

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**DECEMBER 3, 2019**

<u>PAGE</u>	<u>ITEM</u>	
21	5D-1	<p><b>ADD-ON: Staff recommends motion to: A) approve</b> a Term Sheet which identifies the key provisions of a Developer Agreement (New DA) and Sports Facility Use Agreement (New SFUA) with Jupiter Stadium Ltd (JSL) to: 1) facilitate renovation of the Roger Dean Chevrolet Stadium (RDCS) and 2) extends JSL's use rights through April 2, 2048; and <b>B) authorize</b> County Administrator or designee to commence negotiations of a New DA and New SFUA. <b>SUMMARY:</b> On July 9, 1996, the County and JSL entered into a Developer Agreement (Original DA R96-879D, as amended by R96-2117 and R97-2068) and Sports Facility Use Agreement (Original SFUA R96-0877D as amended) to develop and operate a two-team spring training facility, now known as RDCS, and occupied by the St. Louis Cardinals and Miami Marlins, collectively referred to as the Teams. On May 3, 2011, the County and JSL entered into the First Restated Sports Facility Use Agreement (1SFUA R2011-0694) which replaced the Original SFUA. The purpose of the 1SFUA was to add provisions for sharing in the renewal/replacement program costs, and extending the term until April 30, 2027. Despite the 1SFUA term being through April 30, 2027, it contained an early termination option which could be exercised at any time after April 2017 in the event that there were less than four major league clubs conducting their spring training in the Southeast Florida Corridor. That early termination option was eliminated with the BCC's execution of the Developer and Sports Facility Use Agreement with HW Spring Training Complex, LLC (HWDA R2015-1071 as amended and HWSFUA R2015-1072 as amended) for the construction of the FitTeam Ballpark of the Palm Beaches (FTBTPB). The term of the HWSFUA extends through April 2, 2048 and the BCC was aware at the time of approval of the HWDA and HWSFUA that a New DA and New SFUA for RDCS would be required to renovate the RDCS and extend the term of the New SFUA to April 2, 2048; so that the terms of the two agreements were identical. The proposed scope of work for the RDCS Project include renovations and expansions in the public spaces, shared spaces and team use spaces in the amount of \$111,000,000. In order to potentially construct additional Tourism Enhancements as part of the Project, JSL has the option to request that the BCC sell bonds in an amount not to exceed \$126,000,000 with JSL paying all debt service for the larger amount. Attachment B to this item describes the proposed improvements and explains why the public and shared use improvements are characterized as Tourism Enhancements; both from the spring training visitor experience and in terms of year round events. The Term Sheet (Attachment C to this agenda item) identifies the key terms of the New DA and New SFUA. The most substantial difference between the FTBTPB Agreements and the proposed RDCS Agreements are that: 1) the County's financial risk is capped; 2) the present value of the County's contributions to debt service are slightly less than the value of those Tourism Enhancements improvements with the State and JSL contributions to debt services funding the remainder; and 3) the Teams are committing to escalate, throughout the term of the New SFUA, the value of each Team's annual marketing/promotion contribution equating to \$6,746,520 in additional marketing services over the life of the agreement, when compared to the HWSFUA. Consistent with the requirements of the HWDA, JSL will be responsible for managing the contract with the construction manager selected to build the renovations/expansion; however, JSL is required to: 1) bid subcontractor's packages based on 90% construction documents, 2) comply with all requirements of the Equal Business Opportunity Ordinance, and 3) implement all other programs designed to protect subcontractors, that are included in the current version of FDO's standard construction contract. This item has no fiscal impact but the fiscal impact will be fully identified when the New DA and the New SFUA are presented the BCC for approval in the future. <b>The funding source for this future obligations will be from the 1<sup>st</sup> and 4<sup>th</sup> Cent Bed Tax and there is no ad valorem contribution, other than staff time.</b> The Tourism Development Council (TDC) considered this item at their November 14, 2019 and November 26, 2019 meeting and recommended alternate deal terms which include: 1) renewal/replacement (R/R) expenses being lowered by \$500,000 annually in FY 2021 through FY 2033 across all TDC funded assets by deferring projects; and 2) reducing the present value of the County's contribution to that of the State's contribution. To implement this recommendation, JSL would have to: 1) reduce the scope of the project to reduce the Project cost, and/or 2) fund the difference resulting from the reduced County contribution. (FDO Admin) <u>Countywide</u> (MWJ)</p>

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

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

**DECEMBER 3, 2019**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 5-18)**
- 4. SPECIAL PRESENTATIONS (Page 19)**
- 5. REGULAR AGENDA (Pages 20-21)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 22)**
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- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 26)

**ADJOURNMENT** (Page 27)

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
Regular	August 20, 2019
Budget Public Hearing	September 10, 2019
Budget Public Hearing	September 16, 2019
Zoning	September 26, 2019

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during February 2018.

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Work Order 2018051-74 in the amount of \$410,000 to mill and resurface Island Way from Indiantown Road to the county line utilizing Palm Beach County’s (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** 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). Approval of this work order will allow the contractual services necessary to construct the improvement. Prior to this work order, approximately \$13 million of Ranger’s \$31.4 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Ranger agreed to 15% SBE participation 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 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve:

**A)** an annual small concrete and pathway construction contract with Hinterland Group, Inc. (Hinterland) in an amount not to exceed \$1,000,000; and

**B)** an annual small concrete and pathway construction contract with Wynn & Sons Environmental Construction Company, Inc. (Wynn & Sons) in an amount not to exceed \$1,000,000.

**SUMMARY:** Approval of these contracts will provide for small concrete and pathway construction, on an as needed basis. The Engineering Department bid these annual contracts to help grow small businesses within Palm Beach County. The intent of these contracts is to keep the individual work task orders smaller in size to encourage participation of Small Business Enterprise (SBE) certified firms. The Goal Setting Committee set a 20% mandatory SBE subcontracting goal for these contracts as the Affirmative Procurement Initiative (API) on April 3, 2019. Hinterland has agreed to 20% SBE participation. Wynn & Sons has agreed to 93% SBE participation. Hinterland and Wynn & Sons are both Palm Beach County based companies. The low bidder, All-Site Construction, Inc., was deemed non-responsive to the API by the Office of Equal Business Opportunity. These contracts will be in effect for 12 months from the date of approval by the Board of County Commissioners and may be extended for a defined period of time, not to exceed 36 months total contract time. Countywide (YBH)

3. Staff recommends motion to approve:

**A)** an annual small paving and minor construction contract with R & D Paving, LLC (R & D) in an amount not to exceed \$1,000,000;

**B)** an annual small paving and minor construction contract with Hinterland Group, Inc. (Hinterland), in an amount not to exceed \$1,000,000; and

**C)** an annual small paving and minor construction contract with Saffold Paving, Inc. (Saffold), in an amount not to exceed \$1,000,000.

**SUMMARY:** Approval of these contracts will provide for small paving and minor construction, on an as needed basis. The Engineering Department bid these annual contracts to help grow small businesses within Palm Beach County. The intent of these contracts is to keep the individual work task orders smaller in size to encourage participation of Small Business Enterprise (SBE) certified firms. The Goal Setting Committee set a 20% mandatory SBE subcontracting goal for these contracts as the Affirmative Procurement Initiative on April 3, 2019. R & D has agreed to 61% SBE participation. Hinterland has agreed to 20% SBE participation. Saffold has agreed to 75% SBE participation. R & D, Hinterland and Saffold are all Palm Beach County based companies. These contracts will be in effect for 12 months from the date of approval by the Board of County Commissioners and may be extended for a defined period of time, not to exceed 36 months total contract time. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

**A)** Standard Agreement No. IP019-9500 for the Emergency Home Energy Assistance Program (EHEAP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2019 through September 30, 2020, to provide services in accordance with the terms and conditions specified in this agreement, including all attachments, forms and exhibits, in an amount not to exceed \$11,358 with a spending authority in the amount of \$159,577 for client services, to provide home energy assistance to seniors;

**B)** Amendment 002 to Standard Agreement No. IP018-9500 (R2018-1978) for EHEAP with AAA, for the period October 1, 2018 through September 30, 2019, to revise, amend, and replace portions of the standard agreement and increase overall total funding by \$32,205, to provide home energy assistance to seniors; and

**C)** a budget amendment of \$4,437 in the Division of Senior Services Administration Fund to align the budget to the actual grant.

**SUMMARY:** The Division of Senior Services (DOSS) is the designated Lead Agency for the AAA Service Area A and as such is qualified to provide EHEAP services and is funded with \$16,463 in federal funds and \$139,079 in additional county funds, for the purpose of staff administration and EHEAP processing costs. EHEAP services are provided to seniors aged 60 and older experiencing a home energy emergency. Seniors who are unable to pay their electric bills can receive financial assistance up to twice a year, once during the heating season (October – March) and once during the cooling season (April – September). In FY 2019, DOSS served 521 seniors experiencing a home energy crisis. Under the new standard agreement, DOSS will serve 510 seniors experiencing a home energy crises. DOSS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. **No additional funds are required for this amendment.** (Division of Senior Services) Countywide, except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: a contract for Provision of Services with Rapid Results Institute, Inc. (RRI), for the period January 5, 2020 through December 31, 2020, in an amount not to exceed \$77,869, to facilitate and implement the 100-Day Challenge to End Homelessness for Persons Living with HIV/AIDS (100-Day Challenge). **SUMMARY:** The Community Services Department (CSD) will organize the 100-Day Challenge to integrate the services of the Ryan White HIV/AIDS Program (RWHAP) Part A with programs funded by U.S Department of Housing and Urban Development (HUD). The services will include housing and health care services to homeless and unstably housed persons living with HIV/AIDS. This integration will help leverage the assets and resources of both RWHAP Part A and HUD to serve the population targeted by these programs. Through the 100-Day Challenge, CSD will increase the percent of RWHAP Part A clients who have identified housing as a barrier to care and who are connected to housing services and will increase the percent of unstably housed individuals on the County's 'by-name list' who are connected to RWHAP Part A services. RRI has pioneered the 100-Day Challenge and is the only provider with the experience and expertise to coordinate the 100-Day Challenge. RRI has successfully coordinated 100-Day Challenges with nonprofits and governmental agencies nationally and internationally, including HUD and the U.S Department of Health and Human Services. RRI has lead two other 100-Day Challenges in Palm Beach County: the Challenge to End Youth Homelessness, during which 120 youth were housed in 2017; and the 100-Day Challenge to End Veteran Homelessness, during which 79 veterans were housed in 2019. RRI will facilitate the process of integrating RWHAP Part A and the HUD-funded programs to ensure that clients from both systems receive both HIV/AIDS care and homeless services. **No County funds are required.** (Ryan White Program) Countywide (HH)

F. AIRPORTS

1. 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 \$2,000,000 to construct hangars at North Palm Beach County General Aviation Airport. This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2022; and
  - B) approve** a budget amendment of \$2,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project costs of \$2,500,000; which includes a transfer from reserves in the amount of \$500,000.

**SUMMARY:** The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$2,000,000 or 80% of the eligible project costs, whichever is less. Airport local funding in the amount of \$500,000 is also available for a total project cost of \$2,500,000. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: a summary of adjustments to rental rates within the County's Airport System effective October 1, 2019, pursuant to Resolution 2007-1291. **SUMMARY:** The majority of leases for properties within the County's Airports System (Airport Properties) provide for adjustment to rental rates every three years based on the fair market rental value of the property as determined by appraisal, a percentage change in the Consumer Price Index or a combination of both. Although the majority of the lease agreements for Airport Properties specifically provide the method for adjusting rental rates, some older lease agreements require a resolution or other action of the Board for the new rental rates to become effective. Resolution 2007-1291 authorized the County Administrator or designee to approve rental rate adjustments in accordance with applicable provisions of any lease agreement approved by the Board or executed by the County Administrator or designee pursuant to a delegation of signature authority. Countywide (AH)

3. 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 \$600,000 for Runway 10-28 (formerly Runway 9-27) Rehab at Palm Beach County Park Airport (LNA). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2022; and

**B) approve** a budget amendment of \$600,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project costs of \$750,000; Airport local funding in the amount of \$150,000 is included in the current budget.

**SUMMARY:** The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$600,000 or 80% of the eligible project costs, whichever is less. Airport local funding in the amount of \$150,000 is also available for a total project cost of \$750,000. Countywide (AH)

4. Staff recommends motion to receive and file:

**A)** a Memorandum of Lease (Memorandum) summarizing key terms of the Development Site Lease Agreement with Airport Logistics Park, LLC (ALP) (R2019-0300) (Lease), on County-owned land west of the Palm Beach International Airport (PBI); and

**B)** an Estoppel Certificate (Certificate) to PNC Bank, National Association, summarizing key terms of the Lease in support of ALP's leasehold mortgage.

**SUMMARY:** ALP is constructing a new warehouse development on County-owned property north of Wallis Road, east of Haverhill Road, west of PBI, pursuant to the Lease. The Memorandum is in the form attached as Exhibit "E" to the Lease, and the Certificate meets the criteria detailed in Section 16.06 of the Lease. Agenda item 3F-10, dated March 12, 2019, authorized the Director of the Department of Airports to execute both documents on behalf of the County. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: an easement to the Lake Worth Drainage District (LWDD), for access and maintenance-related activities in connection with LWDD's L-4 Canal, over a portion of property under lease to Airport Logistics Park, LLC (ALP) (R2019-0300), west of the Palm Beach International Airport (PBI). **SUMMARY:** ALP is constructing a new warehouse development on County-owned property north of Wallis Road, east of Haverhill Road, west of PBI, pursuant to a Development Site Lease Agreement (R2019-0300). LWDD's L-4 Canal borders the northerly boundary of the leasehold premises and LWDD requires an easement for access and maintenance-related activities in connection with the L-4 Canal. The easement does not permit LWDD to construct facilities or appurtenances within the easement premises. ALP's development required a permit from LWDD for legal positive outfall to the L-4 Canal, and LWDD requires the easement as a condition of issuance of that permit. ALP has joined in the easement for the purpose of consenting and agreeing to the creation of the easement as to ALP's leasehold interest. Countywide (HJF)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$21,532 for the full satisfaction of a code enforcement lien that was entered against Jose Claudio on July 6, 2011. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on March 4, 2009 for a property owned by Jose Claudio giving him until April 3, 2009 to bring his property located at 5970 Purdy Lane into full code compliance. The property had been cited for overgrown vegetation on the property. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Jose Claudio on July 6, 2011. The Code Enforcement Division issued an affidavit of compliance for the property on September 28, 2010 stating that the cited code violations had been fully corrected. The total accrued lien amount on August 9, 2019, the date on which settlement discussions began, totaled \$43,065.20. Jose Claudio has agreed to pay Palm Beach County \$21,532 (50%) for full settlement of his outstanding code enforcement lien. District 2 (SF)
2. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$10,850 for the full satisfaction of a code enforcement lien that was entered against Joseph R. Wallace & Karen L. Wallace on May 2, 2018. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on December 6, 2017 for the property owned by Joseph R. Wallace & Karen L. Wallace giving them until January 5, 2018 to bring their property located at 17108 Fox Trail Lane into full code compliance. The property had been cited for overgrown vegetation throughout the property, open storage of trash and debris at the rear of the property, and vegetative debris throughout premises. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Joseph R. Wallace & Karen L. Wallace on May 2, 2018. The Code Enforcement Division issued an affidavit of compliance for the property on March 13, 2019 stating that the cited code violations had been fully corrected. The total accrued lien amount through August 30, 2019, the date on which settlement discussions began, totaled \$21,689.05. Mr. Wallace has agreed to pay Palm Beach County \$10,850 (50%) for full settlement of their outstanding code enforcement lien. District 6 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a License Agreement (Agreement) with the School Board of Palm Beach County (School Board) for use of an office located at the South County Courthouse for School Board staff assigned to the Courts from December 3, 2019 through December 2, 2024. **SUMMARY:** This Agreement will allow the School Board to utilize room 2E-220 on the second floor of the South County Courthouse as office space for staff assigned as a Court Education Liaison to provide services to the courts, juveniles and parents of juveniles involved in the court system. This Agreement will replace License Agreement R2014-1915 between the County and the School Board. The use is permitted between 8:00AM and 5:00PM, five days a week, subject to security screening and the facility use rules and procedures. All access to the facility must be through the public, screened entrance. **There is no fee for the use of the office but the School Board is responsible for returning the room to its pre-use condition and for reimbursing County for any damage caused by the use.** The term of the Agreement is for five years. There is one renewal option for a term of five years. Either party may terminate the Agreement with written notice to the other party at any time, for any reason. (FDO) Countywide (LDC)
  
2. **Staff recommends motion to approve:** an agreement with Medics Ambulance Service, Inc., a corporation licensed to do business in the State of Florida (Participant), formerly known as Medics Emergency Services of Palm Beach County, Inc., allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System from December 3, 2019 through December 2, 2024. **SUMMARY:** This agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide and EMS common talk groups for certain inter-agency communications. This agreement is intended to replace the Interlocal Agreement R2007-2247 between County and Participant, amended by First Amendment R2010-0890, by Second Amendment R2013-1566, and by Third Amendment R2017-0724. The terms of the agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. **There are no charges associated with this agreement, but the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the system.** The agreement may be terminated by either party, with or without cause. The term of the agreement is for five years or until the expiration or termination of Participant's Certificate of Public Convenience and Necessity, whichever comes first. There are two renewal options, each for a term of five years. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the appointment of one member to the Zoning Commission (ZC), to complete an unexpired term from December 3, 2019 to February 2, 2021 for Robert Currie who has resigned.

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Jess M. Sowards	9	Architect	PBC The American Institute of Architects

**SUMMARY:** The ZC is comprised of nine members appointed by the Board of County Commissioners (BCC). The term of office for ZC members is three years, with a limit of three consecutive three-year terms. Seven members shall be appointed by the BCC, one from each Commissioner as a district appointment. Two members shall be appointed by a majority vote of the BCC. These shall be architects registered in the State of Florida and nominated by the Palm Beach County Chapter of The American Institute of Architects. These appointments are consistent with the Unified Land Development Code requirements, Article 2.G.3.L, ZC. The Board consists of nine members, with eight seats currently filled and a diversity count of Caucasian: 6 (75%) and African-American: 2 (25%). The gender ratio (male: female) is 6:2. Mr. Sowards is Caucasian male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board's diversity. Unincorporated (SS)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: executed Standard Potable Water and Wastewater Development Agreements for the month of August 2019.

**A)** Standard Potable Water and Wastewater Development Agreement with Pineridge Gardens, LLC, SDA #01-01262-000 (District 7), Recorded in OR BK 30839 PG 0441; and

**B)** Standard Potable Water and Wastewater Development Agreement with The Wellery Delray, LLC, SDA #03-01048-000 (District 5), Recorded in OR BK 30893 PG 1984.

**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. Districts 5 & 7 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Change Order (CO) No. 4 for the Generator Lug Boxes at Water Treatment Plants (WTPs) 2, 3, 8, 9 & Southern Region Operations Center (SROC) (Project) with Gilmore Electric Company, Inc. (Contractor) in the amount of \$178,584.77 and add 343 calendar days to the substantial and final completion dates. **SUMMARY:** On March 13, 2018, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract for the Generator Lug Boxes at WTPs 2, 3, 8, 9 & SROC (R2018-0290) (Contract). The Project provides for the construction of generator connection lug boxes with permanent underground and overhead conduits. CO No. 4 provides for additional modifications to the neutral wire configuration and use of new flexible cables to improve the safety of our Operations and Maintenance personnel. CO No. 4 will increase the Contract amount by \$178,584.77 and add 343 calendar days to the substantial and final completion dates. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 100% SBE participation. CO No. 4 includes 100% SBE participation. The cumulative SBE participation including CO No. 4 is 100%. Contractor is headquartered in Palm Beach County. The Project is included in the WUD FY20 budget. (WUD Project No. 17-023) Districts 2 & 5 (MJ)
  
3. **Staff recommends motion to approve:** Amendment No. 2 to the Contract for Consulting/Professional Services Lift Station Rehabilitation Project B (Contract) with Mock, Roos & Associates, Inc. (Consultant) to extend the project schedule by 486 calendar days and increase the not to exceed amount by \$198,766.92. **SUMMARY:** On September 13, 2016, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract (R2016-1172) with Consultant to provide engineering services during the design, permitting, bidding and construction phases for the Lift Station Rehabilitation Project B (Project) which includes the rehabilitation of 60 lift stations. Amendment No. 2 to the Contract provides for the performance of additional project management, survey, engineering design and permitting support services as requested by WUD. These additional services are related to revised requirements occurring after the Contract was executed. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established by the 2002 SBE Ordinance was 15% overall participation. The Contract provides for 96% SBE participation. Amendment No. 2 includes an overall SBE participation of 100%. The cumulative SBE participation including Amendment No. 2 is 100%. Consultant is a Palm Beach County company. The Project is included in the WUD FY20 budget. (WUD Project No. 15-096B) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** an agreement with the Palm Beach County Fishing Foundation, Inc. (PBCFF) providing donated artificial reef material in exchange for placing the material within permitted artificial reef sites for an amount not to exceed \$300,000 beginning January 1, 2020 and ending December 31, 2022, including naming the sites “Reef Dart Reef”;

**B) adopt** a resolution authorizing the Clerk of the Court to disburse \$300,000 from the Vessel Registration Fee Trust Fund to provide the necessary funding for the placement of artificial reef material;

**C) approve** a budget transfer of \$300,000 from the reserves in the Environmental Enhancement Non-Specific Fund to the PBCFF Reef Project; and

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

**SUMMARY:** The agreement with the PBCFF provides for PBCFF’s donation of Palm Beach County (County) approved artificial reef material and temporary storage for artificial reef units. **The County will cover the cost to load, transport, and place the reef material at one or more permitted County artificial reef sites, with funding of \$300,000 from the Vessel Registration Fee Trust Fund.** Countywide (SS)

2. Staff recommends motion to:

**A) approve** the State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. LPA0072 (Agreement) for an amount not to exceed \$160,000 providing for geotechnical engineering and seepage analysis for the Loxahatchee River Watershed Hydrological Refinements Phase I Project (Project) beginning upon contract execution and expiring December 31, 2021;

**B) approve** a budget amendment of \$160,000 in the Natural Areas Fund to recognize the grant revenue from FDEP and a transfer of \$160,000 to the Project to provide for the County cost share; and

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

**SUMMARY:** The Agreement provides 50% of the cost share and reimburses the County up to \$160,000 for geotechnical engineering and seepage analysis to define the best method to maintain wet season water levels and quantify the increased water storage on Loxahatchee Slough and Hungryland Slough Natural Areas which are major contributors of freshwater to the Loxahatchee River. **The County will provide up to \$160,000 for the Project, using available funds in the Natural Areas Fund, for a total project cost of \$320,000.** District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

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

**A)** M. Regina Rodrigues, Gentle Yoga and TRIP at CMAA Therapeutic Recreation Complex, for the period of October 1, 2019 through September 30, 2020 in an amount not to exceed \$1,050;

**B)** M. Regina Rodrigues, Gentle Yoga Adult/Seniors at CMAA Therapeutic Recreation Complex, for the period of October 1, 2019 through September 30, 2020 in an amount not to exceed \$7,800;

**C)** Gold Coast Gymnastics, Inc., Youth Gymnastics at West Boynton Recreation Center, for the period October 3, 2019 through June 4, 2020 in an amount not to exceed \$5,656;

**D)** Modern Bujustu Karate Florida, Inc, Martial Arts at West Boynton Recreation Center, for the period October 2, 2019 through August 7, 2020 in an amount not to exceed \$10,632; and

**E)** Shelly M. Janssen, Youth Dance at West Boynton Recreation Center, for the period October 1, 2019 through June 6, 2020 in an amount not to exceed \$44,835.

**SUMMARY:** These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator and Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 3 (AH)

2. Staff recommends motion to:

**A) ratify** the Mayor's signature on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 10, 2019, requesting \$200,000 to fund the project elements associated with the development of Canyon District Park;

**B) authorize** the County Administrator or designee to execute the grant Project Agreement, time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the terms and conditions of the Agreement if the grant is approved; and

**C) authorize** the Director of the Parks and Recreation Department to serve as designee with FDEP for this project.

**SUMMARY:** This grant application requests \$200,000 from FRDAP for the development of Canyon District Park. Project elements include three new multipurpose fields, picnic facilities, playground, exercise/hiking trail, restroom, and parking and associated infrastructure. **The grant request is for \$200,000 and will be matched with \$200,000 from Zone 3 Impact fees.** If the grant is awarded, and once the project is completed, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation in perpetuity. District 5 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:

**A) accept** the donation of \$51,360 from the Friends of the Mounts Botanical Garden, Inc. (Friends) for the display of Ribbit the Exhibit, by J Cobb Group which includes \$1,360 in County staff charges for the County Public Art Administrator's role in contract management, siting and risk management compliance;

**B) accept** the donation of \$1,190 which is a reduction of \$110,000 from the original amount. This will be used for County staff charges for the County Public Art Administrator's role in contract management, siting, and risk management compliance for services rendered in the Big Bugs Exhibition which was cancelled by the artist on the same day it was approved by the Board of County Commissioners on October 8, 2019; and

**C) approve** a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$58,640 which resulted from the decrease of the Big Bugs Exhibit and an increase from the donation for the Ribbit Exhibit.

**SUMMARY:** The Friends agreed to fund all the costs associated with a previous exhibition entitled "Big Bugs Exhibition" that was to take place at the Mounts Botanical Garden on January 10, 2020 through May 10, 2020. An agenda item for this exhibition was brought before the Board of County Commissioners on October 8, 2019 and was approved. On that same day, and after approval of the agenda at the BCC meeting, the Friends were advised that the artist, David Rogers Big Bugs, Inc., abruptly retracted from the agreement and the Big Bugs Exhibition will no longer take place at Mounts Botanical Garden. The Friends have an opportunity to have another exhibit displayed at the Mounts Botanical Garden in its stead entitled "Ribbit the Exhibit" during the months of January 2020 through June 2020. Ribbit the Exhibit is substantially lower in costs than the previous Big Bugs Exhibition (\$111,190) and approval of this exhibit at this time will allow for this exhibition to be displayed in a timely manner for the months of January through June 2020. The Friends agree to fund all costs associated with Ribbit the Exhibit which covers all expenses, equipment, installation and County staff charges. This work will be led by Facilities, Development & Operations/Art in Public Places Section and is estimated to cost \$51,360 to bring the Ribbit the Exhibit Exhibition to The Mounts Botanical Garden of Palm Beach County from January through June 2020. The donation of \$1,190 will reimburse the County for staff charges for the County Public Art Administrator's role in contract management, siting and risk management services rendered in the Big Bugs Exhibition. District 7 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

A) the appointment of one new member to the Criminal Justice Commission as follows:

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>	<u>Term</u>
Lauren Whetstone	24	Private Sector	Economic Council	01/01/20-12/31/22

B) the reappointment of four members to the Criminal Justice Commission as follows:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>	<u>Term</u>
George Elmore	20	Private Sector	Economic Council	01/01/20 -12/31/22
Douglas Duncan	21	Private Sector	Economic Council	01/01/20 -12/31/22
Barbara Cheives	23	Private Sector	Economic Council	01/01/20 -12/31/22
Rachel Docekal	29	Private Sector	Economic Council	01/01/20 -12/31/22

**SUMMARY:** The CJC is comprised of 32 members including elected officials and representatives from private and public sectors. Ten private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. (Council), and appointed by the Board. The Council has nominated Mr. George T. Elmore, Mr. Douglas Duncan, Ms. Barbara Cheives for their third and final terms and Ms. Rachel Docekal for a second term. The Council has nominated Ms. Whetstone as a new appointment replacing Barry Krischer who resigned from the CJC on September 23, 2019. Mr. George Elmore has disclosed that he is employed by Hardrives of Delray, Inc., which frequently bids on County Engineering contracts. There is one current engineering contract in place. The CJC provides no regulation, oversight, management, or policy setting recommendations regarding or related to this contract. Disclosure of this contractual relationship is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. The Board has 32 seats, 31 seats currently filled and a diversity count of Caucasian: 23 (76%), African-American: 8 (26%) and Hispanic: 0 (0%). The gender ratio (female: male) is: 12:19. The five nominees include two Caucasian males, one African-American female and two Caucasian females. Countywide (DMC)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) receive and file** the electronically executed Federal Transit Administration (FTA) Application 1098-2017-2 for \$8,007,681 (R2019-1456);

**B) receive and file** the electronically executed Federal Transit Administration (FTA) Application 1098-2018-3 for \$12,866,555 (R2019-0370);

**C) receive and file** the electronically executed Federal Transit Administration (FTA) Application 1098-2018-2 for \$39,014,729 (R2019-0371); and

**D) approve** an upward budget amendment of \$6,925,000 in Palm Tran’s Grants Fund 1341 to recognize the grant award.

**SUMMARY:** The electronic documents have been fully executed on behalf of the BCC by Palm Tran through the County Administrator in accordance with R2019-1456, 0370 & 0371, which delegated authority to execute, and to transmit electronically the BCC’s approval of the grant application, award and resulting grant agreement. In accordance with County PPM CW-F-003, a signed copy of agreements executed under delegated authority must be placed on the BCC’s agenda as a receive and file. The executed documents are now being submitted to the BCC to allow the Clerk’s Office to receive and file. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to approve: a contract for Consulting/Professional Services with Speak Up for Kids of Palm Beach County, Inc., for the period October 1, 2019 through September 30, 2020, in an amount of \$100,000 for continued funding of two full-time positions for the Guardian Ad Litem Program. **SUMMARY:** Speak Up for Kids of Palm Beach County, Inc. (Speak Up for Kids) is a 501(c)(3) Florida non-profit corporation that supports the Guardian Ad Litem Program (GAL) within the 15<sup>th</sup> Judicial Circuit. Speak Up for Kids ensures that GAL can recruit, train and support more GAL Volunteer Child Advocates and advocates for the abused, abandoned and neglected children in the County’s dependency system, facilitating their development, ensuring their right to a safe and permanent home, and building their future. Speak Up for Kids currently supports GAL with more than 20 full-time and part-time positions, including positions that are grant funded by the Office of the Florida Attorney General, and is quite familiar with GAL complexities and strives to have a GAL volunteer, trained and court-appointed, for all abused, abandoned and neglected children. For the last two years, the Board of County Commissioners provided funding to allow Speak Up for Kids to hire two full-time employees; a Child Advocate Manager (CAM) and an Administrative Specialist (AS), along with associated operational expenses. The CAM will continue to assist in alleviating heavy caseloads of current CAMs. The AS will continue to provide administrative support in the Juvenile Court System Division. This contract allows for continued funding of those two positions in FY2020. The effective date of service for this contract is October 1, 2019. Countywide (HH)

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**4. SPECIAL PRESENTATIONS**

- A. Proclamation declaring December 3, 2019 as Hundley Farms Day in Palm Beach County (Sponsored by Commissioner McKinlay)
- B. Proclamation declaring December 2019 as Palm Beach County Disability Employment Awareness Month in Palm Beach County (Sponsored by Vice Mayor Weinroth)
- C. Proclamation declaring December 8, 2019 as George Elmore Day in Palm Beach County (Sponsored by Commissioner McKinlay)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to receive and file: a briefing presentation by Colonel Andrew Kelly, Commander and District Engineer of the U.S. Army Corps of Engineers, Jacksonville District, focusing on Corps activities and regional water conditions. **SUMMARY:** As requested by Commissioner McKinlay and directed by the Board of County Commissioners on November 5, 2019, staff has arranged a briefing on regional water issues by Colonel Andrew Kelly of the U.S. Army Corps of Engineers. Colonel Kelly is the Commander and District Engineer of the Jacksonville District Office of the U.S. Army Corps of Engineers. Accompanying Colonel Kelly will be Deputy District Engineer Tim Murphy and Howie Gonzales, Chief of the Ecosystems Branch. Copies of the presentation will be distributed upon receipt prior to the meeting date. Countywide (MJ)
  
2. Staff requests motion to authorize: the Mayor's signature on a letter to the South Florida Water Management District (SFWMD) recommending that SFWMD communicate their support of the Loxahatchee River Watershed Restoration Project (Project) to the U.S. Army Corps of Engineers (USACE) and requesting SFWMD to collaborate with the County on alternative water resources solutions. **SUMMARY:** In addition to supporting efforts by SFWMD and USACE to restore the Loxahatchee River watershed, the letter formally requests that SFWMD collaborate with the County to pursue alternative water resources solutions that: 1) address County and stakeholder concerns with a single element of the Project, the proposed Mecca reservoir; 2) achieve ecosystem restoration goals that are not being addressed by the Project; and 3) are compatible with other SFWMD efforts to achieve state-mandated water quality initiatives within the County. The letter also requests that SFWMD's letter of support to USACE and/or the accompanying resolution for the Project include language that: 1) recognizes the County's concerns with the Mecca reservoir; 2) communicates SFWMD's support of a joint SFWMD-County effort to evaluate the feasibility of complementary water resources projects as described above; and 3) requests that USACE coordinate with SFWMD and the County during future Project-related activities such as the development of project partnership agreements, sequencing plans and design activities. The SFWMD Governing Board is considering the transmittal of a letter of support to USACE for the Project at their December 12, 2019 meeting. Countywide (MJ)

5. REGULAR AGENDA

B. TOURIST DEVELOPMENT COUNCIL

- 1. [Staff recommends motion to receive and file:](#) the research study conducted by Downs & St. Germain commissioned by the Palm Beach County Sports Commission (Sports Commission) to measure the 2019 economic impact that Major League Baseball (MLB) had on Palm Beach County. This study was commissioned and paid for by the Sports Commission with tourist development funds approved in the FY2019 annual budget. **SUMMARY:** The research group of Downs & St. Germain submitted a report on the economic impact that MLB had on Palm Beach County during the 2019 Spring Training season. This report found that the four teams (Miami Marlins, St. Louis Cardinals, Washington Nationals, and Houston Astros) combined drew an attendance of 270,857 of which 54% or 146,263 attendees traveled from outside of Palm Beach County, occupying 53,800 hotel room nights. The overall economic impact from the two stadiums was \$70.1 million, with visitation impact of \$51 million and \$19.1 million in team spending. FITTEAM Ballpark of the Palm Beaches created \$37,599,300 of economic impact while Roger Dean Stadium generated \$32,546,200 of economic impact. Palm Beach County is the only County to accommodate four MLB teams, two of which competed against each other in the 2019 World Series. This World Series performance is expected to drive a higher number of visitors to our ballparks in 2020 as the FITTEAM Ballpark of the Palm Beaches is host to both the Houston Astros and the Washington Nationals. In addition to MLB, some of the largest amateur baseball tournaments are taking place at FITTEAM Ballpark of the Palm Beaches and Roger Dean Chevrolet Stadium creating year-round activity. Countywide (DC)

C. ENGINEERING & PUBLIC WORKS

- 1. [Staff requests Board direction:](#) establishing a policy to allow the installation of license plate readers (LPRs) within Palm Beach County (County) maintained right-of-way (ROW) for law enforcement purposes only, as requested by local law enforcement agencies and municipalities. Staff recommends allowing LPRs within County maintained ROW and recommends that the LPRs approval process be handled through the County's existing ROW permit process. **SUMMARY:** Local law enforcement agencies and municipalities within the County have requested the installation of LPRs on standalone poles within County ROW as well as on County maintained traffic signal support structures located within County maintained ROW, and on County maintained traffic signal support structures located within Florida Department of Transportation (FDOT) and municipally maintained ROW. LPRs provide personal information from license plate images to law enforcement agencies in support of their official duties and serve a public purpose by enhancing the safety and security of the public. Approval of LPRs in FDOT ROW is not being considered at this time. Since this is the first of future requests, staff is seeking Board direction allowing LPRs on County ROW and is recommending using the existing permit process for review and approval of the installation of LPRs within County ROW. Staff would issue the ROW permit, with a condition that the LPRs will be used only for law enforcement purposes. LPRs shall be installed in a manner so as not to interfere with the operation and maintenance of traffic signals and associated support structures. The permit applicant shall be solely responsible for all costs associated with the installation, operation, maintenance, and removal of the LPRs. Countywide (YBH)

D. FACILITIES DEVELOPMENT & OPERATIONS

- 1. [Staff recommends motion to:](#)
  - A) **approve** a Term Sheet which identifies the key provisions of a Developer Agreement (New DA) and Sports Facility Use Agreement (New SFUA) with Jupiter Stadium Ltd (JSL) to: 1) facilitate renovation of the Roger Dean Chevrolet Stadium (RDCS) and 2) extends JSL's use rights through April 2, 2048; and
  - B) **authorize** County Administrator or designee to commence negotiations of a New DA and New SFUA.

**SUMMARY:** On July 9, 1996, the County and JSL entered into a Developer Agreement (Original DA R96-879D, as amended by R96-2117 and R97-2068) and Sports Facility Use Agreement (Original SFUA R96-0877D as amended) to develop and operate a two-team spring training facility, now known as RDCS, and occupied by the St. Louis Cardinals and Miami Marlins, collectively referred to as the Teams. On May 3, 2011, the County and JSL entered into the First Restated Sports Facility Use Agreement (1SFUA R2011-0694) which replaced the Original SFUA. The purpose of the 1SFUA was to add provisions for sharing in the renewal/replacement program costs, and extending the term until April 30, 2027. Despite the 1SFUA term being through April 30, 2027, it contained an early termination option which could be exercised at any time after April 2017 in the event that there were less than four major league clubs conducting their spring training in the Southeast Florida Corridor. That early termination option was eliminated with the BCC's execution of the Developer and Sports Facility Use Agreement with HW Spring Training Complex, LLC (HWDA R2015-1071 as amended and HWSFUA R2015-1072 as amended) for the construction of the FitTeam Ballpark of the Palm Beaches (FTBTPB). The term of the HWSFUA extends through April 2, 2048 and the BCC was aware at the time of approval of the HWDA and HWSFUA that a New DA and New SFUA for RDCS would be required to renovate the RDCS and extend the term of the New SFUA to April 2, 2048; so that the terms of the two agreements were identical. The proposed scope of work for the RDCS Project include renovations and expansions in the public spaces, shared spaces and team use spaces in the amount of \$111,000,000. In order to potentially construct additional Tourism Enhancements as part of the Project, JSL has the option to request that the BCC sell bonds in an amount not to exceed \$126,000,000 with JSL paying all debt service for the larger amount. Attachment B to this item describes the proposed improvements and explains why the public and shared use improvements are characterized as Tourism Enhancements; both from the spring training visitor experience and in terms of year round events. The Term Sheet (Attachment C to this agenda item) identifies the key terms of the New DA and New SFUA. The most substantial difference between the FTBTPB Agreements and the proposed RDCS Agreements are that: 1) the County's financial risk is capped; 2) the present value of the County's contributions to debt service are slightly less than the value of those Tourism Enhancements improvements with the State and JSL contributions to debt services funding the remainder; and 3) the Teams are committing to escalate, throughout the term of the New SFUA, the value of each Team's annual marketing/promotion contribution equating to \$6,746,520 in additional marketing services over the life of the agreement, when compared to the HWSFUA. Consistent with the requirements of the HWDA, JSL will be responsible for managing the contract with the construction manager selected to build the renovations/ expansion; however, JSL is required to: 1) bid subcontractor's packages based on 90% construction documents, 2) comply with all requirements of the Equal Business Opportunity Ordinance, and 3) implement all other programs designed to protect subcontractors, that are included in the current version of FDO's standard construction contract. This item has no fiscal impact but the fiscal impact will be fully identified when the New DA and the New SFUA are presented the BCC for approval in the future. **The funding source for this future obligations will be from the 1<sup>st</sup> and 4<sup>th</sup> Cent Bed Tax and there is no ad valorem contribution, other than staff time.** The Tourism Development Council (TDC) considered this item at their November 14, 2019 and November 26, 2019 meeting and recommended alternate deal terms which include: 1) renewal/ replacement (R/R) expenses being lowered by \$500,000 annually in FY 2021 through FY 2033 across all TDC funded assets by deferring projects; and 2) reducing the present value of the County's contribution to that of the State's contribution. To implement this recommendation, JSL would have to: 1) reduce the scope of the project to reduce the Project cost, and/or 2) fund the difference resulting from the reduced County contribution. (FDO Admin) Countywide (MWJ)

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

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

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: the reappointment of one member to the Child Care Advisory Council for a second term of three years to fill the position that requires representation by a family child care provider and will expire September 30, 2022.

<u>NOMINEE:</u> Mary L. Morris	<u>SEAT #:</u> 2	<u>REQUIREMENT:</u> Represents and operates a family child care home as a private enterprise.	<u>NOMINATED BY:</u> Staff
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**SUMMARY:** The Child Care Advisory Council, nominated by staff and confirmed by the BCC, is comprised of seven members who serve at the pleasure of the Board of County Commissioners. The Palm Beach County Health Department shall serve as staff to the Council. The Board must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. A memo requesting support was sent to all BCC members on October 31, 2019 and no additional nomination recommendations were received. Mary L. Morris has been a licensed family child care operator in Palm Beach County for the past 16 years. With this approval, the Council will consist of seven members: two African-American (28.6%) and five Caucasian (71.4%). The gender ratio (female:male) is 6:1. Countywide (HH)

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**ADJOURN AS THE CHILD CARE FACILITIES BOARD**

**RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS**

DECEMBER 3, 2019

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

1. [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 Commissioners Meeting, direction was given to the County Administrator to submit monthly a status report of the board directives. The report categorizes: **1)** In Process Items and **2)** Completed Items. The report continues to be updated on an on-going basis. Countywide (DN)

B. COUNTY ATTORNEY

**DECEMBER 3, 2019**

**9. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER HAL R. VALECHE**

**District 2 – COMMISSIONER GREGG K. WEISS**

**District 3 – COMMISSIONER DAVE KERNER**

**District 4 – COMMISSIONER ROBERT S. WEINROTH**

**District 5 - COMMISSIONER MARY LOU BERGER**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD**

DECEMBER 3, 2019

10. MATTERS BY THE PUBLIC – 2:00 P.M.

\* \* \* \* \*

**DECEMBER 3, 2019**

**11. 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."