

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 5, 2017

PAGE **ITEM**

14 3H-3 **REVISED MOTION: Staff recommends motion to approve:** Amendments No. 2 to seven annual roofing contracts extending the term for one year for roofing services on a continuing contract basis.

| <u>Contractor</u> | <u>Original Contract Resolution</u> | <u>Status</u> | <u>Total dollars in Work Orders to-date</u> | <u>Total SBE Participation To-date</u> |
|--|-------------------------------------|-------------------|---|--|
| A) Advanced Roofing, Inc. | R2015-1780 | Non-local/Non-SBE | \$104,056 | 0.0% |
| B) Empire Roofing Company Southeast, LLC | R2015-1781 | Local/Non-SBE | \$4,394 | 0.0% |
| C) Hi-Tech Roofing & Sheetmetal, Inc. | R2015-1782 | Local/SBE | \$829,032 | 100.0% |
| D) Roofing Concepts Unlimited/Florida, Inc. | R2015-1783 | Non-local/Non-SBE | \$183,851 | 0.0% |
| E) Tecta America South Florida, Inc. | R2015-1784 | Non-local/Non-SBE | \$36,624 | 0.0% |
| F) Tri State Roofing and General Contractors LLC | R2015-1786 | Local/SBE | \$167,459 | 100.0% |
| G) Triple M Roofing Corp | R2015-1785 | Non-local/Non-SBE | \$0 | 0.0% |

(FDO)

34 4G-1 **REVISED SUMMARY:** Pursuant to Chapter 633, Florida Statutes, every three years the State Fire Marshal ~~has~~ adopted an updated statewide minimum firesafety code, known as the Florida Fire Prevention Code, in Rule Chapter 69A-60 of the Florida Administrative Code. This updated Florida Fire Prevention Code ~~will become effective on December 31, 2017,~~ and is based on updated Florida editions of the National Fire Protection Association's Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The attached updated Palm Beach County Local Amendments to the Florida Fire Prevention Code ~~are~~ were recommended by staff and/or the Fire Code Board of Appeals and Adjustments for approval by the Board of County Commissioners. Some of the recommended changes to the local amendments include increasing fees for plan review and inspections. ~~Effective December 31, 2017,~~ The County will enforce the updated Florida Fire Prevention Code with the updated Palm Beach County Local Amendments adopted by this Ordinance effective December 31, 2017, or upon the State's adoption of the updated Florida Fire Prevention Code, or up the date this Ordinance is filed with the Department of State, whichever date is latest. Countywide (SB) (F/R)

34 4G-2 **REVISED MOTION: Staff recommends motion to approve and ratify:** side agreement amending Article 27 - Uniforms, to the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. (F/R)

37A 6B-1 **ADD-ON: Staff requests motion to approve:** Board of County Commissioners (BCC) appointments to the Treasure Coast Regional Planning Council for a one year term beginning January 1, 2018 to December 31, 2018. Proposed appointments are shown below:

| | <u>Seat No.</u> | <u>Requirement</u> |
|--------------------------------|-----------------|----------------------------|
| <u>Regular Seats:</u> | | |
| Commissioner Hal R. Valeche | 1 | Palm Beach County Official |
| Commissioner Mary Lou Berger | 2 | Palm Beach County Official |
| Commissioner Mack Bernard | 3 | Palm Beach County Official |
| <u>Alternate Seats:</u> | | |
| Commissioner Melissa McKinlay | 1A | Palm Beach County Official |
| Commissioner Steven L. Abrams | 2A | Palm Beach County Official |
| Commissioner Dave Kerner | 3A | Palm Beach County Official |

37A 6B2 **ADD-ON: Staff recommends motion to ratify:** the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning January 1, 2018 to December 31, 2018:

| <u>Nominees</u> | <u>Seat No.</u> | <u>Representing</u> |
|---------------------------------------|-----------------|-----------------------------|
| <u>Regular appointments:</u> | | |
| Anne Gerwig, Mayor | 4 | Village of Wellington |
| Jeff Hmara, Councilman | 5 | Village of Royal Palm Beach |
| Mitch Katz, Commissioner | 6 | City of Delray Beach |
| Abby Brennan, Mayor | 7 | Village of Tequesta |
| David Norris, Councilman | 8 | Village of North Palm Beach |
| <u>Alternate appointments:</u> | | |
| Paula Ryan, Commissioner | 4A | City of West Palm Beach |
| Robert Weinroth, Councilmember | 5A | City of Boca Raton |
| Robert Gottlieb, Vice Mayor | 6A | Town of South Palm Beach |
| Maria Marino, Mayor | 7A | City of Palm Beach Gardens |
| Omari Hardy, Commissioner | 8A | City of Lake Worth |

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

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

DECEMBER 5, 2017

**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 7-28)**
- 4. REGULAR AGENDA (Pages 29-34)**
- 5. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 35)**
- 6. BOARD APPOINTMENTS (Pages 36-37)**
- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 38)**
- 8. STAFF COMMENTS (Page 39)**
- 9. COMMISSIONER COMMENTS (Page 40)**
- 10. ADJOURNMENT (Page 40)**

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

- Page 6
2C-1 Boys Town Day

CONSENT AGENDA

A. ADMINISTRATION

- Page 7
3A-1 Resolution repealing and replacing County's non-discrimination policy

B. CLERK & COMPTROLLER

- Page 7
3B-1 Warrant list
3B-2 Minutes
3B-3 Contracts and claims settlements list

C. ENGINEERING & PUBLIC WORKS

- Page 7
3C-1 Work order with Ranger Construction Industries, Inc. for Summit Boulevard from Military Trail to Congress Avenue milling and resurfacing project
- Page 8
3C-2 Supplement to Project Agreement with HSQ Group, Inc. for preparation of revised plans for Lyons Road project
3C-3 Work order with Ranger Construction Industries, Inc. for Congress Avenue from Lake Ida Road to Summit Drive milling and resurfacing project
3C-4 Resolution finalizing the Municipal Service Taxing Unit special assessment improvement project of Penny Lane, dead end to Melaleuca Lane

E. COMMUNITY SERVICES

- Page 9
3E-1 Appointment to Palm Beach County HIV Comprehensive AIDS Resources Emergency Council
3E-2 Contract with Father Flanagan's Boys Town Florida, Inc. for services related to at-risk children and their families
3E-3 Ratify Mayor signature on Ryan White Part A HIV Emergency Relief Grant Program application
- Page 10
3E-4 Use of Facility Agreement with the Village of Royal Palm Beach to provide a congregate meal site for the elderly

F. AIRPORTS

- Page 11
3F-1 Receive and file time extensions with the Florida Department of Transportation Joint Participation Agreements
3F-2 Amendment to Contract with The Weitz Company, LLC for terminal improvements at PBIA
- Page 12
3F-3 Resolution with the Florida Department of Transportation for a Joint Participation Agreement for Hangars and Infrastructure at the Glades Airport
3F-4 Resolution with the Florida Department of Transportation for a Joint Participation Agreement for General Aviation Federal Inspection Service Facility Improvements at PBIA

H. FACILITIES DEVELOPMENT & OPERATIONS

- Page 12
3H-1 Receive and file Standard Equipment Use Agreement with the Palm Beach County Sports Commission
- Page 13
3H-2 Amendments to three contracts for architectural services
- Page 14
3H-3 Amendments to seven contracts for roofing services
- Page 15
3H-4 Donation of a surplus vehicle to the Sheriff's Office in support of the County's CCRT program

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

- Page 15
3H-5 Amendment to Communication Tower Agreement with American Tower, L.P. for leased space to operate County communication antennas and equipment

I. HOUSING AND ECONOMIC SUSTAINABILITY

- Page 16
3I-1 Receive and file documents related to the Palm Beach County Intermediary Relending Program
- Page 17
3I-2 Receive and file agreements related to the construction and rehabilitation of affordable housing
- Page 18
3I-3 Agreements with the U.S. Department of Housing and Urban Development making Federal funds available to the County
- Page 19
3I-4 Amendment to Agreement with the City of South Bay related to improvements at Cox Park and Tanner Park in South Bay

K. WATER UTILITIES

- Page 20
3K-1 Work authorization with Hinterland Group, Inc. for water main improvements in Belle Glade
3K-2 Consultant Services Authorization with Keshavarz & Associates, Inc. for water main improvements in Belle Glade
3K-3 Contract with Hinterland Group, Inc. for wastewater gravity lines and manhole rehabilitation
- Page 21
3K-4 Contract with Florida Design Drilling Corporation for wellfield improvements at Water Treatment Plants No. 3 & 9

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 21
3L-1 Agreement with the Florida Fish and Wildlife Conservation Commission for construction of the Boca Inlet Artificial Reef
- Page 22
3L-2 Contractual Services Agreement with the Florida Department of Agriculture and Consumer Services for mosquito control activities
3L-3 Standard Grant Agreement with the Florida Department of Environmental Protection for post-construction monitoring of the Jupiter/Carlin Shore Protection Project
- Page 23
3L-4 Statutory Warranty Deed for donation of a parcel of vacant land north of Indiantown Road and northeast of the Bee Line Highway from Cecilia Dodd English
3L-5 Statutory Warranty Deed for donation of a parcel of vacant land north of Indiantown Road and northeast of the Bee Line Highway from Mary Agnes Kincaid
3L-6 Task assignment change order to contract with the Florida Department of Environmental Protection increasing the Routine Inspection charge

M. PARKS & RECREATION

- Page 24
3M-1 Receive and file agreements with swimming coaches and instructors
- Page 25
3M-2 Amendment with the Palm Beach County Officials Association providing for officials during softball programs

Q. CRIMINAL JUSTICE COMMISSION

- Page 25
3Q-1 Receive and file documents related to the John D. and Catherine T. MacArthur Safety and Justice and Challenge Grant

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

X. PUBLIC SAFETY

Page 26

- 3X-1 Receive and file amendment with the Child Protection Team of Palm Beach, Inc. increasing the contract amount for medical evaluations
- 3X-2 Receive and file agreements with the State of Florida, Division of Emergency Management to enhance and improve emergency management plans and programs

Page 27

- 3X-3 Resolution authorizing the County Administrator to sign the FY 2017-2018 annual Emergency Medical Services grant application which will be used to improve and expand the EMS system
- 3X-4 Receive and file Interlocal Agreements with three municipalities for reimbursement of medical equipment

Page 28

- 3X-5 Receive and file Proclamation of State of Local Emergency notification for Hurricane Irma
- 3X-6 Receive and file State-Funded Grant Agreement for Hazardous Materials Contingency Planning with the State of Florida, Division of Emergency Management to conduct on-site visits and hazardous materials analyses

REGULAR AGENDA

A. ADMINISTRATION

Page 29

- 4A-1 Preliminary reading of Ordinance establishing the prohibition of conversion therapy on minors

B. HOUSING AND ECONOMIC SUSTAINABILITY

Page 29

- 4B-1 Consent for relative of county employee to receive State Housing Initiatives Partnership Program funds

Page 30

- 4B-2 Impact Fee Affordable Housing Assistance Program funding for Georgian Gardens Apartments project

Page 31

- 4B-3 Impact Fee Affordable Housing Assistance Program funding for the Banyan Court project
- 4B-4 Resolution authorizing the issuance of revenue bonds providing funds for a loan to Tuscan Gardens of Delray Beach Properties, LLC for construction of a senior living facility at the southwest corner of Frost Lane and Sims Road

C. ENGINEERING & PUBLIC WORKS

Page 32

- 4C-1 Preliminary reading of Ordinance establishing an amended Five Year Road Program

D. PLANNING, ZONING & BUILDING

Page 32

- 4D-1 Preliminary reading of Ordinance repealing the Florida Building Code 2014 Edition, Chapter 1 and adopting the Florida Building Code, 6th Edition (2017)

E. COUNTY ATTORNEY

Page 33

- 4E-1 Board direction regarding pursuit of litigation regarding the opioid epidemic and the selection process to retain outside counsel

F. FACILITIES DEVELOPMENT & OPERATIONS

Page 33

- 4F-1 Termination of lease agreement with Palm Beach Imports, Inc.

TABLE OF CONTENTS
REGULAR AGENDA CONTINUED

G. FIRE RESCUE

Page 34

- 4G-1 Preliminary reading of Ordinance adopting the updated Florida Fire Prevention Code
- 4G-2 Side agreement amending Article 27 – Uniforms allowing for new shirt varieties for fire rescue personnel

H. AIRPORTS

Page 34

- 4H-1 Interlocal agreement with the Town of Palm Beach to allow for consistent airport zoning ordinances

BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 35)

Page 35

- 5A-1 Reappointments to the Child Care Advisory Council

BOARD APPOINTMENTS

Page 36

- 6A-1 Appointment to the Emergency Medical Services Advisory Council

Page 37

- 6A-2 Appointment or reappointment to the Emergency Medical Services Advisory Council

Page 37A

- 6B-1 **ADD-ON:** Commission appointments to Treasure Coast Regional Planning Council
- 6B-2 **ADD-ON:** League of City appointments to Treasure Coast Regional Planning Council

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 38)

STAFF COMMENTS (Page 39)

COMMISSIONER COMMENTS (Page 40)

ADJOURNMENT (Page 40)

DECEMBER 5, 2017

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring December 12, 2017 as Boys Town Day in Palm Beach County (Sponsored by Mayor McKinlay)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing R2014-1421; stating the policy that Palm Beach County shall neither do business with nor appropriate funds to any entity that practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity or expression, disability, or genetic information. **SUMMARY:** The Board of County Commissioners adopted Resolution R92-13 establishing a non-discrimination policy, and subsequently amended that Resolution in R2012-0197, R2014-0113, and R2014-1421. This new replacement resolution retains the current non-discrimination policy and deletes the requirement for contracted entities to submit signed conformance statements and copies of corporate non-discrimination policies. The requirement being deleted was deemed to be unnecessary and ineffective in achieving compliance or determining non-compliance with the policy. By signing a contract containing the County's standard and current non-discrimination language, the entity is liable for a breach of contract if it discriminates on any of the stated bases. The proposed changes streamline the contracting process while maintaining the Board's firm policy on non-discrimination. Countywide (HH)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

| Meeting Type | Meeting Date |
|--------------|------------------|
| Regular | October 03, 2017 |
| Zoning | October 26, 2017 |

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Work Order 2015053-57 in the amount of \$487,000 to mill and resurface Summit Boulevard from Military Trail to Congress Avenue utilizing Palm Beach County's annual asphalt milling and resurfacing contract R2016-0143 with Ranger Construction Industries, Inc. **SUMMARY:** Approval of this work order will allow the contractual services necessary to construct the improvements. Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners. Prior to this work order, over \$11 million of Ranger's \$20 million contract has been spent or encumbered. The Small Business Enterprise (SBE) goal for all contracts is 15%. The SBE participation proposed by Ranger for this work order is 15%. Approval of this work order will result in a cumulative SBE participation of 14.2% for all the work orders issued under the contract. **This project is funded through the infrastructure sales tax.** District 2 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: Supplement No. 6 to Project Agreement R2008-0825 with HSQ Group, Inc. (HSQ) in the amount of \$140,850.87 for professional services for the Lyons Road from north of Lake Worth Road to south of Lake Worth Drainage District L-11 Canal project. **SUMMARY:** Approval of this supplement will provide the services necessary for the preparation of revised plans for the project. Due to new development within the project limits, the survey will be updated and the roadway design plans will be revised. The Small Business Enterprise (SBE) goal for all contracts is 15%. HSQ has committed to 86.88% SBE participation for this project. HSQ has proposed 100% SBE participation for this supplement. HSQ is certified as an SBE and is a Palm Beach County based company. District 6 (LBH)

3. Staff recommends motion to approve: Work Order 2015053-56 in the amount of \$400,000 to mill and resurface Congress Avenue from Lake Ida Road to Summit Drive utilizing Palm Beach County's annual asphalt milling and resurfacing contract R2016-0143 with Ranger Construction Industries, Inc. **SUMMARY:** Approval of this work order will allow the contractual services necessary to construct the improvements. Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners. Prior to this work order, over \$11 million of Ranger's \$20 million contract has been spent or encumbered. The Small Business Enterprise (SBE) goal for all contracts is 15%. The SBE participation proposed by Ranger for this work order is 15%. Approval of this work order will result in a cumulative SBE participation of 14.2% for all the work orders issued under the contract. **This project is funded through the infrastructure sales tax.** District 4 (LBH)

4. Staff recommends motion to:
 - A) adopt** resolution to finalize the Municipal Service Taxing Unit (MSTU) special assessment for paving and drainage improvements of Penny Lane, dead end to Melaleuca Lane (Project);

 - B) authorize** Palm Beach County Tax Collector and the Clerk & Comptroller's Office to process and collect the assessments; and

 - C) approve** acceptance of Penny Lane, dead end to Melaleuca Lane to Palm Beach County (County) Maintenance Inventory.

SUMMARY: Adoption of this Resolution will serve to confirm and finalize the special assessment for the Project. This will allow the assessment payments to be processed and collected by the Tax Collector and the Clerk & Comptroller's Office. The total assessment is a cost of \$25 per abutting footage to all 16 benefitting property owners along the Project payable in 10 equal annual installments at an interest rate of five and one-half percent (5.5%) per annum as set by the Board of County Commissioners for a total of \$31,777.50. Penny Lane, dead end to Melaleuca Lane will be changed from being privately owned to full County ownership and maintenance. District 3 (LBH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** new appointment to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of three years, effective December 5, 2017:

| <u>Seat No.</u> | <u>Appointment</u> | <u>Seat Requirement</u> | <u>Term Expires</u> |
|-----------------|--------------------|-------------------------|---------------------|
| 29 | Robert B. Scott | State Part B Agency | 12/04/20 |

SUMMARY: The total membership shall be no more than 33 at-large members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. Mr. Scott has successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends his appointment. The Board has 33 seats; 20 seats are currently filled with a diversity count of African-American: 9 (45%), Caucasian: 8 (40%), and Hispanic: 3 (15%). The gender ratio (female:male) is 10:10. The nominee is a Caucasian male. The Ryan White Program Manager and staff conduct targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Ryan White Program) Countywide (HH)

2. **Staff recommends motion to approve:** Contract for Provision of Financial Assistance with Father Flanagan's Boys Town Florida, Inc., for a three year period from October 1, 2017, through September 30, 2020, to coordinate behavioral/mental health care coordination services for at-risk children and their families, in an amount not to exceed \$1,583,145, of which \$527,715 is budgeted in FY 2018 with an anticipated annual allocation of \$527,715 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners, for the term of this contract. **SUMMARY:** On July 11, 2017, the Board of County Commissioners approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contract being recommended in this item reflects dollar amounts included in the FY 2018 budget. This contract represents \$527,715 of the total FAA funding allocation of \$12,496,186. (Financially Assisted Agencies) Countywide (HH)

3. **Staff recommends motion to:**

A) ratify signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Program application with the U.S. Department of Health and Human Services, Health Resources Services Administration, for the period of March 1, 2018 through February 28, 2019, in an amount of \$8,020,040; and

B) approve one full-time equivalent grant funded position for a Ryan White CARE Council Coordinator, (Pay Grade 30), for the Ryan White Program.

SUMMARY: The Ryan White Part A HIV Emergency Relief Grant Program application in the amount of \$8,020,040 was submitted to the U.S. Department of Health and Human Services, Health Resources Services Administration (HRSA) on November 8, 2017. This grant highlights the need for new programs, maintaining all existing programs, increasing funding for medical case management and early intervention services, as well as funding for a Health Education/Risk Reduction Service category. This grant will allow the Community Services Department to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. The requested grant-funded position will provide support to the CARE Council members and ensure that the Care Council membership is reflective of the clients serviced by the Ryan White Program. The grant position will be approved for the length of the grant and will be eliminated if funding is discontinued. HRSA released the application guidance with instructions to return no later than November 10, 2017 to avoid any delays due to the complexities of the online submission process. The emergency signature process was utilized because there was insufficient time to submit these items through the regular agenda process. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve: Use of Facility Agreement with the Village of Royal Palm Beach, for the period December 5, 2017 through December 4, 2018, with automatic renewals for two additional, consecutive terms of one year each with no renewal term extending beyond December 5, 2020, to provide a congregate meal site for the elderly at the Royal Palm Beach Cultural Center. **SUMMARY:** The Division of Senior Services (DOSS) receives federal funds from the Older Americans Act (OAA) to provide congregate meal sites. This agreement enables DOSS to operate a congregate meal site for the elderly at no cost to the County for space or energy usage. The Royal Palm Beach Cultural Center (Center) provides meals at the site to elderly participants who require meals. The Center will recruit volunteers to operate the congregate meal site. DOSS will provide training for the volunteers. All meals and necessary food related services and supplies shall be furnished by the County through its designated food service vendor, subject to the availability of funds. The estimated total cost of the meals is \$17,825, and will be funded under the OAA grant in the amount of \$16,042 (90%) and \$1,783 (10%) in County match. Sufficient funding is included in the current budget to meet County obligations. The areas of service include all of the districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (Division of Senior Services) Countywide, except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

A) Security Improvements at Palm Beach County Park Airport, Financial Project Number 425723-1-94-01 approved by the Board on December 17, 2013 (R2013-1788 and R2013-1789) is hereby extended until September 30, 2018;

B) Rehabilitate Taxiway C at Palm Beach International Airport, Financial Project Number 425724-1-94-01 approved by the Board on December 17, 2013 (R2013-1786 and R2013-1787) is hereby extended until March 31, 2018;

C) Master Plan Update at Palm Beach International Airport, Financial Project Number 425756-1-94-01 approved by the Board on March 11, 2014 (R2014-0257 and R2014-0258) is hereby extended until March 31, 2018;

D) Perimeter Fence Improvements at North Palm Beach County General Aviation Airport, Financial Project Number 430950-1-94-01 approved by the Board on December 17, 2013 (R2013-1784 and R2013-1785) and amended on December 2, 2014 (R2014-1809 and R2014-1810), is hereby extended until December 31, 2018;

E) Southside Hangar Development and Infrastructure at Palm Beach County Park Airport, Financial Project Number 427915-1-94-01 approved by the Board on June 29, 2010 (R2010-1001 and R2010-1002) and amended March 15, 2011 (R2011-0369) and October 18, 2011 (R2011-1570 and R2011-1571) is hereby extended until September 30, 2018;

F) Construct Hangars at Palm Beach County Park Airport, Financial Project Number 434600-1-94-01 approved by the Board on December 2, 2014 (R2014-1813 and R2014-1814), is hereby extended until September 30, 2018; and

G) Federal Inspection Services Facility at Palm Beach International Airport, Financial Project Number 436513-1-94-01 approved by the Board on December 2, 2014 (R2014-1807 and R2014-1808), is hereby extended until December 31, 2018.

SUMMARY: Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F-11). Countywide (AH)

2. **Staff recommends motion to approve:** Amendment No. 7 to the Construction Manager at Risk (CMAR) Contract with The Weitz Company, LLC for Terminal Improvements at Palm Beach International Airport (PBIA) to complete Task W-7: Parapet Wall Replacement and Domestic Water Distribution Modifications at PBIA in the amount of \$208,965 and 120 Calendar Days. **SUMMARY:** The Contract with The Weitz Company, LLC for CMAR Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0664). The Contract is for two years with three one year renewal options and is a task order based contract for CMAR Services at PBIA. The Weitz Company, LLC is an Iowa based firm; however, the work will be directly managed by their local South Florida office in Palm Beach County. The contract value to date is \$7,585,296, and the County exercised the first one year renewal option on May 5, 2015 (R2015-0553); the second one year renewal option on May 3, 2016 (R2016-0559) and the third and final year renewal option on May 2, 2017 (R2017-0539). Approval of Amendment No. 7 in the amount of \$208,965 and 120 Calendar Days will provide funds to complete Task W-7: Parapet Wall Replacement and Domestic Water Distribution Modifications at PBIA. The Disadvantaged Business Enterprise Goal for this contract is 13%. The total to date participation for this contract is 11%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to:

A) adopt resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$500,000 for Hangars and Infrastructure at Palm Beach County Glades Airport. This JPA will become effective upon final execution by the FDOT with an expiration date of December 31, 2020; and

B) approve budget amendment of \$500,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$625,000; which includes a transfer from Reserves of \$125,000.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$500,000 or 80% of the eligible project costs, whichever is less. Countywide (AH)

4. Staff recommends motion to:

A) adopt resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$2,250,000 for General Aviation Federal Inspection Service Facility Improvements at Palm Beach International Airport. This JPA will become effective upon final execution by the FDOT with an expiration date of December 31, 2020; and

B) approve budget amendment of \$2,250,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$4,500,000; which includes a transfer from Reserves of \$2,250,000.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$2,250,000 or 50% of the eligible project costs, whichever is less. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: Standard Equipment Use Agreement with the Palm Beach County Sports Commission, for a period of November 20, 2017 through December 5, 2017. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreement, dated Nov 7, 2017, has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Equipment Use Agreement was approved by the Board on October 1, 2013, Agenda 3H-2. This executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Amendments No. 2 to the Contracts for architectural services on a continuing contract basis:

A) Colome' & Associates, Inc. (R2014-1916), SBE/Local, 94.5% SBE participation to date;

B) Harvard Jolly, Inc. (R2014-1917), Non-SBE/Local, 54.8% SBE participation to date; and

C) Architecture Green, LLC (R2014-1918), SBE/Local, 100% SBE participation to date.

SUMMARY: Amendments No. 2 extends the term of three contracts for architectural services for one year through December 15, 2018. The Board approved annual contracts on December 16, 2014, and the original Contracts provided for an initial two year term with three renewal options each for a period of one year. Amendments No. 2 will provide services during the second renewal period from December 16, 2017 through December 15, 2018. During the first three years of these contracts, Colome' & Associates, Inc. was awarded \$1,510,985, Harvard Jolly, Inc. was awarded \$31,343 and Architecture Green, LLC. was awarded \$421,137 in Consultant Services Authorizations. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The contract with Colome' & Associates, Inc. committed to an SBE participation goal of 99%, the contract with Harvard Jolly, Inc. committed to an SBE participation goal of 38% and the contract with Architecture Green, LLC. committed to an SBE participation goal of 100%. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **REVISED MOTION:** Staff recommends motion to approve: Amendments No. 2 to seven annual roofing contracts extending the term for one year for roofing services on a continuing contract basis.

| <u>Contractor</u> | <u>Original Contract Resolution</u> | <u>Status</u> | <u>Total dollars in Work Orders to-date</u> | <u>Total SBE Participation To-date</u> |
|--|-------------------------------------|-------------------|---|--|
| A) Advanced Roofing, Inc. | R2015-1780 | Non-local/Non-SBE | \$104,056 | 0.0% |
| B) Empire Roofing Company Southeast, LLC | R2015-1781 | Local/Non-SBE | \$4,394 | 0.0% |
| C) Hi-Tech Roofing & Sheetmetal, Inc. | R2015-1782 | Local/SBE | \$829,032 | 100.0% |
| D) Roofing Concepts Unlimited/Florida, Inc. | R2015-1783 | Non-local/Non-SBE | \$183,851 | 0.0% |
| E) Tecta America South Florida, Inc. | R2015-1784 | Non-local/Non-SBE | \$36,624 | 0.0% |
| F) Tri State Roofing and General Contractors LLC | R2015-1786 | Local/SBE | \$167,459 | 100.0% |
| G) Triple M Roofing Corp | R2015-1785 | Non-local/Non-SBE | \$0 | 0.0% |

SUMMARY: Amendments No. 2 extend the term of the Contracts for roofing services for one year through December 14, 2018. The Board approved the annual Contracts on December 15, 2015, and the original Contracts provided for an initial term of one year with four renewal options each for a period of one year each. The Annual Roofing contracts are indefinite-quantity contracts initially with a value of \$1,500,000. This was increased by \$1,500,000 with Amendments No. 1, for a maximum cumulative value of \$3,000,000. Projects are bid among the pre-qualified participants. During the first two years of the Contracts, the County awarded \$1,338,630 in work orders. Three of the seven contractors are Palm Beach County businesses and the remaining four are based in Broward. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The cumulative SBE participation for all work orders to-date is 75%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to authorize: County Administrator, or designee, to authorize the donation of a surplus vehicle in an amount not to exceed \$7,500 each fiscal year to the Sheriff's Office in support of the County's Countywide Community Revitalization Program (CCRT) Program. **SUMMARY:** On August 20, 2002, and in response to a request from the Palm Beach County Sheriff's Office (PBSO), the Board approved the annual donation of a surplus vehicle in the amount not to exceed \$6,000 in support of the CCRT. This item increases the value of the annual donation from \$6,000 to \$7,500. From 2002-2015, 15 vehicles have been donated to PBSO enabling them to assist in a variety of activities including; **1)** carrying equipment for painting of, and debris removal from, residences of the elderly and needy, **2)** removing graffiti from County owned property, **3)** cleaning of properties which have found to house illegal activities in residential neighborhoods, and **4)** hauling equipment to clear overgrown fields and houses in foreclosure as a crime deterrent. In 2016, PBSO was unable to identify a surplus vehicle meeting their needs for the CCRT, with a value of less than \$6,000 and as such CCRT has requested that the limit of the annual donation be increased. FDO/Fleet Management suggested the new \$7,500 limit after researching PBSO's donation history and the current values of those type vehicles. The purpose of the \$7,500 limit will provide a cap to the loss revenues to Fleet Management and allow the donations to be processed in a more timely manner. All donations are subject to PBSO assuming maintenance responsibility. (Fleet Management) Countywide (LDC)

5. Staff recommends motion to approve: First Amendment to Communication Tower Agreement (R98-2029D) with American Tower, L.P. to exercise the County's option to extend the term for a period of five years, and to document modification of the County's antenna frequency and equipment. **SUMMARY:** Since 1998, the County has leased space on the 450-foot guyed tower located at 1300 Whittaker Road in Belle Glade which is owned by American Tower, L.P. (fka OPM-USA). This space is essential for the operation of the County's communication antennas and equipment shelter supporting the County's 800MHz system. This First Amendment exercises the County's option to extend the term for a period of five years commencing on December 1, 2018 and expiring on November 30, 2023; eliminates Exhibit "C" (Tower Loading Diagram), Exhibit "E" (County Frequencies) and Exhibit "F" (User Frequencies); replaces it with an inclusive Exhibit "C-1" (Modified Tower Loading Diagram) to memorialize the equipment and frequency modifications for the County's Motorola P-25 system; corrects a scrivener's error in the Annual Rental Increase provision; and updates various standard County provisions. The annual rent is currently \$46,533.78 subject to annual CPI increases in January. All other terms of the Agreement remain unchanged. FDO/PREM will continue to have administrative responsibility for this Agreement. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) receive and file various documents executed in connection with the Palm Beach County Intermediary Relending Program (IRP) funded by the U.S. Department of Agriculture (USDA) as follows:

1. USDA Rural Business-Cooperative Service Intermediary Relending Program Loan Agreement in the amount of \$1,000,000;
2. USDA Rural Business-Cooperative Service Intermediary Relending Program Promissory Note in the amount of \$1,000,000;
3. USDA Rural Business-Cooperative Service Security Agreement;
4. USDA Equal Opportunity Agreement;
5. Assurance Agreement;
6. Memorandum of Understanding with USDA Rural Development;
7. Applicant Certification Federal Collection Policies for Consumer or Commercial Debts; and

B) approve budget amendment of \$1,000,000 in the USDA Rural Development Intermediary Relending Program fund to recognize the loan revenue and to establish the loan appropriation budget.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolution R2014-0355 approved by the BCC on March 11, 2014. These executed documents are now being submitted to the BCC to receive and file. **These are Federal loan funds which require no local match. District 6 (JB)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to receive and file:

A) Loan Agreement with Neighborhood Renaissance, Inc., under the HOME Investment Partnerships Program (HOME);

B) Agreement with Community Land Trust of Palm Beach County, Inc., under HOME;

C) Certificate of Award for Developer Affordable For-Sale Housing Units to Community Land Trust of Palm Beach County, Inc., under the Impact Fee Affordable Housing Assistance Program (IFAHAP); and

D) Amendment 001 to the Loan Agreement (R2017-1351) with Portofino Associates, Ltd., under the State Housing Initiatives Partnership Program (SHIP).

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Mayor or the County Administrator in accordance with Agenda Items 5D-1, 5B-5 and 3I-1 as approved by the BCC on July 11, 2017, September 12, 2017, and October 18, 2016, respectively. The Loan Agreement with Neighborhood Renaissance, Inc., provides \$532,187 in HOME funds for the construction of four townhouses. The Agreement with Community Land Trust of Palm Beach County, Inc., provides \$749,767 in HOME funds for the construction of eight homes. The Certificate of Award for Developer Affordable For-Sale Housing Units awards \$56,000 in IFAHAP funds as a reimbursement of impact fees associated with the construction of 24 homes. Amendment 001 with Portofino Associates, Ltd., amends the Loan Agreement which provides \$494,000 in SHIP funds for the rehabilitation of 270 rental units. These executed documents are now being submitted to the BCC to receive and file. **HOME grant funds are Federal funds which require a 25% local match provided by State SHIP funds. IFAHAP funds are from interest earned by the Impact Fee Fund. SHIP grant funds are State funds that do not require a local match.** District 3 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve: three Agreements with the U.S. Department of Housing and Urban Development (HUD) for the funding period October 1, 2017 through September 30, 2018 and two budget amendments as follows:

A) Funding Approval/Agreement for the Community Development Block Grant (CDBG) Program in the amount of \$5,821,645;

B) Funding Approval and HOME Investment Partnerships Agreement for the HOME Investment Partnerships (HOME) Program in the amount of \$1,627,785;

C) Funding Approval/Agreement for the Emergency Solutions Grant (ESG) Program in the amount of \$519,046;

D) budget amendment of \$57,574 in the Housing and Community Development Fund; and

E) budget amendment of \$9,819 in the HOME Investment Partnership Act Fund.

SUMMARY: On July 11, 2017, the Board of County Commissioners adopted Resolution R2017-0949 approving the County's Fiscal Year 2017-2018 Action Plan. The Action Plan establishes the County's priorities for implementation of the CDBG, HOME, and ESG Programs. HUD has approved the Action Plan and now requires County execution of these Agreements, which will make Federal funds totaling \$7,968,476 available to the County. The grant periods begin October 1, 2017 and all funding must be expended by the following deadlines: ESG by September 30, 2019, and HOME and CDBG by September 30, 2022. **No local match is required to implement the CDBG program. The ESG Program requires a 100% local match (\$519,046) that will be met through cash or in-kind contributions by each agency receiving funding. The HOME Program requires a \$345,905 match that will be met through activities funded under the State Housing Initiatives Partnership (SHIP) Program. Countywide (JB)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to approve:

A) Amendment 001 to an Agreement (R2016-0567) with the City of South Bay to clarify the scope of work, revise performance benchmarks and extend the project completion date from December 31, 2017 to December 31, 2018; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Agreement (R2016-0567) with the City of South Bay.

SUMMARY: On May 3, 2016, the County entered into an Agreement (R2016-0567), with the City of South Bay to provide \$456,101 in Community Development Block Grant (CDBG) funding for the design and installation of improvements at Cox Park and Tanner Park in South Bay. The improvements at Cox Park include basketball court renovations, playground equipment, a gazebo, cooking grilles, benches, litter receptacles and site improvements. Tanner Park improvements include tennis court, basketball court and restroom renovations, community center exterior safety improvements, gazebos, benches, litter receptacles and site improvements. The design for the project is now complete, the improvements at each location have been identified and the project is ready for the bid process. The project design was delayed while surveying and soil borings were being obtained and while the City worked with Florida Power & Light Company to assess the relocation of poles in the parks. These delays have caused the need to extend the project completion date and the interim performance benchmarks. This Amendment will provide one additional year to complete construction and process all required project close out documents. Delegation of authority to the County Administrator, or designee, to execute future amendments will allow timely execution of such amendments in order to facilitate continuous project implementation and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development (HUD) expenditure deadlines. **These are Federal CDBG funds which require no local match.** District 6 (JB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Work Authorization (WA) No. 7 for the GL06; SW Belle Glade Water Main Improvements; SW 8th Street, SW 9th Street, and SW 4th Street from SW Avenue F to Dr. Martin Luther King Boulevard (Project) with Hinterland Group, Inc., in the amount of \$1,389,257.38. **SUMMARY:** On January 10, 2017, the Board of County Commissioners (BCC) approved the Pipeline Continuing Construction Contract (Contract) with Hinterland Group, Inc. (R2017-0072). WA No. 7 provides for the installation of approximately 3,000 feet of 4-inch, 6-inch and 8-inch water mains, including fire hydrants and service lines to improve the water system infrastructure and the fire protection in Belle Glade. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Hinterland Group, Inc., provides for SBE participation of 15%. WA No. 7 includes 100% overall participation. The cumulative SBE participation, including WA No. 7 is 100% overall. Hinterland Group, Inc., is a Palm Beach County company. The Project is included in the FY18 Capital Budget adopted by the BCC. (WUD Project No. 16-053) District 6 (MJ)

2. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 2 for the GL 06; SW Belle Glade Water Main Improvements; SW 8th Street, SW 9th Street, and SW 4th Street from SW Avenue F to Dr. Martin Luther King Blvd., Project (Project) with Keshavarz & Associates, Inc., in the amount not to exceed \$147,641. **SUMMARY:** On June 20, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Engineering/Professional Services Contract (Contract) with Keshavarz & Associates, Inc. (R2017-0817). CSA No. 2 provides for construction phase services for the water main replacement in the southwest area of the City of Belle Glade along SW 8th Street, SW 9th Street, SW 4th Street from SW Avenue F to Dr. Martin Luther King Blvd. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Keshavarz & Associates, Inc., provides for SBE participation of 90%. This Authorization includes 100% overall participation. The cumulative SBE participation, including CSA No. 2 is 90.94% overall. Keshavarz & Associates, Inc., is a Palm Beach County company. The Project is included in the FY18 Capital Budget adopted by the BCC. (WUD Project No. 16-053) District 6 (MJ)

3. **Staff recommends motion to approve:** unit price contract with Hinterland Group, Inc., for the Water Utilities Department (WUD) Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation (Contract) for a 24-month term with the option of one 12-month renewal in the amount of \$3,339,744.75. **SUMMARY:** On August 9, 2017, four bids were received for the WUD Contract. Hinterland Group, Inc., was determined to be the lowest responsible and responsive bidder. The Contract will be used to expedite utility capital improvement projects and any emergency projects for repairs and rehabilitation of manholes and wastewater gravity lines where timing is critical. The Contract award is for the unit bid prices received and the Contract does not guarantee nor authorize Hinterland Group, Inc., to perform any work. The overall bid dollar amount of \$3,339,744.75 for Hinterland Group, Inc., was utilized to establish the unit prices for the Contract. Work will be assigned during the 24-month Contract period through work authorizations drawn against this Contract, with approvals pursuant to PPM CW-F-050. The unit prices contained in this Contract will be used in determining the cost of work authorizations. Supplements to work authorizations for changes that occur during construction will be subject to the change order limits for construction contracts as established under PPM CW-F-050 with each work authorization considered as an individual construction contract. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Hinterland Group, Inc., provides for SBE participation of 94.9%. Hinterland Group, Inc., is a Palm Beach County company. (WUD Project No. 16-094R) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: Contract with Florida Design Drilling Corporation for the Water Treatment Plant (WTP) No. 3 and 9 Wellfield Improvements Project Phase 1 (Project) in the amount of \$5,949,494. **SUMMARY:** On August 24, 2017, four bids were received to rehabilitate three surficial production wells located in Boca Raton and the replacement of eight surficial production wells located in Delray Beach and Boca Raton. The rehabilitation and replacement of the production wells is necessary in order to restore capacity and ensure a reliable water supply to the WTPs. Florida Design Drilling Corporation was determined to be the lowest responsive and responsible bidder in the amount of \$5,949,494. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Florida Design Drilling Corporation provides for SBE participation of 0.58% overall. The Office of Small Business Assistance determined that the second lowest responsive and responsible bidder met the 15% SBE requirement, however, their bid was outside the range established by the SBE Ordinance and therefore not eligible for consideration. Florida Design Drilling Corporation is a Palm Beach County company. (WUD Project No. 16-017) District 5 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:
 - A) approve** Agreement No. 17018 with the Florida Fish and Wildlife Conservation Commission (FWC) to provide up to \$60,000 pass-through Federal funding (CFDA 15.605) for the construction of the Boca Inlet Artificial Reef (Project), expiring August 31, 2018;
 - B) adopt** Resolution authorizing the Clerk of the Board to disburse \$70,000 from the Vessel Registration Fee Trust Fund to provide matching funding for the Project, including \$10,000 for contingencies;
 - C) approve** budget amendment of \$60,000 in the Environmental Enhancement Saltwater Fund, including a transfer from Reserves of \$70,000 for a total of \$130,000 in funding for the Project; and
 - D) authorize** County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement, and necessary minor amendments that do not substantially change the scope of work, terms or conditions of the Agreement.

SUMMARY: The Agreement reimburses the County up to \$60,000 for the placement of a minimum of 530 tons of limestone boulders at the Boca Inlet Artificial Reef Site. The estimated total Project cost is \$120,000. The Resolution and Budget Transfer from County Vessel Registration Fees, a non-ad valorem source, will cover the County's \$70,000 cost including a \$10,000 contingency and the 50% cost share of \$60,000. District 4 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve Contractual Services Agreement No. 024757 and Amendment No. 1 to the Annual Certified Budget for Mosquito Control with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during contract period October 1, 2017 through September 30, 2018, for an amount not to exceed \$52,566.66;

B) ratify Mayor's signature on the Annual Certified Budget (form 13617) for Mosquito Control with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during contract period October 1, 2017, through September 30, 2018;

C) approve budget Amendment of \$9,558 in the State Mosquito Fund to align the budget with the grant award amount; and

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

SUMMARY: The Agreement provides Arthropod Control State Aid of up to \$52,566.66 in quarterly installments with monthly reporting requirements regarding mosquito control activities. A 25% County match is required and included in the local Mosquito Control budget in the general fund. The FDACS Form 13617 Certified Budget had to be signed and delivered to Tallahassee no later than October 1, 2017. Countywide (AH)

3. Staff recommends motion to:

A) approve Standard Grant Agreement No. 17PB5 (Agreement) with the Florida Department of Environmental Protection (FDEP), for an amount not to exceed \$100,000 to provide post-construction monitoring of the Jupiter/Carlin Shore Protection Project (Project), expiring November 1, 2019;

B) approve budget amendment of \$100,000 in the Beach Improvement Fund for the Jupiter/Carlin Shore Protection Project; and

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

SUMMARY: The Agreement reimburses the County up to \$100,000 for permit required post-construction monitoring for beach re-nourishment completed in 2015. A local match of up to \$100,000 is required (100% match), which is available in the Beach Improvement Fund from tourist development taxes. Approved work may be eligible for reimbursement retroactive to January 1, 2017. District 1 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. **Staff recommends motion to accept:** Statutory Warranty Deed for the donation of a parcel of vacant land containing approximately 1.1 acres, located north of Indiantown Road and northeast of the Bee Line Highway, from Cecilia Dodd English. The County will pay the 2017 and past due property taxes, interest and fees estimated to be less than \$800; and title insurance, closing and recording costs estimated to be less than \$500. **SUMMARY:** The subject parcel is located in an area known as Palm Beach Heights (part of the Pal-Mar ecosite). As is described in a 2017 report prepared by the County on the Lack of Development Potential of Palm Beach Heights Parcels, most of the lots in Palm Beach Heights, including the subject parcel, cannot meet current land development regulations and therefore are not buildable. The parcel owner has offered to donate it to the County for environmental and passive recreational uses, provided the County pays the 2017 and past due property taxes, interest and fees; and title insurance, closing and recording costs. A title policy will be obtained for the parcel and a pre-acquisition environmental assessment will be performed by ERM. A boundary survey will not be obtained due to the remote location and low value of the land. ERM will be responsible for administration of the property. All costs related to the 2017 and past due property taxes, title insurance, closing and recording will be paid from the Natural Areas Fund, a non-ad valorem source of funds. **This donation must be approved by a supermajority vote (5 Commissioners).** District 1 (HF)
5. **Staff recommends motion to accept:** Statutory Warranty Deed for the donation of a parcel of vacant land containing approximately 1.3 acres, located north of Indiantown Road and northeast of the Bee Line Highway, from Mary Agnes Kincaid. The County will pay the 2017 property taxes estimated at \$25, and title insurance, closing and recording costs estimated to be less than \$500. **SUMMARY:** The subject parcel is located in an area known as Palm Beach Heights (part of the Pal-Mar ecosite). As described in a 2017 report prepared by the County on the Lack of Development Potential of Palm Beach Heights Parcels, most of the lots in Palm Beach Heights, including the subject parcel, cannot meet current land development regulations and therefore are not buildable. The parcel owner has offered to donate it to the County for environmental and passive recreational uses, provided the County pays the 2017 property taxes, and title insurance, closing and recording costs. A title policy will be obtained for the parcel and a pre-acquisition environmental assessment will be performed by ERM. A boundary survey will not be obtained due to the remote location and low value of the land. ERM will be responsible for administration of the property. All costs and fees related to the property taxes, title insurance, closing and recording will be paid from the Natural Areas Fund, a non-ad valorem source of funds. **This donation must be approved by a supermajority vote (5 Commissioners).** District 1 (HF)
6. **Staff recommends motion to receive and file:** Task Assignment Change Order No. 1 to Task Assignment No. GC913-1 (R2017-1366), Contract No. GC913 (R2017-0838) with the Florida Department of Environmental Protection (FDEP) providing for an amount increase per Routine Inspection from \$510.40 to \$515.50 resulting in a net increase of \$5.10 per Routine Inspection for a total increase of \$5,201.04. The increase will become effective September 1, 2017. **SUMMARY:** On June 20, 2017, the Board of County Commissioners (BCC) approved Contract No. GC913 (R2017-0838) with the FDEP. Task Assignment No. GC913-1, (R2017-1366) was approved by the BCC on September 12, 2017. This Task Assignment Change order No. 1 will increase the contract total by \$5,201.04 from \$520,511.02 to \$525,712.06. Delegated authority to sign all future time extensions, task assignments, certifications and other forms associated with the Contract was approved on June 20, 2017. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreements:

A) Caroline Ann Karolinko, US Synchronized Swimming Coach, Aqua Crest Pool, for the period of October 1, 2017 through September 30, 2018;

B) East Coast Aquatic Club, LLC, USA Swimming Coach, Aqua Crest Pool, for the period of October 1, 2017 through September 30, 2018;

C) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach, Aqua Crest Pool, for the period of October 1, 2017 through September 30, 2018;

D) Patricia Ann Fisher, Water Exercise Instructor, Aqua Crest Pool, for the period of October 1, 2017 through September 30, 2018;

E) Gordon Andrews, USA Swimming Coach, Lake Lytal Pool, for the period of October 1, 2017 through September 30, 2018;

F) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach, Lake Lytal Pool, for the period of October 1, 2017 through September 30, 2018;

G) Derek Jones, US Diving Coach, North County Aquatic Complex, for the period of October 1, 2017 through September 30, 2018;

H) Kiril Zahariev, USA Swimming Coach, North County Aquatic Complex, for the period of October 1, 2017 through September 30, 2018;

I) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach, North County Aquatic Complex, for the period of October 1, 2017 through September 30, 2018;

J) Mary Lou Putnam, Water Exercise Instructor, North County Aquatic Complex, for the period of October 1, 2017 through September 30, 2018; and

K) Stephen Van Coppenolle, Water Exercise Instructor, North County Aquatic Complex, for the period of October 1, 2017 through September 30, 2018.

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. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822, and are now being submitted by the Board to receive and file. Districts 1, 2, & 4 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to approve:** Second Amendment with the Palm Beach County Officials Association, Inc. to provide softball officials to officiate softball programs at County recreation facilities for the residents of Palm Beach County on a Countywide basis renewing the contract for one year to begin January 1, 2018, and to expire December 31, 2018. **SUMMARY:** On December 17, 2013, Palm Beach County entered into an Agreement with the Palm Beach County Officials Association, Inc. (R2013-1836) to provide softball officials to officiate softball programs at County recreation facilities. The Agreement provided an initial three year term, which expired on December 31, 2016, with two one year renewal options. The First Amendment (R2016-1699) renewed the Agreement for the first option period of January 1, 2017 through December 31, 2017. This Second Amendment renews the Agreement for the second option period of January 1, 2018 through December 31, 2018. All other terms of the Agreement remain the same. The not-to-exceed value of the agreement is \$387,900.70 for a period of five years beginning January 1, 2014 through December 31, 2018. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. **Staff recommends motion to receive and file:** following documents for the John D. and Catherine T. MacArthur Safety and Justice Challenge (SJC) Grant:
 - A) second amendment for a no-cost contract extension with the Pretrial Justice Institute (PJI) to March 1, 2018 to continue technical assistance to the County on the implementation of a risk assessment instrument at First Appearance Hearings;
 - B) second amendment for a no-cost contract extension with The Lord's Place (TLP) to February 28, 2018 to continue technical assistance on the implementation of the Frequent User System Engagement (FUSE) Project; and
 - C) first amendment for a contract increase from \$30,000 to \$190,000 to recognize additional MacArthur grant funds allocated to Florida State University (FSU) to perform a validation study of the new Risk Assessment Instrument and a contract extension to September 30, 2019 to reflect the timeframe for the new grant funds and this project.

SUMMARY: Palm Beach County was awarded \$150,000 from the MacArthur Foundation's SJC Grant Program on April 1, 2016. The grant continued the County's participation in the MacArthur SJC Network of 20 national sites that are working to reform their local criminal justice systems by reducing their jail populations. The grant award agreement was approved by the Board on May 3, 2016 (R2016-0577). Contracts from these funds with PJI and TLP were approved by the Board on June 21, 2016 with the first amendments executed on April 11, 2017 and the second amendments executed on September 5, 2017 on behalf of the Board by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with R2016-0810 and 0811. The contract with FSU from these funds was approved by the Board on December 6, 2016 and the first amendment executed on October 26, 2017 on behalf of the Board by Kristina Henson, in accordance with R2016-1806. The additional \$160,000 of the FSU contract is provided through a new grant award of \$2,000,000 from the MacArthur Foundation on October 2, 2017 as approved by the Board on November 7, 2017. Countywide (DC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** executed First Amendment to Contract for Professional Services with the Child Protection Team of Palm Beach, Inc. (CPT) (R2016-1720) to increase the contract amount beginning October 1, 2017, by \$50 for each medical evaluation and to increase the total not-to-exceed contract amount to \$743,750 for the period October 1, 2016 through September 30, 2019. **SUMMARY:** On November 22, 2016, the County entered into a contract with CPT to provide medical evaluations for children birth-17 years of age who reside in Palm Beach County and are alleged victims of abuse, neglect and/or abandonment, excluding sexual abuse, and are referred to CPT by law enforcement, Department of Children and Families (DCF), and/or the courts. This amendment increases the contract amount by \$50 for each medical evaluation for up to 875 children, per fiscal year beginning October 1, 2017, based on a review of CPT's cost and a survey of other county reimbursement rates. During the FY 18 budget process the Board of County Commissioners approved a rate increase from \$250 to \$300 per exam for a not-to-exceed amount of \$262,500 per fiscal year. R2013-1230 authorizes the County Administrator or designee to execute contracts and amendments/modifications with Child Protection Team of Palm Beach, Inc. on behalf of the Board of County Commissioners. Countywide (LDC)

2. **Staff recommends motion to:**

A) receive and file following two executed agreements with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period July 1, 2017 through June 30, 2018 to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs:

1. State-funded Grant Agreement (18-BG-W9-10-60-01-193) for FY2017-18 in the amount of \$115,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant;

2. Federally-funded Sub-award and Grant Agreement (18-FG-7A-10-60-01-194) for FY2017-18 in the amount of \$268,914 for the Emergency Management Performance Grant (EMPG); and

B) approve budget amendment of \$292,767 in the Emergency Management Preparedness and Assistance Fund to adjust the EMPA grant award by \$89,354 to the actual award of \$115,806, and the EMPG grant by \$203,413 to the actual award of \$268,914.

SUMMARY: The EMPA grant is state funded while the EMPG grant is federally funded, both grants recur annually. These funds are used to enhance and improve emergency management plans and programs and provide operational support. The grants will be used to further enhance emergency planning, response, mitigation and recovery in the County. The EMPA and EMPG contracts both underwent significant changes through FDEM's attorneys, delaying the approval process. R2012-1731 dated November 20, 2012 gave authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. The EMPA grant requires a match at the lesser of the Division of Emergency Management's general revenue funding average for the last three fiscal years or the level of funding for the last fiscal year. A dollar for dollar match is required for the EMPG grant. **Match requirements are included in the County budget.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the County Administrator or designee to sign the FY 2017-2018 annual Emergency Medical Services (EMS) county grant application for \$201,688 and sign the EMS grant program change request forms related to the grant after the approval of the application by the Florida Department of Health, Bureau of EMS and forward same to the State of Florida Department of Health, Bureau of EMS. **SUMMARY:** The EMS County Grant is an annual grant provided to Palm Beach County from the Florida Bureau of EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. **No county matching funds are required for this grant.** Countywide (LDC)
4. Staff recommends motion to receive and file: following executed Interlocal Agreements for reimbursement from Emergency Medical Services (EMS) grant funding for medical equipment:
 1. City of West Palm Beach;
 2. City of Riviera Beach; and
 3. Town of Palm Beach.

SUMMARY: The County was awarded \$193,474 during the FY 2016-17 grant cycle from the State of Florida Department of Health, Bureau of EMS, to improve and expand the EMS systems. The grant funding may be used by the County or municipal agencies to purchase EMS equipment and accordingly, the County has agreed to reimburse the municipalities as follows: 1) City of West Palm Beach for the purchase of two patient transport stretchers not to exceed the amount of \$31,050; 2) the City of Riviera Beach for the purchase of six video laryngoscopes and six portable ventilators not to exceed the amount of \$9,350; and 3) the Town of Palm Beach for the purchase of an adult simulation lab not to exceed the amount of \$25,000. The remaining EMS grant funding will be used to purchase EMS equipment for the benefit of the citizens of the County and surrounding municipal agencies. On August 13, 2013, the County Administrator or designee was authorized to execute these standard agreements between the County and various governmental and non-governmental/private entities and make non-substantive and ministerial changes on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. There is no ad valorem funding required. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to receive and file:

- A) Proclamation of State of Local Emergency beginning September 6, 2017; and Extension of Proclamation of State of Local Emergency Extension expiring November 3, 2017;
- B) Order to Reduce Vulnerability;
- C) Curfew Order dated September 4, 2017;
- D) Curfew Order modified September 9, 2017;
- E) Curfew Order modified September 12, 2017;
- F) Curfew Order modified September 13, 2017; and
- G) Curfew Order modified September 14, 2017.

SUMMARY: Beginning September 6, 2017 at 12:00 a.m., Palm Beach County declared a State of Local Emergency due to the impending arrival of Hurricane Irma. The State of Local Emergency was declared to initiate emergent actions taken by the County Administrator to ensure the health, safety and welfare of the community. The previously declared State of Local Emergency was extended until November 3, 2017. The Order to Reduce Vulnerability (Evacuation Order) for Zone A, Zone B, Zone C (voluntary only), Zone E, Lake Okeechobee and the Glades area, was issued on September 8, 2017, at 10:00 a.m. as a result of the Governor's Evacuation Order. The Curfew Order was issued on September 9, 2017, at 3:00 p.m. and was modified four times due to the effects of rain, high winds, and power outages in Palm Beach County as part of Hurricane Irma's impact. Countywide (LDC)

6. Staff recommends a motion to:

- A) **receive and file** executed State-Funded Grant Agreement for Hazardous Materials Contingency Planning (18-CP-11-10-60-01-159) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2017 through June 30, 2018, in the amount of \$23,356; and
- B) **approve** budget amendment of \$23,356 in the Emergency Management Grant Fund to recognize the grant award.

SUMMARY: This is an annual grant from the State of Florida Division of Emergency Management to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act (SARA). Resolution R2012-1731 authorized the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. Although the grant period began on July 1, 2017, the County did not receive the executed agreement from FDEM until October 16, 2017. No County matching funds are required for this grant. Countywide (LDC)

* * * * *

4. REGULAR AGENDA

A. ADMINISTRATION

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 19, 2017 at 9:30 a.m.:](#) Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing the “Prohibition of Conversion Therapy on Minors Ordinance”; providing for intent; providing for a title; providing for applicability; providing for definitions; providing for violations; providing for penalties; providing for enforcement; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners directed the County Attorney to draft an ordinance of countywide application banning the practice of conversion therapy on minors. The Prohibition of Conversion Therapy on Minors Ordinance will protect the physical and psychological well-being of minors, including lesbian, gay, bisexual, transgender and/or questioning (LGBTQ) youth, from exposure to the serious harms and risks caused by conversion therapy by licensed providers. The Ordinance excludes from the definition of “provider” members of the clergy who are acting in their roles as pastoral counselors. To date, eight municipalities in Palm Beach County have enacted similar ordinances, and seven of those ordinances include fines ranging from \$250 to \$500 per violation. The County’s Ordinance will be applicable within the unincorporated areas of Palm Beach County, and in all municipalities that have not adopted an ordinance in conflict. Countywide (HH)

B. HOUSING AND ECONOMIC SUSTAINABILITY

1. [Staff recommends motion to approve:](#) Consent for Barbara Bejarano, a relative of a Palm Beach County employee, to receive State Housing Initiatives Partnership (SHIP) Program funds under the Owner Occupied Housing Rehabilitation Program as administered by the Department of Housing and Economic Sustainability (HES). **SUMMARY:** Barbara Bejarano is an income eligible applicant who is seeking to receive up to \$45,000 in a deferred forgivable loan under the Owner Occupied Housing Rehabilitation Program. Barbara Bejarano is the mother of Leonardo Bejarano who is presently employed by HES and who has been a County employee since January 2016. HES contacted all individuals on the waiting list (1,032) and advised them that they were able to apply for assistance. Barbara Bejarano was on the waiting list and she applied for assistance on July 25, 2017. She was income certified on August 29, 2017. Applicants are income certified and funded on a first qualified, first approved basis as long as funds are available. Barbara Bejarano is seeking to rehabilitate her home at 2556 Inisbrook Road in Riviera Beach. It is a 1,317 square feet dwelling with three bedrooms and two bathrooms. The County’s second mortgage will be a deferred loan that is forgiven at the end of 15 years as long as the home remains the homeowner’s primary residence. If the homeowner rents, sells, or otherwise conveys the home during the 15 years, the entire principal amount will become due and payable. **These are State SHIP grant funds, which require no local match.** District 7 (JB)

4. REGULAR AGENDA

B. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) approve Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$235,290.68 to Georgian Gardens Apartments, LLC (GGA) for the Georgian Gardens Apartments project;

B) authorize Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve budget transfer of \$221,098 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for GGA;

D) approve budget transfer of \$1,693 in Impact Fee Assistance Program – Parks Zone 2 to appropriate funds for GGA; and

E) approve budget transfer of \$12,501 in Impact Fee Assistance Program – Public Building to appropriate funds for GGA.

SUMMARY: On April 16 and 19, 2017, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$1,194,948 in IFAHAP funding available from Palm Beach County's Fiscal Year 2016 funding cycle. GGA submitted a request for assistance in response to the NOFA on April 19, 2017. Staff recommends that up to \$235,290.68 be provided as a credit for impact fees associated with the Georgian Gardens Apartments project. GGA will be given credits for Roads Zone 2 Impact Fees (\$221,097.56), Parks Zone 2 Impact Fees (\$1,692.96) and Public Building Impact Fees (\$12,500.16) for the construction of Georgian Gardens Apartments. GGA will pay impact fees above the allocated \$235,290.68. The project is located at 4330 Community Drive in West Palm Beach and will have 87 rental units for the elderly with a multi-purpose community room for resident programs and activities catered to the residents, a fitness center and a touchpad secure entry system into the building. According to IFAHAP requirements, all units will be rented to households with incomes no greater than 140% of Area Median Income (AMI). The assisted units will be deed-restricted to remain affordable for no less than 15 years. **These funds are from interest earned by the Impact Fee Fund. District 7 (JB)**

4. REGULAR AGENDA

B. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) approve Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$14,495.90 to BDG Banyan Court, L.P. (BDG) for the Banyan Court project;

B) authorize Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines; and

C) approve budget transfer of \$14,496 in Impact Fee Assistance Program – Public Building to appropriate funds for BDG.

SUMMARY: On April 16 and 19, 2017, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$1,194,948 in IFAHAP funding available from Palm Beach County's Fiscal Year 2016 funding cycle. BDG submitted a request for assistance in response to the NOFA on April 20, 2017. Staff recommends that up to \$14,495.90 be provided as a credit for impact fees associated with the Banyan Court project. BDG will be given credits for Public Building Impact Fees (\$14,495.90) for the construction of Banyan Court. BDG will pay impact fees above the allocated \$14,495.90. The project is located at 1716 3rd Avenue North in Lake Worth and will have 85 rental units with a clubhouse and a meeting room. Resident services will include literacy training, employment assistance programs and financial management programs. According to IFAHAP requirements, all units will be rented to households with incomes no greater than 140% of Area Median Income (AMI). The assisted units will be deed-restricted to remain affordable for no less than 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 3 (JB)

4. Staff recommends motion to adopt: resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of the County's Revenue Bonds, (Tuscan Gardens of Delray Beach Project), Series 2017 Bonds, in the aggregate principal amount of not exceeding \$9,500,000 for the purpose of providing funds to make a loan to Tuscan Gardens of Delray Beach Properties, LLC or any one or more affiliates thereof (the Borrower) to provide funds to finance, refinance or reimburse all or a portion of the acquisition, construction, development, installation and equipping of a senior living facility and the underlying land, including related facilities, fixtures, furnishings and equipment and to pay the costs of issuing the Bonds; authorizing the execution and delivery of loan agreement with the Borrower and a trust indenture; awarding the sale of the Bonds by a negotiated sale; authorizing officials of the County to take certain action in connection with the issuance of the Bonds; making certain other covenants and agreements in connection with the issuance of the Bonds; and providing an effective date. **SUMMARY:** The Borrower has requested that the County issue its industrial development revenue bonds in an amount not to exceed \$9,500,000. Bond proceeds will be used to finance, refinance or reimburse all or a portion of the acquisition, construction, development, installation and equipping of a senior living facility and the underlying land, including related facilities, fixtures, furnishings and equipment, to be located on approximately 7.5 acres at the southwest corner of the intersection of Frost Lane and Sims Road in unincorporated Palm Beach County. Pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, the Board of County Commissioners held a TEFRA Public Hearing on December 20, 2016, and approved the Borrower's application for the issuance of up to \$45,000,000 in bonds. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** District 5 (DB)

4. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, December 19, 2017 at 9:30 a.m.:](#) Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program; providing for title; purpose; adoption of revised Five Year Road Program and revised list of projects contained in Exhibit "A"; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date. **SUMMARY:** This is the Annual Update of Palm Beach County's Five Year Road Program which is required to be considered each year by the Five Year Road Program Ordinance. Exhibit "A" to the Ordinance is a list of proposed projects for the next five years and contains certain changes and modifications. This list is submitted for the Board of County Commissioners' consideration on preliminary reading today with the final list to be approved with the Ordinance at public hearing on Tuesday, December 19, 2017. Countywide (LBH)

D. PLANNING, ZONING & BUILDING

1. [Staff recommends a motion to approve on preliminary reading and advertise for public hearing on December 19, 2017, at 9:30 a.m.:](#) Ordinance of the Board of County Commissioners of Palm Beach County, Florida, **Repealing** Ordinance 2015-028 Palm Beach County Amendments to the Florida Building Code (FBC), 2014 Edition, Chapter 1, "Administration" (FBC-Building) and Figures 1609.1 A, B and C, Basic Wind Speed Maps (FBC-Building), and Appendix F, "Construction Building Codes for Turf and Landscape Irrigation Systems" (FBC-Plumbing); **Adopting** the Palm Beach County Amendments to the Florida Building Code (FBC), 6th Edition (2017), Chapter 1, "Administration" (FBC-Building), and Figures 1609.3 (1), (2), and (3), Basic Wind Speed Maps (FBC-Building), and Appendix F, "Proposed Construction Building Codes for Turf and Landscape Irrigation Systems" (FBC-Plumbing); Providing for Applicability; Providing for Repeal of Laws in Conflict; Providing for Inclusion in the Code of Laws and Ordinances; Providing for a Savings Clause; Providing for Severability; and Providing for an Effective Date. **SUMMARY:** The Florida Legislature enacted Florida Statute Section 553.73, mandating a statewide Florida Building Code (FBC), allowing local governments to adopt their own Administrative Chapter of the FBC. This proposed ordinance adopts an updated Chapter 1 "Administration" of the FBC 6th Edition (2017) applicable to the unincorporated area of Palm Beach County, and in those municipalities having an Interlocal Agreement for the provision of County plan review and inspection services. As in past code updates, this Administrative Chapter 1 is based upon a model developed by the Building Officials Association of Florida (BOAF) which was further refined by the Palm Beach County Building Code Advisory Board (BCAB) and adapted specifically to align with Palm Beach County regulations. Figures 1609.3 (1), (2), and (3) have been renumbered pursuant to changes in the FBC 6th Edition (2017) in accordance with Florida Statute Section 553.73, which provides for local governments to establish specific wind speed/wind borne debris lines using physical landmarks, whenever possible. This proposed ordinance also repeals and re-adopts an updated FBC 6th Edition (2017) Appendix F of the FBC-Plumbing volume regulating new irrigation systems helping to conserve water and protect the public water supply. Unincorporated (AH)

4. REGULAR AGENDA

E. COUNTY ATTORNEY

1. Staff requests Board direction:

A) whether to pursue litigation regarding the opioid epidemic in Palm Beach County; and, if so,

B) the selection process to be utilized for retaining outside counsel to represent the County.

SUMMARY: On July 11, 2017, the Board of County Commissioners (BCC) directed staff to explore the possibility of filing a lawsuit to address the impact on Palm Beach County (County) caused by the opioid epidemic. Extensive research revealed that over eighty governmental entities nationwide have filed suit against opioid manufacturers, distributors, pharmacies, and/or doctors in both state and federal courts. Most of the lawsuits are in the initial pleading phase. Currently, no Florida government entities have filed suit. At the time of this writing, 14 firms have expressed an interest in representing the County. Should the BCC desire to commence litigation, staff recommends a formal competitive selection process. The County Attorney's Office would develop a Request for Proposal, convene a selection committee to review the proposals, and either recommend one firm/team of firms to the BCC for approval, or, in the alternative, go through the same process yet short-list three firms/teams for BCC consideration and selection. Countywide (KP)

F. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: termination of the Lease Agreement (R2017-0896) dated July 11, 2017, with Palm Beach Imports, Inc. d/b/a Braman Motorcars (Braman) for the use of the vacant field within the Cherry Road Complex located at 4215 Cherry Road, West Palm Beach. **SUMMARY:** On July 11, 2017, the Board approved a Lease Agreement with Braman to allow use of approximately 1.54 acres of vacant land within the County's Cherry Road Complex for storing Braman's vehicles while constructing a new parking garage at its headquarters on Okeechobee Boulevard. The Lease Agreement commenced on July 11, 2017, at an annual rate of \$54,000 (\$4,500/monthly). Either party may terminate the Lease Agreement for any reason upon 90 days notice. Code requirements for this type of use turned out to be much more extensive and expensive than anticipated. As a result, on October 23, 2017, Braman submitted a notice to terminate the Lease Agreement and is requesting a refund of rental payments for the months of July through October 2017 totaling \$16,548.36. As Braman never occupied the property, Staff recommends that the Lease be terminated effective immediately and the rental payments be refunded. (PREM) District 7 (HJF)

4. REGULAR AGENDA

G. FIRE RESCUE

1. **REVISED SUMMARY:** Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 19, 2017 at 9:30 a.m.: Ordinance of the Board of County Commissioners of Palm Beach County, Florida, providing that the updated Florida Fire Prevention Code shall be deemed adopted; providing for local amendments to the Florida Fire Prevention Code; repealing and replacing Chapter 12, Article IV, Sections 12-56 and 12-57, of the Palm Beach County Code (codifying Ordinance 2014-042) in its entirety; providing for legislative findings; providing for applicability; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code; and providing for an effective date. **SUMMARY:** Pursuant to Chapter 633, Florida Statutes, every three years the State Fire Marshal ~~has adopted~~ an updated statewide minimum firesafety code, known as the Florida Fire Prevention Code, in Rule Chapter 69A-60 of the Florida Administrative Code. This updated Florida Fire Prevention Code ~~will become effective on December 31, 2017,~~ and is based on updated Florida editions of the National Fire Protection Association’s Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The attached updated Palm Beach County Local Amendments to the Florida Fire Prevention Code ~~are were~~ recommended by staff and/or the Fire Code Board of Appeals and Adjustments for approval by the Board of County Commissioners. Some of the recommended changes to the local amendments include increasing fees for plan review and inspections. ~~Effective December 31, 2017,~~ The County will enforce the updated Florida Fire Prevention Code with the updated Palm Beach County Local Amendments adopted by this Ordinance effective December 31, 2017, or upon the State’s adoption of the updated Florida Fire Prevention Code, or up the date this Ordinance is filed with the Department of State, whichever date is latest. Countywide (SB)

2. **REVISED MOTION:** Staff recommends motion to approve and ratify: side agreement amending Article 27 - Uniforms, to the Collective Bargaining Agreement with the Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. **SUMMARY:** Both parties are requesting a side agreement to the current Collective Bargaining Agreement, October 1, 2015 – September 30, 2018 (R2016-1061). This side agreement addresses changes to “Article 27 – Uniforms” regarding the issuance of polo shirts to all operational personnel, as well as changes to the guidelines for wearing the daily uniform for Class C (short sleeve dress shirt) and Class D (polo shirt). It was agreed that the requirement for issuance of four polo shirts provided to new operational personnel would be removed. Additionally, tee shirts, rather than polo shirts, will now be worn as part of the daily uniform by operational personnel at the rank of Company Officer and below, with the exception of public/educational events where Class C uniforms shall be worn. Along with Battalion Chiefs, EMS Captains would now be allowed to wear Class D uniforms. Countywide (SB)

H. AIRPORTS

1. Staff recommends motion to approve: Interlocal Agreement with the Town of Palm Beach regarding airport zoning regulations. **SUMMARY:** This Interlocal Agreement with the Town allows for the adoption of consistent airport zoning ordinances regulating certain land development activity in the vicinity of Palm Beach International Airport, pursuant to Chapter 333 of the Florida Statutes. Countywide (LB)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

5. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: reappointment of two members to the **Child Care Advisory Council** to respectively fill the positions of a representative who operates a parochial child care facility, and a representative who is a consumer protection enforcement official. The reappointments will expire September 30, 2020.

| <u>NOMINEE:</u> | <u>SEAT #:</u> | <u>REQUIREMENT:</u> | <u>NOMINATEDBY</u> |
|-----------------|----------------|---|--------------------|
| Louise Mancini | 3 | Represents and operates a parochial facility. | Staff |
| Terry D. Newton | 4 | Consumer Protection Enforcement Official. | Staff |

SUMMARY: The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Members must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for reappointment to Seat # 3, Louise Mancini, is the Pre-school Director of Atlantic Christian Academy of the Palm Beaches. She is a Caucasian female. The applicant for reappointment to Seat #4, Terry Newton, is an investigator with the Palm Beach County Division of Consumer Affairs. He is an African-American male. With this approval, the Council will consist of six members: African-Americans: 2 (33.33%); Caucasians: 4 (66.67%). The gender ratio (female:male) is 5:1. Countywide (HH)

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ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS

6. BOARD APPOINTMENTS

A. PUBLIC SAFETY

1. Staff recommends motion to approve: one “At Large” Appointment to the Emergency Medical Services Advisory Council (EMS Council) for the term indicated:

Appoint one member for the term from December 5, 2017 to September 30, 2020

| Nominee | Seat No. | Seat Requirement | Nominated by: |
|---------------------|----------|--|--|
| Dr. Riddhi Bowry | 7 | Emergency Room Physician JFK Medical Center | Commissioner Burdick |
| OR | | | |
| Dr. Adam Bromberg | 7 | Emergency Room Physician Wellington Regional Hospital | Self |
| OR | | | |
| Dr. George Gurdock | 7 | Emergency Room Physician Good Samaritan Medical Center | Self |
| OR | | | |
| Dr. Adam Isacoff | 7 | Emergency Room Physician St. Mary’s Medical Center | Self |
| OR | | | |
| Dr. Craig Kushnir | 7 | Emergency Room Physician Bethesda Memorial Hospital | EMS Advisory Council Commissioner Kerner Commissioner Abrams |
| OR | | | |
| Dr. Richard Paley | 7 | Emergency Room Physician St. Mary’s Medical Center | Commissioner McKinlay |
| OR | | | |
| Dr. Jason Sevald | 7 | Emergency Room Physician Palm Beach Gardens Medical Center | Self |
| OR | | | |
| Dr. Giovanna Ungaro | 7 | Emergency Room Physician West Boca Medical Center | Self |

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. 13 members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. A memo was sent to all Board members on August 7, 2017, seeking a nomination for the above at-large seat. The EMS Council has 20 seats, 15 are currently filled. The diversity of the current board members is as follows: Caucasians: 14 (93%); African American: 1 (7%). The gender ratio (female:male) is 4:11. Countywide (LDC)

6. BOARD APPOINTMENTS

A. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve: appointment/reappointment of the following individuals to the Emergency Medical Services Advisory Council (EMS Council) for the term from December 5, 2017 to September 30, 2020.

| NOMINEE | SEAT No. | DESIGNATION | NOMINATED BY |
|--|----------|------------------------------|---|
| Brian Fuller | 5 | PBC EMS Providers | PBC EMS Providers |
| Roger Kirk (Reappointment) Bethesda Health | 18 | PBC Independent Hospital CEO | Self Commissioner Abrams |
| <u>OR</u> | | | |
| Robbin Lee Wellington Reg Hosp. | 18 | PBC Independent Hospital CEO | Self Commissioner Burdick Commissioner McKinlay |
| Gina Melby (Reappointment) JFK Medical Center | 19 | PBC HCA Hospital CEO | HCA East Florida Division |
| Gabrielle Finlay-Hazel St. Mary's Med Center | 20 | PBC Tenet Hospital CEO | Tenet Health |

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. A memo was sent to all Board members on August 7, 2017, seeking a nomination for the above at-large seats. The EMS Council has 20 seats, 15 are currently filled. The diversity of the current board members is as follows: Caucasians: 14 (93%); African American: 1 (7%). The gender ratio (female:male) is 4:11. Countywide (LDC)

6. BOARD APPOINTMENTS

B. ADMINISTRATION
(Treasure Coast Regional Planning Council)

1. **ADD-ON: Staff requests motion to approve:** Board of County Commissioners (BCC) appointments to the Treasure Coast Regional Planning Council for a one year term beginning January 1, 2018 to December 31, 2018. Proposed appointments are shown below:

| | <u>Seat No.</u> | <u>Requirement</u> |
|--------------------------------|-----------------|----------------------------|
| <u>Regular Seats:</u> | | |
| Commissioner Hal R. Valeche | 1 | Palm Beach County Official |
| Commissioner Mary Lou Berger | 2 | Palm Beach County Official |
| Commissioner Mack Bernard | 3 | Palm Beach County Official |
| <u>Alternate Seats:</u> | | |
| Commissioner Melissa McKinlay | 1A | Palm Beach County Official |
| Commissioner Steven L. Abrams | 2A | Palm Beach County Official |
| Commissioner Dave Kerner | 3A | Palm Beach County Official |

SUMMARY: In accordance with the Treasure Coast Regional Planning Council (TCRPC) Rules of Order, the Board of County Commissioners (BCC) is requested to appoint their members and alternates for the coming year before the Council’s Annual meeting on December 8, 2017. The BCC will also need to ratify the Palm Beach County League of Cities (League) members under a separate board appointment item. The League made their selections at their November 22, 2017 Meeting. Countywide (RPB)

2. **ADD-ON: Staff recommends motion to ratify:** the following Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning January 1, 2018 to December 31, 2018:

| <u>Nominees</u> | <u>Seat No.</u> | <u>Representing</u> |
|---------------------------------------|-----------------|-----------------------------|
| <u>Regular appointments:</u> | | |
| Anne Gerwig, Mayor | 4 | Village of Wellington |
| Jeff Hmara, Councilman | 5 | Village of Royal Palm Beach |
| Mitch Katz, Commissioner | 6 | City of Delray Beach |
| Abby Brennan, Mayor | 7 | Village of Tequesta |
| David Norris, Councilman | 8 | Village of North Palm Beach |
| <u>Alternate appointments:</u> | | |
| Paula Ryan, Commissioner | 4A | City of West Palm Beach |
| Robert Weinroth, Councilmember | 5A | City of Boca Raton |
| Robert Gottlieb, Vice Mayor | 6A | Town of South Palm Beach |
| Maria Marino, Mayor | 7A | City of Palm Beach Gardens |
| Omari Hardy, Commissioner | 8A | City of Lake Worth |

SUMMARY: In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year before the Council’s annual meeting on December 8, 2017. The TCRPC Rules of Order also require the BCC ratify the League’s members. The League appointed the above municipal representatives at their November 22, 2017 meeting. Countywide (RPB)

C. COMMISSION DISTRICT APPOINTMENTS

DECEMBER 5, 2017

7. MATTERS BY THE PUBLIC – 2:00 P.M.

* * * * *

DECEMBER 5, 2017

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 5, 2017

9. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 – COMMISSIONER DAVE KERNER

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER MARY LOU BERGER

F. District 6 - COMMISSIONER MELISSA MCKINLAY, MAYOR

G. District 7 – COMMISSIONER MACK BERNARD, VICE MAYOR

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."