

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 1, 2016

<u>PAGE</u>	<u>ITEM</u>	
6	2C-6	<u>DELETED:</u> Proclamation declaring “Every Monday as Meatless Monday” in Palm Beach County. (Sponsored by Commissioner Burdick)
6	2C-7	<u>ADD-ON:</u> Certificate of Special Recognition to Fitzroy Rhoden, a Glades Central High School student who saved the life of an instructor by using CPR skills learned at school. (Sponsored by Commissioner McKinlay)
6	2C-8	<u>ADD-ON:</u> Proclamation declaring April 2016 as “Child Abuse Prevention Month” in Palm Beach County. (Sponsored by Commissioner Vana)
38	5B-1	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to approve: A) an Amendment to the Temporary Operating Agreement (TOA), R2015-1356, with Rasier, LLC (Rasier), a subsidiary of Uber Technologies, Inc. allowing Uber to continue operating as a transportation network company (TNC) in Palm Beach County until <u>April 30, 2016</u> September 30, 2016 or such time revisions of the Palm Beach County Vehicle for Hire Ordinance, addressing TNC-related issues, are approved by the Palm Beach County Board of County Commissioners (BCC), whichever occurs first; and B) Temporary Operating Agreement with Lyft, Inc., a Delaware corporation, (Lyft) to operate as a TNC in Palm Beach County until <u>April 30, 2016</u> September 30, 2016 or such time revisions of the Palm Beach County Vehicle for Hire Ordinance, addressing TNC-related issues, are approved by the BCC, whichever occurs first. SUMMARY: On March 10, 2015, the Board of County Commissioners (BCC) approved a TOA with Rasier to operate in Palm Beach County until September 30, 2015. At the September 22, 2015 meeting, the BCC approved an extension of the TOA authorizing Rasier to continue operations in Palm Beach County until March 31, 2016 or until such time the Governor of Florida signs TNC related legislation into law, whichever occurs first. Staff was also given direction to allow other TNC companies to enter into the same TOA with the County. Staff is requesting to extend the TOA with Rasier until <u>April 30, 2016</u> September 30, 2016 since there are legislative issues that are not resolved which might require changes to the Vehicle for Hire Ordinance. This extension will allow for legislation to be finalized and/or provide staff additional time to revise the Vehicle for Hire Ordinance. In addition, Lyft is requesting the County to enter into a TOA to operate in Palm Beach County. Other than Rasier, Lyft is the only company that requested a TOA. Therefore, staff is requesting approval of the TOA with Lyft which provides the same terms and conditions set forth in the TOA with Rasier and will also expire on <u>April 30, 2016</u> September 30, 2016 or such time revisions of the Palm Beach County Vehicle for Hire Ordinance, addressing TNC-related issues, are approved by the BCC, whichever occurs first. <u>Countywide</u> (JB) (County Attorney/Public Safety)

- 38 5C-1 **ADD-ON: Staff recommends motion to approve:** a letter from the Palm Beach County Board of County Commissioners supporting Mayor Mary Lou Berger in her candidacy for Second Vice President of the Florida Association of Counties (FAC), as required by FAC's bylaws. **SUMMARY:** Mayor Mary Lou Berger currently serves as a member of FAC's Board of Directors and is the Vice Chair of the FAC Urban Caucus and a member of the FAC Enterprise Committee. Additionally, Mayor Berger is an active member of the National Association of Counties (NACo), serving as both a member of the NACo Environment, Energy and Land Use Steering Committee and of the NACo International Economic Development Task Force. Mayor Berger has expressed interest in serving as a member of FAC's Executive Committee. The election for the Second Vice President of FAC will be held at the Association's annual meeting June 28th - July 1st. Countywide (DW) (Admin/Legislative Affairs)
- 38 5C-2 **ADD-ON:** Infrastructure surtax update by the County Administrator. **SUMMARY:** On February 9, 2016, the Board directed Staff to continue to work towards a discretionary local government infrastructure surtax for the upcoming November ballot by meeting with Municipalities, the School District, Cultural Council, community organizations and the business community and to discuss implementation of the surtax and allocation of the proposed penny for infrastructure. On February 24, 2016, the following proposal was presented to the League of Cities with the League of Cities, School District and Cultural Council:
- | | |
|---------------------|-------|
| School Board | 46.5% |
| County | 28.5% |
| Municipalities | 18.5% |
| Cultural Facilities | 6.5% |
- The discussion at the League was generally supportive and a motion to not oppose was passed. However, since the League meeting, staff has continued to refine the proposal and is now presenting a revised proposed distribution for consideration of the parties as follows:
- | | |
|---------------------|-------|
| School Board | 48.0% |
| County | 28.5% |
| Municipalities | 18.5% |
| Cultural Facilities | 5.0% |
- As directed, staff is working diligently to compile the infrastructure project lists and will be prepared to present the lists at the March 22, 2016, BCC meeting. With Board concurrence, staff will work with the Municipalities and School Board to secure agreements for the proposed plan and present to the BCC an ordinance with proposed ballot language providing for placement of the surtax on the November 8, 2016 ballot. Interlocal agreements with the governing bodies of the Municipalities representing a majority of the County's population are needed to establish a distribution formula that would be inclusive of all proposed partners. Countywide (PFK) (Admin)
- 42 9D **ADD-ON:** Request approval to present off-site, Certificates of Congratulations presented to Nicholas Evans and August Horstman for attaining the rank of Eagle Scout, the highest and most prestigious rank in the Boy Scouts organization. (Sponsored by Commissioner Abrams)
- 42 9G **ADD-ON:** Request approval to present off-site, a Proclamation recognizing the 30th Pastoral Anniversary of Bishop Walter Oshea Granger. (Sponsored by Commissioner Taylor)

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

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

MARCH 1, 2016

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 6)

- 3. CONSENT AGENDA (Pages 7 - 35)**

- 4. PUBLIC HEARING - 9:30 A.M. (Page 36)**

- 5. REGULAR AGENDA (Pages 37 - 38)**

- 6. BOARD APPOINTMENTS (Page 39)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 40)**

- 8. STAFF COMMENTS (Page 41)**

- 9. COMMISSIONER COMMENTS (Page 42)**

- 10. ADJOURNMENT (Page 42)**

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 6

- 2C-1 National Coalition of 100 Black Women – West Palm Beach Chapter’s Women’s History Day
- 2C-2 Florida Bicycle Month
- 2C-3 American Red Cross Month
- 2C-4 Florida Surveyors & Mappers Week
- 2C-5 Women’s History Month
- 2C-6 Every Monday as Meatless Monday

CONSENT AGENDA

A. ADMINISTRATION

Page 7

- 3A-1 Handicap Accessibility & Awareness Grant Review Committee reappointments

Page 8

- 3A-2 CareerSource Palm Beach County, Inc. Board of Directors reappointment
- 3A-3 Resolution urging the enactment of weather impacts legislation currently before the Florida Legislature

B. CLERK & COMPTROLLER

Page 8

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

Page 9

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

C. ENGINEERING & PUBLIC WORKS

Page 9

- 3C-1 Supplemental No. 14 with Arcadis U.S., Inc. for professional services related to Seminole Pratt Whitney Road and Northlake Boulevard intersection improvements
- 3C-2 Resolution to finalize the Municipal Service Taxing Unit special assessment roll for Fargo Avenue, El Paso Drive to Arrowhead Drive

Page 10

- 3C-3 Resolution to finalize the Municipal Service Taxing Unit special assessment roll for El Paso, Pinto Drive and Pancho Way east of Blanchette Trail
- 3C-4 Interlocal Agreement with the Town of Jupiter regarding open cuts in County maintained rights-of-way
- 3C-5 Contract with Wynn & Sons Environmental Construction Co., Inc. for task orders issued under the Annual Pathway and Minor Construction Contract
- 3C-6 Contract with Wynn & Sons Environmental Construction Co., Inc. for task order issued under the Annual Pathway and Minor Construction Contract utilizing Federal funds

Page 11

- 3C-7 Agreement with Northern Palm Beach County Improvement District relating to roadway improvements for Hood Road (east of Florida’s Turnpike to west of Central Boulevard)
- 3C-8 Subordination of utility interests and agreement for reimbursement for additional facility relocations with FPL on a parcel of land located on the south side of Via Ancho Road

D. COUNTY ATTORNEY

Page 12

- 3D-1 Amendment No. 5 with Nabors Giblin & Nickerson, P.A. to provide disclosure counsel and related legal services for two County financings
- 3D-2 Amendment No. 5 with Greenspoon Marder, P.A. to provide bond counsel and related legal services for the Airport System Revenue Refunding Bonds, Series 2016
- 3D-3 Amendment No. 5 with Greenberg Traurig, P.A. to provide bond counsel and related legal services for the Public Improvement Revenue Refunding Bonds, Series 2016

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

E. COMMUNITY SERVICES

Page 13

- 3E-1 Contract for Provision of Financial Assistance with 211 Palm Beach/Treasure Coast, Inc. to provide a special needs help line
- 3E-2 Ratify the Mayor's signature on the Ryan White Addressing HIV Care and Housing Coordination Through Data Integration to Improve Health Outcomes Along the HIV Care Continuum Grant Application to RAND Corporation

F. AIRPORTS

Page 13

- 3F-1 Extension of Time with the Florida Department of Transportation for security enhancements and improvements at PBI
- 3F-2 Deleted

Page 14

- 3F-3 Amendment No. 3 with The Whiting-Turner Contracting Company relating to the Baggage Claim improvements project at PBI
- 3F-4 Second Amendment with Piedmont Hawthorne Aviation, LLC associated with leased facilities at the North County Airport and Palm Beach County Glades Airport
- 3F-5 Non-Signatory Airline Agreement with Canadian North, Inc.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 15

- 3G-1 Resolution authorizing the issuance of Public Improvement Revenue Refunding bonds, Series 2016
- 3G-2 Negotiated Settlement Agreement for a Code Enforcement Lien against Paula D. Garcia

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 16

- 3H-1 Amendments No. 1 to three Job Order Contracts (general contractor services)
- 3H-2 Amendment No. 3 with The BG Group, LLC for demolition of selected structures

Page 17

- 3H-3 Consultant Services Authorization No. 2 with Pierce Goodwin Alexander & Linville, Inc. for an update to the Palm Beach County Judicial Facilities Master Plan
- 3H-4 Contract with West Construction, Inc. to construct the John Prince Park Mound Circle project
- 3H-5 Contract with Colomé & Associates, Inc. to provide architectural/engineering services for the Palm Tran South County expansion project

Page 18

- 3H-6 Amended Restrictive Covenant for maintenance of littoral planting area at the County's West Boca Library Complex
- 3H-7 Agreement with Jupiter Medical Center, Inc. relating to the County's Public Safety Radio System

I. ECONOMIC SUSTAINABILITY

Page 19

- 3I-1 State Housing Initiative Partnership Program Annual Report and Closeout Annual Report and the Triennial Report 2015

Page 20

- 3I-2 Assistance Amendment to the Cooperative Agreement with the U.S. Environmental Protection Agency relating to the Brownfields Revolving Loan Fund Program
- 3I-3 State Housing Initiatives Partnership additional allocation

J. PLANNING, ZONING & BUILDING

Page 21

- 3J-1 Construction Board of Adjustments and Appeals appointment/reappointment
- 3J-2 Land Development Regulation Advisory Board appointment/reappointment

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

K. WATER UTILITIES

Page 22

- 3K-1 Designate authority to enter into standard agreements for the Water Utilities Department
- 3K-2 Utility Easement granted by McDonald's Restaurants of Florida, Inc. on property located at Lake Worth Road and Sherwood Forest Boulevard

Page 23

- 3K-3 Amendment No. 1 with Hinterland Group, Inc. for the Lift Station Rehabilitation project
- 3K-4 Amendment No. 2 with Mathews Consulting, Inc. associated with the Western Region Operations Center

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 24

- 3L-1 Resolution authorizing a transfer from the Pollution Recovery Trust Fund to the Native Canopy Education Program
- 3L-2 Work Order No. 0650-2 to construct a system of breakwaters at Jewell Cove Shoreline Restoration Site

Page 25

- 3L-3 Change Order No. 2 with the Florida Department of Environmental Protection for dune construction on the Singer Island Shore Protection project
- 3L-4 Groundwater & Natural Resources Protection Board reappointments

M. PARKS & RECREATION

Page 26

- 3M-1 Receive and file two Entertainment Contractor Agreements
- 3M-2 Receive and file three Amphitheater Rental Agreements

Page 27

- 3M-3 Receive and file one Independent Contractor Agreement
- 3M-4 Second Addendum to Authorized Provider Agreement with the American Red Cross to provide swimming lessons to underserved populations
- 3M-5 Receive and file one Tee Time Advertising and Sales Agreement

N. LIBRARY - None

P. COOPERATIVE EXTENSION SERVICE - None

Q. CRIMINAL JUSTICE COMMISSION

Page 28

- 3Q-1 Award from the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant Program for Law Enforcement eXchange project
- 3Q-2 Criminal Justice Commission reappointments

R. HUMAN RESOURCES - None

S. FIRE RESCUE

Page 29

- 3S-1 Receive and file three standard Interlocal Agreements for Swimming Lessons
- 3S-2 Medicaid Provider Renewal Enrollment Application and related forms relative to Fire Rescue transport claims to Medicaid
- 3S-3 First Amendment with the Town of Lake Park for fire protection and emergency medical services

T. HEALTH DEPARTMENT - None

U. INFORMATION SYSTEMS SERVICES

Page 30

- 3U-1 Interlocal Agreement with South Florida Water Management District for cost sharing to obtain base LIDAR map data through the U.S. Geological Survey

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

V. METROPOLITAN PLANNING ORGANIZATION - None

W. PUBLIC AFFAIRS - None

X. PUBLIC SAFETY

Page 30

3X-1 Termination notice with the Village of Tequesta relative to geographic-based alert system

Page 31

3X-2 Interlocal Agreement for Civil Drug Court with the City of Riviera Beach

3X-3 Grant Adjustment Notices from the U.S. Department of Justice, Office of Violence Against Women

Page 32

3X-4 Amendment No. R1A2 with the Florida Department of Health relating to the SANE program

Page 33

3X-5 Interlocal Agreements and Contracts for Professional Services to provide reentry services

Page 34

3X-6 Award from the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant Program to fund ex-offender community reentry services

Y. PURCHASING - None

Z. RISK MANAGEMENT - None

AA. PALM TRAN - None

BB. YOUTH SERVICES - None

CC. MEDICAL EXAMINER

Page 35

3CC-1 2015 Paul Coverdell Grant Award Notification to provide forensic anthropology services

PUBLIC HEARING – 9:30 A.M.

Page 36

4A Criminal Justice Commission Ordinance

REGULAR AGENDA

PUBLIC SAFETY

Page 37

5A-1 Resolution establishing fees and fines for the Home Caregiver Ordinance

COUNTY ATTORNEY

Page 38

5B-1 Amendment to the Temporary Operating Agreement with Rasier, LLC (Uber); Temporary Operating Agreement with Lyft, Inc.

BOARD APPOINTMENTS (Page 39)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 40)

STAFF COMMENTS (Page 41)

COMMISSIONER COMMENTS (Page 42)

ADJOURNMENT (Page 42)

MARCH 1, 2016

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring March 6, 2016 as “National Coalition of 100 Black Women – West Palm Beach Chapter’s Women’s History Day” in Palm Beach County. (Sponsored by Commissioner Taylor)
2. Proclamation declaring March 2016 as “Florida Bicycle Month” in Palm Beach County. (Sponsored by Commissioner Taylor)
3. Proclamation declaring March 2016 as “American Red Cross Month” in Palm Beach County. (Sponsored by Mayor Berger)
4. Proclamation declaring March 20 – 26, 2016 as “Florida Surveyors & Mappers Week” in Palm Beach County. (Sponsored by Mayor Berger)
5. Proclamation declaring March 2016 as “Women’s History Month” in Palm Beach County. (Sponsored by Vice Mayor Valeche)
6. ~~**DELETED:** Proclamation declaring “Every Monday as Meatless Monday” in Palm Beach County. (Sponsored by Commissioner Burdick)~~
7. **ADD-ON:** Certificate of Special Recognition to Fitzroy Rhoden, a Glades Central High School student who saved the life of an instructor by using CPR skills learned at school. (Sponsored by Commissioner McKinlay)
8. **ADD-ON:** Proclamation declaring April 2016 as “Child Abuse Prevention Month” in Palm Beach County. (Sponsored by Commissioner Vana)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** reappointment of five at-large members to the Handicap Accessibility and Awareness Grant Review Committee (Committee) for a term beginning March 12, 2016, through March 11, 2018.

<u>Reappointments:</u>	<u>Seat No.</u>	<u>Nominated by:</u>
Tomas Boiton	1	Mayor Berger Vice Mayor Valeche Comm. Burdick Comm. Abrams Comm. Taylor Comm. Vana
Linda Warren	2	Mayor Berger Vice Mayor Valeche Comm. Burdick Comm. Abrams Comm. Taylor Comm. Vana
Jerome Goldstein	3	Mayor Berger Vice Mayor Valeche Comm. Burdick Comm. Abrams Comm. Taylor Comm. Vana
Alfred Thomas Hogarth	5	Mayor Berger Vice Mayor Valeche Comm. Burdick Comm. Abrams Comm. Taylor Comm. Vana
William Lapp	4	Mayor Berger Vice Mayor Valeche Comm. Abrams Comm. Taylor Comm. Vana

SUMMARY: The appointees are current at-large members of the Committee. They have all expressed an interest in reappointment and have met the attendance requirements during the current term. This Committee currently consists of seven members and there are two vacancies. Including the current suggested reappointments, the Committee has a diversity composition of: four Caucasian (57%), two African-Americans (29%), and one Hispanic (14%). Four of the seven are persons with disabilities and three are advocates for persons with disabilities. All members are residents of Palm Beach County and persons with disabilities or advocate for persons with disabilities. All five terms will expire on March 11, 2016. All appointments are for a term of two years and are at-large. Mr. Lapp has disclosed that he is a volunteer for the Florida Outreach Center of the Blind (FOCB), where his wife is the executive director. Disclosure of this relationship is being provided in accordance with Sec. 2-443, of the Palm Beach County Code of Ethics, and the Palm Beach County Commission on Ethics opinion, dated September 14, 2011 which opined that Mr. Lapp is not prohibited from serving on this Committee. The advisory opinion is attached to the Agenda Item. Additionally, the Committee provides no regulation, oversight, management, or policy-setting recommendations regarding the non-profit agency. A memorandum was sent to the Board of County Commissioners on January 27, 2016. Countywide (DO)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

2. **Staff recommends motion to approve:** the reappointment of Christopher G. Cothran to the CareerSource Palm Beach County, Inc. Board of Directors for the period March 1, 2016, through September 30, 2018:

<u>Nominee/Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Christopher G. Cothran	7	3/1/16-9/30/18	Private Sector	Business Development Board of Palm Beach County, Inc.

SUMMARY: On July 10, 2007, the Board of County Commissioners (BCC) approved the Agreement (R2007-1220) with CareerSource Palm Beach County which stipulates the membership of the Board. The Agreement states that 17 private sector members are appointed by the BCC at the recommendation of the Business Development Board. The Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 35 members as determined from time to time by the Board of Directors with representatives of business in the local area who are owners of businesses, local educational entities, labor organizations, community-based organizations, economic development agencies, or one-stop partners. Existing diversity makeup of the CareerSource Palm Beach County, Inc. Board of Director's is as follows: 54% Male Caucasian; 15% Female Caucasian; 4% Male African-American; 19% Female African-American and 8% Male Hispanic-American. Countywide (JB)

3. **Staff recommends motion to adopt:** a Resolution urging the enactment of weather impacts legislation currently before the Florida Legislature as House Bill 1223 and Senate Bill 1544 and providing for transmission of the Resolution and an effective date. **SUMMARY:** Approval of this item encourages the creation of an interagency workgroup among the state agencies led by Florida's Division of Emergency Management. The group would review information, coordinate ongoing state efforts, collaborate on initiatives, leverage resources, and prepare an annual report relating to weather events and weather event responses. Countywide (RPB)3

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>
Joint Workshop	November 9, 2015
Regular	November 17, 2015
Regular	December 1, 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

B. CLERK & COMPTROLLER (Cont'd)

4. Staff recommends motion to receive and file: change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during August 2015. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file: Supplement Number 14 to Project 1997512(A3), R2001-1894, with Arcadis U.S., Inc. (Arcadis), in a total amount of \$71,106.58 for professional services for the preparation of design plans and construction bid documents for Seminole Pratt Whitney Road and Northlake Boulevard Intersection Improvements project (Project). **SUMMARY:** Filing of this Supplement No. 14 will provide notification to the Board of County Commissioners, required under PPM CW-F-050 that the cumulative value of the additional services exceeds \$250,000. Supplement No. 14, with a total amount of \$71,106.58, resulted in a cumulative value of \$302,515.14, for approved additional services. Those additional services include the revision of roadway construction plans to address offsite drainage, reduce right-of-way impacts, modify northbound alignment at Seminole Pratt Whitney Road and Northlake Boulevard, add traffic calming separators per the Indian Trail Improvement District's (ITID) request and revise pond configuration to be directly connected to the ITID's canal. Arcadis is under contract as Palm Beach County's consultant. The Small Business Enterprise (SBE) participation committed for this project agreement is 26%, to date the cumulative SBE participation is 30.13%. District 6 (MRE)

2. Staff recommends motion to:

A) adopt a Resolution to finalize the Municipal Service Taxing Unit special assessment roll to provide paving and drainage improvements for Fargo Avenue, El Paso Drive to Arrowhead Drive project (Project);

B) authorize the Tax Collector's Office and/or the Clerk & Comptroller's Office to process and collect the assessments; and

C) approve a change in Palm Beach County's (County) maintenance responsibility for Fargo Avenue, El Paso Drive to Arrowhead Drive from courtesy maintained to full County maintenance.

SUMMARY: Finalization of the special assessment roll for the Project will allow the assessment payments to be processed and collected by the Tax Collector's Office and/or the Clerk & Comptroller's Office. The total assessment is a fixed cost of \$7,000 per lot payable in ten equal annual installments at an interest rate of five percent (5%) per annum as set by the Board of County Commissioners. Fargo Avenue, El Paso Drive to Arrowhead Drive will be changed from being County courtesy maintained to full County maintenance. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution to finalize the Municipal Service Taxing Unit special assessment roll to provide paving and drainage improvements for El Paso Drive, Pinto Drive, and Pancho Way east of Blanchette Trail (Project);

B) authorize the Tax Collector's Office and/or the Clerk & Comptroller's Office to process and collect the assessments; and

C) approve a change in Palm Beach County's (County) maintenance responsibility for El Paso Drive, Pinto Drive, and Pancho Way east of Blanchette Trail from courtesy maintained to full County maintenance.

SUMMARY: Finalization of the special assessment roll for the Project will allow the assessment payments to be processed and collected by the Tax Collector's Office and/or the Clerk & Comptroller's Office. The total assessment is a fixed cost of \$10,000 per lot payable in 20 equal annual installments at an interest rate of five percent (5%) per annum as set by the Board of County Commissioners. El Paso Drive, Pinto Drive, and Pancho Way east of Blanchette Trail will be changed from being County courtesy maintained to full County maintenance. District 6 (MRE)

4. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Town of Jupiter (Town) regarding open cuts in Palm Beach County (County) maintained rights-of-way. **SUMMARY:** The Town has agreed to follow the policies and procedures set forth by the County regarding open cuts in County roads; however, the Town is requesting that it not be required to provide surety for the open cuts, as required by County PPM EL-O-3605 and EL-O-3606, but instead be bound by the terms and conditions of this Agreement. A similar Agreement with the Town recently expired. District 1 (MRE)

5. Staff recommends motion to approve: a Contract in an amount not to exceed \$5,765,000 for task orders which may be issued for the Annual Pathway and Minor Construction Contract (Contract), Project No. 2015055, with Wynn & Sons Environmental Construction Co., Inc. (Contractor), the lowest, responsive and responsible bidder. **SUMMARY:** Approval of this Contract will provide for construction and/or resurfacing of pathways and parking areas, construction of speed humps, traffic separators, miscellaneous concrete works and other minor construction projects. The Small Business Enterprise (SBE) goal for the project is 15%. The SBE participation committed for the project by the Contractor is 95% overall. The Contractor is a Palm Beach County company. Countywide (MRE)

6. Staff recommends motion to approve: a Contract in an amount not to exceed \$1,250,000 for task orders which may be issued for the annual pathway and minor construction contract federalized (Contract), Project No. 2015056, with Wynn & Sons Environmental Construction Co., Inc. (Contractor), the lowest, responsive and responsible bidder. **SUMMARY:** Approval of this Contract will provide for construction and/or resurfacing of pathways and parking areas, construction of speed humps, traffic separators, miscellaneous concrete works and other minor construction projects, which are partially or fully funded with federal funds. The contractor is a Palm Beach County company. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve:

A) an Agreement with Northern Palm Beach County Improvement District (Northern) concerning the funding of roadway improvements for Hood Road from east of Florida's Turnpike to west of Central Boulevard (Project);

B) Supplemental Contract No. 6 (Supplement) to contract R2013-1123 in the amount of \$111,366.21, with Stanley Consultants, Inc. (Stanley) for professional services for the Project; and

C) a Budget Amendment of \$1,128,922 in the Road Impact Fee Fund – Zone 1 to recognize reimbursement funding from Northern Palm Beach County Improvement District and appropriate it to the Project.

SUMMARY: Approval of the Agreement and Supplement will provide funding from Northern for roadway improvements they have requested in support of their Unit of Development No. 2C which abuts Hood Road, and will provide the services necessary for the preparation of design plans and construction bid documents for the requested roadway improvements. The Small Business Enterprise (SBE) goal for the Project is 15%. Stanley committed to an SBE participation of 22% for this Project. They proposed 11.87% SBE participation for this Supplement and, to date, they have achieved 23.43% SBE participation for the Project, thus exceeding their commitment. Stanley is a Palm Beach County company. District 1 (MRE)

8. Staff recommends motion to approve: a Subordination of Utility Interests and Agreement for Reimbursement for additional facility relocations with Florida Power & Light Company (FPL) on a parcel of land located on the south side of Via Ancho Road, west of Boca Rio Road. **SUMMARY:** Approval of the subordination will subordinate an FPL utility license interest and allow Palm Beach County (County) to accept a warranty deed for the additional right-of-way. As part of the platting process, the Tri-County Humane Society is required to provide the County with additional right-of-way on the south side of Via Ancho Road, 40 feet from the centerline of the existing right-of-way, in accordance with the development conditions associated with a new animal shelter facility. District 5 (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** Amendment No. 5 to the Agreement (R2010-1221) with the law firm of Nabors Giblin & Nickerson, P.A. (Attorney), to provide disclosure counsel and related legal services for the following two County financings: (a) the Public Improvement Revenue Refunding Bonds, Series 2016; and (b) the Airport System Revenue Refunding Bonds, Series 2016. **SUMMARY:** The Attorney was selected as disclosure counsel for the above County financings by the County Financing Committee at the January 21, 2016 meeting. This Amendment No. 5 confirms that selection by amending the Agreement for disclosure counsel and related legal services between Palm Beach County and the Attorney. Payment for legal services in connection with the financings will be as provided for in the Agreement. Countywide (PFK)

2. **Staff recommends motion to approve:** Amendment No. 5 to the Agreement (R2010-1220) with the law firm of Greenspoon Marder, P.A. (Attorney), to provide bond counsel and related legal services for the Airport System Revenue Refunding Bonds, Series 2016 (the "Bonds"). **SUMMARY:** The Attorney was selected as bond counsel for the Bonds by the County Financing Committee at the January 21, 2016 meeting. This Amendment No. 5 confirms that selection by amending the Agreement for bond counsel and related legal services between Palm Beach County and the Attorney. Payment for the legal services in connections with the bond issuance will be as provided for in the Agreement. Countywide (PFK)

3. **Staff recommends motion to approve:** Amendment No. 5 to the Agreement (R2010-1325) with the law firm of Greenberg Traurig, P.A. (Attorney), to provide bond counsel and related legal services for the Public Improvement Revenue Refunding Bonds, Series 2016 (the "Bonds"). **SUMMARY:** The Attorney was selected as bond counsel for the Bonds by the County Financing Committee at the January 21, 2016 meeting. This Amendment No. 5 confirms that selection by amending the existing Agreement for bond counsel and related services between Palm Beach County and the Attorney. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with 211 Palm Beach/Treasure Coast, Inc. (211), for the period February 1, 2016, through September 30, 2016, in an amount totaling \$25,000 to provide a special needs help line to serve as a source of information and referrals to Palm Beach County families. **SUMMARY:** This Contract provides gap funding to maintain critical information and referral services for parents and individuals with special needs. This action is necessitated by a loss of foundation grant funding to 211 for the services. The financial assistance provided through this Contract and accompanying support from United Way of Palm Beach County, Inc. and the Children's Services Council of Palm Beach County will allow the needed services to continue uninterrupted. These funds are in addition to the \$142,457 that the County has agreed to provide for the Information, Assessment and Referral Helpline approved by the Board of County Commissioner on November 17, 2015 (R2015-1606). To better serve Palm Beach County residents, this service and any future funding for this purpose will be discussed during contract negotiations for FY 2016 – 2017. This help line assists parents in accessing health care services from a variety of agencies that provide medical, dental, speech, physical therapy, occupational therapy, behavioral therapy and cognitive therapy services. (FAA) Countywide (HH)

2. **Staff recommends motion to ratify:** signature of the Mayor on the Ryan White Addressing HIV Care and Housing Coordination Through Data Integration to Improve Health Outcomes Along the HIV Care Continuum Grant Application with the RAND Corporation, for the period May 1, 2016, through August 31, 2018, in a total amount not to exceed \$418,483. **SUMMARY:** The Grant Application was submitted to the RAND Corporation, and is made available by the U.S. Department of Health and Human Services, Health Resources and Services Administration. The grant highlights the need for the integration of data systems and service planning between the Ryan White program and the City of West Palm Beach's Housing Opportunities for Persons with AIDS (HOPWA) program. The grant will allow Community Services to improve health outcomes by providing needed medical and support services to homeless Palm Beach County residents living with HIV/AIDS. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. No County match is required. (Ryan White) Countywide (HH)

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an Extension of Time to the following Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT): Security Enhancements and Improvements at Palm Beach International Airport, Financial Project Number 427911-1-94-01 approved by the Board on June 29, 2010 (R2010-1013 and R2010-2014), is hereby extended until June 30, 2016. **SUMMARY:** Delegation of authority for execution of the above Extension of Time to the JPA with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

2. **DELETED**

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to approve:

A) Amendment No. 3 to the Construction Manager (CM) at Risk Contract with The Whiting-Turner Contracting Company (WT) in the amount of \$4,313,449 and 230 calendar days for Task Order No. 8: Baggage Claim Improvements for the Baggage Handling System (BHS) Improvements at Palm Beach International Airport (PBIA); and

B) a Budget Transfer of \$4,313,449 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 \$4,313,449.

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 (R-2012-1519). 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). Amendment No 2 in the amount of \$1,758,721 and 31 calendar days was approved by the Board on October 20, 2015 (R2015-1454). Task orders and change orders including preconstruction tasks related to the BHS construction project were approved in accordance with PPM CW-F-050. The total contract amount approved to date is \$43,907,043. Approval of Amendment No. 3 will provide funds to complete Task Order No. 8: Baggage Claim 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 11.24%; however, it is anticipated that the goal will be achieved at completion of the project. Countywide (AH)

4. Staff recommends motion to approve: Second Amendment (Amendment) to Fixed Base Operator Lease Agreement (R2010-1109) with Piedmont Hawthorne Aviation, LLC d/b/a Landmark Aviation, a Delaware limited liability company (Landmark), authorizing Landmark to charge per diem rates for short term leases; providing for reimbursement through rental credits for improvements made at the request of Department; and providing for the installation of an above ground self-service fuel tank at the North County General Aviation Airport (North County Airport) at no cost to the County. **SUMMARY:** Landmark leases facilities at the North County Airport and Palm Beach County Glades Airport (Pahokee Airport) for the provision of fixed based operator services for general aviation aircraft. This Amendment authorizes Landmark to charge per diem rates for the short term lease of buildings and improvements. This Amendment also provides for reimbursement of the cost of improvements to the premises as may be requested by the Department in the form of rental credits and the installation of an above ground self-service fueling tank by Landmark for use by customers desiring to fuel their own aircraft. This Amendment updates general contract language, including provisions related to nondiscrimination and third party beneficiaries. Countywide (HF)

5. Staff recommends motion to receive and file: Non-Signatory Airline Agreement with Canadian North, Inc., an Alberta Corporation, commencing January 31, 2016, and terminating September 30, 2016, with automatic October 1st to September 30th annual term renewals unless canceled. **SUMMARY:** Delegation of authority for execution of the standard County Non-Signatory Agreement above was approved by the Board of County Commissioners in R2014-1575. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of Public Improvement Revenue Refunding Bonds, Series 2016 in the aggregate principal amount of not exceeding \$160,000,000 to refund certain outstanding obligations of the issuer; providing a method for determining the actual principal amounts, interest rates, maturity schedule, and redemption provisions for such Series 2016 bonds; making certain provisions and delegating certain responsibilities with respect to the notice, bidding and sale of the Series 2016 bonds to the Mayor and the County Administrator; appointing an escrow agent, paying agent, and registrar for the Series 2016 bonds; approving the forms of the Summary Notice of Sale, Official Notice of Sale, and Official Bid Form with respect to such Series 2016 Bonds; authorizing the preparation and use of a preliminary official statement and authorizing the execution and delivery of a final official statement, escrow deposit agreement, and paying agent and registrar agreement; providing for compliance with certain continuing disclosure requirements; providing certain other details with respect thereto; and providing for an effective date. **SUMMARY:** The County's Financial Advisors have reviewed the Public Improvement Revenue Bonds, Series 2008 and determined that these bonds can be partially refunded for a savings. These bonds will be refunded at a not to exceed amount of \$160 million on a competitive basis. Based on current market conditions, the estimated savings have a net present value of \$16,374,000 (11.57%). Countywide (PFK)

2. **Staff recommends motion to approve:** a negotiated Settlement Agreement in the amount of \$20,000 for the full satisfaction of a Code Enforcement Lien that was entered against Paula D. Garcia on April 5, 2006. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on December 7, 2005 on property owned by Ms. Garcia giving her until March 7, 2006 to bring the property into full Code compliance. The property had been abandoned and was in disrepair when she purchased it. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Ms. Garcia on April 5, 2006. Code Enforcement issued an Affidavit of Compliance for the property on February 15, 2008. The total accrued lien amount through March 15, 2015, the date on which settlement discussions began, totaled \$71,824.17, of which Ms. Garcia has agreed to pay the County \$20,000 (28%) for full settlement of her outstanding Code Enforcement Lien. District 3 (PM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendments No. 1 to three Job Order Contracts (JOC):

A) All-Site Construction, Inc. (R2015-0289), SBE/Local, 67.6% SBE participation to date;

B) Carrick Contracting Corporation, (R2015-0290), Non SBE/Local, 13.5% SBE participation to date; and

C) Robling Architecture Construction, Inc. (R2015-0293), SBE/Local, 37.3% SBE participation to date.

SUMMARY: Amendments No. 1 extends the term of three Job Order Contracts (JOC) for one year. The contractors will continue to perform as annual general contractors for implementation of maintenance and capital projects. The Job Order Contracts are an indefinite-quantity, fixed unit price contracts. The Board approved annual contracts on March 10, 2015, which provided for an initial one year term with four one-year renewal options. Amendments No. 1 provide for services during the first renewal period. During the first term of these contracts, All-Site was awarded \$171,577, Carrick was awarded \$53,734, and Robling was awarded \$277,811 in work orders. Pursuant to the terms and conditions of the JOC Contracts to account for escalation, the contractors' initial adjustment factors from March 10, 2015 will be modified by 1.0244%. The Small Business Enterprise (SBE) goal established for these contracts is 15%. The total cumulative SBE participation for these contracts to date is 33.7%. (Capital Improvements Division) Countywide (ME)

2. Staff recommends motion to approve: Amendment No. 3 to the Annual Demolition Contract (R2013-0140) with The BG Group, LLC, in the not to exceed amount of \$500,000 for the demolition of selected structures. **SUMMARY:** Amendment No. 3 is a renewal to the Annual Demolition Contract which was awarded to The BG Group, LLC on February 5, 2013. This Amendment is a renewal to the contract. The Annual Demolition Contract is an indefinite-quantity unit price contract and this renewal has a maximum value of \$500,000. The Contract provides for up to four one-year term renewals each for a not-to-exceed amount of \$500,000 at the sole option of the County. During the third term of this contract, the County awarded \$131,511.80 in work orders. There is a 15% goal for SBE participation in this contract. The BG Group's SBE participation to date is 100%. The BG Group, LLC is a Palm Beach County company and is a certified SBE contractor. (Capital Improvements) Countywide (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 2 with Pierce Goodwin Alexander & Linville, Inc. (PGAL) (R2006-0215) for an update to the Palm Beach County Judicial Facilities Master Plan in the amount of \$182,277. **SUMMARY:** This CSA will provide for an update to the Judicial Facilities Master Plan and program for the future growth of the court system. The previous planning study was conducted in 2006 and needs to be updated as assumptions made at that time have changed on account of technological and operational advancements and some strategic decisions affecting future utilization of available building space were not required by court partners. The initial phase of this contract is limited to the evaluation of the current physical plant structure of the court system and development of the program for expansion of court operations and facilities, including utilization of the 7th and 8th floor shell space in the Main Judicial Center in downtown West Palm Beach. Upon completion of this initial phase, an amendment for permitting, design and construction services of the shell space and/or any other immediate need(s) identified by the Master Plan will be presented to the Board. Funding for this CSA is from Public Building Impact Fees. The SBE goal for this project is 15%. SBE participation is 2.8% for this initial master planning phase. (Capital Improvements Division) District 7/Countywide (ME)

4. **Staff recommends motion to approve:** Contract with West Construction, Inc. in the amount of \$2,085,864 to construct John Prince Park Mound Circle, located in Lake Worth. **SUMMARY:** This project consists of five gazebos, a five bay dog park, and renovations of the existing cricket field. This work was competitively bid with West Construction submitting the lowest responsive, responsible bid. Funding for this contract is from the Park Impact Fees Zone 2. The total construction duration is 365 calendar days. The goal for Small Business Enterprises (SBE) participation is 15% and West's participation for this contract is 15%. West Construction is a local firm. (Capital Improvements Division) District 3 (ME)

5. **Staff recommends motion to approve:** Contract with Colome' & Associates, Inc. in the amount of \$533,541 to provide architectural/engineering services for the Palm Tran South County Expansion. **SUMMARY:** This expansion is necessary to support Palm Tran's long term expansion and addition of bus routes and to fix several deficiencies identified in both the West Palm and Delray Beach facilities which included insufficient parking for both employees and buses, limited expansion possibilities for existing administrative and maintenance functions and relocating employees from West Palm Beach to Delray Beach. This contract will provide architectural and engineering services for the design, permitting, and construction phase services for expansion and renovation of the Palm Tran South County Facility which includes: addition of approximately 28,000 square feet of building space consisting of offices, locker rooms, training center for bus operators and ancillary support space, addition of a new 135 vehicle parking lot for employees on the south side, and addition of a bus lift at the existing maintenance building. The estimated construction cost is \$8,200,000. The project will be funded with Federal Funds. Colome' is a Palm Beach County firm and will be using all Palm Beach County sub-consultants. Colome' will provide 57% Disadvantaged Business Enterprise (DBE) participation as well as 99% Small Business Enterprise (SBE) participation. (Capital Improvements Division) District 7 (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** an Amended Restrictive Covenant for maintenance of a littoral planting area covering approximately 0.422 acres at the County's West Boca Library Complex in unincorporated Boca Raton. **SUMMARY:** On July 10, 2007 (R2007-1113), the County executed a Restrictive Covenant encumbering a 0.417 acre (18,195 sq. ft.) littoral area within a water management tract at the West Boca Library Complex located at 18685 South State Road 7 in unincorporated Boca Raton. This Amended Restrictive Covenant amends the location of the littoral planting area to provide a more conducive area for the survival of littoral plants and encumbers 0.422 acres (18,383 sq. ft.) within the water management tract. All other terms remain the same. (PREM) District 5 (HJF)

7. **Staff recommends motion to approve:** an Agreement with Jupiter Medical Center, Inc. (Hospital) allowing for interoperable communications through the countywide and EMS common talk groups of the County's Public Safety Radio System (System). **SUMMARY:** This Agreement provides the conditions under which the Hospital 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 Hospital. The terms of the Agreement are standard and have been offered to other hospitals and EMS providers with 800 MHz trunked radio capabilities. This Agreement also contains state approved standard operating procedures specific to the use of the EMS common talk groups. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. The Agreement commences on March 16, 2016 at the expiration of the current Agreement (R2004-0458), for a term of three years. There are three renewal options, each for a period of three years. This Agreement may be terminated by either party, with or without cause. (ESS) Countywide (DC)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) receive and file the State Housing Initiative Partnership Program Annual Report for Fiscal Years 2012/2013, 2013/2014 and 2014/2015 and Certification as executed on September 11, 2015;

B) receive and file the State Housing Initiative Partnership Program Closeout Annual Report for Fiscal Year 2013/2014 and Certification as executed on October 27, 2015;

C) receive and file the Triennial Report 2015; and

D) ratify the County Administrator's signature on the Annual Report Certification forms for both Annual Reports.

SUMMARY: The State Housing Initiative Partnership Program Annual Report for Fiscal Years 2012/2013, 2013/2014 and 2014/2015 (SHIP Report) was executed on September 11, 2015 by the County Administrator, and submitted to the Florida Housing Finance Corporation. The State Housing Initiative Partnership Program Closeout Annual Report for Fiscal Year 2013/2014 (SHIP Report) was executed on October 27, 2015 by the County Administrator, and submitted to the Florida Housing Finance Corporation. This fiscal year was a special appropriation through Senate Bill 1852 which required a September 30, 2015, expenditure closeout deadline, and an October 31, 2015, reporting requirement. The SHIP Reports reflects the number of eligible households assisted by income category, award amounts, and the amount of funding under each affordable housing strategy by funding year. The SHIP Program assisted 168 households over a three year period covering Fiscal Years 2012/2013, 2013/2014 and 2014/2015, expending a total of \$3,411,032, and earning \$1,919,401 in program income. Program income was derived from loan repayments in the amount of \$1,842,521, and interest earned in the amount of \$76,880, for the same time period. In order to timely submit the SHIP Report to the State, the County Administrator's signature was obtained and the Board of County Commissioners (BCC) must ratify her signature. **These are State SHIP Funds which require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) receive and file an Assistance Amendment to the Cooperative Agreement (R2014-0058) with the U.S. Environmental Protection Agency (EPA);

B) approve a Budget Amendment of \$300,000 in the USEPA Revolving Loan Fund Program Fund; and

C) approve a Budget Transfer of \$29,166 in the Neighborhood Stabilization Program 2 Fund.

SUMMARY: On January 14, 2014, the County entered into a Cooperative Agreement (R2014-0058) with EPA to receive \$1,000,000 to capitalize and establish the County's Brownfields Revolving Loan Fund (BRLF) Program. The BRLF Program offers financial assistance to qualified borrowers and subgrantees to cleanup properties that have been designated as Brownfields. The Assistance Amendment which was awarded by EPA on October 28, 2015, increases the grant amount by \$300,000. This document was issued by EPA and delivered to the County to evidence EPA's commitment to increase its funding and recognizes the Department's success in implementing the BRLF Program. It is being submitted to the Board of County Commissioners to receive and file. The Budget Amendment will recognize and appropriate loan funds and the Budget Transfer will adjust the department's personnel services budget to accommodate the additional administrative funds. Since inception, the BRLF Program has provided a \$350,000 loan to the West Palm Beach CRA and a \$200,000 subgrant to the City of South Bay to support cleanup efforts in each jurisdiction. Additional cleanup projects are anticipated for 2016. **These EPA funds require a 20% local match to be provided by subgrantees and borrowers.** Countywide (JB)

3. Staff recommends motion to approve: Housing Strategies for the additional allocation of \$292,574 in Fiscal Year 2014-2015 State Housing Initiatives Partnership (SHIP) funds. **SUMMARY:** On November 17, 2015, the Board of County Commissioners (BCC) approved a Budget Amendment (Agenda Item 3I-1) to the Affordable Housing Trust Fund for Fiscal Year 2014-2015 to recognize a one-time funding increase of \$292,574 from the Florida Housing Finance Corporation (FHFC) to the Fiscal Year 2014-2015 SHIP grant award. These SHIP funds are to be used to implement various affordable housing programs and other related activities of which \$248,689 for second mortgages, \$14,628 for project delivery costs, and \$29,257 for administrative costs is proposed. SHIP regulations require that at least 65% of a local jurisdiction's SHIP funding be allocated to homeownership activities and that 20% of the funding allocation be expended on special needs applicants. The recommended strategies include the Second Mortgage Program for first time homebuyers and for project delivery and administrative costs. The Second Mortgage Program funds can be used for gap financing, lot acquisition, down payments, rehabilitation and closing costs. The assistance will be in the form of a 0% interest deferred payment loan. If sold after the 30-year term, no payment is required and the loan is forgiven. The Project Delivery and Administration Costs are utilized to provide funding for staff to manage the program. **These are State SHIP funds which require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

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

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Rex B. Kirby	8	Division I Contractor	AGC Florida East Coast Chapter	3/1/2016 – 2/28/2019
<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Bart Rasper	1	Plumbing Contractor	Plumbing Air Conditioning Contractors Industry Fund	3/1/2016 – 2/28/2019

SUMMARY: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals (the “Board”). The term of office for Board members is three years, with a limit of three consecutive three-year terms. The AGC Florida East Coast Chapter has nominated Rex B. Kirby for a three-year term. The Plumbing Air Conditioning Contractors Industry Fund has nominated Bart Rasper for a second three-year term. 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 Board membership has 11 seats, 9 currently filled, and a diversity count of White: 9 (100%). The gender ratio (male:female) is 8:1. Countywide (SF)

2. Staff recommends motion to approve: **A)** Reappointment of one member; and **B)** appointment one new member to the Land Development Regulation Advisory Board (LDRAB), for the term from March 1, 2016, to February 5, 2019:

A) Reappoint one member

<u>Reappoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Terrance Bailey	10	Engineer	Florida Engineering Society

B) Appoint one new member

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Derek Zeman	14	Surveyor	Florida Surveying & Mapping Society

SUMMARY: The Land Development Regulation Advisory Board (LDRAB) is comprised of 18 members. The Unified Land Development Code (ULDC) provides for seven members appointed by the Board of County Commissioners (BCC) one from each Palm Beach County (PBC) Commissioner as a district appointment, with consideration of expertise in Article 2.G.3.A.3.b, Qualifications; nine members that are appointed by a majority of the BCC upon a recommendation by specific organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Association General Contractors of America, and Palm Beach County Planning Congress; and, two members appointed at-large, as alternates, by majority vote of the BCC, with consideration of the expertise in Article 2.G.3.A.3.b, Qualifications. The at-large members are alternates and therefore the attendance rules contained in the PPM (CW-O-023) are not applicable to this seat. This reappointment is consistent with the ULDC requirements. The Board consists of 18 members with 17 seats currently filled and a diversity count of Asian: 1 (5.88%), Black: 2 (11.76%), Native-American; 1 (5.88%), and White: 13 (76.48%). The gender ratio (male:female) is 14:3. As required by Section 2-443(d) of the Code of Ethics, this Agenda Item Summary will serve as disclosure for Derek Zeman. Mr. Zeman’s employer contracts with Palm Beach County to provide engineering and land planning services for the County. The Land Development Regulation Advisory Board provides no regulation, oversight, management or policy-setting recommendations regarding this contract. Unincorporated (LB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to authorize:** the County Administrator or designee to enter into: 1) Utility Work by Highway Contractor Agreements (At Utility Expense); 2) Utility Work by Highway Contractor Agreements (Lump Sum); and 3) Utility Design by Florida Department of Transportation Consultant Agreements (At Utility Expense), in an amount not to exceed \$200,000 with Florida's Department of Transportation (FDOT) for future road improvement projects that warrant utility design, relocation, installation, removal and/or adjustment. **SUMMARY:** The Water Utilities Department (WUD) is required to enter into agreements with FDOT whenever the latter proposes roadway improvements that warrant utility design, relocation, installation, removal and/or adjustment of WUD facilities. The Agreements permit the design and construction work related to WUD facilities to be performed by contractors/consultants already under contract with FDOT, thereby providing time and cost savings to WUD. In order to expedite the process, WUD is seeking the Board of County Commissioners (BCC) delegation of authority in order to enter into agreements, in an amount not to exceed \$200,000 per agreement. This delegation is consistent with the delegation to the department director under the Purchasing Code to enter into construction-related contracts with a value not to exceed \$200,000 per annum. All agreements will require the approval of the County Attorney's Office prior to execution. Countywide (MJ)

2. **Staff recommends motion to accept:** a Utility Easement (Easement) granted by McDonald's Restaurants of Florida, Inc. (McDonald's), to Palm Beach County (County) on property located at Lake Worth Road and Sherwood Forest Boulevard. **SUMMARY:** The proposed Easement will allow the Water Utilities Department (WUD) to access the McDonald's property located on Lake Worth Road and Sherwood Forest Boulevard to replace the existing force main located on the discharge side of the McDonald's lift station. (WUD Project No. 14-105) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

A) Amendment No. 1 to the Water Utilities Department (WUD) Lift Station Rehabilitation Continuing Construction Contract with Hinterland Group, Inc., increasing the Contract amount by \$1,000,000; and

B) Work Authorization No. 5 for the Lift Station Rehabilitation Project (Project) with Hinterland Group, Inc. in the amount of \$1,773,554.40.

SUMMARY: On March 10, 2015, the Board of County Commissioners (BCC) approved the WUD Lift Station Rehabilitation Continuing Construction Contract (Contract) with Hinterland Group, Inc. (R2015-0318). The Contract provides materials and installation services for system-wide lift station rehabilitation projects in the amount of \$6,797,500 over an 18-month term. Amendment No. 1 to the Contract will increase the Contract amount by \$1,000,000 to provide the funding amount necessary for Work Authorization No. 5. There are no time extensions to the Contract as part of this amendment. Work Authorization No. 5 provides for the rehabilitation of nine submersible lift stations throughout the WUD service area. 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 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. 5 includes 100% SBE overall participation. The cumulative SBE participation including this authorization is 98.84% 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. 15-080) Districts 2, 5 & 6 (MJ)

4. Staff recommends motion to approve: Amendment No. 2 to the Contract with Mathews Consulting, Inc. for Engineering/Professional Services for the Western Region Operations Center (WROC) (R2014-1764) in the amount not to exceed \$489,490.44. **SUMMARY:** On November 18, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Engineering/Professional Services Contract (Contract) with Mathews Consulting, Inc. for the design and bidding services required to construct the WROC. Amendment No. 2 to the Contract updates the Scope of Work to provide construction management services for the WROC Project. The construction management services will include: construction inspection, shop drawing review, contract administration, O&M manuals and record drawings. The Small Business Enterprise (SBE) participation established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Mathews Consulting, Inc. provides for SBE participation of 97% overall. Amendment No. 2 has 87.4% of SBE participation. The cumulative SBE participation, including Amendment No. 2, is 94.41% overall. Mathews Consulting, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 13-053) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) adopt a Resolution authorizing the Clerk to transfer \$56,000 from the Pollution Recovery Trust Fund (PRTF) to continue the Native Canopy Education Program and waiving the requirement prohibiting use of PRTF funds for operations; and

B) approve a Budget Transfer of \$56,000 from the Pollution Recovery Trust Fund Reserves to the Native Canopy Education Program.

SUMMARY: This Resolution authorizes the transfer of \$56,000 from the PRTF for the continuation of a program managed by the County Cooperative Extension Department (CES) to enhance public understanding about the preservation of native vegetation canopy on residential parcels, to fund tree giveaways and promote efficient use of water and energy in residential landscapes. This Resolution allows for the PRTF to be used for nominal operational expenses. Countywide (AH)

2. Staff recommends motion to:

A) approve Work Order No. 0650-2 to construct a system of breakwaters at Jewell Cove Shoreline Restoration Site (Project) at a cost not to exceed \$326,027.33 in accordance with Coston Marine Services, Inc. (Coston) Annual Artificial Reef & Breakwater Project No. 2015ERM01 Contract (R2015-0650) for year 1;

B) approve Contract No. 15204 with the Florida Fish and Wildlife Conservation Commission (FWC) beginning at the time of execution through June 30, 2016, to fund \$100,000 towards the installation of limerock boulders to create the Jewell Cove breakwaters along the Lake Worth Lagoon to provide oyster habitat and to protect the shoreline;

C) approve a Budget Amendment of \$100,000 in the Environmental Enhancement Non-Specific Fund (1225) to recognize the revenue from FWC;

D) adopt a Resolution authorizing the Clerk of the Board to disburse Vessel Registration Fee Trust funds in the amount of \$226,027 to provide partial funding for project construction;

E) approve a Budget Transfer of \$226,027 from the Environmental Enhancement Non-Specific Fund (1225) reserves to the Project; and

F) authorize the County Administrator, or her designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Contract and Work Order which do not significantly change the scope of work, terms, or conditions.

SUMMARY: On May 19, 2015, the Board of County Commission approved a construction contract with Coston, a Palm Beach County Small Business Enterprise Company, for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2015ERM01 (R2015-0650). Work Order No. 0650-2 will authorize the construction of a shoreline stabilization project along the south parcel of the Project at a cost of \$326,027.33. Coston committed to an overall 100% Small Business Enterprise participation in the Contract and will achieve 83% on the Contract, including this Work Order. FWC Contract No. 15204 will reimburse the County up to \$100,000 for construction of the Project. The total cost of \$326,027.33 will be shared by FWC 31% and County 69%. District 7 (ME & AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

- 3. **Staff recommends motion to approve:** Change Order No. 2 to Agreement No. 06PB2 (R2007-0046) with the Florida Department of Environmental Protection (FDEP) providing \$151,791 for 2016 dune construction on the Singer Island Shore Protection Project. **SUMMARY:** Change Order No. 2 to Agreement 06PB2 with the FDEP modifies the grant work plan to add a new deliverable, 3.2C, authorizing state funds for a single dune construction event in the Singer Island Shore Protection Project area. Agreement 06PB2 authorizes a 39.945% state cost share for this project. No additional matching funds are required by this Change Order. District 1 (AH)

- 4. **Staff recommends motion to approve:** two re-appointments of at-large members to the Groundwater and Natural Resources Protection Board (GNRPB). Seat No. 2 and Seat No. 5 are for terms beginning March 1, 2016 and ending February 28, 2019:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Nominated By</u>
<u>Re-Appoint</u> W. Scott Mason	2	Attorney	Palm Beach Bar Association
<u>Re-Appoint</u> Artice (Art) Cobb	5	Concerned Citizen	Vice Mayor Valeche Comm. Abrams Comm. Burdick Comm. McKinlay Comm. Taylor Comm. Vana Mayor Berger

SUMMARY: Ordinance 92-20, as amended, and Article 2.G.3.F.3 of the Unified Land Development Code (ULDC) provide for a seven member GNRPB. The membership consists of one professional engineer, one attorney, one Hydrologist or Hydrogeologist, one citizen possessing expertise and experience in managing a business, one Biologist or chemist, one concerned citizen, and one member of an environmental organization. Ordinance 92-20 and Article 2.G.3.F.3 of the ULDC requires that Seat No. 2 be filled by an attorney licensed to practice in Florida and Seat No. 5 be filled by a concerned citizen. The current diversity breakdown of the GNRPB membership is six Caucasian males and one African-American male. The gender ratio is 7:0 (male: female). Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreements for two community events:

A) Chase Stites, Family Night with Food Truck Invasion, Sunset Cove Amphitheater, on December 2, 2015; and

B) Sidney Parker, The Sid Parker Orchestra, Canyon Town Center Amphitheater, on December 5, 2015.

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

2. Staff recommends motion to receive and file: the following original executed Amphitheater Rental Agreements:

A) Pancreatic Cancer Action Network, Inc., Purple Stride Broward/ Palm Beach 2015, Sunset Cove Amphitheater, on November 22, 2015;

B) Congregation Chabad-Lubavitch of Greater Boynton Beach, Inc., Hanukkah Candle Lighting Ceremony, Canyon Town Center Amphitheater, on December 6, 2015; and

C) Peoples Trust Holdings LLC., People's Trust Employee Appreciation, Sunset Cove Amphitheater, on December 12, 2015.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166 and are now being submitted to the Board to receive and file. These events help to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 1,500 people attended the events produced under these Amphitheater Rental Agreements. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreement:

Palm Beach County Officials Association, Inc., Junior Volleyball League Instructor, West Boynton Recreation Center, for the period November 3, 2015, through December 19, 2015.

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

4. Staff recommends motion to approve: Second Addendum to Authorized Provider Agreement, R2013-0288 dated March 12, 2013, with the American National Red Cross (Red Cross) to allow the County to participate as one of 50 communities nationwide in the Red Cross Aquatic Centennial Initiative program to provide swimming lessons to underserved populations. **SUMMARY:** The Red Cross is celebrating 100 years of Water Safety and has set a goal to reduce the number of drownings in the United States by 50% in 50 key markets. Palm Beach County has been selected as one of those markets. This is a three-year initiative to work in partnership to teach children and adults to swim, who would not otherwise participate in swimming lessons. This Second Addendum to the Authorized Provider Agreement R2013-0288 allows Palm Beach County to participate in Red Cross's Centennial Campaign to reduce drowning by 50% in 50 key markets. Participation in this initiative will help generate and retain enrollment in our swimming lessons, provide hands-on CPR and rescue skills to parents and caregivers, and ultimately help reduce the number of drowning deaths in our community. As a participant in the initiative, the County will receive support for program fees for participants in swimming lessons as well as lifeguard training and water safety instructor programs. The Red Cross will also provide the teaching and marketing materials at no cost to the County. Countywide (AH)

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

Can-Am Golf Group, LLC, for the period January 15, 2016, through June 15, 2016.

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

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) ratify the Mayor’s acceptance of an award from the Florida Department of Law Enforcement, Edward Byrne Memorial Justice Assistance Grant Program, for \$100,000 beginning October 1, 2015, through September 30, 2016 to fund the Palm Beach County Law Enforcement eXchange, Incorporated (LEX) project; and

B) approve a Budget Amendment of \$50,000 in the Criminal Justice Grant Fund to adjust the budget to the reflect the actual grant award; and

C) approve a Contract with Palm Beach County Law Enforcement eXchange, Incorporated for professional services to provide salary for the Countywide LEX Program Director in the amount of \$100,000 for the period October 1, 2015, through September 30, 2016; and

D) authorize the County Administrator or designee to execute any amendments relating to this Contract on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney’s Office, and within budgeted allocations.

SUMMARY: Palm Beach County was allocated \$100,000 in Federal FY 2016 funds as part of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for expenditure through FY 2016. The JAG Program allows local governments to support a broad range of activities to prevent and control crime based on local needs and conditions. The grant was approved to support the Criminal Justice Commission’s existing Countywide LEX Program Director to provide overall coordination for the LEX project. The LEX project allows agencies throughout the County to communicate on all levels and to enhance public safety in Palm Beach County through interagency collaboration. **No County matching funds are required for this grant.** Countywide (JB)

2. Staff recommends motion to approve: re-appointment of the following individuals to the Criminal Justice Commission for the period March 1, 2016 to December 31, 2018:

<u>Re-Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Mr. Barry Krischer	24	12/31/2018	Economic Council
Ms. Christina Morrison	26	12/31/2018	Economic Council
Mr. Joseph Ianno, Jr.	27	12/31/2018	Economic Council
Mr. Gerald Richman	28	12/31/2018	Economic Council
Mr. Randolph Johnson, Sr.	31	12/31/2018	Economic Council

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has recommended Barry Krischer, Christina Morrison, Joseph Ianno, Jr., Gerald Richman and Randolph Johnson, Sr. for reappointment effective March 1, 2016. The current diversity make up consists of 22 males (17 Caucasians, 3 African-Americans, 1 Asian-American and 1 Hispanic-American) and 9 females (5 Caucasians and 4 African-Americans). Countywide (JB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: fully executed standard Interlocal Agreements for Swimming Lessons for FY 2016 with:

- A) City of Boynton Beach; and
- B) Village of Wellington; and
- C) City of Palm Beach Gardens.

SUMMARY: On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, three standard Interlocal Agreements have been executed by the Fire Rescue Administrator, and are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

2. Staff recommends motion to:

A) approve Florida Medicaid Provider Renewal Enrollment Application, Non-Institutional Medicaid Provider Agreement, and Special Exempt Entity Certification – Fingerprinting Exemption; and

B) authorize the County Administrator or designees (Fire-Rescue Administrator and Fire Rescue Director of Finance and Planning, as applicable) to act as the County's representative for the purpose of executing and electronically submitting the Florida Medicaid Provider Renewal Enrollment Application, the Non-Institutional Medicaid Provider Agreement, and the Special Exempt Entity Certification – Fingerprinting Exemption, via the State of Florida Agency for Health Care Administration (AHCA) website.

SUMMARY: Approval of the Florida Medicaid Provider Renewal Enrollment Application and related forms will allow for the continued submission of Fire Rescue transport claims to Medicaid for those patients with Medicaid insurance. Fire Rescue's current enrollment will expire on March 6, 2016. Countywide (SB)

3. Staff recommends motion to approve: First Amendment to Interlocal Agreement for Fire Protection and Emergency Medical Services (R2002-0993) with the Town of Lake Park to revise the expiration date from October 1, 2016 to October 1, 2015.

SUMMARY: The Fire/Rescue Municipal Service Taxing Unit (MSTU) encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within the municipal boundaries of municipalities that have opted to join the MSTU. The County has provided fire-rescue services to the Town of Lake Park (Town) since 2002 through an interlocal agreement at a rate established by the Agreement. In 2014, the Town and County approved ordinances to include the Town into the Fire/Rescue MSTU as a method to receive and pay for fire-rescue services from the County. Fire-rescue services to the Town funded through the MSTU began October 1, 2015. This First Amendment will revise the expiration date of the Interlocal Agreement to coincide with the date of the Town's inclusion into the Fire/Rescue MSTU. Inclusion of the Town in the Fire/Rescue MSTU does not change the amount of revenue received from the Town for fire-rescue services. Districts 1 & 7 (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) approve an Interlocal Agreement with the South Florida Water Management District (SFWMD) for cost sharing to obtain base LIDAR map data through the U.S. Geological Survey (USGS) for the 3D Elevation Program (3DEP) Grant program; (R2015-1403) in a not to exceed amount of \$85,000 for the period of March 1, 2016 to May 31, 2018;

B) approve a Budget Amendment in the Information Technology Capital Improvements fund to recognize \$119,500 in revenues from the SFWMD, Lake Worth Drainage District, and the City of Boynton Beach;

C) approve the use of this GIS Public Sector Agency Interlocal Agreement (Attachment 2 to the Agenda Item) as a standard format for other municipalities and other public entities;

D) 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 \$100,000, and for executing future interlocal agreements as depicted in Attachment 2 to the Agenda Item and described in item C. above and

E) receive and file USGS 3DEP grant acceptance letter dated January 12, 2016.

SUMMARY: On October 6, 2015, the Board authorized staff to apply for the 3DEP grant (R2015-1403) which was approved in January 2016 by the U.S. Geological Survey. SFWMD agreed to contribute up to \$85,000 towards the Light Detection and Ranging (LIDAR) mapping project. In addition to the base LIDAR map product, there are other products that may be acquired during this mapping process. Several municipalities and other public entities have expressed an interest in cost-sharing on additional products. Additionally, some agencies will require the technical assistance of the GIS Service Bureau to take advantage of the LIDAR data and products. This item includes a SFWMD Interlocal Agreement for cost sharing. Similar to other contracts with state agencies, their agreement does not include language pertaining to the Inspector General. Also included is a standard interlocal format for developing additional partnerships, and providing technical services to various public sector agencies via task orders, at the ISS standard rate of \$125 per hour. Countywide (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: notice of termination of Interlocal Agreement, R2012-0752, with the Village of Tequesta to provide geographic-based alert and notifications to village residents and visitors effective October 1, 2014. **SUMMARY:** The Interlocal Agreement provided the Village of Tequesta access to the County's Communicator NXT[®] system, which provides geographic-based alert and notifications to village residents, businesses, and visitors, notifying them of significant public safety information such as severe weather warnings, road closures, boil water notices, missing person alerts, public events, and other situations the Village of Tequesta chose to inform its residents, businesses, and visitors. On August 28, 2014, the Village requested to opt-out of the Agreement as they elected to purchase their own notification system. On September 26, 2014, the Division of Emergency Management approved the Village's request. Due to prior Division of Emergency Management personnel not being aware of the need to request the Board of County Commissioners to receive and file the termination notice; the notice was not timely filed. Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) approve an Interlocal Agreement for Civil Drug Court with the City of Riviera Beach for the period October 1, 2015, through September 30, 2018 in the amount of \$401,700 to provide support to the Civil Drug Court and substance abuse treatment services; and

B) authorize the County Administrator, or designee, to execute minor amendments and administrative documents associated with the above agreement, 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 Civil Drug Court Program, located in the City of Riviera Beach, provides case management services and contracts for residential and outpatient substance abuse services arising from court ordered treatment for indigent clients throughout the county. This Interlocal Agreement will provide funding to the City of Riviera Beach to continue to operate the Civil Drug Court Program. Countywide (JB)

3. Staff recommends motion to receive and file: two Grant Adjustment Notices (GAN) numbered 12 and 13 for the grant from the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) (2014-WE-AX-0011), which authorized expenditure requests and facilitated administrative filing through November 30, 2015:

A) GAN No. 12 Training; and

B) GAN No. 13 Strategic Planning.

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

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. **Staff recommends motion to receive and file:** an executed Amendment, No. R1A2, to Contract No. COH8Z with the State of Florida, Department of Health. The contract Amendment incorporates the requirement of Florida Statute 20.055(5), Cooperation with Inspectors General. Provider acknowledges and understands that it has a duty to and will cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to 20.055(5), F.S. **SUMMARY:** On June 25, 2014, Public Safety's Division of Victim Services executed a contract renewal of the COH8Z grant in the amount of \$846,117 beginning July 1, 2014 and ending June 30, 2017. The COH8Z grant provides funding for two advocates, a Sexual Assault Nurse Examiner (SANE) Program Coordinator, SANE stand by pay, a licensed therapist, and medical supplies for the Butterfly House, the forensic exam facility, and related support expenses. The grant funded staff assist sexual assault victims with crisis stabilization, advocacy, forensic examinations, trauma therapy, and medical treatment. Amendment R1A1 further clarified and incorporated specific units of services, minimum levels of performance and criteria, supportive documentation requirements, and deliverables that are quantifiable, measurable, and verifiable. Amendment R1A2 was fully executed by the State of Florida, Department of Health on October 30, 2015. The original executed contract amendment was not returned from the State of Florida until November 27, 2015. R2011-1223 authorized the County Administrator or designee to execute contracts and amendments utilizing funding from the State of Florida, Department of Health on behalf of the Palm Beach County Board of County Commissioners. Countywide (DC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

A) approve the following Interlocal Agreements and Contracts for Professional Services to provide reentry services for ex-offenders returning to Palm Beach County from the Florida Department of Corrections, the Palm Beach County Jail, and the Florida Department of Juvenile Justice for the period October 1, 2015, through September 30, 2016:

1. City of Riviera Beach for community reentry services for a total not-to-exceed amount of \$20,000 from the Crime Prevention Trust Fund;
2. City of Riviera Beach for RESTORE reentry services for a total not-to-exceed amount of \$120,128 from Second Chance Act Grant;
3. Gulfstream Goodwill Industries, Inc. for community reentry services for a total not-to-exceed amount of \$25,186 from the Crime Prevention Trust Fund;
4. Gulfstream Goodwill Industries, Inc. for RESTORE reentry services for a total not-to-exceed amount of \$95,246 from Second Chance Act Grant;
5. The Lord's Place, Inc. for community reentry services for a total not-to-exceed amount of \$30,372 from the Crime Prevention Trust Fund;
6. The Lord's Place, Inc. for RESTORE reentry services for a total not-to-exceed amount of \$13,518 from Second Chance Act Grant;
7. The Lord's Place, Inc. for RESTORE reentry services for a total not-to-exceed amount of \$25,282 from Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and
8. The Lord's Place, Inc. for RESTORE reentry services for a total not-to-exceed amount of \$153,885 from County Ad Valorem funds.

B) authorize the County Administrator or her designee to execute any amendments relating to these contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations;

C) approve a Budget Amendment of \$144,219 in the Criminal Justice Grant Fund to recognize a grant award that was inadvertently budgeted under Public Safety Grant; and

D) approve a Budget Amendment of \$25,282 in the Justice Services Grant Fund to recognize the transfer from the Criminal Justice Grant Fund to support the Reentry Program.

SUMMARY: These interlocal agreements and contracts are funded through a variety of sources that are included in the FY 2016 budget as follows: Grant funds of \$254,174, Crime Prevention Trust Funds of \$75,558, and Ad Valorem funds of \$153,885. In addition, grant funds were reallocated to support the Public Safety's Reentry Program. Mr. Alan Bernstein of the Lord's Place Inc. serves on the Homeless Advisory Board. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding the disclosed contracts. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

6. Staff recommends motion to:

A) receive and file an award from the Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Grant (JAG) Program, for \$195,183 beginning October 1, 2015, through September 30, 2016 to fund ex-offender community reentry services; and

B) approve a Budget Amendment of \$195,183 in the Criminal Justice Grant Fund to recognize the grant award; and

C) approve a Budget Amendment of \$195,183 in the Justice Services Grant Fund to recognize the transfer from the Criminal Justice Grant Fund to support the Reentry Program; and

D) approve the following Interlocal Agreements and Contracts for Professional Services to provide reentry services for ex-offenders returning to Palm Beach County from the Florida Department of Corrections, the Palm Beach County Jail, and the Florida Department of Juvenile Justice for the period October 1, 2015, through September 30, 2016:

1. City of Riviera Beach for community reentry services for a total not-to-exceed amount of \$33,600 from the Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Grant (JAG) Program;
2. Gulfstream Goodwill Industries, Inc. for community reentry services for a total not-to-exceed amount of \$91,985 from Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Grant (JAG) Program;
3. The Lord's Place, Inc. for community reentry services for a total not-to-exceed amount of \$4,500 from Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and

E) authorize the County Administrator or her designee to execute any amendments relating to these 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: Palm Beach County was allocated \$195,183 in Federal FY 2015 funds as part of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program for expenditures through FY 2018. The JAG Program allows local governments to support a broad range of activities to prevent and control crime based on local needs and conditions. The grant was approved to support adult reentry services as well as Reentry's existing Juvenile Program Manager for Public Safety's Justice Services Division. Mr. Alan Bernstein of the Lord's Place Inc. serves on the Homeless Advisory Board. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding the disclosed contracts. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. **No County matching funds are required for this grant.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

CC. MEDICAL EXAMINER

1. Staff recommends motion to:

A) accept 2015 Paul Coverdell Grant Award Notification Memorandum;

B) receive and file a Subrecipient Agreement for Federal grant funding assistance through Florida's administering agency: the Florida Department of Law Enforcement (FDLE) in the amount of \$3,150 to provide forensic anthropology services for the period January 28, 2016, through September 30, 2016; and

C) approve a Budget Amendment of \$3,150 in the General Fund to recognize the grant award.

SUMMARY: The United States Department of Justice, Office of Justice Programs, National Institute of Justice has awarded the FY 2014 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program, CFDA No. 16.742; Federal Grant Award Number 2015-CD-BX-0048, to the Palm Beach County Medical Examiner's Office, through the FDLE. The grant funding will be used to provide forensic anthropology services to assist in identifying deceased whose identity was unable to be known through other sources. Forensic anthropology services analyze the human skeleton to determine age, sex, stature, ancestry, race and if there was any trauma. On June 4, 2013 (R2013-0704), the County Administrator or designee was authorized to execute future grant agreements, amendments, and modifications with the FDLE. **No County match is required for this grant.** Countywide (JB)

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

A. **REVISED BACKUP:** Staff recommends motion to:

1) **adopt** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 2, Article V, Division 5 of the Palm Beach County Code Ordinance No. 1988-16, amended by Ordinance No. 1989-003, amended by Ordinance No. 1990-038, amended by Ordinance No. 1992-014, amended by Ordinance No. 1992-025, amended by Ordinance No. 1993-001, amended by Ordinance No. 1993-035, amended by Ordinance No. 1995-006, and amended by Ordinance No. 2014-003; relating to the Criminal Justice Commission of Palm Beach County; amending Section 2-216 (operation); amending Section 2-221 (administration); 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; and

2) **terminate** the Letter of Agreement with former Chairman of the Criminal Justice Commission (CJC). The letter delineated responsibilities of the CJC that are now incorporated in the CJC Ordinance.

SUMMARY: On November 3, 2015, the Board of County Commissioners (BCC) directed staff to work with Commissioner Taylor, various members of the CJC, Economic Council (EC), and the Chief Judge to review the structure of the CJC. The Committee met on November 13, 2015 and made the following recommendations to the CJC Ordinance: 1) Modify the reporting relationship of the CJC Executive Director to report to the County Administrator; and 2) Modify the composition of the CJC membership by reducing the private sector membership nominated by the EC from twelve to four which would allow each County Commissioner to appoint a member and add an ex-offender as a private sector member appointed by an entity/organization that engages in reentry efforts. In 1988, the EC funded personnel costs associated with the CJC Executive Director position for two years. Since 1990, the BCC and other funding sources have supported the CJC budget; leading the Committee to recommend reducing the number of members nominated by the EC. On January 25, 2016, these recommendations were presented to the full CJC who did not support the revisions to the private sector membership nominated by the EC and recommended reducing the private sector membership from twelve to ten and allow each County Commissioner to appoint a member with the exception of the Commissioner who serves as the BCC liaison to the CJC, resulting in the CJC increasing membership from 33 to 37. Currently, the CJC is the largest advisory board of the BCC and contrary to the county's existing policy relating to the size of advisory boards. Existing policy limits commission and advisory boards' membership to 9 - 11. Currently, all private sector members are nominated by the Economic Council (EC), however they do not have to be a member of the EC to be nominated. Currently, there are two open private sector member appointments. In addition, at the November 3, 2015 BCC meeting, Commissioner McKinlay suggested including an ex-offender as a private sector member of the CJC membership which was not approved by the CJC due to several CJC committees already having participation of ex-offenders. As an alternative, staff recommended reducing the private sector membership nominated by the EC from twelve to five allowing each County Commissioner to appoint a member with the exception of the Commissioner who serves as the BCC liaison to the CJC and adding an at-large member of the clergy nominated by the Palm Beach County Clergy Alliance as a private sector member. At the February 9, 2016 BCC meeting, staff was directed to reduce the private sector membership nominated by the EC from twelve to ten and add an at-large member of the clergy nominated by the Criminal Justice Commission and approved by the BCC, resulting in the CJC decreasing membership from 33 to 32. Other recommended changes include adding a BCC member to the CJC Executive Committee, defining the attendance policy and conduct of meeting, which will be incorporated in the CJC by-laws. Countywide (JB)

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5. REGULAR AGENDA

A. PUBLIC SAFETY

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County Florida establishing fees and fines for the Home Caregiver Ordinance; and

B) approve the Florida Department of Law Enforcement (FDLE) Criminal Justice Information Services Criminal History Record Check User Agreement for Non-Criminal Justice Purposes (User Agreement), which authorizes the Palm Beach County Division of Consumer Affairs (Consumer Affairs) to process fingerprint based criminal background checks on Home Caregivers through FDLE's Volunteer and Employee Criminal History System (VECHS) databases using livescan technology; and

C) authorize the County Administrator or designee to execute any amendments or extensions of time relating to this FDLE User Agreement.

SUMMARY: On October 20, 2015, the Board of County Commissioners approved a Home Caregiver Ordinance 2015-038 requiring licensure of Home Caregivers. The Ordinance provides that the Board of County Commissioners shall establish by resolution certain licensing, renewal, and replacement fees, and allows Consumer Affairs to run "Level 2" fingerprint based national criminal history background checks on Home Caregivers through the FDLE and the FBI databases. The Palm Beach County Sheriff's Office will be assisting Consumer Affairs with the fingerprint and photograph process for home caregivers. The Resolution establishes licensing fees and civil fines. Execution of the User Agreement is an FDLE prerequisite to finalizing the approved action allowing Consumer Affairs Staff to process the "Level 2" criminal history checks through the FDLE databases. Countywide (HH)

5. REGULAR AGENDA

B. COUNTY ATTORNEY

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

A) an Amendment to the Temporary Operating Agreement (TOA), R2015-1356, with Rasier, LLC (Rasier), a subsidiary of Uber Technologies, Inc. allowing Uber to continue operating as a transportation network company (TNC) in Palm Beach County until ~~April 30, 2016~~ September 30, 2016 or such time revisions of the Palm Beach County Vehicle for Hire Ordinance, addressing TNC-related issues, are approved by the Palm Beach County Board of County Commissioners (BCC), whichever occurs first; and

B) Temporary Operating Agreement with Lyft, Inc., a Delaware corporation, (Lyft) to operate as a TNC in Palm Beach County until ~~April 30, 2016~~ September 30, 2016 or such time revisions of the Palm Beach County Vehicle for Hire Ordinance, addressing TNC-related issues, are approved by the BCC, whichever occurs first.

SUMMARY: On March 10, 2015, the Board of County Commissioners (BCC) approved a TOA with Rasier to operate in Palm Beach County until September 30, 2015. At the September 22, 2015 meeting, the BCC approved an extension of the TOA authorizing Rasier to continue operations in Palm Beach County until March 31, 2016 or until such time the Governor of Florida signs TNC related legislation into law, whichever occurs first. Staff was also given direction to allow other TNC companies to enter into the same TOA with the County. Staff is requesting to extend the TOA with Rasier until ~~April 30, 2016~~ September 30, 2016 since there are legislative issues that are not resolved which might require changes to the Vehicle for Hire Ordinance. This extension will allow for legislation to be finalized and/or provide staff additional time to revise the Vehicle for Hire Ordinance. In addition, Lyft is requesting the County to enter into a TOA to operate in Palm Beach County. Other than Rasier, Lyft is the only company that requested a TOA. Therefore, staff is requesting approval of the TOA with Lyft which provides the same terms and conditions set forth in the TOA with Rasier and will also expire on ~~April 30, 2016~~ September 30, 2016 or such time revisions of the Palm Beach County Vehicle for Hire Ordinance, addressing TNC-related issues, are approved by the BCC, whichever occurs first. Countywide (JB)

C. ADMINISTRATION

1. **ADD-ON:** Staff recommends motion to approve: a letter from the Palm Beach County Board of County Commissioners supporting Mayor Mary Lou Berger in her candidacy for Second Vice President of the Florida Association of Counties (FAC), as required by FAC's bylaws. **SUMMARY:** Mayor Mary Lou Berger currently serves as a member of FAC's Board of Directors and is the Vice Chair of the FAC Urban Caucus and a member of the FAC Enterprise Committee. Additionally, Mayor Berger is an active member of the National Association of Counties (NACo), serving as both a member of the NACo Environment, Energy and Land Use Steering Committee and of the NACo International Economic Development Task Force. Mayor Berger has expressed interest in serving as a member of FAC's Executive Committee. The election for the Second Vice President of FAC will be held at the Association's annual meeting June 28th - July 1st. Countywide (DW)

2. **ADD-ON:** Infrastructure surtax update by the County Administrator. **SUMMARY:** On February 9, 2016, the Board directed Staff to continue to work towards a discretionary local government infrastructure surtax for the upcoming November ballot by meeting with Municipalities, the School District, Cultural Council, community organizations and the business community and to discuss implementation of the surtax and allocation of the proposed penny for infrastructure. On February 24, 2016, the following proposal was presented to the League of Cities with the League of Cities, School District and Cultural Council:

School Board	46.5%
County	28.5%
Municipalities	18.5%
Cultural Facilities	6.5%

The discussion at the League was generally supportive and a motion to not oppose was passed. However, since the League meeting, staff has continued to refine the proposal and is now presenting a revised proposed distribution for consideration of the parties as follows:

School Board	48.0%
County	28.5%
Municipalities	18.5%
Cultural Facilities	5.0%

As directed, staff is working diligently to compile the infrastructure project lists and will be prepared to present the lists at the March 22, 2016, BCC meeting. With Board concurrence, staff will work with the Municipalities and School Board to secure agreements for the proposed plan and present to the BCC an ordinance with proposed ballot language providing for placement of the surtax on the November 8, 2016 ballot. Interlocal agreements with the governing bodies of the Municipalities representing a majority of the County's population are needed to establish a distribution formula that would be inclusive of all proposed partners. Countywide (PFK)

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MARCH 1, 2016

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MARCH 1, 2016

7. MATTERS BY THE PUBLIC – 2:00 P.M.

MARCH 1, 2016

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

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

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

ADD-ON: Request approval to present off-site, Certificates of Congratulations presented to Nicholas Evans and August Horstman for attaining the rank of Eagle Scout, the highest and most prestigious rank in the Boy Scouts organization.

E. District 5 - COMMISSIONER MARY LOU BERGER, MAYOR

Request approval to present off-site, a Proclamation declaring March 22, 2016 as “All People’s Day” in Palm Beach County.

Request approval to present off-site, a Proclamation recognizing March 26, 2016 as the “23rd Asian Trade, Food Festival and Cultural Show” in Palm Beach County.

F. District 6 - COMMISSIONER MELISSA MCKINLAY

Request approval to present off-site, a Proclamation honoring the Village of Wellington’s 20th Year of Incorporation.”

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

ADD-ON: Request approval to present off-site, a Proclamation recognizing the 30th Pastoral Anniversary of Bishop Walter Oshea Granger.

10. ADJOURNMENT

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