

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 19, 2017

<u>PAGE</u>	<u>ITEM</u>	
22	3I-2	<p>REVISED MOTION AND TITLE: Staff recommends motion to approve: A) <u>Loan Assignment</u>, Assumption and Consent Agreement with CDT SP Marina Bay LLC (as Assignee), and Marina Clinton Associates, Ltd. (as Assignor) approving assumption of Loan Agreements (R2000-1932 and R2005-1345) and supporting Mortgage and Security Agreements as amended; and B) Delegated authority to the County Administrator, or designee, to execute <u>the Loan Assignment, Assumption and Consent Agreement and subsequent future potential Subordination Agreements</u> relating to these loans; and C) CDT SP Marina Bay, LLC as new Borrower/Mortgagor (CDT). (HES)</p>
42	5A-4	<p>DELETED: Staff recommends motion to: A) approve State Initiatives Housing Partnership (SHIP) Program conditional funding award of \$567,500 to Berkeley Landing, Ltd.; B) direct staff to negotiate the funding agreement; and C) authorize County Administrator, or designee, to execute the funding agreement, amendments thereto, and all other documents necessary for project implementation. (HES)</p>
43	5A-5	<p>ADDED: Staff recommends motion to: A) Reject Selection Committee funding recommendation under Request for Proposals (RFP) HES.2017.2 Local Government Areas of Opportunity Funding for the 9% Housing Credits 2017 Request for Applications (“RFP- HES.2017.2”), and B) Cancel RFP-HES.2017.2 and reject all proposals received thereunder. Summary: On October 5, 2017, the Department of Housing and Economic Sustainability (HES) issued RFP HES.2017.2 making \$700,000 in State Housing Initiatives Partnership (SHIP) funds available for a Local Government Areas of Opportunity Funding (LGAOF) grant contribution to multi-family housing developers seeking tax credits from the Florida Housing Finance Corporation (FHFC) 9% Housing Credits Program. The LGAOF through FHFC’s Large County RFA 2017-113 is specifically for projects located in Broward, Duval, Hillsborough, Orange, Pinellas and Palm Beach Counties. FHFC awards 9% Housing Credits to at least one (1) project from each county. By the submittal deadline of November 13, 2017, four (4) developers submitted proposals in response to the RFP. The four (4) developers include: (1) Banyan Development Group, LLC., (2) Berkeley Landing, Ltd., (3) Housing Trust Group, and (4) Richmond Group of Florida Inc. A selection committee consisting of four (4) voting members met at a public meeting held on December 6, 2017 and recommended that Berkeley Landing, Ltd., be awarded \$567,500. Protests to the funding recommendation were submitted by The Richman Group of Florida, Inc., and by Banyan Development Group, LLC. The protests prompted staff and County Attorney review of the procedures employed in the RFP evaluation and selection. As a result, staff identified procedural flaws in the RFP response and review process and recommends rejection of the selection committee funding recommendation and cancellation of the RFP and rejection of all proposals received thereunder as being in the best interest of the County. The Board of County Commissioners (Board) has the sole and absolute authority to reject the Selection Committee’s funding recommendation and cancel the RFP. <u>These are State SHIP Program grant funds which do not require a local match. Countywide</u> (JB)</p>

REVISED SUMMARY: Staff recommends motion to approve: Third Amendment to Interlocal Agreement with the South Florida Water Management District (SFWMD) for the County's purchase of SFWMD's 60.6% interest in the McMurrain Farms Property for \$8,926,380. **SUMMARY:** The County (39.4%) and SFWMD (60.6%) jointly own the 571 acre McMurrain Farm property in the Ag Reserve. The property was initially purchased for interim agricultural use with plans for SFWMD to construct an above ground reservoir as part of SFWMD's Agricultural Reserve Reservoir program. SFWMD has since determined that the Ag Reserve Reservoir program is not feasible, has terminated the program, and has declared its interest in the McMurrain Farm property to be surplus. SFWMD desires to sell its interest in the property to recover its investment. During the budget process, the Board programmed \$9,000,000 in funding over 3 years to acquire SFWMD's interest in the property. SFWMD obtained an appraisal valuing SFWMD's interest in property at \$8,926,380. This Third Amendment provides for the County to purchase SFWMD's 60.6% interest in three installments of \$2,975,460. The first installment is due on ~~January 31~~ March 31, 2018; the second installment on November 1, 2018 and the third installment on November 1, 2019. Upon payment of each installment, the ownership interests and rental revenue shall be proportionately adjusted. SFWMD shall continue to manage property until all installment payments have been paid. **This item requires a supermajority vote (5 Commissioners) for approval.** (PREM) District 5 (HJF) (FDO)

REVISED: Staff recommends motion to:

(A) Receive and file the Palm Beach County Disparity Study Revised Final Draft Report and Recommendations of Mason Tillman Associates, Ltd. (MTA); **(B)** Defer taking any further action until the Summary Memorandum/Review of the Palm Beach County Disparity Study by Franklin M. Lee of Tydings & Rosenberg, LLP. has been adequately reviewed; and **(C)** Direct staff to extend MTA Contract period for an additional ninety (90) days from the expiration date of existing contract with potential travel related expenses required by the County.

~~**(A) accept** the Palm Beach County Disparity Study Revised Final Draft Report and recommendations of Mason Tillman Associates, Ltd. (MTA); **(B) Accept** the summary memorandum outlining the findings from the critical review of the disparity study methodology, data sources, findings and recommendations prepared by Franklin Lee of Tydings & Rosenberg, LLP and **(C) direct** staff on whether to commence development and implementation of a Minority/Women Business Enterprise (M/WBE) program with Franklin Lee of Tydings & Rosenberg, LLP.~~

SUMMARY: Palm Beach County entered into a contract with MTA on October 21, 2014 for a disparity study to assess whether there is disparity in the utilization of M/WBE in contracting in the areas of construction, professional services and goods and services. MTA has completed the study and has submitted the ~~final report~~ Revised Final Draft Report for review and consideration by the Board of County Commissioners. MTA recommends that Palm Beach County implement both race and gender- neutral remedies well as race and gender-conscious remedies that will address the disparity identified in the study. MTA also recommends that the County continue its Small Business Enterprise Program. Staff is requesting the BCC not take any further action regarding the results of the Disparity Study until Franklin M. Lee, Esq., completes and submit his review of the Disparity Study. It is anticipated this item will be submitted to the BCC in January 2018. Due to the fact MTA contract terminates on 12/31/2017 it will be necessary to extend the contract by a maximum of ninety (90) days to ensure contractual services are extended through the presentation of Franklin Lee. This will commit the consultant to remain available throughout the study period. Countywide (HH)

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 19, 2017

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

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. AGENDA APPROVAL

- A. Additions, Deletions, Substitutions
- B. Adoption

3. CONSENT AGENDA (Pages 7-34)

4. PUBLIC HEARINGS - 9:30 A.M. (Pages 35-39)

**5. REGULAR AGENDA (Pages 40-45)
TIME CERTAIN 2:00PM (Disparity Study) (5D-1/Admin) (Page 45)**

6. BOARD APPOINTMENTS (Page 46)

7. STAFF COMMENTS (Page 47)

8. COMMISSIONER COMMENTS (Page 48)

9. ADJOURNMENT (Page 48)c

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 7

- 3A-1 Contract with Legal Aid Society of Palm Beach for Wage Dispute Project
- 3A-2 Appointment to the Small Business Assistance Committee

B. CLERK & COMPTROLLER

Page 8

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

C. ENGINEERING & PUBLIC WORKS

Page 8

- 3C-1 Work Order with Ranger Construction Industries, Inc. to mill and resurface Military Trail to Palmetto Park Road
- 3C-2 Roadway transfer agreement with FDOT transferring ownership and maintenance for several properties to Palm Beach County

Page 9

- 3C-3 Interlocal agreement with Village of Palm Springs for water main and force main adjustments from Forest Hill Elementary School to east of Major Drive
- 3C-4 Subordination of utility interests and reimbursement for future facility relocations with the City of West Palm Beach near the intersection of N. Congress Avenue and Palm Beach Lakes Boulevard
- 3C-5 Interlocal agreement with Village of Palm Springs for water main and force main adjustments from Sherwood Forest Boulevard over LWDD L-8 Canal

Page 10

- 3C-6 Contract with Ranger Construction Industries, Inc. for annual milling and resurfacing
- 3C-7 Contract with Ranger Construction Industries, Inc. for resurfacing of Haverhill Road from Summit Boulevard to Belvedere Road

Page 11

- 3C-8 First amendment to contracts with four engineering firms extending the contracts for one year and modifying the fee schedule

D. COUNTY ATTORNEY

Page 11

- 3D-1 Settlement for attorney fees and costs for former County employee

E. COMMUNITY SERVICES

Page 12

- 3E-1 Amendments to Contracts with three agencies for Provision of Ryan White Part A HIV Health Support Services

Page 13

- 3E-2 Amendments to Agreements with two agencies to provide meals and in-home services to seniors
- 3E-3 Ratify Mayor's signature on Federally Funded Subgrant Agreement providing assistance to low income residents of Palm Beach County

F. AIRPORTS

Page 14

- 3F-1 Change order to Amendment 10 with The Morganti Group, Inc. for Construction Manager at Risk services and extension of time
- 3F-2 Memorandum of Agreement with Aeronautical Services for a digital Notice to Airmen Manager System at four county airports
- 3F-3 Memorandum of Lease, Estoppel Certification and Non-Disturbance Agreement with Galaxy Aviation
- 3F-4 Easement Agreement with Comcast Cable for service at PBIA

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

F. AIRPORTS (Cont'd)

- Page 15
- 3F-5 Receive and file assignment of lease between PBC and Piedmont Hawthorne Aviation, LLC for hangar agreement at the North County General Aviation Airport
 - 3F-6 Development Site Lease Agreement with PBI POST DISTR, LLC, for the development of a warehouse
- Page 16
- 3F-7 Amendment to contract with AECOM Technical Services, Inc for planning and design services

H. FACILITIES DEVELOPMENT & OPERATIONS

- Page 16
- 3H-1 Receive and file Standard license agreement with the Wellington Chamber of Commerce for use of County-Owned property
- Page 17
- 3H-2 Agreement with Susan Narduli for Art Services at the Palm Beach County Convention Center Courtyard
- Page 18
- 3H-3 Amendments to five HVAC contracts to provide HVAC services
- Page 19
- 3H-4 Installation of plaques in the Main County Courthouse's Criminal and Juvenile Entrance Lobbies indicating "Judge Daniel T.K. Hurley Courthouse"
- Page 20
- 3H-5 Amendments to five contracts for Asbestos & Industrial Hygiene Consulting services
 - 3H-6 Amendment to contract with Robling Architecture Construction, Inc. for renovations to the Santaluces Aquatic Center

I. HOUSING AND ECONOMIC SUSTAINABILITY

- Page 21
- 3I-1 Amendment to Agreement with Aid to Victims of Domestic Abuse, Inc. revising expense categories eligible for reimbursement
- Page 22
- 3I-2 Assumption Agreement with CDT SP Marina Bay, LLC for construction of elderly multifamily housing

J. PLANNING, ZONING & BUILDING

- Page 23
- 3J-1 Cost Reimbursement Agreement between PBC and State of Florida Department of Economic Opportunity for a Community Planning Technical Assistance grant

K. WATER UTILITIES

- Page 23
- 3K-1 Receive and file agreements received during the month of August 2017
- Page 24
- 3K-2 Contract with Hazen and Sawyer, P.C., for improvement projects at the Southern Region Water Reclamation Facility
 - 3K-3 State Financial Assistance Agreement with FDEP for restoration and repair of the water infrastructure of the Glades Region
- Page 25
- 3K-4 Contract with DBF Construction LLC for South County water main replacements

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 25
- 3L-1 Assignment of Conservation Easement between PBC and the Village of Palm Springs

M. PARKS & RECREATION

- Page 25
- 3M-1 Agreement between PBC and the PBSO to provide mutually agreed upon community outreach programs for youth at the Westgate Recreation Center

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

M. PARKS & RECREATION (Cont'd)

Page 26

3M-2 Receive and file ten executed Independent Contractor Agreements

Page 27

3M-3 Amendment to Infrastructure Surtax Project Plan to consolidate all Playground Replacement projects budgets

S. FIRE RESCUE

Page 27

3S-1 Amendment to Agreement with Elite Medical Specialists, LLC for a time extension for medical director services

X. PUBLIC SAFETY

Page 28

3X-1 Receive and file amendment to Interlocal Agreement for Civil Drug Court with the City of Riviera Beach

3X-2 Receive and file Victim of Crime Act grant agreement to provide victim advocacy services

Page 29

3X-3 Receive and file amendment to contract with the State of Florida, Department of Health increasing the contract amount to purchase educational materials

BB. YOUTH SERVICES

Page 30

3BB-1 Agency Affiliation Agreement with Everglades College, Inc. for the students to get clinical experience required to complete a Master's/Doctoral degree

CC. SHERIFF

Page 30

3CC-1 Subgrant Agreement from the State of Florida Department of Transportation for the Occupant Protection Program

Page 31

3CC-2 Subgrant Agreement from the State of Florida Department of Transportation for the Speed and Aggressive Driving Campaign

3CC-3 Receive and file modification to subgrant agreement between Emergency Management and the PBSO extending the grant period

3CC-4 Receive and file modification to subgrant agreement between Emergency Management and the PBSO modifying the budget distribution, scope of work and deliverables

3CC-5 Federally-Funded Subgrant Agreement for a FY17 State Homeland Security Grant

Page 32

3CC-6 Letter of Agreement and Contract between PBSO and FDOT for the Drug Recognition Expert Project

3CC-7 Receive and file second amendment to the Memorandum of Agreement between PBSO and Early Learning Coalition

3CC-8 National Institute of Justice Award Letter for a FY 2017 DNA Capacity Enhancement and Backlog Reduction Program Grant

Page 33

3CC-9 US Department of Justice, COPS Office Award to hire 15 new law enforcement deputies to increase community policing and address drug traffic activities and violent crimes

DD. INTERNAL AUDIT

Page 33

3DD-1 Receive and file Audit Risk Assessment and Work Plan for FY 2018

EE. MEDICAL EXAMINER

Page 33

3EE-1 Contract with AXIS Forensic Toxicology, Inc. to provide forensic toxicology testing

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

FF. TOURIST DEVELOPMENT COUNCIL

Page 34

3FF-1 Amendment to the Tri-Party Agreement between PBC, the City of Boca Raton and ESPN to produce an annual college football bowl game

PUBLIC HEARINGS – 9:30 A.M.

A. WATER UTILITIES

Page 35

4A-1 Resolution confirming the Special Assessment Roll for the 52nd Court North Water Main Extension

B. FIRE RESCUE

Page 35

4B-1 Ordinance adopting the updated Florida Fire Prevention Code

C. PLANNING, ZONING & BUILDING

Page 36

4C-1 Ordinance repealing and adopting amendments to the Florida Building Code

D. ENGINEERING

Page 37

4D-1 Five Year Road Program

E. HOUSING AND ECONOMIC SUSTAINABILITY

Page 38

4E-1 Tax Equity & Fiscal Responsibility Act concerning the proposed issuance of revenue bonds for the Trinity Health Corporation

F. ADMINISTRATION

Page 39

4F-1 Ordinance establishing the Prohibition of Conversion Therapy on Minors

REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY

Page 40

5A-1 Rescind Impact Fee Affordable Housing Assistance Program award to Community Land Trust of Palm Beach County for the Davis Landings West project

Page 41

5A-2 Resolution approving the issuance of hospital revenue bonds for Jupiter Medical Center, Jupiter Medical Center Foundation, Inc., and Jupiter Medical Center Pavilion, Inc.

5A-3 Resolution approving the issuance of housing revenue bonds for Village of Valor to construction multifamily rental housing

Page 42

5A-4 ~~DELETED: State Initiatives Housing Partnership funding for multifamily housing~~

Page 43

5A-5 **ADDED:** State Initiatives Housing Partnership funding for multifamily housing

B. FACILITIES DEVELOPMENT & OPERATIONS

Page 43

5B-1 Amendment to Interlocal Agreement with SFWMD to purchase interest in the McMurrain Farms property to construct an above ground reservoir

C. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 44

5C-1 Resolution approving a Joint Participation Agreement with FDOT for mitigation project within the Loxahatchee Slough, Pond Cypress and Pine Glades National Areas

DECEMBER 19, 2017

TABLE OF CONTENTS

REGULAR AGENDA CONTINUED

D. ADMINISTRATION

Page 45

5D-1 Disparity study and presentation of Mason Tillman Associates, Ltd.

BOARD APPOINTMENTS (Page 46)

STAFF COMMENTS (Page 47)

COMMISSIONER COMMENTS (Page 48)

ADJOURNMENT (Page 48)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: Contract with the Legal Aid Society of Palm Beach County, Inc. totaling \$133,000 for the period of January 1, 2018 through December 31, 2018 for the Wage Dispute Project. **SUMMARY:** On December 20, 2016, the County and the Legal Aid Society of Palm Beach County (Legal Aid Society) entered into a Contract (R2016-1855) for \$133,000 to cover the salary and benefits of the staff attorney assigned to the Wage Dispute Project, together with the support, investigative, court processing services and other actual costs of the project. The Legal Aid Society has requested to continue the program for another year. Kimberly Rommel-Enright and Vicki Krusel, employees of the Legal Aid Society, serve on the Palm Beach County HIV CARE Council (Council), which is a County Advisory Board. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the contract listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443 of the Palm Beach County Code of Ethics. Countywide (DO)

2. Staff recommends motion to approve: appointment of the following individual to the Small Business Assistance (SBA) Committee for the seat and term indicated below.

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Appoint				
Denise C. Albritton	9	Women’s Business Organization	12/19/17-09/30/18	Comm. Valeche Comm. Burdick

SUMMARY: The SBA Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code as amended on March 12, 2013. The committee consists of 15 members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. Ms. Denise C. Albritton was appointed to the SBA Committee on June 6, 2017, and on November 7, 2017, a Letter of Termination was sent to Ms. Albritton due to lack of attendance. Since that time, Ms. Albritton has provided a letter of commitment indicating she will adhere to the attendance policy of the Committee. The SBA Committee supports the nomination and a memo was sent to the Board of County Commissioners on November 27, 2017, requesting approval of the recommendation. No other nominations were received. The SBA Committee consists of 15 members and the terms of the seats are for three years. The SBA Committee reviews and evaluates the effectiveness of small business programs within County Government. The Committee currently consists of fourteen (14) members. The current diversity count is: Caucasian: 7 (50%), African American: 5 (35.7%), and Hispanic: 2 (14.2%). The gender ratio (female:male) is: 7:7. The nominee for appointment to seat 9 is an African American female. Countywide (HH)

3. CONSENT AGENDA APPROVAL

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 NONE
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during October 2016. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Work Order 2015053-58 in the amount of \$680,000 to mill and resurface Military Trail from the county line north to Palmetto Park Road utilizing Palm Beach County’s annual asphalt milling and resurfacing contract R2016-0143 with Ranger Construction Industries, Inc. (Ranger). **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 \$12 million of Ranger’s \$20 million contract has been spent or encumbered. The Small Business Enterprise 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 14.3% for all the work orders issued under the contract. **This project is funded through the infrastructure sales tax.** District 4 (LBH)
2. **Staff recommends motion to approve:** roadway transfer agreement with the State of Florida Department of Transportation (FDOT) to transfer ownership and maintenance responsibilities for State Road 7/SR 7 Extension from Okeechobee Boulevard to Northlake Boulevard to FDOT, and to transfer ownership and maintenance responsibilities for both State Road 845/Powerline Road from north of the Hillsboro Canal to Glades Road and State Road 850/Northlake Boulevard from US 1/SR 5/Federal Highway to SR 811/Alt A1A to Palm Beach County (County). **SUMMARY:** Approval of this agreement will transfer all ownership and maintenance responsibilities for SR 7 Extension from County to FDOT. County will transfer all rights to the roadway and right-of-way, as specified in this agreement. Approval of this agreement will also transfer ownership and maintenance responsibilities for both Powerline Road and Northlake Boulevard from FDOT to the County. FDOT will transfer all rights to the roadways and rights-of-way, as specified in this agreement. Districts 1, 2, 4, 5 & 6 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

A) interlocal agreement with the Village of Palm Springs (Village) in the amount of \$99,625.76 for water main and force main utility adjustments as part of the Purdy Lane from Forest Hill Elementary School to east of Major Drive project; and

B) budget amendment of \$99,626 in the Road Impact Fee Fund – Zone 2 to recognize reimbursement funding from the Village and appropriate it to the project.

SUMMARY: Approval of this agreement will allow Palm Beach County and the Village to jointly participate in construction of utility adjustments as part of the roadway project. The Village agrees to reimburse the County for the cost of these utility adjustments, which were included in the bid. This budget amendment is necessary to recognize the funding from the Village for the utility improvements to be incorporated into the County's construction of the project. District 2 (LBH)

4. Staff recommends motion to approve: subordination of utility interests and reimbursement for future facility relocations with the City of West Palm Beach (City) on a parcel of land located on the north side of N. Congress Avenue approximately 1,450 feet northwest of the intersection with Palm Beach Lakes Boulevard. **SUMMARY:** Approval of the subordination will subordinate a City sanitary sewer easement interest and allow Palm Beach County to accept a warranty deed for additional right-of-way, free and clear of all encumbrances. As part of the development conditions associated with a new residential storage facility, the property owner is required to provide the County with additional right-of-way on the north side of N. Congress Avenue. District 7 (LBH)

5. Staff recommends motion to approve:

A) interlocal agreement with the Village of Palm Springs (Village) in the amount of \$62,634 for water main and force main utility adjustments as part of the Sherwood Forest Boulevard over LWDD L-8 Canal project; and

B) budget amendment of \$62,634 in the Transportation Improvement Fund to recognize reimbursement funding from the Village and appropriate it to the project.

SUMMARY: Approval of this agreement will allow Palm Beach County and the Village to jointly participate in construction of utility adjustments as part of the roadway project. The Village agrees to reimburse the County for the cost of these utility adjustments, which were included in the bid. This budget amendment is necessary to recognize the funding from the Village for the utility improvements to be incorporated into the County's construction of the project. District 2 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

A) annual milling and resurfacing contract, Project No. 2017053, with Ranger Construction Industries, Inc. (Ranger) in an amount not to exceed the total value of \$16,000,000 for work orders; and

B) annual milling and resurfacing contract, Project No. 2017053, with Community Asphalt Corp. (Community), in an amount not to exceed the total value of \$16,000,000 for work orders.

SUMMARY: Approval of these contracts will establish an annual milling and resurfacing contract. The Small Business Enterprise goal for all contracts is 15%. Ranger committed to 15.3% SBE participation. Community committed to 5.5% SBE participation, which is more than the 0% SBE participation committed to by General Asphalt, the third bidder of three total bidders. Ranger is a Palm Beach County based company. Community is a Miami-Dade registered company, with an office located in Palm Beach County. These contracts are for 12 months, with the possibility of an extension for up to a total of 36 months, with approval of the Board of County Commissioners. Although Community's and Ranger's non-discrimination policies do not conform to the County's non-discrimination policy in all respects, Community and Ranger have contractually agreed that they will not discriminate based on any of the grounds encompassed within County Resolution No. 14-1421 and will abide by the Resolution. Countywide (LBH)

7. Staff recommends motion to approve:

A) contract with Ranger Construction Industries, Inc. (Ranger) in the amount of \$888,838.50 for the resurfacing of Haverhill Road from Summit Boulevard to Belvedere Road Project;

B) budget transfer of \$568,009 from the Housing and Community Development Fund to the Transportation Improvement Fund for the project; and

C) budget amendment of \$568,009 in the Transportation Improvement Fund to recognize the transfer from the Housing and Community Development Fund and appropriate it to the project.

SUMMARY: Approval of this contract, budget transfer and budget amendment will allow Palm Beach County to issue a notice to proceed to Ranger, a Palm Beach County based company, to begin construction of the project. The Small Business Enterprise goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this project due to federal funding restrictions. Ranger was the lowest responsive, responsible bidder. This project is partially funded thru Community Development Block Grant funds. Districts 2 & 7 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to approve:

A) first amendment to the annual structural engineering contract with Alan Gerwig & Associates, Inc., (AGA) R2017-0026, dated January 10, 2017, to extend the contract expiration date from January 9, 2018 to January 9, 2019, and modify the fee schedule;

B) first amendment to the annual structural engineering contract with R.J. Behar & Company, Inc., (RJB) R2017-0027, dated January 10, 2017, to extend the contract expiration date from January 9, 2018 to January 9, 2019, and modify the fee schedule;

C) first amendment to the annual structural engineering contract with Stantec Consulting Services Inc., (SCS) R2017-0137, dated February 7, 2017, to extend the contract expiration date from February 6, 2018 to February 6, 2019, and modify the fee schedule; and

D) first amendment to the annual structural engineering contract with Wantman Group, Inc., (WGI) R2017-0138, dated February 7, 2017, to extend the contract expiration date from February 6, 2018 to February 6, 2019, and modify the fee schedule.

SUMMARY: Approval of these first amendments will extend the expiration dates of the annual structural engineering contracts for AGA and RJB from January 9, 2018 to January 9, 2019, and extend the expiration dates for SCS and WGI from February 6, 2018 to February 6, 2019. These extensions will provide a continuation of the required professional services provided by AGA, RJB, SCS and WGI for one year, on a task order basis. These amendments with AGA, RJB, SCS and WGI will also adjust their hourly rates as allowed in the original contracts and shown in Exhibit B1 of each amendment. These amendments are the first renewals of two possible one year renewals permitted per the original contracts. To date, tasks in the amount of \$20,127.12 have been authorized for AGA with 100% Small Business Enterprise (SBE) participation which meets their commitment of 100%. Tasks in the amount of \$153,162.89 have been authorized for RJB with 20.35% SBE participation which exceeds their commitment of 17%. Tasks in the amount of \$125,449.19 have been authorized for SCS with 22.72% SBE participation which does not meet their commitment of 31%. Tasks in the amount of \$262,759.59 have been authorized for WGI with 48.97% SBE participation which exceeds their commitment of 15%. AGA, RJB, SCS and WGI are Palm Beach County based companies. AGA is certified as an SBE company. Countywide (LBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: settlement in the amount of \$151,500, inclusive of the cost of mediation (\$1,500), and attorney's fees and costs, in the case styled Michael Gleman v. Palm Beach County Board of County Commissioners, case number 502015CA013856, resulting from the suspension and termination of a former Water Utilities Department employee. **SUMMARY:** On October 20, 2016, the Water Utilities Department terminated Plaintiff, citing violations of Merit Rules and progressive discipline from an October 23, 2015, suspension. Plaintiff was suspended for "[s]tating that there were NEC and OSHA code violations/citations when none existed". Plaintiff sued under the Florida Whistleblower Act, seeking his lost wages and benefits; compensation for his intangible damages such as humiliation, mental anguish, and loss of reputation; reinstatement to his former position; and for his attorney's fees and litigation costs. Countywide (RMF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendments to the Contracts for Provision of Ryan White Part A HIV Health Support Services with the agencies listed below, for the period March 1, 2017 through February 28, 2018, in an amount not to exceed \$228,332, for the provision of improving health outcome services for persons living with HIV Spectrum Disease:

A) Amendment No. 2 with Compass, Inc. (R2017-0251), to increase funding by \$16,924, for a new total contract amount not to exceed \$1,011,832, to improve health outcome services for persons living with HIV Spectrum Disease;

B) Amendment No. 1 with FoundCare, Inc. (R2017-0394), to increase funding by \$141,408 for a new total contract amount not to exceed \$3,934,357, to improve health outcome services for persons living with HIV Spectrum Disease; and

C) Amendment No. 1 with Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida (R2017-0250), to increase funding by \$70,000 for a new total contract amount not to exceed \$469,353, to improve health outcome services for persons living with HIV Spectrum Disease.

SUMMARY: These amendments are for services for HIV affected clients. They are necessary to allow for payment of services rendered during the grant year. Amendment No. 2 with Compass, Inc. increases funding for medical case management and non-medical case management supportive services. Amendment No. 1 with FoundCare, Inc. increases funding for health insurance premium and cost sharing assistance, substance abuse residential, medical transportation, and medical case management – Minority AIDS Initiative (MAI). Amendment No. 1 with Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida increases funding for specialty outpatient medical care. On June 13, 2017 and June 28, 2017, FoundCare, Inc. had a total contract allocation reduction of \$85,190 for a new total amount of \$3,792,949. These amendments are being submitted as part of annual Ryan White funding sweeps to adjust agency contracts to the final grant award from the Health Resources and Services Administration. Lilia Perez and Quinton Dames, employees of FoundCare, Inc. and Patricia Huntley, employee of Compass, Inc., are members of the HIV CARE Council. Marcia V. Hayden, employee of Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida is a member of the Planning Commission. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agency contract listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section. 2-443, of the Palm Beach County Code of Ethics. **No County funds are required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Amendment 003 to Standard Agreement No. IU016-9500 (R2015-1608) for Nutrition Services Incentive Program with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2017 through December 31, 2017, to revise, replace and amend portions of the standard agreement and to decrease the overall total funding by \$6,103.42, to provide effective delivery of nutritious meals to seniors;

B) Amendment 005 to Standard Agreement No. IA016-9500 (R2016-0321) for Older Americans Act (OAA) with AAA, for the period January 1, 2017 through December 31, 2017, to revise and add portions of the standard agreement, to provide in-home and community-based services to seniors; and

C) downward budget amendment of \$81,686 in the Division of Senior Services Administration Fund to align the budget to the actual grant award.

SUMMARY: Grant adjustments are made during the contract year to align services with need. These amendments are necessary to incorporate changes made to the standard agreements. Palm Beach County Division of Senior Services is responsible for providing services north of Hypoluxo Road. The areas of service include all 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. Sufficient funding is included in the budget to meet County obligations. (Division of Senior Services) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (HH)

3. Staff recommends motion to:

A) ratify signature of the Mayor on Modification No. 1 to the Florida Department of Economic Opportunity (DEO) Federal Fiscal Year (FFY) 2017 Low-Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No. 17EA-0F-10-60-01-023 (R2017-0996) with the State of Florida, Department of Economic Opportunity, for the period April 1, 2017 through March 31, 2018, to increase funding by \$381,327 for a new total amount not to exceed \$3,349,965, to provide energy payment assistance to low income residents of Palm Beach County;

B) delegate County Administrator, or designee, signatory authority on additional exhibits, service coordination and referral documents, and any other necessary documents related to LIHEAP requirements; and

C) approve budget amendment of \$381,327 in the Low-Income Home Energy Assistance Program fund to reconcile the budget to the actual grant award.

SUMMARY: The State of Florida, Department of Economic Opportunity awarded the Palm Beach County Community Action Program \$2,968,638 in LIHEAP funds. This modification increases the original LIHEAP agreement amount by \$381,327. LIHEAP funds will be used to provide energy payment assistance to over 7,000 households in Palm Beach County. The DEO sent instructions to return the modification as soon as possible to avoid disruption of services to clients. The emergency signature process was utilized because there was insufficient time to submit this item through the regular agenda process. **No additional County match funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Change Order No. 1 to Amendment No. 10 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-22: Gate Desk Replacement Phase 3 at Palm Beach International Airport (PBI) for a time extension of 124 calendar days with no change in cost. **SUMMARY:** The Contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBI was approved by the Board on June 4, 2013 (R2013-0663). The Contract is for 2 years with 3 one year renewal options and is a task order based contract for CM at Risk Services at PBI. The Board exercised the first one-year renewal option on May 5, 2015 (R2015-0550); the second one-year renewal option on May 3, 2016 (R2016-0557); and the third and final one-year renewal option on May 2, 2017 (R2017-0538). The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Amendment No. 10 was approved by the Board on October 18, 2016 (R2016-1479). The contract value to date is \$24,664,300. Approval of Change Order No. 1 to Amendment No. 10 for a time extension of 124 calendar days with no change in cost is required to accommodate the airlines' operations during the busy travel season and impacts due to other projects. The Disadvantaged Business Enterprise goal for this contract is 13%. The total to date participation for this contract is 16.09%. Countywide (AH)
2. **Staff recommends motion to approve:** Memorandum of Agreement (MOA) with Aeronautical Services (AJM-336) of the Federal Aviation Administration (FAA) for digital Notice to Airmen (NOTAM) Manager System for Palm Beach International Airport, North Palm Beach County General Aviation Airport, Palm Beach County Park Airport and Palm Beach County Glades Airport at no cost to Palm Beach County. **SUMMARY:** This MOA provides for Palm Beach County Department of Airports use of the FAA's web-based direct entry digital NOTAM system. Each account is password protected for security purposes and the FAA will provide initial training to users as well as on-going support of the system. The digital NOTAM system uses existing county equipment to access the system and requires no additional equipment or configuration. The term of the MOA is for one year with automatic renewals. Either party may terminate this MOA with a 30 day notice. Countywide (AH)
3. **Staff recommends motion to approve:** Memorandum of Lease, Estoppel Certificate, and Non-Disturbance Agreement (Memorandum of Lease) with Galaxy Aviation of Lantana, Inc., d/b/a Stellar Aviation of South Palm Beach (Galaxy) and Professional Bank (Lender). **SUMMARY:** The purpose of the Memorandum of Lease is to place the public on notice as to specific terms and conditions of the Amended and Restated Fixed Base Operator Lease Agreement with Galaxy dated June 21, 2016 (R2016-0759), as amended (Lease), verify the status of the parties' obligations under the Lease and to confirm that County will not disturb the Lender's possession of the leasehold property in the event of a foreclosure, provided that there are no defaults of the tenant's obligations under the Lease. Countywide (HJF)
4. **Staff recommends motion to approve:** Easement Agreement with Comcast Cable Communications Management, LLC (Comcast) for service to 1500 Perimeter Road in West Palm Beach at Palm Beach International Airport (PBI). **SUMMARY:** The Easement Agreement will allow Comcast to install underground coax cable and fiber-optic cabling to Signature Flight Support Corporation, a tenant at PBI located at 1500 Perimeter Road. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to receive and file: Assignment of the Lease between Palm Beach County and Piedmont Hawthorne Aviation, LLC, d/b/a Signature Flight Support (Signature) for that certain Hangar Lease Agreement for Building 11240, Unit 8 (R2010-1111) at the North County General Aviation Airport. **SUMMARY:** Signature leases facilities at the North County General Aviation Airport and Palm Beach County Glades Airport for the provision of fixed base operator services for general aviation aircraft. Leases for aircraft storage hangars are currently managed directly by Signature. A scrivener's error in the assignment of hangar leases from the County to Signature under the Fixed Base Operator Lease Agreement (R2010-1109) resulted in the unintentional omission of Hangar Lease Agreement for Building 11240, Unit 8 (R2010-1111). Countywide (AH)

6. Staff recommends motion to:

A) approve Development Site Lease Agreement (Lease) with PBI POST DISTR. LLC (PBI POST), a Delaware limited liability company, for the lease of approximately 326,697 square feet of unimproved ground located west Post Road and south of Wallis Road for the development of a warehouse, commencing on December 19, 2017, and expiring 30 years from the date of beneficial occupancy with an option to renew for two additional terms of ten years each and an initial annual rental of \$186,217; and

B) authorize Director of the Department of Airports, or designee, to execute, on behalf of County, the Owner's Affidavit, Memorandum of Lease and Ground Lessor's Estoppel in the form attached to the Lease, and all applications and similar instruments required to obtain necessary governmental approvals for the development of the property.

SUMMARY: The Lease provides for the development of an approximately 120,000 square foot warehouse for the storage, handling and distribution of PODS storage containers. PBI POST will pay an initial annual rental of \$186,217, which is \$0.02 per square foot higher than the most recent appraised fair market rental value of the property. Rental will be adjusted every three years, commencing on October 1, 2022. The total anticipated investment to be made by PBI POST is approximately \$11,000,000. The Lease is contingent on receipt of all necessary governmental approvals. Construction of the improvements is required to be completed within 26 months of the effective date of the Lease. The Lease provides PBI POST with consent to the sublease of the property to PODS ENTERPRISES, LLC. The Lease requires the County to deliver an Owner's Affidavit, Memorandum of Lease and Ground Lessor's Estoppel for title and financing purposes. In order to provide the documents within the timeframes required by the Lease and to ensure that PBI POST can timely process its applications for development approvals when the signature of the property owner is required, the Department is requesting a delegation of authority to the Department Director, or designee, to sign the documents on behalf of the County. Although neither the AC/DBE nor SBE programs apply to the Lease, PBI POST has committed to 15% SBE participation in the construction of the improvements. Countywide (HF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. **Staff recommends motion to approve:** Amendment No. 11 to the General Consulting contract with AECOM Technical Services, Inc. for Consulting/ Professional Services in the amount of \$59,298 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports' Capital Improvement Program. **SUMMARY:** The Consulting contract (R2014-0031) with AECOM Technical Services, Inc. for general airport planning and design was approved on January 14, 2014 in the amount of \$1,641,372 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendments 1 through 10 have been previously approved by the Board increasing the amount of the contract by \$9,771,892, bringing the total contract to \$11,413,264. Approval of Amendment No. 11 will provide an additional \$59,298 to complete the following: Task I Services – Specific Projects: Palm Beach International Airport (PBIA) Evaluation of Noise Levels at Proposed Noise Monitor Site; and, Consulting Services for Passenger Facility Charge Application. AECOM Technical Services, Inc. is a Los Angeles, California based firm; however, the majority of the work to be completed in this contract will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 15% was set for this contract. AECOM Technical Services, Inc. has committed to 21% DBE participation for this contract. The total proposed DBE participation in this amendment is approximately 14%. The current paid to date DBE participation is approximately 14%. Approval of this Amendment No. 11 results in anticipated overall DBE participation of 18%. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to receive and file:** Standard License Agreement for Use of County-Owned Property dated November 15, 2017, with the Wellington Chamber of Commerce (Wellington Library Branch Parking lot). **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 November 15, 2017 has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. 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: Agreement for Art Services with Susan Narduli of Narduli Studio in the amount of \$454,000 for the design, permitting, fabrication and installation of “Light Play” sculptural screens and gates for the Palm Beach County Convention Center Courtyard. **SUMMARY:** The County is required to complete an art project visible to the public located within the boundaries of the Convention Center property as a City of West Palm Beach regulatory requirement for the recently constructed Convention Center Parking Garage. The goal of this art project is to create a rentable outdoor venue by leveraging the existing Courtyard on the north side of the Convention Center. Award winning artist Susan Narduli, whose work focuses on integrating art into the environment, will collaborate with internationally recognized lighting design firm Horton Lees Brogden. The Courtyard’s new design will be able to accommodate a variety of events and will include illuminated sculpture screens and gates to define the limits of the space, control access and achieve a degree of visual blockage and seclusion from the Courtyard’s surroundings. That peripheral treatment will then be furthered by flexible seating and tables, landscaping to provide shade, additional lighting to support evening activities and event rentals, and new pavers, all with additional design services by Susan Narduli to complete the full scope of this functional art project. “Light Play”, the courtyard’s sculptural screens and gates, was chosen by the Public Art Committee with participation by representatives from the Convention Center and the City of West Palm Beach. Narduli Studio is not an SBE and is not local. The duration of the contract is 155 days. The funding for the art component of the Parking Garage is budgeted at \$1,350,000 from the 68M Rev Bond AC2/Convention Center Parking Garage. Separate contracts to complete the balance of the Courtyard art project will be necessary and will be prepared for approval once the design is complete and the scope of work identified. The Artist will lead the design and scope of all components of this art project with support of the project’s design professionals. Local architects, landscape architects, engineers and contractors will also assist in achieving SBE and local participation on the art project. This particular contract is being advanced before the project’s construction contract, to meet schedule challenges with the Convention Center’s existing events. (FDO ADMIN) District 7/Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Amendments No. 3 to five annual HVAC contracts extending the term for one year and increasing the maximum dollar value by \$2,500,000 for HVAC 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) E. C. Stokes Mechanical Contractor, Inc.	R2015-0046	Local/SBE	\$606,248	100.0%
B) Farmer & Irwin Corp.	R2015-0047	Local/Non-SBE	\$351,698	0.0%
C) Precision Air Systems, Inc.	R2015-0049	Local/Non-SBE	\$1,447,701	76.7%
D) The Airtex Corporation	R2015-0050	Local/SBE	\$699,010	90.6%
E) Thermo Air, Inc.	R2015-0051	Non-Local/Non-SBE	\$378,649	25.9%

SUMMARY: Amendments No. 3 extend the term of the Contracts for HVAC services for one year through January 12, 2019. The Board approved the annual Contracts on January 13, 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. During the first three years of the Contracts, the County awarded \$3,709,909 in work orders. In addition, Staff is requesting the cumulative limit be increased by \$2,500,000 for a total cumulative value of \$6,500,000. Projects are bid among the pre-qualified participants. Four of the five contractors are Palm Beach County businesses and the remaining one is 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 71%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: installation of engraved granite plaques indicating “Judge Daniel T.K. Hurley Courthouse” into the Main County Courthouse’s Criminal and Juvenile Entrance Lobbies and upon the pair of East Entrance Plaza Clock Towers in the amount of \$15,000 for plaque design, fabrication and installation. **SUMMARY:** On May 17, 2017, the BCC approved the motion to waive County policy CW-O-044 and allow the naming of the Main County Courthouse after retired Judge Daniel T.K. Hurley. The new Courthouse name is proposed to be integrated into prominent locations with granite plaques and engravings to match existing accent granite. Specific plaque locations proposed include the Courthouse’s Criminal and Juvenile Entrance Lobbies and the pair of East Entrance Plaza Clock Towers due to their combined visibility to passersby, as well as the public, attorneys and employees entering the Courthouse. Plaque fabrication and installation is anticipated to be completed in February 2018. In addition to those naming measures alone, Staff believes it appropriate to add an integrated history exhibition showcasing the entire 15th Judicial Circuit into a prominent public space within the Main County Courthouse. Staff is proposing to meet with past and present judges and court partners to develop the content for the overall exhibition installed in those locations. The group will determine exhibition content relevant to the judicial process, judges and circuit officers of the 15th Circuit who made history in their careers, and 15th Circuit cases of historic importance. The first phase of the exhibition will feature retired Judge Hurley and courts related milestones, which occurred during Judge Hurley’s tenure with future phases going back in time. The exhibit will consist of text, graphics and audio-visual interviews with judges and others played on closed loop LCD screen mounted to existing first floor columns. While the development of the full exhibition will likely span 3-5 years, as soon as the group identifies the judges to be permanently features in the exhibit, staff will begin to create video documentation required to complete all phases of the exhibit. In a future Board meeting FDO will seek approval for exhibition content, design and budget for all phases of the project. (FDO ADMIN) Countywide/District 7 (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendments No. 1 to the continuing Contracts for Asbestos & Industrial Hygiene Consulting services to extend the term for one year:

A) Airquest Environmental, Inc. (R2017-0412), Non-SBE/Local, 0% SBE participation to date;

B) ECO Advisors, LLC. (R2017-0413), SBE/Local, 91.3% SBE participation to date;

C) Gaudet Associates, Inc. (R2017-0414), SBE/Local 76.2% SBE participation to date;

D) GLE Associates, Inc. (R2017-0415), Non-SBE/Non-Local, 0% SBE participation to date; and

E) Professional Service Industry, Inc. (R2017-0417), Non-SBE/Local, 0% SBE participation to date.

SUMMARY: In January, 2016, the School District of Palm Beach County performed selection in accordance with the Consultants Competitive Negotiation Act, to provide asbestos consulting services. The County piggybacked the School District's contracts, as it was more efficient than the County performing its own selection. The School District's contracts provided an initial term of two years commencing on January 19, 2016 with three renewal options each for a period of one year. On April 4, 2017, the Board approved the annual contracts through January 18, 2018. Amendments No. 1 extend the term of the contracts' services during the first renewal period for one year from January 19, 2018 through January 18, 2019. During the first two years of these contracts, Airquest Environmental, Inc. was awarded \$35,375, Eco Advisors, LLC was awarded \$57,940, Gaudet Associates, Inc. was awarded \$24,096, GLE Associates, Inc. was awarded \$110,585 and Professional Service Industry, Inc. was awarded \$12,895 in Consultant Services Authorizations. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. (Capital Improvements Division) Countywide (LDC)

6. Staff recommends motion to approve: Amendment No.6 to the contract with Robling Architecture Construction, Inc. (R-2016-0762) in the amount of \$561,384 for the renovations to the Santaluces Aquatic Center establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** This Amendment authorizes the Construction Manager (CM) to remodel the swimming pool, including resurfacing of the pool, new pool tile, markers and coping, handrails, new pool drains and inlet jets, leaking pipe repairs, deck repairs throughout, and repainting the Administration/Lifeguard/Locker Room building. Amendment No. 6 establishes a Guaranteed Maximum Price (GMP) of \$561,384. The GMP includes the cost of the work, the construction manager's fee and contractor contingency. The duration of construction is 180 days. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Robling Architecture Construction, Inc.'s SBE participation for this Amendment is 26.7%. **This project will be funded from Infrastructure Sales Tax.** Robling Architecture Construction, Inc. is a Palm Beach County business and it is anticipated that 100% of the work will be performed by Palm Beach County contractors. (Capital Improvements Division) District 3 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) Amendment No. 001 to an Agreement (R2017-1467) with Aid to Victims of Domestic Abuse, Inc. (AVDA) to revise the expense categories eligible for reimbursement; and

B) delegated authority to the County Administrator, or designee, to execute amendments to the 12 Agreements (R2017-1467 through R2017-1478) approved by the Board of County Commissioner on October 3, 2017.

SUMMARY: On October 3, 2017, the County entered into an Agreement (R2017-1467) with AVDA to provide \$20,640 in Community Development Block Grant (CDBG) funds for the provision of transitional housing and supportive services to homeless victims of domestic abuse and their children. AVDA would like to use the CDBG funds for eligible expenses in the operating category, not the personnel category. This Amendment revises the categories eligible for reimbursement. Delegation of authority to the County Administrator, or designee, to execute future amendments to the Agreements approved on October 3, 2017, will allow timely execution of such amendments which will allow recipients to undertake activities in a continuous uninterrupted manner and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development expenditure deadlines. **These are Federal CDBG funds which require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve:

A) Loan Assignment, Assumption and Consent Agreement with CDT SP Marina Bay LLC (as Assignee), and Marina Clinton Associates, Ltd. (as Assignor) approving assumption of Loan Agreements (R2000-1932 and R2005-1345) and supporting Mortgage and Security Agreements as amended; and

B) Delegated authority to the County Administrator, or designee, to execute the Loan Assignment, Assumption and Consent Agreement and subsequent future ~~potential~~ Subordination Agreements relating to these loans; and

C) CDT SP Marina Bay, LLC as new Borrower/Mortgagor (CDT). (HES)

SUMMARY: On November 21, 2000, the County entered into a Loan Agreement (R2000-1932) with Marina Clinton Associates, Ltd. (MCA) which provided \$291,950 in State Housing Initiative Partnership (SHIP) funds to assist in the construction of Marina Bay Apartments, a 192 unit elderly multifamily affordable housing project in unincorporated Lantana. The County secured this three percent (3%) cash flow dependent loan with a second mortgage which matures on April 30, 2030. On July 12, 2005, the County entered into a Loan Agreement (R2005-1345) with MCA which provided \$50,000 in SHIP funds for hurricane repairs at Marina Bay Apartments. The County secured this one percent (1%) cash flow dependent loan with a third mortgage which matures on April 30, 2021. On May 21, 2013, the County approved a First Amendment to the \$291,950 Mortgage and Security Agreement and Modification of Promissory Note (R2013-0639) and a First Amendment to the \$50,000 Mortgage and Security Agreement and Modification of Promissory Note (R2013-0640), extending the maturity date of both Mortgages and Promissory Notes (these documents together with the two Loan Agreements are referred to as the (Loan Documents)). CDT has contracted with MCA to purchase the Marina Bay Apartments and desires to assume the Loan Documents, and has agreed to pay all unpaid interest and fees as of the date of closing that have been deferred as provided in the Loan Documents. As a provision of the loans, Marina Bay Apartments is required to provide housing for elderly persons who have low or very low income pursuant to U.S. Government HUD guidelines. Approval of CDT as a new Borrower/Mortgagor and CDT's assumption of the Loan Documents is recommended by staff based on a review of CDT's finances and supporting documentation. The value of the property is sufficient to support these changes as CDT is also assuming the primary mortgage on the property. **These are State SHIP funds which require no local match.** District 3 (JB)

3. **CONSENT AGENDA APPROVAL**

J. **PLANNING, ZONING & BUILDING**

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

A) Cost Reimbursement Agreement between Palm Beach County (as Grantee) and the State of Florida Department of Economic Opportunity (DEO) for a Community Planning Technical Assistance (CPTA) grant in the amount of \$40,000, received on behalf of the Westgate/Belvedere Homes Community Redevelopment Agency (Westgate CRA or WCRA) to evaluate and recommend amendments to Article 3.B.14, Westgate Community Redevelopment Area Zoning Overlay (WCRAO) within the County's Unified Land Development Code (ULDC).

B) Interlocal Agreement with the Westgate CRA for the reimbursement of funds associated with the DEO grant agreement, and

C) budget amendment of \$40,000 in the General Fund (Fund 0001).

SUMMARY: In June 2017, the Department of Planning, Zoning and Building, on behalf of the Westgate CRA, submitted a CPTA grant program-funding request to the DEO for assistance to hire professional consultants to evaluate and recommend amendments to the WCRAO. The WCRAO Analysis and Amendments project was selected for funding of a CPTA grant in the amount of \$40,000 in August 2017 following a competitive statewide DEO selection process. The DEO CPTA grant program is offered pursuant to Section 163.3168, Florida Statutes, to provide direct and/or indirect technical assistance to help Florida communities find creative solutions to fostering vibrant and healthy communities. The purpose of an analysis of the WCRA Overlay is to critically examine its efficacy today, both from a broad perspective, and in a way which looks at the positive impact and challenges of specific regulation language. An evaluation of how the Overlay functions within the ULDC and a cross-comparative analysis of the Overlay within the County's Comprehensive Plan will be a focus. Districts 2 & 7 (RPB)

K. **WATER UTILITIES**

1. **Staff recommends motion to receive and file:** executed Agreements received during the month of August 2017.

A) Standard Potable Water and Wastewater Development Agreement with D.R. Horton, Inc., #01-01242-001 (District 2), Recorded in OR BK 29337 PG 0383.

B) Standard Potable Water and Wastewater Development Agreement with Willie H. Day and Frankie J. Day, #11-01016-000 (District 6), Recorded in OR BK 29132 PG 0188-0196.

C) Change Order No. 3 for the Contract for Water Treatment Plant #3 and #9 Wellfield Improvements (WUD Project No. 15-035) with Florida Design Drilling Corporation (District 6).

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

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve: Contract for Professional Consulting/Engineering Services with Hazen and Sawyer, P.C., (Contract) for the Secondary Clarifier and Effluent Filtration Improvements Project (Project) at the Southern Region Water Reclamation Facility (SRWRF) in the amount of \$1,999,490. **SUMMARY:** This Contract will provide professional services during the design, permitting, bidding and construction required to replace aging infrastructure at the SRWRF. The Project will focus on the rehabilitation and improvements to the secondary clarifiers, anaerobic digesters, biogas generators, effluent filters, transfer pumps and chemical storage. The Project will enhance operational efficiency by replacing or rehabilitating equipment which are reaching the end of their serviceable life. The procurement was undertaken pursuant to the requirements of Florida Statutes 287.055 (Consultants' Competitive Negotiation Act). The Contract has a term of four years. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Hazen and Sawyer, P.C., provides for a minimum SBE participation of 21%, however, Hazen and Sawyer, P.C., has committed to an SBE participation of 30.31% overall. Hazen and Sawyer, P.C., is headquartered in New York, New York, but maintains an office in Palm Beach County from which the majority of the work under the Contract will be undertaken. The Project is in the FY18 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 17-022) District 5 (MJ)

3. Staff recommends motion to:

A) approve State Financial Assistance Agreement (Agreement) with the Florida Department of Environmental Protection for \$1,000,000 towards the restoration and repair of the water infrastructure of the Glades Region;

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

C) approve budget amendment of \$1,000,000 in the Water Utilities Department Capital Improvement Fund (Fund 4011) to recognize the \$1,000,000 grant revenue from the agreement and reallocate \$1,000,000 from the Glades Region Water Distribution Rehabilitation project to the Lake Region Infrastructure Improvement Project (Project).

SUMMARY: The 2017-2018 General Appropriations Act included an appropriation of \$1,000,000 for the Project, which is being undertaken by the Water Utilities Department (WUD) in the Glades Region. This Agreement will reimburse the County up to \$1,000,000 towards the implementation of water infrastructure improvement projects that are required in order to repair and restore the water infrastructure of the Glades Region. The grant amount will be utilized to upgrade and replace the existing potable water infrastructure located along Gator Boulevard from East Sugarhouse Road to Duda Road (WUD Project No. 16-037) and Southwest 4th Street, Southwest 8th Street and Southwest 9th Street from Southwest Avenue F to Dr. Martin Luther King Jr., Boulevard (WUD Project No. 16-053) in the City of Belle Glade. The Project to be funded was chosen based on the ability to meet time and expenditure deadlines contained within the Agreement. The Project will improve the service level, system reliability and fire flow in the area. The Agreement requires no funding match from the County; however, the total cost of the work funded by the Agreement will exceed \$2,000,000. With County funds covering more than 50% of the project cost, the Section 255.0991, F.S., restriction against applying local preference in the procurement of construction services is not applicable. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: Contract with DBF Construction LLC for the South County Water Main Replacements Phase 5 Project (Project) in the amount of \$2,075,000. **SUMMARY:** On July 26, 2017, 11 bids were received for the Project. The Project provides for the replacement of approximately 16,400 feet of old and substandard asbestos cement water main and approximately 285 water services located in Sandalfoot Cove in southwest Boca Raton. DBF Construction LLC was the lowest responsive responsible bidder in the amount of \$2,075,000. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with DBF Construction LLC provides for SBE participation of 7.709%. The second low bidder Man-Con Incorporated also failed to meet the SBE participation goal and the remaining bidders were outside of the range established for award under the SBE ordinance. DBF Construction LLC is not a Palm Beach County Company. The Project is included in the FY18 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 15-039) District 5 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: Assignment of Conservation Easement between Palm Beach County and the Village of Palm Springs (Village). **SUMMARY:** A Conservation Easement over a 1.28-acre preserve area was established in 2002 as part of the land development approval process for a parcel known as the New Light Fellowship Church. The parcel in which this 1.28-acre preserve lies was annexed into the Village on December 11, 2014. Since the County no longer has regulatory authority over the area in question, the parcel was never developed, and it lies within the jurisdiction of the Village, it is appropriate to transfer the easement from the County to the Village. This form will provide a process for transfer of this Conservation Easement to the Village of Palm Springs. District 3 (AH)

M. PARKS & RECREATION

1. Staff recommends motion to approve: agreement between Palm Beach County and the Palm Beach County Sheriff's Office to utilize each other's personnel, expertise, facilities and services, to provide mutually agreed upon community outreach and programming for youth ages 7-17 at the County's Westgate Recreation Center. **SUMMARY:** The County desires to partner with the Palm Beach County Sheriff's Office's Police Athletic League to provide mutually agreed upon community outreach and programming for youth ages 7-17 at the County's Westgate Recreation Center. The Police Athletic League (PAL) is a 501(c)(3) youth enrichment program that endeavors to build partnerships between youth, law enforcement, and the community through recreational and educational programs designed to encourage, enhance and develop good citizenship, and improve the quality of life in Palm Beach County. The County has agreed to provide office space and assign one Recreation Specialist II and two non-permanent employees to assist PAL with this program as needed. Palm Beach County Sheriff's Office will pay for all program costs and assign one Deputy, one Recreation Specialist, and other support staff as needed at Westgate Recreation Center. District 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Modern Bujutsu Karate Florida, Inc., Martial Arts Instructor, CMAA Therapeutic Recreation Complex, for the period of October 16, 2017 through September 30, 2018;

B) M. Regina Rodrigues, Gentle Yoga TRIP and Community Program Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2017 through September 30, 2018;

C) M. Regina Rodrigues, Gentle Yoga Adults/Seniors Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2017 through September 30, 2018;

D) Gold Coast Gymnastics, Inc., Tiny Tot Tumbling Instructor, West Boynton Recreation Center, for the period of October 5, 2017 through September 30, 2018;

E) Shelly M. Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period of August 26, 2017 through September 30 2017.

F) Shelly M. Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period of October 3, 2017 through June 17, 2018.

G) Modern Bujutsu Karate Florida, Inc., Martial Arts Instructor, West Boynton Recreation Center, for the period of October 4, 2017 through September 30, 2018;

H) Palm Beach County Officials Association, Inc., Fall 2017 Youth Basketball Officials, West Boynton Recreation Center, for the period of September 26, 2017 through September 30, 2017;

I) Palm Beach County Officials Association, Inc., Fall 2017 Youth Basketball Officials, West Boynton Recreation Center, for the period of October 7, 2017 through October 28, 2017;

J) Palm Beach County Officials Association, Inc., Fall 2017 Youth Basketball Officials, Westgate Recreation Center, for the period of October 7, 201, through December 9, 2017.

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, 3 & 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to approve:

A) amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017;

B) budget transfer of \$1,035,750 within the Infrastructure Sales Tax Fund to combine multiple Playground Replacement projects into project budgets entitled Playground Replacement-Countywide; and

C) budget transfer of \$4,200,000 within the Infrastructure Sales Tax Fund to combine multiple Sports Lighting Replacement projects into project budgets entitled Sports Lighting Replacement-Countywide.

SUMMARY: The purpose of the plan amendment is to consolidate the individual budgets for all Playground Replacement projects into a project entitled Playground Replacement-Countywide and do the same for all sports lighting projects. These transfers will modify the fiscal accounting for these projects, but will in no way modify the scope, timing or total amount of funding allocated to the Category as presented in the approved April 4, 2017 IST Project Plan. The projects in each of these categories are planned to be solicited as an annual contract with individual work orders being issued for individual projects when funding is made available through the regular budget process. This change is being recommended so that the County can achieve better pricing through solicitations, which will allow for economy of scale reductions and eliminate the cost and time associated with multiple procurements. The budget transfers will implement the accounting changes for FY 17 and 18 funding. The Sales Tax Oversight Committee reviewed this request at their November 16, 2017 meeting and approved it unanimously. Countywide (AH)

S. FIRE RESCUE

1. Staff recommends motion to approve: First Amendment to Professional Service Agreement with Elite Medical Specialists, LLC, formally known as Kenneth A. Schepke, M.D., P.A. for medical director services to extend the Agreement from December 31, 2017 to December 31, 2018 in an amount not to exceed \$198,300. **SUMMARY:** Pursuant to State law, Palm Beach County Fire-Rescue, as an Emergency Medical Services Provider, must employ or contract with a medical director who is a licensed physician and meets the criteria set out in Chapter 401, Florida Statutes, and the Rules of the Department of Health, Chapter 64J-1, F.A.C. On December 2, 2014, the County entered into a professional services agreement (R2014-1849) with Kenneth A. Schepke, M.D., P.A. for Medical Director services. Since the inception of the Agreement, Kenneth A. Schepke, M.D., P.A. was converted to Kenneth A. Schepke, M.D., LLC, which was then renamed as Elite Medical Specialists, LLC. The expiration date of the Agreement is December 31, 2017, with two optional one year periods of renewal. Both parties desire to operate under the same terms and conditions of the Agreement through the end of the first one-year renewal period ending December 31, 2018. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: Second Amendment to the Interlocal Agreement for Civil Drug Court with the City of Riviera Beach (R2016-0280, amended R2017-0342) to revise the budget for FY2018 without changing the total funding amounts. **SUMMARY:** The original Interlocal Agreement with the City of Riviera Beach was approved by the Board of County Commissioners on March 1, 2016 for the period October 1, 2015 through September 30, 2018 in the amount of \$401,700 to provide support to the Civil Drug Court program and substance abuse treatment services. The First Amendment reallocated \$2,000 without changing the total funding amounts. The Civil Drug Court program, located in the City of Riviera Beach, provides case management services and contracts for residential and outpatient substance abuse services arising from court ordered treatment for indigent clients throughout the County. The Second Amendment to the Interlocal Agreement revises the existing budget to support the recovery efforts of clients with substance abuse problems throughout Palm Beach County by increasing treatment, personnel cost, and equipment by \$3,600, decreasing training, promotional, supplies, and certified assessor cost by \$3,000, and eliminating \$600 for communication services. On March 1, 2016, the County Administrator or designee was authorized to execute minor amendments and administrative documents associated with this agreement on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (LDC)

2. Staff recommends motion to:

A) receive and file Victim of Crime Act (VOCA) FY2017/2018 grant agreement o-00073 with the State of Florida, Department of Legal Affairs, Office of the Attorney General for the period October 6, 2017 through September 30, 2018, to receive grant funding in the amount of \$351,734 to provide victim advocacy services; and

B) approve budget amendment of \$589 in the Public Safety Grant Fund to adjust the budget to the actual grant award.

SUMMARY: The VOCA FY2017/2018 grant agreement provides funding for five Victim Advocates who assist Palm Beach County victims of crime with advocacy services such as crisis counseling, personal advocacy, court accompaniment, assistance with applying for Victims Compensation, information and referral, emergency legal advocacy, and safety planning. R2006-0099 authorized the County Administrator or designee to execute operational agreements with the State of Florida, Office of the Attorney General, Bureau of Advocacy and Grant Management on behalf of the Palm Beach County Board of County Commissioners. **This grant requires a 20% cash match, (\$87,933.50) that is included in the FY 2018 budget.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) receive and file Amendment #004 to contract #COHJ3 with the State of Florida, Department of Health (FL DOH) to increase the contract amount by \$4,500 to purchase pre-approved educational materials beginning November 1, 2017, and to increase the total not-to-exceed contract amount to \$629,500 for the period February 1, 2016 through January 31, 2021.

B) approve budget amendment of \$4,500 in the Public Safety Grants Fund to adjust the budget to the actual grant award.

SUMMARY: The Division of Victim Services has a five-year contract (COHJ3) with FL DOH to receive grant funds to implement the Green Dot Strategy for sexual violence prevention. This Amendment provides an additional \$4,500 of funding for the purchase of approved media and marketing materials for use in the provider's required annual Social Marketing Campaign. This Amendment revises program tasks, deliverables, performance measures, financial consequences, and method of payments as follows: The Social Marketing Campaign Report (SMCR) must be completed and submitted as specified for prior approval no later than December 15, 2017; failure to do so will result in a \$250 reduction of the monthly invoice. This amendment added additional tasks to the monthly deliverables and updates the payment schedule to reflect the additional \$4,500 of funding. R2017-0343 authorizes the County Administrator or designee to execute future amendments with FL DOH for the Green Dot Program on behalf of the Board of County Commissioners. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to:

A) approve Agency Affiliation Agreement (Agreement) with Everglades College, Inc. d/b/a Keiser University (Everglades College) for the term January 1, 2018 through December 31, 2018, with three automatic one-year renewal options, for its students to complete Master's/Doctoral Degrees required planned and supervised clinical experience at various Youth Services Department facilities, at no cost to the County; and

B) authorize County Administrator, or designee, to execute any future agreements/minor amendments with Everglades College to provide clinical supervision to students seeking training and experience in graduate programs of psychology, social work or other related fields.

SUMMARY: The Youth Services Department's Residential Treatment and Family Counseling Division continues to be an authorized Counselor training facility for many State colleges and universities offering degrees in graduate programs of Psychology, Social Work or other related fields of educational study. Master's/Doctoral Degree programs require field education experience in order to meet degree and licensing requirements. The County will continue to offer its services and programs as a means for the students to obtain the necessary training and experience to earn their respective degree. There are no costs associated with this Agreement. Approval of the delegated authority will allow the County Administrator, or designee, to execute any future Agreement/minor amendments with Everglades College, for supervised clinical field educational experience. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation for the Palm Beach County Sheriff's Office, Palm Beach County Occupant Protection Program project, in the amount of \$75,000, for the period of November 6, 2017 through September 30, 2018; and

B) approve budget amendment of \$75,000, increasing the Sheriff's Grants fund.

SUMMARY: On November 6, 2017, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$75,000, to support an Occupant Protection Program project in Palm Beach County. Funds will be used to support overtime costs associated with the project. There is **no match requirement** associated with this award. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation for the Palm Beach County Sheriff's Office, Palm Beach County Speed and Aggressive Driving Campaign project, in the amount of \$100,000, for the period of November 13, 2017 through September 30, 2018; and

B) approve budget amendment of \$100,000, increasing the Sheriff's Grants fund.

SUMMARY: On November 13, 2017, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$100,000, to support a Speed and Aggressive Driving Campaign project in Palm Beach County. Funds will be used to support overtime costs associated with the project. There is **no match requirement** associated with this award. Countywide (LDC)

3. Staff recommends motion to receive and file: Modification #1 to Subgrant Agreement between the Division of Emergency Management and the Palm Beach County Sheriff's Office on behalf of the Palm Beach County Sheriff's Office to extend the grant period from December 31, 2017 through March 31, 2018. **SUMMARY:** The Board of County Commissioners accepted this grant for \$236,000 on April 5, 2016 (R2016-0461). This agenda item will extend the grant period from December 31, 2017 through March 31, 2018. Countywide (LDC)

4. Staff recommends motion to:

A) receive and file Modification #1 to Subgrant Agreement between the Division of Emergency Management and the Palm Beach County Sheriff's Office on behalf of the Palm Beach County Sheriff's Office to modify the budget distribution, scope of work, and deliverables; and

B) receive and file Modification #2 to same Subgrant Agreement to extend the grant period from December 31, 2017 through June 30, 2018.

SUMMARY: The Board of County Commissioners accepted this grant for \$239,384 on November 1, 2016 (R2016-1611). This agenda item will modify the budget distribution, scope of work, and deliverables through Modification #1 and extend the grant period from December 31, 2017 through June 30, 2018 through Modification #2. Countywide (LDC)

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Federally-Funded Subgrant Agreement for a FY17 State Homeland Security Grant in the amount of \$374,798, for the period of October 25, 2017 through August 31, 2019; and

B) approve budget amendment in the amount of \$374,798 in the Sheriff's Grant Fund.

SUMMARY: On September 1, 2017, the Palm Beach County Sheriff's Office (PBSO) received a FY17 State Homeland Security Grant award from the State of Florida, Division of Emergency Management. These funds will be used for specialty team equipment and intelligence and information sharing initiatives. There is **no match requirement** associated with this award. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

6. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and Contract between the Palm Beach County Sheriff's Office and the Florida Department of Transportation, for the Drug Recognition Expert Project in the amount of \$3,600, for the period of November 12, 2017 through August 31, 2018; and

B) approve budget amendment of \$3,600 in the Sheriff's Grant Fund.

SUMMARY: On November 2, 2017, the Florida Department of Transportation (FDOT) awarded a Drug Recognition Expert (DRE) grant to the Palm Beach County Sheriff's Office in the amount of \$3,600, to support FDOT's efforts to reduce Driving under the Influence traffic offenses. These funds will be used to pay overtime costs to conduct a DRE evaluation. There is **no match requirement** associated with this award. Countywide (LDC)

7. Staff recommends motion to:

A) receive and file on behalf of the Palm Beach County Sheriff's Office, a Second Amendment to the Memorandum of Agreement between the Palm Beach County Sheriff's Office and the Early Learning Coalition of Palm Beach County in the amount of \$127,310, for the period of January 1, 2018 through December 31, 2018; and

B) approve budget amendment of \$127,310 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners accepted this award for \$81,609 on April 19, 2016 (R2016-0523). The Board of County Commissioners (BCC) received and filed an Amendment to the Memorandum of Agreement on January 10, 2017 which increased the award amount by \$124,814 and extended the award period from December 31, 2016 through December 31, 2017 (R2017-0112) This Second Amendment to the Memorandum of Agreement will provide an additional \$127,310 in reimbursable funding to support personnel and equipment costs associated with investigative services provided at the Coalition and likewise will extend the award period from December 31, 2017 through December 31, 2018. There is **no match requirement** associated with this award. Countywide (LDC)

8. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a National Institute of Justice Award Letter for a FY 2017 DNA Capacity Enhancement and Backlog Reduction Program Grant in the amount of \$268,505 for the period January 1, 2018 through December 31, 2019; and

B) approve budget amendment of \$268,505 in the Sheriff's Grants Fund.

SUMMARY: On November 22, 2017, the Palm Beach County Sheriff's Office (PBSO) received an award for the DNA Capacity Enhancement and Backlog Reduction Program. The Forensic Biology Unit in the Crime Laboratory of PBSO services over 28 municipalities, the school systems and assists state and local federal agencies as needed. These funds will be used to fund the salary and benefits of two full time Forensic Scientists, training, travel, and contractual services that will increase the efficiency of the crime lab. There is **no match requirement** associated with this award. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

9. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a U.S. Department of Justice, COPS Office Award Document for a FY17 COPS Hiring Grant in the amount of \$1,875,000, for the period of November 1, 2017 through October 31, 2020; and

B) approve budget amendment in the amount of \$1,875,000 in the Sheriff's Grant Fund.

SUMMARY: On November 1, 2017, the Palm Beach County Sheriff's Office (PBSO) received a FY17 COPS Hiring Grant award from the U.S. Department of Justice, COPS Office. These funds will be used to hire 15 new law enforcement deputies and to increase our agency's capacity to perform community policing activities to address drug trafficking activities and violent crimes. The cash match required for this grant will be provided through the Law Enforcement Trust Fund. Countywide (LDC)

DD. INTERNAL AUDITOR

1. Staff recommends motion to receive and file:

A. Audit Risk Assessment and Work Plan for FY 2018.

SUMMARY: The County Code, Section 2-463(c), requires the County Internal Auditor to submit a risk-based audit plan to the Internal Audit Committee prior to the beginning of each fiscal year. The Internal Audit Committee reviewed and approved the FY 2018 risk assessment and proposed annual audit work plan for FY 2018 at its October 11, 2017 meeting. The Committee met after the beginning of FY 2018 due to County offices being closed on the regularly scheduled meeting date of September 13, 2017 because of Hurricane Irma. Countywide (DB)

EE. MEDICAL EXAMINER

1. Staff recommends motion to approve: Contract with AXIS Forensic Toxicology, Inc. to provide forensic toxicology testing for the period January 1, 2018 through December 31, 2020 in an amount not to exceed \$975,000. **SUMMARY:** The AXIS Forensic Toxicology, Inc. contract includes various drug detection panels that provide statutorily required and necessary complex toxicology testing as economically as possible. The costs of the comprehensive, drugs of abuse (extended), and drugs of abuse are \$210, \$175, and \$125 respectively. Each drug panel involves the detection and quantitation of volatiles (alcohol) and drugs in blood, urine and vitreous fluid from the submitted Medical Examiner case. Additional tests for carbon monoxide, vitreous chemistry, and drugs not included in the panel are done at the discretion of the Medical Examiner's Office. AXIS Forensic Toxicology, Inc. costs include the cost of the shipment to them and return and/or destruction of specimens. The type of services provided in the contract are exempt from the Purchasing Code. Countywide (DC)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: Second Amendment to the Tri-Party Agreement (Agreement) entered into on October 7, 2014, (R2014-1544) amended December 20, 2016 (R2016-1905) by and between Palm Beach County (County), a political subdivision of the State of Florida, the City of Boca Raton (City), a municipal corporation, each one constituting a public agency defined in Part I of Chapter 163, Florida Statutes and ESPN Productions Inc. a Delaware corporation (hereinafter (ESPN). **SUMMARY:** ESPN, County and City entered into the Agreement to produce an annual college football bowl game (hereinafter “Bowl Game”) featuring teams from Conference USA, the Mid-America Conference (“MAC”) and the American Athletic Conference (“AAC”) at Florida Atlantic University (“FAU”) in the City of Boca Raton, Palm Beach County, Florida beginning in December of 2014. The parties agreed to amend the Agreement regarding the annual funding to be provided by the County and City to a not to exceed amount of \$280,000. The two types of funding are Base Cost (\$200,000) and Activities Cost (\$80,000) to ESPN. Annual funding shall be split between the City and County not to exceed \$140,000 each annually. The annual funding from the County will be provided by the TDC Agencies, including TDC Special Projects Fund, Discover The Palm Beaches and the Palm Beach County Sports Commission. The annual funding by the County for years beyond the initial three years shall be funded through \$50,000 transferred from Discover’s contract to the TDC Special Projects Fund the Tourism Promotional Fund along with an additional \$50,000 from the TDC Special Projects Fund to cover the Base Cost funding of \$100,000 and \$40,000 Activities Cost funding from the Sports Commission. This event funding has been reviewed and approved by the TDC Board. (TDC) Countywide (DW)

* * * * *

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

A. WATER UTILITIES

1. Staff recommends motion to:

A) adopt Resolution of the Board of County Commissioners, Confirming the Special Assessment Roll for the 52nd Court North Water Main Extension (Project); and

B) approve Work Authorization (WA) No. 13 to Johnson-Davis Incorporated under the Water Utilities Department (WUD) Continuing Construction Contract (Contract) (R2016-0902) in the amount of \$116,480.45.

SUMMARY: The Project will provide potable water service to 12 residential properties currently on private wells. Petitions in favor of the installation of a potable water main were provided to WUD with a 58% favorability rate (7 in favor, 4 not in favor and 1 no response). The petitions were considered and approved at the regular meeting of the Board of Supervisors of the Indian Trails Improvement District (ITID) on October 12, 2016. Individual assessments of \$11,990.76 per parcel will be assessed based on 90% of the total estimated cost of the Project, pursuant to the terms of the agreement between the County and ITID, in which the County committed to allocate \$500,000 to provide financial support for up to 10% of the final cost for assessment projects within the legislative boundaries of the ITID. WUD has encumbered and expended a total of \$287,553.07 for previous ITID assessment projects. Each individual assessment was determined by using parcel method to divide the assessable cost per parcel. Assessments are payable over a 20-year time period in equal annual payments of principal and 5.5% interest. The total assessable cost of the Project is \$159,876.80 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency, as well as the 10% financial support payment dictated by WUD's contract with ITID. WA No. 13 will provide for the construction of the Project. The Contract with Johnson-Davis Incorporated provides for SBE participation of 3.28%. WA No. 13 includes 24.35% overall participation. The cumulative SBE participation is 12.76% overall. Johnson-Davis Incorporated is a Palm Beach County Company. (WUD Project No. 17-012) District 6 (MJ)

B. FIRE RESCUE

1. Staff recommends motion to adopt: 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 adopts 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 is based on updated Florida editions of the National Fire Protection Association's Fire Code (NFPA 1) and Life Safety Code (NFPA 101). The updated Palm Beach County Local Amendments to the Florida Fire Prevention Code are 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. 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 upon the date this Ordinance is filed with the Department of State, whichever date is latest. Countywide (SB)

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

C. PLANNING, ZONING & BUILDING

1. Staff recommends a motion to adopt: 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. On December 5, 2017, the Board of County Commissioners held a preliminary reading of this ordinance and authorized advertising for public hearing. Unincorporated (AH)

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

D. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) determine that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan and that fewer than 20% of the Fiscal Year 2016 construction projects are more than 12 months behind schedule as defined in Attachment “1”;

B) approve Road Program Findings of Fact (per Article 12.M.3.B of the Unified Land Development Code) with a **majority plus one affirmative vote** that the delay of Lake Worth Road/Jog Road Intersection Improvements and Old Dixie Highway, Yamato Road to Linton Boulevard will not result in any link or intersection on the road network operating at greater than the adopted level of service, and that no project which was approved and phased based upon such assured construction would be denied building permits because of the delay of construction projects; and

C) adopt Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Program; providing for title; purpose; adoption of revised 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 the County’s Program which is required to be considered each year by the Program Ordinance. The Unified Land Development Code (ULDC) requires that concurrent with the adoption of the annual Program, the Board of County Commissioners (BCC) must determine that the appropriate Findings of Fact associated with the Road Program have been made. Those findings have been made and are defined in Attachment “1”. The ULDC also requires prior to the deletion/delay of any construction project from the County’s Program, the BCC must determine that the findings associated with the delay have been made. They have been made, and they are defined in Attachment “2”. Exhibit “A” to the Ordinance contains the road projects to be undertaken by the County in the next five years and is included in Attachment “3”. Countywide (LBH)

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

E. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) conduct Tax Equity & Fiscal Responsibility Act (TEFRA) public hearing concerning the proposed issuance of one or more series of revenue bonds (the Bonds) in an aggregate principal amount not to exceed \$1,500,000,000, including an amount not to exceed \$10,000,000 with respect to the capital facilities located in Palm Beach County, Florida, by the Michigan Finance Authority; and

B) adopt Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the issuance by the Michigan Finance Authority of its revenue bonds (Trinity Health Credit Group), in one or more series, in an aggregate principal amount not to exceed \$1,500,000,000, including an amount not to exceed \$10,000,000 with respect to capital facilities located in Palm Beach County, Florida, for the purpose, among other things, of financing or refinancing the costs of acquisition, construction, improvement, and equipping of health care facilities owned and operated by Trinity Health Corporation and certain other matters relating thereto; and providing an effective date.

SUMMARY: The not to exceed \$1,500,000,000 Bond will be issued by the Michigan Finance Housing Authority (Authority). The bond proceeds issued by the Michigan Finance Authority will be used to make a loan to the Trinity Health Corporation (Corporation) to finance or refinance the costs of acquisition, construction, improvement, and equipping of various health care facilities, including facilities owned and operated by the Corporation at the following locations: 1) Holy Cross West Boca Urgent Care and Imaging Center at 23071 State Road 7 in Boca Raton and 2) Holy Cross East Boca Urgent Care and Imaging Center at 1799 South Federal Highway in Boca Raton. The Authority is authorized to finance facilities of a multistate health institution, which are located both within and outside the State of Michigan as long as the multistate health institution or its affiliate operates or manages a health facility located within Michigan. The Authority will issue one more series of revenue bonds, in an aggregate principal amount not to exceed \$1,500,000,000, inclusive of an amount not to exceed \$10,000,000 to support capital facilities located in Palm Beach County. The Internal Revenue Code requires that the Michigan Finance Authority obtain approval through a public hearing of each governing body, state or local government jurisdiction in which the financed facilities are to be located. However, adoption of this Resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 4 (JB)

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

F. ADMINISTRATION

1. Staff recommends motion to adopt: 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)

* * * * *

5. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) rescind Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$55,999.90 to Community Land Trust of Palm Beach County, Inc. (CLT) for the Davis Landings West project as approved on September 12, 2017;

B) rescind Certificate of Award to CLT as executed by the Mayor based on delegated authority approved on September 12, 2017;

C) approve Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in an amount not to exceed \$53,062.78 to CLT for the Davis Landings West project;

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

E) approve budget transfer of \$2,937 in Impact Fee Assistance program – Parks Zone 2 to adjust down the appropriated funds for CLT to the approved amount.

SUMMARY: On September 12, 2017, the Board of County Commissioners (BCC) approved a funding award of \$55,999.90 to CLT under the IFAHAP in connection with the construction of 24 affordable housing units at their Davis Landings West project. IFAHAP Guidelines require the CLT to place deed restrictions on each home it sells in exchange for the receipt of funds. These deed restrictions contain the affordability requirements of the Program and bind present and future homeowners for 15 years. Since September 12, 2017, the CLT has sold four of the 24 units and continues to work with homebuyers towards the sale of other units. The sale of these four units has precluded the CLT's ability to place the required deed restrictions on these properties when they were sold thereby requiring the reduction of the amount awarded to them. The reduction reflects the amount of IFAHAP assistance associated with these four units. The new \$53,062.78 amount is based on 20 units and is a "not to exceed amount". This amount will be adjusted downward should any further sales take place before a new Certificate of Award is presented for the Mayor's signature. According to IFAHAP requirements, all homes will be sold to households with incomes no greater than 140% of Area Median Income (AMI). The project is located at 3522 Davis Landing Circle in unincorporated Palm Beach County. **These funds are from interest earned by the Impact Fee Fund.** District 3 (JB)

5. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the issuance by the Palm Beach County Health Facilities Authority (the Authority) of its hospital revenue bonds in one or more series in the aggregate face amount not to exceed \$75,000,000 to provide funds for the primary purpose of making a loan to Jupiter Medical Center, Inc., Jupiter Medical Center Foundation, Inc., and Jupiter Medical Center Pavilion, Inc., to finance the acquisition of land and the acquisition, construction, and installation of improvements, facilities, and equipment with respect to the medical center's healthcare facilities located at its main campus at 1210 South Old Dixie Highway, Jupiter, Florida; and to refund obligations previously issued by the Authority to finance the improvements to the medical center's health care facilities; and providing an effective date. **SUMMARY:** The proceeds of the Bonds will be loaned by the Authority to Jupiter Medical Center, Inc. (JMC), Jupiter Medical Center Foundation, Inc. and Jupiter Medical Center Pavilion, Inc., each a Florida not-for-profit corporation. The proceeds will be used for JMC's healthcare facilities located at its main campus at 1210 South Old Dixie Highway in Jupiter to: 1) finance the cost of land acquisition, 2) construct pediatric emergency facilities, 3) construct a 50,000 square foot cancer research and treatment center, 4) make improvements to open-heart and stroke treatment programs, robotics and other capital improvements, and 5) refund obligations previously issued by the Authority to finance or refinance improvements to JMC's healthcare facilities. All financed or refinanced assets will be owned and operated by JMC. Approval by an elected body is required by the Internal Revenue Code; however, adoption of this resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** District 1 (DB)

3. Staff recommends motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of not exceeding \$17,000,000 Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Village of Valor) within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 2-190, Palm Beach County Code of Ordinances; approving Stifel, Nicolaus & Co., Inc. as the Underwriter for said Bonds, within the meaning of Section 2-190 of the Palm Beach County Code of Ordinances; and providing an effective date. **SUMMARY:** The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (Authority), to finance the costs of acquiring, constructing and equipping a 157 unit multifamily rental housing facility to be known as Village of Valor, to be located at the 2431, 2441, 2559 and 2650 2nd Avenue North in the cities of Lake Worth and Palm Springs. These units will be rented to qualified persons and families as required by Section 142(d) of the Internal Revenue Code of 1986, as amended (Code). 127 of these units will be rented to persons and families at 60% of area median income. The remaining 30 units will be rented at market rates. The Borrower is Village of Valor, Ltd., and the Developer is KSM Holdings Florida, LLC. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive P.A. is Bond Counsel and Disclosure Counsel to the Authority with respect to the Bonds, and Stifel, Nicolaus & Co., Inc. is the Underwriter with respect to the Bonds. On December 15, 2017, the Executive Director of the Authority held a public hearing with respect to the Bonds as required by Section 147(f) of the Code. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, of interest on the Bonds.** District 3 (DB)

5. REGULAR AGENDA

A. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. ~~DELETED: Staff recommends motion to:~~

~~A) approve State Initiatives Housing Partnership (SHIP) Program conditional funding award of \$567,500 to Berkeley Landing, Ltd.;~~

~~B) direct staff to negotiate the funding agreement; and~~

~~C) authorize County Administrator, or designee, to execute the funding agreement, amendments thereto, and all other documents necessary for project implementation.~~

~~**SUMMARY:** On October 3, 2017, (Agenda Item 5B-3) the Board of County Commissioners (Board) approved the SHIP Fiscal Year 2017-2018 budget allocations including funding for a Developer Rental Assistance strategy. On October 5, 2017, the Department of Housing and Economic Sustainability (HES) issued Request for Proposals HES.2017.2 (RFP) making \$700,000 in SHIP funds available for a Local Government Areas of Opportunity Funding (LGAOF) grant contribution to multi-family housing developers seeking tax credits from the Florida Housing Finance Corporation (FHFC) 9% Housing Credit Program. Per FHFC rules, the LGAOF contribution may only be made to one project. A selection committee consisting of four voting members met at a public meeting held on December 6, 2017, and recommended that Berkley Landing, Ltd., an affiliate of Wendover Housing Partners, LLC be awarded \$567,500 for Berkeley Landing, a 108-unit multi-family rental project located at 3100/3124 Broadway Avenue in Riviera Beach. The SHIP award is contingent on FHFC approval of 9% Housing Credits for Berkeley Landing, Ltd. If the 9% Housing Credits are not approved by FHFC, the SHIP award to Berkeley Landing, Ltd., will be automatically cancelled and the SHIP funds will be utilized by the County for other SHIP eligible activities. The project will construct 108 new apartment units for elderly households with incomes no greater than 60% Area Median Income, including no less than 14 SHIP-assisted units. The SHIP-assisted units will remain affordable for no less than 30 years. To facilitate project implementation, staff is requesting authorization for the County Administrator, or designee, to execute the funding agreements and related documents. **These are State SHIP Program grant funds which do not require a local match.** District 7 (JB)~~

5. **ADDED: Staff recommends motion to: A) Reject** Selection Committee funding recommendation under Request for Proposals (RFP) HES.2017.2 Local Government Areas of Opportunity Funding for the 9% Housing Credits 2017 Request for Applications (“RFP- HES.2017.2”), and **B) Cancel** RFP-HES.2017.2 and reject all proposals received thereunder. **SUMMARY:** On October 5, 2017, the Department of Housing and Economic Sustainability (HES) issued RFP HES.2017.2 making \$700,000 in State Housing Initiatives Partnership (SHIP) funds available for a Local Government Areas of Opportunity Funding (LGAOF) grant contribution to multi-family housing developers seeking tax credits from the Florida Housing Finance Corporation (FHFC) 9% Housing Credits Program. The LGAOF through FHFC’s Large County RFA 2017-113 is specifically for projects located in Broward, Duval, Hillsborough, Orange, Pinellas and Palm Beach Counties. FHFC awards 9% Housing Credits to at least one (1) project from each county. By the submittal deadline of November 13, 2017, four (4) developers submitted proposals in response to the RFP. The four (4) developers include: (1) Banyan Development Group, LLC., (2) Berkeley Landing, Ltd., (3) Housing Trust Group, and (4) Richmond Group of Florida Inc. A selection committee consisting of four (4) voting members met at a public meeting held on December 6, 2017 and recommended that Berkeley Landing, Ltd., be awarded \$567,500. Protests to the funding recommendation were submitted by The Richman Group of Florida, Inc., and by Banyan Development Group, LLC. The protests prompted staff and County Attorney review of the procedures employed in the RFP evaluation and selection. As a result, staff identified procedural flaws in the RFP response and review process and recommends rejection of the selection committee funding recommendation and cancellation of the RFP and rejection of all proposals received thereunder as being in the best interest of the County. The Board of County Commissioners (Board) has the sole and absolute authority to reject the Selection Committee’s funding recommendation and cancel the RFP. **These are State SHIP Program grant funds which do not require a local match.** Countywide (JB)

B. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Third Amendment to Interlocal Agreement with the South Florida Water Management District (SFWMD) for the County’s purchase of SFWMD’s 60.6% interest in the McMurrain Farms Property for \$8,926,380. **SUMMARY:** The County (39.4%) and SFWMD (60.6%) jointly own the 571 acre McMurrain Farm property in the Ag Reserve. The property was initially purchased for interim agricultural use with plans for SFWMD to construct an above ground reservoir as part of SFWMD’s Agricultural Reserve Reservoir program. SFWMD has since determined that the Ag Reserve Reservoir program is not feasible, has terminated the program, and has declared its interest in the McMurrain Farm property to be surplus. SFWMD desires to sell its interest in the property to recover its investment. During the budget process, the Board programmed \$9,000,000 in funding over 3 years to acquire SFWMD’s interest in the property. SFWMD obtained an appraisal valuing SFWMD’s interest in property at \$8,926,380. This Third Amendment provides for the County to purchase SFWMD’s 60.6% interest in three installments of \$2,975,460. The first installment is due on ~~January 31~~March 31, 2018; the second installment on November 1, 2018 and the third installment on November 1, 2019. Upon payment of each installment, the ownership interests and rental revenue shall be proportionately adjusted. SFWMD shall continue to manage property until all installment payments have been paid. **This item requires a supermajority vote (5 Commissioners) for approval.** (PREM) District 5 (HJF)

5. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) adopt Resolution approving a Joint Participation Agreement (JPA) with the State of Florida Department of Transportation (FDOT) for the FDOT mitigation project (Project) within the Loxahatchee Slough, Pond Cypress and Pine Glades Natural Areas in association with the extension of SR-7 from Okeechobee Blvd. northward to Northlake Blvd (SR-7 Extension);

B) adopt Resolution authorizing the Mayor to request the FDOT to convey surplus property to be utilized for the public purpose of providing environmental mitigation for the Everglades Snail Kite resulting from impacts associated with the SR-7 Extension;

C) approve Memorandum of Agreement (MOA) with the FDOT to establish that the County shall provide mitigation and maintenance services to fulfill the mitigation commitments associated with construction of the SR-7 Extension and for the FDOT to compensate for these services as provided in the JPA;

D) approve JPA with the FDOT for an amount not to exceed \$5,385,788 to be disbursed in three reimbursement payments over approximately three years for specific deliverables set forth in the JPA. The payments reimburse for staff time and land acquisition and management costs for maintaining mitigation areas in the Loxahatchee Slough, Pond Cypress, and Pine Glades Natural Areas consistent with the management practices of the Natural Areas Program and in accordance with the State and Federal permits for the SR-7 Extension;

E) approve budget amendment of \$2,000,000 which includes \$1,550,000 for land management and \$450,000 for land acquisition costs in FY 2018 in the Environmental Resources Natural Areas Fund (Fund 1226) to recognize the revenues from the FDOT through the JPA in FY2018; and

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

SUMMARY: The MOA and JPA provide the necessary funding to implement the land acquisition and management activities listed in the Scope of Services of the JPA. These activities will maintain an area of the Loxahatchee Slough and Pond Cypress Natural Areas in the vicinity of the existing SR-7 right-of-way alignment, as well as provide mitigation in the Pine Glades Natural Area for wetland impacts from the SR-7 Extension. The mitigation and maintenance associated with the JPA constitute another perpetual obligation for the Natural Areas Program. FDOT funding reimburses staff costs for exotic vegetation and animal control, prescribed fire regimens, vegetation monitoring, and site security relative to the mitigation areas in perpetuity. There are no matching requirements. All anticipated costs associated with the FDOT mitigation work will be the responsibility of FDOT. Districts 1 & 6 (AH)

5. REGULAR AGENDA

D. ADMINISTRATION TIME CERTAIN 2:00PM

1. Staff recommends motion to:

REVISED:

(A) Receive and file the Palm Beach County Disparity Study Revised Final Draft Report and Recommendations of Mason Tillman Associates, Ltd. (MTA):

(B) Defer taking any further action until the Summary Memorandum/Review of the Palm Beach County Disparity Study by Franklin M. Lee of Tydings & Rosenberg, LLP. has been adequately reviewed; and

(C) Direct staff to extend MTA Contract period for an additional ninety (90) days from the expiration date of existing contract with potential travel related expenses required by the County.

~~(A) accept the Palm Beach County Disparity Study Revised Final Draft Report and recommendations of Mason Tillman Associates, Ltd. (MTA);~~

~~(B) Accept the summary memorandum outlining the findings from the critical review of the disparity study methodology, data sources, findings and recommendations prepared by Franklin Lee of Tydings & Rosenberg, LLP and~~

~~(C) direct staff on whether to commence development and implementation of a Minority/Women Business Enterprise (M/WBE) program with Franklin Lee of Tydings & Rosenberg, LLP.~~

SUMMARY: Palm Beach County entered into a contract with MTA on October 21, 2014 for a disparity study to assess whether there is disparity in the utilization of M/WBE in contracting in the areas of construction, professional services and goods and services. MTA has completed the study and has submitted the final report Revised Final Draft Report for review and consideration by the Board of County Commissioners. MTA recommends that Palm Beach County implement both race and gender- neutral remedies well as race and gender-conscious remedies that will address the disparity identified in the study. MTA also recommends that the County continue its Small Business Enterprise Program. Staff is requesting the BCC not take any further action regarding the results of the Disparity Study until Franklin M. Lee, Esq., completes and submit his review of the Disparity Study. It is anticipated this item will be submitted to the BCC in January 2018. Due to the fact MTA contract terminates on 12/31/2017 it will be necessary to extend the contract by a maximum of ninety (90) days to ensure contractual services are extended through the presentation of Franklin Lee. This will commit the consultant to remain available throughout the study period. Countywide (HH)

* * * * *

DECEMBER 19, 2017

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

DECEMBER 19, 2017

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 19, 2017

8. 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

9. ADJOURNMENT

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