

April 2, 2019
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 2, 2019

PAGE **ITEM**

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**

APRIL 2, 2019

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 6)
 - D. Staff Comments (Page 7)
 - E. Commissioner Comments (Page 8)

- 3. CONSENT AGENDA (Pages 9-30)**

- 4. REGULAR AGENDA (Pages 31-34)**

- 5. BOARD APPOINTMENTS (Page 35)**

- 6. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 36)**

- 7. ADJOURNMENT (Page 37)**

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 6

- 2C-1 National Correctional Officers and Employees Week
- 2C-2 National Library Week 2019
- 2C-3 Women of Tomorrow Day
- 2C-4 Building Safety Month
- 2C-5 Palm Beach County Public Safety Telecommunicators Week
- 2C-6 Palm Beach County Sheriff's Office Volunteer Day
- 2C-7 Water Conservation Month
- 2C-8 Drowning Prevention Awareness Month
- 2C-9 Second Chance Month
- 2C-10 Child Abuse Prevention Month
- 2C-11 Crime Victims' Rights Week
- 2C-12 The Lord's Place SleepOut/SleepIn to End Homelessness Month
- 2C-13 Sexual Assault Awareness Month
- 2C-14 Palm Beach County Gopher Tortoise Day

STAFF COMMENTS

Page 7

- 2D-1 Receive and file updated Board Directive Report

COMMISSIONER COMMENTS (Page 8)

CONSENT AGENDA

A. ADMINISTRATION

Page 9

- 3A-1 Receive and file indemnification agreements with Counterpointe Energy Solutions Residential LLC
- 3A-2 Appointment to the CareerSource Palm Beach County, Inc. Board of Directors

B. CLERK & COMPTROLLER

Page 10

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

C. ENGINEERING & PUBLIC WORKS

Page 10

- 3C-1 Receive and file proportionate share agreement with Boca Raton Associates VIII, LLP
- 3C-2 Amendment to contract with AE Engineering, Inc. for bridge rehabilitation of the Camino Real/Boca Club Bridge

Page 11

- 3C-3 Amendment to contract with HSQ Group, Inc. for update language for compliance with County standards
- 3C-4 Work order with Ranger Construction Industries, Inc. for resurface of streets within the Sandalfoot subdivision

D. COUNTY ATTORNEY

Page 12

- 3D-1 Contract with LaBovick & LaBovick, P.A. for legal services related to personal injury protection insurance claims for Fire Rescue emergency transport services

E. COMMUNITY SERVICES

Page 13

- 3E-1 Amendment to grant contract with the Florida Department of Children and Families related to homeless prevention services
- 3E-2 Amendment to contract with Aid to Victims of Domestic Abuse, Inc. revising the language related to emergency shelters

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

F. AIRPORTS

Page 14

- 3F-1 Receive and file extension of time with the Florida Department of Transportation for infrastructure work at the North Palm Beach County general Aviation Airport
- 3F-2 Receive and file General Aeronautical Services Permit with American Sales and Management Organization, LLC for support services to airlines operating at PBI
- 3F-3 Receive and file amendment with American Airlines, Inc. for removal of ticket counter space
- 3F-4 Resolution approving a Public Transportation Grant Agreement with the Florida Department of Transportation for Maintenance Compound Redevelopment at PBI

Page 15

- 3F-5 Change order with Community Asphalt Corp. decreasing the contract amount and increasing the contract time for Rehabilitation of Taxiway C at PBI

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 16

- 3H-1 Quit Claim Deed from South Florida Water Management District for parcel in Riverbend/ Loxahatchee River Battlefield Park
- 3H-2 Receive and file Standard Infrastructure Surtax Project Funding agreement with Ric L. Bradshaw, Sheriff

Page 17

- 3H-3 Receive and file agreement with the Friends of the Mounts Botanical Gardens for an art work exhibition

Page 18

- 3H-4 Amendment to contract with The Weitz Company, LLC for carpet replacement at the Palm Beach County Convention Center

J. PLANNING, ZONING & BUILDING

Page 19

- 3J-1 Resolutions providing historical property tax exemptions to three properties

K. WATER UTILITIES

Page 20

- 3K-1 Contract with JLA Geosciences, Inc. for wellfield improvements

Page 21

- 3K-2 Utility Work by Highway Contractor Agreement with the Florida Department of Transportation for road improvements to Southern Boulevard at Forest Hill Boulevard
- 3K-3 Tri-party indemnity agreement with Missions Lakes II LLC and ABC Liquors, Inc.

Page 22

- 3K-4 Agreement with Mattamy Palm Beach, LLC for water and wastewater for the Enclave of Boynton Waters

L. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 22

- 3L-1 Memorandum of Agreement with the Marine Industries Association of Palm Beach County, Inc. related to the Lake Worth Inlet Flood Shoal Dredging Project

Page 23

- 3L-2 Resolution transferring funds from the Pollution Recovery Trust Fund to expand the Lake Worth Lagoon Monitoring Program

Page 24

- 3L-3 Lake Worth Lagoon Project Partnership Agreement with the Department of the Army, United States Army Corps of Engineering for the Lake Worth Lagoon Environmental Restoration Project

Page 25

- 3L-4 Contract with Florida Atlantic University related to the North County Comprehensive Shoreline Stabilization Project

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

M. PARKS & RECREATION

Page 25

3M-1 Receive and file Children's Services Council Grant Agreement for the Glades Family Fun Fest

Q. CRIMINAL JUSTICE COMMISSION

Page 26

3Q-1 Receive and file amended grant award agreement with the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge Grant

U. INFORMATION SYSTEMS SERVICES

Page 27

3U-1 Amendment to the agreement with Florida LambdaRail, LLC increasing their Committed Data Rate for Internet Access

3U-2 Addendum to pricing schedule with AT&T ILEC

X. PUBLIC SAFETY

Page 27

3X-1 Receive and file grants unit change request with the Florida Department of Health Emergency Medical Services Section

Page 28

3X-2 Federal funding subaward and grant agreement with the State of Florida, Division of Emergency Management

3X-3 Memorandum of Agreement with the Federal Emergency Management Agency Integrated Public Alert and Warning Systems

Page 29

3X-4 Amendment to contract with The Lord's Place, Inc. to provide transitional housing services for Family Drug Court/Dependency participants

3X-5 Receive and file amendment to contract with the Florida Council Against Sexual Violence

CC. SHERIFF

Page 29

3CC-1 Budget amendment for FY 2019 law enforcement services provided by the Sheriff's office to the School Board of Palm Beach County

Page 30

3CC-2 Budget amendment recognizing the federal allocation received for FY 2019 Presidential Residence Protection Assistance Grant

REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

Page 31

4A-1 Resolution authorizing the issuance of a Corrective County Deed to the City of West Palm Beach correcting the legal description of a previously conveyed parcel

4A-2 Modification of Deed Restriction for the Boys and Girls Club property located at the S.W. corner of Belvedere Road and Drexel Road in West Palm Beach

B. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

Page 32

4D-1 Sale of five Westgate/Belvedere Homes Community Redevelopment Agency owned properties to Danza Group, LLC

C. HOUSING AND ECONOMIC SUSTAINABILITY

Page 33

4C-1 Economic Development Incentive Agreement with Gulfstream Product Support Corporation

Page 34

4C-2 Economic Development Incentive Agreement with Carrier Corporation

APRIL 2, 2019

TABLE OF CONTENTS

REGULAR AGENDA CONTINUED

BOARD APPOINTMENTS (Page 35)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 36)

ADJOURNMENT (Page 37)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring May 5-11, 2019 as National Correctional Officers and Employees Week in Palm Beach County (Sponsored by Vice Mayor Kerner)
2. Proclamation declaring April 7-13, 2019 as National Library Week 2019 in Palm Beach County (Sponsored by Commissioner Valeche)
3. Proclamation declaring April 11, 2019 as Women of Tomorrow Day in Palm Beach County (Sponsored by Commissioner Weinroth)
4. Proclamation declaring May 2019 as Building Safety Month in Palm Beach County (Sponsored by Commissioner Valeche)
5. Proclamation declaring April 14-20, 2019 as Palm Beach County Public Safety Telecommunicators Week in Palm Beach County (Sponsored by Commissioner Weinroth)
6. Proclamation declaring April 11, 2019 as Palm Beach County Sheriff's Office Volunteer Day in Palm Beach County (Sponsored by Mayor Bernard)
7. Proclamation declaring April 2019 as Water Conservation Month in Palm Beach County (Sponsored by Commissioner Berger)
8. Proclamation declaring April 2019 as Drowning Prevention Awareness Month in Palm Beach County (Sponsored by Commissioner Weiss)
9. Proclamation declaring April 2019 as Second Chance Month in Palm Beach County (Sponsored by Mayor Bernard)
10. Proclamation declaring April 2019 as Child Abuse Prevention Month in Palm Beach County (Sponsored by Commissioner McKinlay)
11. Proclamation declaring April 7-13, 2019 as Crime Victims' Rights Week in Palm Beach County (Sponsored by Vice Mayor Kerner)
12. Proclamation declaring April 2019 as The Lord's Place SleepOut/SleepIn to End Homelessness Month in Palm Beach County (Sponsored by Commissioner Berger)
13. Proclamation declaring April 2019 as Sexual Assault Awareness Month in Palm Beach County (Sponsored by Commissioner McKinlay)
14. Proclamation declaring April 10, 2019 as Palm Beach County Gopher Tortoise Day in Palm Beach County (Sponsored by Commissioner Weiss)

APRIL 2, 2019

2D. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

Staff recommends motion to receive and file: the updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commission Meeting, direction was given to the County Administrator to bring back as a receive and file once a month a status report of the board directives to date. The categories of the board directives reflect two groups: **1)** In Process and **2)** Completed. The report continues to be updated on an on-going basis. Countywide (DN)

2. COUNTY ATTORNEY

APRIL 2, 2019

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER GREGG K. WEISS

1. Request for off-site Proclamation declaring April 2019 as the American Muslim Alliance of Florida Month

District 3 – COMMISSIONER DAVE KERNER, VICE MAYOR

1. Request for off-site Proclamation declaring April 6, 2019 as K-9 Cigo Day
2. Request for off-site Proclamation declaring April 24, 2019 as Special Olympic Torch Run Day

District 4 – COMMISSIONER ROBERT S. WEINROTH

1. Request for off-site Proclamation declaring May 1, 2019 as Ruth & Norman Rales Jewish Family Services Day of Action
2. Request for off-site Proclamation declaring April 21-27, 2019 as Disability Matters Week
3. Request for off-site Proclamation declaring April 11, 2019 as Women of Tomorrow Day

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD, MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** two executed indemnification agreements received during the month of January 2019 between Counterpointe Energy Solutions Residential LLC (CESR) and Palm Beach County (Agreement 1) and between Counterpointe Sustainable Real Estate (CSRE) and Palm Beach County (Agreement 2). **SUMMARY:** The Board of County Commissioners (BCC) has authorized a Property Assessed Clean Energy (PACE) program to finance energy efficiency, renewable energy, and wind resistant improvements for residential and commercial properties by levying non-ad valorem assessments on property owners' tax bills. The County signs interlocal agreements with multiple PACE agencies/authorities/districts for them to finance qualifying improvements, which encourages competition and promotes consumer choice. Florida PACE Funding Agency (FPFA) is a PACE agency/authority/district that uses Counterpointe Energy Solutions (FL) (CESFL) as FPFA's PACE administrator. CESFL wants to delegate administrator duties to affiliated companies CESR and CSRE. Doing so requires indemnification agreements that acknowledge that CESR and CSRE are FPFA administrators that will indemnify and hold the County harmless as they carry out the PACE program in the County's jurisdiction. On January 9, 2019, the County Administrator signed Agreement 1 and Agreement 2 to agree to such terms. Countywide (JB)

2. **Staff recommends motion to approve:** the appointment of Jacqueline M. Medford to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the period April 2, 2019 through April 1, 2022.

Nominee/ Appointment	Seat No.	Term	Area of Representation	Nominated By
Jacqueline M. Medford	2	4/2/19-4/1/22	Private Sector	Northern Palm Beach County Chamber of Commerce

SUMMARY: On November 18, 2014, the Board of County Commissioners (BCC) approved the third amendment to the Interlocal Agreement (R2014-1650) creating the Palm Beach Workforce Development Consortium (R2007-1220) which establishes the current Board composition. The agreement states that 14 private sector members are appointed by the BCC. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation summarized in Attachment 3 to this agenda item. The Board has a maximum of 33 seats, 22 currently filled and diversity count of Caucasian: 16 (73%), African-American: 5 (23%) and Hispanic: 1 (5%). The gender ratio (female:male) is: 9:13. This nominee is a Caucasian female. Countywide (HH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

Meeting Type	Meeting Date
Final	November 20, 2018
Reorganizational	November 20, 2018
Regular	November 20, 2018
Environmental Control Board	November 20, 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 receive and file:** a proportionate share agreement for \$2,546,648, Project Control Number 2016-2029, with Boca Raton Associates VIII, LLLP, dated February 5, 2019, for their proposed project located on the east side of Lyons Road approximately one-half mile north of Clint Moore Road. **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. This agreement was executed by the County Administrator on February 5, 2019. Resolution R2016-0125 delegates authority to the County Administrator or designee to enter into certain proportionate share agreements on behalf of the Board of County Commissioners. District 5 (LB)

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

A) the first amendment to the Construction Engineering and Inspection (CEI) services contract (Contract) dated December 15, 2016 with AE Engineering, Inc. (AEE), for the bridge rehabilitation of Camino Real/Boca Club Bridge over the Intracoastal Waterway Project (Project) to update language in sections 7.1, 9, 12, and 20; and

B) Supplement No. 3 (Supplement) to the Contract with AEE in the amount of \$354,489.40 for CEI services for the Project.

SUMMARY: Approving the first amendment will update the language of the termination section, criminal history records check section, non-discrimination section, and scrutinized companies section to be compliant with current Palm Beach County standards. This solicitation for design professionals was advertised on June 19, 2016 and June 26, 2016 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with final selection taking place on September 7, 2016. AEE committed to provide 3% SBE participation. Approval of this Supplement will provide the CEI services needed to complete structural steel repairs, machinery components and geotechnical services for the Project and accommodate a 70-day extension of the bridge closure. AEE proposes 3.05% SBE participation for this Supplement, and its overall SBE participation for this Contract is 3.48%. AEE is a Jacksonville based company with an office located in Palm Beach County. District 4 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

A) the second amendment to the Intersection Improvements Annual Contract (Contract) R2017-0779 with HSQ Group, Inc. (HSQ), to update language in sections 7.1, 9, 12, and 20; and

B) a task order to the Contract with HSQ in the amount of \$168,971.11 for professional services for the State Road 7 and Weisman Way intersection improvements (Project).

SUMMARY: Approving the second amendment will update the language of the termination section, criminal history records check section, non-discrimination section, and scrutinized companies section to be compliant with current Palm Beach County standards. This solicitation for annual design professionals was advertised on November 13, 2016 and November 20, 2016 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with final selection taking place on February 16, 2017. This Contract is scheduled for its second and final allowable renewal by June 19, 2019, and will have the new EBO Ordinance added at that time. Approval of this task order will provide the professional engineering and surveying services necessary for the preparation of complete design plans and construction bid documents, including signal design, drainage, curb and gutter, sidewalk, and signing and pavement markings for the Project. The Florida Department of Transportation will provide matching funding (not to exceed \$110,000) for the Project in accordance with the County Incentive Grant Program Agreement dated April 26, 2018, R2018-0364. The SBE goal for all contracts is 15%. HSQ committed to 75% SBE participation for the Contract. They propose 75.18% SBE participation for this task order, and their overall SBE participation for this Contract is 79.14%. HSQ is a Palm Beach County (County) based company. District 6 (YBH)

4. **Staff recommends motion to approve:** Work Order 2018051-25 in the amount of \$712,000 to mill and resurface the identified county-maintained residential streets within the Sandalfoot subdivision utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract 2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). **SUMMARY:** Approval of this work order will allow the contractual services necessary to construct the project. Prior to this work order, approximately \$5 million of Ranger's \$16 million Contract has been spent or encumbered. This annual construction bid was solicited on July 8, 2018, prior to the effective date of the Equal Business Opportunity (EBO) Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The annual contract is scheduled for renewal by October 15, 2019 and will have the new EBO Ordinance added at that time. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. Ranger proposed 15% SBE participation for the Contract and for this work order. Approval of this work order will result in a cumulative SBE participation of 15% for all the work orders issued under the Contract. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a contract for Professional Legal Services with LaBovick & LaBovick, P.A., dba LaBovick Law Group, for legal services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transport services. This agreement shall be in effect upon approval until March 31, 2023, with two one-year renewal options. No payment shall be made by County; however, the law firm shall retain interest, penalties, postage and/or attorney's fees and costs paid by insurers in related PIP demands or litigation. **SUMMARY:** The County Attorney's Office issued a Request for Proposals for legal counsel services relating to personal injury protection (PIP) insurance claims for Fire Rescue emergency transports. One proposal was received and was deemed to be responsive to the RFP requirements. The Selection Committee evaluated the responsive proposals and unanimously recommended that the contract be awarded to the law firm of LaBovick & LaBovick, P.A., dba LaBovick Law Group. The contract term is approximately four years, with two one-year renewal options. To maximize the recovery of PIP benefits from insurers for Fire Rescue emergency transports, the law firm will coordinate their services with those of the billing company that was selected under a separate RFP for Fire Rescue emergency transport third-party billing services. No payment or reimbursement shall be made by the County to the law firm; however, the law firm shall be entitled to retain any interest, penalties, postage and/or attorney's fees and costs paid by insurers in related PIP demands or litigation, provided the County has received full payment of all PIP benefits due or has duly authorized the settlement or compromise of the PIP claim. Countywide (SGB)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) receive and file:

1. Amendment #0002 to Grant Contract #IP003 with the Florida Department of Children and Families (DCF) (R2017-1724), for the period October 1, 2018 through June 30, 2019, to decrease the contract amount by \$47,908.02 for a new contract amount not to exceed \$543,270.53; and

2. Amendment No. 01 to contract for Provision of Services with Catholic Charities of the Diocese of Palm Beach County, Inc. (Catholic Charities) (R2017-1731), for the period October 1, 2018 through June 30, 2019, to decrease the contract by \$47,908.02 for a new contract amount not to exceed \$151,395.98 to provide financial assistance to homeless and at risk homeless households; and

B) approve downward budget amendment of \$47,908.02 in the Human Services Program fund to align the budget to the actual grant.

SUMMARY: The Division of Human and Veteran Services (DHS) received a 2016 Challenge Grant Contract through DCF to provide homeless prevention services and to update the Ten-Year Plan to End Homelessness. In May 2018, staff was notified of a decrease in the State of Florida Office on Homeless FY2018-2019 budget, which resulted in a reduction to the portion of the grant, which funds assistance to an annual target number of households at risk of becoming homeless. The purpose of this amendment is to decrease the grant funds by the corresponding amount of \$47,908.02 for a revised grant total of \$543,270.53, which, in addition to the Challenge Grant, includes funding for the Staffing Grant and the Temporary Assistance to Needy Families (TANF) Grant. The County sub-contracts directly with providers of homeless services for Challenge Grant funding, and as a result, the sub-recipient contract with Catholic Charities will be decreased by the amount of \$47,908.02. The number of households to be served for the amended grant period has decreased from 45 to 23, reducing the total number of households served under this multi-year fixed price cost reimbursement contract from 90 to 68. Catholic Charities will continue to provide prevention services to the remaining households utilizing additional internal, private and federal funds. There is no disruption in the original number of clients served. DCF Amendment #0002 and Catholic Charities Amendment No. 01 were executed by delegated authority. The BCC authorized the County Administrator, or designee, to execute agreements for this purpose. 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. **No County funds required.** (Division of Human and Veteran Services) Countywide (HH)

2. Staff recommends motion to approve: Amendment No. 1 to contract for Provision of Services with Aid to Victims of Domestic Abuse, Inc. (AVDA) (R2018-1337), for the period October 1, 2018 through September 30, 2020, to revise language in the scope of work from the term rapid rehousing to emergency shelter, for the provision of emergency shelters to families fleeing domestic violence. **SUMMARY:** Amendment No. 1 is necessary to revise language in the scope of work to align the contract language with the actual services provided. AVDA provides emergency shelter services to families experiencing homelessness due to domestic violence. AVDA will continue to serve 65 clients. **No County funds are required.** (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an extension of time to the Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) to construct hangars and associated infrastructure work at North Palm Beach County General Aviation Airport; Financial Project Number 422466-1-94-01 approved by the Board on August 16, 2011 (R2011-1157) and amended September 11, 2012 (R2012-1246), is hereby extended until June 30, 2019. **SUMMARY:** Delegation of authority for execution of the above extension of time to the JPA with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)
2. **Staff recommends motion to receive and file:** a General Aeronautical Services Permit (Permit) with American Sales and Management Organization, LLC (ASMO), commencing March 1, 2019, terminating on September 30, 2019, and automatically renewing on an annual basis each October 1st to September 30th until canceled, permitting ASMO to provide support services to airlines operating at the Palm Beach International Airport (PBI), for payment of service fees in the amount of seven percent (7%) of gross revenues derived from non-signatory airlines. **SUMMARY:** The Permit authorizes ASMO to provide aeronautical support to airlines at PBI. Delegation of authority for execution of the standard County Permit above was approved by the BCC in R2010-0708. Countywide (AH)
3. **Staff recommends motion to receive and file:** a third amendment to Signatory Airline Agreement with American Airlines, Inc. (R2016-0974, as amended) (the Agreement), replacing Exhibit "B" to the Agreement, to remove 72 square feet of ticket counter space from American Airlines' leasehold for a rental reduction of \$2,590.91 at the Palm Beach International Airport (PBI), effective February 20, 2019. **SUMMARY:** American Airlines has agreed to shift their ticket counter locations at PBI, which will result in positioning the Airport's common-use ticket counters to a central location. This third amendment results in a net reduction of 72 square feet in American Airlines' preferential use space. Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2014-1033. Countywide (AH)

4. **Staff recommends motion to:**

A) adopt a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$3,000,000 for the Maintenance Compound Redevelopment at Palm Beach International Airport (PBI). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2021; and

B) approve a budget amendment of \$3,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget additional project costs of \$3,000,000 for a total project cost of \$6,000,000. The amount of \$3,000,000 is in the current FY 2019 budget.

SUMMARY: The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$3,000,000 or 50% of the eligible project costs, whichever is less. Airport local funding in the amount of \$3,000,000 is also available for a total project cost of \$6,000,000. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

5. Staff recommends motion to approve:

A) Change Order No. 4 to the contract with Community Asphalt Corp. (Community) decreasing the contract amount by \$87,813.80 and increasing the contract time by 178 calendar days for the Rehabilitation of Taxiway C at Palm Beach International Airport (PBI); and

B) a budget transfer of \$87,814 in the Airport's Improvement and Development Fund, including a transfer to Reserves in the amount of \$87,814.

SUMMARY: The contract with Community was approved by the Board on July 12, 2016 (R2016-0851) in the amount of \$7,692,485 and 200 calendar days. Change Orders 1-3 were approved in the amount of \$62,418.30 and 33 calendar days in accordance with PPM CW-F-050. Approval of Change Order No. 4 will provide compensation to Community for costs associated with suspending the work during the presidential visits, changes in taxiway geometry affecting airfield electrical work and materials due to deleting the last work area from the contract. In addition, the contract includes liquidated damages for failure to complete individual work areas within the time specified to minimize the impacts to air operations at PBI. The contract time will be increased by 178 calendar days due to the additional work, inclement weather, presidential visits and unforeseen conditions, which are beyond Community's control. However, Community failed to complete six out of the 17 phases within the approved extended contract time. The attached change order includes a deduction for liquidated damages in accordance with the contract related to those phases. The net amount of the change order is a contract reduction of \$87,813.80. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 14%. Community committed to 9.9% DBE participation. The DBE participation to date is 7.34%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) accept a Quit Claim Deed from the South Florida Water Management District (District) for an approximately 1.04-acre parcel in Riverbend/Loxahatchee River Battlefield Park (Riverbend Park) subject to reserved access for the District and restrictive covenants preserving and protecting its conservation value and requiring its management and use be consistent with the objectives of the National Wild and Scenic Rivers System;

B) approve an easement agreement in favor of the District for the operation and maintenance of District's existing tri-zone monitoring well at Lake Lytal Park; and

C) approve an easement agreement in favor of the District for a proposed monitoring well station at John Prince Memorial Park.

SUMMARY: Riverbend Park's overall size is approximately 727 acres. The County owns approximately 217 acres and the District owns approximately 510 acres. The County, through concession agreements, has operated a kayak launch ramp on approximately 1.04 acres of property owned by the District and leased to the County (The District Tract). The District has agreed to convey the District Tract to County in exchange for the County granting the District two easements for monitoring wells within Lake Lytal and John Prince Memorial Parks. The conveyance of the District Tract to the County will be subject to restrictive covenants preserving and protecting its conservation value, and requiring its management and use be consistent with the objectives of the National Wild and Scenic Rivers System Act. A non-exclusive easement will be granted to the District for the operation and maintenance of the District's existing tri-zone monitoring well located at Lake Lytal Park. Also, a non-exclusive easement will be granted to the District for a monitoring well station at John Prince Memorial Park. The easement area for the tri-zone monitoring well contains approximately 101.34 square feet (0.002 acres). The easement area for the proposed monitoring well station contains approximately 3380.88 square feet (0.08 acres). Both easements will be granted to the District at no charge in exchange for the District conveying the District Tract to County. (PREM) Districts 1, 2 & 3 (HJF)

2. Staff recommends motion to receive and file: a Standard Infrastructure Surtax Project Funding Agreement for the administration and funding of FY2019 vehicle replacement dated November 14, 2018, with Ric L. Bradshaw, Sheriff of Palm Beach County (Sheriff) for the period of November 14, 2018 through November 13, 2019. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreement, dated November 14, 2018 has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of Facilities Development & Operations. The Standard Agreement was approved by the Board on April 4, 2017, Agenda 5C-3. This executed document is now being submitted to the Board to receive and file. **This project is funded through the infrastructure sales tax.** (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to receive and file:

A) a Standard License Agreement for Use of County-Owned Property for a period not to exceed three years upon execution with Friends of the Mounts Botanical Gardens (Mounts Botanical Gardens) for an art work exhibition;

B) a Standard License Agreement for Use of County-Owned Property for a period of January 22 through April 15, 2019 with United Way of Palm Beach County, Inc. (Jupiter and Belle Glade Community Action Program Offices) for tax preparation;

C) a Standard License Agreement for Use of County-Owned Property for a period of January 17 through February 6, 2019 with South Florida Fair and Palm Beach County Expositions (Weisman Way Wheel Lot) for public parking and;

D) a Standard License Agreement for Use of County-Owned Property for February 23, 2019 with Guardians Credit Union (Vacant lot Adjacent to Main Library) for public parking.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to authorize: the County Administrator or designee to execute a Guaranteed Maximum Price Amendment (Amendment) to the contract (R2016-0763) with The Weitz Company, LLC (Weitz) in an amount not to exceed \$800,000 for the purchase of replacement carpet material at the Palm Beach County Convention Center as well as pre-construction services relating to the carpet install. **SUMMARY:** On June 21, 2016, the Board approved the annual contract with Weitz to provide construction management services. The construction management scope of services included in this Amendment includes the coordination, ordering, purchasing and storing of new carpet for the Palm Beach County Convention Center. The existing carpet at the Convention Center is 16 years old, is subject to high pedestrian traffic, and has outlived its useful life. The new carpet is of the same long lasting wool specification as was originally specified and installed at the time of construction. Wool carpet products are exclusively manufactured overseas. This Amendment will authorize Weitz to: 1) provide a \$305,000 deposit to the carpet manufacturer to secure the place in the production queue and commence production, and 2) pay the balance of the carpet purchase price prior to the shipment leaving from the overseas port. While atypical for the County, this payment structure is typical for carpet production and shipment of this type and is similar to the structure that was required when the carpet was originally purchased in 2002. Weitz will receive a supply bond from the carpet manufacturer, which will cover all aspects of the production through the carpet's arrival at an US Port. In addition, Weitz will provide the County with a payment and performance bond for the material delivery including its storage in a secure and bonded warehouse. Authority to execute the contract is being requested so that the Amendment can be executed prior to the next BCC meeting in order to receive the carpet by late July – early August and have it installed in late August – early September (which are the slowest time of year for Convention Center events). The County Attorney's approval of the Amendment will be secured prior to the County Administrator, or designee, approving the Amendment and the Amendment will be submitted as a receive and file item after it is executed. FDO has received a waiver from the Office of Equal Business Opportunity for the carpet, as there are no S/M/WBE manufacturers. There is no S/M/WBE participation in this Amendment and Weitz is a Palm Beach County business. This Amendment will be funded from the Tourist Development Bed Tax revenues which have been allocated specifically to renewal/replacement projects at the Convention Center. After the carpet has been ordered, Weitz will focus its attention to the solicitation for qualified carpet installers for the cutting and installation of the carpet. The solicitation for installers will be subject to the requirements of the Equal Business Opportunity Ordinance. A separate amendment for the carpet install will be submitted to the BCC at a later date. **This project is funded through the Tourist Development Bed Tax.** (Capital Improvements Division) Countywide/District 7 (LDC)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 106 SE 7th Avenue, Delray Beach;

B) approve a tax exemption covenant for 106 SE 7th Avenue, Delray Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted;

C) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 219 SE 7th Avenue, Delray Beach;

D) approve a tax exemption covenant for 219 SE 7th Avenue, Delray Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted;

E) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 1109 Nassau Street, Delray Beach; and

F) approve a tax exemption covenant for 1109 Nassau Street, Delray Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted.

SUMMARY: These resolutions will authorize a County tax exemption for the following historic properties located within the City of Delray Beach: 106 SE 7th Avenue, (property is privately owned for residential use); 219 SE 7th Avenue, (property is privately owned for residential use) and 1109 Nassau Street, (property is privately owned for residential use). If granted, the tax exemption shall take effect January 1, 2019, and shall remain in effect for ten years, or until December 31, 2028. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the ten years ending December 31, 2028, is \$46,140. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$4,614 tax dollars will be exempted annually based on the 2019 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. For fiscal year 2018-2019, the BCC has approved a total of seven exemptions totaling \$29,837. District 7 (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) a contract for Professional Consulting/Engineering Services (Contract) with JLA Geosciences, Inc., for the System-wide Wellfield Improvements Hydrogeologic, Engineering Design and Construction Services; and

B) Consultant Services Authorization (CSA) No. 1 for the Water Treatment Plant No. 2, 3, 8 and 9 Wellfield Improvement Design and Construction Services in the amount of \$1,205,727.59.

SUMMARY: The proposed Contract will provide for hydrogeologic, engineering and construction services as part of a multi-year program for improving the Water Utilities Department's (WUD) surficial production well capacity. The Contract has a term of four years. CSA No. 1 provides for the drilling of one new well, re-drilling seven existing wells, replacing ten existing well screens and electrical improvements for an additional 22 wells for the Department's smart wellfield program. The work will result in improved operations in those wells being re-drilled as well as improved energy efficiency as a result of the electrical improvements. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance prior to the adoption of the amended Equal Business Ordinance on October 16, 2018. The SBE participation goal established by the 2002 SBE Ordinance was 15% overall participation. JLA Geosciences, Inc., has agreed to meet a 59% SBE goal which includes 22% MWBE participation, 20% MWBE (H), 1% MWBE (B) and 1% MWBE (W). CSA No. 1 includes 61.69% SBE participation, which includes 38.735 (SBE) 19.518% MWBE (H), 1.453% MBE (B) and 1.985% WBE (W). JLA Geosciences, Inc., is a local company and certified SBE. (WUD 18-051 Contract and WUD 19-022 CSA 1) Districts 2 & 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve:

A) a “Utility Work by Highway Contractor Agreement (At Utility Expense)” (UWHCA) with Florida’s Department of Transportation (FDOT) in the amount of \$335,648;

B) a Three Party Escrow Agreement between the State of Florida Department of Transportation, Palm Beach County and the State of Florida Department of Financial Services Division of Treasure; and

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

SUMMARY: FDOT is proposing road improvements to SR 80 (Southern Boulevard) at Forest Hill Boulevard. These road improvements will necessitate the relocation of an existing 8” force main, and four valve boxes. In order to include the utility work within the FDOT road improvement project and to provide FDOT the authorization to undertake the relocation of the aforementioned facilities, FDOT requires the County to enter into the UWHCA in the amount of \$335,648. 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. 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 Board of County Commissioners (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 available meeting. (WUD Project No.18-034) District 6 (MJ)

3. Staff recommends motion to approve: a Tri-Party Indemnity Agreement between Mission Lakes II LLC (Property Owner), ABC Liquors, Inc., (Lessee) and Palm Beach County. **SUMMARY:** The Property Owner owns a parcel of undeveloped commercial real estate on State Road 7 north of Lantana Road. The Property Owner leases the Property to the Lessee. In order to connect to the County wastewater collection system, the Lessee proposed a connection into a privately-owned lift station and appurtenant facilities located on an adjacent parcel owned by the Target Corporation. The Lessee claims rights to use the facilities pursuant to the Operation and Easement Agreement Between Target Corporation and Mission Lakes LLC. County staff approved the proposed connection subject to the Property Owner and Lessee entering into a Tri-Party Indemnity Agreement with the County. The Maintenance and Easement Agreement secures continued access to the lift station for the Property Owner and ensures the continued maintenance of the lift station. This Tri-Party Indemnity Agreement requires the Property Owner and Lessee to indemnify, defend and hold the County harmless if the Lessee is no longer able to utilize the private wastewater facilities located on the adjacent parcel. Both agreements run with the land and bind successors to their terms. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: a Non-Standard Potable Water and Wastewater Development Agreement (Agreement) with Mattamy Palm Beach, LLC (Mattamy) for a period of five years beginning on April 2, 2019 through April 1, 2024. **SUMMARY:** Mattamy owns property called the Enclave of Boynton Waters located off of South Jog Road and South of Boynton Beach Boulevard in Boynton Beach. In order to provide potable water and wastewater concurrency reservations for new developments, the Water Utilities Department (WUD) requires property owners to enter into a formal development agreement with WUD. While the WUD Director has been delegated the authority to enter into Standard Development Agreements (SDAs), the Board of County Commissioners (BCC) is required to approve any non-standard agreements. In this case, the facilities on the property were previously constructed and turned over to the County, thereby rendering certain provisions of the SDA inapplicable. The owner has paid the Mandatory Agreement Payment in the amount of \$39,620.40, which is equal to 12 months of Guaranteed Revenue Fees upon approval of the agreement. Districts 3 & 5 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a Memorandum of Agreement (Agreement) with the Marine Industries Association of Palm Beach County, Inc. (MIAPBC), a Florida not-for-profit corporation to cost-share the development, engineering, design and permitting of the Lake Worth Inlet Flood Shoal Dredging Project (Project) in an amount up to \$168,000 or 50% of the Project cost, commencing upon execution and expiring December 30, 2021;

B) adopt a resolution to authorize the Clerk and Comptroller to disburse \$168,000 in Vessel Registration Fees to cover the funds specified in the Agreement;

C) approve a budget transfer of \$168,000 in the Environmental Enhancement Non Specific Fund (1225) from reserves to fund the Project; and

D) authorize the County Administrator, or designee, to execute the Agreement, as well as any task assignments, certifications, and other forms associated with this Agreement, and any necessary minor amendments that do not significantly change the scope of work, terms, or conditions of this Agreement.

SUMMARY: This Agreement establishes a partnership between the County and the MIAPBC for the planning, design and permitting costs associated with the Project located in Riviera Beach to improve navigation, safety and tidal flushing while reducing sedimentation in the Project area and providing fill material for a habitat restoration project in the Lake Worth Lagoon (LWL). Total cost for the Project, not including construction, is estimated to be \$336,000 with the County's share limited to a not to exceed value of \$168,000. On March 12, 2019, the Board of County Commissioners approved submittal of an application to the Florida Inland Navigation District (FIND) for funding assistance for the Project. If successful in receiving the funding from FIND, the County will be reimbursed up to \$140,000 or 50% of the Project cost. The \$336,000 total cost within this Agreement represents an additional 20% contingency above the \$280,000 funding request to FIND. The remaining project costs will then be cost-shared equally between the County and MIAPBC, representing an amount up to an additional \$28,000 after cost-sharing with MIAPBC. The County's final share for the grant request is anticipated from Vessel Registration Funds. Districts 1 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) adopt a resolution authorizing the Clerk and Comptroller to transfer \$780,000 from the Pollution Recovery Trust Fund (PRTF) to continue and expand the Lake Worth Lagoon (LWL) Monitoring Program; and

B) approve a budget transfer of \$780,000 from PRTF to the LWL Monitoring Program.

SUMMARY: This resolution authorizes the transfer of funds from PRTF to continue and expand water quality and biological monitoring within the LWL and surrounding watershed. The LWL Monitoring Program includes various long-term data collection and reporting efforts designed to monitor the overall system health of LWL dating back to 1999. Recent water quality issues including new and more frequent outbreaks of blue-green algae and red-tide within LWL identify a significant need to continue long-term data collection and to expand monitoring efforts in order to make sound management decisions regarding the long-term preservation and enhancement of LWL. These funds will support three years of continued and expanded efforts consistent with a watershed management approach and existing action plans within the LWL Management Plan as originally approved by the Board of County Commissioners on December 7, 1999 (R99-2330). Districts 1, 2, 3, 4 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve the Lake Worth Lagoon (Section 1135) Project Partnership Agreement (PPA) with the Department of the Army, United States Army Corps of Engineers (ACOE) to implement a Lake Worth Lagoon (LWL) Environmental Restoration Project (Project);

B) adopt a resolution to authorize the Clerk and Comptroller to disburse \$935,401 in Vessel Registration Fees to cover a portion of the funds specified in the PPA;

C) approve a budget transfer of \$935,401 in the Environmental Enhancement Non Specific Fund (1225) from reserves to fund a portion of the Project; and

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

SUMMARY: On October 6, 2015, the Board of County Commissioners approved a Federal Cost Sharing Agreement (R2015-1393) with ACOE to conduct an environmental restoration project feasibility study. The study resulted in a February 2017 Feasibility Report from ACOE recommending construction of the Project, which is the subject of the proposed PPA. The total project cost is estimated to be \$11,815,000. The Project will utilize dredge spoil from Peanut Island to create an approximately 50 acre eco-island chain in the LWL including mangrove islands, riprap wave-breaks, oyster reef and seagrass recruitment area. Upon execution of the PPA, the County, as local sponsor, is responsible for reimbursing the ACOE \$2,953,750, or 25% of the total Project cost. The County's share of the Project costs will be funded by Manatee Protection Program Funds (\$1,352,992), Vessel Registration Fees Trust Funds (\$935,401), and creditable real property interests and in-kind services in the amount of \$665,357 from the Palm Beach County (PBC) Department of Environmental Resources Management (ERM). A portion of PBC funds is anticipated to be supplemented by grants, which would replace some PBC funds. ACOE is responsible for the remaining \$8,861,250. Project construction is expected to begin in the summer of 2020, and be completed within one year. Additionally, the \$39,500 County share of Adaptive Management and Monitoring is expected to be covered by in-kind services. In the event that the final audit shows that the County's contributions exceed its share, reimbursement is contingent upon a separate agreement and subject to the availability of funds. Project construction will be performed by ACOE with local Project management coordinated by ERM. Districts 3 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

A) approve a contract for Consulting/Professional Services with Florida Atlantic University (FAU) for an amount not to exceed \$4,391, providing for a three-year period of sediment analysis and beach profiling related to the North County Comprehensive Shoreline Stabilization Project (NCCSSP), beginning upon execution of this contract and expiring December 31, 2021; and

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

SUMMARY: This contract will provide critical sediment analysis and beach profile data to answer questions addressed in the recent permitting process for the NCCSSP. This data will be correlated to sea turtle nesting data and analyzed to provide an overall assessment of the project and sand source. This contract is funded by beach management funds allocated to the NCCSSP. District 1 (SF)

M. PARKS & RECREATION

1. Staff recommends motion to:

A) receive and file a fully executed Children's Services Council Grant Agreement for the Glades Family Fun Fest in the amount of \$2,500 for the period January 23, 2019 to April 23, 2019; and

B) approve budget amendment of \$2,500 within the General Fund to establish budget for the approved grant.

SUMMARY: The Parks and Recreation Department submitted an electronic grant application on October 4, 2018, to the Children's Services Council of Palm Beach County. The Department was awarded the grant and the grant agreement was executed by the Director of Parks and Recreation on behalf of the Board of County Commissioners pursuant to PPM CW-F-003. The grant funding will be utilized to enhance the 4th Annual Glades Family Fun Fest community event taking place in Belle Glade. The County was awarded grant funding which will support and educate the residents of Pahokee, Belle Glade and South Bay of the many benefits offered through local agencies in the area and to promote health and wellness through a variety of games and activities. The Glades Family Fun Fest is a free event for all ages and residents of western Palm Beach County. The collaboration helps align both organizations' missions and reinforces the importance of children growing up healthy, safe and strong. The estimated amount of attendances is between 500-600 people. **The grant does not require a County match.** District 6 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) receive and file an amended grant award agreement with the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge Grant 17-1704-151863-CJ reflecting a Community Engagement Supplemental Award in the amount of \$75,000 for the period of January 7, 2019 through September 30, 2020;

B) approve a budget amendment to recognize additional grant funds of \$75,000 in the MacArthur Foundation Safety and Justice Challenge \$2M grant fund;

C) receive and file Grant Adjustment Notice 1 to realign the original grant budget of \$2,000,000 to increase the funding for local criminal justice system-wide implicit bias training and to reflect a no cost extension to September 30, 2020; and

D) receive and file a second amendment to the contract with Florida State University to increase the funding by \$16,000 to fund a doctoral student to work as an intern with an end date of September 30, 2020.

SUMMARY: Palm Beach County was awarded a \$2,000,000 grant from the John D. and Catherine T. MacArthur Foundation (Foundation) on October 2, 2017 as a core site in the Foundation's Safety and Justice Challenge (R2017-1709). Palm Beach County received a Supplemental Community Engagement grant award of \$75,000 from the Foundation on January 7, 2019. These funds are to be used for community engagement events and activities relating to the criminal justice system and addressing racial and ethnic disparities within that system. The Foundation agreed to Grant Adjustment Notice 1 (GAN1) to realign the original grant budget to fund criminal justice system-wide implicit bias training and a no cost extension until September 30, 2020. Implicit bias training is designed to educate criminal justice system stakeholders and participants on how to recognize and address implicit bias. The amended grant agreement and GAN1 were executed on January 7, 2019 and February 13, 2019 respectively, on behalf of the Board by the CJC Executive Director in accordance with R2017-0914. A second amendment to the contract with Florida State University was executed by the CJC Executive Director on February 13, 2019 in accordance with R2016-1807 to reflect an increased cost of \$16,000 for the services of a doctoral student to assist in data collection and analysis for the Safety and Justice Challenge Project to be paid from the MacArthur grant. **No local match is required for this grant.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) approve the third amendment to the Affiliate Connection Agreement R2014-0851 with Florida LambdaRail, LLC. (FLR) to increase their Committed Data Rate for Internet Access from 4.5 Gbps to 6.0 Gbps at an annual cost increase of \$72,000;

B) ratify the Term Extension Letter exercised on October 16, 2018 extending the term of the agreement by one year to April 15, 2019;

C) authorize the County Administrator, or designee, to exercise the remaining three successive one-year term renewal options in the Agreement.

SUMMARY: The third amendment to the Affiliate Connection Agreement R2014-0851 with FLR increases the Committed Data Rate for Internet Access from 4.5 Gbps to 6.0 Gbps at an annual cost increase of \$72,000. This will provide the County with increased broadband services for faster internet access and connectivity to the Northwest Regional Data Center disaster recovery site, as well as allowing the County to provide increased internet speeds to external customers. The term of the agreement is four years with the option to extend for four successive one-year terms upon written notice. Palm Beach County exercised the first one-year extension on October 16, 2018 for the period of April 16, 2018 to April 15, 2019. Countywide (DB)

2. Staff recommends motion to approve: Addendum FL19-0233-01 to the AT&T ILEC Intrastate Pricing Schedule FL 12-2278-02 (R2012-1763) to allow for a 12 month extension of AT&T telecommunications services at current rates. **SUMMARY:** The extension of this pricing schedule allows the County to maintain AT&T telecommunications services at current rates while finalizing the conversion associated with the Unified Communications Project that replaced the legacy telephone systems. Countywide (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the approved Florida Department of Health Emergency Medical Services (EMS) Section, Grants Unit Change Request in the amount of \$20,242.78 for EMS Grant ID Code C7050 to improve and expand EMS systems for the period December 21, 2018 through December 31, 2019. **SUMMARY:** The County was awarded \$160,789 (CSFA # 64.005) during the FY2018-19 grant cycle from the State of Florida Department of Health, Bureau of EMS, to improve and expand the EMS systems. The unspent balance of \$17,674.78 from the previous FY 2017-18 grant cycle, Grant ID Code C6050, plus interest earned of \$2,568 for a sum total of \$20,242.78 will roll over into the FY2018-19 grant cycle, Grant ID Code C7050 bringing the total to \$181,031.78. The grant funding may be used by the County or municipal agencies to purchase EMS equipment or provide training. On December 4, 2018, R2018-1928 authorized the County Administrator to sign the Grant Budget Change Request form for the EMS County Grant Award funds. **There is no ad valorem funding required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) approve the Federally Funded Subaward and Grant Agreement (Z0596) with the State of Florida, Division of Emergency Management (FDEM) to authorize the reimbursement of eligible project expenses totaling \$164,282.86 for the federal cost share and \$27,380.48 for the state cost share for a total of \$191,663.34 for Public Assistance funding for three Hurricane Irma projects; and

B) authorize the County Administrator, or designee, to execute future Federally Funded Public Assistance Amendments with the State of Florida after approval of legal sufficiency by the County Attorney's Office.

SUMMARY: On September 4, 2017, the President of the United States issued a major disaster declaration designated "FEMA-4337-DR-FL" for the State of Florida as a result of Hurricane Irma authorizing Public Assistance funding for eligible Florida counties. Public Assistance is a federal grant (CFDA #97.036) to aid state and local governments in returning a disaster area to pre-disaster conditions. The three projects on this agreement consist of Project Worksheet (PW) #2596 for the Engineering Department in the amount of \$19,463.07, PW# 3089 for the Information Systems and Services (ISS) Department in the amount of \$19,319.13, and PW# 3534 for ISS in the amount of \$152,881.14. There are a total of 25 PWs. FDEM will send Federally Funded Public Assistance Amendments for the remaining projects once the projects are obligated for funding. The federal share of the eligible costs under this agreement is 75% for Categories "D" and "F" and the nonfederal share will be the remaining amount. Payment of a specified portion of the nonfederal share is contingent upon future State appropriations. Typically, the State of Florida will contribute a 12.5% share of the qualified actual expenditures incurred, leaving the County responsible for absorbing the remaining 12.5%. Countywide (LDC)

3. Staff recommends motion to:

A) approve the Memorandum of Agreement (MOA) with the Federal Emergency Management Agency (FEMA) Integrated Public Alert and Warning Systems (IPAWS) Program Management Office to allow the County's Public Safety Department Division of Emergency Management (DEM) to facilitate the exchange of emergency messages using the Interoperable Systems for Emergency Networks (IPAWS OPEN) for a three year period upon execution; and

B) authorize the County Administrator, or designee, to execute agreements with the FEMA in Palm Beach County for the above mentioned services.

SUMMARY: The signing of this MOA will allow the County, through its DEM, to facilitate the exchange of emergency messages utilizing the standardize web based application interface. This application receives and authenticates messages transmitted by alerting authorities and routes them to the public via radio, television, mobile telephone, National Oceanic and Atmospheric Administration weather radios, internet based systems, and other dissemination systems. IPAWS provides public safety officials local systems integration that use a Common Alerting Protocol with an effective way to alert and warn the public about serious emergencies. Since the equipment and software requirements are already in place, there is no additional cost associated with gaining access to the IPAWS system. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to approve: the first amendment to the contract for Consulting /Professional Services with The Lord's Place, Inc. (R2018-0589) increasing the contract by \$36,000 for a new not-to-exceed contract amount of \$66,000 to provide transitional housing services for the Family Drug Court/Dependency participants for a contract term April 10, 2018 through September 30, 2021. **SUMMARY:** Supportive transitional housing has been an important element of the Family Drug Court program. These facilities provide the only housing available to family units for substance abusing indigent citizens and are managed by The Lord's Place, Inc. It offers short-term housing with a goal for the client to obtain stable employment and housing that supports reunification. The number of participants in need of supportive transitional housing has increased over the past year. Actual expenses to date exceed estimates. This amendment will provide additional funding to continue to meet the needs of the Family Drug Court clients being discharged from residential treatment who need housing to enter either Burkle Place or Halle Place through the end of the contract period. Funds for these services are included in the department budget. Countywide (LDC)

5. Staff recommends motion to:

A) receive and file executed Amendment 1 for Contract 18SAS26 with the Florida Council Against Sexual Violence (FCASV) decreasing the award amount by \$52,691 for the period August 1, 2018 through July 30, 2019; and

B) approve a downward budget amendment of \$52,691 in the Public Safety Grants Fund to adjust the budget to the actual grant award.

SUMMARY: Palm Beach County Division of Victim Services (DVS) was awarded a Sexual Assault Services Program (SASP) Formula Grant (CFDA#16.017) from FCASV. On November 20, 2018, the Board approved the Contract (R2018-1814) that recognized the grant award amount of \$152,345. FCASV was notified by the Florida Department of Health that the SASP award for all providers has been reduced. The County's award amount was reduced from \$152,345 to \$99,654 for the first year. Due to the reduction of funds, one of the two victim advocate positions (pay grade 25) approved as part of the grant will be deleted from the DVS complement. Deliverables were modified to reduce the number of clients being served as a result of the eliminated position. No additional funds are needed at this time. R2006-0095 authorizes the County Administrator or designee to execute FCASV grant contracts on behalf of the County. **No County matching funds are required for this grant.** Countywide (LDC)

CC. SHERIFF

1. Staff recommends motion to approve: a budget amendment of \$992,250 in the General Fund for FY 2019 law enforcement services provided by the Palm Beach County Sheriff's Office to the School Board of Palm Beach County through contractual agreement for the period of October 1, 2018 through July 31, 2019. **SUMMARY:** The budget amendment is requested to provide law enforcement services as prescribed within the Contractual Agreement between the Palm Beach County Sheriff's Office and the School Board of Palm Beach County. The services of ten Deputy Sheriffs shall be provided on a daily basis on the days designated by the School Board. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to approve: a budget amendment of \$5,623,392 in the General Fund to recognize the federal allocation received by the Palm Beach County Sheriff's Office under the Fiscal Year (FY) 2018 Presidential Residence Protection Assistance Grant (PRPA). **SUMMARY:** On February 25, 2019, the Palm Beach County Sheriff's Office received a federal grant award from the U.S. Department of Homeland Security/Federal Emergency Management Agency as reimbursement for the extraordinary law enforcement personnel costs incurred for protection activities directly associated with the designated residence of the President during the period October 1, 2017 through September 30, 2018. **There is no match requirement associated with this award.** No new positions are needed. Countywide (LDC)

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4. REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

A) adopt a resolution authorizing the issuance of a Corrective County Deed to the City of West Palm Beach to correct the legal description of a 0.04 acre of real property previously conveyed to the City; and

B) approve a Corrective County Deed in favor of the City.

SUMMARY: In November 1997, the County acquired a 0.04 acre surplus parcel via Tax Deed. On December 5, 2000 (R2000-1981), the Board approved the conveyance of the 0.04 acre surplus parcel to the City. The parcel is located near 9th Street and North Tamarind Avenue in West Palm Beach. The City discovered a scrivener's error in the legal description and has requested that the County execute a Corrective County Deed. As the error originated in the tax rolls, County staff requested that the Clerk and Comptroller provide a Corrective Tax Deed. On February 26, 2019, the Clerk's office recorded a Corrective Escheatment Tax Deed to correct the scrivener's error contained in the legal description within the 1997 tax deed. This Corrective County Deed with the corrected legal description will re-convey the surplus parcel to the City, at no charge, without reservation of phosphate, mineral, metals, and petroleum rights. **This re-conveyance must be approved by a Supermajority Vote (5 Commissioners) pursuant to the PREM Ordinance.** (PREM) District 7 (HJF)

2. Staff recommends motion to approve: a Modification of Deed Restriction for the Boys and Girls Club of Palm Beach County, Inc. (B&G Clubs) property located at the S.W. corner of Belvedere Road and Drexel Road in West Palm Beach. **SUMMARY:** B&G Clubs is proposing to expand its existing Belle Glade Teen Center facility and is seeking to obtain \$8M in New Market Tax Credit Financing for development of its expanded facility. The loan will require a mortgage to secure repayment. The B&G Clubs cannot currently mortgage the Belle Glade property due to a prohibition on liens and mortgages contained in a prior deed from the Internal Improvement Trust Fund. The lender has agreed to accept a mortgage on the B&G Clubs' Belvedere Road property as collateral for the loan for the Belle Glade Teen Center facility; however, the Belvedere Road property contains a deed restriction in favor of the County that restricts the property for use only as a Boys and Girl Clubs Clubhouse. This restriction devalues the Belvedere Road property to the point that it is not sufficient collateral to meet lending requirements. The B&G Clubs is requesting a modification to broaden the deed restriction to allow the use of the property for public recreation, public health, public education and other community purposes, which promote the public health, safety and welfare of the inhabitants of Palm Beach County. The broadened use restriction will increase the value of the property sufficiently to qualify for the loan. Staff supports modification of the deed restriction on the Belvedere Road property, as it will enable the B&G Clubs to obtain financing to expand the Belle Glade Teen Center facility to better serve the disadvantaged communities of Belle Glade and surrounding areas. (PREM) District 2 (HJF)

4. REGULAR AGENDA

B. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** the sale of five Westgate/Belvedere Homes Community Redevelopment Agency (CRA)-owned properties to Danza Group, LLC (Danza) or its affiliate for \$400,000 and other considerations subject to the terms of the CRA's Option Agreement with Danza. **SUMMARY:** Pursuant to Ordinance No. 89-6, Board of County Commissioner's (BCC) approval is required for disposition of any real property owned by the CRA. The properties consist of three vacant parcels, one home and one garage apartment representing 1.47 acres of land located at the corners of Westgate Avenue, Seminole Boulevard and Nokomis Avenue. Danza proposes to acquire the five parcels and redevelop them into a mixed-use mixed-income project in accordance with the Westgate Community Redevelopment Plan and the Unified Land Development Code. The Danza Group offered to buy the property for \$400,000. In return, the group plans to build 10,000 square feet of commercial space and 60 workforce housing units. Danza will have a maximum of four years to design, permit, build and complete the project. The firm has projected that the development will create 60 full-time jobs, 356 indirect jobs and will have a five-year economic impact of more than \$85,000,000 to the County and the regional economy. If for any reason, the group fails to complete the project in accordance with the Option Agreement, the property will revert back to the CRA and funds received from the sale of the property will be returned to Danza. The CRA Board approved the Danza proposal at their December 10, 2018 Board meeting. Districts 2 & 7 (RB)

4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) an Economic Development Incentive Agreement with Gulfstream Product Support Corporation (Company), to provide a cash grant in an amount not to exceed \$40,000 over a four year period;

B) delegation of authority to the County Administrator to execute future amendments to said Agreement;

C) a budget transfer of \$40,000 from the General Fund Contingency Reserves to the Economic Development Fund; and

D) a budget amendment of \$40,000 in the Economic Development Fund to recognize the funds from General Fund.

SUMMARY: Staff is seeking the Board of County Commissioners' (BCC) consideration of the subject agreement in advance of the BCC's action on proposed Economic Development Incentive program policy changes which will be presented at the April 16, 2019 BCC meeting. On April 4, 2017, the Board of County Commissioners (BCC) conceptually approved (R2017-0484) an Economic Development Incentive (Incentive) for the Company totaling \$40,000. This agreement discloses the name of the Company, Gulfstream Product Support Corporation, previously referred to as Project Blue Heron. The Company provides aviation maintenance, repair and overhaul services. The agreement requires the Company to make a minimum capital investment of \$25 Million to lease, renovate, and equip a 115,000 square foot facility. The Company shall create 50 new jobs over a two year period and retain 114 existing full time jobs. These new jobs must have an annualized average wage of \$73,685 excluding benefits and a median wage of \$65,000 excluding benefits. The Company is required to maintain the new jobs for five years from the date of creation and will maintain the existing retained jobs for five years from the date this agreement becomes effective. The five year economic impact is estimated to be \$127.6 Million. The agreement requires a performance security in the form of either a clean, irrevocable Letter of Credit or Cash Bond equal to the full amount of the maximum Incentive to be awarded to the Company. In addition, the agreement states that in the event the Company fails to satisfy the job creation requirements but fulfills all other applicable requirements, the Company shall forfeit a pro-rata share of the Incentive amount due for the number of jobs created. If the Company's fulfillment of the job creation requirement falls below 80%, the County has the right, in its sole discretion to terminate the agreement. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$200,000. Of this amount, \$160,000 is from the State of Florida and \$40,000 is a required match from local government entities. The Company and the State entered into an agreement for the QTI tax refund. The required \$40,000 match to the QTI tax refund will be provided by Palm Beach County. The Palm Beach County match will be provided in the form of a cash grant in an amount not to exceed \$40,000 over a four year period provided the project meets the requirements under Florida Statute 196.012. Delegation of authority to the County Administrator will enable the amendment of the Agreement with the Company in order to incorporate any economic development incentive policy changes approved by the BCC at the April 16, 2019 meeting. District 2 (JB)

4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

2. Staff recommends motion to approve:

A) an Economic Development Incentive Agreement (Agreement) with Carrier Corporation (Company), and its QTI Affiliates comprising UTC Fire & Security, and Walter Kidde Portable Equipment, Inc., to provide a cash grant in an amount not to exceed \$70,000 over a six year period and an ad valorem tax exemption in an amount not to exceed \$650,000 over a six year period;

B) delegation of authority to the County Administrator to execute future amendments to said Agreement;

C) a budget transfer of \$70,000 from the General Fund Contingency Reserves to the Department of Housing and Economic Sustainability Fund Economic Incentive Growth Program; and,

D) a budget amendment of \$70,000 in the Department of Housing and Economic Sustainability Fund to recognize the funds from the General Fund.

SUMMARY: Due to a timing issue, staff is seeking the Board of County Commissioners' (BCC) consideration of the subject Agreement in advance of the BCC's action on proposed Economic Development Incentive program policy changes which will be presented at the April 16, 2019 BCC meeting. On March 13, 2018, the BCC conceptually approved (R2018-0332) an Economic Development Incentive (Incentive) for the Company totaling \$70,000. This Agreement discloses the name of the Company: Carrier Corporation previously referred to as Project Knight. UTC Fire & Security and Walter Kidde Portable Equipment, Inc., are defined as QTI Affiliates in the Agreement. These two entities are "sister companies" of the Company and will assist the Company in meeting its obligations under the Agreement. The Company will be consolidating key executive positions and support positions from across its U.S. operations to Palm Beach County. The Agreement requires the Company to make a minimum capital investment of \$25,000,000 to renovate and equip an existing facility in Palm Beach Gardens. The Company shall create 100 new jobs over a three year period. These new jobs must have an annualized average wage of \$91,124 excluding benefits and a median wage of \$64,000 excluding benefits. The Company is required to maintain the new jobs for five years from the date this Agreement becomes effective. The five year economic impact is estimated to be \$248 million. The Agreement requires a performance security in the form of either a clean, irrevocable Letter of Credit or Cash Bond equal to the full amount of the maximum incentive awarded to the Company. In addition, the Agreement states that in the event the Company fails to satisfy job creation requirements but fulfills all other applicable requirements, the Company shall forfeit a pro-rata share of the Incentive amount due for the number of jobs created. If the Company's fulfillment of the job creation requirement falls below 80%, the County has the right, in its sole discretion to terminate the Agreement. The Company and the State have entered into an agreement for the QTI tax refund. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$700,000. Of this amount, \$560,000 is from the State of Florida and \$140,000 is a required match from local government entities. The required \$140,000 match to the QTI tax refund will be split equally between Palm Beach County (\$70,000) and the City of Palm Beach Gardens (\$70,000). The Palm Beach County match will be provided in the form of a cash grant in an amount not to exceed \$70,000 over a six year period provided the project meets the requirements under Florida Statute 196.012. In addition, Palm Beach County will provide an ad valorem tax exemption not to exceed \$650,000 over a six year period provided the project meets the requirements under Florida Statute 196.012. The Company has filed an Ad Valorem Tax Exemption (AVTE) Application with the Property Appraiser's Office and, if the BCC approves the Agreement, the AVTE Ordinance must be adopted prior to June 1st when the Property Appraiser prepares the tax bills. Delegation of authority to the County Administrator will enable the amendment of the Agreement with the Company to incorporate any Economic Development Incentive program policy changes approved by the BCC at the April 16, 2019 meeting. District 1 (JB)

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APRIL 2, 2019

5. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

APRIL 2, 2019

6. MATTERS BY THE PUBLIC – 2:00 P.M.

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APRIL 2, 2019

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."