

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 16, 2018

PAGE **ITEM**

9 2D-Dist. 6 **ADD-ON:** Request for off-site Certificate of Appreciation presented to Marvin A. Tanck, President and CEO Gulfstream Goodwill Industries

11 3A-2 **RENUMBERED TO 6A-1: REVISED MOTION:**

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Reappoint E. Ann Mcneill	3	Certified Woman Business Owner	10/16/18 to 10/15/21	<u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u>
OR Appoint Doris Pastl	3	Certified Woman Business Owner	10/16/18 to 10/15/21	Mayor McKinlay
Juan Pagan	7	Hispanic Business Organization	10/16/18 to 05/06/19	<u>Comm. Valeche</u> <u>Comm. Abrams</u>
Reappoint Robert Waite	4	Certified White Male Business Owner	10/16/18 to 10/15/21	<u>Mayor McKinlay</u> <u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u>
Amy Angelo	5	Business Owner Domiciled in PBC	10/16/18 to 10/15/21	<u>Mayor McKinlay</u> <u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u>
Lillian Reyes	8	National Association of Women in Construction	10/16/18 to 10/15/21	<u>Mayor McKinlay</u> <u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u>
Denise Albritton	9	Women's Business Organization	10/16/18 to 10/15/21	<u>Mayor McKinlay</u> <u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u>
Carole Hart	12	Small Business Development Center	10/16/18 to 10/15/21	<u>Mayor McKinlay</u> <u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u>
Courtney M. Newell	14	Black Chamber of Commerce	10/16/18 to 10/15/21	<u>Mayor McKinlay</u> <u>Vice Mayor Bernard</u> <u>Comm. Valeche</u> <u>Comm. Burdick</u> <u>Comm. Kerner</u> <u>Comm. Abrams</u> (Admin)

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**

OCTOBER 16, 2018

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Staff Comments (Page 8)
 - D. Commissioner Comments (Page 9)

- 3. CONSENT AGENDA (Pages 10-52)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 53-55)**

- 5. REGULAR AGENDA (Pages 56-62)**

- 6. BOARD APPOINTMENTS (Page 63)**

- 7. ADJOURNMENT (Page 64)**

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

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OCTOBER 16, 2018

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1. ADMINISTRATION COMMENTS

2. COUNTY ATTORNEY

OCTOBER 16, 2018

2D. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER PAULETTE BURDICK

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER STEVEN L. ABRAMS

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY, MAYOR

Request for off-site Certificate of Appreciation presented to Marvin A. Tanck, President and CEO Gulfstream Goodwill Industries

District 7 – COMMISSIONER MACK BERNARD, VICE MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to:

A) ratify Mayor's signature on Cooperative Agreement No. FF204K184023 with the U.S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue for processing and resolving housing discrimination complaints for the period of July 1, 2017 through June 30, 2018 in the total amount of \$257,600; and

B) approve budget amendment in the General Fund (Fund 0001) in the amount of \$42,400 to recognize the decreased award amount from \$300,000 to \$257,600.

SUMMARY: In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of Cooperative Agreement No. FF204K184023 was required prior to September 17, 2018 to meet HUD's FY 2018 federal funding deadlines. The emergency signature process was utilized because there was insufficient time to meet the application deadline under the regular agenda process. The Agreement final award amount of \$257,600 represents a \$42,400 decrease over the budgeted \$300,000, and includes \$171,200 for case processing; \$5,000 for a post-cause supplement; \$26,400 for training funds; and \$55,000 for administrative costs. Board ratification of the Mayor's signature will ensure the receipt of revenue under this Agreement. Countywide (DO)

OCTOBER 16, 2018

3. CONSENT AGENDA APPROVAL

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:

Meeting Type	Meeting Date
Workshop	August 21, 2018
Zoning	August 23, 2018
Environmental Control Board	August 23, 2018
Budget	September 04, 2018

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** resolution supporting the Florida Department of Transportation (FDOT) project to design and construct street lighting on Australian Avenue from 1st Street to Blue Heron Boulevard within the City of Riviera Beach (City). **SUMMARY:** Adopting this resolution will support the construction of street lighting on Australian Avenue from 1st Street to Blue Heron Boulevard, for an approximate 1.2-mile segment within the municipal limits of the City. The City will accept obligation for continued maintenance and operation expenses associated with street lighting once installed by FDOT and has agreed to appropriate the necessary funds. The City will also be responsible for seeking required Palm Beach County (County) permits for FDOT construction. FDOT will design and construct the project, and the City will own, operate, and maintain the project in perpetuity once construction is completed. A separate agreement and permit between the City and the County will be executed at a later date to formalize their obligations. The County will have no financial responsibility toward the project. FDOT requires support from the County for FDOT to construct improvements in County road right-of-way. The project can be identified in the FDOT Work Program under FM# 438384-1. District 7 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve:

A) Work Order 2017053-22 in the amount of \$650,000 to mill and resurface SW 18th Street from State Road 7 to Boca Rio Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2017-1873 (annual contract) with Ranger Construction Industries, Inc. (Ranger);

B) Work Order 2017053-23 in the amount of \$300,000 to mill and resurface Jog Road from Summit Boulevard to Gun Club Road utilizing the County's annual contract with Ranger;

C) Work Order 2017053-25 in the amount of \$1,700,000 to mill and resurface Jog Road from Lake Ida Road to Boynton Beach Boulevard utilizing the County's annual contract with Ranger.

SUMMARY: Approval of these work orders will allow the contractual services necessary to construct the improvement for each project. Per County PPM CW-F-050, these work orders exceed 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, approximately \$3 million of Ranger's \$16 million contract has been spent or encumbered. The Small Business Enterprise (SBE) goal for all contracts is 15%. The SBE participation proposed by Ranger for these work orders is 15.3%. Approval of these work orders will result in a cumulative SBE participation of 14.6% for all the work orders issued under the contract. **These projects are funded through the infrastructure sales tax.** Districts 2, 4 & 5 (LBH)

3. Staff recommends motion to receive and file:

A) Amendment Number Three to the County Incentive Grant Program (CIGP) agreement, R2013-1291, with the Florida Department of Transportation (FDOT) extending the expiration date of the CIGP agreement for the design of the Congress Avenue extension from Northlake Boulevard to Alt A-1-A (Project) to December 30, 2018; and

B) Amendment Number One to the CIGP agreement, R2016-0609, with the FDOT extending the expiration date of the CIGP agreement for right of way acquisition for the project to June 30, 2019.

SUMMARY: The Deputy County Engineer approved the amendments on May 24, 2018. These approvals are authorized by resolution R2012-0035 and the County Administrator's delegation letters. In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. District 1 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve:

A) annual milling and resurfacing contract, Project No. 2018051, 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. 2018051, 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 annual milling and resurfacing contracts is necessary to maintain roadways and other facilities on an as needed basis. The Small Business Enterprise (SBE) goal for all contracts is 15%. Ranger and Community both committed to 15% SBE participation. 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 two extensions for up to a total of 36 months. Extensions require the approval of the Board of County Commissioners. Countywide (LBH)

5. Staff recommends motion to approve: task order under the Intersection Improvements Annual Contract R2017-0779 with HSQ Group, Inc., (HSQ) in the amount of \$279,757.66 for professional services for the Clint Moore Road and Military Trail intersection improvements (Project). **SUMMARY:** Approval of this task order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The task order will allow HSQ to provide engineering and surveying services required for the proposed intersection improvements at Clint Moore Road and Military Trail. The Project will include the addition of a third lane to both the northbound left turn lanes and southbound left turn lanes to create triple lefts. Military Trail will be widened on both sides to accommodate the additional left turn lanes. Clint Moore Road will be widened to receive the triple left turn lanes from Military Trail. The existing culvert located in the Lake Worth Drainage District canal just north of Clint Moore Road will be extended. The Small Business Enterprise (SBE) goal for all contracts is 15%. HSQ committed to 75% SBE participation for the annual contract. They propose 78.20% SBE participation for this first task order. HSQ is a Palm Beach County based company and a certified SBE company. Districts 4 & 5 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

A) first amendment to the annual pavement marking contract, R2017-1656, Project No. 2017054, dated November 7, 2017, with Southwide Industries, Inc. (Southwide) to extend the expiration date from November 6, 2018 to November 6, 2019 and to add reporting language to the contract; and

B) first amendment to the annual pavement marking contract, R2017-1657, Project No. 2017054, dated November 7, 2017, with Oglesby Construction, Inc. (Oglesby) to extend the expiration date from November 6, 2018 to November 6, 2019 and to add reporting language to the contract.

SUMMARY: Approval of these first amendments will extend the Southwide and Oglesby contract expiration dates from November 6, 2018 to November 6, 2019. The Palm Beach County Small Business Enterprise (SBE) goal for all contracts is 15%. To date, tasks in the amount of \$1,600,598 have been authorized for Southwide. Their overall SBE commitment of 100% has been achieved. Tasks in the amount of \$372,326 have been authorized for Oglesby. Their overall SBE commitment of 16.45% has been achieved. This is the first of two allowable renewals under these contracts. These first amendments will also add the additional reporting language required by Palm Beach County to report information regarding the county of residency of the employees that work for the firms that are awarded contracts funded by the Infrastructure Sales Tax. Countywide (LBH)

7. Staff recommends motion to approve: release of a relocatable drainage easement for Pratt Whitney Road located within the proposed Plat of Surf Ranch. **SUMMARY:** This approval will release a Palm Beach County relocatable drainage easement recorded in Official Record Book 28426, Page 27, Public Records of Palm Beach County, Florida. SR II, LLC (Developer) is in the process of platting Surf Ranch and the relocatable drainage easement is inconsistent with the approved site plan. The developer is requesting that the relocatable drainage easement be released, and has provided a replacement drainage easement on land to be platted as Surf Ranch to be recorded immediately after recording the release of the relocatable drainage easement. District 1 (LBH)

8. Deleted

9. Staff recommends motion to approve:

A) interlocal agreement with the City of Boca Raton (City) in the amount of \$706,189 for water and force main utility adjustments as part of the Palmetto Park Road project from SW 7th Avenue to SW 5th Avenue (Project); and

B) budget amendment of \$706,189 in the Road Impact Fee Fund – Zone 5 to recognize reimbursement funding from the City and appropriate it to the Project.

SUMMARY: Approval of this agreement will allow Palm Beach County (County) and the City to jointly participate in construction of utility adjustments as part of the Project. The Project will remove and replace the existing concrete bridge over the E-4 (El Rio) canal on Palmetto Park Road, and includes installation of drainage structures, sidewalk, curb and gutter and utilities. The City 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 City for the utility improvements to be incorporated into the County's construction of the Project. District 4 (LBH)

10. Deleted

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to approve: Fiscal Year 2019 pathway program. **SUMMARY:** Approval of the program will allow construction of the proposed projects that have been compiled in response to requests from the Palm Beach County School District, the Palm Beach County Sheriff's Office, the Board of County Commissioners, and residents of Palm Beach County. The proposed projects include ten new construction projects and ten major maintenance projects. The total program cost is \$1,500,000 and is allocated between the following categories:

School Related	\$969,240
Non-School Related	\$0
Major Maintenance	\$500,000
Minor Maintenance & Support	\$30,760
<u>Total</u>	<u>\$1,500,000</u>

Countywide (LBH)

12. Staff recommends motion to approve: Change Order No. 1 with Community Asphalt Corporation (CAC) for a contract time extension of 150 days to the Northlake Boulevard and Military Trail Intersection Improvements project, R2017-0785. Per PPM CW-F-050, this change order exceeds the 90 day threshold relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners' approval. **SUMMARY:** Approval of Change Order No. 1 will extend the contract time 150 days due to delays associated with unforeseen utility conflicts with the proposed mast arm foundations for the project. The Small Business Enterprise (SBE) goal for all contracts is 15%. CAC proposed 11.8% SBE participation. Their SBE participation for this change order is 0%. We expect the SBE goal to be realized in the final stages with completion of drainage, curbing, sidewalk, and paving. To date \$129,719.12 has been paid out of the total contract amount of \$1,411,513.80. District 1 (LBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: full and final settlement and a release of all claims related to the personal injury claim by Hanaa Abdulrazzaq, for the sum of \$99,000. **SUMMARY:** On April 10, 2016, a Water Utilities Department employee driving a truck, rear-ended and seriously injured claimant Hanaa Abdulrazzaq, who was a passenger in a 2002 Toyota Avalon that stopped at a red light at the intersection of State Road 441 and Glades Road in Boca Raton, Florida. After lengthy negotiations with the claimant's attorney, the Risk Management Department and its third-party administrator reached a settlement that is reasonable and serves the best interest of Palm Beach County. Countywide (DO)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** new appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of three years, effective, October 16, 2018:

<u>Seat No.</u>	<u>Appointment</u>	<u>Term Expires</u>
5	Kristina Rowe	10/15/21
6	Kathlyn Belizaire	10/15/21
24	Vickie Rossy-Woodley	10/15/21

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. All members have successfully completed the HIV CARE Council’s nomination process and the HIV CARE Council recommends these appointments. Ms. Rowe has disclosed that she is employed by the Legal Aid Society of Palm Beach County, Inc., which contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The total membership shall be no more than 33 at-large members, per Resolution No. 2011-1560. The diversity count for the 19 seats that are currently filled is African-American: 8 (42%), Caucasian: 7 (37%), Hispanic-American: 3 (16%) and Asian-American: 1 (5%). The gender ratio (female:male) is 9:10. Ms. Rowe is a Caucasian female. Ms. Belizaire is an African-American female. Ms. Rossy-Woodley is a Hispanic-American female. The Ryan White Program Manager and staff conduct targeted outreach in an effort to proffer candidates for appointments that will maintain a diverse composition of the Board. (Ryan White Program) Countywide (HH)

2. **Staff recommends motion to ratify:** signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Program application with the U.S. Department of Health and Human Services, Health Resources Services Administration (HRSA), for the period of March 1, 2019 through February 29, 2020, in the amount of \$7,796,721. **SUMMARY:** The Ryan White Part A HIV Emergency Relief Grant Program application in the amount of \$7,796,721 was submitted to HRSA on September 18, 2018. The grant highlights the need to maintain all existing programs. This grant will allow the Community Services Department to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. HRSA released the application guidance with instructions to return no later than September 21, 2018 to avoid any delays due to the complexities of the online submission process. The emergency signature process was utilized because there was insufficient time to submit this item through the regular agenda process. **No County match is required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: contracts for Provision of Financial Assistance with the below listed agencies, for the three year period October 1, 2018 through September 30, 2021, in the amount of \$4,646,421, of which \$1,548,807 is budgeted in FY 2019 with an anticipated annual allocation of \$1,548,807 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners, for the term of these contracts:

A) Legal Aid Society of Palm Beach County, Inc., for the provision of homeless prevention services to low and moderate income Individuals at risk of homelessness, in an amount not to exceed \$100,485, of which \$33,495 is budgeted in FY 2019 with an anticipated annual allocation of \$33,495 in each subsequent fiscal year for the term of this contract;

B) Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County, for the provision of permanent supportive housing services to chronically homeless individuals that are diagnosed with a physical or mental disability, in an amount not to exceed \$144,000, of which \$48,000 is budgeted in FY 2019 with an anticipated annual allocation of \$48,000, in each subsequent fiscal year for the term of this contract;

C) The Lord's Place, Inc., for the provision of affordable housing services to homeless individuals and families, in an amount not to exceed \$852,741, of which \$284,247 is budgeted in FY 2019 with an anticipated annual allocation of \$284,247 in each subsequent fiscal year for the term of this contract;

D) YWCA of Palm Beach County, Inc., for the provision of emergency shelter services to victims of domestic violence, in an amount not to exceed \$417,630, which \$139,210 is budgeted in FY 2019 with an anticipated annual allocation of \$139,210 in each subsequent fiscal year for the term of this contract;

E) Aid to Victims of Domestic Abuse, Inc. for the provision of emergency shelter services to victims of domestic violence, in an amount not to exceed \$846,072, of which \$282,024 is budgeted in FY 2019 with an anticipated annual allocation of \$282,024 in each subsequent fiscal year for the term of this contract;

F) Adopt-A-Family of the Palm Beaches, Inc., for the provision of permanent supportive housing to homeless families with disabilities, permanent supportive housing services to families at risk of becoming homeless and rapid rehousing services to homeless families, in an amount not to exceed \$1,144,878, of which \$381,626 is budgeted in FY 2019 with an anticipated annual allocation of \$381,626 in each subsequent fiscal year for the term of this contract; and

G) Gulfstream Goodwill Industries, Inc., for the provision of employment focused case management services to homeless youth, in an amount not to exceed \$1,140,615, of which \$380,205 is budgeted in FY 2019 with an anticipated annual allocation of \$380,205 in each subsequent fiscal year for the term of this contract.

SUMMARY: On June 19, 2018, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contracts being recommended in this item reflect dollar amounts included in the FY 2019 budget. These contracts represent \$1,548,807 of the total FAA funding allocation of \$12,871,072 for FY 2019. Other contracts and amendments under these programs will be forthcoming upon receipt of all the required information. Kimberly Rommel-Enright, employee of Legal Aid Society of Palm Beach County, Inc. and Keisha Jackson, employee of Children's Case Management Organization, Inc., are members of the Palm Beach County HIV CARE Council. Joshua Butler, employee of Gulfstream Goodwill Industries, Inc., is a member of the Palm Beach County Homeless Advisory Board. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve: contract for Provision of Financial Assistance with Palm Beach Habilitation Center, Inc., for the two year period October 1, 2018 through September 30, 2020, in the amount of \$134,226, of which \$67,113 is budgeted in FY 2019 with an anticipated annual allocation of \$67,113 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners, for the term of this contract, for the provision of employment assistance services to adults with disabilities. **SUMMARY:** On June 19, 2018, the Board of County Commissioners approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contract being recommended in this item reflects dollar amounts included in the FY 2019 budget. This contract represents \$67,113 of the total FAA funding allocation of \$12,871,072 for FY 2019. (Financially Assisted Agencies) Countywide (HH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: negotiated settlement offer in the amount of \$50,000 for the full satisfaction of a code enforcement lien that was entered against Craig A. Hill on May 5, 2010. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on December 2, 2009 for property owned by Craig A. Hill (Mr. Hill) giving him until January 1, 2010 to bring his property located at 35850 County Road 880 in Belle Glade into full code compliance. The property had been cited for improper maintenance and unsafe/unsanitary conditions. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$1,000 per day was imposed. The CESM then entered a claim of lien against Mr. Hill on May 5, 2010. The Code Enforcement Division issued an affidavit of compliance for the property on September 21, 2018 stating that as of September 19, 2018 the cited code violations had been fully corrected. The total accrued lien amount on May 23, 2018, the date on which settlement discussions began, totaled \$4,627,694.56, of which Mr. Hill has agreed to pay Palm Beach County \$50,000 for full settlement of his outstanding code enforcement lien. It should be noted that the new owners of this property, Bedner Farms, has completely renovated the property and is using it for migrant farm worker housing. District 6 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 4 to six annual electrical contracts extending the term for one year for electrical services on a continuing contract basis for the period of November 18, 2018 through November 17, 2019.

<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) Albert Electric, Inc.	R2014-1735	Local/SBE	\$351,626	96.2%
B) DAVCO Electrical Contractors, Corp.	R2014-1736	Local/Non-SBE	\$11,370	0.0%
C) Grid-One Electrical Construction, Inc.	R2014-1738	Local (Glades)/SBE	\$6,230	100.0%
D) Knight Electric Company, Inc.	R2014-1739	Local/Non-SBE	\$85,570	0.0%
E) Langer Electric Company	R2014-1740	Non-Local/Non-SBE	\$9,970	0.0%
F) Sullivan Electric & Pump, Inc.	R2014-1742	Local/SBE	\$20,471	100.0%

SUMMARY: Amendment No. 4 extends the term of the contracts for electrical services for one year through November 17, 2019. The Board approved the annual contracts on November 18, 2014, and the original contracts provided for an initial term of one year with four renewal options each for a period of one year. During the first four years of the contracts, the County awarded \$545,158 in work orders. The annual electrical contracts are indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 for the term. Projects are bid among the pre-qualified participants and additional firms may become prequalified at any time. Five of the six contractors are Palm Beach County businesses. Langer Electric Company 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 77%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) budget transfer of \$2,666,833 within the Fire Rescue MSTU (Fund 1300) to establish funding in the Fire Rescue Improvement Fund (Fund 3700) for Fire Station 22 Replacement;

B) budget amendment of \$2,666,833 in the Fire Rescue Capital Improvement Fund (Fund 3700) to recognize the revenue from the Fire Rescue MSTU (Fund 1300) and to establish budget to fund the Fire Station 22 Replacement; and

C) contract with Kast Construction Company, LLC in the amount of \$4,934,396 to construct Fire-Rescue Station No. 22 located in the City of Westlake for a period of 365 calendar days from the notice to proceed.

SUMMARY: This contract consists of construction of a new single story 12,640 sq. ft. Fire Station with associated site work including utilities, paving, drainage, site lighting, landscaping and irrigation. Fire Rescue Station No. 22 will include four apparatus bays, a separate bunker gear room, semi-private sleeping quarters and separate restroom facilities for male and female staff. This work was competitively bid with Kast Construction Company, LLC submitting the lowest responsive, responsible bid. This budget transfer and budget amendment will fund construction costs for the Fire Station 22 Replacement project. Funding for this project is from Fire Rescue Impact Fees and the Fire Rescue MSTU contingency (Fund 1300). The total project construction duration is 365 calendar days. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Kast Construction Company, LLC SBE participation for the contract is 21.7%. Kast is a Palm Beach County Business with their main office located in West Palm Beach. (Capital Improvements Division) District 6 (LDC)

3. Staff recommends motion to approve: Amendment No. 2 to the contract (R2014-1462) with Omnicom Consulting Group, Inc. (Omnicom) for planning and engineering services associated with the countywide public safety radio system on a continuing contract basis for the period of October 7, 2018 to October 6, 2019. **SUMMARY:** Amendment No. 2 retroactively extends the term of the contract for planning and engineering services associated with the countywide public safety radio system for one year through October 6, 2019. The Board approved the annual contract on October 7, 2014, and the original contract provided for an initial three year term with two renewal options each for a period of one year. During the first four years of the contract, Omnicom was awarded \$982,701 in Consultant Service Authorizations. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Omnicom's SBE participation for this contract is 11.26%. Omnicom's team included an SBE sub-consultant, Johnson, Levinson, Ragan, Davila, Inc. (JLRD) to perform work associated with mechanical, electrical, plumbing and fire protection design services when electrical design services were needed under the work assigned to Omnicom. Only 12 of the 27 tasks completed by Omnicom required those services, which resulted in the 11.26% SBE participation. Omnicom is a non-local business. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: contract with Musco Sports Lighting, LLC to provide Light-Emitting Diode (LED) fixtures and controls at 45 locations in 11 County parks in the amount of \$2,500,000 for a manufacturer's 25-year warranty period. **SUMMARY:** The Infrastructure Sales Tax project plan includes sports lighting renewal/replacement projects at 45 locations in 11 parks throughout the County. The existing lighting is an older inefficient metal halide type and has exceeded its expected life cycle. The lighting is also in need of replacement to maintain safe play. In order to achieve the County's energy reduction objectives, reduce replacement/maintenance costs, standardize equipment and achieve SBE and local participation goals; a request for proposal for equipment/fixture supply was conducted. The County will direct purchase the lighting systems from Musco Sports Lighting, LLC and provide the materials to the successful contractor from the future installation bid. Although this contract does not have a duration, it is anticipated that the contract will not extend beyond 18 months, which is commensurate with the anticipated duration for the installation of the lighting fixtures. All new lighting systems will include a 25-year warranty. Musco Sports Lighting, LLC is a national business. The Small Business Enterprise (SBE) goal established by the SBE Ordinance is 15% and 0% SBE participation was achieved due to there being no SBE availability among sports lighting manufacturers. **Funding for this contract will come from Infrastructure Sales Tax.** (Capital Improvements Division) Countywide (LDC)

5. Staff recommends motion to approve: contract with Alan A. Gerwig and Associates, Inc. in the amount of \$381,813.76 to provide professional engineering and/or architectural consultation as well as services necessary to complete the required scope of work, for the Ocean Inlet Park Marina Replacement Project for a period of two years or until the construction of Phase I is completed; whichever is longer. **SUMMARY:** The Parks Department has recognized a need to replace select site and marina elements as a result of the severe deterioration caused by age and harsh weather conditions. The replacement of the Ocean Inlet Park Marina will be designed and constructed in two phases. This contract will provide engineering services for Phase I design, permitting, and related construction administration. Components to be replaced or added include: bulkhead walls, floating docks and finger docks, a fixed dock, boatlifts, and a floating wave attenuator. The Small Business Enterprise (SBE) participation goal established by the SBE ordinance for this contract is 15%. Alan A. Gerwig and Associates, Inc. is a local business estimating an overall SBE participation of 82.5%. **Funding for this contract is from FY 18 Infrastructure Sales Tax.** The total project budget for the Phase I marina replacement is \$4,103,000. During the design phase, staff will apply for a Florida Inlet Navigation District (FIND) grant to obtain the additional funding required to undertake the construction of Phase 1. The Phase II program will consist of design and construction for a new multi-purpose building that will replace deteriorated and aged existing buildings. Phase II design services will be authorized under separate contract in FY 23, when additional IST funds are allocated. (Capital Improvements Division) District 4 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** first amendment to Interlocal Agreement (R2013-1164) with Martin County, (Participant) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System for the period of September 9, 2018 through September 10, 2023. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Participant can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on September 9, 2018. The Agreement provided for three renewal options, each for a period of five years. The Participant has approved a renewal to extend the term of the Agreement retroactively to September 10, 2023, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The Participant is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with ten days notice. This first amendment renews the term; updates the attachment; updates the reference to the most recent Motorola contract; and adds standard County nondiscrimination, assignment and severability provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)
7. **Staff recommends motion to approve:** first amendment to Utility Easement in favor of the Town of Jupiter for a water utility line serving Bert Winters Park. **SUMMARY:** Bert Winters Park is located on the west side of Ellison Wilson Road, just south of Donald Ross Road in Juno Beach. The County has recently completed a redevelopment of the Park to improve the existing boat ramp, add a picnic area and bathroom, and add additional boat trailer parking. During preliminary design, it was discovered that there was an existing water line serving the existing bathrooms, but an easement had never been granted to the Town. This was corrected in May of 2014 when the County granted the Town a 12' wide water line easement (R2014-0600) for the existing bathrooms, which was recorded in ORB 26794, Page 1518. The redevelopment included the addition of new bathroom facilities in the picnic area near the boat ramp which required an extension of the existing utility lines. Construction of the new bathrooms and utility lines serving the bathrooms has been completed and the Town requires an easement for those lines. This first amendment to Utility Easement adds an approximate 303' long leg to the existing water line easement, which new leg covers an area of 3,637 square feet (.084 acre). This first amendment will be recorded to provide notice of its existence and location. (PREM) District 1 (HJF)
8. **Staff recommends motion to approve:** Amendment No. 4 to Big Cypress Tiki Huts, Inc. extending the term for one year for the Annual Chickee Hut continuing contract basis for the period of November 5, 2018 through November 4, 2019. **SUMMARY:** The Annual Chickee Hut Contract for Big Cypress Tiki Huts, Inc. was approved on November 5, 2015 under the Department Director's authority of Facilities Development & Operations. The work consists of new chickee huts and/or repairs to existing County structures and replacement as required. The initial term was for one year, with four renewal options each for a period of one year, at the sole option of the County. The original contract was for an indefinite-quantity contract with a cumulative maximum value of \$199,000. On June 19, 2018, the Board approved increasing the capacity to a cumulative to \$399,000. During the first three years of the contract, the County awarded \$257,415 in work orders. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. SBE actual participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative SBE participation for all work orders to-date is 0%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to:

A) adopt resolution authorizing a Release of Rights of Entry and Exploration Relating to Phosphate, Mineral, Metals and Petroleum Reservations for ZNT, LLC (ZNT), a foreign limited liability company, (formerly known as TAAZ, LLC) (TAAZ) owned properties located on Broken Sound Boulevard in Boca Raton; and

B) approve Release of Rights of Entry and Exploration Relating to Phosphate, Mineral, Metals and Petroleum Reservations.

SUMMARY: The Board, as part of an Industrial Revenue Bond Transaction, conveyed property located at 5400 Broken Sound Boulevard, Boca Raton, Florida to Mitel, Inc. (Mitel). Mitel simultaneously conveyed the property to TAAZ, now known as ZNT. ZNT is requesting that the County release the County's statutory rights of entry and exploration for minerals from this property in order to render title to said property marketable. The County only had a security interest in this property, which was satisfied. (PREM) District 4 (HJF)

10. Staff recommends motion to approve: fourth amendment to the Third Restated Agreement (R2009-0414) with the Historical Society of Palm Beach County, a Florida not for profit corporation (Society) for the Society's use of the 1916 Courthouse in West Palm Beach, increasing the premises, abating rent for the period of November 1, 2018 through October 31, 2023 subject to annual review and deleting the required security deposit. **SUMMARY:** In 2009, the Board approved the Third Restated Agreement with the Society for occupancy of 8,695 SF of space within the 1916 Courthouse located at 300 North Dixie Highway, in West Palm Beach, for operation of the Palm Beach County History Museum and its administrative offices. The Society pays no rent for the Museum space and \$45,127.95 (\$19.40/SF) in rent for the administrative offices. The term of the Third Restated Agreement runs through 2038. On February 4, 2014, the Board approved the Third Amendment (R2014-0138) which abated the rent from November 1, 2013 through October 31, 2018, and reduced the security deposit from \$250,000 to \$150,000. The Society requests the County extend the rental abatement for a period of five years and eliminate the security deposit requirement. In addition, the Society has requested exclusive use of the walls of the first floor hallway, the stairwell located in the north corridor closest to the courtroom and the courtroom balcony. Society has provided annual reports confirming its program expansion costs exceeds the abated rental amount. This fourth amendment: i) expands the premises to include the exclusive use of the walls of the first floor hallway, the stairwell located in the north corridor closest to the courtroom and the courtroom balcony; ii) extends the abatement of rent for five years from November 1, 2018 through October 31, 2023, subject to an annual review of Society's programs and expenditures; iii) deletes the security deposit requirement, subject to Society continuing to maintain \$700,000 in unrestricted reserves; iv) adds termination rights (whole or partial) for the office and storage closet; v) adds and updates standard provisions; and vi) adds Exhibit "A-1" for the custodial closet approved in the third amendment. PREM will continue to have administrative responsibility of the Third Restated Agreement. (PREM) District 7/Countywide (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: Standard License Agreement in favor of Community Faith Outreach Ministries, Inc., a Florida not for profit corporation, (CFOM) to operate a micro-farm community garden at the West Boca Branch Library located at 18585 State Road 7, west of Boca Raton, for the period of October 16, 2018 through October 15, 2021, at no charge. **SUMMARY:** The West Boca Branch Library is located at 18685 State Road 7, west of Boca Raton. CFOM will operate a micro-farm community garden in a vacant grassed area north of the Library building and west of the parking lot. The license will be for a term of three years at no annual rent. The County Extension Services Department will coordinate with CFOM to establish a 75 ft x 75 ft community garden with no more than 600 plants in aboveground containers which will be managed by Veterans and other interested local residents under CFOM's supervision. CFOM will provide nutritional health and planting informational sessions and coordinate these educational activities with the Library and Extension Services Departments. The Library Department supports and will supply the water necessary for the irrigation of the garden at no charge and will allow the use of its dumpster for the disposal of debris/trash generated from the garden. The license fee has been waived as the community garden promotes community interest and CFOM will not realize a profit. The County may terminate the License Agreement at any time. The License Agreement will be managed by the Library Department. (PREM) District 5 (HJF)

12. Staff recommends motion to approve: Amendment No. 11 to the contract with Robling Architecture Construction, Inc. (R2016-0762) in the amount of \$ 441,498 for the Criminal Justice Complex Courtroom Renovations Project establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** Courtroom 1 & 2 recently experienced water damage due to a substantial plumbing issue within the Main Detention Center. The water damage required extensive clean-up and extraction of water which resulted in the removal of the existing flooring in both courtrooms and some adjacent areas. This Amendment includes the replacement of the flooring in the two courtrooms, Clerk areas, and the construction of a new gallery wall with additional electrical outlets and a security partition to the height of six feet for security (first appearance courtroom only), in addition to the scope of work for the previously scheduled renewal/replacement (R/R) project. The originally scheduled R/R Project included the replacement of the existing acoustical ceiling tiles, recovering of the existing sound panels, replacement of eight existing in-ceiling HVAC units, bench removal and refinishing (by others), microphones with associated wiring and card readers. In order to maintain continuous Courts operations, Robling Architecture Construction Inc. will be required to complete one courtroom in its entirety before starting the second courtroom with work being completed during normal working hours, evenings, nights and weekends. The duration of construction is 130 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 46%. 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. This project will be funded by ad valorem funds in the Public Building Improvement Fund. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) agreement with the Village of Palm Springs in the amount of \$399,900 for the development of Foxtail Park for the period of October 16, 2018 to March 31, 2020; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the agreement with the Village of Palm Springs.

SUMMARY: This agreement provides Community Development Block Grant (CDBG) funding for the development of Foxtail Park which includes drainage installation, site work, lake excavation, parking improvements, pathways, a shade structure, and playground equipment. Foxtail Park is located in a park desert on the northeast corner of Kirk Road and Park Lane in Palm Springs. Funding for this project has been allocated by the Board of County Commissioners via the Fiscal Year 2016-2017 Action Plan (R2016-0929) (\$99,900) approved on July 12, 2016, CDBG contingency funding approved by the BCC under Agenda Item 5C-3 on August 15, 2017 (\$140,000), and the Fiscal Year 2018-2019 Action Plan (R2018-1061) (\$160,000), approved on July 18, 2018. In addition to the aforementioned CDBG funding, the project budget also includes an allocation of up to \$48,100 from Engineering & Public Works to pay for the cost of a required drainage connection from Kirk Road to the lake and \$50,000 from the Village of Palm Springs through a recreation based grant program. Delegation of authority to the County Administrator, or designee, to execute future amendments will allow timely execution of such amendments in order to facilitate continuous project implementation and allow for timely expenditure of CDBG funds in order to meet U.S. Department of Housing and Urban Development (HUD) expenditure deadlines. **These are Federal CDBG funds which require no local match.** District 3 (JB)

2. Staff recommends motion to approve:

A) agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$50,000 for the period October 1, 2018 to September 30, 2019: and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Agreement with the F&TV Commission.

SUMMARY: On September 17, 2018, the Board of County Commissioners approved the Fiscal Year 2018-2019 Budget, which included an allocation of \$50,000 for F&TV Commission. This agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program (Program), which is entering its 23rd year of operation. The Program continues to support the development of the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. This funding will assist in the planning, facilitation and execution of all aspects in the production of the largest film competition and live awards ceremony within the State of Florida, the 2019 Student Showcase of Films (SSOF). The SSOF honors Florida high school and college student filmmakers and celebrates the artistic successes they have achieved in this field. **These are County Ad Valorem funds.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve:

A) Consulting/Professional Services Contract with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$54,000 for the period October 1, 2018 to September 30, 2019; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Consulting/Professional Services Contract with BBIC.

SUMMARY: On September 17, 2018, the Board of County Commissioners approved the Fiscal Year 2018-2019 Budget, which included an allocation of \$54,000 for BBIC. This Consulting/Professional Services Contract will fund BBIC's operational expenses for providing consulting and financial assistance to existing and start-up small businesses in Palm Beach County. The BBIC is required to obtain four business loan approvals from financial institutions totaling at least \$500,000, while serving 270 clients and creating/retaining 25 full-time equivalent jobs. The BBIC, a non-profit organization, was formed in accordance with the Florida Small & Minority Business Act of 1985. The major objectives of the BBIC are to provide financial resources to new and existing businesses, and to foster increased employment and social stability within the Black community. The BBIC fills the gap between financial institutions and small businesses, providing services not offered by other agencies in Palm Beach County. **These are County Ad Valorem funds. Countywide** (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to approve:

A) contract for Consulting/Professional Services with the Florida Atlantic Research and Development Authority (FARDA) in the amount of \$50,000 for the period October 1, 2018 to September 30, 2019; and

B) delegated authority to the County Administrator, or designee, to execute future amendments to the Contract for Consulting/Professional Services with FARDA.

SUMMARY: On September 17, 2018, the Board of County Commissioners approved the Fiscal Year 2018-2019 Budget, which included an allocation of \$50,000 for FARDA. This contract for Consulting/Professional Services will fund FARDA's operational expenses for the Technology Business Incubator (TBI) which provides technical assistance and business support services to emerging technology companies. Through the TBI, FARDA will be required to: host at least two educational seminars for entrepreneurs, provide ten internships through TBI and Research Park companies, arrange two introductory meetings between potential angel/venture capital investment funds and TBI companies, and create at least five new jobs. FARDA was formed in 1985 by Broward and Palm Beach Counties as a special district whose public purposes includes the development, operation, management and financing of research and development parks in affiliation with one or more institutions of higher education, organized under Part V Chapter 159 of the Florida Statutes. FARDA brands itself as the Research Park at Florida Atlantic University (FAU) whose mission is to create and sustain the ideal environment for innovation and invention, maximizing the academic and entrepreneurial talent and regional resources in South Florida to accelerate economic development and prosperity. In 2000, the Research Park created the TBI to develop a pipeline of companies that would remain in the Research Park and/or Palm Beach County over the long term. FARDA currently serves all 38 companies located in the Research Park at FAU, including those in the Technology Business Incubator. All companies in the Research Park at FAU are required to have or develop a substantial relationship to FAU, involving students and/or faculty in order to increase research and development in the FAU community, which leads to job creation and economic activity in the Research Park at FAU and beyond. **These are County Ad Valorem funds. Countywide** (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to receive and file: the following documents:

A) Amendment 002 to an Agreement (R2016-0567) with the City of South Bay under the Community Development Block Grant (CDBG) Program;

B) Amendment 001 to an Agreement (R2018-0073) with the Town of Mangonia Park under the CDBG Program;

C) Amendment 001 to an Agreement (R2018-0166) with the Town of Mangonia Park under the CDBG Program; and

D) Amendment 001 to an Agreement (R2018-0272) with the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) under the CDBG Program.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Items 3I-4, 3I-5, 3I-1, and 3I-2 as approved by the BCC on December 5, 2017, January 23, 2018, February 6, 2018, and March 13, 2018, respectively. Amendment 002 to the Agreement (R2016-0567) with the City of South Bay provided additional funding for the project, extended the project completion date by six months and revised Exhibits A and B, for the construction of park improvements at Cox Park and Tanner Park. Amendment 001 to the Agreement (R2018-0073) with the Town of Mangonia Park provided additional funding for the project, revised Exhibits A and B, and provided an additional 13 months for completion of playground improvements at the Addie Greene Park. Amendment 001 to the Agreement (R2018-0272) with the Town of Mangonia Park provided additional funding for the project, revised Exhibits A and B, and provided an additional 15 months for completion of the installation of a sanitary sewer main along Jeffrey Avenue and Sherwood Avenue. Amendment 001 to the Agreement (R2018-0272) with the CRA provided additional funding for the project, revised Exhibits A and B, and provided an additional three months for the completion of the Oswego Oaks Neighborhood Park. These executed documents are now being submitted to the BCC to receive and file. **Federal CDBG funds do not require a local match.** Districts 2, 6 & 7 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

6. Staff recommends motion to receive and file: the following five agreements for code enforcement services as funded under the Fiscal Year 2018-2019 Community Development Block Grant (CDBG) Program:

- A) agreement with the City of Belle Glade for \$148,214 under the CDBG Program;
- B) agreement with the City of Pahokee for \$39,654 under the CDBG Program;
- C) agreement with the City of South Bay for \$28,928 under the CDBG Program;
- D) agreement with the City of Lake Worth for \$294,477 under the CDBG Program; and
- E) agreement with the Town of Lake Park for \$33,153 under the CDBG Program.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5C-5, as approved by the BCC on July 10, 2018. The Agreement with the City of Belle Glade provided \$148,214 in CDBG funds towards the salary and benefits of three full-time Code Compliance Officers. The Agreement with the City of Pahokee provided \$39,654 in CDBG funds towards the salary and benefits of one full-time Code Compliance Clerk. The Agreement with the City of South Bay provided \$28,928 in CDBG funds towards the salary of one full-time Code Compliance Officer. The Agreement with the City of Lake Worth provided \$294,477 in CDBG funds towards code enforcement services and related expenses. The Agreement with the Town of Lake Park provided \$33,153 in CDBG funds towards the salary of one Code Compliance Officer. **These are Federal CDBG funds which do not require a local match. Districts 3, 4, 6 & 7 (JB)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

7. [Staff recommends motion to receive and file:](#) 11 agreements under the Fiscal Year 2018-2019 Community Development Block Grant (CDBG) Program:

A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$24,642 for transitional housing and supportive services;

B) The Children's Place at Home Safe, Inc. in the amount of \$17,878 for specialized and enhanced therapeutic care for abused teens;

C) The Coalition for Independent Living Options, Inc. in the amount of \$22,226 for prepared meals to disabled individuals;

D) Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc. in the amount of \$10,630 for assistance to uninsured low income pregnant women and their families in order to access health care, to secure payer sources and other services for prenatal care;

E) Legal Aid Society of Palm Beach County, Inc. in the amount of \$55,759 for fair housing education, outreach, advocacy and enforcement activities;

F) Place of Hope, Inc. in the amount of \$15,945 for housing and case management services to abused children;

G) Redlands Christian Migrant Association, Inc. in the amount of \$14,495 for child care and development services in the Glades area;

H) Seagull Industries for the Disabled, Inc. in the amount of \$29,281 for vocational training and supervision for disabled adults;

I) Sickle Cell Foundation of Palm Beach County, Inc. in the amount of \$17,877 for comprehensive case management services;

J) Urban League of Palm Beach County, Inc. in the amount of \$18,844 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and

K) Vita Nova, Inc. in the amount of \$14,012 for supportive housing and life skills training for youths who have aged out of foster care.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5C-5, as approved by the BCC on July 10, 2018. On July 10, 2018 (R2018-1061), the BCC approved the Palm Beach County Action Plan for Fiscal Year 2018-2019, which included \$241,589 in CDBG funds to the 11 non-profit agencies to provide the various public services. Employees from several of the agencies serve on a County-related advisory group. Kimberly Rommel-Enright and Vicki Krusel, employees of Legal Aid Society of Palm Beach County, Inc., serve on the HIV CARE Council, a County Advisory Board. Patrick J. Franklin, an employee of the Urban League of Palm Beach County, Inc., serves on the Discover the Palm Beaches, Inc. Board of Directors and the Infrastructure Surtax Independent Citizen Oversight Committee. Olga L. Sierra, an employee of Vita Nova, Inc., serves on the Palm Beach County HIV Care Council. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agency contracts listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. **These are Federal CDBG funds which require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

8. Staff recommends motion to approve: reimbursement to the City of Lake Worth in the amount of \$64,259.50 for the 2nd Avenue South street improvements project. **SUMMARY:** On January 1, 2017, the County entered into an Agreement (R2017-0063) with the City of Lake Worth (City) for a grant of \$258,118 in Community Development Block Grant (CDBG) funds for street improvements on 2nd Avenue South. The project entails improvements along 2nd Avenue South which include clearing and grubbing of the site, construction of curbing, concrete sidewalks and driveways, reconstruction/resurfacing of the existing roadway, landscaping of the area and other related work. The Agreement expired on August 1, 2018. The work was completed before the expiration of the Agreement, but the final payment could not be made by the City to the contractor in accord with the Agreement until the contractor completed his compliance with the Federal mandated Davis-Bacon Act relating to the payment of wages to workers on the project. Davis-Bacon Act requirements have been addressed thereby enabling this reimbursement to the City. The City has made the payment to the contractor and is requesting reimbursement of \$64,529.50, which amount remains available in the project budget. Approval of this Agenda Item will reimburse the City for expenses already incurred in connection with 2nd Avenue South between Dixie Highway and Federal Highway in the City of Lake Worth. **These are Federal CDBG funds which require no local match.** District 3 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

9. Staff recommends motion to receive and file: documents executed in connection with loans made to businesses under the Palm Beach County Energy Efficiency and Conservation Loan Program.

America's Sound, Inc.

A) Palm Beach County Energy Efficiency and Conservation Promissory Note, dated March 28, 2012, for \$48,000.

B) Palm Beach County Energy Efficiency and Conservation Loan Agreement, dated March 28, 2012, for \$48,000.

C) Collateral Security Agreement, dated, March 28, 2012, for \$48,000.

D) Collateral Mortgage and Security Agreement (With Assignment of Leases and Rents), dated March 28, 2012, for \$48,000.

E) Guaranty Agreement, dated March 28, 2012, for \$48,000.

BI Development Group, LLC

A) Palm Beach County Energy Efficiency and Conservation Loan Promissory Note, dated August 29, 2013, for \$99,000.

B) Palm Beach County Energy Efficiency and Conservation Loan Agreement, dated August 29, 2013, for \$99,000.

C) Mortgage and Security Agreement with Assignments of Leases and Rents, dated August 29, 2013, for \$99,000.

Doctors Scientific Organica, LLC

A) Palm Beach Energy Efficiency and Conservation Loan Promissory Note, dated April 24, 2012, for \$240,000.

B) Palm Beach County Energy Efficiency and Conservation Loan Agreement, dated April 24, 2012, for \$240,000.

C) Mortgage and Security Agreement (With Assignments of Leases and Rents), dated April 24, 2012, for \$240,000.

D) Guaranty Agreement, dated April 24, 2012, for \$240,000.

Shawnee Avenue, LLC

A) Palm Beach County Energy Efficiency and Conservation Loan Promissory Note, dated August 20, 2012, for \$150,000.

B) Palm Beach County Energy Efficiency and Conservation Loan Agreement, dated August 20, 2012, for \$150,000.

C) Mortgage and Security Agreement (With Assignment of Leases and Rents), dated August 20, 2012, for \$150,000.

D) Cross-Default, Cross-Contribution and Cross-Collateralization Agreement, date August 20, 2012, for \$150,000.

E) Guaranty Agreement, dated August 20, 2012, for \$150,000.

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. During the Department's administrative review of file, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee in accordance with Resolution R2010-0227, and are now being submitted to the Board to receive and file. **These are Federal funds which require no local match.** Districts 6 & 7 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

10. Staff recommends motion to receive and file: documents executed in connection with loans made to businesses under the Palm Beach County Intermediary Relending Program.

BI Development Group, LLC

A) Palm Beach County Intermediary Relending Program Loan Agreement, dated August 29, 2013, for \$150,000.

B) Palm Beach County IRP Promissory Note, dated August 29, 2013, for \$150,000.

C) Mortgage and Security Agreement (With Assignments of Leases and Rents), dated August 29, 2013, for \$150,000.

EHR Tech, LLC

A) Palm Beach County Intermediary Relending Program Loan Agreement, dated October 14, 2013, for \$150,000.

B) Palm Beach County IRP Promissory Note, dated October 14, 2013, for \$150,000.

C) Mortgage and Security Agreement (With Assignment of Leases and Rents), dated October 14, 2013, for \$150,000.

D) Security Agreement, dated October 14, 2013, for \$150,000.

E) Subordination Agreement, dated October 14, 2013, for \$150,000.

G.U.S. Distributing Corporation

A) Palm Beach County Intermediary Relending Program Loan Agreement, dated January 27, 2014, for \$25,000.

B) Security Agreement, dated January 16, 2014, for \$25,000.

C) Palm Beach County IRP Promissory Note, dated January 16, 2014, for \$25,000.

D) Collateral Mortgage and Security Agreement (With Assignments of Leases and Rents), dated January 16, 2014, for \$25,000.

E) Pledge Agreement, dated January 16, 2014, for \$25,000.

PR Local Electric

A) Palm Beach County Intermediary Relending Program Loan Agreement, dated November 14, 2014, for \$75,000.

B) Security Agreement, dated November 14, 2014, for \$75,000.

C) Palm Beach County IRP Promissory Note, dated November 14, 2014, for \$75,000.

D) Guaranty Agreement, dated November 14, 2014, for \$75,000.

E) Borrower's Certificate, dated November 14, 2014, for \$75,000.

F) Further Assurances & Errors and Omissions Statement, dated November 14, 2014, for \$75,000.

G) Subordination Agreement, dated November 14, 2014, for \$75,000.

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. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee in accordance with Resolution R2011-0947, and are now being submitted to the Board to receive and file.

These are Federal funds which require no local match. District 6 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

11. Staff recommends motion to approve:

A) Loan Agreement with Cutler Ridge Housing Partners, Ltd. (CRHP) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the 117 unit Residences at Haverhill affordable rental housing project;

B) Mortgage Subordination Agreement with Citibank, N.A. and CRHP; and

C) Delegation of authority to the County Administrator, or designee, to execute the aforesaid Subordination Agreement and future amendments to the Loan Agreement with CRHP.

SUMMARY: On September 1, 2015 (Agenda Item 3I-5), the Board of County Commissioners (BCC) authorized the allocation of SHIP funds as the required local match under Florida Housing Finance Corporation's (FHFC) Housing Tax Credit Program. The Department of Housing and Economic Sustainability (HES) provided CRHP a conditional award for a \$115,000 loan subject to approval of the Residences at Haverhill affordable housing project by FHFC under the Housing Tax Credit Program. The project, which will contain 117 affordable rental units, has been approved by FHFC and is in progress. The County's funds will be used for construction costs and will be secured by a mortgage and promissory note. The Loan Agreement requires CRHP to pay annual interest payments on the loan over 30 years with the entire principal due at the end of the term. The project will be located at 1281 Stacy Street in unincorporated Palm Beach County. All 117 affordable rental units will be rented to households whose incomes are at or below 60% of the area median income for a period of 30 years. Citibank, N.A. has provided first mortgage financing for this project in the amount of \$23,148,250. CRHP has requested that the County subordinate its \$115,000 mortgage to that of Citibank, N.A. by means of the Subordination Agreement, which is attached hereto in substantial form. Delegation of authority to the County Administrator, or designee, to execute the Subordination Agreement, subject to the County Attorney's approval of its content, is requested to enable a timely response when the closing is scheduled. **These are SHIP funds which require no local match.** District 2 (JB)

12. Staff recommends motion to adopt: resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the execution of an Amendment to Bond Purchase and Loan Agreement and Bond relating to the County's Industrial Development Revenue Bonds (Young Men's Christian Association of South Palm Beach County, Inc.) Series 2012 and an IRS Form 8038 with respect thereto; and providing an effective date. **SUMMARY:** In 2012, the County issued the County's Industrial Development Revenue Bonds (Young Men's Christian Association of South Palm Beach County, Inc.) Series 2012 (2012 Bonds) to refinance the County's Economic Development Refunding and Improvement Revenue Bonds (YMCA Project) Series 2003 (2003 Bonds). The 2003 Bonds were issued to refinance earlier bonds issued by the County to finance capital assets for the Young Men's Christian Association of South Palm Beach County, Inc. (Company) facilities at 9600 South Military Trail, Boynton Beach and 6631 Palmetto Circle, Boca Raton. The 2012 Bonds are owned by Branch Banking and Trust Company (Bank) and the Bank and the Company have agreed to reduce the interest rate borne by the 2012 Bonds. A resolution authorizing an amendment to Bond Purchase and Loan Agreement and Bond is needed to reduce the 2012 Bonds interest rate. The 2012 Bonds are payable solely from revenues derived from the Company. **Neither the taxing power nor the fair 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 4 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

13. Staff recommends motion to adopt: resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the execution of a First Amendment to the Financing Agreement relating to the County's Refunding Revenue Bond (Pine Crest Preparatory School, Inc. Project), Series 2017A, and an IRS Form 8038 with respect thereto; and providing an effective date. **SUMMARY:** In 2017, the County issued Revenue Bonds (Pine Crest Preparatory School, Inc. Project) Series 2017A (2017 Bonds) to refinance the County's Refunding Revenue Bonds (Pine Crest Preparatory School, Inc. Project), Series 2012A (2012 Bonds). The County issued the 2012 Bonds to finance and refinance the cost of acquisition, construction, reconstruction and equipping of the Pine Crest Preparatory School, Inc.'s (Company) Boca Raton campus located at 2700 St. Andrews Boulevard in Boca Raton and its Fort Lauderdale campus located at 1501 N.E. 62nd Street in Fort Lauderdale. The 2017 Bonds are owned by Banc of America Public Capital Corp (Lender). The Lender and the Company have agreed to reduce the interest rate borne by the 2017 Bonds. A resolution authorizing a first amendment to the Financing Agreement is needed to reduce the 2017 Bonds interest rate. The 2017 Bonds are payable solely from revenues derived from the Company. **Neither the taxing power nor the fair 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 4 (DB)

14. Staff recommends motion to receive and file: agreement with the Center for Technology, Enterprise and Development, Inc. (TED Center) for \$226,000 under the Fiscal Year 2018-2019 Community Development Block Grant (CDBG) Program. **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 document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5C-5, as approved by the BCC on July 10, 2018. The Agreement with TED Center provides \$226,000 in Fiscal Year 2018-2019 CDBG funds for operational expenses for the development and expansion of small businesses and microenterprises (defined as "commercial enterprises" that have five or fewer employees). The TED Center is required to create a minimum of 15 full-time equivalent jobs countywide, with a minimum of four of the newly created jobs being held by people residing in the Glades area. Additionally, at least 51% of the jobs must be held by, or made available to, low and moderate income persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The TED Center, a non-profit organization, is a business incubator with associated programs and services designed to improve the viability and strength of microenterprises and small businesses. **These are Federal CDBG funds which do not require a local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

15. Staff recommends motion to receive and file: agreement with the Business Loan Fund of the Palm Beaches, Inc. d/b/a Center for Enterprise Opportunity (CEO) for \$80,000 under the Fiscal Year 2018-2019 Community Development Block Grant (CDBG) Program. **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 document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5C-5, as approved by the BCC on July 10, 2018. The agreement with CEO provides \$80,000 in Fiscal Year 2018-2019 CDBG funds to provide technical assistance and business support services to small businesses and persons developing small businesses. CEO is required to create a minimum of 5.5 full-time equivalent jobs countywide. Additionally, at least 51% of the jobs must be held by, or made available to, low and moderate income persons who must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. CEO, a non-profit organization, will also provide loans for the establishment, stabilization, and expansion of small businesses. **These are Federal CDBG funds which do not require a local match.** Countywide (JB)
16. Staff recommends motion to receive and file: the following three documents:
- A)** Grant Agreement/Funding Approval with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$6,442,365 for the Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG);
- B)** Funding Approval and HOME Investment Partnerships Agreement with HUD in the amount of \$2,340,834 for the Fiscal Year 2018-2019 HOME Investment Partnerships Program (HOME); and
- C)** Grant Agreement/Funding Approval with HUD in the amount of \$524,079 for the Fiscal Year 2018-2019 Emergency Solutions Grant Program (ESG).
- SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents were executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Resolution R2018-1061, approved by the BCC on July 10, 2018 that delegated such authority to the County Administrator or designee. The grant agreements/funding approvals which constitute the contracts between HUD and the County for the receipt of Federal funds are now being submitted to the BCC to receive and file. **The ESG required local match (\$524,079) will be provided by the four ESG-funded agencies, the Department of Community Services, and HES. The HOME required local match (\$497,428) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

17. Staff recommends motion to approve: write-off of 56 housing loans that matured during the years 1993-2012. **SUMMARY:** The Department of Housing and Economic Sustainability (HES) programs offer loans for the acquisition and rehabilitation of affordable housing utilizing either State or Federal funding. Although the lending programs overall have been successful, a small percentage of the loans have been deemed uncollectible by HES and the County Attorney's Office for various reasons, such as death of the mortgagor or the foreclosure of the senior mortgage. Between 1993-2012, 4,400 loans were administered through HES and of those loans, 56 have been deemed uncollectable. The amount to be written off totals \$1,217,042, and the 56 loans make up 1.3% of the 4,400 mortgages and loans made by HES between 1993-2012. The total amount of loans for that period is unavailable as no financial data was available prior to 2004, however, the total amount of loans from 2004-2012 was approximately \$106 million. The current foreclosure rate in Palm Beach County based on data provided by the US Department of Housing and Urban Development is currently 7.5%. Writing off the remaining balances will remove the old loans from the current listings in order to reconcile the Department's financial records. Countywide (JB)

18. Staff recommends motion to approve: revised Program Guidelines for the Palm Beach County Brownfields Revolving Loan Fund (BRLF) Program. **SUMMARY:** On January 14, 2014, the BRLF Program received an allocation of \$1,000,000 from the U.S. Environmental Protection Agency (EPA) to be used for financial assistance to qualified borrowers and subgrantees to clean up properties that have been designated as brownfields. Subsequently, two additional BRLF allocations were awarded by EPA increasing the total grant to \$1,400,000. The first totaled \$300,000 and was awarded on October 28, 2015. The second totaled \$100,000 and was awarded on September 29, 2016. Eligibility for the BRLF program includes borrowers that may be private or public entities and subgrantees that may be nonprofit organizations or public entities. Eligible projects must be located within Palm Beach County. Loans will be at three percent (3%) interest for terms of five to 15 years and borrowers will be required to provide a minimum of 10% equity. All loans will be collateralized. Loan amounts will be based on analysis of the loan application and the cost of cleanup activities. Loans and subgrants will help fund the remediation required for site cleanup, which will then allow for redevelopment and job creation. This item corrects a scrivener's error in the Program Guidelines document in the Loan Review Committee (LRC) Approval section that removes the words 'and/or subgrant'. A loan Review Committee will review loan applications and make funding recommendations. **These EPA funds require a 20% local match to be provided by subgrantees and borrowers.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

19. Staff recommends motion to:

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

B) approve Amendment 005 to the Subgrant Agreement (R2015-0745) with the City of South Bay under the Brownfields Revolving Loan Fund (BRLF) Program.

SUMMARY: On January 14, 2014, the County entered into a Cooperative Agreement (R2014-0058) with EPA, as amended, to receive \$1,400,000 to capitalize and establish the County's Brownfields Revolving Loan Fund (BRLF) Program with an initial performance period of five years. The BRLF Program offers financial assistance to qualified borrowers and subgrantees to cleanup properties that have been designated as Brownfields. This Amendment provides 24 additional months to the BRLF Program period from September 30, 2018 to September 30, 2020, to allow time to complete goals in the BRLF work plan. Amendment 005 to the Subgrant Agreement (R2015-0745) with the City of South Bay increases the funding from \$200,000 to \$350,000 and provides a 24 month extension to complete the project. The project entails cleanup of a petroleum contaminated site located at 480 U.S. Highway 27 North in South Bay. The increase in project funding will enable completion of additional cleanup activities and site monitoring requirements as established by the Florida Department of Environmental Protection. **These EPA funds require a 20% local match to be provided by subgrantees and borrowers.** Countywide (JB)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file: executed standard form agreement for Special Magistrate services.

- 1) Agreement for Special Magistrate Services with Renee Clark
- 2) Agreement for Special Magistrate Services with Richard Gendler
- 3) Agreement for Special Magistrate Services with Natalie Green Moore
- 4) Agreement for Special Magistrate Services with Earl Mallory
- 5) Agreement for Special Magistrate Services with William Toolley

SUMMARY: On December 1, 2015, the Board of County Commissioners (BCC) approved a standard form agreement for special magistrate services (R2015-1713). The above-cited five attorneys have executed the standard form agreement, agreeing to perform special magistrate services for the County for a period of one year. In accordance with PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) “Utility Work by Highway Contractor Agreement (At Utility Expense)” (UWHCA) with Florida’s Department of Transportation (FDOT) in the amount of \$225,664.73; and

B) authorization to the County Administrator, or designee, to approve increased utility relocation costs up to a cumulative project cost of \$500,000.

SUMMARY: On October 17, 2017, the Board of County Commissioners (BCC) approved a UWHCA (at FDOT Expense) (R2017-1590) for improvements to State Road 91 (Florida Turnpike) from Lantana Toll Plaza to SR 802 (Lake Worth Rd.). These proposed improvements will necessitate the relocation of an existing 12” Force Main and an existing 12” Water Main at Lantana Road across the Lake Worth Drainage District (LWDD) E-2W Canal located on the west side of the Turnpike. During final review of the project, FDOT determined that a portion of the work was within the FDOT right-of-way and required compensation on the part of the County to pay for that portion of the work. In order to pay for the design and relocation of the afore-mentioned facilities owned and maintained by Water Utilities Department, and to include them within the road improvement project, FDOT requires the County to enter into a UWHCA to reimburse FDOT for the work. Inclusion of the utility relocation work in the FDOT road improvement project will save costs and ensure that the project is not delayed due to the complexity of the required work. The consultant for FDOT will prepare the relocation plan and the construction will be performed by FDOT’s contractor. The UWHCA, based on an engineer’s cost estimate, is \$225,664.73. In certain circumstances, the lowest responsive and responsible bid for the utility work to be undertaken as part of the FDOT project is higher than the authorized amount of the UWHCA. If the bid exceeds the official cost estimate by more than 10%, the County is required to notify FDOT in writing within ten days if the work will still be performed as part of the road improvement project or if the utility will elect to have the utility work removed from the FDOT contract. Given the complexity of the project, removal of the utility relocation work would result in project delays, oversight conflicts, and additional project costs. Therefore, staff recommends the BCC authorize the County Administrator, or designee, to approve any increase in utility relocation costs up to a cumulative project cost of \$500,000. Any approval of an increase will be brought back to the BCC as a receive and file item at the next meeting. (WUD Project No.17-076) Districts 2, 3, 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to receive and file: executed agreements received during the months of May 2018 and July 2018.

A) Standard Potable Water and Wastewater Development Agreement with Max Realty, SDA #05-01114-000 (District 3), Recorded in OR BK 30001 PG 1844;

B) Standard Potable Water and Wastewater Development Renewal Agreement with Lennar Homes, SDA #02-01136-001 (District 6), Recorded in OR BK 30040 PG 1471;

C) extension of the Interlocal Agreement for the Enhancement of the Reclaimed Water Facility (R2016-0374); and

D) contract for Mechanical Integrity Testing of the Southern Region Operations Center (SROC) & Southern Region Water Reclamation Facility (SRWRF) Deep Injection Wells Project with All Webbs Enterprises, Inc. (WUD 18-046) (District 5)

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)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: reappointment of two At-Large members to the Natural Areas Management Advisory Committee (NAMAC) seats No. 5 and No. 6 for a term of three years beginning October 16, 2018 through September 30, 2021.

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
5	Jennifer E. Cirillo	Palm Beach County Parks & Recreation	09/30/21	Mayor McKinlay Vice Mayor Bernard Comm. Abrams Comm. Berger Comm. Burdick Comm. Kerner Comm. Valeche
6	Evelyn Parkes-Brier	Citizen with Interest In Preservation & Conservation of Natural Areas	09/30/21	Mayor McKinlay Vice Mayor Bernard Comm. Abrams Comm. Burdick Comm. Kerner Comm. Valeche

SUMMARY: Resolution No. R2013-1328 provides for a seven-member NAMAC. Membership consists of one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one member of the Palm Beach County Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. The Board has 7 seats, 6 seats currently filled and diversity count of Caucasian: 4 (66.67%), African-American: 1 (16.67%) and Hispanic-American: 1 (16.67%). The gender ratio (female:male) is 4:2. The nominees are one Caucasian female and one Hispanic-American female. Countywide (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

2. [Staff recommends motion to receive and file:](#) Interlocal Agreement with the City of Boca Raton for manatee speed zone law enforcement services from November 15, 2018 to March 31, 2023. **SUMMARY:** On August 21, 2007, the Board of County Commissioners (BCC) adopted the Manatee Protection Plan (MPP) providing for increased law enforcement presence in the County's waterways and public education. The Department of Environmental Resources Management implements the MPP and manages associated law enforcement agreements. On August 19, 2014, the BCC approved a standard form Interlocal Agreement (R2014-1193) (Agreement) with law enforcement agencies for manatee protection and public education. This new Agreement will be for a five-year term. Delegated authority to the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement was approved at that time. 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. District 4 (AH)

P. COOPERATIVE EXTENSION SERVICE

1. [Staff recommends motion to:](#)
 - A) approve** reversal of the donation of \$35,040 from the Friends of the Mounts Botanical Garden, Inc. (Friends) to fund the costs associated with the exhibit known as *Stickwork*, created by Patrick Dougherty to be displayed at the Mounts Botanical Garden of Palm Beach County (Garden);
 - B) approve** budget amendment to reverse the donation of \$35,040 from Friends; and
 - C) authorize** Clerk's office to disburse \$35,040 from the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$35,040 back to the Friends.

SUMMARY: On July 25, 2018, the Friends made a donation of \$35,040 to the County for the design, fabrication, installation, required insurance coverage and for County Public Art Administrator's role in Brushwork, LLC contract management, which was approved at the Board of County Commissioners meeting on August 14, 2018. The Friends initially determined that the County should develop an Agreement for Art Services contract with Brushwork, LLC (Artist), Patrick Dougherty's company. Authorization to reverse this donation would enable the Friends, under a Standard License Agreement for use of County owned property with the County, to directly enter into an agreement with the Artist for all aspects of the creation, installation, management and removal of the Artwork. Friends will remit a payment of \$35,040 directly to the Artist. The Friends intention is to engage Patrick Dougherty, an international acclaimed Artist who creates monumental scale environmental works. In this case, the Artwork would be a one of a kind exhibit which involves a Community Build experience with volunteers. The Garden will be getting exactly the same product as originally envisioned, so the reversal of the donation in no way compromises the final product that has been envisioned. Countywide (AH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) approve rate decrease for Network and Supplemental Services provided by Information Systems Services (ISS) to external agencies effective October 1, 2018 based upon the attached rate schedule;

B) approve rate decrease for Supplemental Services associated with network support, effective October 1, 2018 based upon the attached rate schedule; and

C) authorize the County Administrator, or designee, to provide written notification regarding the revised rate structure to all existing network service customers whose network and/or supplemental services are affected by rate changes.

SUMMARY: ISS is requesting Board approval to reduce rates for Network and Supplemental Services provided to external customers. Revised rates for the network services offered by ISS were developed based on an analysis of market pricing for similar services and will be applicable to all current and future agreements for such services provided to external agencies. Board approval is also requested to authorize the County Administrator, or designee, to provide written notification of the new rates structure to all applicable existing network service customers whose network and/or supplemental services are effected by rate changes. Copies of the notification letters will be presented to the Board as a receive and file item. Countywide (DB)

2. Staff recommends motion to:

A) approve Amendment No. 3 to the Agreement with the South Florida Water Management District (SFWMD) (R2016-0278) to extend the delivery date to November 30, 2018 for base LIDAR map data through the USGS 3DEP Grant program; and

B) authorize the County Administrator, or designee, to execute an amendment to this Agreement to extend the expiration date as needed.

SUMMARY: On March 1, 2016 the Board executed an agreement with SFWMD (R2016-0278) for cost sharing to obtain base LIDAR map data through the USGS 3DEP Grant program. The SFWMD agreed to contribute up to \$85,000 in funding to help pay for the LIDAR mapping project. The deliverable was due to SFWMD by the end of calendar year 2017; however, delivery of Palm Beach County's LIDAR data by USGS was delayed because of the recent hurricanes and unanticipated data processing issues. Amendment 1 extended the Agreement to June 1, 2018. Amendment 2 extended the Agreement to September 30, 2018, but were advised by USGS that the delivery is further delayed. This Amendment extends the delivery date to November 1, 2018 and Agreement expiration to November 30, 2018. All other terms and conditions of the Agreement remain unchanged. Countywide (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. Staff recommends motion to receive and file: Task Order No. 2 to the contract for Consulting/Professional Services (R2017-0764) with Woolpert, Inc. in the amount of \$82,500 for countywide coastal aerial photography. **SUMMARY:** On April 25, 2017, Woolpert, Inc. was selected using the Consultant Competitive Negotiations Act (CCNA) process as one of the contractors to provide GeoSpacial Services such as planimetric mapping, digital orthophotography, LIDAR processing and GPS Survey in support of the County's Geographic Information System (GIS) program. Task Order No. 2 to the contract for Consulting/Professional Services (R2017-0764) with Woolpert, Inc. is to provide coastal aerial photography for Environmental Resources Management (ERM). Woolpert, Inc. is an Ohio-based company with offices in Orlando and Miami. The County Administrator, or designee, was authorized signature authority for Task Orders under \$100,000 at the time the original contract was approved. Task Order No. 2 in the amount of \$82,500 was executed by the ISS Director and was funded by ERM. This Task Order is now being submitted for receive and file purposes. Countywide (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: agreement with Florida Atlantic University (FAU) to collaborate as partners for the placement of student interns for a term of five years beginning October 16, 2018, with no financial obligation. **SUMMARY:** This agreement formalizes the cooperative arrangements between FAU, and the County for the development and implementation of the practicum and internship program for social work students. It outlines the respective duties, responsibilities, policies, and procedures that will be undertaken by FAU and the County. FAU will only refer students to the County that have completed the required prerequisites for the internship. The County will provide a training program and training facilities, designate a supervisor, ensure students receive the required service hours, and evaluate performance by completing evaluations for each semester. The County and FAU will each be responsible for their own costs. On March 13, 2018, The Board of County Commissioners authorized the County Administrator, or designee, to execute future agreements relating to internship programs with universities 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)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) approve contract for Consulting/Professional Services with the Battered Women's Justice Project (BWJP) in the amount not to exceed \$150,000 for the period retroactive to October 1, 2018 through September 30, 2021 to provide an assessment of our county's response to Domestic Violence and develop customized training for law enforcement to address identified gaps; and

B) authorize the County Administrator, or designee, to execute contract amendments with BWJP after approval of legal sufficiency by the County Attorney's Office and within the allocated budget amount.

SUMMARY: The Division of Victim Services was allocated \$150,000 from the Criminal Justice Commission's Domestic Violence Trust Fund to contract with the BWJP on a three-year project that will be completed in ten phases. National experts will assess Palm Beach County's law enforcement initial response to domestic violence through a variety of means (review of written and audio materials, conversations with first responders, data analysis, etc.) to gain a better understanding of how to better intervene in domestic violence cases. Data analysis will focus on patterns and gaps documented in a final report and which will be presented to community stakeholders. From the analysis, national subject matter experts will train law enforcement officers focusing on on-scene assessments and best practices. Countywide (LDC)

3. Staff recommends motion to:

A) approve the following contracts/interlocal agreement with agencies to provide adult ex-offender reentry services for the period October 1, 2018 through September 30, 2019:

1. The Lord's Place, Inc. in the amount of \$343,502;
2. Gulfstream Goodwill Industries, Inc. in the amount of \$238,494; and
3. City of Riviera Beach in the amount of \$238,499.

B) approve contract with Gulfstream Goodwill Industries, Inc. for the period October 1, 2018 through September 30, 2019 in the amount of \$401,319 to provide juvenile ex-offender reentry services; and

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

SUMMARY: Palm Beach County Division of Justice Services subcontracts with three providers to coordinate adult and juvenile reentry services to those returning to Palm Beach County from incarceration. Subcontracts were awarded through a competitive process and will ensure that the County will continue to meet the needs of those returning from incarceration. Reentry services are customized to each individual's unique needs, but include outreach services, case management, risk and needs assessments, transitional housing, employment assistance, transportation assistance and substance abuse and mental health treatment. These subcontracts are funded through ad valorem funds, JAG funding from the Department of Justice and a legislative allocation from the State of Florida, Department of Corrections. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. **Staff recommends motion to approve:** Memorandum of Agreement (MOA) (#A4615) with the Florida Department of Corrections (FDC) to facilitate ex-offender reentry services for the period March 2, 2019 through March 1, 2024. **SUMMARY:** This MOA confirms the general conditions and joint processes that will enable Palm Beach County and the FDC to effectively collaborate as partners in regards to serving ex-offenders returning to Palm Beach County from FDC facilities throughout the state. FDC and PBC are committed to helping inmates and ex-offenders successfully transition back into their community by providing outreach, case management, risk and needs assessments, transitional housing, employment assistance, transportation assistance and substance abuse and mental health treatment. An individualized transition plan will be developed for each offender that is enrolled in the program. An initial MOA was signed in 2010 and established a three-year commitment from both agencies to refer, provide services and track outcomes for the ex-offender population. The MOA was renewed in 2013 and 2016. The 2016 MOA expires on March 1, 2019. Countywide (LDC)

5. **Staff recommends motion to receive and file:** term purchase order (B3AE2F) for \$250,000 for contractual reentry services from the Florida Department of Corrections (FDC) for the service period of August 15, 2018 through June 30, 2019. **SUMMARY:** The FY2018-19 General Appropriations Act, Specific Appropriations 740 provided \$250,000 (CSFA#70.011) in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners. The funding is for reentry services (case management, support services, transitional housing, substance abuse and mental health treatment, etc.). The target population will be active inmates and recently released inmates from a FDC facility convicted in and returning to Palm Beach County through the Regional and State Transitional Offender Reentry (RESTORE) Initiative. Reentry services will be provided contractually by three agencies, The Lord's Place, City of Riviera Beach and Gulfstream Goodwill Industries. Agenda item 3X3 for October 16, 2018, recommends approval of these agency contracts and is associated with this item, which partially funds the agency contracts. **No county matching funds are required for this grant.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

6. Staff recommends motion to:

A) receive and file the following two executed agreements with the State of Florida, Division of Emergency Management to receive grant funding for the period July 1, 2018 through June 30, 2019, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs:

1. State-funded Grant Agreement (19-BG-21-10-60-01-112) for FY2018-19 in the amount of \$115,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant;
2. Federally-funded Sub award and Grant Agreement (18-FG-AF-10-60-01-098) for FY2018-19 in the amount of \$272,580 for the Emergency Management Performance Grant (EMPG); and

B) approve budget amendment of \$295,508 in the Emergency Management Preparedness and Assistance Fund to adjust the EMPA grant award by \$89,354 to the actual award of \$115,806, and the EMPG grant by \$206,154 to the actual award of \$272,580.

SUMMARY: The EMPA grant is state funded (CSFA # 31.063) while the EMPG grant is federally funded, passed through the State (CFDA # 97.042). Both grants recur annually, with the funds being distributed to the Public Safety Department's Division of Emergency Management. These funds are used to enhance and improve emergency management plans and programs and provide operational support to maintain state required programs consistent with the State's Comprehensive Emergency Management Plan. The grants will be used to further enhance emergency planning, response, mitigation and recovery in the County. R2012-1731 dated November 20, 2012, gave authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **The EMPA grant requires a match at the lesser of the Division of Emergency Management's general revenue funding average for the last three fiscal years or the level of funding for the last fiscal year. A dollar for dollar match is required for the EMPG grant. Match requirements are included in the County budget.** Countywide (LDC)

7. Staff recommends motion to receive and file: Grant Adjustment Notice (GAN) #003 Personnel Change; with the Department of Justice (DOJ) for the Second Chance Act SMART Reentry grant (2017-CZ-BX-0003). **SUMMARY:** GAN #003 updates the grantee point of contact to the newly hired Reentry Program Coordinator. Palm Beach County was awarded a SMART Reentry grant on September 19, 2017, from the DOJ for \$850,000 (Award # 2017-CZ-BX-0003) to facilitate the reduction of recidivism in Palm Beach County. On May 16, 2017, the Board of County Commissioners authorized the County Administrator, or designee, to execute grant award and amendments and to submit electronic reports associated with the SMART Reentry grant. 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. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. Staff recommends motion to adopt: resolution of the Board of County Commissioners (Board) of Palm Beach County, Florida, authorizing the establishment of a bank account with Wells Fargo Bank, N.A. for the payment of property & liability claims with a beginning reserve deposit of \$300,000. **SUMMARY:** On September 18, 2018, the Board approved a contract with Preferred Governmental Claims Solutions (PGCS) to provide claims administration services for its self-insured property and liability program. The contract includes the provision of a banking arrangement under which PGCS adjusters will pay claims directly on behalf of the County. Florida Statute 136.091 provides authorization for such an arrangement with an approved service organization to provide self-insurance services including, but not limited to, the evaluation, settlement, and payment of self-insurance claims, and allows for the advancement of funds to be deposited in a special checking account for this purpose. Adoption of this resolution will finalize the provisions of the contract and allow PGCS to pay property and casualty claims on behalf of the Board. Countywide (HH)

AA. PALM TRAN

1. Staff recommends motion to:
 - A) receive and file** executed Local Program Administrative Support Agreement (R2018-1045) with the Florida Commission for the Transportation Disadvantaged (CTD), in the amount of \$49,789 for the Administrative Support Grant Program (CSFA 55.001) to provide funds for operational and planning expenses for the Designated Official Planning Agency. This is a deliverable based agreement and has an effective start date of July 1, 2018 and an end date of June 30, 2019;
 - B) approve** Sub-Recipient Agreement by and between Palm Beach County, Florida and the Palm Beach Transportation Planning Agency (TPA);
 - C) approve** FY18 budget amendment of \$49,789 in Palm Tran's Operations Fund 1340 to recognize the actual grant award amount;
 - D) approve** FY19 budget amendment of \$49,789 in Palm Tran's Operations Fund 1340 to re-establish the grant in FY2019;
 - E) approve** budget amendment of \$37,753 in the Palm Beach Transportation Planning Agency's (TPA) Fund 1360 to recognize the actual grant award amount for FY2018; and
 - F) approve** budget amendment of \$19,912 in the Palm Beach Transportation Planning Agency's (TPA) Fund 1360 to re-establish the grant in FY2019.
- SUMMARY:** On July 10, 2018, the Local Program Administrative Support Agreement was approved by the Board of County Commissioners (BCC). The document has been fully executed by the Florida Commission for the Transportation Disadvantaged (CTD). Since 1999, the BCC has been the designated Community Transportation Coordinator (CTC) for Palm Beach County. Palm Tran has assumed management responsibilities for the implementation of the CTC designation. On June 1, 2018, the State legislative staff directed the CTD to have each CTC pay the planning agency within its service area from the funds it received in the Trip and Equipment Grant for FY19. This includes the Administrative Support Grant, which normally is granted to the TPA directly. The TPA serves as the designated official planning agency for CTD in Palm Beach County. The TPA will continue to carry out specific planning activities as detailed in the Sub-Recipient agreement. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to:

A) approve Amendment Number 003 to Standard Agreement No. IA016-9635 with the Area Agency on Aging of Palm Beach/Treasure Coast (CFDA 93.044) in the amount of \$38,000, to fund transportation services for the Division of Senior Services. This is a unit cost grant agreement, with a start date of January 1, 2018 and an end date of December 31, 2018; and

B) approve budget amendment of \$38,000 in Palm Tran's Operating Fund to reconcile the budget to the actual grant award.

SUMMARY: On October 18, 2016, the BCC approved a three year Standard Agreement No. IA016-9635 (R2016-1535) allocating funds to provide transportation services to eligible senior citizens who are clients of Division of Senior Services going to a county-approved Nutrition Meal Site. The Area Agency on Aging (AAA) has issued a subsequent Amendment Number 002 to provide Palm Beach County its annual allocation for 2017 and 2018 for this program to assist with transportation expenditures for Nutrition Meal Site trips. The BCC approved Amendment 002 on June 19, 2018 (R2018-0940). AAA is providing an additional \$38,000 for this service. There is a 10% match requirement (\$3,900) which has already been met with services provided in FY2018. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to approve: following 14 Community Based Agency Contracts for funding in the areas of Health & Wellness and Educational Supports, for the period October 1, 2018 through September 30, 2019, with two one-year extensions at the option of the County, in the amounts indicated below, for a total amount of \$863,697:

	Agency	Action Area		Amount
		Health & Wellness	Educational Supports	
A)	Center for Child Counseling, Inc.	X		\$60,000
B)	Compass, Inc.	X		\$48,645
C)	Connections Education Center of the Palm Beaches, Inc.	X		\$118,500
D)	For The Children Inc.	X		\$75,000
E)	The School Board of Palm Beach County, Florida	X		\$63,750
F)	Big Brothers Big Sisters of Palm Beach and Martin Counties, Inc.		X	\$46,453
G)	Boys and Girls Clubs of Palm Beach County, Inc.		X	\$91,451
H)	College for Kids Inc. (Take Stock in Children)		X	\$93,300
I)	Junior Achievement of the Palm Beaches & Treasure Coast, Inc.		X	\$40,000
J)	Seagull Industries for the Disabled, Inc.		X	\$48,896
K)	The Arc of Palm Beach County, Inc.		X	\$32,952
L)	The Guatemalan-Maya Center, Inc.		X	\$48,645
M)	The Palm Beach County Literacy Coalition, Inc.		X	\$51,467
N)	Urban Youth Impact, Inc.		X	\$44,638
	Total			\$863,697

SUMMARY: On April 9, 2018, the Youth Services Department issued a Request for Proposals (RFP) for Community Based Agencies (CBAs) FY 2019 for two Action Areas identified as priorities in the Youth Master Plan: Health & Wellness and Educational Supports. On July 10, 2018, the Board of County Commissioners conceptually approved the recommended funding allocations to the above agencies. Funding for the CBAs comes from the Head Start reallocation money identified for evidence-based/promising programming and services for youth and young adults. The effective dates of services for the above contracts submitted for approval are prior to this meeting date. Megan Bob, an employee of The Palm Beach County Literacy Coalition, Inc. is a member of the Library Advisory Board. Alejandro Rodriguez, an employee of Compass, Inc. is a member of the Palm Beach County HIV Care Council. These boards provide no regulation, oversight, management or policy-setting recommendations regarding the contracts listed above. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDIT

1. Staff recommends motion to receive and file:

- A. Audit report reviewed by the Audit Committee at its September 12, 2018 meeting as follows:
 - 1. 18-06 Youth Services Department – *Internal Controls Review*
- B. Audit Risk Assessment and Work Plan for FY 2019.

SUMMARY: County Code Section 2-260.16 requires the Internal Audit Committee to review audit reports prior to issuance. County Code Section 2-463 requires the County Internal Auditor to send those reports to the Board of County Commissioners. At its September 12, 2018 meeting, the Committee reviewed and authorized distribution of the attached audit report, as well as the Audit Risk Assessment and Work Plan for FY 2019. We are submitting these reports to the Board of County Commissioners as required by the County Code. Countywide (DB)

DD. WESTGATE/BELVEDERE CRA

1. Staff recommends motion to approve: following Westgate/Belvedere Homes Community Redevelopment Agency (CRA) Board Officers for a 12-month term commencing June 11, 2018 and expiring June 11, 2019.

Board Member	Office
Ronald Daniels	Chair
Joanne Ruffy	Vice-Chair

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven At-Large members from residents and local businesses within the CRA boundaries. At the June 12, 2017 meeting, the CRA Commissioners elected the Chair and Vice-Chair from amongst its Board. The term shall be 12 months, beginning with the date of election. Districts 2 & 7 (RB)

2. Staff recommends motion to approve: one appointment to the Westgate CRA Board, effective October 16, 2018:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Req.</u>	<u>Nominated By</u>	<u>Term Ending</u>
4	Yeraldi Benitez	Business Owner	Mayor McKinlay Vice Mayor Bernard Comm. Burdick Comm. Kerner Comm. Abrams	05/31/22

SUMMARY: The Westgate/Belvedere Homes Community Redevelopment Agency (Westgate CRA) Board consists of seven At-Large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners appoint the Westgate CRA Board Members. After duly advertising, the Westgate CRA held its meeting on August 13, 2018 to nominate a candidate to fill seat 4. Ms. Yeraldi Benitez, a business owner, has expressed a willingness to be on the CRA Board. Out of the seven seats, two are currently vacant. The five existing members are all Caucasian. Ms. Yeraldi is Hispanic and will bring some diversity to the Board. The gender ratio (female:male) is currently 3:2. The CRA Board and staff are working diligently to recruit more minority Board members. Districts 2 & 7 (RB)

3. CONSENT AGENDA APPROVAL

DD. WESTGATE/BELVEDERE CRA (Cont'd)

3. Staff recommends motion to approve: resolution of the Board of County Commissioners of Palm Beach County, Florida approving the Westgate/Belvedere Homes Community Redevelopment Agency's (CRA) Fiscal Year 2019 Budget for its Redevelopment Trust (operating) Fund and Capital Improvements Fund. **SUMMARY:** The budget, in the amount of \$4,447,538, is composed of two components. The first component, the Redevelopment Trust Fund, in the amount of \$3,208,538, consists of the CRA's Annual Tax Increment Financing and balance brought forward from previous years. The second component, the Capital Improvement Fund, in the amount of \$1,239,000, consists of balances of reimbursable grants awarded to the CRA by County, State, and Federal governments for construction activities. The Tax Increment Financing revenues will be used for obligations to Florida Power & Light for street lighting, CRA operations and other projects. The 2019 Budget increased by twenty-nine percent (29%) because the CRA had an increase in TIF and grant funds. Districts 2 & 7 (RB)

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

A. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: resolution abandoning any public interest in a 15 foot wide by approximately 1,265 foot long portion of the unimproved right-of-way (ROW) of Polo Road, lying north of the Lake Worth Drainage District (LWDD) L-14 Canal and south of 47th Place South; and a 30 foot wide by approximately 2,247 foot long portion of the unimproved ROW of 47th Place South, lying east of Polo Road and west of the LWDD E-2W Canal (abandonment site) as shown on the plat of Palm Beach Farms Co. Plat No. 3, Plat Book 2, Pages 45-54, Public Records of Palm Beach County. **SUMMARY:** Adoption of this resolution will eliminate the public dedication that is in conflict with future redevelopment plans by DiVosta Homes, L.P. The abandonment site is located east of Lyons Road and approximately $\frac{3}{4}$ mile south of Lake Worth Road. District 6 (LBH)

B. FIRE RESCUE

1. Staff recommends motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 26, Article III, Division 2, relating to Municipal Service Benefit Units (MSBU) to fund fire hydrant maintenance and rental charges from the City of Riviera Beach and the City of Boca Raton; repealing and replacing Exhibit B to amend, update and restate the boundaries of the MSBU-Riviera Beach; updating certain provisions relating to the adoption of the non-ad valorem assessment roll and rate resolution; providing for repeal of laws in conflict; providing for severability; providing for savings clause; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for captions; and providing for an effective date. **SUMMARY:** This ordinance amends the boundaries of the MSBU-Riviera Beach to include 141 properties that were previously missing from the MSBU-Riviera Beach. Commencing with tax year 2019, the special assessment for fire hydrant maintenance and rental on the previously missing parcels will be levied and collected on the tax roll as a part of the MSBU-Riviera Beach. This ordinance also updates and restates the boundaries of the MSBU-Riviera Beach and updates certain provisions relating to the adoption of the non-ad valorem assessment roll and the rate resolution. District 7 (SB)

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

C. ADMINISTRATION

1. Staff recommends motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Palm Beach County Code, Section 2-80.20 through 2-80.40, as amended, as follows: Section 2-80.20 Policy, Purpose, and Objectives; Section 2-80.21 Definitions; Section 2-80.22 Scope and Exclusions; Section 2-80.23 Office of Equal Business Opportunity; Section 2-80.24 Commercial Nondiscrimination Policy; Section 2-80.25 Factual Predicate and Purpose; Section 2-80.26 Administrative Reforms; Section 2-80.27 Affirmative Procurement Initiatives; Section 2-80.28 Program Administration; Section 2-80.29 Severability Clause; Section 2-80.30 Sunset; Sections 2-80.31 through 2-80.40 Reserved; Providing for Interpretation of Captions; Providing for Repeal of Laws in Conflict; Providing for a Savings Clause; Providing for Severability; Providing for Inclusion in the Code of Laws and Ordinances; and Providing for an Effective Date. **SUMMARY:** The Board of County Commissioners accepted the Disparity Study conducted by Mason, Tillman and Associates, Ltd. on December 19, 2017. The County's Disparity Study found statistically significant disparities in the County's contracting with various minorities, and recommended implementation of race and gender-neutral remedies and race and gender-conscious remedies. This Equal Business Opportunity (EBO) Ordinance (is intended to further the County's compelling interest in ensuring that it is neither an active nor passive participant in private sector marketplace discrimination, and to actively promote equal opportunity for all segments of the contracting and business community to participate in County contract opportunities. The Board approved the EBO Ordinance on preliminary reading on October 2, 2018. Countywide (HH)

D. PURCHASING

1. Staff recommends motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 2, Article III, Division 2, Part A (The Palm Beach County Purchasing Code); amending Section 2-51 "Application/Exemptions"; amending Section 2-52 "Definitions"; amending Section 2-54 "Source Selection"; amending Section 2-55 "Protested Awards"; amending 2-57 "Vendor Preferences"; providing for Repeal of Laws in Conflict; providing for Severability; providing for a Savings Clause; providing for Inclusion in the Code of Laws and Ordinances; and providing for an Effective Date. **SUMMARY:** The current Purchasing Code (Ordinance No. 2005-062), as amended in 2008 (Ordinance No. 2008-009) and April 20, 2010 (Ordinance 2010-010), established a centralized purchasing system for the procurement of the County's goods and services. This amendment to the Purchasing Code includes necessary references to the Office of Equal Business Opportunity, the Equal Business Opportunity Program Ordinance, and the Equal Business Opportunity Program Policies and Procedures. Countywide (DW)
2. Staff recommends motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 2-80.47 Limitations of the Palm Beach County Code, the Local Preference in Purchasing Code; providing for Repeal of Laws in Conflict; providing for Severability; providing for a Savings Clause; providing for Inclusion in the Code of Laws and Ordinances; and providing for an Effective Date. **SUMMARY:** The current Local Preference Code (Ordinance No. 2002-065), as amended by Ordinance Nos. 2009-095, 2010-011 and 2015-002, provides a local preference to Palm Beach County vendors offering their goods or services to Palm Beach County. This amendment to the Local Preference Code includes necessary references to the Equal Business Opportunity Program Ordinance and the Equal Business Opportunity Program Policies and Procedures. Countywide (DW)

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

E. COUNTY ATTORNEY

1. Staff recommends a motion to adopt: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Tourist Development Ordinance of Palm Beach County, Chapter 17, Article III, Sec. 17-117 of the Palm Beach County Code; (Ord. 95-30), as amended adding Section 17-117 entitled short term rentals; providing for purpose; providing for definitions; providing for hosting platform requirements; providing for host requirements; providing for expiration and renewal; providing for suspensions and revocations; providing for prohibitions; providing for administration and regulation; providing for applicability; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for penalty; providing for captions and providing for an effective date. **SUMMARY:** The purpose of this ordinance is to require Hosting Platforms and Booking Services to verify that a Residential Unit is registered with the Tax Collector’s Office and has a Business Tax Receipt and Tourist Development Tax account prior to advertising a Short Term Rental. This amendment is at the request of the Tax Collector and requires short term rentals to retain certain records and authorizes the Tax Collector to issue administrative subpoenas to obtain records, and provides for civil and administrative penalties against Hosting Platforms, Booking Services and Hosts for violations of this ordinance. The League of Cities concurred with adoption of this ordinance at its August 22, 2018 meeting. Countywide (DW)

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5. REGULAR AGENDA

A. COMMUNITY SERVICES

1. Staff recommends motion to approve: contract for Provision of Services with Southeast Florida Behavioral Health Network, Inc. (SEFBHN), for the period October 1, 2018 through March 30, 2019, for the continuation of expanded bed capacity, substance abuse treatment, care coordination, and prevention programs to educate the community about the dangers of opioid abuse, in the amount of \$550,000. **SUMMARY:** On February 6, 2018, the Board of County Commissioners authorized staff to negotiate a contract with SEFBHN to expand treatment options in the County. A contract was successfully executed for the period April 1, 2018 through September 30, 2018, while staff continues to work with the Health Care District of Palm Beach County (HCD) on the establishment of an addiction stabilization facility (ASF). While the ASF is in the final stages of completion through the partnership of the HCD and JFK Medical Center, the attached contract will maintain the substance abuse treatment bed capacity in the County for residents who are experiencing, or are at risk of experiencing a substance abuse disorder. SEFBHN will continue to subcontract with agencies for the provision of additional treatment beds, including scholarships from private substance abuse treatment and detox facilities, and coordinate care for those needing housing and employment supports. The contract will also continue to provide for the engagement of families with children at risk of addiction through targeted prevention efforts. Ultimately, the services provided through this contract with SEFBHN will continue to assist in leveraging existing and future federal, state and local funding to ensure a seamless continuum of care for residents with substance abuse disorders and expand the existing network of providers to best meet the needs of the community and individuals. Linda Kane, employee of SEFBHN, is a member of the Palm Beach County Homeless Advisory Board (HAB). The HAB provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship 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. (Community Services Department) Countywide (HH)

B. ADMINISTRATION

1. Staff recommends motion to approve: modification of the Economic Development Incentive Agreement Requirements. **SUMMARY:** On November 16, 1993 the Board of County Commissioners (BCC) established the Palm Beach County Job Growth Incentive Fund Policy and Program (R93-1519) to stimulate economic growth in Palm Beach County by either attracting new businesses to the County or by encouraging the expansion of existing business within the County. When a cash or Ad Valorem Tax Exemption is provided to a company as an incentive to relocate or expand in the County, the Economic Development Incentive Agreement (Agreement) is the legal document executed between the BCC and a company detailing the commitments and mutual covenants agreed to by both parties. The incentive can be provided as the required local match to a State incentive program, or independently from the County. The Department of Housing and Economic Sustainability (HES), is responsible for administration of the program as well as the development and monitoring of Agreements. County Administration and HES staff developed the recommended modifications at the request of and with input from the Florida Department of Economic Opportunity, Enterprise FL and The Business Development Board. In summary, the recommended modifications (Attachment 1 to the agenda item) better align with key definitions and notice requirements with that of the State's Agreement and streamline certain programmatic requirements for improved compliance and monitoring of the Agreement. Key requirements of the County's Agreement, including the provision of security (in the form of a letter of credit or cash bond) and the Final Performance Audit remain as requirements in the Agreement. Countywide (JB)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) adopt resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Saturn, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund Program not to exceed \$19,200 over a five year period; providing for severability; and providing for an effective date; and

B) conceptually approve Economic Development Incentive for Project Saturn in the form of a cash incentive not to exceed \$19,200 over a five year period.

SUMMARY: Project Saturn is contemplating relocating its corporate headquarters from New Jersey to Palm Beach County or Virginia. The project will invest \$580,000 to lease, renovate, and equip an 11,500 square foot facility. The project will create 32 new jobs over a two year period at an annualized average wage of \$76,647 and an annualized median wage of \$65,000. The estimated five year local economic impact is \$51.7 million. Project Saturn qualifies for the QTI Tax Refund program which continues to be funded by the Florida Legislature. The company is being offered a \$192,000 incentive. Of this amount, \$153,600 is from the State of Florida and \$38,400 is a required match from local government entities. Palm Beach County and the City of Boca Raton will equally share the required local match. Palm Beach County's portion of the local match will be provided as a cash grant in an amount not to exceed \$19,200. The incentive will be provided over a period of five years provided the project meets the State of Florida requirements; paid according to the State's QTI Refund schedule and secured by a letter of credit or bond. The company will be required to enter into a formal agreement memorializing their commitments and establishing terms under which the local match will be disbursed. The company name will be disclosed at such time. District 4 (JB)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) approve grant agreement with the Florida Atlantic University Board of Trustees (FAU) in the amount of \$50,000 for the period October 1, 2018 to September 30, 2019;

B) delegate authority to the County Administrator, or designee, to execute future amendments to the Grant Agreement with FAU;

C) approve budget transfer of \$50,000 from the General Fund Contingency Reserves to the Economic Development Fund to establish budget for the agreement amount with FAU; and

D) approve budget amendment in the amount of \$50,000 in the Economic Development Fund to recognize the funds from the General Fund.

SUMMARY: On September 17, 2018, the Board of County Commissioners (BCC) approved the Fiscal Year 2018-2019 budget where discussion included an allocation of \$50,000 to FAU for the FAU Tech Runway (FAUTR) project. FAUTR is a 28,000 square-foot facility that provides incubator workspace at the Florida Atlantic University Boca Raton Campus, and also provides mentoring, education seed grants, and introductions to investors to aid entrepreneurs and small developing companies that create jobs and provide internships to Florida Atlantic University students. If approved, the County's \$50,000 investment would be leveraged with \$750,000 of Fiscal Year 2016-17 State funds, \$50,000 from the City of Boca Raton, and potential corporate sponsorships, donations and foundation grants that are expected to generate an additional \$500,000. This grant agreement will fund FAUTR with operational expenses in order to expand its services in northern Palm Beach County supporting Technology, Life Science and Neuroscience efforts at the FAU Jupiter campus. FAU will also be required to: host at least two educational seminars for entrepreneurs, provide ten internships, arrange two introductory meetings between potential angel/venture capital investment funds to small developing companies, and create at least five new jobs. All companies assisted through these funds are required to have or develop a substantial relationship to FAU, involving students and/or faculty which leads to job creation and economic activity at FAU and in Palm Beach County. **These are County Ad Valorem funds.** Countywide (JB)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

A) adopt resolution authorizing the re-conveyance of the County's interest in 0.039 acres of real property located in unincorporated Delray Beach to the Lake Worth Drainage District (LWDD) without charge and without reservation of mineral and petroleum rights; and

B) approve Corrective County Deed in favor of the Lake Worth Drainage District.

SUMMARY: On October 6, 2015, the BCC approved the conveyance of a 0.039 acre of property along the shore of Lake Eden in Delray Beach to LWDD by Resolution R2015-1387. Recently, the Property Appraiser found that the surveyor made a scrivener's error in the legal description of the County Deed (R2015-1388) which requires correction. A revised sketch and legal description of the .039 acre site was obtained, then reviewed and approved by staff, LWDD and the Property Appraiser's Office. This Corrective County Deed is being issued to LWDD in order to correct the scrivener's error in the County Deed dated October 6, 2015, as recorded in ORB 27866, Page 1946. This Corrective Deed will be recorded and will not retain mineral and petroleum rights as provided for in Florida Statutes Section 270.11. **This re-conveyance must be approved by a Supermajority Vote (5 Commissioners) pursuant to the PREM Ordinance.** (PREM) District 4 (HJF)

2. Staff recommends motion to:

A) adopt resolution authorizing an extension to the term of the Concessionaire Service Agreement (Agreement) dated October 21, 2014 (R2014-1635), as amended, with Tennis Insights, Inc. (Tennis Insights), for the continued management and operation of the Tennis and Racquetball Center (Center) at Burt Aaronson South County Regional Park for a period of 30 days commencing on November 1, 2018, and continue on a month to month basis, if necessary, until terminated at a monthly rate of \$1,485.69 (\$17,828.29 annually); and

B) approve Notice to Extend the Term of Agreement dated October 21, 2014 (R2014-1635), as amended.

SUMMARY: Tennis Insights has managed and operated the Tennis and Racquetball Center (Center) at Burt Aaronson South County Regional Park under this current Agreement since October 2014. In May 2018, a Request for Proposals (RFP) was issued for tennis and racquetball concession services at the Park and staff is finalizing a concessionaire agreement with the selected respondent. The term of the Agreement expires on October 31, 2018. Rather than close the Center until a new concessionaire agreement is awarded, Tennis Insights has agreed to continue to operate and manage the Center until such time an award is made, at the same rent of \$1,485.69 per month. Staff believes it to be in the County's best interest to extend the Agreement for a period of 30 days so that staff can schedule the new concessionaire agreement for the November 20, 2018, Board meeting. This extension will extend the term of the Agreement for a period of 30 days commencing on November 1, 2018, and continue on a month to month basis, if necessary, to coincide with the approval of the new concessionaire agreement. The rent will remain at the current rate of \$17,828.29/year (\$1,485.69/monthly). County may terminate the Agreement at any time upon 15 days notice to Concessionaire. All other terms and conditions of the Agreement shall remain in full force and effect. Parks will continue to have administrative responsibility for this Agreement. (PREM) District 5 (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

3. Staff recommends motion to approve: second amendment to Lease Agreement (R2009-1281) with 5060 Loxahatchee Retail, LLC, for the continued use of 4,050 SF in the Grove Market Shopping Center in Westlake, for Fire Rescue temporary Station No. 22 for the period of May 25, 2019 through December 31, 2019, at an annual rental rate of \$88,887.06 (\$21.95/SF). **SUMMARY:** Since January 2002, the Fire Rescue Department has operated its temporary Station No. 22 out of a 4,050 SF office space within the Grove Market Shopping Center located at 5060 Seminole Pratt Whitney Road in the City of Westlake. On March 10, 2015, the Board approved the first amendment (R2015-0362) which extended the term to May 24, 2019. In 2016, 5060 Loxahatchee Retail, LLC acquired the Shopping Center from the prior landlord, FUCMT 2001-C4 Seminole Road, LLC. Construction of the permanent Station is expected to commence in January of 2019 and be completed by November 2019. This second amendment will extend the term from May 25, 2019 through December 31, 2019. In addition, this second amendment reflects 5060 Loxahatchee Retail, LLC as the new owner; and updates various standard County provisions. The Annual gross rent is \$88,887.06 (\$21.95/SF). All other terms of the Lease Agreement remain unchanged. PREM will continue to manage this Lease Agreement. (PREM) District 6 (HJF)

4. Staff recommends motion to: allow the lease with LJL Food Management d/b/a Tina's Café (R2002-0829) to expire and to use the 2,500 SF of space vacated by Tina's Café for County departments. **SUMMARY:** LJL Food Management, Inc., d/b/a Tina's Café has been the food service provider operating in the Governmental Center Parking Garage since 2005. The current Lease Agreement with Tina's Café will expire on January 31, 2019. On September 17, 2017 (Agenda Item 5A-1), the Board supported Staff's recommendation that the Board pursue legal action for non-payment of rent, including termination of the lease. Shortly after their receipt of default notice, Tina's Café brought the rent current and has been timely remitting payments thereafter. As there is no longer a basis for legal action against Tina's, Staff recommends that the lease be allowed to expire and Tina's be required to vacate the premises on January 31, 2019. Staff believes it is no longer necessary to continue to have a food service operation within the Governmental Center Garage. There are numerous restaurants operating at various price points within the downtown area, many of which provide delivery service at reasonable costs and staff, if approved, will return with options for food service on site, not involving the lease of the space. Several County departments and three judicial partners have existing needs for additional office space in the Governmental Center or on the campus. Staff recommends that the space previously occupied by Tina's be made available for use by one or more of those departments. (PREM) Countywide (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Concessionaire Service Agreement (Agreement) with Jupiter Outdoor Center, Inc. (JOC), a Florida corporation, for the operation of a water sports and recreational rental equipment concession at Riverbend/Loxahatchee River Battlefield Park for \$26,400/year (\$2,200/month) for a period of three years commencing no later than 60 days after Board approval. **SUMMARY:** In January 2018, a Request For Proposals (RFP) was issued for the operation of a water sports and recreational rental equipment concession at the Park for park visitors. Six proposals were received and a Selection Committee ranked the proposal from JOC as the highest ranked respondent/proposer. South Florida Water Management District (District) owns the property upon which the kayak launch area is constructed and District objects to the use of its property for this concession. Staff has reconfigured the licensed area, to avoid placing any improvements on the District's property and reduced it by ½, and reduced JOC's proposed guaranteed annual rent by 12% from \$30,000/year (\$2,500/month) to \$26,400/year (\$2,200/month), which is above the County's minimum guaranteed annual rent of \$24,000/year (\$2,000/month), required in the RFP. Should the County acquire title to the kayak launch area from the District, the licensed area will be increased and the guaranteed annual rent will be adjusted back to \$30,000/year (\$2,500/month) (JOC's original proposed amount). JOC will pay a commission fee equal to the amount by which 18% of JOC's annual gross revenues exceeds the guaranteed annual rent. The initial term of the Agreement is for three years, with two options to extend, each for a period of five years. JOC has proposed making \$300,000 in capital improvements during the initial term which includes a 20' Conex container and patio that will be used as its point-of-sale building. If JOC does not make the capital improvements during the initial term, the County may terminate the Agreement. JOC has posted a \$1,000 security deposit. The Parks Department will manage and administer the Agreement. (PREM) District 1 (HJF)

5. REGULAR AGENDA

E. PALM TRAN

1. Staff recommends motion to approve: amendment to Palm Tran’s Fare Policy to establish fares for the Palm Tran Connection Belle Glade Flex Route (Flex Route) and Dial-A-Ride Pilot Service. **SUMMARY:** On August 14, 2018, the Board of County Commissioners (BCC) authorized staff to implement the proposed Flex Route and Dial-A-Ride service for the Belle Glade region as part of the Route Performance Maximization (RPM) Project. A Request for Proposal (RFP) to secure a vendor to operate the pilot service was issued on September 10, 2018. Contract award to the selected vendor is scheduled to be presented to the BCC for approval at the November 20, 2018 meeting and commencement of service is scheduled for December 1, 2018. The Flex Route and Dial-A-Ride service will utilize smaller type vehicles similar to Palm Tran Connection vehicles and not fixed route buses.

Staff is proposing a new fare for the Flex Route and Dial-A-Ride Service as delineated below:

Connection Belle Glade Flex Route Service Proposed Fares				
Flex Route Ticket Types	Regular Fare	With Connection ADA Fixed Route Pass	With Palm Tran One-Day Quik Pass	With Palm Tran 31-Day Quik Pass
One-Trip	\$1.00	\$0.00	\$0.00	\$0.00
Dial-A-Ride	\$2.00	\$0.00	\$0.00	\$0.00
Flex Route Deviation	\$0.50	\$0.50	\$0.50	\$0.50

The Flex Service will operate as four circulators in Belle Glade, Pahokee and South Bay for a fare of \$1.00 per trip valid only on the Flex Service. Passengers will have the option of deviating from the scheduled flex route up to and within ¼ mile of the route for an additional \$.50 charge per deviation. The Flex Route Service will also offer a Dial-a-Ride (DAR) service to 12 Palm Tran bus stops that were formally served by Palm Tran Fixed Route 48 that have been merged with Route 47 with the implementation of the RPM Project. The DAR service will provide first and last mile connections to and from Palm Tran’s Fixed Route stops or locations within a limited area for a fare of \$2.00 per trip. Countywide. (DR)

6. BOARD APPOINTMENTS

A. ADMINISTRATION (Cont'd)

1. Staff recommends motion to approve: appointment and reappointments of the following individuals to the Small Business Assistance (SBA) Advisory Committee for the seats and terms indicated below.

<u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Reappoint				
E. Ann Mcneill	3	Certified Woman Business Owner	10/16/18 to 10/15/21	Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams
OR				
Appoint				
Doris Pastl	3	Certified Woman Business Owner	10/16/18 to 10/15/21	Mayor McKinlay
Juan Pagan	7	Hispanic Business Organization	10/16/18 to 05/06/19	Comm. Valeche Comm. Abrams
Reappoint				
Robert Waite	4	Certified White Male Business Owner	10/16/18 to 10/15/21	Mayor McKinlay Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams
Amy Angelo	5	Business Owner Domiciled in PBC	10/16/18 to 10/15/21	Mayor McKinlay Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams
Lillian Reyes	8	National Association of Women in Construction	10/16/18 to 10/15/21	Mayor McKinlay Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams
Denise Albritton	9	Women's Business Organization	10/16/18 to 10/15/21	Mayor McKinlay Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams
Carole Hart	12	Small Business Development Center	10/16/18 to 10/15/21	Mayor McKinlay Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams
Courtney M. Newell	14	Black Chamber of Commerce	10/16/18 to 10/15/21	Mayor McKinlay Vice Mayor Bernard Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams

SUMMARY: The SBA Advisory 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 a 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. The SBA Advisory Committee supports these nominations and memos were sent to the Board of County Commissioners on September 17, 2018, September 24, 2018 and October 2, 2018, requesting approval of the recommendations. No other nominations were received. The SBA Advisory Committee consists of 15 members and the terms of the seats are for three years. The SBA Advisory Committee reviews and evaluates the effectiveness of small business programs within County Government. The Committee currently consists of six members. The current diversity count is: Caucasian: 1 (16.6%), African-American: 4 (66.6%), and Hispanic: 1 (16.6%). The gender ratio (female:male) is: 2:4. The appointment of the members listed will change the diversity and gender ratio as follows: Caucasian: 4 (28.5%), African American: 7 (50%), and Hispanic: 3 (21.4%) with a gender ratio (female:male) of: 8:6. Seven of the nominees are current board members seeking reappointment, and one nominee is seeking appointment to complete the term of a board member who resigned. Countywide (HH)

B. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 16, 2018

7. 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."