Bonds"). **SUMMARY:** The IRS Form 8038 for the Bonds has been provided. This Form should now be received and filed in the Minutes Department. District 7 (PFK)

2. Staff recommends motion to approve: an Agreement for Legal Services (Agreement) with Kaplan Kirsch and Rockwell, LLP, with a not to exceed amount of \$350,000 for expert aviation legal services and \$30,000 for reimbursable costs, for a total not to exceed amount of \$380,000, with an initial term of two years with two two-year renewal options. **SUMMARY:** This Agreement provides for expert aviation legal services to be provided to the County Attorney by Kaplan, Kirsch and Rockwell, LLP on an as needed basis. The Agreement would commence on January 9, 2015, and would be limited to an amount not to exceed \$350,000. The Agreement also provides for reimbursable costs up to \$30,000, for a total not to exceed amount of \$380,000. As a cost-savings measure, the Agreement provides that the County Attorney's Office will perform all routine legal services not requiring expertise in aviation law, such as drafting discovery, defending/taking depositions, and attending hearings. Countywide (ATP)

3. Staff recommends motion to approve: Settlement Agreement in Lisa Hardy v. Palm Beach County Board of County Commissioners d/b/a Palm Tran, Case No. 502014CA001772XXXMB AH (Fifteenth Judicial Circuit Court) for \$75,000, inclusive of attorney's fees and costs. **SUMMARY:** Plaintiff Lisa Hardy (fifty years of age) sued Palm Tran alleging negligence following a collision between her vehicle and a Palm Tran bus, which occurred on August 12, 2013, while the two vehicles were exiting the Boynton Beach Mall. The parties have drafted a proposed settlement agreement which would settle Ms. Hardy's claims in the amount of \$75,000, inclusive of attorney's fees and costs. Staff, including Risk Management and Palm Tran, recommends that the Board of County Commissioners approve this Settlement as a reasonable compromise of the claims brought by Ms. Hardy, in order to limit the County's exposure in this case. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

**A)** Amendment No. 01 to the Contract for Provision of Financial Assistance with Drug Abuse Treatment Association, Inc. (R2014-1688), for the period October 1, 2014, through September 30, 2015, in an amount not to exceed \$257,035, to modify the definition of the unit of service in the Walter D. Kelly Treatment Center/Adolescent Residential Services; and

**B)** Amendment No. 02 to the Contract for Provision of Financial Assistance with Adopt-A-Family of the Palm Beaches, Inc. (R2013-1623), for the period October 1, 2014, through September 30, 2015, in an amount not to exceed \$60,000, to modify the definition of the unit of service in the Service Enriched Housing Program.

**SUMMARY:** These amendments are necessary in order to modify units of service definitions for both agencies. Drug Abuse Treatment Association, Inc. will modify the units of service definitions in the DATA Adolescent Residential Treatment Program, and Adopt-A-Family of the Palm Beaches, Inc. will modify the units of service definitions in the Service Enriched Housing Program. The Contract amounts are unchanged by these amendments. Countywide (HH)

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

**A)** Issuance of termination notice to Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) Contract R2014-1901, effective March 15, 2015; and

**B)** Amendment No. 01 to Contract for Provision of Financial Assistance with ~~The Jerome Golden Center for Behavioral Health, Inc., (R2014-1695),~~ Drug Abuse Foundation of Palm Beach County, Inc., (R2014-1692), for the period ~~March 16, 2015~~ October 1, 2014, through September 30, 2015, to increase funding by ~~\$165,568~~ \$153,000, for a new total contract amount not to exceed ~~\$1,316,096~~ \$903,353.

**SUMMARY:** Contract termination is being recommended for CARP due to a failure of the agency to provide reasonable assurances that patient care, service delivery, financial accountability and other essential performance requirements and contract provisions are being maintained, and will be maintained in the future. CARP has failed to adequately address the monitoring concerns of the County and has lost State funding provided through the managing entity, Southeast Florida Behavioral Health Network, Inc. (SEFBHN) and the Department of Corrections, and has stopped accepting patients. To avoid a disruption of services, staff is recommending an expansion of our current contract with ~~The Jerome Golden Center for Behavioral Health Inc.~~ the Drug Abuse Foundation of Palm Beach County, Inc. to provide detoxification treatment beds for the duration of the contract period March 16, 2015, through September 30, 2015. No new County funding is required. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with The Jerome Golden Center for Behavioral Health, Inc., for the period March 16, 2015 through June 30, 2015, in an amount not to exceed \$200,000, for mental health and substance abuse co-occurring treatment services. **SUMMARY:** On February 3, 2015, the Board of County Commissioners approved a contract with Southeast Florida Behavioral Health Network, Inc. (SEFBHN), providing the County the funds to sub-contract with The Jerome Golden Center for Behavioral Health, Inc. (Center). The Center will take on the complex task of addressing co-occurring psychiatric and substance abuse concerns. The Center will implement a 12-bed, Level 2 residential treatment facility to provide integrated services for co-occurring disorders where both disorders are primary and treated by one team simultaneously. Thomas McKissack of The Jerome Golden Center for Behavioral Health, Inc. is a member of the HIV Care Council. This board provides **no** regulation, management, or policy-setting recommendations regarding the Homeless Assertive Community Treatment Team activities funded by this Contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. No County funds are required. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

**A) receive and file:**

1. Amendment 004 to Standard Agreement No. IA013-9500 (R2013-0433) for Older American Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2014, through December 31, 2014, to increase total funding by \$5,302 for a new total amount not to exceed \$1,918,257, to provide assistance to older persons and caregivers; and
2. Amendment 005 to Standard Agreement No. IU013-9500 (R2012-1871) for Nutrition Services Incentive Program (NSIP) with AAA, for the period October 1, 2014, through September 30, 2015, to increase total funding by \$613 for a new total amount not to exceed \$277,798, to provide meals to seniors via OAA congregate and home delivered meals ; and
3. Amendment 006 to Standard Agreement No. IP012-9500 (R2012-1633) for Emergency Home Energy Assistance for the Elderly Program (EHEAP) with AAA, for the period for April 1, 2014, through March 31, 2015, for a total amount not to exceed \$9,759, to provide home energy assistance for seniors; and
4. Amendment 006 to Standard Agreement No. IZ012-9500 (R2012-1631) for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2013, to June 30, 2014, to increase total funding by \$54,239.76 for a new total amount not to exceed \$329,375.76, to provide assistance to seniors afflicted with Alzheimer's disease and other forms of dementia.

**B) approve** Renewal Agreement IA013-9500 to Standard Agreement No. IA013-9500 (R2013-0433) for Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc., (AAA), for the period January 1, 2015, through December 31, 2015, in an amount not to exceed \$1,912,997, to provide assistance to older persons and caregivers; and

**C) approve** Budget Amendment of \$540,007 in the DOSS Administration Fund to align the budget to the actual grant award.

**SUMMARY:** Grant adjustments are made during the contract year to align services with need. The renewal outlines funding allocations for the 2015 OAA agreement period and reflects any changes to the approved rates. These amendments were executed by County Administrator in accordance with Resolution R2013-0242, which delegated authority to County Administrator or his designee to sign documents related to DOSS/AAA grant amendments. These receive and file items are being submitted in accordance with County wide PPM No.CW-O-051 to allow Clerk's Office to note and receive the executed amendments. The Budget Amendment is aligning the County budget with the actual grant award. Required County match funds are included in current budget. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Rd (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

**A) approve** one full-time equivalent (FTE) grant funded position for an Information Management System Specialist (Pay Grade 30), for the Human Services Division; and

**B) delegate** signature authority to the County Administrator, or his designee, to sign the Client Management Information System (CMIS) Agency License Agreements; and

**C) delegate** signature authority to the County Administrator, or his designee, to sign the contract and any other applicable documents with the software provider; and

**D) approve** Budget Transfer of \$50,000 in the Housing and Community Development Fund to General Fund to establish the new position; and

**E) approve** Budget Amendment of \$50,000 in General Fund, Human Services Division to establish the budget.

**SUMMARY:** In October 2014, the Division of Human Services began oversight and administration of CMIS. CMIS serves as a countywide shared database to track homeless prevention and homeless services provided to individuals and families. This reduces duplication of information for referrals and contacts with appropriate agencies. CMIS is federally mandated by Housing and Urban Development (HUD) in order to qualify for Continuum of Care grant funds. Until May 2014, Palm Beach County received an annual HUD grant allocation for CMIS operations in the amount of \$155,000; however, reduction in federal funding resulted in the loss of this grant. There is a \$50,000 allocation in the Emergency Solutions Grant funds to support CMIS operation from the Department of Economic Sustainability. License fees of \$100 each are charged to users annually for a total of \$6,800. The grant position will be approved for the length of the grant and will be eliminated if funding is discontinued. (Human Services) Countywide (HH)

6. Staff recommends motion to approve: Amendment 005 to Permanent Contract No. Y4119 (R2013-1543) for Adult Care Food Program (ACFP) with the State of Florida, Department of Elder Affairs (DoEA) to incorporate revisions, additions and deletions to permanent contract. **SUMMARY:** This amendment includes new language regarding public records and retention requirements, revises and replaces the Indemnification clause, adds new paragraph requiring a statement listing the publicly funded programs DOSS has participated in the past seven years, and deletes section 18.3 Public Access to Records. Amendments No. 1 (R2014-1024), No. 2 (R2014-1025) and No. 3 (R2014-1677) were approved by the Board of County Commissioners. Amendment No. 4 is an internal DoEA budget amendment increasing the projected amount of allocation for Palm Beach County based on number of clients served in prior months. Amendment No. 4 is not provided to the grantee for approval since it reflects the changes in projected allocation. It does not change any contract language or provisions. The ACFP targets low-income persons receiving Medicaid, Food Stamps, and/or Supplemental Security Income (SSI). ACFP provides meal reimbursements to approved providers for servicing eligible adult day care participants. ACFP provides meals and a snack per day to adult day care clients, in an effort to maintain or improve the adult participant's quality of life. No County match is required. (DOSS) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Airport Consent to Assignment of Subconcession Agreement (Consent) with The Hertz Corporation (Hertz), consenting to the assignment of the subconcession by Simply Wheelz, LLC (Wheelz) to Advantage Opco, LLC (Opco) d/b/a Advantage Rent A Car (Advantage) for the operation of the Advantage rental car brand at the Palm Beach International Airport (PBI). **SUMMARY:** The Consent will permit Wheelz to assign its interest in a subconcession agreement for the operation of the Advantage brand at PBI to Opco. The Consent also accepts an audit report submitted for the contract year ending September 30, 2013 for the Advantage brand, which lacked certain non-revenue data such as the number of rental car transactions. Countywide (AH)
  
2. **Staff recommends motion to approve:** a Third Amendment to Advertising Concession Agreement (Amendment) with In-Ter-Space Services, Inc., d/b/a Clear Channel Airports (Clear Channel), providing for use of vacant advertising displays for certain local tourism or airport messages subject to reimbursement of costs. **SUMMARY:** This Amendment authorizes the Department of Airports to request Clear Channel to install and maintain certain advertising and displays at the Palm Beach International Airport (PBI) for the provision of local tourism, welcome messages and the promotion of airport programs and services subject to reimbursement of costs incurred by Clear Channel for design, fabrication and installation of advertisements and displays requested by the Department. Reimbursement will be in the form of a credit against concession payments owed to the County pursuant to the Concession Agreement. Countywide (AH)
  
3. **Staff recommends motion to approve:** a Seventh Amendment to Retail Concession Agreement (Amendment) with Paradies-Palm Beach, LLC (Paradies), providing for the lease of approximately 189 square feet of additional space for approximately \$12,956 per year, a license for the use of additional storage space, and the removal of the prohibition on liquor sales at the Palm Beach International Airport. **SUMMARY:** This Amendment increases the amount of storage space leased to Paradies by approximately 189 square feet resulting in \$12,956 in annual rental. The Amendment also allows for a revocable license with Paradies for additional storage space within Concourse C at no cost in order to reduce deliveries made through the security bypass on the concourse. Additionally, this Amendment removes the prohibition of the sale of liquor, corrects a scrivener's error in the definition of privilege fees, and updates standard non-discrimination contract provisions. Countywide (AH)
  
4. **Staff recommends motion to receive and file:** Hotel-Motel Courtesy Shuttle Operator Permit with Island Hospitality Management V, Inc., d/b/a Courtyard by Marriott West Palm Beach Airport Hotel commencing November 14, 2014, terminating September 30, 2015, automatically renewed on yearly basis (October 1<sup>st</sup> through September 30<sup>th</sup>). **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2010-0707. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. **Staff recommends motion to receive and file:** License Agreement with Jet Aviation Associates, Ltd. (Jet) commencing January 21, 2015 and expiring January 23, 2015, and commencing January 20, 2016 and expiring January 22, 2016, for overflow parking of vehicles in connection with the annual La Bella Macchina charity event hosted by Jet at the Palm Beach International Airport (PBI), at no cost to Jet. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. This License Agreement provides for the use of a portion of the parking area adjacent to the PBI Air Cargo Building No. 1475 for use solely for the parking of vehicles in connection with Jet's charity event. Countywide (AH)
  
6. **Staff recommends motion to receive and file:** License Agreement with Avis Rent A Car System, LLC, commencing December 15, 2014 and expiring February 14, 2015, and renewing on a month to month basis, provided no renewal shall extend beyond May 14, 2015, for a portion of paved parking area at Building 1475, at the Palm Beach International Airport as identified in Exhibit "A" of the License Agreement, for payment of license fees in the amount of \$3,300 per month. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R2007-2070. Countywide (AH)
  
7. **Staff recommends motion to receive and file:** License Agreement with Evans Consoles Incorporated (Evans), commencing January 15, 2015 and expiring February 14, 2015, and renewing on a month to month basis, provided no renewal shall extend beyond June 14, 2015, for a 3,500 square foot portion of Building 1169, at the Palm Beach International Airport as identified in Exhibit "A" of the License Agreement, for payment of license fees in the amount of \$1,750 per month. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R2007-2070. Countywide (AH)
  
8. **Staff recommends motion to approve:**
  - A)** Change Order No. 2 to Amendment No. 1 to the Construction Manager (CM) at Risk Contract with The Whiting-Turner Contracting Company in the amount of \$620,529 for CM at Risk Services for the Baggage Handling System improvements at Palm Beach International Airport (PBI); and
  
  - B)** a Budget Transfer of \$620,529 in the Airport Improvement and Development Fund to provide budget for Change Order No. 2 to the contract with The Whiting-Turner Contracting Company. This includes a transfer from Reserves of \$620,529.

**SUMMARY:** The CM at Risk Contract with The Whiting-Turner Contracting Company for CM at Risk Services for terminal improvements at PBI was approved by the Board on October 16, 2012 (R2012-1519). Approval of Amendment No. 1 in the amount of \$41,983,731 and 616 calendar days was approved by the Board on October 21, 2014 (R2014-1637). Change Order No. 1 was approved by the Department of Airports pursuant to PPM CW-F-050 deducting direct purchased materials in the amount of (-)\$1,036,264.48. Approval of Change Order No. 2 will increase the Guaranteed Maximum Price approved in Amendment No. 1 by \$620,529. There is no change in time related to this change order. The Whiting-Turner Contracting Company is a Baltimore, Maryland based firm; however, the work will be directly managed by the local South Florida office in Broward County. Countywide (JCM)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to approve: the At-Large reappointments of the following two individuals to the Aviation and Airports Advisory Board (AAAB) for a term beginning March 10, 2015 and expiring September 30, 2017:

<u>SEAT</u>	<u>NAME</u>	<u>SEAT REQUIREMENT</u>	<u>NOMINATED BY</u>
No. 8	Ronald Ash	Favorable reputation for experience and expertise in engineering, architecture and construction	Vice Mayor Berger Comm. Valeche Comm. Abrams Comm. McKinlay Comm. Taylor
No. 9	E. Llwyd Ecclestone	Favorable reputation for experience and expertise in banking, insurance, business, non-residential construction and consumer	Mayor Vana Vice Mayor Berger Comm. Valeche Comm. Abrams Comm. McKinlay

**SUMMARY:** Per Resolution No. R2013-1303, the AAAB consists of nine members. Seven members are District appointments (Seats 1 through 7) and two members are At-Large appointments (Seats 8 and 9). On September 30, 2014, the term for Seat No. 8 and Seat No. 9 expired. Mr. Ash and Mr. Ecclestone meet the membership requirements and are willing to serve another term. No other nominations were received. E. Llwyd Ecclestone has disclosed that he has an ownership position in Florida Management Company which leases real estate to the Palm Beach County Tourist Development Council. The AAAB provides **no** regulation, oversight, management, or policy-setting recommendations regarding the subject contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sec. 2-443, of the Palm Beach County Code of Ethics. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) the appointment/reappointment of the following nominees to the Impact Fee Review Committee (IFRC) for the three year term March 10, 2015 through March 9, 2018:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Appointment James Dubois	2	Municipal	Mayor Vana Commissioner Valeche Commissioner Burdick Commissioner Abrams Commissioner McKinlay Vice Mayor Berger
Reappoint Jerry Beavers	3	Municipal	Mayor Vana Commissioner Valeche Commissioner Burdick Commissioner Abrams Commissioner Taylor Vice Mayor Berger

B) the appointment of Andrew Mack to an alternate seat on the IFRC to complete the unexpired term of James Dubois for the period March 10, 2015 through October 21, 2016:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>
Andrew Mack	Alternate	Municipal	Mayor Vana Commissioner Valeche Commissioner Burdick Commissioner Abrams Commissioner McKinlay Commissioner Taylor Vice Mayor Berger

**SUMMARY:** The IFRC is composed of seven members and three alternate members. The voting membership of the IFRC shall include three representatives from municipalities within PBC, three representatives from the business community, and one member selected at-large. The alternate members shall include one representative from each of the three categories listed above. This agenda item provides for the appointment/reappointment of regular-seat members to a three-year term that will expire March 9, 2018 and the appointment of an alternate member to complete an unexpired term that will expire October 21, 2016. Each of the nominees has completed the required ethics training. Countywide (LB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Contract with All-Site Construction, Inc. for the Job Order Contract (JOC) Annual 2015 with a maximum value of \$2,500,000 as one of a pool of five general contractors to perform on an as-needed basis for projects throughout the County. **SUMMARY:** This Contract is for one year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum cumulative value of \$2,500,000 across all five contracts. Job Order Contracts are competitively bid, firm, fixed price indefinite quantity contracts that include a collection of detailed repair and construction tasks and specifications that have established unit prices. The original contracts provide for an initial one year term with four one-year renewal options at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified and in good standing. The specific magnitude of the work will be determined by individual work orders issued. All-Site Construction, Inc. will perform work identified by the County in the executed work order, in accordance with the following cost factor adjustments to the Construction Task Catalog (CTC) Unit Price Books:

- 1.0794 Project requires work to be performed during normal working hours; and
- 1.0911 Project requires work to be performed outside normal working hours

The Small Business Enterprise (SBE) goal established for this Contract is 15% and will be tracked cumulatively for each issued work order. All-Site Construction, Inc. is a Palm Beach County based company. (Capital Improvements Division) Countywide (JM)

2. **Staff recommends motion to approve:** Contract with Carrick Contracting Corporation for the Job Order Contract (JOC) Annual 2015 with a maximum value of \$2,500,000 as one of a pool of five general contractors to perform on an as-needed basis for projects throughout the County. **SUMMARY:** This Contract is for one year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum cumulative value of \$2,500,000 across all five contracts. Job Order Contracts are competitively bid, firm, fixed price indefinite quantity contracts that include a collection of detailed repair and construction tasks and specifications that have established unit prices. The original contracts provide for an initial one year term with four one-year renewal options at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified and in good standing. The specific magnitude of the work will be determined by individual work orders issued. Carrick Contracting Corporation will perform work identified by the County in the executed work order, in accordance with the following cost factor adjustments to the Construction Task Catalog (CTC) Unit Price Books:

- 1.0175 Project requires work to be performed during normal working hours; and
- 1.0275 Project requires work to be performed outside normal working hours

The Small Business Enterprise (SBE) goal established for this Contract is 15% and will be tracked cumulatively for each issued work order. Carrick Contracting Corporation is a Palm Beach County based company. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Contract with Fine Line Construction Contractors, Inc. for the Job Order Contract (JOC) Annual 2015 with a maximum value of \$2,500,000 as one of a pool of five general contractors to perform on an as-needed basis for projects throughout the County. **SUMMARY:** This Contract is for one year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum cumulative value of \$2,500,000 across all five contracts. Job Order Contracts are competitively bid, firm, fixed price indefinite quantity contracts that include a collection of detailed repair and construction tasks and specifications that have established unit prices. The original contracts provide for an initial one year term with four one-year renewal options at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified and in good standing. The specific magnitude of the work will be determined by individual work orders issued. Fine Line Construction Contractors, Inc. will perform work identified by the County in the executed work order, in accordance with the following cost factor adjustments to the Construction Task Catalog (CTC) Unit Price Books:

- 0.8700 Project requires work to be performed during normal working hours; and
- 0.9570 Project requires work to be performed outside normal working hours

The Small Business Enterprise (SBE) goal established for this Contract is 15% and will be tracked cumulatively for each issued work order. Fine Line Construction Contractors, Inc. is a Palm Beach County based company. (Capital Improvements Division) Countywide (JM)

4. Staff recommends motion to approve: Contract with Providian Construction Group, Inc. for the Job Order Contract (JOC) Annual 2015 with a maximum value of \$2,500,000 as one of a pool of five general contractors to perform on an as-needed basis for projects throughout the County. **SUMMARY:** This Contract is for one year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum cumulative value of \$2,500,000 across all five contracts. Job Order Contracts are competitively bid, firm, fixed price indefinite quantity contracts that include a collection of detailed repair and construction tasks and specifications that have established unit prices. The original contracts provide for an initial one year term with four one-year renewal options at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified and in good standing. The specific magnitude of the work will be determined by individual work orders issued. Providian Construction Group, Inc. will perform work identified by the County in the executed work order, in accordance with the following cost factor adjustments to the Construction Task Catalog (CTC) Unit Price Books:

- 0.8875 Project requires work to be performed during normal working hours; and
- 0.9245 Project requires work to be performed outside normal working hours

The Small Business Enterprise (SBE) goal established for this contract is 15% and will be tracked cumulatively for each issued work order. Providian Construction Group, Inc. is a Broward County based company with a Palm Beach County office. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Contract with Robling Architecture Construction, Inc. for the Job Order Contract (JOC) Annual 2015 with a maximum value of \$2,500,000 as one of a pool of five general contractors to perform on an as-needed basis for projects throughout the County. **SUMMARY:** This Contract is for one year and is an indefinite-quantity, fixed unit price contract that has a minimum value of \$35,000 and a maximum cumulative value of \$2,500,000 across all five contracts. Job Order Contracts are competitively bid, firm, fixed price indefinite quantity contracts that include a collection of detailed repair and construction tasks and specifications that have established unit prices. The original contracts provide for an initial one year term with four one-year renewal options at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified and in good standing. The specific magnitude of the work will be determined by individual work orders issued. Robling Architecture Construction, Inc. will perform work identified by the County in the executed work order, in accordance with the following cost factor adjustments to the Construction Task Catalog (CTC) Unit Price Books:

- 0.9590 Project requires work to be performed during normal working hours; and
- 0.9690 Project requires work to be performed outside normal working hours

The Small Business Enterprise (SBE) goal established for this contract is 15% and will be tracked cumulatively for each issued work order. Robling Architecture Construction, Inc. is a Palm Beach County based company. (Capital Improvements Division) Countywide (JM)

6. Staff recommends motion to approve: an Interlocal Agreement with the Food and Drug Administration – Office of Criminal Investigations (Agency) allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (System). **SUMMARY:** This Interlocal Agreement provides the terms and conditions under which the Agency can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Agency. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this agreement. The Agency is required to pay all costs associated with subscriber units and to comply with the established operating procedures for the County's Public Safety Radio System. The Agreement provides for an initial term of five years with three renewal options, each for a period of five years. This Interlocal Agreement may be terminated by either party, with or without cause, upon ten days prior notice to the other party. (ESS) Countywide (JM)
7. Staff recommends motion to approve: Exercise of the first option to extend Lease Agreement (R91-0437D) with Wallace K. Lutz, Sr. And Theresa C. Lutz, Trustees of the Wallace K. Lutz, Sr. Revocable Living Trust dated October 8, 1991. **SUMMARY:** The County, on behalf of the Department of Community Services' Migrant Program, currently leases 699 SF of office space at 607 South Main Street, Unit 103, in Belle Glade for the operation of a satellite office. This first option will extend the term of the Lease Agreement for two years from June 1, 2015, through May 31, 2017. The annual rent for this extension period will increase two percent (2%) to \$7,514.14 (\$10.75/sf). (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to accept: a Quitclaim Deed from the United States of America, acting by and through the Administrator of General Services, conveying 5.76 acres of unimproved property located in unincorporated Delray Beach. **SUMMARY:** The subject property is located at 14115 Hagen Ranch Road and formerly supported a Federal Aviation Administration (FAA) communication tower and related ancillary improvements. On May 20, 2014, the U.S. General Services Administration (GSA) issued a letter informing the County that the property was determined to be surplus Federal Government property and available for disposal. Formal notice of the County's interest in the property for emergency management response purposes was issued on June 12, 2014. An Application for Surplus Federal Real Property Public Benefit Conveyance was then submitted by Facilities Development & Operations to the Department of Homeland Security, Federal Emergency Management Agency (FEMA) on July 25, 2014. That application has been approved by FEMA and GSA, and County acceptance of the deed is now required to complete the transfer of ownership to the County. The conveyance from the federal government is without charge and is subject to restrictions limiting use of the property to emergency management response purposes. (PREM) District 5 (HJF)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: an Agreement with the City of Greenacres in the amount of \$89,231 for the period of March 10, 2015, through April 30, 2016. **SUMMARY:** The Agreement provides Community Development Block Grant (CDBG) funding for drainage improvements along First Street in Greenacres. On July 22, 2014, the Board of County Commissioners approved the Fiscal Year 2014-2015 Action Plan (R2014-1079) which allocated \$89,231 for these infrastructure improvements. **This funding is projected to create three jobs and have a one year Economic Sustainability Impact of \$152,590. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 2 (JB)
2. Staff recommends motion to approve: a Budget Amendment of \$500,000 to the Federal Home Loan Bank of Atlanta (FHLBA) Fund to appropriate funds in the Fiscal Year 2014-2015 Budget. **SUMMARY:** On December 16, 2014, the Board of County Commissioners approved a Memorandum of Understanding (MOU) (R2014-1924) with the FHLBA for a commitment of \$500,000 from its Affordable Housing Program funds to help finance income eligible U.S. military personnel veterans and surviving spouses to purchase new homes or to purchase and rehabilitate existing homes in Palm Beach County. The Veterans Homeownership and Preservation Program (VHPP) will initially be funded with Fiscal Year 2014-2015 State Housing Initiatives Partnership (SHIP) Program funds in the amount of \$1,000,000 and matched with a FHLBA grant in the amount of \$500,000 for a total program allocation of \$1.5 million. The VHPP will leverage other Federal, State and private funding. The FHLBA requires at a minimum a 2:1 match and, if successful, FHLBA has preliminarily agreed to provide on-going funding for the program. The MOU term is from January 1, 2015 to December 31, 2015. **These are FHLBA funds which require a local match that will be met with State SHIP funds.** (FALS) Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve:

**A)** a Budget Amendment of \$58,721 in the Housing and Community Development Fund;

**B)** a Budget Amendment of \$138,154 in the Home Investment Partnership Act (HOME) Fund; and

**C)** a Budget Amendment of \$4,471 in the General Fund.

**SUMMARY:** On July 22, 2014, the Board of County Commissioners approved the County's Fiscal Year 2014-2015 Action Plan (R2014-1079). The U.S. Department of Housing and Urban Development (HUD) approved the Action Plan that included the Fiscal Year 2014-2015 allocation of Federal funds totaling \$8,094,426 and comprising \$5,865,753 for the Community Development Block Grant (CDBG) Program, \$478,676 for the Emergency Solutions Grant (ESG) Program and \$1,749,997 for the HOME Investment Partnership Grant (HOME) Program. These Budget Amendments are necessary to adjust the current budget amounts to the authorized funding levels. **The ESG required 100% local match will be provided by the seven ESG-funded agencies, the Division of Human Services, and the Department of Economic Sustainability. The HOME required local match (\$371,875) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** (FALS) Countywide (JB)

4. Staff recommends motion to:

**A) receive and file** the 2014 Crime Statistics Report for the Palm Beach County Urban High-Crime Job Tax Credit (UJTC) Program and the UJTC Re-ranking Status Letter/Program;

**B) ratify** the Mayor's signature on the 2014 Crime Statistics Report; and

**C) authorize** the County Administrator, or his designee, to execute future UJTC Program reports and all related amendments and documents.

**SUMMARY:** Palm Beach County has participated in the UJTC Program since 1999. Historically, the State assembled the data and reviewed the statistics. The County is now required by the Florida Legislature to submit the report for the State's review. The 2014 Crime Statistics Report was executed on August 25, 2014 by the Mayor and was provided to the Florida Department of Economic Opportunity. The report includes the crime volume and number of arrests that took place for various crimes within the UJTC area during the 2013 calendar year. Upon review of the 2014 Crime Statistics Report, the State re-ranked the County UJTC area as Tier 1 allowing eligible businesses to receive State tax credits from \$1,500 to \$2,000 per qualified job. The re-designation of the UJTC areas became effective on January 1, 2015, and will remain in effect until December 31, 2017. (Strategic Planning Section) Districts 2 & 7 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. **Staff recommends motion to approve:** an Agreement with the Town of Lake Park in the amount of \$403,591 for the period of March 10, 2015, through August 30, 2016. **SUMMARY:** The Agreement provides Community Development Block Grant (CDBG) funding for restroom demolition, reconstruction and renovation, and related site improvements in Kelsey Park and Lake Shore Park located at 601 Federal Highway and 600 Lake Shore Drive in Lake Park, respectively. On July 22, 2014, the Board of County Commissioners (BCC) approved the Fiscal Year 2014-2015 Action Plan (R2014-1079) which provided a formula allocation of \$53,941 for Kelsey Park and an Area of Hope allocation of \$309,000 for Lake Shore Park. In addition, on July 16, 2013, the BCC approved the Fiscal Year 2013-2014 Action Plan (R2013-0950) which provided a formula allocated of \$40,650 for Kelsey Park. **This funding is projected to create 13 jobs and have a one year Economic Sustainability Impact of \$1 Million. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 1 (JB)
  
6. **DELETED**
  
7. **Staff recommends motion to approve:** an Agreement with the City of Riviera Beach in the amount of \$188,761 for the period March 10, 2015, through July 31, 2016. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding for the installation of infrastructure improvements along West 23<sup>rd</sup> Street. On July 22, 2014, the Board of County Commissioners approved the Fiscal Year 2014-2015 Action Plan (R2014-1079) which allocated \$188,761 for these improvements. **This funding is projected to create six jobs and have a one year Economic Sustainability Impact of \$282,288. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (JB)
  
8. **Staff recommends motion to approve:** Amendment No. 001 to an Agreement (R2013-1648) with the City of Greenacres to extend the project completion date. **SUMMARY:** On November 19, 2013, the County entered into an Agreement (R2013-1648) with the City of Greenacres to provide \$589,231 in Community Development Block Grant (CDBG) funds for the construction of a sanitary sewer line along 10<sup>th</sup> Avenue North and various intersecting streets in Greenacres. Construction is underway; however, the contractor's delay in starting the work has necessitated this time extension. This Amendment extends the project completion date from May 1, 2015 to September 30, 2015. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 2 (JB)
  
9. **Staff recommends motion to approve:** Amendment No. 001 to an Agreement (R2013-1647) with the City of Greenacres to extend the project completion date. **SUMMARY:** On November 19, 2013, the County entered into an Agreement (R2013-1647) with the City of Greenacres to provide \$322,291 in Community Development Block Grant (CDBG) funds for renovations to the Community Hall and 500 Perry Avenue buildings. Construction is nearing completion; however, the contractor's delay has necessitated this time extension. This Amendment extends the project completion from April 1, 2015 to August 1, 2015. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 2 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

**A) adopt** two resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for two historic properties located within the City of West Palm Beach; and

**B) approve** the restrictive covenants for the historic properties requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

**SUMMARY:** The resolutions will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach:

- Address: 726 New York Street, West Palm Beach (Residential)
- Address: 119 Westminster Road, West Palm Beach (Residential)

If granted the tax exemptions will take effect January 1, 2015, and shall remain in effect for 10 years, or until December 31, 2024. The exemptions will apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the properties. Actual exemption amounts will be based upon the Countywide Millage Rate on a yearly basis. It is estimated that approximately, \$2,905 tax dollars will be exempted annually based on the 2015 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 2 & 7 (RPB)

2. Staff recommends motion to approve: reappointment of a member to the Land Development Regulation Advisory Board (LDRAB), for the term from March 10, 2015, to February 6, 2018:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Leo Plevy	18	None (Alternate)	Vice Mayor Berger

**SUMMARY:** The Land Development Regulation Advisory Board (LDRAB) is comprised of 18 members. The Unified Land Development Code (ULDC) provides for seven members appointed by the Board of County Commissioners (BCC), one from each Palm Beach County (PBC) Commissioner as a district appointment, with consideration of expertise in Article 2.G.3.A.3.b., Qualifications; nine members that are appointed by a majority of the BCC upon a recommendation by specific organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Association General Contractors of America, and Palm Beach County Planning Congress; and, two members appointed at-large, as alternates, by majority vote of the BCC, with consideration of the expertise in Article 2.G.3.A.3.b., Qualifications. This reappointment is consistent with the ULDC requirements. Unincorporated (LB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: four executed Agreements received during the month of October 2014:

A) Standard Potable Water and Wastewater Development Agreement with Atlantic Commons Associates, LLLP, No. 03-01032-000 (District 5);

B) Standard Potable Water and Wastewater Development Renewal Agreement with Boca Raton Associates VI, LLLP, No. 09-01041-001 (District 5);

C) Amendment to Standard Potable Water, Wastewater Development Agreement Due to Increase in Capacity Equal to or Less Than Ten Percent (10%) of the Original Capacity Reservation or Ten (10) ERCs/ERICs, Whichever is Greater with Colony at Lake Worth, LLC (District 3); and

D) Indemnity Agreement with D.R. Horton, Inc. (District 7).

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

2. 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 of assets 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. The Palm Beach County Water Utilities Department 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 approval by the Board of County Commissioners. District 6 (MJ)

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 6 for South West Belle Glade Water Main Improvement, Zone 2 East project with Keshavarz & Associates, Inc., (R2014-0824), in the amount of \$138,945. **SUMMARY:** On June 3, 2014, the Board of County Commissioners approved the Water Utilities Department Engineering/Professional Services Contract with Keshavarz & Associates, Inc. (R2014-0824). CSA No. 6 provides for services relating to the surveying, design and permitting of water main replacements in the southwest area of the City of Belle Glade designated Zone 2 East. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Keshavarz and Associates, Inc. provides for SBE participation of 95%. This Authorization includes 89.92% overall participation. The cumulative SBE participation is 97.67% overall. Keshavarz & Associates, Inc. is a Palm Beach County company. (WUD Project No. 14-015) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 3 with JLA Geosciences, Inc. (R2014-0822) for Water Treatment Plants 3 and 9 (WTPs 3 and 9) Wells Replacement and Rehabilitation project in the amount of \$219,061. **SUMMARY:** On June 3, 2014, the Board of County Commissioners (BCC) approved the Master Contract for Utility Hydrogeologic and Water Resources Engineering Services with JLA Geosciences, Inc. (R2014-0822). CSA No. 3 will provide for hydrogeologic consulting services related to the rehabilitation and/or replacement of existing wells. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with JLA Geosciences, Inc. provides for SBE participation of 95% overall. This CSA includes 95.89% overall participation. The cumulative SBE participation, including this CSA is 96.82% overall. JLA Geosciences, Inc. is a Palm Beach County company. This project is included in the FY15 Capital Improvement Plan adopted by the BCC. (WUD Project No. 13-080) District 5 (JM)
  
5. **Staff recommends motion to approve:** a Contract with Florida Design Drilling Corporation for the Water Treatment Plant No. 11 (WTP 11) 5 MG Ground Storage Tank project in the amount of \$2,494,949. **SUMMARY:** On October 8, 2014, nine bid proposals were received for the construction of a 5 million gallon ground storage tank at WTP 11 in the Glades. The low bidder, Florida Design Drilling Corporation, was the lowest responsive, responsible bidder in the amount of \$2,494,949. The new 5 MG ground storage tank is required to meet operational and emergency needs. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Florida Design Drilling Corporation provides for SBE participation of 35.80% overall. Florida Design Drilling Corporation is a Palm Beach County company. This project is included in the FY15 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 13-059) District 6 (JM)
  
6. **Staff recommends motion to approve:**
  - A)** the acceptance of funds from the South Florida Water Management District (SFWMD) Water Savings Incentive Program (WaterSIP) in the amount of \$46,150 for the period January 1, 2015 to December 31, 2015; and
  - B)** a Budget Amendment of \$46,150 in the Operations and Maintenance Fund (Fund 4001) to budget the award of funds.

**SUMMARY:** The SFWMD WaterSIP grant will provide funding for the installation of 20 automatic flushing devices at dead-end locations along the Water Utilities Department's (WUD) potable water distribution system. The intent of the SFWMD WaterSIP is to conserve water through demand reduction, resulting in water savings that are vital to the water resources of the region. The installation of the automatic line flushing devices will reduce the amount of water currently utilized during manual flushing while increasing the quality of the potable water. There is a required local sponsor match of \$46,150 that will be met by an expenditure in the current budget. Districts 1, 2, 3, 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. Staff recommends motion to approve:

**A)** Contract for the Optimization and Improvements Design-Build project with Globaltech, Inc.; and

**B)** Contract for the Optimization and Improvements Design-Build project with Cardinal Contractors, Inc.

**SUMMARY:** These two contracts will improve the County's water, wastewater, and reclaimed water treatment facilities by providing design-build services for optimization, energy efficiency, continuing compliance with regulatory requirements, safety, security, alternative water supply, and replacement or repair of critical components. The selected design-build firms were procured under the provisions of s. 287.055, Florida Statutes (Consultant Competitive Negotiation Act) and Countywide PPM CW-O-048. Work Authorizations will be negotiated and issued in accordance with the standard County procedures outlined in Countywide PPM CW-F-050. Each Contract has a term of three years. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Globaltech, Inc. has agreed to meet or exceed a 75% SBE goal. Cardinal Contractors, Inc. has agreed to meet or exceed a 26% SBE goal. Globaltech, Inc. and Cardinal Contractors, Inc. are both Palm Beach County companies. (WUD Project No. 14-071) Countywide (JM)

8. Staff recommends motion to approve: a Contract with Gilmore Electric Company, Inc. for the Water Treatment Plant No. 3 (WTP 3) Variable Frequency Drives (VFD's) for Transfer Pumps project in the amount of \$296,700. **SUMMARY:** On October 29, 2014, three bids were received to provide and install new VFD's for seven transfer pumps at WTP 3. The project will increase pumping efficiency and reduce cycling of pumps. Gilmore Electric Company, Inc. was the lowest responsive, responsible bidder in the amount of \$296,700. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Gilmore Electric Company, Inc. provides for SBE participation of 100% overall. Gilmore Electric Company, Inc. is a Palm Beach County company. This project is included in the FY15 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 14-041) District 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

9. **Staff recommends motion to approve:** a Unit Price Contract with Hinterland Group, Inc. for the Water Utilities Department Lift Station Rehabilitation Continuing Construction Contract in the amount not to exceed \$6,797,500. **SUMMARY:** On October 29, 2014, three bids were received for the Water Utilities Department Lift Station Rehabilitation Continuing Construction Contract. Hinterland Group, Inc. was determined to be the lowest responsive responsible bidder. The Contract will provide materials and installation services for system-wide lift station rehabilitation projects over an 18 month term. The contract award is for the base contract only and does not guarantee or authorize Hinterland Group, Inc. to perform any work. Work will be assigned during the 18 month contract period through work authorizations drawn against this contract, with approvals pursuant to PPM CW-F-050. The unit prices for labor and materials contained in this Contract will be used in determining the cost of work authorizations. Supplements to work authorizations for changes that occur during construction will be subject to the change order limits for construction contracts as established under PPM CW-F-050, with each work authorization considered as an individual construction contract. There shall be no increase in the contract unit prices for the duration of the Contract. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Hinterland Group, Inc. was determined to have 0% SBE participation by the Office of Small Business Assistance in their bid because they did not provide specific information on the Schedule 2 SBE document. However, Hinterland Group, Inc. committed to 97.47% SBE participation under this Contract. The second lowest bid was outside the range for award established by the SBE Ordinance. Hinterland Group, Inc. is a Palm Beach County company. (WUD Project No. 14-047) Districts 1, 2, 3, 5, 6 & 7 (JM)
  
10. **Staff recommends motion to approve:** Contract with Layne Inliner, LLC for the Westgate Avenue & Seminole Boulevard Gravity Sewer Lining project in the amount of \$438,497. **SUMMARY:** On October 29, 2014, four construction bids were received for the completion of rehabilitation work on gravity wastewater pipe along Westgate Avenue and Seminole Boulevard. Layne Inliner, LLC was the lowest responsive, responsible bidder in the amount of \$438,497. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Layne Inliner, LLC was determined to have 0% SBE participation by the Office of Small Business Assistance (OSBA) because their Schedule 2 document was not properly executed. Although the second low bidder Lanzo Lining Services, Inc. is within the 10% range to be consider as the lowest bidder, we still recommend the award to Layne Inliner, LLC because the second lowest bidder was also determined to have 0% SBE participation by the OSBA. Layne Inliner, LLC is not a Palm Beach County Company. This project is included in the FY15 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 14-089) District 7 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

11. Staff recommends motion to approve: a Declaration of Easement made by Palm Beach County in favor of the Palm Beach County Water Utilities Department (WUD) for the water main required to provide water service to Ben Eden Lane and Lynnwood Court. **SUMMARY:** The Declaration of Easement will allow WUD to install a water main and appurtenant equipment serving the properties on Ben Eden Lane and Lynnwood Court through a Special Assessment project. The easement area is 10' wide and approximately 148' in length. The combined total area is 1,482 square feet (.034 acres). The Declaration of Easement will be recorded to provide public notice of the existence and location of the water main and improvements. (WUD Project No. 14-046) District 2 (MJ)
  
12. Staff recommends motion to approve: Change Order No. 3 to the contract with Hinterland Group, Inc. (R2013-0685) for Wastewater Lift Stations Rehabilitation project 2012 in the amount of \$60,172.67 and a 146 day time extension. **SUMMARY:** On June 4, 2013, the Board of County Commissioners approved a contract with Hinterland Group, Inc. (R2013-0685) for the rehabilitation of nine lift stations. Change Order No. 3 authorizes the contractor to perform additional work including but not limited to manhole exploration and manhole removal. Change Order No. 3 also provides for a 146 day time extension to complete the work and additional design revisions. The Small Business Enterprise (SBE) participation goal established by SBE ordinance (R2002-0064) is 15% overall. This contract with Hinterland Group, Inc. provides for SBE participation of 15% overall. Change Order No. 3 includes 0% SBE participation. The cumulative SBE participation is 95.43% overall. Hinterland Group, Inc. is a Palm Beach County company. (WUD Project No. 11-039) Districts 2 & 5 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file:

**A)** Amendment to Grant No. 13-4100-7090 (R2014-0155) with the National Endowment for the Arts (NEA) extends the time period of support from September 30, 2014 to March 31, 2015. All other provisions of the grant remain in effect;

**B)** Work Supplement No. 1825-01C to the Primary Contract for the Annual Dune and Wetland Restoration Project No. 2013ERM01 (R2013-1825) with Eastman Aggregate Enterprises, LLC (Eastman) increases several line items and adds screening of debris for the Grassy Flats Restoration Project retroactively to October 7, 2014 and increases the time by 90 calendar days retroactive to December 4, 2014;

**C)** Interlocal Agreement with the Florida Fish and Wildlife Conservation Commission (FFWCC) for Law Enforcement Services for manatee speed zone law enforcement for the term from November 15, 2014 to March 31, 2018;

**D)** Interlocal Agreement with the City of Riviera Beach Police Department for Law Enforcement Services for manatee speed zone law enforcement for the term from November 15, 2014 to March 31, 2018; and

**E)** Interlocal Agreement with the City of West Palm Beach for Law Enforcement Services for manatee speed zone law enforcement for the term from November 15, 2014 to March 18, 2018.

**SUMMARY:** On February 4, 2014, the Board of County Commissioners approved a \$40,000 Grant Award Number 13-4100-7090 (R2014-0155) with the National Endowment for the Arts supporting the design of a large-scale public art installation by environmental artist/designer Michael Singer. Delegation of authority to execute all forms associated with the NEA Grant Award and Michael Singer, Inc. Contract was approved at that time pursuant to PPM No. CW-O-051. District 7 (SF)

On December 16, 2014, the Board of County Commissioners authorized Work Supplement No. 1825-01C in accordance with Eastman's Contract (2013-1825) to provide screening and additional hauling of sand for the Grassy Flats Restoration Project. Delegation of authority to execute the Work Supplement was authorized at that time pursuant to PPM No. CW-O-051. Countywide/Districts 2 & 7 (JM)

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. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

**A) approve** Florida Fish and Wildlife Conservation Commission (FWC) Contract No. 14273 for the Loxahatchee Slough – Sandhill Crane West Wetland Restoration Project, commencing upon execution and ending June 30, 2016, in an amount not to exceed \$150,000;

**B) approve** a Budget Amendment in the Environmental Capital Projects Fund in the amount of \$150,000 to recognize the grant award; and

**C) 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 Contract will provide \$150,000 in funding for wetland restoration at the Loxahatchee Slough Natural Area. The restoration project will restore historic hydrologic connections and functionality of the wetlands allowing for water storage and attenuation of storm water surge to the Loxahatchee River. The project will also reduce the threat of saltwater intrusion into the freshwater portions of the river, extend base flows to the river, and re-establish suitable habitat for listed species. No matching funds are required under this contract. District 1 (SF)

3. Staff recommends motion to:

**A) ratify** the Mayor's signature on a Local Agency Program Agreement (Agreement) with the Florida Department of Transportation (FDOT) in an amount not to exceed \$725,738 for reimbursement of construction and construction engineering and inspection costs of the Bluegill Trail from Grassy Waters Preserve/Northlake Boulevard to North of PGA Boulevard (FM No. 423809-2-58/68-01) to be completed on or before June 30, 2017;

**B) ratify** the Mayor's signature on a Federal-Aid Project Funding Request supporting the Agreement;

**C) approve** a Budget Amendment of \$725,738 in the Environmental Capital Projects Fund to recognize the Agreement funding; 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 Agreement will encumber \$725,738 in FDOT Transportation Alternatives Program funds, authorized by Section 1122 of the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) established in 23 U.S.C. 213, to reimburse the cost of construction and CEI for the proposed Bluegill Trail. The project consists of a 3.2 mile long, 10' foot wide asphalt multiuse trail. The trail will connect Grassy Waters Preserve to the Karen T. Marcus Sandhill Crane Access Park adjacent to the Loxahatchee Slough Natural Area. Specific federal requirements for contract bidding and job reporting apply. No County match is required; however, the current project cost estimate exceeds the \$725,738 reimbursement by \$3,179. Any local funding required from the non-ad valorem Natural Areas Fund will be determined when the project is put out to bid and awarded by a contract approved by the Board of County Commissioners. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. [Staff recommends motion to approve:](#) two appointments of at-large members to the Artificial Reef and Estuarine Enhancement Committee (AREEC). Seats No. 4 and No. 9 are for the term March 10, 2015 through September 30, 2017:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Nominated By</u>
Shana Phelan	4	Commercial Diving	Comm. Valeche Comm. Burdick Comm. Taylor Comm. McKinlay Comm. Abrams
James Byrne	9	Environmental Organization	Comm. Valeche Comm. Burdick Comm. McKinlay Comm. Abrams

**SUMMARY:** Resolution No. R2014-0286 provides for an eleven-member AREEC. Membership consists of one representative of the County Commission, one representative of commercial SCUBA diving, one representative of recreational SCUBA diving, one representative of marine industry, one representative of recreational fishing, one representative of commercial fishing, one representative of an environmental organization, two representatives from other government entity and two general members. On February 3, 2015, the Board of County Commissioners (Board) was advised that two seats are vacant and need to be filled. Countywide (HF)

M. PARKS & RECREATION

1. [Staff recommends motion to receive and file:](#) the following original executed Independent Contractor Agreement:

Palm Beach County Officials Association, Inc., Junior Volleyball Official, West Boynton Recreation Center, for the period January 21, 2015, through April 22, 2015.

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

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

Can-Am Golf Group, LLC, County golf courses, for the period January 15, 2015, through January 14, 2016.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a Receive and File agenda item. This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator in accordance with Resolution 2013-1607, and is now being submitted to the Board to receive and file. This Agreement helps to sell tee times at non-peak times that would otherwise not be sold. Countywide (AH)

3. Staff recommends motion to approve: Agreement with the United States Olympic Committee for the development and implementation of a Paralympic Sport Club in Lake Worth, Florida, for the period March 10, 2015, through September 30, 2016.

**SUMMARY:** This Agreement enables the United States Olympic Committee (USOC) and the Parks and Recreation Department to utilize each other's resources for the provision of a Paralympic Sports Club. This Agreement provides for the enhancement of paralympic sports for individuals with physical and visual disabilities. The County will provide a staff member to manage and oversee all aspects of the Paralympic Sport Club (PSC) and to serve as the liaison to the USOC. The County's financial obligations under this Agreement are limited to the provision of facility space, staff time, and related minor expenses incurred in the provision of these services and are subject to annual appropriations by the Board for this purpose. The USOC will allow Parks and Recreation to host a Paralympic Experience event and provide training, funding and administrative support for staff. District 3 (AH)

4. Staff recommends motion to approve: Deed of Conservation Easement to South Florida Water Management District (SFWMD) for a 48.42 acre lake mitigation area in John Prince Memorial Park's Square Lake/East Slough restoration area. **SUMMARY:** A Deed of Conservation Easement in favor of SFWMD is required in order to satisfy a condition of SFWMD Permit No. 50-02844-S issued in July 2009, for improvements at Burt Aaronson South County Regional Park's ski lake. The Conservation Easement is required to have Board approval and be recorded in public records. The Easement will ensure the 48.42 acre wetland mitigation area created in John Prince Memorial Park will remain in a natural state and will be maintained by the County in perpetuity. The Conservation Easement allows passive recreation including boardwalks, mulched trails and observation platforms, and is consistent with the long range development plan for John Prince Memorial Park. The Conservation Easement is being granted to SFWMD at no cost as a condition of compliance with the environmental permit. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to approve: Declaration of Conservation Easement in favor of Palm Beach County for two sites at Riverbend Park totaling 4.90 acres. **SUMMARY:** Riverbend Park is a regional park located in northern Palm Beach County and is known for its hiking, equestrian, and canoe/kayak facilities. A 4.90 acre upland preserve/tree conservation bank is in the process of being established to provide tree credits for future park projects. Park facility development projects which impact native upland vegetation require a Department of Environmental Resource Management (ERM) upland vegetation removal permit. This tree conservation bank will assist in satisfying the permit requirements using tree credits at Riverbend Park. The upland preserve/tree conservation bank requires a Declaration of Conservation Easement be executed by the Board and recorded in public records. District 6 (AH)
  
6. Staff recommends motion to approve: Fourth Amendment to Agreement with Acme Improvement District, Boys and Girls Clubs of Palm Beach County, Inc., and the Village of Wellington, for the funding of the Wellington Boys and Girls Club facility construction costs to revise the Project Description and Conceptual Site Plan to accurately reflect the completed project. **SUMMARY:** This Fourth Amendment to Agreement, R2008-1922, as amended by R2010-1909, R2012-0837 and R2014-0069, revises the Project Description and Conceptual Site Plan to accurately reflect the completed project's elements. These revisions meet the full intent of the original Agreement. The revisions to the project description and site plan include: 1) increasing the square footage of the facility from 22,570 to 22,946; 2) reducing the number of parking spaces from 46 to 33; and 3) reducing the number of outdoor basketball courts from 3 to 1. All other terms of the Agreement, including the funding amount of \$600,000, remain the same. Funding is from the 2002, \$50 Million Recreation and Cultural Facilities Bond. District 6 (PK)

N. LIBRARY

1. Staff recommends motion to:
  - A) receive and file** Grant Agreement in the amount of \$1,551,565 awarded by the Florida Department of State, Division of Library and Information Services for FY 2015 State Aid to Libraries; and
  - B) approve** a Budget Amendment of \$422,380 to increase the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount.

**SUMMARY:** The Application was approved and the Agreement was executed by the County Administrator as authorized by the Board of County Commissioners on September 9, 2014 (R2014-1335). Notification of the award was issued on December 31, 2014. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2015 budget. Countywide (AH)

3. CONSENT AGENDA APPROVAL

R. HUMAN RESOURCES

1. Staff recommends motion to approve: Palm Beach County's 2014 – 2015 Affirmative Action Plan, a voluntary effort to correct under-representation where it exists in the Board of County Commissioners' workforce. **SUMMARY:** Implementation of this year's Plan focuses on methods and procedures for achieving targeted work unit goals, enhancing special recruitment efforts, and continuing to develop systems to correct under-representation. Minority representation for all job categories for 2013 – 2014 was 32.7% as compared to the availability of the labor force for all occupations of 34.6%. Females represented 33.0% of the County's workforce in 2013 – 2014 as compared to the availability of the labor force for all occupations of 46.6%. There is no fiscal impact. Countywide (DO)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the Third Amendment to Interlocal Agreement R2010-0650, as amended, for network services provided by Palm Beach County to Palm Beach State College. **SUMMARY:** Palm Beach State College (PBSC) has an existing network and colocation services agreement, as amended, with Palm Beach County (R2010-0650) for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Third Amendment adds Virtual Private Network (VPN) Tunnel services, which provides secure point-to-point network connection between two locations requested by PBSC and will increase total annual service revenue by \$1,200. The Florida LambdaRail LLC has approved connection of PBSC to the Florida LambdaRail network. Countywide (PFK)

2. Staff recommends motion to:

**A) approve** the Interlocal Agreement for network services with Palm Beach County and the Village of Golf (Village) for an annual revenue total of \$10,680; and

**B) 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 Village is requesting connection to the Palm Beach County network at their Village Hall, Public Safety and Utilities locations; plus seven sites for camera surveillance. This Interlocal Agreement is for an initial term of one year with automatic one-year renewals unless notice is given by either party, and will generate \$10,680 in annual revenues to the County and fully reimburse the County for installation costs (estimated at \$8,335). The Florida LambdaRail LLC has approved connection of the Village to the Florida LambdaRail network. District 4 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. Staff recommends motion to approve: the Second Amendment to Interlocal Agreement R2014-0171, as amended, for network services with the Health Care District of Palm Beach County. **SUMMARY:** The Health Care District of Palm Beach County (HCD) has an existing network services Interlocal Agreement, as amended, with Palm Beach County (R2014-0171) for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Second Amendment adds a new HCD clinic location in West Palm Beach and cross-connect services to Northwest Regional Data Center. The revised total annual service revenue is \$47,040 for FY 2015, reflecting a net annual increase of \$3,000, and \$8,564 for reimbursement of one-time capital costs for fiber optic network construction, which is approximately 50% of the actual construction costs. This clinic is funded through a grant program, which does not have sufficient funding to pay for 100% of the construction costs. The Florida LambdaRail LLC has approved connection of HCD to the Florida LambdaRail network. Countywide (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: an executed Interlocal Agreement for investigative services with the Office of the State Attorney, Fifteenth Judicial Circuit (SAO15) in the amount of \$30,000 for the period of October 1, 2014, through September 30, 2017, to provide services of investigatory work conducting criminal investigations in cases involving sexual assault with Level 1 (serious) adult victims and domestic violence cases. **SUMMARY:** On October 21, 2014, the Board approved the Department of Justice, Office on Violence Against Women (OVW), Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) (2014-WE-AX-0011) in the amount of \$900,000 for the period of October 1, 2014, through September 30, 2017. Palm Beach County Victim Services and Rape Crisis Center, along with four non-profit and governmental project partners including the SAO15, received this grant to expand the capacity of the Sexual Assault Response Team to respond to victims, improve investigation and prosecution of sexual assault cases, and improve judicial handling of cases with a focus on underserved populations to include communities of color and persons with disabilities. On October 21, 2014 (R2014-163), authorized the County Administrator or his designee to execute future applications, awards, contracts and amendments/modifications utilizing funding from the Department of Justice, office on Violence Against Women on behalf of the Board of County Commissioners. Countywide (DW)
2. Staff recommends motion to approve: a Contract for Consulting/Professional Services in relief veterinary shelter services with Leonid Vidrevich, D.V.M. in an amount not to exceed \$100,000 for the period March 10, 2015, through March 9, 2016. **SUMMARY:** The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. This Contract will only be used on an as needed basis and during periods when the Division is short staffed in the veterinary section due to vacations, extended sick or personal leave, or extended light duty. This Contract may be renewed by written mutual agreement of the parties for up to three additional one-year renewals for the same terms and conditions. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

**A) approve** an Agreement with Best Friends Animal Society (Best Friends), a Utah non-profit corporation, to become a member of the Best Friends No More Homeless Pets Network to provide data on animal intake, adoptions and euthanasia of animals effective March 10, 2015 until termination by Best Friends or the County; and

**B) authorize** the County Administrator or his designee to sign all future renewals, task assignments, and necessary minor amendments that do not change the scope of work or terms and conditions of the Agreement.

**SUMMARY:** In order for local animal agencies to apply for future grant opportunities with Best Friends, government animal control agencies must first become a No More Homeless Pets Network Partner. The Animal Care and Control Division will share data to work collaboratively with Best Friends. There is no fee associated with becoming a Network Partner. Countywide (SF)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: Renewal of the County's excess property, liability, and workers' compensation insurance program for the period April 1, 2015, through March 31, 2016, purchased through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc., under Contract No. 10-042R/LJ, for a total cost not-to-exceed \$10,484,624. **SUMMARY:** The projected 2015-2016 renewal figures reflect a softening insurance market for property and liability and a continued hard market for excess workers' compensation. Staff recommends renewing all expiring policies. The County's total insurable value currently stands at \$2.4 billion dollars. The total not-to-exceed cost of \$10,484,624 represents an estimated decrease of approximately 3% (\$314,480) over the expiring program. The cost of the program is also impacted by a variety of state mandated surcharges and assessments. Sufficient funds are budgeted in FY 2015 for this coverage. Countywide (HH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving Supplemental Number One Joint Participation Agreement (JPA-434520-1) with the State of Florida Department of Transportation (FDOT) in the amount of \$279,328 expiring on December 31, 2016 to provide funding assistance to offset the operating costs of providing increased service on Route 73, and authorizing the County Administrator or his designee to sign time extensions; establishing an effective date, and

**B) approve** an upward Budget Amendment of \$139,664 in Palm Tran's Grant Fund 1341 to reconcile the budget to the actual grant award; and

**C) approve** an upward Budget Amendment of \$139,664 in Palm Tran's Operating Fund 1340 to recognize the increased transfer from Palm Tran's Grant Fund 1341.

**SUMMARY:** On September 10, 2013, the Board of County Commissioners approved a two year Agreement (R2013-1209) with FDOT for the implementation of increased service on Route 73 expanding the service along Boynton Beach Boulevard from Military Trail west to 441. This Supplemental JPA will provide additional operating funding in the amount of \$139,664 for an additional year of increased service on Route 73 bringing the cumulative total to \$837,984 (\$418,992 - State funds, \$418,992 – required local match). The Supplemental Number One JPA requires a 50% match of \$139,664, which is included in Palm Tran's budget. District 5 (DR)

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5311 Grant Application, total project cost of \$614,228 for operating and/or capital assistance under U.S.C. Section 5311(f), Intercity Bus Service Program, as administered by the Florida Department of Transportation (FDOT). **SUMMARY:** FDOT has been designated by Florida's Governor to administer the Section 5311(f) Program. One objective of the funding for intercity bus service under Section 5311 is to support the connection between rural areas and the larger regional or national system of intercity bus service. FDOT has notified Palm Tran that an allocation of Section 5311 funds in the amount of \$307,114 is available for non-urbanized areas for mass transit operating assistance. If the Grant application is approved, it is staff's recommendation to partially offset the operating costs of Palm Tran's fixed route service in the Glades Region of Palm Beach County. The Grant Application is for a total project cost of \$614,228 which requires a 50% local match of (\$307,114 Local Funds, \$307,114 FDOT Funds). Palm Beach County will provide the local match funding from the local option gas tax. The Grant match is included in the FY 2015 Budget. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to:

**A) approve** a Vendor Service Agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA) in the amount of \$362,160 to fund transportation services for the Division of Senior Services (DOSS) Program for the period January 1, 2015, through December 31, 2015;

**B) authorize** the Executive Director of Palm Tran to execute the sub-recipient agreement with the City of Pahokee, upon its approval by the City; and

**C) approve** an upward Budget Amendment of \$102,929 in the Palm Tran Operating Fund 1340 to reconcile the budget to the actual award amount.

**SUMMARY:** Since June 1999, the AAA has contracted with the County, through Palm Tran, to provide transportation services to senior citizens who are clients of DOSS - Senior Citizens Wellness Programs and who reside north of Hypoluxo Road. DOSS clients residing south of Hypoluxo Road receive transportation from Mae Volen. The previous contract with AAA (R2013-1682) expired December 31, 2014. Under the terms of the new agreement, the AAA will provide funds in the amount of \$339,669 for Palm Beach County and \$22,491 for the City of Pahokee for a total of \$362,160. The required local match for Palm Beach County is \$33,967 (10%) and is included in Palm Tran's budget. Pass through funds to the City of Pahokee are exempt from the match requirement. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to approve: First Amendment to the contract with For The Children, Inc. (R2014-1978) to increase the original contract price by \$100,158, for a new not to exceed total of \$240,158. **SUMMARY:** On December 16, 2014, the County entered into a contract with For the Children, Inc. to administer the Youth Empowerment Center (YEC) in Lake Worth in the amount of \$140,000. The YEC has relocated and certain renovations are needed. Funds in the amount of \$100,158 unexpended by the City of Lake Worth in FY 2014 were carried over into the FY 2015 YEC budget and are available for this purpose. This Amendment will provide For the Children, Inc. a total of \$240,158 to be used for the YEC on site renovations, start up costs, summer programming and day-to-day operations. The City of Lake Worth is providing the facility, utilities, and other related expenses. District 7 (HH)

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the County Administrative Code to reflect the creation of the Youth Services Department, and providing an effective date. **SUMMARY:** The County Administrative Code has been adopted by the Board as required by Section 125.87, Florida Statutes. The adopted County Administrative Code needs to be updated to reflect the creation of the Youth Services Department. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Federally-Funded Subgrant Agreement in the amount of \$346,828, for the period of January 30, 2015, through December 31, 2015; and

**B) approve** a Budget Amendment in the amount of \$346,828 in the Sheriff's Grants Fund.

**SUMMARY:** On February 6, 2015, the Palm Beach County Sheriff's Office received a FY 2014 State Homeland Security grant award from the State of Florida, Division of Emergency Management. These funds will be used for direct homeland security initiatives. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Federally-funded Subgrant Agreement in the amount of \$14,114, for the period of January 30, 2015, through December 31, 2015; and

**B) approve** a Budget Amendment in the amount of \$14,114 in the Sheriff's Grants Fund.

**SUMMARY:** On February 6, 2015, the Palm Beach County Sheriff's Office received a FY 2014 State Homeland Security grant award from the State of Florida, Division of Emergency Management. These funds will be used for direct homeland security initiatives. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a donation from The Howard E. Hill Foundation, Inc., in the amount, of \$100,000 for the FY 2015 Gunfire Detection and Location Project; and

**B) approve** a Budget Amendment of \$100,000 in the Sheriff's Grants Fund.

**SUMMARY:** On February 10, 2015, the Palm Beach County Sheriff's Office (PBSO) received a donation from The Howard E. Hill Foundation. The funds provided will be used by PBSO for direct law enforcement activities. A budget amendment is needed to acknowledge the donated funds. There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (JB)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

4. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area (HIDTA) Program grant in the amount of \$30,536 for the Palm Beach Narcotics Task Force, for the period of January 1, 2015, through December 31, 2016; and

**B) approve** a Budget Amendment of \$30,536 in the Sheriff's Grants Fund.

**SUMMARY:** On December 15, 2014, the Palm Beach County Sheriff's Office received an award from the Office of National Drug Control Policy. The funds will be used for overtime reimbursement and other expenses associated with the Palm Beach Narcotics Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

5. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a U. S. Department of Homeland Security Transportation Security Administration Grant for continuation of Homeland Security Enforcement at the Palm Beach International Airport, in the amount of \$1,262,500, for the period of January 1, 2015, through December 31, 2019; and

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

**SUMMARY:** The U.S. Department of Homeland Security Transportation Security Administration (TSA) has awarded a Homeland Security grant to the Palm Beach County Sheriff's Office in the amount of \$1,262,500 for a five years contract period. The Budget Amendment covers funds for the first calendar year of the contract. Subsequent funding for future years will be authorized through a TSA contract modification. Grant funds will be used to offset the costs associated with the salary and benefits of five deputies and the costs associated with the care of five TSA canines. Reimbursable costs for this award include, but are not limited to: Supplies, such as kennels, vet care, vehicles, and dog food. The purpose of this grant program is to provide maximum coverage during peak airport operating hours and to maintain the ability to promptly respond to threats and suspected threat explosive devices which affect air carrier operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

3. CONSENT AGENDA APPROVAL

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** an Agreement with the Westgate Belvedere Homes Community Redevelopment Agency (WCRA) in the amount of \$167,000 for the period of March 10, 2015, through December 25, 2015. **SUMMARY:** This Agreement will provide \$167,000 in Federal Community Development Block Grant (CDBG) contingency funds to complete the second phase of the widening of the L2 Canal. This project will improve storm water drainage in the Westgate area, and represents a portion of the local match for a \$1,116,317 grant secured from the State for property acquisition, relocation of impacted residents and construction work related to the widening of the canal. **Implementation of the construction contract is projected to create 27 jobs and have a one year Economic Sustainability Impact of \$3 Million. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (JB)

\* \* \* \* \*

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

- A. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be known as the Palm Beach County Petroleum Contamination Cleanup Criteria Ordinance; amending Section 11-294 (ordinance supplemental to federal and state law); amending Section 11-295 (Definitions); amending Section 11-296 (adoption of Florida Administrative Code by reference); amending Section 11-297 (Violations, Enforcement; Penalties); providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions and providing for an effective date. **SUMMARY:** This Ordinance revises Countywide Ordinance No. 2009-018, which was approved by the Board of County Commissioners (BCC) on July 21, 2009. The Ordinance is revised to replace reference to Chapter 62-770, Florida Administrative Code (F.A.C.) which was repealed by the Florida Legislature on June 12, 2013, with reference to Chapter 62-780, F.A.C., which was adopted by the Florida Department of Environmental Protection on February 4, 2014. Other than amendments to correctly reference revised state rule nomenclature, there are no material changes to the Ordinance. In accordance with PPM No. CW-O-041 (Countywide Ordinances: Applicability and Notification to Municipalities), the amended Ordinance was presented to the Palm Beach County League of Cities on June 25, 2014 and approved by the League's General Membership on June 25, 2014. The preliminary reading was approved by the BCC on February 3, 2015. Countywide (SF)
- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be known as the Palm Beach County Pollutant Storage Tank System Compliance Ordinance; providing for a short title; applicability; authority; providing a purpose; providing for definitions; providing that ordinance is supplemental to federal and state law; providing for adoption of Florida Administrative Code by reference; providing for violations; enforcement; penalties; providing for repeal and replacement of Ordinance 2003-020; providing for repeal of laws of conflict; providing for savings clause; providing for severability; providing for inclusion of the code of laws and ordinances; providing for captions and providing for an effective date. **SUMMARY:** This Ordinance replaces Countywide Ordinance No. 2003-020, which was approved by the Board of County Commissioners on May 20, 2003. The previous Ordinance repeated state rules regarding pollutant storage tanks. The proposed Ordinance incorporate by reference, the pertinent state rules. There are no material changes which affect the regulated community. The Ordinance adopts State regulations for Underground and Aboveground Storage Tanks Systems Regulations, Chapters 62-761 and 62-762, F.A.C. into a County ordinance allowing existing language and future revisions by the State to be automatically adopted by reference. The most current amendments to Chapters 62-761 and 62-762, F.A.C., are incorporated by reference. In accordance with PPM No. CW-O-041 (Countywide Ordinances: Applicability and Notification to Municipalities), the new Ordinance was presented to the Palm Beach County League of Cities on June 25, 2014 and approved by the League's General Membership on June 25, 2014. The preliminary reading was approved by the Board of County Commissioners on February 3, 2015. Countywide (SF)

4. PUBLIC HEARINGS CONTINUED

C. **Staff recommends motion to approve:** Budget amendments and transfers in various funds reflecting adjustments for balances brought forward, other revenues, reserves and operating expenses. The total of the adjustments is an increase of \$39,674,792 in 242 funds. **SUMMARY:** These budget amendments and transfers are necessary to adjust FY 2015 budgets to reflect differences between actual and estimated revenues and expenditures of FY 2014. These amendments adjust the balances brought forward, various revenue, expenditure and reserve accounts to their audited balances. The proposed adjustments include \$14,697,068 additional reserves in the General Fund. This represents a 36% decrease from the average amount placed in reserves over the last three years, which has ranged between \$10,966,745 to \$31,392,559. The adjustment is a result of:

- (\$1,088,213) net reduction in excess fees and commission refunds from Constitutional Officers: Sheriff's Office \$84,424, Clerk and Comptroller \$140,285, Supervisor of Elections \$875,195 Tax Collector (\$2,827,429), Property Appraiser \$639,312 and
- \$2,266,923 net additional Sheriff Revenue, and
- \$9,344,707 expenditures less than and revenues greater than originally estimated, and
- \$4,173,651 in other adjustments to reserves including \$3,987,398 from closed out capital project funding.

FY 2016 budget projections currently assume these additional reserves will be carried forward to balance the annual budget. Countywide (PFK)

\* \* \* \* \*

5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to:

**A) adopt** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Pisces, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Program not to exceed \$82,500; and

**B) conceptually approve** an Economic Development Incentive for Project Pisces in the amount of \$82,500 in the form of a Job Growth Incentive Grant as a portion of the local match for a State QTI Grant; and

**C) conceptually approve** an Economic Development Incentive for Project Pisces in the amount of \$417,500 in the form of a Job Growth Incentive Grant as a portion of a local match for the State Quick Action Closing Fund.

**SUMMARY:** Project Pisces is a corporate headquarters expansion project that currently employs approximately 149 people at its Riviera Beach facility. The company plans to make a \$6.5 Million capital investment on renovations and equipment, create 275 new jobs over a three year period at an average annual wage of \$57,500, excluding benefits, and retain its 149 existing jobs. The company will be required to maintain the new and retained jobs for a period of five years.

It is anticipated that the State of Florida will provide \$825,000 in the form of a Qualified Target Industry Tax Refund (QTI) which includes a required 20% local match of \$165,000 which will be split equally between the County (\$82,500) and the City of Riviera Beach (\$82,500). Additionally, Enterprise Florida will also be recommending that the company receive \$3 Million under the Quick Action Closing Fund (QACF) and will request a local match of \$417,500 from the County, and \$167,500 from the City of Riviera Beach. The JGI Grants, which will be paid over a period of six years, will be secured by a Letter of Credit, Bond, Corporate Guarantee or equivalent. The company will be required to enter into a formal agreement memorializing their commitments and establishing criteria for funding distribution. At such time the company name will be disclosed. The five year local economic impact is estimated to be \$339 Million. **Funding for the Job Growth Incentive Grant will come from General Fund Contingency Reserves. District 7 (JB)**

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

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

**A) adopt** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Diamond, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s. 288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund with High-Impact Sector bonus in an amount not to exceed \$532,000; and providing for an effective date; and

~~**B) conceptually approve** local financial support for the Quick Action Closing Fund in an amount not to exceed \$2,468,000; and~~

~~**GB) conceptually approve** an Economic Development Incentive for Project Diamond in the form of an Ad Valorem Tax Exemption over ten (10) years, in an amount not to exceed \$3 Million, as the local financial support for the State's Qualified Target Industry Tax Refund (\$532,000) and Quick Action Closing Fund (\$2,468,000) programs.~~

**SUMMARY:** Project Diamond is a subsidiary and regional managing office project locating in Palm Beach County with a \$115 Million capital investment, which the Regional Economic Model estimates will have a five (5) year local economic impact of \$662.4 Million. The company plans to create 450 new jobs at an average annual wage of \$85,000, and will be required to maintain the new jobs in Palm Beach County for a five (5) year period. It is anticipated that the State of Florida will provide \$2.66 Million in the form of a Qualified Target Industry Tax Refund (QTI) with High-Impact Sector Bonus, and \$4.9 Million from the Quick Action Closing Fund (QACF), which includes the local financial support. The local match from Palm Beach County will be provided in the form of an Ad Valorem Tax Exemption in an amount not to exceed \$3 Million over a period of ten (10) years provided the project meets the requirements under Florida Statute 196.012. The company will be required to enter into a formal agreement memorializing their commitments and establishing terms under which the local match will be provided. At such time the company name will be disclosed. Other states under consideration by the company include North Carolina and Georgia. Countywide (JB)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to:

**A) approve on preliminary reading and advertise for public hearing on April 21, 2015, at 9:30 AM:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to the posting of kratom warning signs; providing for definitions; providing for general requirements, providing for enforcement; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for captions, providing for applicability; and providing for an effective date; and

**B) authorize** the County Administrator or his designee to execute an agreement with the Palm Beach County Substance Awareness Coalition in an amount not to exceed \$25,000 annually to implement kratom prevention and education strategies and to produce and distribute kratom warning signs for business establishments required to post the signs under the adopted ordinance.

**SUMMARY:** On December 2, 2014, the Board of County Commissioners directed staff to develop an ordinance requiring warning signs in business establishments where the plant substance kratom, also known as *Mitragyna speciosa*, and kratom containing products are used or sold. Additionally, staff was directed to proceed with the development of a prevention and education program to ensure that consumers are aware of the potentially harmful effects associated with the use or consumption of kratom. Staff has prepared an ordinance modeled after the Posting of Underage Drinking Signs Ordinance and is recommending that the Palm Beach County Substance Awareness Coalition, a local non-profit agency, implement the prevention and education program and produce and distribute the signs to businesses subject to regulation under the ordinance. A copy of the Substance Awareness Coalition proposal is attached to the Agenda Item. Unincorporated (JB)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. REVISED SUMMARY: Staff recommends motion to approve:

**A)** a Budget Transfer of \$5,000,000 from reserves in the 1st Cent Tourist Local Option Tax Fund to increase the Public Building Improvement transfer line;

**B)** a Budget Amendment of \$5,000,000 in the Public Building Improvement Fund recognizing the transfer from the 1st Cent Tourist Local Option Tax Fund and establishing a project budget;

**C)** an Access Agreement with the City of West Palm Beach, a municipal corporation (City) granting County access to City-owned property located between Military Trail and Haverhill Road (Property) to enable pre-purchase due diligence evaluation and testing of the Property; and

**D)** contingent on the City approving the Access Agreement on March 16, 2015, a Due Diligence and Planning Services Agreement with HW Spring Training Complex, LLC, a Florida Limited Liability Company (the "LLC"), authorizing the LCC to perform and be paid for preconstruction evaluation and testing of the Property.

**SUMMARY:** The Access Agreement and the Due Diligence and Planning Services Agreement (collectively Agreements) act as precursors to the Interlocal Agreement, Developer and Sports Facility Use Agreements (collectively Operative Agreements) contemplated by the material term sheet which was approved by the City and the County on February 2<sup>nd</sup>, 2014 and 3<sup>rd</sup>, 2014 2015 respectively. The Agreements are necessary in order to gather the information needed for the City, County and the LLC to negotiate the Operative Agreements in a timeframe which is consistent with the Teams' intent to open the new facility for the 2017 spring training season. The Access Agreement identifies the purposes and terms under which the City will allow access to the Property, by which the County may begin to submit permit and development applications to regulatory agencies and allows for pre-Interlocal Agreement land reclamation activities. The Due Diligence and Planning Agreement: 1) assigns all of the County obligations under the Access Agreement to the LLC; 2) identifies the terms under which the LLC can proceed with land reclamation and design activities prior to the Operative Agreement being executed; and 3) the terms under which the County will fund these activities through the project budget. The Due Diligence and Planning Agreement also requires that the LLC reimburse the County for all expenses paid in the event that the Operative Agreements are never executed (project does not move forward). (Administration) Countywide/District 7 (HF/MJ)

5. REGULAR AGENDA

B. COUNTY ATTORNEY

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending Resolution No. R2009-0472, as amended by Resolution No. R2009-2171, Resolution No. R2011-1101, and Resolution No. R2012-1043, approving revisions to the Investment Policy and providing for an effective date. **SUMMARY:** On January 28, 2015, the County Investment Policy Committee recommended the following five amendments be made to the County Investment Policy: (a) removing the Local Government Surplus Funds Trust Fund and shares of funds created by the Florida Local Government Investment Trust as eligible securities and replacing them with any intergovernmental investment pool authorized by section 163.01, Florida Statutes, and limiting such investments to no more than 20% with any entity; (b) limiting investments in Small Business Administration pools to no more than 20% (at market value) of the total portfolio at the time of purchase; (c) revising the duration of State of Israel bonds purchased as eligible securities to such bonds having a maturity of five years or less, and revising to 3% the maximum amount of the total portfolio at the time of purchase that may be invested in such securities; (d) revising the standard for issuers of certificates of deposit to those issuers having a quarterly average ranking of at least 50 as published by Florida's Chief Financial Officer in conjunction with the Florida public deposits program; and (e) providing that the sale or purchase of securities by the Clerk will take into consideration rebalancing objectives of the current strategy as discussed at Clerk Internal Investment Policy Committee meetings. Countywide (PFK)
  
2. **Staff recommends motion to approve:** Contract for Professional Legal Services with Gordon & Doner, P.A., for legal services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transport services. This agreement shall be for a three (3) year term commencing April 1, 2015. No payment shall be made by County; however the law firm may retain attorney's fees and costs in related PIP litigation. **SUMMARY:** Pursuant to Board direction, the County Attorney's Office issued a Request for Proposals for legal counsel services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transports. Four proposals were received, two of which were deemed to be responsive to the RFP requirements. A five member Selection Committee evaluated the two responsive proposals and unanimously recommended that the contract be awarded to the law firm of Gordon & Doner, P.A. The Contract is for a three year term with two one-year renewal options. To maximize the recovery of PIP benefits from insurers for Fire Rescue emergency transports, the law firm will coordinate their services with those of the billing company that was selected in a separate RFP for Fire Rescue emergency transport third-party billing services. Countywide (SB)

MARCH 10, 2015

5. REGULAR AGENDA

B. COUNTY ATTORNEY

3. **ADD-ON: Staff recommends motion to approve:** a Temporary Operating Agreement (TOA) between the County and Rasier, LLC, a subsidiary of Uber Technologies, Inc. (Uber) allowing Uber to operate as a vehicle-for-hire company in Palm Beach County. **SUMMARY:** The TOA sets forth the terms and conditions that Uber agrees to comply with in order to operate in Palm Beach County. The agreement includes insurance, background checks, driver history reports and standards, and vehicle safety requirements, as well as other provisions, including the payment of \$15,000 to the County for administration and enforcement costs related to the TOA. Countywide (DN)

5. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: the repurchase of lands for the future realignment and extension of Seminole Pratt Whitney Road from the South Florida Water Management District (SFWMD) in the amount of \$1,379,840, and direct staff to take whatever steps are required to complete the repurchase. **SUMMARY:** Approval of this repurchase will restore previously owned right-of-way for the future realignment and extension of Seminole Pratt Whitney Road, as provided in Section 19.7 of the Sale and Purchase Agreement with SFWMD approved on October 22, 2013 and referenced in R2013-1514. Funding is available from a previously approved line item in the Five Year Road Program. District 1 (MRE)

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: First Amendment to Lease Agreement (R2009-1281) with FUCMT 2001-C4 Seminole Road, LLC (FUCMT) for the continued use of 4,050 SF in the Grove Market Shopping Center in unincorporated Loxahatchee for Fire Rescue temporary Station No. 22 at an annual rental rate of \$78,975 (\$19.50/SF). **SUMMARY:** Since January 2002, the Fire Rescue Department has operated its temporary Station No. 22 out of office space within the Grove Market Shopping Center (Center) at 5060 Seminole Pratt Whitney Road in unincorporated Loxahatchee. The most recent Lease Agreement dated August 18, 2009, (R2009-1281), was with FWI 20, LLC, and expired September 30, 2014. In July 2012, while Staff was negotiating a rent reduction with FWI 20, the Center fell into foreclosure. When FUCMT became the current Center owner, Staff resumed negotiations. This First Amendment: i) documents FUCMT as the new owner; ii) retroactively extends the term from October 1, 2014 to May 24, 2019; iii) decreases the Annual Rent effective October 1, 2014, from what would have been \$141,748 (\$35.00/SF) to \$78,975 (\$19.50/SF); iv) decreases the annual rent adjustments from 3.5% to 3%; v) requires the payment of Operating Expenses (estimated at \$648/year); vi) updates the insurance and Notice provisions; and vii) incorporates disclosure of beneficial interests, Inspector General and non-discrimination requirements. Property and Real Estate Management will continue to have administrative responsibility for this Lease. (PREM) District 6 (HJF)

5. REGULAR AGENDA

E. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the issuance by the Palm Beach County Health Facilities Authority of that Authority's Revenue Bonds, in one or more series, of which not to exceed \$55,000,000 will be issued for the purpose of providing funds to make a loan to Lifespace Communities, Inc. to refinance certain facilities in Palm Beach County, Florida; and providing for an effective date. **SUMMARY:** The Palm Beach County Health Facilities Authority (PBCHFA) was created pursuant to Chapter 154, Florida Statutes and by Ordinances 77-379 and 77-398 enacted by the Board of County Commissioners (Board) in 1979. The PBCHFA is governed by a five member governing body whose members are appointed by the Board. A portion of the proceeds of the Bonds will be used to refinance (i) the PBCHFA's Revenue Bonds, Series 2007 (The Waterford Project), which were used to finance and refinance certain improvements to the life care retirement community of Lifespace Communities, Inc., known as The Waterford located at 601 Universe Boulevard in Juno Beach, and (ii) a portion of the Kansas Development Finance Authority's Revenue Bonds (Lifespace Communities, Inc.), Series 2013C Bonds, which were used to finance certain improvements to the life care communities of Lifespace Communities, Inc. known as Abbey Delray South, at 1717 Homewood Boulevard in Delray Beach, and Harbour's Edge, at 401 East Linton Boulevard in Delray Beach. Approval by an elected body is required by the Internal Revenue Code; however, adoption of this Resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 1 (PFK)

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6. BOARD APPOINTMENTS

A. ADMINISTRATION  
(Florida Atlantic Research & Development Authority)

1. Staff recommends motion to approve: appointment of one individual to the Florida Atlantic Research & Development Authority for the term March 10, 2015 to February 28, 2019:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
<b>Reappoint</b> Michael I. Daskal	3	Employed in the private sector/ Resident of Palm Beach County	Vice Mayor Berger Comm. Valeche Comm. Abrams

**OR**

<b>Appoint</b> Gary D. Strother	3	Employed in the private sector/ Resident of Palm Beach County	Comm. Taylor
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**SUMMARY:** Per Ordinance No. 85-32, the Florida Atlantic Research & Development Authority (Authority) is comprised of seven members: three members are appointed at-large by the Palm Beach County Board of County Commissioners (BCC); three are appointed by the Broward County Board of County Commissioners; and the President of Florida Atlantic University or his designee is a permanent member. Mr. Daskal has served on the Florida Atlantic Research & Development since May 2007 and has expressed an interest in serving for another four year term. A memo dated December 23, 2014, was distributed to the BCC notifying them of the term expiration and requesting support for Mr. Daskal’s reappointment or new nominations. One additional nomination (Gary D. Strother) was received. Countywide (DW)

B. COMMISSION DISTRICT APPOINTMENTS

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**MARCH 10, 2015**

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

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**MARCH 10, 2015**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**MARCH 10, 2015**

**9. 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**

**10. ADJOURNMENT**

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