

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 20, 2015

<u>PAGE</u>	<u>ITEM</u>	
7	3A-2	<u>DELETED:</u> Staff recommends motion to: A) ratify the signature of the Vice Mayor on a Cooperative Agreement No. FF204K145023 with the U.S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue for processing and resolving housing discrimination complaints for the period of July 1, 2014, through June 30, 2015 in the total amount of \$260,825; and....(Admin/OEO) (Further staff review)
13	3E-6	<u>DELETED:</u> Staff recommends motion to approve: Memorandum of Agreement with Children’s Services Council of Palm Beach County and United Way of Palm Beach County, Inc., for the period October 1, 2015, through September 30, 2016, in an amount totaling \$383,997 of which \$142,457 is funded by Palm Beach County. (Community Services) (Further staff review)
21	3H-7*	<u>DELETED:</u> Staff recommends motion to approve: Emergency Contract No. 750721 with Norred & Associates, Inc. for uniformed security guard services for various locations throughout Palm Beach County for approximately \$1,700,312 for a twelve month term commencing October 28, 2015. (FDO) (Further staff review)
37	5A-2	<u>DELETED:</u> Staff recommends motion to approve: A) Amendment No. 4 to the Agreement (R2011-1975) with the Business Development Board of Palm Beach County, Inc. (BDB) allocating an additional \$400,000 in supplemental funding for Fiscal Year 2015-2016 and expanding the scope of work;(Admin) (Further staff review)
40	5B-2	<u>REVISED TITLE:</u> Staff recommends motion to: A) Adopt , contingent upon the receipt of an unconditional Funding Certification Letter from the State of Florida, Department of Economic Opportunity no later than October 30, 2015, a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of not exceeding \$133,000,000 in total original aggregate principal amount of its Public Improvement Revenue Bonds (Professional Sports Franchise Facility Project), in one or more series (the “Professional Sports Facility Bonds”).... B) approve a Budget Amendment of \$133,000,000 in the \$133M Public Improvement Revenue Bonds, Series 2015C Capital Project Fund to budget bond proceeds, <u>costs of issuance, and project costs.</u> (FDO)

42 5D-1 **ADD-ON: Staff recommends motion to approve:**

A) Additional Services Authorization No. 4 to the Contract for External Auditing Services dated March 12, 2013 (Resolution/Document R2013-0347), with McGladrey LLP (Auditor), for additional services to provide a High Spend analysis and a Budget Comparison to Peers analysis; and

B) Budget Transfer of \$48,000 in the General Fund from Contingency for this item.

SUMMARY: This authorization will allow the County's external Auditor, McGladrey LLP, to perform an analysis of County spending, to see if opportunities exist for savings within specific funds (General Fund, Palm Tran Fund, County Transportation Trust Fund, Fleet Fund, and Risk Management Fund), to provide comparisons to peer counties, and make recommendations to assist in making informed decisions that will improve efficiency and effectiveness. The budget transfer will establish the budget of \$48,000 from contingency for this item. Countywide (PFK) (OFMB)

42 5E-1 **ADD-ON: Staff recommends motion to approve:** an Agreement with the Animal Recovery Mission, Inc. (ARM), for the care of animals seized by the County on October 13, 2015. **SUMMARY:** On October 13, 2015, Animal Care and Control (ACC) and ARM assisted the Palm Beach County Sheriff's Office (PBSO) in removing more than 750 farm animals from farms that illegally and inhumanely slaughter animals. Due to the large number of animals seized, ACC is unable to maintain all of the animals at its shelter. ARM agreed to maintain a large number of the animals pending the outcome of animal custody cases that will soon be filed. This Agreement sets forth the terms under which ARM will maintain the animals until the conclusion of court cases to determine custody of the animals and how the animals will be disposed of after such cases. The parties agree that the County shall not be responsible to compensate ARM for any costs ARM incurs to impound, transport, possess or care for the animals at issue in this Agreement. (Animal Care & Control) District 6 (SF) (Public Safety)

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**

OCTOBER 20, 2015

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Pages 7 - 33)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 34 - 36)**
- 5. REGULAR AGENDA (Pages 37 - 42)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Contracts for grants in a total amount not to exceed \$9,950 for the Handicap Accessibility and Awareness Grant Program with the following non-profit agencies, in the amounts and for the services indicated for the period October 1, 2015, through September 30, 2016:

A) Florida Outreach Center For The Blind, Inc. funds will provide office supplies and computers necessary for the Vocational rehabilitation and Transition Programs in Palm Beach County to individuals with disabilities, in an amount not to exceed \$5,000; and

B) Coalition for Independent Living Options, Inc. funds will be used to improve physical accessibility of the main building by installing new accessible walkways, in an amount not to exceed \$4,950.

SUMMARY: The funds for this grant are derived from funds collected from parking violations in designated parking spaces. County Ordinance 92-29 provides that revenue from these fines shall be used to improve accessibility and equal opportunity to qualified physically disabled persons in the County and to provide funds to conduct public awareness programs concerning physically disabled persons. Mr. William Lapp has disclosed that he serves on the board of directors for the non-profit Florida Outreach for the Blind, Inc., in which his wife is the executive director. Disclosure of this relationship is being provided in accordance with the provision Sect. 2-443 of the Palm Beach Code of Ethics. Mr. Lapp requested an advisory opinion from the Palm Beach County commission on Ethics (COE) regarding his eligibility to serve on the Committee. On September 14, 2011, the COE opined that Mr. Lapp is not prohibited from serving on the Committee, but must: 1) disclose the nature of his conflict before the Committee discusses the issue; 2) abstain when the vote takes place and not personally participate in the matter; and 3) file a state voting conflict form. A copy of the advisory opinion is attached. Mr. Lapp has agreed to and has complied with the COE direction. Countywide (DRO)

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

~~**A) ratify** the signature of the Vice Mayor on a Cooperative Agreement No. FF204K145023 with the U.S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue for processing and resolving housing discrimination complaints for the period of July 1, 2014, through June 30, 2015 in the total amount of \$260,825; and~~

~~**B) approve** a Budget Amendment in the HUD—Fair Housing Fund (Fund 1252) in the amount of \$160,825 to recognize the increased grant revenue and charge off from the General Fund; and~~

~~**C) approve** a Budget Transfer in the General Fund (Fund 0001) in the amount of \$160,825 to recognize the increase charge off to Fund 1252.~~

SUMMARY: OEO has an Addendum to the Memorandum of Understanding with HUD through 2020. In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of this contract was required prior to September 30, 2015 in order for OEO to meet HUD's FY 2015 federal funding deadlines. This Cooperative Agreement is in the amount of \$260,825 (\$176,700 - case processing; \$31,625 - training funds; \$52,500 - administrative costs). This agenda item only deals with the ability for OEO to receive revenue under the agreement with HUD. OEO cannot receive the revenue without the Board's approval. The agreement to receive the revenue needed to be signed by the Mayor. The Vice Mayor signed the agreement on September 24, 2015 for OEO to receive the revenue but the full Board needs to ratify the Vice Mayor's signature. Countywide (DRO)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve:

A) Expenditure of \$180,000 to complete the installation and twenty years maintenance of 30 "cobra head" streetlights within the Watergate Estates Countywide Community Revitalization Team (CCRT) area;

B) Expenditure of \$78,000 for the maintenance of 20 "cobra head" streetlights along Sandalfoot Boulevard within the Watergate Estates area for approximately 20 years;

C) Expenditure of \$40,000 to extend the maintenance for 20 "cobra head" streetlights in the Lee Crossing/Homes of Lantana area for approximately ten additional years;

D) Budget Transfer of \$60,000 in the Capital Outlay Fund from the CCRT Street Lighting Project account to the Watergate Estates Sandalfoot Boulevard Street Lighting Project;

E) Budget Transfer of \$238,000 in the Capital Outlay Fund from the CCRT Street Lighting Project account to the OCR Special Projects and Initiatives Fund for Watergate Estates (\$198,000) for 20 years of maintenance and Lee Crossing/Homes of Lantana (\$40,000) for ten years of maintenance; and

F) Budget Amendment of \$238,000 in the CCRT Street Lighting Maintenance Fund to recognize and appropriate the budget transfers to the OCR Special Projects and Initiatives Fund.

SUMMARY: The Watergate Estates street lighting project was initiated by members of the Watergate Homeowners Association, Inc. (HOA). The total amount of funding provided for this project is \$258,000 and it includes \$180,000 to complete the installation and 20 years maintenance of 30 new streetlights along Sandalfoot Boulevard and \$78,000 to take over the maintenance of 20 existing lights along Sandalfoot Boulevard for approximately 20 years. Maintenance of existing lights was paid by the HOA but the HOA has been dissolved and the County was requested to take over the maintenance. The requested transfer of \$238,000 is needed to cover the maintenance of new lights (\$120,000) to extend the maintenance of the existing lights (\$78,000) for 20 years and \$40,000 is needed to extend the maintenance of the lights for ten years. The extension of the Lee Crossing/Homes of Lantana maintenance was initiated by members of the Lee Crossing/Homes of Lantana Homeowners Association, Inc. The total amount of funding provided for this project is \$40,000. Based on a review by the Palm Beach County Sheriffs' Office (PBSO) and the Office of Community Revitalization (OCR) staff, it was determined that these projects are needed to continue to help reduce crime, enhance pedestrian safety and facilitate safer vehicular movement. Districts 2 & 5 (AH)

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>
Comprehensive Plan	July 30, 2015
Budget Public Hearing	September 8, 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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** two Resolutions declaring the acquisition of Parcels 102 and 104 in fee simple for the construction and improvement of a westbound right turn lane from Okeechobee Boulevard onto Ponce de Leon Street in the Village of Royal Palm Beach (Project) to be a public necessity, authorizing the employment of appraisers and other experts, and the filing of eminent domain proceedings. **SUMMARY:** Adoption of these Resolutions will initiate eminent domain proceedings against two parcels of land needed for the Project. The property owners have accepted the offers to purchase made by Palm Beach County (County), but the County has not been able to secure partial mortgage releases from the property owners' financial institutions. It is therefore necessary to file eminent domain proceedings in order to remove mortgage encumbrances from the parcels of land. District 6 (MRE)

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

A) the First Amendment to the construction materials testing, geotechnical engineering & inspection annual contract with Dunkelberger Engineering & Testing, Inc. (DET), R2014-1662, whose original contract was dated November 18, 2014;

B) the First Amendment to the construction materials testing, geotechnical engineering & inspection annual contract with Professional Service Industries, Inc. (PSI), R2014-1663, whose original contract was dated November 18, 2014; and

C) the First Amendment to the construction materials testing, geotechnical engineering & inspection annual contract with Radise International, L.C. (Radise), R2014-1661, whose original contract was dated November 18, 2014.

SUMMARY: Approval of these first amendments will extend the expiration dates from November 17, 2015 to November 17, 2016. This will extend the required professional services for one year, on a task order basis, to the construction materials testing, geotechnical engineering & inspection annual contracts. The amendments with DET, PSI and Radise will also adjust the fee schedule as allowed in the original contracts. These amendments are the first renewals of two possible one year renewals contemplated in the original contracts. To date, no tasks have been authorized for DET or PSI. To date, tasks in the amount of \$9,865 have been authorized for Radise with 100% Small Business Enterprise (SBE) participation which exceeds their commitment of 95%. The consultants are all Palm Beach County companies. Radise is certified as an SBE. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contract for Provision of Services with The Salvation Army, for the period October 1, 2015, through September 30, 2016, in an amount totaling \$93,000 to provide emergency shelter to individuals who are homeless or at risk of homelessness. **SUMMARY:** On July 21, 2015 (R2015-0949), the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2015-2016 which allocated \$522,853 in Emergency Solutions Grant (ESG) funds to non-profit agencies to provide assistance to the homeless and those at risk of becoming homeless. This contract will fund activities which include payment for the cost of operating and maintaining emergency shelters and the cost of assistance for the prevention of homelessness. The balance of the grant funds will be applied to program administration and database management. These Federal ESG funds require a matching contribution which will be provided by the funded agencies. (Human Services) Countywide (HH)

2. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with the Legal Aid Society of Palm Beach County, Inc., for the period July 1, 2015, through June 30, 2018, for a total amount not to exceed \$20,000 for a legal assistance program for the elderly. **SUMMARY:** As a Lead Agency for the Area Agency on Aging (AAA), DOSS is required by the Community Care for the Elderly (CCE) grant, through AAA and the Department of Elder Affairs, to provide an avenue for legal assistance to elderly clients in need. The targeted categories of legal assistance specified include: Nutrition/Health, Housing and Utilities, Abuse, Neglect and Exploitation and Protective Services. DOSS is collaborating with the Legal Aid Society of Palm Beach County, Inc. (Legal Aid), an entity that is best able to provide the targeted legal services. CCE funds are for six years with the initial agreement for three years for the period July 1, 2015 through June 30, 2018; with one three year renewal. The estimated total cost of legal assistance will be \$20,000 funded under the CCE grant in the amount of \$18,000 (90%) Federal funds and \$2,000 (10%) in County match funds. Sufficient funding is included in the current FY2016 budget to meet County obligations. Employees Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc., serve on a county advisory board, the HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

A) ratify the signature of the Mayor on the 2015 Challenge Grant Application in an amount up to \$200,000; and

B) delegate authority to the County Administrator or her designee to sign the 2015 Florida Department of Children and Families (DCF) Office of Homelessness Challenge Grant; and

C) delegate authority to the County Administrator or her designee to sign the subcontracts and any additional amendments or contract forms with Adopt A Family of the Palm Beaches, Inc., Homeless Coalition of Palm Beach County, Inc., Catholic Charities of the Diocese of Palm Beach, Inc., and Gulfstream Goodwill Industries, Inc. for a time period not longer than June 30, 2016, for the maximum cumulative amount of \$200,000; and

D) approve Budget Amendment up to \$200,000 in the General Fund, Human Services Division, to be processed administratively by the Office of Financial Management and Budget contingent upon receipt of grant award.

SUMMARY: The Division of Human Services is applying for funding to provide Rapid Re-Housing to individuals/families, Homeless Prevention services and Performance Measures Evaluation through the 2015 Homeless Challenge Grant. Florida Department of Children and Families will allocate funds based on the applicant's score up to a maximum of \$200,000. Upon receipt of a grant award, the County will contract with Adopt-A-Family of the Palm Beaches, Inc. for Family Rapid Re-Housing services for 50,000, Gulfstream Goodwill Industries, Inc. for Individual Rapid Re-Housing services for 50,000, Catholic Charities of the Diocese of Palm Beach, Inc. for Homeless Prevention services for 50,000, and Homeless Coalition of Palm Beach County, Inc. for System Performance Measures Evaluation services for 50,000. Should the funding level be below the maximum, the allocations would be reduced to amounts agreed to in advance amongst the providers. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. No County funds are required. (Human Services) Countywide (HH)

4. Staff recommends motion to ratify: signature of the Mayor on the 2016 Older Americans Act Request for Proposal with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2016, through December 31, 2018, in an amount not to exceed \$1,759,000 per year. **SUMMARY:** OAA are federal grants administered locally by AAA. DOSS applied for funds to be used to provide assistance to older persons and caregivers. These funds will be used to provide nutrition services, adult day care, in-home services, as well as a variety of outreach and supportive services to older adults. DOSS will continue to implement a comprehensive and coordinated service system of programs and services that meet the diverse needs of elders and their caregivers. The application is for a total of \$1,759,000 with a 10% required County match. Funding is allocated and renewed on an annual basis. The contract may be renewed for three additional years. The contract to be awarded through this RFP will be a three-year agreement. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. (DOSS) Countywide, except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve:

A) Contracts for Provision of Financial Assistance with the below listed agencies for the period October 1, 2015, through September 30, 2016, in an amount totaling \$1,394,451:

1. Aid to Victims of Domestic Abuse, Inc., for Domestic Abuse/Sheltering program in an amount not to exceed \$231,547; and
2. The Young Women Christian Association of Palm Beach County, Florida., for Domestic Abuse/Sheltering program in an amount not to exceed \$114,294; and
3. The Children's Home Society of Florida for Domestic Abuse / Sheltering program in an amount not to exceed \$91,084; and
4. The Children's Place at Home Safe, Inc., for Domestic Abuse/Sheltering Program, in an amount not to exceed \$43,032; and
5. Legal Aid Society of Palm Beach County, Inc., for Homelessness program in an amount not to exceed \$30,000; and
6. Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County, for Homelessness program in an amount not to exceed \$36,553; and
7. Gulfstream Goodwill Industries, Inc., for Homelessness program in an amount not to exceed \$45,663; and
8. The Children's Home Society of Florida, for Homelessness program in an amount not to exceed \$35,836; and
9. The Lord's Place, Inc., for Homelessness program in an amount not to exceed \$230,908; and
10. The Salvation Army, for Homelessness program in an amount not to exceed \$69,632; and
11. Palm Beach Habilitation Center, Inc., for Homelessness program in an amount not to exceed \$66,121; and
12. Center for Family Services of Palm Beach County, Inc., for Domestic Abuse / Sheltering program in an amount not to exceed \$160,999; and
13. Adopt-A-Family of the Palm Beaches, Inc., for Homelessness program in an amount not to exceed \$238,782.

B) Amendments to Contracts for Provision of Financial Assistance with the below listed agencies, for the period October 1, 2015, through September 30, 2016, in an amount totaling \$2,484,054 to provide a variety of human service needs to the community:

1. Amendment No. 01 with The Jerome Golden Center for Behavioral Health, Inc. (R2014-1695), increasing funding by \$1,173,538 for a new total contract amount not to exceed \$2,324,066; and
2. Amendment No. 02 with The Mae Volen Senior Center, Inc. (R2014-0026), increasing funding by \$1,176,488 for a new total contract amount not to exceed \$3,483,326; and
3. Amendment No. 01 with Center for Family Services of Palm Beach County, Inc. (R2014-1902), increasing funding by \$134,028 for a new total contract amount not to exceed \$265,428.

SUMMARY: On July 21, 2015, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contracts and amendments being recommended in this item reflect the dollar amounts approved by the Board for FY 2016. These contracts and amendments represent \$3,878,505 of the total FAA funding allocation of \$11,653,770. Other contracts and amendments under these programs will be forthcoming upon receipt of all the required information. Employees Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc., and Thomas McKissack of The Jerome Golden Center for Behavioral Health, Inc. serve on a county advisory board, the HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. **DELETED: Staff recommends motion to approve:** ~~Memorandum of Agreement with Children's Services Council of Palm Beach County and United Way of Palm Beach County, Inc., for the period October 1, 2015, through September 30, 2016, in an amount totaling \$383,997 of which \$142,457 is funded by Palm Beach County.~~ **SUMMARY:** On July 22, 2014, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. This Memorandum of Agreement (MOA) being recommended in this item reflects the dollar amounts approved by the Board for FY 2016. This MOA represents \$142,457 of the total FAA funding allocation of \$11,653,770. This is a three party MOA among Palm Beach County, Children's Services Council of Palm Beach County (CSC) and United Way of Palm Beach County, Inc. (United Way). United Way will subcontract with 211 Palm Beach/Treasure Coast, Inc. (211) as part of the collaboration to connect people to services 24 hours a day by understanding their individual emotional, financial and community needs and to support the health & human service system as a whole. 211 provides guidance and support to individuals and families in distress, or in need of information about health and human service programs. CSC will be funding \$116,422 and United Way will be funding \$125,118 of the entire MOA amount. All three agencies will be part of the program and fiscal monitoring of this MOA. United Way will be the responsible agent for verifying that the deliverables are completed by the MOA end date. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to:

A) approve purchase order for the Senior Companion Program (SCP) with the State of Florida Department of Elder Affairs (DoEA), for the period July 1, 2015, through June 30, 2016, in an amount not to exceed \$1,600 to reimburse the County for volunteer support expenses; and

B) delegate to the Department of Community Services Director, or his designee signatory authority to execute purchase orders and other necessary documents related to SCP; and

C) receive and file:

1. Amendment 007 to Standard Agreement No. IZ012-9500 (R2012-1631) for Alzheimer's Disease Initiative (ADI) with Area Agency on Aging (AAA), for the period July 1, 2014, through June 30, 2015 to transfer \$7,000 from ADI Services to ADI Case Management and to decrease the overall total agreement amount by \$10,000; and
2. Amendment 006 to Standard Agreement No. IC012-9500 (R2012-1632) for Community Care for the Elderly (CCE) with AAA, for the period July 1, 2014, through June 30, 2015 to decrease the overall total funding by \$25,000; and
3. Amendment 004 to Standard Agreement No. IH012-9500 (R2012-1634) for Home Care for the Elderly (HCE) with AAA, for the period July 1, 2014, through June 30, 2015 to increase funding to HCE Case Management by \$25,000;

D) ratify the signature of the Mayor on the following agreements and amendments with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc.:

1. Master Agreement No. IM015-9500 between AAA and DOSS, for the period July 1, 2015, through June 30, 2018 to establish the AAA standard terms and conditions for services provided in any agreement incorporating this Master Agreement, including attachments, forms and exhibits; and
2. Standard Agreement No. IH015-9500 for HCE with AAA, for the period July 1, 2015, through June 30, 2018 in an amount not-to-exceed \$137,826 to assist older adults and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care; and
3. Standard Agreement No. IR015-9500 for Respite for Elders Living in Everyday Families (RELIEF) with AAA, for the period July 1, 2015, through June 30, 2018, in an amount not-to-exceed \$138,600 to provide a volunteer-based program providing in-home respite to caregivers of frail, homebound elders; and
4. Standard Agreement No. IC015-9500 for CCE with AAA, for the period July 1, 2015, through June 30, 2018, in an amount not-to-exceed \$1,368,453 to assist seniors and caregivers by providing in-home services to help seniors live independently; and
5. Standard Agreement No. IZ015-9500 for ADI with AAA, for the period July 1, 2015, through June 30, 2018, in an amount not to exceed \$697,704 to provide assistance to seniors and caregivers by ensuring that persons afflicted with Alzheimer's disease and other forms of dementia are given essential services to help them live independently in their own homes or in the homes of relatives/caregivers; and

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3E-7 CONTINUED

6. Standard Agreement IP015-9500 for Emergency Home Energy Assistance Program (EHEAP) with AAA, for the period April 1, 2015, through March 31, 2018, in an amount not-to-exceed \$20,021 to provide home energy assistance for seniors.
7. Amendment 007 to Standard Agreement No. IC012-9500 (R2012-1632) for CCE with AAA, for the period July 1, 2014, through June 30, 2015 to increase the overall total funding by \$114,823.34; and
8. Amendment 008 to Standard Agreement No. IZ012-9500 (R2012-1631) for ADI with AAA, for the period July 1, 2014 through June 30, 2015 to increase the overall total agreement amount by \$2,987.85.

E) approve Budget Amendment of \$2,075,134 in DOSS Administration Fund to align the budget to the actual grant award for fiscal year 2015.

SUMMARY: Grant adjustments are made during the contract year to align services with need. These agreements and amendments outline funding allocations for the Older Americans Act (OAA)/ADI/CCE/HCE/RELIEF/EHEAP agreement periods and reflect any changes to the approved rates. ADI Amendment 007, CCE Amendment 006 and HCE Amendment 004 were executed by the County Administrator in accordance with Resolution R2013-0242, which delegated authority to County Administrator, or their designee to sign documents related to DOSS/AAA grant amendments. These receive and file items are being submitted in accordance with Countywide PPM No.CW-O-051 to allow Clerk's Office to note and receive the executed amendments. The emergency signature process was also utilized because there was insufficient time to submit the agreements/amendments through the regular agenda process. DoEA is implementing a purchase order in place of a contract to reimburse the County for volunteer support services. 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)

F. AIRPORTS

1. Staff recommends motion to:

A) receive and file an Award Modification (Modification P00004) of Law Enforcement Officer (LEO) Reimbursement Program Other Transactional Agreement (OTA) HSTS0213HSLR043 with the Transportation Security Administration (TSA) in the amount of \$36,248.27 for law enforcement services at Palm Beach International Airport (PBIA); and

B) approve a Budget Amendment in the Airport's Operating Fund, for the receipt of \$36,248.27 of funding from the TSA for Fiscal Year 2016; and an increase to Airport's Reserve in the amount of \$36,248.27.

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

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 4 to the Construction Manager (CM) at Risk Contract with The Weitz Company, LLC for CM at Risk Services for Task W-4: Third Level Conference Room Renovations at Palm Beach International Airport (PBIA) in the amount of \$352,322 and 90 calendar days. **SUMMARY:** The Contract with The Weitz Company, LLC for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0664). The Contract is for two years with three, one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Weitz Company, LLC is an Iowa based firm; however, the work will be directly managed by their local South Florida office in Palm Beach County. The contract value to date is \$4,484,625. Approval of Amendment No. 4 in the amount of \$352,322 and 90 calendar days will provide funds to complete Task W-4: Third Level Conference Room Renovations at PBIA. This task authorization includes renovations to the unfinished space on the third level of the Terminal at PBIA. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. The total to date participation for this contract is 12%. Countywide (MRE)

3. Staff recommends motion to approve:
 - A) Amendment No. 2 to the Construction Manager (CM) at Risk Contract with The Whiting-Turner Contracting Company (WT) in the amount of \$1,758,721 and 31 calendar days for Task Order No. 6: Operation and Maintenance (O & M) Services for the Baggage Handling System (BHS) Improvements at Palm Beach International Airport (PBIA); and
 - B) a Budget Transfer of \$1,758,721 in the Airports' Improvement and Development Fund to provide budget for the CM at Risk contract with WT. This includes a transfer from Reserves of \$1,758,721.

SUMMARY: The CM at Risk Contract with WT for CM at Risk Services for BHS Improvements at PBIA was approved by the Board on October 16, 2012 (R2012-1519). Amendment No. 1 for the Guaranteed Maximum Price (GMP) in the amount of \$41,983,731 and 616 calendar days was approved by the Board on October 21, 2014 (R2014-1637). Task orders and change orders decreasing the GMP by \$(-) 253,044.08 were approved in accordance with PPM CW-F-050. Approval of Amendment No. 2 will provide funds for Task Order No. 6: O & M Services of the system during construction of the BHS Improvements at PBIA. WT is a Baltimore, Maryland based firm; however, the work will be directly managed by the local South Florida office in Broward County. The Disadvantaged Business Enterprise (DBE) goal for this contract was established at 12%. The total to date participation for this contract is 5.66%; however, it is anticipated that the goal will be achieved at completion of the project. Countywide (MRE)

4. Staff recommends motion to approve: Utility Easement Agreement with Florida Power & Light Company (FPL) for the relocation of electric utilities associated with the travel plaza facility at the Palm Beach International Airport (PBIA). **SUMMARY:** FPL relocated a portion of an existing electric utility line that previously crossed over the travel plaza site. FPL requires an easement for the new electric corridor. The easement will connect to an existing utility easement on PBIA. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to receive and file: Terminal Space Lease Agreement (Lease) with PrimeFlight Aviation Services, Inc. (PrimeFlight), commencing on June 15, 2015, terminating on September 30, 2015, and automatically renewing on a year-to-year basis (October 1st through September 30th) thereafter, for the lease of approximately 193 square feet of space. **SUMMARY:** Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2011-1337. PrimeFlight relocated offices at the request of the Department of Airports to accommodate an airline tenant. The Lease replaces and terminates the prior agreement dated October 28, 2014 (R2015-0142). Countywide (AH)

6. Staff recommends motion to receive and file: License Agreement with Enterprise Leasing Company of Florida, LLC (Enterprise) commencing August 25, 2015 and expiring October 5, 2015, for the parking of vehicles on a portion of the economy parking lot at the Palm Beach International Airport (PBIA) in connection with Enterprise's rental car operation at PBIA, for payment of license fees in the amount of \$17,400. **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 economy parking lot at PBIA, for parking of vehicles. The License Agreement may be renewed on a weekly basis thru November 2, 2015, for payment of license fees in the amount of \$2,900 per week. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Contract with One Call Property Services, Inc. in the amount of \$379,862 for exterior painting of the Operations & Maintenance Complex and Water Treatment Plant No. 3 Buildings at Water Utilities Department's South Regional Operations Center (SROC). **SUMMARY:** The work consists of exterior painting of the facility which includes office building and equipment areas. The repainting is necessary to assist with recurring maintenance problems and aesthetics of the facility. Properly maintaining the facilities ensures longer serviceable life of structure and equipment. The funding for this project is from Water Utilities user fees. This work was competitively bid with One Call Property Services, Inc. submitting the lowest responsive, responsible bid. The total construction duration is 210 days. The goal for Small Business Enterprise (SBE) participation is 15%. The SBE participation in this Contract is 15%. One Call Property Services, Inc. is a Martin County company. (Capital Improvements Division) District 5 (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Contract with Leo A. Daly Company to provide planning and design services associated with detention facilities projects. **SUMMARY:** The County's Five Year Capital Improvement Program (CIP) includes renewal/replacement projects at the detention facilities. The series of projects consist of renewal/replacements, renovations, modifications, and/or additions for infrastructure and various facilities systems such as HVAC, mechanical, fire protection, plumbing, boilers, electrical, low voltage electronic systems (including fire alarm, intercom, security and CCTV) and structural, roofing and weatherproofing. The oldest detention facilities involved in these projects have been in operation on a 24/7 basis for over 30 years and the newest for 20 years; all without any renewal/replacement projects having been completed. End of life issues including reliability, have already increased maintenance costs and will impact ability to maintain operations if the replacements are not completed in the next 3-5 years. The projects are planned to be implemented over the 3-5 year period in order to maintain operations without materially increasing staffing costs. The purpose of this contract is to have a single consultant provide planning and design services to reduce the time and cost associated with familiarizing various consultants with the facility conditions, operating procedures and constraints and the County asset standards. This Contract will be for five years and consultant fees will be negotiated on an individual basis for the identified projects. Leo A. Daly is a national firm with a Palm Beach County Office and will be using Palm Beach County subconsultants for a majority of the work. This Contract includes a SBE goal of 15% which can be met through the use of either M/WBE or SBE firms. Funding for the work will come from the Public Building Improvement Fund. (Capital Improvements Division) Countywide (ME)

3. Staff recommends motion to approve: an Agreement with City of Margate (City) allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System (System). **SUMMARY:** This Agreement provides the conditions under which the City can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the City. The terms of the Agreement are standard and have been offered to EMS providers with 800 MHz trunked radio capabilities. This Agreement also contains state approved standard operating procedures specific to the use of EMS common talk groups. There are no charges associated with this Agreement. The City is required to pay all costs associated with the City's subscriber units and to comply with the established operating procedures for the County's System. This Agreement commences on execution for a term of five years. There are three renewal options, each for a period of five years. The Agreement may be terminated by either party, with or without cause. (ESS) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Contract with All-Site Construction, Inc. in the amount of \$819,367 for Fire-Rescue Station No. 42 renovations. **SUMMARY:** The work consists of renovation of the administrative suite of offices, restroom and support spaces for Fire Rescue Station No. 42 located on Hagen Ranch Road in Delray Beach. This project is being funded from the Fire Rescue Improvement Fund. The Small Business Enterprise (SBE) goal for this project is 15%. All-Site Construction, Inc.'s bid includes participation of 26.3%. All-Site Construction, Inc. is a Palm Beach County business. The contract time is 140 calendar days to substantial completion. (Capital Improvements Division) District 5 (ME)

5. Staff recommends motion to approve: Amendment No. 7 to the contract with Hedrick Brothers Construction Co., Inc. (R2012-1000) in the amount of \$1,147,078.15 for Water Utilities Department Southern Region Operations Center (WUD SROC) Building "K" Laboratory Heating, Ventilation, and Air Conditioning (HVAC) System Upgrade project establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** This amendment provides for upgrades to the air conditioning equipment, replacement of air cooled water chiller that is beyond its useful life and modifies duct work and soffit ventilation to improve interior air quality and work environment. The Small Business Enterprise (SBE) goal for this contract is 15%. Hedrick Brothers Construction Co., Inc.'s SBE participation for this Amendment is 32.9%. The overall contract SBE participation is 21.6%. The time of construction is 180 days. This project will be funded by Water Utilities Department User Fees. Hedrick Brothers Construction Co., Inc. is a local firm and 97% of the work will be done by local contractors. (Capital Improvements Division) District 5 (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Amendments No. 1 to the Annual Electrical Contracts with the below listed firms extending the contract terms for one year for electrical services:

<u>Contractor</u>	<u>Original Contract Resolution #</u>	<u>SBE or Non-SBE</u>	<u>Work Orders during 1st term</u>	<u>Total SBE Participation To date</u>
1. Albert Electric, Inc.	R-2014-1735	SBE	\$134,841	90%
2. DAVCO Electrical Contractors Corp.	R-2014-1736	Non-SBE	\$0	0%
3. Global Communications & Electrical Systems, Inc.	R-2014-1737	SBE	\$0	0%
4. Grid-One Electrical Construction	R-2014-1738	SBE	\$4,930	100%
5. Knight Electric Company, Inc.	R-2014-1739	Non-SBE	\$1,675	0%
6. Langer Electric Company	R-2014-1740	Non-SBE	\$4,815	0%
7. Sullivan Electric & Pump, Inc.	R-2014-1742	SBE	\$1,965	100%

SUMMARY: This agenda item is a renewal to the Annual Electrical Contracts which were awarded to eight approved participants. The Annual Electrical Contracts are indefinite-quantity contracts with a maximum cumulative value per year. Projects are bid among the pre-qualified participants. The original contracts provided for initial one year terms with four, one-year renewal options with a \$1,000,000 cumulative limit. Staff is bringing forward these Amendments at this time because the contracts have reached their term limits for the renewal period. During the initial terms of the contracts, \$148,226 in work orders were awarded. All terms of the original contracts remain in effect. These are the first extensions allowed by the contract. All contractors are Palm Beach County companies or have Palm Beach County offices with the exception of Langer Electric Company (Broward). The goal for Small Business Enterprise (SBE) participation is 15%. The cumulative SBE participation among all contractors to-date is 82%. SBE and local preferences are applied at the work order level. These are bond waiver contracts. (FD&O Capital Improvements) Countywide (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. ~~**DELETED: Staff recommends motion to approve:**~~ Emergency Contract No. 750721 with Norred & Associates, Inc. for uniformed security guard services for various locations throughout Palm Beach County for approximately \$1,700,312 for a twelve month term commencing October 28, 2015. **SUMMARY:** As a result of an Invitation for Bid (IFB) for uniformed security guard services for various locations throughout Palm Beach County, the County entered into a contract with USI Security Services, Inc. ("USI") on February 15, 2014. On September 14, 2015, the County notified USI that it was terminating the contract for convenience effective October 27, 2015. Norred & Associates, Inc. (Norred), the next lowest responsive and responsible bidder to the IFB, has agreed to honor its 2013 bid price and provide the necessary uniformed security guard services. Due to the immediate need for security guard services for various locations throughout the County, Staff recommends the approval of Emergency Contract No. 750721 with Norred. Funding for this Contract is from a variety of operating departments with different funding sources and each have been advised of and have funding to cover the price differences. Norred is a non-SBE vendor, who has committed twenty percent (20%) SBE participation by utilizing an SBE subcontractor. Norred is located in Palm Beach County. (FDO/Purchasing) Countywide (MWJ)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: one Modification to Subgrant Agreement, one Subordination Agreement and one Amendment to a Loan Agreement as follows:
- A)** Modification No. 14 to Subgrant Agreement (R2010-1411) with the Florida Department of Economic Opportunity (DEO) under the 2008 CDBG Disaster Recovery Initiative Program (DRI4) (Countywide);
- B)** Subordination Agreement with Amelia Estates, LLC and First National Bank of Coffee County under the Universal Housing Trust Fund (UHTF) (District 6); and
- C)** Amendment No. 001 to the Loan Agreement with New South Bay Villas, LLC, under the HOME Investment Partnership Program (HOME) (District 6).
- SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolution/Agenda Item R2009-1677, R2014-1584 and 4B-2 as approved by the BCC on October 6, 2009, October 21, 2014 and June 2, 2015. These executed documents are now being submitted the BCC to receive and file. **These are DRI4 and UHTF funds which do not require a local match.** (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. **Staff recommends motion to approve:** an Agreement with Business Loan Fund of the Palm Beaches, Inc. d/b/a Center for Enterprise Opportunity (CEO) in the amount of \$80,000 for the period October 1, 2015 to September 30, 2016. **SUMMARY:** On July 21, 2015, the Board of County Commissioners (BCC) approved (R2015-0939) the FY 2015-2016 Action Plan for Palm Beach County which includes an allocation of \$80,000 in Community Development Block Grant (CDBG) Program funds for CEO. This Agreement will provide these CDBG funds to CEO who will provide technical assistance and business support services to small businesses and persons developing small businesses. CEO will also provide loans for the establishment, stabilization, and expansion of small businesses. CEO is required to provide one-on-one business and financial counseling sessions for at least 40 clients, conduct no less than four comprehensive business plan trainings and close five credit builder loans and/or microloans to microenterprises and small businesses. CEO is a Community Development Financial Institution certified by the U.S. Treasury. CEO currently has a Contract with the County and is in compliance. **This funding is projected to have a five year Economic Sustainability Impact of \$7.8 Million. These are Federal CDBG funds which do not require a local match.** (DES Contract Development) Countywide (JB)

3. **Staff recommends motion to approve:** a Consulting/Professional Services Contract with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$54,000 for the period October 1, 2015 to September 30, 2016. **SUMMARY:** This Consulting/Professional Services Contract will fund the BBIC for operational expenses for providing consulting and financial assistance to existing and start-up small businesses in Palm Beach County. The BBIC, a non-profit organization, will be required to obtain four business loan approvals from financial institutions totaling at least \$500,000, while serving 270 clients and creating/retaining 25 full-time equivalent jobs. BBIC received \$54,000 in ad valorem funds during Fiscal Year 2014-2015 and created/retained 64 full-time equivalent (FTE) jobs (based on their August 2015 progress report), which exceeded their 25 FTE job creation/retention requirement. **This funding is projected to have a five year Economic Sustainability Impact of \$10.5 Million. These funds were approved in the Fiscal Year 2015-2016 Budget adopted by the Board of County Commissioners.** (DES Contract Development) Countywide (JB)

4. **Staff recommends motion to approve:** an Agreement with Enterprise Development Corporation of South Florida (EDC) in the amount of \$51,000 for the period October 1, 2015 to September 30, 2016. **SUMMARY:** This Agreement will provide Community Development Block Grant (CDBG) Program funds for operational expenses for the development and expansion of microenterprises (defined as “commercial enterprises” that have five or fewer employees) and small businesses. EDC is required to create a minimum of four full-time equivalent (FTE) jobs countywide of which at least 51% must be held by, or made available to, low and moderate income persons, and of which at least 51% must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. EDC is a non-profit organization whose mission is the development of an innovation-based economy through the creation of high skill, high wage jobs in key industries that are driving global commerce. The primary objective of EDC is to facilitate the creation and growth of high technology companies. EDC received \$51,000 in CDBG funds during Fiscal Year 2014-2015 and created 8.5 FTE jobs (based on their August 2015 progress report), which exceeded their four FTE job creation requirement. **This funding is projected to have a five year Economic Sustainability Impact of \$2.9 Million. These are Federal CDBG funds which do not require a local match.** (DES Contract Development) Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. **Staff recommends motion to approve:** an Agreement with the City of Belle Glade in the amount of \$119,406 for the period of October 1, 2015 to September 30, 2016. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding to pay all or a portion of the salary and benefits of three full-time Code Compliance Officers. On July 21, 2015, the Board of County Commissioners approved the Fiscal Year 2015-2016 Action Plan (R2015-0939) which allocated \$119,406 for these code enforcement costs. **This funding is projected to have a one year Economic Sustainability Impact of \$1.35 Million. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (JB)

6. **Staff recommends motion to approve:** an Agreement with the City of Pahokee in the amount of \$26,257 for the period of October 1, 2015 to September 30, 2016. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding to pay for a portion of the salary and benefits of one full-time Code Compliance Clerk. On July 21, 2015, the Board of County Commissioners approved the Fiscal Year 2015-2016 Action Plan (R2015-0939) which allocated \$26,257 for these code enforcement costs. **This funding is projected to have a one year Economic Sustainability Impact of \$450,000. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (JB)

7. **Staff recommends motion to approve:** an Agreement with the City of South Bay in the amount of \$30,311 for the period of October 1, 2015 to September 30, 2016. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding to pay for all or a portion of the salary of one full-time Code Compliance Officer. On July 21, 2015, the Board of County Commissioners approved the Fiscal Year 2015-2016 Action Plan (R2015-0939) which allocated \$30,311 for these code enforcement costs. **This funding is projected to have a one year Economic Sustainability Impact of \$450,000. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

8. **Staff recommends motion to approve:** 13 Agreements under the Fiscal Year 2015-2016 Community Development Block Grant (CDBG) Program totaling \$215,656 to 13 non-profit agencies, in the amounts indicated below, for the period of October 1, 2015 to September 30, 2016, as follows:

A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$19,628 for transitional housing and supportive services;

B) The Children's Home Society of Florida in the amount of \$18,118 for transitional housing and services to homeless pregnant or parenting teen mothers;

C) The Children's Place at Home Safe, Inc. in the amount of \$13,595 for emergency transitional shelter and specialized therapeutic care;

D) The Coalition for Independent Living Options, Inc. in the amount of \$17,472 for emergency meals;

E) Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc. in the amount of \$7,110 for assistance to uninsured low income pregnant women and their families in order to access health care, to secure payer sources and other services for prenatal care;

F) Jesus and You Outreach Ministries, Inc. in the amount of \$9,058 for transitional residential shelter and supportive services to homeless men;

G) Legal Aid Society of Palm Beach County, Inc. in the amount of \$46,373 for fair housing education, outreach, advocacy and enforcement activities;

H) Place of Hope, Inc. in the amount of \$11,863 for transitional emergency housing and supportive services;

I) Redlands Christian Migrant Association, Inc. in the amount of \$10,569 for child care and education services;

J) Seagull Industries for the Disabled, Inc. in the amount of \$23,726 for vocational training and supervision;

K) Sickle Cell Foundation of Palm Beach County, Inc. in the amount of \$13,588 for comprehensive case management services;

L) Urban League of Palm Beach County, Inc. in the amount of \$14,420 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and

M) Vita Nova, Inc. in the amount of \$10,136 for transitional housing and supportive services.

SUMMARY: On July 21, 2015 (R2015-0939), the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2015-2016 which allocated \$215,656 in CDBG funds to 13 non-profit agencies to provide public services, including fair housing activities. Kimberly Rommel-Enright and Vicki Tucci, employees of Legal Aid Society of Palm Beach County, Inc., serve on the HIV CARE Council, a County Advisory Board. Jimmy Weatherspoon, an employee of the Urban League of Palm Beach County, Inc., serves on the Board of Housing Finance Authority, a County Advisory Board. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agency contracts listed above. Disclosure of these contractual relationships 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. **These are Federal CDBG funds which require no local match.** (DES Contract Development) Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

9. Staff recommends motion to approve: an Agreement with The Center for Technology, Enterprise and Development, Inc. (TED Center) in the amount of \$226,000 for the period October 1, 2015 to September 30, 2016. **SUMMARY:** This Agreement will provide Community Development Block Grant (CDBG) Program funds for operational expenses for the development and expansion of microenterprises (defined as “commercial enterprises” that have five or fewer employees) and small businesses. The TED Center is required to create a minimum of 18 full-time equivalent (FTE) jobs countywide of which at least 51% must be held by, or made available to, low and moderate income persons, and of which at least 51% must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The TED Center, a non-profit organization, is a business incubator with associated programs and services designed to improve the viability and strength of microenterprises and small businesses. The primary objective of the TED Center is to provide business resources and support services for business opportunities. The TED Center received \$226,000 in CDBG funds during Fiscal Year 2014-2015 and created 18 FTE jobs (based on their August 2015 progress report) which met their 18 FTE job creation requirement. **This funding is projected to have a five year Economic Sustainability Impact of \$13 Million. These are Federal CDBG funds which do not require a local match.** (Strategic Planning) Countywide (JB)

K. WATER UTILITIES

1. Staff recommends motion to approve: a License Agreement with United States Postal Service to access an existing easement for the rehabilitation of Lift Station No. 169. The term of the agreement is from November 1, 2015 through March 31, 2016. **SUMMARY:** The proposed License Agreement will allow the Water Utilities Department (WUD) to access the existing easement containing Lift Station No. 169 located on Summit Boulevard west of South Congress Avenue to rehabilitate the lift station and to install a new gravity wastewater line. The rehabilitation project is necessary to upgrade the lift station to bring it into compliance with current WUD standards. (WUD Project No. 13-034) District 2 (MJ)
2. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 9 for the GL09 Glades Infiltration/Inflow Projects Phase 3 (Project) with Hazen and Sawyer, P.C. in the amount of \$161,820. **SUMMARY:** On June 3, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Engineering/Professional Services Contract with Hazen and Sawyer, P.C. (R2014-0821). CSA No. 9 provides for video inspections and rehabilitation recommendations for 30,000 linear feet of gravity sewer main lines in the City of Belle Glade. In addition, CSA No. 9 includes the finalization of a Sanitary Sewer Survey (Survey) for the Western Region of the County (Belle Glade, Pahokee and South Bay). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Hazen and Sawyer, P.C. provides for SBE participation of 22%. CSA No. 9 includes 25.52% overall participation. The cumulative SBE participation is 32.81% overall. Hazen and Sawyer, P.C. is a local Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 15-024) District 6 (MRE)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Work Authorization No. 2 for the Lift Station Rehabilitation Project Priority 2 (Project) with Hinterland Group, Inc. in the amount of \$1,940,661. **SUMMARY:** On March 10, 2015, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Lift Station Rehabilitation Continuing Construction Contract with Hinterland Group, Inc. (R2015-0318). Work Authorization No. 2 provides for the rehabilitation of 10 submersible lift stations throughout the WUD service area and the demolition of one submersible lift station. The Project additionally requires the installation of a new wastewater gravity system on Drexel Road in order to accommodate the abandonment of the existing lift station. Additional rehabilitation work authorized under the Project includes replacing pumps, piping, pump guide rails, fences, concrete slabs and driveways to increase reliability, safety, security and ease of maintenance. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Hinterland Group, Inc. provides for SBE participation of 0%, based on a finding by the Office of Small Business Assistance that Hinterland Group, Inc. did not provide specific information in their Schedule 2 SBE document. However, Hinterland Group, Inc. committed to 97.47% SBE participation under the Contract. Work Authorization No. 2 includes 100% SBE overall participation. The cumulative SBE participation including this authorization is 100% overall. Hinterland Group, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 15-003) Districts 1, 2, 5 & 6 (MRE)

4. **Staff recommends motion to approve:** Increase funding to the Purchase Agreement with IXOM Watercare, Inc. for the Miex DOC Anion Exchange Resin for Water Treatment Plant No. 2 Miex Treatment System from \$2,518,000 to \$3,118,000 for continued deliveries for the remaining 23 months of a five year contract term. **SUMMARY:** On July 20, 2010, the Board of County Commissioners (BCC) approved the Miex DOC Resin Supply Agreement with Orica Watercare, Inc. (R2010-1128). The Agreement provides for the purchase of resin for the Miex ion exchange at Water Treatment Plant 2 (WTP 2). On October 7, 2014, the BCC approved the First Amendment to the Agreement (R2014-1489) to extend the existing contract through September 30, 2017, and a new Operational Support Services maintenance contract (R2014-1490). The First Amendment did not provide for additional funding to purchase resin. IXOM and the Water Utilities Department have determined that an average of 30 totes of resin per year is required for efficient operation of the Miex treatment system. This request to increase funding is for the purchase of 30 totes per year for the next 23 months at the estimated cost of \$600,000. Orica Watercare, Inc. has changed its name to IXOM Watercare, Inc., as a result of a corporate acquisition. This name change became effective on May 30, 2015. IXOM Watercare, Inc retained the same FEIN number as previously used by Orica Watercare, Inc. IXOM is located in Watkins, Colorado, and is a sole source provider. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. This contract with IXOM provides for SBE participation of 0%. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **Staff recommends motion to approve:** Contract with Electron Corp. of South Florida, for the Southern Region Water Reclamation Facility (SRWRF) Electrical and Instrumentation Improvements Project (Project) in the amount of \$1,756,788. **SUMMARY:** On July 29, 2015, one (1) bid was received to provide electrical and instrumentation improvements at SRWRF. Electron Corp. of South Florida was determined to be a responsive responsible bidder in the amount of \$1,756,788. This Project will provide electrical improvements to the aeration basins to control air flow, installation of gas detection meters on the anaerobic digesters, modifications to the existing electrical building to improve reliability and the installation of variable frequency drives (VFD's) to improve odor control. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Electron Corp. of South Florida provides for SBE participation of 95% overall. Electron Corp. of South Florida is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 13-037) District 5 (MRE)

6. **Staff recommends motion to authorize:** a reallocation of a portion of the City of South Bay's Utility Transfer Fees (Host Fees) pursuant to a Mediated Settlement Agreement between the Cities of Belle Glade and South Bay. **SUMMARY:** On January 15, 2013, the Board of County Commissioners (BCC) approved the Stipulated Settlement Agreement (R2013-0093) which included the Glades Utility Authority Detailed Seven Point Absorption Plan (Absorption Plan). This Absorption Plan authorized the Cities of Belle Glade, Pahokee, and South Bay to receive Host Fees equal to 7% of customer payments received by the County from payments by customers within each respective Glades City. On January 21, 2015, Belle Glade and South Bay entered into a Mediated Settlement Agreement (Settlement Agreement) in which South Bay agreed to pay Belle Glade a total of \$500,000 for unpaid utility charges, with \$300,000 of that amount to be deducted from South Bay's Host Fees. As per the Mediated Settlement Agreement, South Bay provided the County a letter authorizing a monthly reduction of \$5,000 from its Host Fees which are to be paid to Belle Glade beginning October 1, 2015, until the sum of \$300,000 has been paid to Belle Glade. Therefore, Staff recommends approval to reduce and reallocate South Bay's Host Fees to meet the terms of the Settlement Agreement. District 6 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** the Notice of Limitation of Use/Site Dedication, Overlook Park – FRDAP Project Number No. A15180. **SUMMARY:** On July 2, 2015, the Florida Department of Environmental Protection awarded a \$50,000 Florida Recreation Development Assistance Program grant to the Town of Hypoluxo (Town) to provide enhanced public use facilities at the entrance to the Hypoluxo Scrub Natural Area. Receipt of the grant award is contingent upon the County's execution of a Notice of Limitation of Use/Site Dedication (Notice). The Notice will dedicate the portion of the natural area leased to the Town as an outdoor recreation area for the use and benefit of the general public for a period of 25 years. The grant will fund improvements to the existing trails, informational kiosk, picnic facility, landscaping, and additional parking. District 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) ratify the Mayor's signature on Contractual Services Agreement No. 022266 and the Annual Certified Budget for Mosquito Control with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during contract period October 1, 2015, through September 30, 2016, for an amount not to exceed \$43,009; and

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

SUMMARY: The Agreement provides Arthropod Control State Aid of up to \$43,009 in quarterly installments with monthly reporting requirements regarding mosquito control activities. No match is required. The FDACS Form 13617 Certified Budget had to be signed and delivered to Tallahassee no later than October 1, 2015. Countywide (SF)

3. Staff recommends motion to approve: Amendment No. 1 to Interlocal Agreement (R2013-1058) with the Town of Palm Beach (Town) for cost sharing on Purchase Orders totaling \$511,252 related to the Army Corps of Engineers (ACOE) required Environmental Impact Statement (EIS) for the proposed erosion control project known as the Southern Palm Beach Island Comprehensive Shoreline Stabilization Project.

SUMMARY: A joint EIS is currently being completed for the County's and Town's respective shoreline erosion control projects. In 2013, the ACOE determined that an EIS would be required for both the County and Town's proposed erosion control projects. Due to the multi-jurisdictional nature of the EIS, and the possible cost savings, the Town and the County partnered to hire one contractor to perform the EIS for the entire shoreline length. Because the Town's portion of the project is substantially longer than the County's, the Town provides funding for the project and the County reimburses the Town for 38.6% of the project costs associated with the EIS. The County's share for the purchase orders totals \$197,343. The EIS evaluates erosion control alternatives for both project areas. Districts 4 & 7 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Interlocal Agreement with the School Board of Palm Beach County for the period October 20, 2015, through October 19, 2020, for the mutual use of recreation facilities. **SUMMARY:** This Agreement enables the School Board and the Parks and Recreation Department to utilize each other's recreational facilities at no cost. It outlines the procedures for requesting and authorizing the use of recreational facilities and establishes the requirements for use by County-affiliated recreation organizations. The last Agreement (R2008-2241) expired on December 2, 2013. The Department has worked with the School Board to create this Agreement to continue a practice which has resulted in more efficient use of recreational facilities and increased opportunities for the County, School District, and community organization programming. The term of this Interlocal Agreement is for five years, and shall be automatically renewed for one additional five year term. The School Board approved the new Agreement at its September 16, 2015, meeting. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: fully executed Project Agreement Amendment with the Florida Inland Navigation District (FIND) Waterways Assistance Program Grant PB-13-173 for the construction of Waterway Park extending the project completion date from September 1, 2015 to September 1, 2016. **SUMMARY:** In 2013, the County was awarded a \$1,420,396 FIND grant to fund a portion of the construction cost associated with the development of Waterway Park in northern Palm Beach County. The term of the grant agreement, R2013-1742, was from October 16, 2013 to September 1, 2015. The County applied for and was awarded a one year project completion extension. There are no other changes to the terms of the Agreement as a result of this Amendment. The fully executed Project Agreement Amendment is now being submitted to the Board to receive and file. District 1 (AH)

3. Staff recommends motion to receive and file: fully executed Project Agreement Amendment with the Florida Inland Navigation District (FIND) Waterways Assistance Program Grant PB-13-172 for planning, design, and permitting to renovate Ocean Inlet Park extending the project completion date from September 1, 2015, to September 1, 2016. **SUMMARY:** In 2013, the County applied for and was awarded a \$75,000 FIND grant for the planning, design and permitting of the redevelopment of Ocean Inlet Park. The term of the grant agreement, R2013-1743, was from October 16, 2013, to September 1, 2015. The County applied for and was awarded a one year project completion extension. There are no other changes to the terms of the Agreement as a result of this Amendment. The fully executed Project Agreement Amendment is now being submitted to the Board to receive and file. District 1 (AH)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: appointment and reappointment of the following individuals to the Agricultural Enhancement Council for the term of October 20, 2015 to September 30, 2018:

Appointment

<u>Name</u>	<u>Category, Seat Number</u>	<u>Expire</u>
Wade Glenn Whitworth, Jr.	Eastern Palm Beach County Vegetable Industry, Seat 1	9/30/18
Linda Louise Elie	Equestrian, Seat 9	9/30/18

Reappointment

<u>Name</u>	<u>Category, Seat Number</u>	<u>Expire</u>
Antonio De Corral	Sugar Cane Industry, Seat 3	9/30/18
Dave Self	Nursery Industry, Seat 5	9/30/18
Jesus Garza	Vegetable Industry, Seat 8	9/30/18
Rick Roth	Farm Bureau, Seat 2	9/30/18
Stephen Basore	Agricultural Value Added Industry, Seat 6	9/30/18
Angela Pope	Financial, Seat 4	9/30/18

SUMMARY: Based on Resolution R2014-0303, nine agricultural related entities were requested to nominate one member each to the Agricultural Enhancement Council (AEC). Eight nominations are being submitted at this time. Staff is requesting appointment and reappointment of eight members. The Council consists of nine members with six seats currently filled and a diversity count of six Caucasians. The current gender ratio (male: female) is 5:1. The nominees are one Caucasian male and one Caucasian female. Rick Roth has disclosed that he has a Lease Agreement with Palm Beach County. The Agricultural Enhancement Council provides no regulation, oversight, management or policy-setting recommendations regarding the subject agreement. 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

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file the following executed agreements with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period July 1, 2015, through June 30, 2016:

1. State-funded Subgrant Agreement (16-BG-83-10-60-01-050) for FY2015-16 in the amount of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs;
2. Federally-funded Subgrant Agreement (16-FG-5A-10-60-01-117) for FY2015-16 in the amount of \$262,003 for the Emergency Management Performance Grant (EMPG) to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

B) approve a Budget Amendment of \$282,146 in the Emergency Management Preparedness and Assistance Fund to adjust the EMPA grant by \$79,354 to the actual award of \$105,806, and the EMPG grant by \$202,792 to the actual award of \$262,003.

SUMMARY: The EMPA grant is state funded while the EMPG grant is federally funded. Both grants recur annually, with the funds being distributed to the Public Safety Department's Division of Emergency Management. These funds are used to enhance and improve emergency management plans and programs and provide operational support to maintain state required programs consistent with the state's Comprehensive Emergency Management Plan. The grants will be used to further enhance emergency planning, response, mitigation and recovery in the County. R-2012-1731 dated November 20, 2012 gave authority to the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. **No matching County funds are required for the EMPA grant; however, a dollar for dollar match is required for the EMPG grant which is included in the County budget.** Countywide (JB)

2. Staff recommends motion to:

A) approve Amendment No. 1 to contract for consulting/professional relief veterinary shelter services with Leonid Vidrevich, D.V.M., an individual, to increase the hourly rate of pay from \$52 to \$70 per hour for the period commencing October 20, 2015, through March 9, 2016, and for future renewals of the contract through March 9, 2019 and

B) authorize the County Administrator or designee, to approve the renewal of this contract and necessary minor amendments that do not change the scope of work or terms and conditions of this contract.

SUMMARY: This Amendment is a request to increase the hourly rate of pay from \$52 to \$70 per hour for relief veterinary shelter services provided by Leonid Vidrevich, D.V.M. The contract remains at the previously approved not to exceed amount of \$100,000 for the period commencing October 20, 2015, through March 9, 2016 and for future renewals of the contract through March 9, 2019. The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. This Amendment will increase the rate of pay to a rate competitive with that of other agencies providing animal services on a contract basis. This is the First Amendment to the contract entered into on March 10, 2015 (R2015-0341). The contract may be renewed for one year terms beginning March 10, 2016, through March 9, 2019. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) approve an Interlocal Agreement for services with the Florida Department of Health – Palm Beach County (FLDOH-PBC) in the amount of \$43,000 for the period October 20, 2015, through September 30, 2017 to provide sexually transmitted disease (STD) prophylactic treatment and related medical services to victims of sexual assault; and

B) authorize the County Administrator or designee to execute contracts, amendments, and modifications with the Florida Department of Health – Palm Beach County on behalf of the Board of County Commissioners.

SUMMARY: Palm Beach County Victim Services & Certified Rape Crisis Center (PBCVS) responds to sexual assault victims on a 24-hour basis with a Victim Advocate and a Sexual Assault Nurse Examiner (SANE). Sexual assault evidentiary collection exams are performed by SANE nurses at either the Butterfly House, a dedicated forensic exam facility operated by Victim Services, or at any emergency room (ER) in Palm Beach County. While Palm Beach County ER's may provide post-assault medication, the Butterfly House does not. This interlocal agreement affords the victim an additional option and more time post-assault to consider seeking prophylactic treatment. Countywide (JB)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Agreement with the Norton Museum of Art, Inc. for the period October 1, 2015, through September 30, 2016, to provide after school arts community education for at-risk youth attending the Highridge Family Center at no cost to the County. **SUMMARY:** Highridge Family Center has been selected by the Norton Museum of Art as one of four sites to participate in the PACE program for FY2015-2016. The PACE program provides free weekly art classes to at-risk youth by a local professional artist. In exchange for art classes conducted at Highridge, County staff must assist with the annual assessment of the program and the instruction artist, as well as be responsible for the general maintenance and cleaning of the meeting room. There are no costs associated with this agreement. Resolution Number R2013-0309 authorizes the County Administrator or designee to execute any Agreements, or amendments with the Norton Museum of Art for educational art classes or programs at the Highridge Family Center on behalf of the Board of County Commissioners. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to approve: Amendments to Contracts for Provision of Financial Assistance with the below listed agencies for the period October 1, 2015 through September 30, 2016, in an amount totaling \$533,889 to provide a variety of youth programming to the community:

A) Amendment No. 02 to Contract for Provision of Financial Assistance with ASPIRA of Florida, Inc. (R2014-0025, as previously amended R2014-1560), increasing funding by \$125,000 for a new total contract amount not to exceed \$375,000; and

B) Amendment No. 02 to Contract for Provision of Financial Assistance with Communities in Schools of Palm Beach County, Inc. (R2013-1393, as previously amended R2014-1440), increasing funding by \$69,618 for a new total contract amount not to exceed \$208,854; and

C) Amendment No. 02 to Contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc. (R2013-1559, as previously amended R2014-1561), increasing funding by \$123,757 for a new total contract amount not to exceed \$371,271; and

D) Amendment No. 02 to Contract for Provision of Financial Assistance with the City of Pahokee (R2014-0239, as previously amended R2014-1905), increasing funding by \$131,364 for a new total contract amount not to exceed \$394,092; and

E) Amendment No. 02 to Contract for Provision of Financial Assistance with Urban Youth Impact, Inc. (R2013-1562, as previously amended R2014-1440), increasing funding by \$84,150 for a new total contract amount not to exceed \$252,450.

SUMMARY: On July 22, 2014, the Board of County Commissioners approved the transfer of funding allocations for the Youth Violence/Diversion and Summer Camp Scholarship Programs from the Department of Community Services to the newly created Youth Services Department. The five referenced agreements were previously a part of the Financial Assisted Agency program and are now referred to as Community Based Agencies under the new Youth Services Department. The contract amendments recommended for approval reflect the last remaining renewal in a three year cycle for a total contract amount of \$533,889, which was approved as part of the FY 2016 budget process. Funding is the same as FY 2015 and no additional funds are being allocated in this item. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: Agreement with the Cultural Council of Palm Beach County, Inc. in the amount of \$200,000 from October 1, 2015, through September 30, 2016 for services relating to the administration of Category C – Level 1 (Small and Emerging Organizations, Children’s and Multicultural projects) cultural grant program for non-profit organizations within the County. **SUMMARY:** The County shall provide an amount of Two Hundred Thousand Dollars (\$200,000) to fund certain activities of non-profit organizations as determined by the Cultural Council of Palm Beach County, Inc. (Council) pursuant to a process established herein and approved by County. Of the \$200,000 in County funding up to One Hundred and Eighty Thousand Dollars (\$180,000) shall be applied to Category C-Level I (Small and Emerging Organizations, Children’s and Multicultural projects). A portion of the remaining funds, not to exceed 20% of the total amount, may be used by the Council to administer the program. In the event any of the funds are unspent, the Council will reallocate said funds to support cultural programs in underserved areas of the County. Rena Blades of the Cultural Council of Palm Beach County, Inc. serves on the Palm Beach County Public Art Committee. The Committee provides no regulation, oversight, management, or policy-setting recommendations regarding the above contract. Disclosure of the 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 (DW)

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

A. **Staff recommends motion to adopt:** a Resolution to abandon a five to ten foot portion of a 15 foot wide drainage easement lying in Lot 2A, Seven Oaks Replat of Lots 1 and 2, according to the plat thereof, as recorded in Plat Book 74, Page 196, of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the public dedication and remove an encroachment due to an error in construction. The petition site is east of Prosperity Farms Road, north of PGA Boulevard and south of Donald Ross Road, on the north side of Seven Oaks Lane. Only a portion of the drainage easement is needed for drainage purposes and that portion will remain under a drainage easement. District 1 (MRE)

B. **Staff recommends motion to:**

1) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, confirming the Special Assessment Roll for the 77th Place North Water Main Extension (Project); and

2) approve Work Authorization No. 19 to Johnson-Davis, Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2013-0550) in the amount of \$101,360.66.

SUMMARY: Petitions in favor of the installation of a potable water main have been provided by 80% of the property owners in the 77th Place North project area. The petitions were considered and approved at the regular meeting of the Board of Supervisors of the Indian Trails Improvement District on March 11, 2015. The Project will serve ten residential properties currently on private wells. Individual assessments of \$10,418.96 per parcel are based on 90% of the total project cost as per the agreement between the County and Indian Trails Improvement District (ITID), in which the County will allocate \$500,000 to provide financial support for up to 10% of the final cost for assessment projects within the legislative boundaries of the ITID. WUD has encumbered and expended a total of \$237,322.23 for previous ITID assessment projects. The assessment is payable over a 20 year time period, in equal annual payments of principal and 5.5% interest. The total assessable Project cost is \$104,189.60 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The Project will be constructed utilizing a Work Authorization under the WUD Continuing Construction Contract with Johnson-Davis, Inc. (R2013-0550). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 20.96%. This Authorization includes 22.55% overall participation. The cumulative SBE participation is 18.09% overall. If the actual cost exceeds the total assessable cost, the difference will be covered by WUD. (WUD Project No. 15-021) District 6 (MJ)

4. PUBLIC HEARINGS CONTINUED

C. Staff recommends motion to:

1) **adopt** Resolution of the Board of County Commissioners of Palm Beach County, Florida, confirming the Special Assessment Roll for the 90th Street North Water Main Extension (Project); and

2) **approve** Work Authorization No. 20 to Johnson-Davis, Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2013-0550) in the amount of \$138,130.79.

SUMMARY: Petitions in favor of the installation of a potable water main have been provided by 79% of the property owners in the 90th Street North Project area. The petitions were considered and approved at the regular meeting of the Board of Supervisors of the Indian Trails Improvement District on January 21, 2015. The Project will serve 14 residential properties currently on private wells. Individual assessments of \$11,898.98 per parcel are based on 90% of the total project cost as per the agreement between the County and Indian Trails Improvement District (ITID), in which the County will allocate \$500,000 to provide financial support for up to 10% of the final cost for assessment projects within the legislative boundaries of the ITID. WUD has encumbered and expended a total of \$237,322.23 for previous ITID assessment projects. The assessment is payable over 20 years in equal annual payments of principal and 5.5% interest. The total assessable cost is \$166,585.72 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency. The Project will be constructed utilizing a Work Authorization under the WUD Continuing Construction Contract with Johnson-Davis, Inc. (R2013-0550). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 20.96%. This Authorization includes 23.58% overall participation. The cumulative SBE participation is 18.15% overall. If the actual cost exceeds the total assessable cost, the difference will be covered by WUD. (WUD Project No. 15-032) District 6 (MJ)

D. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing the “Civil Citation for Small Quantity Marijuana Possession Ordinance”; providing for a title; providing for applicability; providing for definitions; providing for civil citation for certain misdemeanor violations; providing for civil penalties and enforcement; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners directed staff to research whether Palm Beach County could enact an ordinance similar to those being considered by other local jurisdictions, including Miami-Dade County and West Palm Beach, which provide an alternative penalty for the possession of small amounts of marijuana and/or marijuana drug paraphernalia. This ordinance allows law enforcement the alternative of issuing a civil citation and imposing a civil fine of \$100 on any person, 18 years of age or older, who possesses 20 grams or less of marijuana and/or marijuana drug paraphernalia. Unincorporated (HH)

4. PUBLIC HEARINGS CONTINUED

- E. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing the “Home Caregiver Ordinance”; providing for a title; providing for applicability; providing for definitions; providing for licensing; providing for disqualifications; providing for administrative appeal; providing for enforcement; providing for penalties; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners directed staff to work with the Palm Beach County Sheriff’s Office in researching an ordinance requiring licensure and fingerprinting of home caregivers. This Ordinance will require licensure of those who qualify as “Home Caregivers” under the Ordinance, by the County’s Department of Public Safety, Consumer Affairs Division. The Ordinance will be enforced primarily by the Palm Beach County Sheriff’s Office. Countywide (HH)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to adopt:** a Resolution by the Board of County Commissioners of Palm Beach County, Florida, supporting a statewide prohibition on hydraulic fracturing, acid fracturing, and similar high-pressure well stimulation practices performed for the purpose of exploration or production of oil or natural gas in the State of Florida and supporting legislation providing for the prohibition. **SUMMARY:** The Board has requested that a resolution supporting a prohibition in the State of Florida of oil and gas drilling practices commonly referred to as “fracking” be brought before it for consideration. Resolutions for this purpose have been passed by several counties, including Miami-Dade, Broward, Alachua, Leon, St. Lucie, Madison, Martin, Hamilton, Union, Escambia, Flagler, Gadsden, and Monroe. In the 2015 legislative session, two bills prohibiting these drilling practices (SB 166 by Soto and HB 169 by Jenne) were considered, along with various bills providing for additional regulation and permitting of fracking activities (CS/HB 1205 by Rodrigues and SB 1468 by Richter), none of which passed. Thus far, in advance of the 2016 legislative agenda, two bills have been filed to prohibit fracking in Florida: SB 166 (Soto) and HB 19 (Jenne). Two additional bills, SB 318 (Richter) and HB 191 (Rodrigues), have been filed to create a regulatory framework for fracking. These latter two bills would pre-empt local regulation of oil and gas resources. A resolution supporting a prohibition states the potential risk of contamination of groundwater resources and drinking water aquifers and the importance of protecting Florida’s natural resources. Countywide (DW)

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

~~**A) Amendment No. 4 to the Agreement (R2011-1975) with the Business Development Board of Palm Beach County, Inc. (BDB) allocating an additional \$400,000 in supplemental funding for Fiscal Year 2015-2016 and expanding the scope of work;**~~

~~**B) a Budget Transfer of \$300,000 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund; and**~~

~~**C) a Budget Amendment of \$300,000 in the Department of Economic Sustainability Fund to recognize the funds from the General Fund.**~~

SUMMARY: On December 6, 2011, the Board of County Commissioners (BCC) entered into an Agreement (R2011-1975) with the BDB to provide business recruitment assistance, business retention activities and business expansion services in Palm Beach County. The BCC and the BDB entered into a public-private partnership to promote the County, attract new businesses and assist in creating new industries in the County. The Agreement period is from October 1, 2011, through September 30, 2016, and is in its fifth and final year of the term. This Amendment allocates an additional \$400,000 in supplemental funding to the BDB which will provide additional funding for activities in the current scope of work and for the Glades Economic Development Program. The revised scope is provided as an attachment to the Agenda Item. **These are County Ad Valorem funds.** Countywide (JB)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve: an Economic Development Incentive Agreement with Carrier Corporation and Otis Elevator Company (the “Companies”), divisions of United Technologies Corporation, for an Ad Valorem Tax Exemption not to exceed \$3 Million over a ten year period. **SUMMARY:** On March 10, 2015, the Board of County Commissioners (BCC) conceptually approved an Economic Development Ad Valorem Tax Exemption (R2015-0356) not to exceed \$3 Million over a period of ten years. The Agreement with Carrier Corporation and Otis Elevator Company, (Project Diamond) requires the Companies to make a minimum \$115 Million capital investment, create 380 jobs over a six year period at an average annualized wage of \$85,000 and retain those jobs for a period of five years from creation. Additionally, 70 existing full-time jobs are required to be retained for a period of five years. The State of Florida approved \$2.66 Million in the form of a Qualified Target Industry Tax Refund (QTI) with a High-Impact Sector Bonus, and \$4.9 Million from the Quick Action Closing Fund. The City of Palm Beach Gardens approved cash incentives totaling \$630,000 and a 100% Ad Valorem Tax Exemption for up to five years and a 50% exemption for years six through ten. The project encompasses the construction of an approximately 250,000 sf state of the art building to be known as the “UTC Center for Intelligent Buildings” to be located on 30 acres within the Briger Property. The UTC Center for Intelligent Buildings will serve as a showcase to demonstrate new building technologies and will encourage global customer interaction, collaboration and inspiration to see the new possibilities for advanced integrated and sustainable building solutions. It will also provide office space for employees engaged in, amongst other things, research and product development activities of the company. The Companies are a \$29 Billion operating segment of United Technologies Corporation, a Fortune 500 Company. The Companies are the world’s largest provider of building technologies, including security, fire safety, building automation, heating, ventilation, air conditioning, elevator, escalator and refrigeration systems. Award of the Ad Valorem Tax Exemption is contingent upon the determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax exemption. This project is expected to have a five year economic impact of \$662.4 Million. District 1 (JB)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. **REVISED TITLE:** Staff recommends motion to:

A) approve a First Restated Developer Agreement with HW Spring Training Complex, LLC (LLC) (R2015-~~4074~~ 1072, R2015-1258);

B) approve a First Restated Sports Facility Use Agreement with HW Spring Training Complex, LLC (R2015-0172, R2015-1259);

C) approve a finding that Condition Precedent 17.1C of the Developer Agreement has been fulfilled with respect to satisfactory completion of due diligence requirements by both parties having agreed that permits and approvals will be obtained as required for the development and construction;

D) receive and file the Program Budget Estimate required by Article 8 of the Developer Agreement;

E) receive and file a letter from Major League Baseball approving the Developer Agreement and Sports Facility Use Agreement fulfilling Condition Precedent 17.1D of the Developer Agreement and 19.1C of the Sports Facility Use Agreement; and

F) receive and file the LLC's request that the County issue the bonds to fund the County's obligation to the Facility including the LLC's agreement that permits and approvals will be obtained as required for the development and construction.

SUMMARY: The changes to the First Restated Development Agreement and First Restated Sports Facility Use Agreement (Agreements): 1) restructure the Facility Use Fee to support the issuance of a portion of the bonds as tax exempt, 2) detail the statutory requirements for reimbursement of State funding in the event of relocation of one or both of the Teams, and 3) adds the Teams as signatories to the Agreements only for the Sections addressing the requirements to play Spring Training Season Home Games and the statutory requirements for reimbursement of State funding. Condition Precedent 17.1 of the Developer Agreement *requires "satisfactory completion of all due diligence requirementsor both parties having agreed that permits and approvals will be obtained as required for the development and construction."* The finding states that both parties agree that all required permits and approvals are attainable and while it is always possible for permits to be issued subject to stipulations and conditions, any such terms are most likely to be acceptable or otherwise resolvable through design solutions. Thus, the potential monetary implications of any conditions and/or unforeseen circumstance are seen as being a greater challenge than the ability to obtain permits and approvals. The Program Budget Estimate prepared by the LLC is \$144,148,835 and Staff has reviewed the 100% design development documents and estimate and believes the Program Budget Estimate to be reasonable but for a contingency lower than Staff would maintain at this point in the project, and for currently unquantified sales tax savings which cannot be verified. However, since the Teams are required to fund all expenses in excess of \$135,000,000 and have guaranteed that any overruns will be funded, Staff is accepting the Program Budget Estimate. Motion E demonstrates fulfillment of conditions precedent to closing relating to Major League Baseball (MLB's) approval of the Agreements. Motion F sets forth the LLC's request that the County proceed with the issuance of bonds, as soon as all conditions precedent are fulfilled which ends the LLC's ability to terminate the Agreements. The only unfilled condition precedent after approval of this item, is the receipt of the State Funding Certification Letter without conditions, which the State has represented will be forthcoming by October 30, 2015 assuming the Board approves the First Restated Agreements. (FDO Admin) Countywide/District 7 (MWJ)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

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

A) Adopt , contingent upon the receipt of an unconditional Funding Certification Letter from the State of Florida, Department of Economic Opportunity no later than October 30, 2015, a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of not exceeding \$133,000,000 in total original aggregate principal amount of its Public Improvement Revenue Bonds (Professional Sports Franchise Facility Project), in one or more series (the "Professional Sports Facility Bonds") for the purpose of financing, together with other legally available funds of the County, the construction and equipping of a professional sports franchise facility and paying certain costs related and incidental thereto; providing for the terms and payment of such Professional Sports Facility Bonds; providing for the rights, security and remedies of the holders thereof; making certain covenants and agreements in connection therewith; declaring the County's official intent to seek reimbursement for certain capital expenditures made with respect to the project; authorizing the County Administrator to select the underwriting team for the Professional Sports Facility Bonds in accordance with the County's competitive selection of bond underwriters policy for negotiated sales and/or upon consultation with the County's financial advisor, to select a qualified financial institution pursuant to a competitive proposal process to purchase all or a portion of Professional Sports Facility Bonds ("Bank Bonds"); authorizing the execution and delivery of a purchase agreement with the underwriters and execution and delivery of a covenant agreement with the purchaser of the Bank Bonds, if any, subject to the parameters described herein; establishing criteria for determining the date, interest rates, series designation, provisions for redemption and maturity schedule of the Professional Sports Facility Bonds and authorizing the Mayor (or in the absence of the Mayor, the Vice Mayor) and the County Administrator to award the sale of such bonds on a negotiated basis and/or private placement, as the case may be; approving a form of a preliminary official statement and authorizing the preparation and execution and delivery of a final official statement; authorizing the proper officials of the County to execute and deliver a certificate deeming the preliminary official statement "final" for purposes of Securities and Exchange Commission Rule 15c2-12; providing for certain continuing disclosure undertakings pursuant to such rule; appointing an initial paying agent and registrar; authorizing the proper officials of the County to do all other things deemed necessary or advisable in connection with the issuance of the Professional Sports Facility Bonds; providing for certain other matters in connection therewith; and providing for an effective date;

B) approve a Budget Amendment of \$133,000,000 in the \$133M Public Improvement Revenue Bonds, Series 2015C Capital Project Fund to budget bond proceeds, costs of issuance, and project costs.

SUMMARY: The County approved building a Professional Sports Franchise Facility in August 2015. The bonds are being authorized at a not to exceed amount of \$133 million to include the project costs and cost of issuance. On August 26, 2015, the County Financing Committee met and upon the recommendation of the County's Financial Advisor, recommended that the bonds will be sold as taxable and tax-exempt issues through a negotiated sale. The approval of the resolution is contingent upon receipt of the unconditional Funding Certification Letter from the State which must be received no later than October 30th or this authorization will be deemed rescinded. Countywide/District 7 (MWJ & PFK)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to:

A) approve the finding that all conditions precedent to closing contained in Article 9.1. of the Interlocal Agreement (R2015-1070) with the City of West Palm Beach (City) for the exchange of property for the development of a two team Major League Baseball Spring Training Facility (Facility) will have been satisfied provided the County receives the unconditional State Funding Certification Letter (State Letter) no later than October 30, 2015;

B) authorize Staff to close on the property exchange for the Facility after the finding in Motion A has been satisfied; and

C) authorize the County Administrator, or her designee to execute the Memorandum of Fee Commencement Date reflecting the date upon which the remaining condition precedent to the issuance of the bond (Motion A of Item 5B-2) is fulfilled.

SUMMARY: This item authorizes Staff to close in the property exchange with the City of West Palm Beach providing the land upon which the Facility will be constructed. The closing would take place promptly after the County receives the Funding Certification Letter from the State and the bonds are authorized for issuance. The Memorandum of Fee Commencement Date will be sent reflecting the date upon which the State Funding Certification is received. (FDO Admin) Countywide/District 7 (MWJ/HJF)

5. REGULAR AGENDA

C. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a Contract for Consulting/Professional Services with Paragon Florida, Inc. (Paragon) in the amount of \$40,000 for the period October 1, 2015 to September 30, 2016;

B) a Budget Transfer of \$40,000 from General Fund Contingency Reserves to the Department of Economic Sustainability Fund; and

C) a Budget Amendment of \$40,000 in the Department of Economic Sustainability Fund to recognize the transfer from the General Fund.

SUMMARY: This Contract will fund Paragon for operational expenses to provide consulting and financing to small businesses and persons developing small businesses. Paragon will be required to: provide one-on-one counseling to a minimum of 25 businesses, provide technical assistance to a minimum of 50 businesses, host at least three seminars/workshops for entrepreneurs, create a minimum of five full-time equivalent (FTE) jobs, and approve loans to small businesses totaling at least \$100,000. This funding is projected to have a five year Economic Sustainability Impact of \$3.5 Million. These are Ad Valorem funds. Thais Sullivan, a member of the Board of Directors of the Paragon Foundation serves on the Small Business Assistance Advisory Committee. This County Advisory Board provides no regulation, oversight, management, or policy-setting recommendations regarding the Contract for Consulting/Professional Services stated above. Disclosure of this 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. (DES Strategic Planning) Countywide (JB)

D. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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

A) Additional Services Authorization No. 4 to the Contract for External Auditing Services dated March 12, 2013 (Resolution/Document R2013-0347), with McGladrey LLP (Auditor), for additional services to provide a High Spend analysis and a Budget Comparison to Peers analysis; and

B) Budget Transfer of \$48,000 in the General Fund from Contingency for this item.

SUMMARY: This authorization will allow the County's external Auditor, McGladrey LLP, to perform an analysis of County spending, to see if opportunities exist for savings within specific funds (General Fund, Palm Tran Fund, County Transportation Trust Fund, Fleet Fund, and Risk Management Fund), to provide comparisons to peer counties, and make recommendations to assist in making informed decisions that will improve efficiency and effectiveness. The budget transfer will establish the budget of \$48,000 from contingency for this item. Countywide (PFK)

E. PUBLIC SAFETY

1. ADD-ON: Staff recommends motion to approve: an Agreement with the Animal Recovery

Mission, Inc. (ARM), for the care of animals seized by the County on October 13, 2015. **SUMMARY:** On October 13, 2015, Animal Care and Control (ACC) and ARM assisted the Palm Beach County Sheriff's Office (PBSO) in removing more than 750 farm animals from farms that illegally and inhumanely slaughter animals. Due to the large number of animals seized, ACC is unable to maintain all of the animals at its shelter. ARM agreed to maintain a large number of the animals pending the outcome of animal custody cases that will soon be filed. This Agreement sets forth the terms under which ARM will maintain the animals until the conclusion of court cases to determine custody of the animals and how the animals will be disposed of after such cases. The parties agree that the County shall not be responsible to compensate ARM for any costs ARM incurs to impound, transport, possess or care for the animals at issue in this Agreement. (Animal Care & Control) District 6 (SF)

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OCTOBER 20, 2015

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 20, 2015

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 20, 2015

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER MARY LOU BERGER, VICE MAYOR

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

9. ADJOURNMENT

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