

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

NOVEMBER 3, 2015

<u>PAGE</u>	<u>ITEM</u>	
5	2C-5	<u>ADD-ON:</u> Proclamation declaring November 2015 as “Joey Bergsma Retinoblastoma Awareness Month” in Palm Beach County. (Sponsored by Commissioner Taylor)
9	3I-5	<u>REVISED SUMMARY:</u> Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2014-0820) with the City of Belle Glade to provide additional funding in the amount of \$9,315.49. SUMMARY: On June 3, 2014, the County entered into an Agreement (R2014-0820) with the City of Belle Glade to provide \$33,171 in Community Development Block Grant (CDBG) funding for the lease of three vehicles to be used for code enforcement activities. The City has requested the use of \$9,315.49 in CDBG funds remaining available after the completion of another CDBG funded project in the City. In order to further enhance the City’s code enforcement efforts, this Amendment provides funding for the purchase of four iPads and their accessories and covers the cost of internet service until the <u>new</u> expiration of the Agreement on August 30 , <u>October 31</u> , 2017. These are Federal CDBG funds which require no local match. (DES Contract Development) <u>District 6 (JB) (DES)</u>
18	4A-1	<u>REVISED SUMMARY:</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 \$500,000 in supplemental funding for Fiscal Year 2015-2016 and expanding the scope of work; ...B)...C)...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 to the original base contract of \$931,047 <u>\$931,470</u> allocates an additional \$500,000, of which \$100,000 one time allocation was included in the FY 2015 contract, and the remaining \$400,000 was approved during the FY 2016 budget process, totaling \$1,431,047 <u>\$1,431,470</u> . Also, during the budget process, it was agreed the total amount would be the base budget for the new five year contract beginning in FY 2017. The additional funding will continue staffing for the Glades Economic Development Program and provide for enhanced marketing and advertising activities. The revised scope is provided as an attachment to the Agenda Item. These are County ad valorem funds. <u>Countywide (JB) (Admin)</u>

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**

NOVEMBER 3, 2015

**TUESDAY
5:00 P.M.**

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 5)

- 3. CONSENT AGENDA (Pages 6 - 17)**

- 4. REGULAR AGENDA (Pages 18 - 21)**

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 - 2C-3 World Pancreatic Cancer Day
 - 2C-4 Alzheimer’s Public Awareness Month

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 - 3A-2 Agreement with KH Alton, LLC regarding emergency hurricane shelter capacity

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- 3B-1 Warrant list
 - 3B-2 Minutes
 - 3B-3 Contracts and claims settlements list

C. ENGINEERING & PUBLIC WORKS

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- 3K-2 Partial Release of Utility Easement over property owned by Dixie Arbors LLC

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- 3L-1 Joint Participation Agreement Amendment No. 1 with the Florida Department of Transportation removing redundant indemnification language relating to a mitigation project at Snook Islands

M. PARKS & RECREATION - None

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- 3R-1 Labor-Management Agreement with the Communication Workers of America, Local 3181

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NOVEMBER 3, 2015

2C. SPECIAL PRESENTATIONS – 5:00 P.M.

1. Proclamation declaring November 14 – 22, 2015 as “Hunger and Homelessness Awareness Week” in Palm Beach County. (Sponsored Commissioner McKinlay)
2. Proclamation declaring November 2 – 8, 2015 as “National Apprenticeship Week” in Palm Beach County. (Sponsored by Commissioner McKinlay)
3. Proclamation declaring November 13, 2015 as “World Pancreatic Cancer Day” in Palm Beach County. (Sponsored by Vice Mayor Berger)
4. Proclamation declaring November 2105 as “Alzheimer’s Public Awareness Month” in Palm Beach County. (Sponsored by Mayor Vana)
5. **ADD-ON:** Proclamation declaring November 2015 as “Joey Bergsma Retinoblastoma Awareness Month” in Palm Beach County. (Sponsored by Commissioner Taylor)

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** a public utility easement in favor of Florida Power and Light Company and all other public utilities, and their successors and assigns. **SUMMARY:** On February 28, 2006, the Board of County Commissioners approved an Agreement for Donation and Purchase and Sale (R2006-0423) for 70 acres of property formerly known as Briger for Scripps Phase II. The Agreement provides for the granting of easement interests for public utility purposes. Countywide (HF)

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

A) an Agreement with KH Alton, LLC regarding Emergency Hurricane Shelter Capacity in the amount of \$100,000; and

B) a \$100,000 Budget Amendment in the Capital Outlay Fund (3900) to recognize revenue and establish appropriation budget.

SUMMARY: On April 1, 2010, the City of Palm Beach Gardens approved a Development of Regional Impact (DRI) for a 681 acre property formerly known as the Briger Property, consisting of 2.6 million sf of industrial/research and development/biotech, 1.2 million sf of office, 300 hotel rooms, 500,000 sf of commercial development and 2,700 dwelling units with the County and the Lester Family Investments, L.P. as applicants. Condition 62 of the Development Order requires KH Alton, LLC to obtain confirmation from the Emergency Management Department of Palm Beach County that adequate emergency regular and special needs shelter capacities are available for the property. The Agreement memorializes the obligations of KH Alton, LLC and Palm Beach County as it relates to this Condition of the Development Order. Countywide (HF)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	July 21, 2015
Budget Public Hearing	September 21, 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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Proportionate Share Agreement (Agreement) with CMSJR Development Group, LLC (Developer) in a total amount of \$773,616 for two proportionate share payments associated with the transportation impacts of the Okeechobee and Skees Residential project (Development) (within the City of West Palm Beach). **SUMMARY:** Approval of this Agreement will allow the Developer to pay its proportionate share of \$773,616. These payments will satisfy Countywide traffic concurrency for the Development located at the southwest quadrant of Okeechobee Boulevard and Skees Road. Pursuant to Florida Statutes, Palm Beach County must enter into a binding agreement with a developer for its proportionate share of transportation impacts associated with the Development. District 2 (MRE/LB)

D. COUNTY ATTORNEY

1. **REVISED BACKUP: Staff recommends motion to approve:** Amendment No. 15 to the Contract (R96-0714D) with Denise Marie Nieman, County Attorney. **SUMMARY:** This Amendment extends the current contract term to October 31, 2021, allows for conversion of sick leave exceeding a certain number of hours to vacation leave, and otherwise updates and clarifies provisions relating to deferred compensation, renewals, and termination. Countywide (DMN)

H. FACILITIES DEVELOPMENT & OPERATIONS

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

A) Amendment No. 1 to the contract with Hedrick Brothers Construction Company, Inc. (R2014-0922) in the amount of \$10,836,968 for the Airport Center Building 2 Renovations project, establishing a Guaranteed Maximum Price (GMP); and

B) Consultant Services Authorization (CSA) No. 3 to the contract with Harvard Jolly, Inc. (R2014-0678) in the amount of \$147,526 to provide construction administration services.

SUMMARY: Amendment No. 1 will provide for the construction of both interior and exterior renovations to Airport Center Building 2 to accommodate the offices of the Tourist Development Council (TDC) and related agencies as well as several divisions of the Sheriff's Administrative Services including Central Records, Human Resources, Risk Management and Labor Relations. The costs for this contract have been allocated on a pro rata share of square footage to be utilized. The Small Business Enterprise (SBE) participation for this construction contract is 41.4%. Hedrick Brothers is a local firm and it is anticipated that 92% of the work will be performed by local contractors. The time of construction is 424 days. The source of funding for this project is bed tax for TDC and Fund 3076 – 66.4M Public Improvement Revenue Bonds, Series 2015A for Palm Beach County Sheriff's Office. CSA No. 3 authorizes the architect's construction administration services portion of its contract. These services are required to ensure the construction is built per specifications and drawings. The SBE participation for Harvard Jolly's services is 37.3%. Harvard Jolly, Inc. is a PBC firm. (Capital Improvements Division) District 2 (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: a Third Amendment to the Interlocal Agreement (R2001-0200) (the "Agreement") with the City of Boynton Beach (City) to extend the term of the Agreement to February 4, 2021. **SUMMARY:** The Agreement with the City, which provides the terms and conditions under which the City can use the County's microwave system to transport radio signals from the City's tower to the County SmartZone Controller expires on February 4, 2016. The Agreement provides for four renewal options, each for a period of five years. The City has approved a renewal to extend the term of the Agreement to February 4, 2021 and the renewal now requires Board approval. Under the terms of the Agreement, the City pays a pro rata share of the operational and maintenance costs associated with the microwave system. The costs for each fiscal year are provided by the County by March 1st annually. The Interlocal Agreement may be terminated by either party, with or without cause, with one year notice. The Third Amendment renews the terms, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General, provides for the exclusion of third party beneficiaries, and adds the standard County nondiscrimination clause. (ESS) Countywide (MJ) (FDO)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: a Contract for Consulting/Professional Services with the Florida Atlantic Research and Development Authority (FARDA) in the amount of \$50,000 for the period October 1, 2015 to September 30, 2016. **SUMMARY:** This Contract will fund FARDA for operational expenses of the Technology Business Incubator (TBI) to provide technical assistance and business support services to emerging technology companies. Through the TBI, FARDA will be required to: host at least two educational seminars for entrepreneurs, employ ten interns, arrange two introductory meetings between potential angel/venture capital investment funds and TBI companies, and create at least five new jobs. This funding is projected to have a five year Economic Sustainability Impact of \$5.5 Million. **These are ad valorem funds approved by the Board of County Commissioners in the Fiscal Year 2016 Budget.** (DES Strategic Planning) Countywide (JB)
2. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2015-0630) with the City of Lake Worth. **SUMMARY:** On May 19, 2015, the County entered into an Agreement (R2015-0630) with the City of Lake Worth to provide \$267,396 in Community Development Block Grant (CDBG) funding for the construction of a greenway on 11th Avenue South from A Street to G Street. The greenway includes a landscaped curving multi-use path for pedestrians and cyclists and driveway access aisles for residents. This Amendment extends the project completion date from September 30, 2016 to March 31, 2017 and modifies the performance benchmarks to accurately reflect the progress and completion of the project. The project is delayed due to the City's need to install a new separately funded water main in the same location of this project before the greenway improvements are begun. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. **Staff recommends motion to approve:** a Contract for Accounting Services between the Housing Finance Authority of Palm Beach County, Florida (Authority), and Goldstein, Zugman, Weinstein and Poole, LLC (GZW). **SUMMARY:** The Authority was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances, as amended, requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 be approved by the BCC. This Contract sets forth the terms under which GZW will provide accounting services to the Authority. GZW was selected by the Authority to provide accounting services pursuant to a public Request for Accounting Services process on August 14, 2009. The Contract provides for an initial three year term and up to two successive three year renewals. The initial Contract was approved by the BCC on October 6, 2009 (R2009-1628), and this second and final renewal Contract was entered into by the Authority on September 18, 2015, subject to approval by the BCC. **No match from County General funds is required.** (HFA of PBC) Countywide (PFK)

4. **Staff recommends motion to approve:** a Contract for Audit Services between the Housing Finance Authority of Palm Beach County, Florida (Authority), and Caler, Donten, Levine, Cohen, Porter & Veil, P.A. (CDL). **SUMMARY:** The Authority was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances, as amended, requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 be approved by the BCC. This Contract sets forth the terms under which CDL will provide audit services to the Authority. CDL was selected by the Authority to provide audit services pursuant to a Request for Qualifications (RFQ) process on August 14, 2009. The RFQ process provided for an initial three year term and up to two successive three year renewals. This second and final renewal Contract was entered into by the Authority on September 18, 2015, subject to approval by the BCC. **No match from County General funds is required.** (HFA of PBC) Countywide (PFK)

5. **REVISED SUMMARY: Staff recommends motion to approve:** Amendment No. 001 to an Agreement (R2014-0820) with the City of Belle Glade to provide additional funding in the amount of \$9,315.49. **SUMMARY:** On June 3, 2014, the County entered into an Agreement (R2014-0820) with the City of Belle Glade to provide \$33,171 in Community Development Block Grant (CDBG) funding for the lease of three vehicles to be used for code enforcement activities. The City has requested the use of \$9,315.49 in CDBG funds remaining available after the completion of another CDBG funded project in the City. In order to further enhance the City's code enforcement efforts, this Amendment provides funding for the purchase of four iPads and their accessories and covers the cost of internet service until the new expiration of the Agreement on ~~August 30, 2017~~ October 31, 2017. **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)

6. **Staff recommends motion to approve:** a Memorandum of Agreement (MOA) with the Treasure Coast Regional Planning Council (TCRPC) and South Florida Regional Planning Council (The Council) to establish a working partnership to be known as the Southeast Florida Brownfields Redevelopment Coalition (SFBRC). **SUMMARY:** The TCRPC submitted a Coalition Assessment Grant application to the U.S. Environmental Protection Agency (EPA) on December 8, 2014 as the “Lead Applicant” on behalf of the SFBRC. The SFBRC is comprised of The Council, Palm Beach County and the TCRPC. On May 28, 2015, the EPA announced the TCRPC’s application resulted in the region receiving a \$500,000 Brownfields grant for the period of October 1, 2015, through September 30, 2018. The grant is to be used predominantly to conduct environmental site assessments at potential Brownfield redevelopment sites located generally within a corridor that encompasses the area between the CSX and Florida East Coast railroads. As a coalition member, the County is entitled to a share of the \$500,000 award that will fund environmental assessment activities at prioritized Brownfield sites in the County. This MOA will show the County’s support for environmental assessment activities in connection with the grant award, which serve as catalysts for economic redevelopment projects contributing to the County’s sustainability. The MOA documents the SFBRC’s site selection process, which EPA requires to be in place prior to the expenditure of any funds that have been awarded to the SFBRC. **No County local match is required.** (DES Administration) Countywide (JB)

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** appointment of one regular member to the Construction Board of Adjustments and Appeals (CBAA):

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Margie Walden	9	Citizen at Large	Comm. Abrams Comm. McKinlay Comm. Taylor Mayor Vana Vice Mayor Berger	11/3/2015-11/2/2018

SUMMARY: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals (the “Board”). A memo requesting a nomination for a new regular citizen at large appointment was sent to the Board of County Commissioners on September 17, 2015. Commissioner Steven Abrams, Commissioner Melissa McKinlay, Commissioner Priscilla Taylor, Mayor Shelley Vana, and Vice Mayor Mary Lou Berger have nominated Margie Walden for a term of three years. Ms. Walden is currently serving as an alternate member on the Board. Per Palm Beach County Ordinance 2015-028, Palm Beach County Amendments to the Florida Building Code, 5th Edition (2014), the Board is comprised of nine regular members: one architect; one engineer; two Division 1 contractors (general, building, or residential contractors); one electrical contractor; one HVAC contractor; one plumbing contractor; a member at large from the public; and any other contractor licensed category. In addition to these members, there should be two alternate members: one member with the qualifications referenced above; and one member at large from the public. This advisory committee membership has 11 seats, nine currently filled, and a diversity count of White: 9 (100%). The gender ratio (male: female) is 8:1. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. [Staff recommends motion to receive and file:](#) executed Agreements received during the months of July and August 2015:

A) Utility Concurrency Reservation Agreement with Columbia/Wegman Acquisition II, LLC, No. 02-01142-000, (District 6);

B) Standard Potable Water and Wastewater Development Agreement with Taurus Vista Center, LP, No. 01-01230-000 (District 2), Recorded in OR BK 27737 PG 1859;

C) Standard Potable Water and Wastewater Development Agreement with W&W XXIV, LLC, No. 05-01115-000 (District 3), Recorded in OR BK 27766 PG 0799;

D) Standard Potable Water and Wastewater Development Agreement with Cheney 109, LLC, No. 01-01232-000, (District 6) Recorded in OR BK 27766 PG 0789;

E) Standard Potable Water and Wastewater Development Agreement with Cheney 109, LLC, No. 01-01233-000, (District 6), Recorded in OR BK 27766 PG 0779;

F) Standard Potable Water and Wastewater Development Agreement with MPC 3, LLC, No. 01-01231-000 (District 6), Recorded in OR BK 27737 PG 1868;

G) Standard Potable Water and Wastewater Development Renewal Agreement with FC Atlantic Commons Phase II, LLC, No. 03-01025-003 (District 5), Recorded in OR BK 27737 PG 1855;

H) Standard Potable Water and Wastewater Development Renewal Agreement with Atlantic Commons Associates, LLLP, No. 03-01025-001 (District 5), Recorded in OR BK 27737 PG 1878;

I) Standard Potable Water and Wastewater Development Renewal Agreement with Isla Verde Wellington, LLC, No. 01-01194-001 (District 6), Recorded in OR BK 27737 PG 1882;

J) Standard Potable Water and Wastewater Development Renewal Agreement with Delray 282, LLC, No. 05-01069-000 (District 5), Recorded in OR BK 27766 PG 0775;

K) Standard Potable Water and Wastewater Development Renewal Agreement with Town Commons Acquisition, LLC, No. 05-01101-000 (District 3), Recorded in OR BK 27737 PG 1887;

L) Standard Potable Water and Wastewater Development Renewal Agreement with Lennar Homes, LLC, No. 02-01109-002 (District 6), Recorded in OR BK 27766 PG 0808; and

M) Standard Potable Water and Wastewater Development Renewal Agreement with Congress Oaks Development Group, LLC, No. 01-01182-000 (District 3), Recorded in OR BK 27737 PG 1850.

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

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: the Partial Release of a Utility Easement over property owned by Dixie Arbors LLC. **SUMMARY:** The proposed Partial Release of a Utility Easement will release the County's interest in a portion of a utility easement recorded in the Official Records of Palm Beach County, OR BK 27278, PG 1920-1923, over property owned by Dixie Arbors LLC. Water Utilities Department (WUD) determined that a portion of easement inaccurately described the location of the utility improvements within the Shopping Center as portions of the improvements were located outside of the easement. WUD subsequently secured replacement easements that correctly describe the location of the improvements. As the replacement easements have been received and recorded, WUD recommends the release of the outdated and inaccurate easement. District 5 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:
 - A) **approve** Joint Participation Agreement Amendment Number One with the Florida Department of Transportation (FDOT) to remove redundant indemnification language; and
 - B) **adopt** a Resolution to authorize entering into the agreement amendment as a requirement of FDOT.

SUMMARY: Amendment Number One to Joint Participation Agreement (JPA) (R2014-1767) deletes Paragraph 23 removing redundant indemnification language. The JPA provides FDOT funding for the monitoring and maintenance of a mitigation project at Snook Islands within the City of Lake Worth. There is no fiscal impact as a result of this Board Action. District 3 (SF)

R. HUMAN RESOURCES

1. Staff recommends motion to approve: the Labor-Management Agreement with The Communication Workers of America, Local 3181, effective October 1, 2015, through September 30, 2018. **SUMMARY:** Pursuant to collective bargaining negotiations, the negotiating committees for Palm Beach County and The Communication Workers of America, Local 3181, have reached a tentative agreement on negotiated issues. The proposed three-year contract incorporating all agreed-upon terms is presented for consideration and ratification. Countywide (DRO)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) approve the Interlocal Agreement for network services with the Town of Lake Clarke Shores (Town) for an annual revenue total of \$3,600; and

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

SUMMARY: The Town is requesting connection to the Palm Beach County network at their Town Hall location. This Interlocal Agreement is for an initial term of one year with automatic one-year renewals unless notice is given by either party. The Town will reimburse the County for a one-time installation cost estimated at \$7,703 and will generate \$3,600 in annual revenues. The Florida LambdaRail LLC has approved connection of the Town to the Florida LambdaRail network. District 3 (PFK)

2. **DELETED**

3. Staff recommends motion to approve: a Second Amendment to Agreement R2013-1454, as amended, for network services provided by Palm Beach County (County) to Nonprofits First, Inc. **SUMMARY:** Nonprofits First, Inc. has an existing Agreement, as amended, for network services for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Second Amendment moves the fiber optic connection from their existing Boynton Beach location to their new location in West Palm Beach and reduces network service fees, effective October 1, 2015 based on the revised fee structure recently approved by the Board of County Commissioners. Nonprofits First will reimburse the County a one-time installation cost estimated at \$1,300 for the fiber installation at their new location. The revised total annual service revenue is \$600 for FY 2016 and succeeding years, a net annual decrease of \$2,640. The Florida LambdaRail LLC has approved Nonprofits First and, on September 21, 2011, waived their fee for connection to the Florida LambdaRail network. District 2 (PFK)

4. Staff recommends motion to approve:

A) Twentieth Amendment to contract with CGI Technologies and Solutions, Inc. (CGI) (R2002-1782), to extend the ending date of the Statement of Work from December 31, 2015 to December 31, 2016, at no additional cost to the County; and

B) Twenty-First Amendment to contract with CGI Technologies and Solutions, Inc. (R2002-1782), to add new Third Party Products (no cost for products) and associated maintenance services, at an additional cost of \$2,813.13.

SUMMARY: This Twentieth Amendment is a date extension to allow additional time for completion of the final deliverable specified in the original contract for Vendor Self-Service bid/solicitation. This Twenty-First Amendment is for the addition of Third Party Products and associated maintenance services to the list of existing Third Party Bundled Software. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

5. Staff recommends motion to:

A) approve Amendment No. 3 to Contract for Consulting/Professional Services (R2011-2052) with Surdex Corporation to extend the term of the contract to December 19, 2016;

B) approve Amendment No. 3 to Contract for Consulting/Professional Services (R2011-2053) with BAE Systems Inc. to extend the term of the contract to December 19, 2016;

C) approve Amendment No. 3 to Contract for Consulting/Professional Services (R2011-2054) with Woolpert, Inc. to extend the term of the contract to December 19, 2016;

D) approve a Budget Amendment in the Information Technology Capital Improvements Fund to recognize \$131,104 in revenue from the Property Appraiser's Office;

E) receive and file Task Order No. 3 in the amount of \$88,288 for contract R2011-2054 with Woolpert, Inc. for mapping projects; and

F) receive and file Task Order No. 4 in the amount of \$63,000 contract R2011-2054 with Woolpert Inc. for mapping projects.

SUMMARY: The three above referenced firms were selected using the Consultant Competitive Negotiations Act (CCNA) process, with contracts entered into on December 20, 2011 to perform digital orthophotography and planimetric mapping for the County (R2011-2052, R2011-2053 and R2011-2054). These Amendments exercise the third of three one-year renewal options set forth in the original contracts. Work provided by the vendors has been of good quality and well managed. Two task orders were initiated with Woolpert, Inc., and are submitted for receive and file. Task Order No. 3 is to complete a coastal mapping project, and Task Order No. 4 is to complete a water utilities mapping pilot project. Both task orders were less than \$100,000 and authorized by the Director of ISS. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

6. Staff recommends motion to:

A) approve the Agreement for network services with Max Planck Florida Corporation (Max Planck) for an annual revenue total of \$9,600; and

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

SUMMARY: Max Planck was initially included within the original Florida Atlantic University (FAU) Interlocal Agreement for network services; however, once the County provided Max Planck with their own separate network connection, FAU requested the removal of Max Planck from their agreement as it was discovered FAU was only responsible for providing the fiber access to Max Planck. In response, Max Planck and the County are proposing to enter into this separate agreement for the continuation of network services at Max Planck's location adjacent to the FAU Jupiter Campus. The Agreement will be for an initial term of one year with automatic one-year renewals unless notice is given by either party and will generate \$9,600 in annual revenues. The Florida LambdaRail LLC has approved connection of Max Planck via a separate affiliated agreement directly with Florida LambdaRail network. District 1 (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve a Contract with the Children's Home Society of Florida for a not-to-exceed amount of \$18,000 to provide services in the area of Family Drug Court/Dependency proceedings for the period October 1, 2015, through September 30, 2016; and

B) approve a Contract with Drug Testing and Counseling Services, Inc. for a not-to-exceed amount of \$7,500 to provide drug testing services for the Family Drug Court program for the period October 1, 2015, through September 30, 2016; and

C) authorize the County Administrator, or her designee, to execute minor amendments and administrative documents associated with the above contracts, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: The Division of Justices Services, in conjunction with the Fifteenth Judicial Circuit and other collaborators has operated the Family Drug Court program since 2010. The Family Drug Court program is a rehabilitation program designed to identify, case manage, drug test, and provide outpatient and inpatient substance abuse treatment services to substance abusing parents of abused and neglected children. The Children's Home Society of Florida contract provides case management services, while the Drug Testing and Counseling Services, Inc. contract provides drug testing services to the participants in the Family Drug Court program. Countywide (JB)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF'S OFFICE

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a National Institute of Justice Award Letter for a FY 2015 DNA Capacity Enhancement and Backlog Reduction Program Grant in the amount of \$352,066 for the period January 1, 2016, through December 31, 2017; and

B) approve a Budget Amendment of \$352,066 in the Sheriff's Grants Fund.

SUMMARY: On September 16, 2015, the Palm Beach County Sheriff's Office (PBSO) received an award for the DNA Capacity Enhancement and Backlog Reduction Program. The Forensic Biology Unit in the Crime Laboratory of PBSO services over 28 municipalities, the school systems and assists state and local federal agencies as needed. These funds will be used for the salary of one Forensic Scientist, equipment, training, travel, and contractual services that will increase the efficiency of the crime lab. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and Contract between the Palm Beach County Sheriff's Office and the University of South Florida Board of Trustees for the University of South Florida's Center for Urban Transportation Research, for the Palm Beach County Sheriff's Office's Pedestrian and Bicycle Safety High Visibility Enforcement Project in the amount of \$68,371.88, for the period of October 1, 2015, through May 30, 2016; and

B) approve a Budget Amendment of \$68,372 increasing the Sheriff's Grants Fund.

SUMMARY: On September 22, 2015, the University of South Florida's Center for Urban Transportation Research awarded a Pedestrian and Bicycle Safety High Visibility Enforcement (HVE) grant to the Palm Beach County Sheriff's Office (PBSO) in the amount of \$68,371.88, to support the Florida Department of Transportation's Pedestrian and Bicycle Safety Enforcement Campaign. These funds will be used to pay for overtime costs associated with the HVE project. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF'S OFFICE (Cont'd)

3. Staff recommends motion to:

A) receive and file a Grant Modification No. 3; dated September 9, 2015, with the Office of National Drug Control Policy to provide an additional \$22,000 in grant funds for the Palm Beach Narcotics Task Force; and

B) approve a Budget Amendment of \$22,000 in the Sheriff's Grants Fund.

SUMMARY: On March 10, 2015, the Board of County Commissioners (BOCC) accepted an award from the Office of National Drug Control Policy to provide \$30,536, in reimbursable funding for overtime and other expenses to support the Palm Beach Narcotics Task Force (R2015-0352). On April 21, 2015, the BOCC received and filed an agenda item increasing the grant award by \$124,470 (R2015-0518). On June 23, 2015, the BOCC received and filed an agenda item increasing the grant award by \$31,902 (R2015-0810). This Modification will provide an additional \$22,000 in reimbursable funding to support a Drug Awareness Education Program in partnership with the Palm Beach County Substance Awareness Coalition and the Palm Beach Narcotics Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Bureau of Justice Assistance State Criminal Alien Assistance Program FY 2015 Grant in the amount of \$407,308; and

B) approve a Budget Amendment of \$407,308 in the Sheriff's Grants Fund.

SUMMARY: The Bureau of Justice Assistance has made funds available to be used for correctional purposes. These funds will be used in accordance with the Department of Justice Reauthorization Act of 2005. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

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4. REGULAR AGENDA

A. ADMINISTRATION

1. REVISED SUMMARY: 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 \$500,000 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 to the original base contract of ~~\$931,047~~ \$931,470 allocates an additional \$500,000, of which \$100,000 one time allocation was included in the FY 2015 contract, and the remaining \$400,000 was approved during the FY 2016 budget process, totaling ~~\$1,431,047~~ \$1,431,470. Also, during the budget process, it was agreed the total amount would be the base budget for the new five year contract beginning in FY 2017. The additional funding will continue staffing for the Glades Economic Development Program and provide for enhanced marketing and advertising activities. The revised scope is provided as an attachment to the Agenda Item. **These are County ad valorem funds.** Countywide (JB)

2. Staff requests Board direction: on a Resolution of the Board of County Commissioners of Palm Beach County, Florida, supporting President Barack Obama's executive action on immigration reform expanding the Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) programs; and requesting that Florida Attorney General Pam Bondi withdraw the State of Florida from *Texas v. United States* (United States Court of Appeals for the Fifth Circuit). **SUMMARY:** The Board has requested that a resolution supporting President Obama's executive action expanding DACA and DAPA and urging that Florida's Attorney General Pam Bondi withdraw the state from *Texas v. United States* be drafted and brought back for discussion. Miami-Dade County has passed a similar resolution, as has the City of Kissimmee. Twenty-six states, including Florida, have signed onto a lawsuit – *Texas v. United States* – seeking to block the President's executive actions. At least 76 cities and counties throughout the country, such as Atlanta, Baltimore, Boston, Chicago, New York, Philadelphia, and the counties of Dallas and Los Angeles, have signed onto an amicus brief opposing the lawsuit and supporting the President's executive action. In Florida, Tampa and North Miami have joined the brief. Countywide (DW)

4. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. REVISED SUMMARY: Staff recommends motion to approve:

A) one full-time Computer Specialist II position to the Court Technology Division of the Judicial Department-Court Administration; and

B) Budget Transfer of \$64,628 in the General Fund to move funds from Contingency Reserves to the Court Information Technology Fund; and

C) Budget Amendment of \$64,628 in the Court Information Technology Fund to recognize the transfer from the General Fund.

SUMMARY: The Court Technology Division (Division) of the Judicial Department requested two positions as part of the County's original 2016 budget submittal and both were denied by County Administration. After further review of the current work load data, it is recommended that one position be approved at this time in order to address the new Supreme Court needs and the increase in court filing. From 2013 to 2014, completed help desk tickets for court technology increased from 4,668 to 5,337. When comparing the first nine months of 2013 to the first nine months of 2015, the workload (help tickets) increased by 27%. The need for an additional position exists because, in addition to the judiciary and Court Administration staff, Court Technology provides technical support for justice partners within the 77 courtroom and hearing rooms in the five Palm Beach County courthouses. The position will provide critical support for all courtroom partners impacted by these newly emerging mandates. The technologically related mandates significantly increase the amount of courtroom hardware needed, deployed, and supported by Court Technology staff. The critical nature of courtroom operations, coupled with the expanding reliance on technology for court operations, makes it essential that hardware and services depended upon for court operations are always available. Staff has been advised that Court Administration plans on requesting an additional computer specialist position ~~in next year's budget request~~ prior to the end of the current fiscal year (September 2016). Countywide (AH)

4. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

4. Staff requests Board direction: on the mission, structure, duties and responsibilities of the Criminal Justice Commission (CJC). **SUMMARY:** On October 6, 2015, the Board requested staff to review the mission, structure and functions of the CJC. The current Ordinance 88-16 established the CJC as an advisory Commission, to serve as a catalyst to bring together criminal justice and related agencies in partnerships that cultivate and enrich local criminal justice practice, policy, and program development. Pursuant to the Ordinance, the Commission makes recommendations to the Board of County Commissioners (BCC) on policies and programs to provide overall coordination to law enforcement and crime prevention efforts; to provide an efficient, cost effective, and timely criminal justice system; and to effect the reduction of crime on a permanent basis in Palm Beach County.

The CJC has an Executive Director and staff to carry out their mission. A letter of agreement between the County Administrator and the Chairman of the CJC further delineates the responsibilities of the Executive Director and staff.

The Executive Director, pursuant to the letter of agreement, shall be selected by the CJC through a County approved hiring process subject to approval by the BCC, and is considered a County employee for all administrative purposes. Further, the CJC Executive Director's goals and performance evaluations are developed jointly by the County Administrator and the CJC. The goals and objectives include establishing task forces and subcommittees, adopting bylaws, entering into contracts, pursue grant funding and hiring personnel to pursue the mission and objectives of the Commission.

The Executive Director's primary responsibilities include implementing expectations and policies of the Commission, acting on behalf of the BCC and in consideration with other participating jurisdictions and agencies. Countywide (JB)

4. REGULAR AGENDA

B. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a Resolution authorizing the Department of Economic Sustainability (DES) to utilize the State of Florida's Brownfield Redevelopment Bonus Refund Incentive Program to support the growth and expansion of businesses in designated Brownfield areas within the County. **SUMMARY:** The Brownfield Redevelopment Bonus Refund (Program) is available to encourage redevelopment and job creation within designated Brownfield areas. An eligible and approved business may receive a tax refund equal to 20% of the average annual wage of the new jobs created in a designated Brownfield area up to a maximum of \$2,500 per new job created in a qualified area. The Program is a partnership between the State and local community of which 20% of the award comes from the local city or county government, unless a waiver of the match is requested. If a local community elects to be exempt from the local match requirement, the business is only eligible for 80% of the refund for which they would otherwise qualify, or a maximum of \$2,000 per each new job. To qualify, a business must locate within a Brownfield area eligible for bonus refunds and be certified as a Qualified Target Industry business, or be a business that can demonstrate a fixed capital investment of at least \$2 Million in mixed-use business activities, create at least ten new permanent Florida full-time jobs with benefits, and demonstrate that the project will diversify and strengthen the economy of the area surrounding the site. The local match requirement can consist of direct payments, Ad Valorem tax abatement or the appraised market value of municipal or county land conveyed or provided at a discount to the qualified business. This Program will serve as an additional economic development incentive program to assist new or expanding businesses. Staff will provide recommendations to the Board of County Commissioners on a case by case basis similar to the Ad Valorem Economic Development programs. (DES Administration) Countywide (JB)

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NOVEMBER 3, 2015

5. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

NOVEMBER 3, 2015

6. MATTERS BY THE PUBLIC – 6:00 P.M.

NOVEMBER 3, 2015

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

Request approval to present off-site, a Proclamation declaring November 8, 2015 as “Ed Safaty Day” in Palm Beach County.

C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

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

Request approval to present off-site, a Proclamation declaring December 6, 2015 as “Intergenerational Orchestra of America Day” in Palm Beach County

Request approval to present off-site, a Proclamation declaring November 9, 2015 as “Shirley and Barton Weisman Delray Community Center Day” in Palm Beach County

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."