

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 15, 2014

<u>PAGE</u>	<u>ITEM</u>	
9	3E-1	<p><u>REVISED TITLE:</u> Staff recommends motion to approve: Amendments to Contracts for Provision of Services with the below-listed agencies, for the period October 1, 2013, through September 30, 2014, in an amount totaling \$44,011 \$34,407 to provide emergency shelter and homeless prevention services to individuals and families who are homeless or at risk of homelessness: A)...B)...C)...D)...E)...F)...G)...H)...</p> <p>I) Amendment No. 01 to Contract for Provision of Services with Vita Nova, Inc. (R2013-1404), increasing funding by \$9,604 for a new total contract amount not to exceed \$59,477; and</p> <p>J) I) Amendment No. 01 to Contract for Provision of Services with The Young Women's Christian Association of Palm Beach County, Florida (R2013-1405), increasing funding by \$6,951 for a new total contract amount not to exceed \$16,652. (Community Services)</p>
26	3BB-1	<p><u>REVISED TITLE:</u> Staff recommends motion to: A) accept on behalf of the Palm Beach County Sheriff's Office, a donation through an insurance policy benefit in the amount of \$12,007 <u>\$12,006.83</u>; and...(PBSO)</p>

REVISED TITLE & SUMMARY: Staff recommends motion to:

A) approve program strategies for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs for Fiscal Year 2014-2015; and

B) approve ~~preliminary~~ funding amounts based on Fiscal Year 2014-2015 allocations provided by the U.S. Department of Housing and Urban Development (HUD). ~~current year CDBG and HOME allocations;~~

C) authorize ~~Staff to proportionately allocate funding among recommended strategies if funding is 25% above or below Fiscal Year 2013-2014 CDBG and HOME allocations; and~~

D) direct ~~Staff to come back to the Board of County Commissioners for direction if funding for CDBG and HOME allocations is more than 25% above or below Fiscal Year 2013-2014 levels.~~

SUMMARY: Palm Beach County receives annual allocations of Federal CDBG, HOME, and Emergency Solutions Grant (ESG) funds from the U.S. Department of Housing and Urban Development (HUD). In Fiscal Year 2013-2014, the County received \$5,892,217 in CDBG funds, \$1,511,843 in HOME funds and \$393,491 in Emergency Solutions Grant (ESG) Program funds. HUD has not released funding estimates for Fiscal Year 2014-2015 due to uncertainty over the Federal budget. Therefore, for planning purposes the grant amounts for Fiscal Year 2014-2015 will be estimated at the same amounts received for Fiscal Year 2013-2014. For Fiscal Year 2014-2015, HUD has allocated \$5,865,753 in CDBG funds (0.9% decrease from Fiscal Year 2013-2014), \$1,749,997 in HOME funds (8.6% increase from Fiscal Year 2013-2014) and \$478,676 in ESG funds (21.6% increase over Fiscal Year 2013-2014). Staff recommends CDBG funding for the following six strategies: **1) Housing Demolition** in the amount of \$500,000; **2) Economic Development** in the amount of \$683,376; **3) County-Initiated Capital Projects** in the amount of ~~\$1,599,493~~ \$1,557,192; **4) Local Entitlement Municipalities** in the amount of \$749,882; **5) Special Area of Hope Allocation** in the amount of \$322,291; and **6) Public Services** in the amount of ~~\$883,832~~ \$879,862. Staff recommends HOME funding for the following three strategies: **1) Rental Development** in the amount of ~~\$698,290~~ \$794,998; **2) Homeless Prevention/Intervention** in the amount of \$250,000; and **3) Community Housing Development Organization Activities** in the amount of ~~\$322,369~~ \$350,000. A competitive ESG allocation process will be administered by the Department of Community Services. Funding allocations for all three Programs will be contained in the Action Plan for Fiscal Year 2014-2015 and presented to the Board of County Commissioners for approval at a Public Hearing on July 22, 2014, ~~at which time final grant amounts for these Programs as established by HUD for Fiscal Year 2014-2015 will also be presented.~~ Two public meetings to obtain citizen input were held in the eastern and western regions of the County on March 5 and 6, 2014. **No local match is required to implement the CDBG Program. The ESG Program matching requirement is met through a cash or in-kind contribution by each agency receiving funding and the HOME matching requirement is met from State funds allocated from the State Housing Initiatives Partnership Program.** (Strategic Planning) Countywide (TKF) (DES)

DELETED: Staff requests Board direction to: **A) identify and declare** what extraordinary circumstances or conditions exist to justify granting four year extensions to the Certificates of Public Convenience and Necessity (COPCN) for Medics and AMR ambulance companies scheduled to expire on December 31, 2014; or....(Public Safety) (Pending Further Evaluation)

ADD-ON: Staff recommends motion to:

A) accept the Urban Area Security Initiative (UASI) Grant 2011 Award Letter with the City of Miami to receive an additional \$141,062 in reimbursable grant funding to purchase special equipment to assist Palm Beach County in the response and recovery of local disaster events through April 30, 2014; and

B) approve a Budget Amendment of \$141,062 in the Urban Areas Security Initiative Grant Fund to recognize the additional grant funds.

SUMMARY: The award letter from the City of Miami, dated April 7, 2014, approves the allocation of additional funding to Palm Beach County which relates to the original UASI 2011 Grant Agreement (R2013-0622). These funds will be used to purchase a router for the WebEOC system, WebEOC headsets, two portable generators, and two portable light towers, which will be used by Palm Beach County's Division of Emergency Management for response and recovery efforts during a local disaster. These additional funds represent unexpended Regional UASI funds that were sought by the Division of Emergency Management and must be expended no later than April 30, 2014. **No County matching funds are required.** Countywide (PGE) (Public Safety)

ADD-ON, REVISED SUMMARY: Staff recommends motion to ratify:

A) a Labor Management Agreement between Palm Tran, Inc. and the Local Union 1577 of the Amalgamated Transit, A.F. of L. – C.I.O.-C.L.C. (ATU) covering Palm Tran bus operators, mechanics, utility workers and storekeepers for the three year period of October 1, 2013, through September 30, 2016; and

B) a Letter of Understanding between Palm Tran, Inc. and the ATU establishing an implementation schedule and clarifying other changes to the Labor Management Agreement.

SUMMARY: The collective bargaining negotiation committees for Palm Tran, Inc. and the ATU have concluded negotiations and a new Labor Management Agreement has been formalized. The proposed Agreement incorporating all agreed upon terms was presented to the bargaining unit which ratified the new Agreement on April 13, 2014. The previous Agreement expired on September 30, 2009. This Agreement is in effect from ~~will become effective retroactively to~~ October 1, 2013, through September 30, 2016. The Letter of Understanding establishes a timeline for the implementation of some wages and benefits. This Agreement allows for eligible bus operators to advance up to two wage progressions beyond their current. The Agreement also allows for a one-time 3% wage increase in the top step, from \$22.69/hour to \$23.37/hour. Mechanics, utility workers and storekeepers will receive a 3% increase, or \$1,200/year, whichever is greater. No other wage increases for FY 2015 or FY 2016 are included in the Agreement. This Agreement also affects the Pension Plan by: ~~i) altering eligibility requirements for new hires; and ii) increasing employee contributions to the Pension Plan, from 2.5% of gross pay to 3%; and iii) providing control of Plan benefits to the Board of County Commissioners and requiring Employer Minimum Contributions to fund the Plan.~~ Changes to pension benefits will be subject to labor negotiations. Employer Minimum Contributions to the Plan will be made in accordance with the requirements of law. The Supplement Health Insurance Trust Fund will not be funded by Palm Tran, Inc. The wage increases will be retroactive to the first pay period in October 2013. The effect of this Agreement on Palm Tran's current budget is \$1,346,588 for the wage increases, ~~and \$1,980,201 for increased pension contributions.~~ Countywide (DR) (Palm Tran)

ADD-ON: Request approval to present off-site, a Proclamation supporting the YWCA's "Stand Against Racism 2014" in Palm Beach County. (Sponsored by Mayor Taylor)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the 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 15, 2014

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 6 - 26)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 27 - 28)**

- 5. REGULAR AGENDA (Pages 29 - 36)**
~~**TIME CERTAIN 11:00 A.M. (Certificates of Public Convenience and Necessity) (Page 36)**~~

- 6. BOARD APPOINTMENTS (Page 37)**

- 7. STAFF COMMENTS (Page 38)**

- 8. COMMISSIONER COMMENTS (Page 39)**

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- 3A-2 Appointments to the Water Resources Task Force

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- 3B-1 Warrant list
- 3B-2 Minutes: None
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

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- 3C-1 Change Order No. 1 to the Annual Pathway and Minor Construction Contract with Wynn & Sons Environmental Construction Co., Inc. extending the contract and increasing amount
- 3C-2 Resolution to vacate a portion of a ten foot wide utility easement along the west line of Parcel A of the plat of Rooms to Go (west of Lyons Road; north side of Glades Road)
- 3C-3 Agreement with Equus Property Owners Association, Incorporated for traffic control enforcement services within the Community
- 3C-4 Deleted
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- 3D-1 Amendments to three Legal Services Authorizations to extend the term one year for various water utilities issues

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends the following appointment:** to the Workforce Alliance, Inc. doing business as CareerSource Palm Beach County (CareerSource) Youth and Young Adult Outreach Committee (Youth Council) for the period April 15, 2014, through April 15, 2017:

<u>Nominee/Appointment</u>	<u>Seat No.</u>	<u>Nominated By</u>
Edmund N. Rosario	10	Cornerstone Solutions

SUMMARY: The membership of the CareerSource Youth Council conforms to the requirements of the Workforce Investment Act (WIA) of 1998, WIA 117(h)(1)-(3) and 20 CFR 661.335 and the Workforce Innovation Act of 2000. Per WIA there shall be established, as a subgroup within each local board, a Youth Council appointed by the local board. The Workforce Accountability Act, 445 F.S. approved by the Florida Legislature effective July 1, 2012, requires that CareerSource establish a Youth Council subject to the approval of the Palm Beach County Board of County Commissioners as Chief Elected Official. The CareerSource Youth Council is comprised of 16 members recommended by the CareerSource Board of Directors with representatives appointed in accordance with WIA. Countywide (TKF)

2. **Staff recommends motion to approve:** Scott Kelly of the City of West Palm Beach as the member for the Utility representative seat on the Palm Beach County Water Resources Task Force (Seat No. 8), and Brandon Selle of Seacoast Utilities as the Utilities representative alternate; and Jim Shallman for the ITID seat on the Palm Beach County Water Resources Task Force (Seat No. 14), effective April 15, 2014. **SUMMARY:** The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of the ITID member and the Utilities Task Force member and alternate, two new members and one new alternate are being submitted to be approved by the Board of County Commissioners. Countywide (MJ)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings: None
3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during October 2013. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Change Order No. 4 in the amount of \$3,345,000 to the Annual Pathway and Minor Construction Contract (Contract) R2013-0427 with Wynn & Sons Environmental Construction Co. Inc. **SUMMARY:** Approval of Change Order No. 4 will increase the Contract amount by \$3,345,000 from \$5,800,000 to \$9,145,000. Additional funding is required to allow for the anticipated use of this Contract through Fiscal Year 2014 and, if extended, through mid Fiscal Year 2016. Approval of Change Order No. 4 by the Board of County Commissioners is required by PPM CW-F-050. Countywide (MRE)

2. Staff recommends motion to adopt: a Resolution to vacate a portion of a ten foot wide utility easement along the west line of Parcel A of the plat of Rooms to Go, as recorded in Plat Book 73, Pages 76 and 77, Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this resolution will allow the petitioner to vacate a portion of the easement to allow for redevelopment of the site. The petition site is located west of Lyons Road, on the north side of Glades Road. District 5 (MRE)

3. Staff recommends motion to approve: an Agreement with Equus POA Incorporated (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this Agreement will authorize the Sheriff to provide traffic control enforcement services within the Community. District 5 (MRE)

4. **DELETED**

5. Staff recommends motion to approve: Change Order No. 1 in the amount of \$2,000,000 to the Annual Asphalt Milling and Resurfacing Contracts (Contracts) with Community Asphalt Corporation R2013-0235 and Ranger Construction Industries, Inc. R2013-0236. **SUMMARY:** Approval of Change Order No. 1 will increase the Contract amount by \$2,000,000 from \$6,110,000 to \$8,110,000. Approval of Change Order No. 1 by the Board of County Commissioners is required by PPM CW-F-050. Staff will not be able to spend the remaining funds in the current 2014 resurfacing budget without this Change Order. Countywide (MRE)

6. Staff recommends motion to approve: the renewal of the Street Lighting Design Annual Contract R2013-0658 with Electrical Design Associates, Inc. (Firm), whose original contract was dated June 4, 2013. **SUMMARY:** Approval of this renewal contract will extend the required professional services for one year, on a task order basis. The renewal contract with this Firm will continue for the period from June 4, 2014 through June 3, 2015. This is the first renewal of two possible one year renewals contemplated in the original contract. The Firm is a Palm Beach County company and is certified as a small business enterprise. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve:

A) Fourth Amendment to Legal Services Authorization 2011-0352-B with de la Parte & Gilbert, P.A., for legal services related to water policy issues;

B) Third Amendment to Legal Services Authorization 2011-0352-C with de la Parte & Gilbert, P.A., for miscellaneous legal services related to water utilities regulatory issues;

C) Third Amendment to Legal Services Authorization 2011-0353-A with Sundstrom & Mindlin LLP, for legal services related to the Water Utilities Department's sustainable business plan, modification of service availability policies, ratemaking, and related matters (collectively, the "Amendments").

SUMMARY: On March 15, 2011, the Board of County Commissioners approved agreements with de la Parte & Gilbert, P.A. (R2011-0352) and Rose Sundstrom & Bentley, LLP (R2011-0353) for legal services related to water utilities issues. Pursuant to those agreements, work assignments were to be authorized by Legal Services Authorizations. The Amendments all extend the term of the applicable Legal Services Authorizations for one year to March 14, 2015. In addition, the Fourth Amendment to Legal Services Authorization 2011-0352-B with de la Parte & Gilbert, P.A., amends the not-to-exceed amount from \$116,800 to \$136,800. Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **REVISED TITLE: Staff recommends motion to approve:** Amendments to Contracts for Provision of Services with the below-listed agencies, for the period October 1, 2013, through September 30, 2014, in an amount totaling ~~\$44,044~~ \$34,407 to provide emergency shelter and homeless prevention services to individuals and families who are homeless or at risk of homelessness:

A) Amendment No. 01 to Contract for Provision of Services with Aid to Victims of Domestic Abuse, Inc. (R2013-1396), increasing funding by \$2,344 for a new total contract amount not to exceed \$23,440; and

B) Amendment No. 01 to Contract for Provision of Services with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2013-1398), increasing funding by \$360 for a new total contract amount not to exceed \$14,472; and

C) Amendment No. 01 to Contract for Provision of Services with Coalition for Independent Living Options, Inc. (R2013-1400), increasing funding by \$2,982 for a new total contract amount not to exceed \$18,851; and

D) Amendment No. 01 to Contract for Provision of Services with The Center for Family Services of Palm Beach County, Inc. (R2013-1397), increasing funding by \$4,122 for a new total contract amount not to exceed \$48,248; and

E) Amendment No. 01 to Contract for Provision of Services with The Children's Home Society of Florida (R2013-1399), increasing funding by \$1,360 for a new total contract amount not to exceed \$13,599; and

F) Amendment No. 01 to Contract for Provision of Services with The Lord's Place, Inc. (R2013-1402), increasing funding by \$1,112 for a new total contract amount not to exceed \$21,479; and

G) Amendment No. 01 to Contract for Provision of Services with The Lord's Place, Inc. (R2013-1403), increasing funding by \$4,769 for a new total contract amount not to exceed \$25,136; and

H) Amendment No. 01 to Contract for Provision of Services with The Salvation Army (R2013-1550), increasing funding by \$10,407 for a new total contract amount not to exceed \$54,863; and

~~**I)** Amendment No. 01 to Contract for Provision of Services with Vita Nova, Inc. (R2013-1404), increasing funding by \$9,604 for a new total contract amount not to exceed \$59,477; and~~

~~**J)**~~ **I)** Amendment No. 01 to Contract for Provision of Services with The Young Women's Christian Association of Palm Beach County, Florida (R2013-1405), increasing funding by \$6,951 for a new total contract amount not to exceed \$16,652.

SUMMARY: These amendments are reallocated dollars from unspent funds from the Emergency Solutions Grant (ESG) program. ESG service dollars are reviewed throughout the contract year and reallocated to best fit the needs of the clients. These reallocated dollars will allow additional clients to be served with emergency shelter and homeless prevention services. No County funds are required. (Human Services) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** a Contract with ATCi Communications, Inc. in the amount of \$785,845.06 for the miscellaneous general aviation airport security improvements at North Palm Beach County General Aviation Airport (F45) and Palm Beach County Glades Airport (PHK). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On December 10, 2013, seven bids were received for the miscellaneous general aviation airport security improvements at F45 and PHK. Of the seven bids, ATCi Communications, Inc., a Miami-Dade County company has been identified as the lowest responsible/responsive bidder in the amount of \$785,845.06. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 13%. ATCi Communications, Inc. is responsive to the DBE requirements and met the goal of 13%. Florida Department of Transportation grant funding of \$735,461 and Airport funding of \$50,384.06 are being utilized to fund this project. Countywide (JCM)

2. **Staff recommends motion to:**

A) approve a Consent to Assignment of Lease between Galaxy Aviation of Palm Beach, Inc. (Galaxy), Atlantic Aviation FBO, Inc. (Atlantic – FBO), and Atlantic Aviation – West Palm Beach LLC (Atlantic – WPB) for the assignment of Galaxy's Lease Agreement (Lease) at the Palm Beach International Airport (PBIA) (R-2000-1067) to Atlantic – WPB; and

B) authorize the County Administrator or his designee, the Director of the Department of Airports, to execute a Master Lease Confirmation (Attachment "2" to the Agenda Item) on behalf of the County.

SUMMARY: Galaxy and Atlantic – FBO entered into an Asset Purchase Agreement (Agreement) pursuant to which Atlantic – FBO agreed to purchase Galaxy's interest in the Lease. Atlantic – FBO is a Delaware Corporation with its principal place of business in Plano, Texas. The Agreement permits Atlantic – FBO to assign its rights and interest to one or more of its affiliates. Atlantic – FBO created Atlantic – WPB to assume its interest under the Lease and to operate the fixed base operation at PBIA. Closing of the transaction contemplated by the Agreement is conditioned on the County's consent to Galaxy's assignment of the Lease to Atlantic – WPB and confirmation that there is no default by Galaxy under the Lease. It is anticipated that the closing will occur by the end of April. Countywide (HF)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** a Resolution authorizing the execution of a Fifth Amendment to Loan Agreement in connection with the extension of the County's line of credit dated May 21, 2009 with Wells Fargo Bank, N.A., that satisfies the debt service reserve fund requirements for seven of the County's outstanding bond issues; authorizing the execution of a separate Fifth Amendment to Loan Agreement in connection with the extension of the County's separate line of credit with Wells Fargo Bank N.A. (the Bank), dated June 4, 2009 that satisfies the debt service reserve fund requirements for four other County bond issues and providing an effective date. **SUMMARY:** Under the terms of the loan agreements, the County requested that the Bank extend the maturity date for each loan agreement for one year. The Bank has agreed to extend the loan agreements for one year for the three bond issues remaining. Four of the bond issues will mature within the current or next fiscal year and the letters of credits are no longer needed after this fiscal year. The County will continue to pay an annual fee of .65% (\$69,245) for the remaining three letters of credit issued to satisfy the debt service reserve requirements under the loan agreements. Due to four bonds maturing, this amendment will decrease the annual cost approximately \$247,000 annually. The County expects to continue to renew the loan agreements each year. Countywide (PFK)
2. **Staff recommends motion to approve:** a Budget Transfer of \$1,257,915 from the Abacoa Impact Fee Reserve Account to recognize revenue collections and appropriate the expenditure in the Abacoa Impact Fee Account Contributions to Other Governmental Agencies for payment to the Northern Palm Beach County Improvement District. **SUMMARY:** This Budget Transfer is necessary to recognize revenue collections. This transfer allows the County to remit road impact fees to the Northern Palm Beach County Improvement District for the construction of Donald Ross Road improvements in accordance with an impact fee agreement (R2000-0155) between Palm Beach County, the Abacoa Development Company, and the Northern Palm Beach County Improvement District. District 1 (LB)
3. **Staff recommends motion to approve:** the recording of the FY 2013 retirements of tangible personal property (equipment, vehicles, publications) in the official minutes of the Board of County Commissioners' meeting as prescribed by Florida Statutes, Chapter 274. **SUMMARY:** Florida Statutes, Chapter 274 and the Palm Beach County "Surplus Property Ordinance" require the recording of the disposal (retirement) of tangible personal property from the official records of Palm Beach County at historical value. Disposal, retirement, and adjustments total \$29,343,632.48. Countywide (PFK)
4. **Staff recommends motion to approve:** an Interlocal Agreement for the Co-Utilization of the Palm Beach County Surplus Property Thrift Store with the City of Lake Worth. **SUMMARY:** The Palm Beach County Thrift Store is a municipal investment recovery cooperative involving thirteen other area local governments, in addition to Palm Beach County. At present, these thirteen partner agencies have interlocal agreements whereby they utilize the Thrift Store for the disposal of their surplus tangible personal property assets. In return, the county receives a sales commission fee for selling items belonging to these agencies. The City of Lake Worth has expressed a desire to join the cooperative. It is a municipality making it eligible to participate. Countywide (PK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 5 to the contract with Trillium Construction, Inc. (R2012-1002) in the amount of \$839,927 for the construction of a metal storage pavilion located at the Water Utilities Department Central Regional Operations Center at 8100 Forest Hill Boulevard. **SUMMARY:** The work includes construction of a 13,000 square foot open storage pavilion, site improvements and electrical. The storage pavilion will store materials used for emergency repairs of the utilities infrastructure. Amendment No. 5 establishes a Guaranteed Maximum Price (GMP) of \$839,927 and 180 days for completion. The GMP includes the cost of the work, the construction manager's fee and contractor contingency. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc.'s SBE participation for this Amendment is 46.9%. Funding for this project will come from Bonds obtained for Florida Power & Light related construction and maintenance of the West County Energy Center reclaimed water pipeline. The storage pavilion will be used to house materials for the repair and maintenance of the pipeline. Trillium Construction, Inc. is a Palm Beach County firm and is using all local subcontractors for 100% of the work. (Capital Improvements Division) Countywide/District 2 (JM)

2. Staff recommends motion to approve: Amendment No. 6 to the contract with Trillium Construction, Inc. (R2012-1002) in the amount of \$2,280,000 for construction management services for Water Utilities Department (WUD) Customer Service Glades Area Project establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** Amendment No. 6 establishes a GMP of \$2,280,000 and 224 calendar days for completion. The GMP includes the cost of work, the construction manager's fee and a contingency. Approval of this contract will allow for the necessary interior alterations of the first floor north wing to accommodate offices of WUD, addition of new exit stair and window replacement of the north wing as well as a roof replacement for the entire building. The current facilities for WUD's Western Customer Service function reside in the modular units on leased School Board property adjoining the Water Plant and were built to support Glades Utility Authority (GUA). The facilities are marginal and due to a short term lease agreement with the School Board, relocating has become a priority. Moving the Customer Service staff to the Glades Office Building is the best solution for the customers and the staff. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc.'s SBE participation for this Amendment is 31%. This project will be funded by WUD User Fees and Public Building Improvement Fund (roof). Trillium Construction, Inc. is a local firm and 100% of the work will be done by local contractors. (Capital Improvements Division) District 6 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

A) Contract with Siemens Industry, Inc. to provide investment grade energy audits on a continuing contract basis; and

B) Task Order No. 1 for energy audit of Parks' Department facilities.

SUMMARY: Energy performance contracting is offered by Energy Service Companies (ESCO) as a way for public sector entities to implement energy improvement projects. The ESCO can provide the resources to design, finance, and acquire needed capital equipment and improve energy efficiency in facilities. One of the most attractive and distinguishing features of energy performance contracting is the ESCO guarantees the energy cost savings, which then pay for all associated project costs over the life of the contract. Therefore, there are no upfront costs for the improvements by the County. The initial phase of Energy Performance Contracting is an energy audit, followed by recommendations and a plan to reduce energy costs. This continuing services contract authorizes the audit portion of the process. Future projects will be authorized on a task order basis. Task Order No. 1 is the first audit under this contract and is to reduce energy and operating costs of Parks' facilities. The cost of the audit is \$89,000 but the County will only have to pay for the audit if the County does not contract with Siemens Industry, Inc. for the recommended energy improvements. If the County agrees to the recommendations and the proposed energy savings itemized in the audit, the ESCO agrees to a construction contract with the required bonds and insurance and performs the work. The construction contract will be brought to the Board after the energy audit is completed and a energy savings plan is proposed. The energy audit continuing contract will be for two years with two one-year extension options. Siemens Industry, Inc. is a national firm with a South Florida office in Miramar. There is 0% Small Business Enterprise (SBE) participation in the energy audit phase of the contract as Siemens Industry, Inc. is performing the audit. There will be SBE opportunities in the contracting phase of the project. (Capital Improvements Division) Countywide (JM)

4. Staff recommends motion to receive and file: notice of exercise of the fifth option to extend under the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for the Winsbergs' continued agricultural use of approximately 60 acres located on Hagen Ranch Road in Boynton Beach. **SUMMARY:** In 1996, the County purchased 175 acres of property from the Winsbergs for the development of the Water Utilities Department's Green Cay Wetlands Water Reclamation project. The property is located off Hagen Ranch Road between Boynton Beach Boulevard and Atlantic Avenue. The Board approved the original Lease Agreement in May of 1999 (R99-842D), which allowed the Winsbergs to continue to farm the property until the Water Utilities Department (WUD) was ready to construct its project. Over time, as WUD constructed phases of the Water Reclamation Project, the area leased to the Winsbergs was reduced and the Winsbergs currently lease approximately 60 acres. The next phase of the Water Reclamation Project is not expected to be implemented within the next four years. In April of 2008, the Board approved the Fourth Amendment (R2008-0629) which extended the term of the Lease Agreement through May 1, 2010, and provided the Winsbergs with ten additional one-year options to extend the term of the Lease Agreement. Exercising this fifth option will extend the term of the Lease Agreement through May 1, 2015. The Winsbergs have the right to exercise their option and the Board has no discretionary authority to not allow the exercise of the option. The County will continue to have the right to terminate this Lease upon 120 days notice. The annual rental rate for this option period will continue to be \$1/yr. Five one-year options remain available to the Winsbergs. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to accept:** a Statutory Warranty Deed from the Gardens at Highland Beach, Limited, a Florida Limited Partnership, (The Gardens) donating approximately 9.9 acres of environmentally sensitive lands located along the eastern shore of the Intracoastal Waterway, south of East Linton Boulevard in the Town of Highland Beach. **SUMMARY:** The Gardens is donating 9.9 acres of environmentally sensitive land containing mangrove habitat to the County to ensure that this land will be properly managed and maintained. This land is located in a residential community known as Ocean Cove. In addition to donating the property, the Gardens is paying \$14,850 to the County to fund the County's long term cost of managing and maintaining the property. Maintenance will cost less than \$1,000/yr and will be paid from County land management funds. The Department of Environmental Resources Management will be responsible for maintenance. The Gardens is also paying the cost of recording the deed, documentary stamps, survey expenses and a portion of the title insurance. (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: Six Amendments to Agreements and one Amendment to a Mortgage and Security Agreement, as follows:

A) Amendment No. 005 to and Reinstatement of the Agreement (R2011-1031) with Westgate/Belvedere Homes Community Redevelopment Agency under the Neighborhood Stabilization Program 2 (NSP2);

B) Amendment No. 006 to and Reinstatement of the Agreement (R2011-1031) with Westgate/Belvedere Homes Community Redevelopment Agency under NSP2;

C) Amendment No. 004 to and Reinstatement of the Agreement (R2011-1029) with Neighborhood Renaissance, Inc. under NSP2;

D) Amendment No. 001 to Mortgage and Security Agreement and Modification of Promissory Note with HTG Palm Beach II, LLC, under NSP2 and the Home Investment Partnership Program (HOME);

E) Amendment No. 003 to the Agreement (R2012-1255) with the City of Riviera Beach under the Neighborhood Stabilization Program 1 (NSP1);

F) Amendment No. 002 to the Loan Agreement (R2013-1808) with NOAH Development Corporation under the HOME Program; and

G) Amendment No. 001 to the Loan Agreement (R2013-1806) with La Joya Villages, Ltd. under the HOME Program.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Amendments and the Amendment to a Mortgage and Security Agreement have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Agenda Items R2009-1122, R2011-1384, 5C-2 and 5B-4 as approved by the Board on July 7, 2009, September 13, 2011, June 5, 2012 and September 10, 2013, respectively. These executed documents are now being submitted to the BCC to receive and file. **Federal NSP1 and NSP2 funds do not require a local match and the HOME matching requirement is met from State funds allocated under the State Housing Initiatives Partnership Program.** (DES Contract Development) Districts 2, 3, 6 & 7 (TKF)

2. Staff recommends motion to approve: Program Guidelines for the Palm Beach County Brownfields Revolving Loan Fund (BRLF) Program. **SUMMARY:** The BRLF Program received an allocation of \$1,000,000 from the U.S. Environmental Protection Agency (EPA) to be used for financial assistance to qualified borrowers and subgrantees to clean up properties that have been designated as brownfields. Borrowers may be private or public entities and subgrantees may be non-profit organizations or public entities. Eligible projects must be located within Palm Beach County. Loans will be at three percent (3%) interest for terms of five to 15 years and borrowers will be required to provide a minimum of 10% equity. All loans will be collateralized. Loan amounts will be based on analysis of the loan application and the cost of cleanup activities. Subgrantees are required to provide matching funds of not less than 20% of the subgrant. Loans and subgrants will help fund the remediation required for site cleanup, which will then allow for redevelopment and job creation. A Loan Review Committee will review loan and subgrant applications and make funding recommendations. **These are Federal grant funds that require a 20% match that will be provided by the various borrowers and subgrantees.** (Strategic Planning Section) Countywide (DW)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Amendments to both of the Water Utilities Department Pipeline Continuing Construction Contracts 2013 to install raw water mains, potable water mains, reclaimed water mains, wastewater force mains, and water service lines, renewing each Contract for a 12-month period:

A) Amendment No.1 to the unit price Contract with Johnson-Davis, Incorporated; and

B) Amendment No.1 to the unit price Contract with Centerline Utilities, Inc.

SUMMARY: On May 7, 2013, the Palm Beach County Board of County Commissioners approved the Water Utilities Department Pipeline Continuing Construction to Johnson-Davis, Incorporated (R2013-0550) in the amount of \$8,339,350 and the Pipeline Continuing Construction to Centerline Utilities, Inc. (R2013-0551) in the amount of \$8,521,496.03. Each Amendment No.1 is for a 12-month contract renewal of the base Contract only. Neither Contract by itself does not guarantee, nor authorize Johnson-Davis, Incorporated or Centerline Utilities, Inc. to perform any work. There shall be no unit price increases for labor and materials contained in these Contracts for the duration of the 12-month renewal period. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. These contracts with Johnson-Davis, Incorporated and Centerline Utilities, Inc. provide for SBE participation of 20.96% and 16.56% respectively. Johnson-Davis, Incorporated is a Palm Beach County company. Centerline Utilities, Inc. is not a Palm Beach County company. (WUD Project No. 13-020) Countywide (JM)

2. **Staff recommends motion to approve:** Change Order No. 1 to the Contract with Lanzo Lining Services, Inc. - Florida (R2012-1896) for the City of Belle Glade Inflow & Infiltration improvements decreasing the contract price by \$395,195.20 and providing a 211 calendar day time extension. **SUMMARY:** On December 18, 2012, Palm Beach County Board of County Commissioners approved the Water Utilities Department Construction Contract for the City of Belle Glade Inflow & Infiltration improvements (R2012-1896) with Lanzo Lining Services, Inc. - Florida. Change Order No. 1 includes the addition of lining 12" gravity sewer, provides Lanzo Lining Services, Inc. - Florida with a 211 calendar day time extension for delays due to extensive rain and surcharged conditions in the sanitary sewer system and includes reconciliation of changes to the quantities and line items in the contract in order to accommodate field conditions. This project is funded by a grant from the State of Florida Department of Economic Opportunity through the Disaster Recovery Initiative Program. This Federally funded project is subject to a 22.4% minority participation goal and a 6.9% female participation goal for trades rather than the County's Small Business Enterprise goals. Federal Regulations at 24 CFR 58.36(e)(1) requires grantees to take affirmative steps to ensure that minority firms and women's business enterprises (M/WBE) are used in contracting when possible. This contract with Lanzo Lining Services, Inc. - Florida provides 27.57% minority participation and 0% female participation. This Change Order includes no changes to the M/WBE participation. (WUD Project No. 12-041) District 6 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** two unit price contracts for the Water Utilities Department Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation for the repairs/rehabilitation of manholes and wastewater gravity lines system-wide over a 12-month term:

A) Hinterland Group, Inc., in a cumulative amount not to exceed \$2,331,350; and

B) Lanzo Lining Services, Inc. - Florida, in a cumulative amount not to exceed \$2,632,238.75.

SUMMARY: On February 5, 2014, two bids were received for the Water Utilities Department Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation. Hinterland Group, Inc. and Lanzo Lining Services, Inc. - Florida are the first and second responsible and responsive bidder, respectively. These contracts will be used to expedite utility capital improvement projects system-wide and any emergency projects where timing is critical. Contract award is for the base contract only, and the contract by itself does not guarantee nor authorize Hinterland Group, Inc. or Lanzo Lining Services, Inc. - Florida to perform any work. Work will be assigned during the 12-month contract period by formal work authorizations drawn against these contracts, with approvals pursuant to PPM CW-F-050. The unit prices contained in these Contracts will be used in determining the cost of work authorizations. Supplements to work authorizations for changes that occur during construction will be subject to the change order limits for construction contracts as established under PPM CW-F-050 with each work authorization considered as an individual construction contract. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. These contracts with Hinterland Group, Inc. and Lanzo Lining Services, Inc. - Florida provide for SBE participation of 15% and 16.49% respectively. (WUD Project No. 12-063) Districts 1, 2, 3, 5, 6 & 7 (JM)

4. **Staff recommends motion to approve:** the appointment of one At-Large member to the Water Utilities Advisory Board to fill the remainder of current term effective April 15, 2014, through September 30, 2016:

<u>Nominee:</u>	<u>Requirements:</u>	<u>Seat No.</u>	<u>Nominated by:</u>
Bernard Castleman	Current WUD Customer Resides in PBC	9	Commissioner Burdick

SUMMARY: On April 1, 2014, Palm Beach County Board of County Commissioners approved Resolution No. R2014-0457, which provides for an 11 member Water Utilities Advisory Board. The membership consists of seven District members, two County-wide At-Large members, one Lake Region member and one Royal Palm Beach At-Large member. The Commissioners were notified of the vacancy by the Water Utilities Department on February 5, 2014. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Lease Agreement with the City of Lake Worth (City) for the restoration and management of an approximate 13-acre City tract for a period of nineteen years and eleven months; and

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

SUMMARY: This Agreement provides for the environmental restoration and long-term management of the 13-acre City tract, located south of the Robert Harris Bridge, along the eastern shore of the Lake Worth Lagoon. Once funding is identified, improvements to this site would include environmental restoration, installation of a kiosk and public access infrastructure. The Agreement entails no cost to the County. However, any future grants to restore the parcel may be matched from Manatee Protection or the Vessel Registration Funds. District 3 (SF)

2. Staff recommends motion to:

A) approve a Contract with Lake Worth Lagoon Environmental Defense Fund, Inc. d/b/a Lagoon Keepers.org (Lagoon Keepers.org) to provide marine debris removal services within County wetland projects for an amount not-to-exceed \$49,500 and for a term up to three years; and

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

SUMMARY: The Contract with Lagoon Keepers.org, a Florida not-for-profit corporation, will provide ongoing marine debris removal services within county wetland restoration projects located within the Lake Worth Lagoon, namely: South Cove, Snook Islands, Ibis Isles and Bryant Park Wetlands. The Contract is funded from the County Pollution Recovery Trust Fund, will be effective upon execution by both parties and expires February 28, 2017. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) receive and file two Florida Inland Navigation District (FIND) Project Agreements: No. PB-13-171 (R2013-0564) Juno Dunes Shoreline Restoration Project for reimbursement of \$280,725 and No. PB-13-170 (R2013-0565) Highland Beach Mangroves Shoreline Project for reimbursement of \$258,037; both payment reimbursements due on or before September 1, 2015;

B) adopt Resolutions authorizing the Clerk of the Board to disburse Vessel Registration Fee Trust Funds in the amount of \$336,870 for the Juno Dunes Shoreline Restoration Project, and \$309,645 for Highland Beach Mangroves Shoreline Restoration Project to provide partial funding for these projects and match for the FIND grants; and

C) approve Budget Amendment of \$538,762 in the Environmental Enhancement Fund-Non Specific Fund to recognize the FIND grants, including a transfer from reserves in the amount of \$646,515 for match and additional project costs.

SUMMARY: The shoreline restoration projects will stabilize the shorelines of two County managed areas from erosive wave activity and will enhance and protect upland vegetation, mangroves, seagrass, and create oyster habitat. Vessel Registration Fee Trust Fund in the amount of \$538,763 is being used as the required 50% match towards the FIND grants. The Budget transfer includes \$107,752 associated with project costs not included in the FIND grant award. Districts 1 & 4 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

A) approve Loxahatchee River Preservation Initiative (LRPI) Grant Agreement S0685 with the Florida Department of Environmental Protection (FDEP) for the Cypress Creek Hatcher Restoration Project, commencing upon execution for a period of twelve months, in an amount not to exceed \$225,500;

B) approve LRPI Grant Agreement S0689 with the FDEP for the Sandhill Crane West Restoration Project within the Loxahatchee Slough Natural Area, commencing upon execution for a period of eighteen months, in an amount not to exceed \$250,000;

C) approve LRPI Grant Agreement S0690 with the FDEP for the North Jupiter Flatwoods Restoration Phase II, commencing upon execution for a period of twelve months, in an amount not to exceed \$280,000;

D) approve a Budget Transfer from reserves in the Natural Areas Fund for \$875,500 to transfer to the Environmental Resources Capital Projects Fund to be used as match for the above described grants;

E) approve a Budget Amendment in the Environmental Resources Capital Projects Fund in the amount of \$1,631,000 to recognize the grant awards and transfer from the Natural Areas Fund; and

F) authorize the County Administrator, or his designee, to sign all future time extensions, and necessary minor amendments that do not change the scope of work, terms or conditions of Agreements SO685, SO689, and SO690.

SUMMARY: State matching funds, through the LRPI and administered by FDEP, were requested. The LRPI Agreements will provide \$755,500 in funding for certain aspects of the three restoration projects, on a reimbursement basis. A 50% match is required (\$755,500) and provided through transfers from the Natural Areas Fund, a non-ad valorem source. The restoration projects will restore historic hydrologic connections and the functionality of the wetlands to allow them to store more water and help attenuate storm water surges to the Loxahatchee River. The projects will also help reduce the threat of saltwater intrusion into the freshwater portions of the River, extend base flows to the River, and re-establish suitable habitat for listed species. The Transfer from the Natural Areas Fund includes an additional \$300,000 for Cypress Creek and \$100,000 for Loxahatchee Slough for project costs not included in the grant award. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) approve Agreement No. 14PB6 with the Florida Department of Environmental Protection (FDEP) for \$150,000 towards the construction of artificial reefs within the Lake Worth Lagoon by January 31, 2016;

B) approve a Budget Amendment of \$150,000 in the Environmental Enhancement Saltwater Fund to recognize the contract; and

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

SUMMARY: FDEP Agreement No. 14PB6 will reimburse the County up to \$150,000 towards the construction of artificial reefs along the southeastern shoreline of Peanut Island. This project was originally termed "Monastery Artificial Reef" in the general appropriations and is now more accurately described as Peanut Island Artificial Reef in the attached scope of work. This Agreement is part of the State of Florida Grant Assistance Program Pursuant to Line Item 1640C of the 2013-2014 General Appropriations Act. These funds require no match from the County. Districts 1 & 7 (SF)

6. Staff recommends motion to approve:

A) Budget Transfer of \$300,000 in the Natural Areas Fund from Reserves to Transfer to the Environmental Resources Capital Fund; and

B) Budget Amendment of \$300,000 in the Environmental Resources Capital Fund to recognize \$300,000 for the Cypress Creek Natural Area Public Use Facility Project and a \$165,000 transfer from the Pine Glades Natural Area to the Winding Waters Natural Area Public Use Facility Project.

SUMMARY: The Budget Transfer will make funds available for the construction of public use facilities on two Natural Areas and will assist the County in obtaining grants to fund trail and public use facility construction through the Federal Recreational Trails Program. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

7. Staff recommends motion to:

A) approve Amendment No. 2 to the Primary Contract for the Palm Beach County Annual Artificial Reef and Breakwater Project No. 2012ERM01 (R2012-0640) with The Vance Construction Company (Vance) to extend the expiration date of the Contract for one year to April 30, 2015, revise General and Technical Specifications for additional or revised Work, and increase the Contract by \$1,255,947 at a not-to-exceed amount of \$2,293,826 for year three;

B) authorize Work Order No. 0640-6 to build a portion of Grassy Flats Restoration Project for an amount not to exceed \$839,815 in accordance with Vance's Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) for year two; and

C) authorize the County Administrator, or his designee, to sign Work Order 0640-6.

SUMMARY: Amendment No. 2 extends the contract date for one year to April 30, 2015, adds line items to the Bid Schedule to allow for transportation of sand based on tonnage and miles traveled, increases the total three year Contract (R2012-0640) amount to \$4,475,460, including up to \$2,293,826 for the completion of seven projects in year three, and amends the General and Technical Specifications. Including Work Order No. 0640-6 Vance will have been issued six work orders totaling \$2,105,243. Work Order No. 0640-6 will authorize the transport of sand and rock and the construction of riprap breakwaters for the Grassy Flats Project at an amount not to exceed \$839,815. To date Vance has achieved 26.03% Small Business Enterprise (SBE) participation with the goal of 15.86% as set forth in the Contract remains in effect. Funding for Work Order No. 0640-6 will come from Florida Fish and Wildlife Conservation Commission Contract No. 13104 (R2014-0296) and Natural Areas Fund Manatee Protection Program. Countywide (JM)

8. Staff recommends motion to approve: Task Order No. 1330-02 to a continuing Contract (R2013-1330) with Taylor Engineering, Inc. (Taylor) not to exceed \$424,142.62 for sea turtle monitoring services in association with the South Lake Worth Inlet Maintenance Dredging Project, the South Lake Worth Inlet Sand Transfer Plant Reconstruction Project, the Ocean Ridge Shore Protection Project, and the Singer Island Dune Restoration Project. **SUMMARY:** The Board of County Commissioners approved the Contract with Taylor, a Palm Beach County company, on October 1, 2013 (R2013-1330). This Task Order No. 1330-02 authorizes Taylor to manage permit-required sea turtle monitoring activities at Ocean Ridge and Singer Island during the 2014 and 2015 sea turtle nesting season. There is 97% Small Business Enterprise (SBE) sub consultant participation on the Task Order. Taylor committed to an overall 20% SBE participation in the Contract. Districts 1 & 4 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

9. Staff recommends motion to:

A) approve Grant Agreement No. 13248 with the Florida Fish and Wildlife Conservation Commission (FWC) that provides \$22,318 for forty-four monitoring events on thirty-one reefs for a two-year term expiring April 30, 2016;

B) approve Budget Amendment of \$22,318 in the Environmental Enhancement Salt Water Fund; and

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

SUMMARY: This FWC Grant Agreement will reimburse the County \$22,318 for monitoring activities associated with thirty-one reefs, including ten artificial reefs built using grants from FWC. The majority of the work will be performed by the volunteer Palm Beach County Reef Research Team. The expiration date of the Grant Agreement is April 30, 2016, and no matching funds are required. Districts 1, 4 & 7 (SF)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: reappointment of the following individuals to the Criminal Justice Commission for the period April 15, 2014, through December 31, 2016:

<u>Re-Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Mr. George Elmore	20	12/31/16	Economic Council
Mr. Douglas Duncan	21	12/31/16	Economic Council
Mr. James Barr	22	12/31/16	Economic Council
Ms. Barbara Cheives	23	12/31/16	Economic Council

SUMMARY: The Criminal Justice Commission is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. and appointed by the Board of County Commissioners. The Council has nominated the individuals named above for reappointment effective April 15, 2014. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: three original standard agreements for the Fire Rescue Department:

- A) Interlocal Agreement for Swimming Lessons with the City of Delray Beach; and
- B) Interlocal Agreement for Swimming Lessons with the City of West Palm Beach; and
- C) Interlocal Agreement for Swimming Lessons with the Village of Wellington.

SUMMARY: On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or his designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. Pursuant to Countywide PPM CW-O-051, three standard County agreements that have been executed by the County Administrator, or his designee (the Fire Rescue Administrator) are being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

2. Staff recommends motion to receive and file: one fully executed license agreement with the City of Greenacres, for training at the Palm Beach County Fire Rescue Regional Training Center, for the period March 24, 2014, through March 23, 2015.

SUMMARY: On December 6, 2011, the Board adopted Resolution No. R2011-1962, which authorized the County Administrator, or his designee (Fire Rescue Administrator) to execute a one year standard license agreement with outside fire rescue/public safety agencies and other authorized entities, providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. The Licensee is responsible for the payment of applicable user fees. Pursuant to Countywide PPM CW-O-051, one license agreement fully executed by the Fire Rescue Administrator and the City Manager for the City of Greenacres, is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the First Amendment to the Agreement R2013-0176 with Prime Time Palm Beach County, Inc. (Prime Time). **SUMMARY:** Prime Time has an existing agreement with Palm Beach County for Network Services (R2013-0176) and wishes to amend this agreement to include current contract standards and reduce their monthly internet fees. Prime Time monthly network services costs will decrease from \$195 to \$186. The County's revised annual revenue in FY 2014 is \$2,268. The Florida LambdaRail LLC has approved connection of Prime Time to the Florida LambdaRail network. District 3 (PFK)

2. Staff recommends motion to approve: the First Amendment to the Interlocal Agreement R2014-0077 with the Town of Lantana (Town). **SUMMARY:** The Town has an existing agreement with Palm Beach County for Network Services (R2014-0077) and wishes to amend this agreement to update the nondiscrimination language to current contract standards and reduce their monthly internet fees. The Town's monthly network services costs will decrease from \$400 to \$370. The County's revised annual revenue in FY 2014 is \$4,560. The Florida LambdaRail LLC has approved connection of the Town to the Florida LambdaRail network. District 7 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. **Staff recommends motion to approve:** the First Amendment to the Agreement R2012-1918 with the Lupus Foundation of America Southeast Florida Chapter, Inc. (Lupus). **SUMMARY:** The Lupus Foundation of America Southeast Florida Chapter, Inc. has an existing agreement with Palm Beach County for Network Services (R2012-1918) and wishes to amend this agreement to include current contract standards and reduce their monthly internet fees. The Lupus monthly network services costs will decrease from \$95 to \$86. The County's revised annual revenue in FY 2014 is \$1,068. The Florida LambdaRail LLC has waived their fee and approved connection of Lupus to the Florida LambdaRail network. District 3 (PFK)

4. **Staff recommends motion to approve:** the First Amendment to the Agreement R2013-0080 with the Early Learning Coalition of Palm Beach County, Inc. (ELC). **SUMMARY:** The ELC has an existing agreement with Palm Beach County for Network Services (R2013-0080) and wishes to amend this agreement to include current contract standards and reduce their monthly internet fees. The ELC's monthly network services costs will decrease from \$195 to \$186. The County's revised annual revenue in FY 2014 is \$2,268. The Florida LambdaRail LLC has approved connection of ELC to the Florida LambdaRail network. District 3 (PFK)

X. PUBLIC SAFETY

1. **Staff recommends motion to:**
 - A) receive and file** an executed grant agreement (14-CI-K1-10-60-02-405) with the State of Florida, Division of Emergency Management, to receive Emergency Management Program Grant funding in the amount of \$8,402.50 for the period of September 1, 2013, through September 30, 2014, for Community Emergency Response Team (CERT) program initiatives; and

 - B) approve** a Budget Amendment of \$8,403 in the Emergency Management Grant Fund to recognize the grant award.

SUMMARY: This is an annual grant from the Florida Division of Emergency Management for CERT program activities. Funding is used to provide CERT training and purchase required supplies as allowed in the grant guidelines for Palm Beach County citizens. R2012-1731 gave authority to the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. **A dollar for dollar match is required for this grant and in-kind donation of volunteer hours will be used for the match.** Countywide (PGE)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. DELETED

2. **Staff recommends motion to receive and file:** a Business Associate Agreement with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA). **SUMMARY:** In accordance with County PPM CW-0-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolution R2003-0554, approved by the BCC on April 15, 2003. This executed document is now being submitted to the BCC to receive and file. Countywide (DR)

3. **Staff recommends motion to approve:** Agreement with the School District of Palm Beach County (School Board) to provide bus passes for the period of July 2013 – June 2016. **SUMMARY:** Since August 1998, Palm Beach County and the School Board have collaborated to provide reduced price bus passes to their students. This Agreement provides options for semester, monthly and daily passes. The monthly rate will provide a 9% reduction below the current rate. At the request of the County and School Board Attorneys a minor change was made to Article 28 of this Agreement pertaining to Inspector General Audit Requirements. This change was initialed by the School Board Chair and should be initialed by the Mayor when executing the Agreement. The Agreement was approved by the School Board on March 12, 2014 on their consent agenda. Countywide (DR)

BB. SHERIFF

1. **REVISED TITLE: Staff recommends motion to:**

A) accept on behalf of the Palm Beach County Sheriff's Office, a donation through an insurance policy benefit in the amount of ~~\$12,007~~ \$12,006.83; and

B) approve a Budget Amendment of \$12,007 in the Sheriff's Grant Fund.

SUMMARY: The Palm Beach County Sheriff's Office was designated as a beneficiary in a former employee's Great American Financial Resources 457 Fixed Annuity Policy. The donation will be transferred to the employee welfare organization 501(c)(4). There is no match requirement associated with this donation. No additional positions are needed and no County funds are required. Countywide (PGE)

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

CONTINUED FROM MARCH 11, 2014

- A. [Staff recommends motion to continue from April 15, 2014 at 9:30 a.m. to July 22, 2014 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article I (Ordinance No. 1980-12); Relating to Licenses, Taxation and Miscellaneous Business Regulations, to be known as the “Palm Beach County Motor Vehicle Fuel Price Posting Ordinance”; providing for fuel price signs; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** On February 4, 2014, the Board of County Commissioners held a preliminary reading of this Ordinance and authorized advertising for public hearing on March 11, 2014. On March 11, 2014, the Board of County Commissioners continued the public hearing until April 15, 2014. The current Motor Vehicle Fuel Price Posting Ordinance requires gasoline stations to prominently and continuously display specific signage indicating the type of motor vehicle fuel available for sale, the minimum price per gallon in numerals at least six inches tall, and the type of service offered for the displayed price, but it does not require the seller to display the maximum price per gallon a consumer will be charged for each type of fuel for sale or require the seller to indicate on the sign whether the displayed price is a “discounted” price for cash sales. Amending the current Ordinance to require gasoline retailers to post the highest price a customer would be required to pay and to prominently indicate on the same sign whether the advertised price is discounted for cash sales, will prevent consumers from being misled at the pump. Staff has met with the industry and the industry has requested a one year time period in order to come into compliance. Accordingly, the Ordinance has been amended so that the sellers would be allowed up to one year to retrofit signs to meet the requirements. During the interim, if cash discounts are offered, the sellers shall place a sign at the pump. The League of Cities has no opposition to the proposed Ordinance amendments. Countywide (PGE)
- B. [Staff recommends motion to adopt:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article IX (Ordinance No. 2008-43, amended by Ordinance No. 2011-007, amended by Ordinance No. 2011-032, amended by Ordinance No. 2011-040, amended by Ordinance No. 2012-009, amended by Ordinance No. 2013-003, and amended by Ordinance No. 2013-007); relating to taxicabs and other Vehicles for Hire, to be known as the Vehicle for Hire Ordinance; amending section 19-227 (Driver Requirements; failure to comply); providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date. **SUMMARY:** On March 11, 2014, the Board of County Commissioners held a preliminary reading of this Ordinance and authorized advertising for public hearing. The proposed Ordinance amendments incorporate a change in State law that allows Counties to run “Level 2” or fingerprint based criminal background checks on Vehicle for Hire drivers through the Federal Bureau of Investigation’s national criminal database. Our current Ordinance, based on the State law before this change, only permitted a Level 1 criminal screening, which is limited to a State of Florida criminal background check through the Florida Department of Law Enforcement database only. A related amendment to the Ordinance will expand the definition of a criminal conviction to include a “withhold of adjudication,” as this is the definition used under State law for Level 2 background and fingerprint based checks. After this amendment, our Ordinance will be consistent with State law. The League of Cities has no opposition to the proposed Ordinance amendments. Countywide (PGE)

4. PUBLIC HEARINGS CONTINUED

C. Staff recommends motion to:

1) conduct a Tax Equity & Fiscal Responsibility Act (TEFRA) public hearing concerning the issuance of not to exceed \$20,000,000 of Public Finance Authority Education Revenue Bonds (Palm Beach Maritime Academy Project) (the “Bonds”), which will fund a loan to Palm Beach Maritime Museum, Inc. d/b/a Palm Beach Maritime Academy (the “Borrower”), a Florida not-for-profit corporation which is exempt from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and

2) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the issuance of not exceeding \$20,000,000 Public Finance Authority Education Revenue Bonds (Palm Beach Maritime Academy Project) within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 66.0304(11)(a) of the Wisconsin Statutes; and providing an effective date.

SUMMARY: The proceeds of the Bonds will be used by the Borrower: (i) to purchase land, buildings and equipment it currently leases for the continued operation of the Palm Beach Maritime Academy located at 1518 West Lantana Road and 600 South East Coast Avenue (the “Facilities”), and (ii) to provide working capital to the Borrower (collectively, the “Project”). The Borrower currently leases and operates the Facilities as a charter school operating under a contract with the School District of Palm Beach County with approximately 1,067 elementary, middle and high school students at the two locations. The Bonds are expected to be issued pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, by the Public Finance Authority (the “Authority”), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303 and 66.0304 of the Wisconsin Statutes. The Bonds will be limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the bond agreement for the Bonds. **The Bonds are not being issued by the County, and the County shall have no obligation, legal, moral or otherwise, with respect to the repayment thereof.** District 7 (PFK)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to receive and file: Presentation of the 2014 Legislative Session Update. **SUMMARY:** Staff requests the Board's review of the 2014 State Legislative Program's Legislative Session update. The Legislative Program outlines the issues that the County's Legislative Affairs Office, in conjunction with the County's lobbying team, have been working on for the Board during the current Legislative Session. Countywide (DW)

2. Staff requests Board direction regarding: implementing a program to promote the education and employment of building trade apprentices on County building construction contracts by: **1)** considering an ordinance to provide a bid preference; **2)** implementing a post bid voluntary policy, or **3)** taking no action at this time. **SUMMARY:** The Board directed staff to research the possibility of establishing a bid preference to promote the education and employment of building trade apprentices on County building construction contracts as several other local governments have done. While possible, there are a number of constitutional, statutory and practical issues which complicate achieving the goals that the Board might have for such a program. Staff has developed an alternative voluntary concept which could provide a post contract award financial incentive to a contractor who uses apprentices in a State authorized program, subject to working out details. There would be County costs associated with either of these alternatives. A bid preference would complicate bid award evaluation with local and Small Business Enterprise preferences possibly in conflict. At the current time, there are only union operated apprentice programs in Palm Beach County. While County residents can attend non-union programs in adjacent counties, if the intention is to benefit County residents, opening the qualifying service area to other counties would necessarily broaden the benefitting population. A post bid voluntary program would avoid some of these issues. Countywide (JM)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2014-2015 Budget in the amount of \$14,128,808 for its programs under Public Law 105-220 enacted by Congress effective August 1998 which act is known as the Workforce Investment Act; and

B) approve a waiver from the Statutory Individual Training Account requirement.

SUMMARY: The Board of County Commissioners of Palm Beach County has designated CSPBC as the Workforce Development Board to design, coordinate, and direct the local workforce development system for Palm Beach County. The agency receives Federal funding through the State Department of Economic Opportunity (DEO). Funds are received by the DEO from the U.S. Department of Labor and U.S. Department of Health & Human Services. These are formula funds which are based on the Federal budget and the local population statistics. The Adult and Dislocated Workforce Investment Act (WIA) requires at least 50% of the WIA funds to be spent on individual training activities. Due to continued decrease in funding, CSPBC is concerned that the 50% criteria may not be met and is requesting a waiver from the requirement. Although a waiver will be sought, CSPBC will strive to meet the 50% requirement. The Fiscal Year 2014-2015 Budget, in the amount of \$14,128,808, includes anticipated revenues from the U.S. Department of Labor of \$11,209,119; \$2,516,544 from U.S. Department of Health and Human Services for Temporary Assistance for Needy Families; \$240,200 from a grant with the School District of Palm Beach County; \$100,000 from Palm Beach State College; and \$62,945 from Planned Parenthood. Approval of this budget includes an approval to request a waiver of the statutory Individual Training Account requirement from CareerSource Florida. Due to decreased funding, approval for a waiver is necessary to ensure that overall services to participants are not reduced. Countywide (TKF)

4. Staff recommends motion to:

A) adopt Southeast Florida Regional Climate Action Plan providing actionable recommendations in support of regionally coordinated strategies and efforts in the areas of climate change mitigation and adaptation planning, and community resilience; and

B) authorize County Administrator to implement the Southeast Florida Regional Climate Action Plan to the extent possible with current and future budgeted resources and to seek grants and partnerships to assist in further implementation.

SUMMARY: The Southeast Florida Regional Climate Action Plan provides 110 adaptation and mitigation strategies for addressing sea level rise and other climate issues within the region. The plan has a five-year implementation goal with a companion implementation guide. The Plan is intended to be a framework for actions that can be implemented through existing local and regional agencies, processes and organizations. It was developed through a regional, four-county partnership agreement known as the Southeast Florida Regional Climate Change Compact. Upon approval of this item, Palm Beach County will be the last of the four Compact counties to adopt the Plan. Countywide (SF)

5. REGULAR AGENDA

B. AIRPORTS

1. Staff recommends motion to:

A) approve an Agreement for Purchase and Sale by a supermajority vote, for the following property at a purchase price of \$224,900. The property is located west of Runway 10L at Palm Beach International Airport (PBIA):

Marlene S. Cooper	
4695 Wallis Road	
West Palm Beach, FL 33415	Parcel W – 21
Sales Price	\$ 224,900
Replacement Housing	\$ N/A

B) accept a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement; and

C) approve a short term Residential Lease Agreement with Marlene S. Cooper for a period not to exceed 90 days.

SUMMARY: The above property is being acquired in accordance with Palm Beach International Airport's approved Part 150 Noise Compatibility Study, which recommended the acquisition of property. In 1997, the Department of Airports initiated a voluntary land acquisition program west of PBIA. The Cooper property is one of the last properties remaining in a 100-acre area between Military Trail and Haverhill Road. Mrs. Cooper had remained steadfast in her desire to remain in the area until last summer when negotiations were reinitiated. The subject parcel is a two-story frame dwelling containing 2,841 square feet of living area situated on a 1.17 acre lot. An offer to purchase was presented to the seller on August 17, 2013 at the appraised fair market value of \$190,000. Accompanying the offer was a notice of Price Differential Payment eligibility of up to \$34,900. Parcels of this size are rare this far east, which influenced the amount of the Price Differential Payment. A settlement was agreed to in the amount of \$224,900. This Agreement would be considered an Administrative Settlement under the FAA ORDER 5100.37B Chapter 3; Section 2 (3-20). **Pursuant to the PREM Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

5. REGULAR AGENDA

C. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) approve the Application of Maltz Jupiter Theater, Inc. with respect to the requested issuance by the County of its Palm Beach County, Florida Revenue Bonds, in an aggregate principal amount not to exceed \$6,410,000 (the "Bonds") for the purpose of refinancing existing debt; and

B) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of the County's Industrial Development Revenue Bond, Series 2014 (Maltz Jupiter Theatre, Inc. Project) in the principal amount not exceeding \$6,410,000 for the purpose of providing funds to make a loan to Maltz Jupiter Theatre, Inc. (the "Borrower") to provide funds to refund all of the Palm Beach County, Florida, Variable Rate Demand Revenue Bond, Series 2005 (Maltz Jupiter Theatre, Inc. Project); approving the form of a Loan Agreement and authorizing the execution thereof; awarding the sale of the Bond by a negotiated sale to PNC Bank, National Association; authorizing officials of the County to take certain action in connection with the issuance of the Bond; making certain other covenants and agreements in connection with the issuance of the Bond; and providing an effective date.

SUMMARY: On March 15, 2005, the Board of County Commissioners approved the application of the Borrower for the issuance of Bonds by the County in an amount not to exceed \$7,000,000. The Borrower is now seeking to refinance the principal balance of the original bond issuance. These Bonds will be payable solely from revenues derived from operation of the Maltz Jupiter Theater, Inc. located at 1001 East Indiantown Road in Jupiter. The funding is projected to have a five year Economic Impact of \$11 Million and retain 56 full-time direct and indirect jobs. **Neither the taxing power nor the faith and credit of the County, nor any County funds shall be pledged to pay principal or redemption premium, if any, or interest on the Bonds.** (DES Administration) District 1 (PFK)

5. REGULAR AGENDA

C. ECONOMIC SUSTAINABILITY (Cont'd)

2. **REVISED TITLE & SUMMARY: Staff recommends motion to:**

A) approve program strategies for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs for Fiscal Year 2014-2015; and

B) approve ~~preliminary~~ funding amounts based on Fiscal Year 2014-2015 allocations provided by the U.S. Department of Housing and Urban Development (HUD). ~~current year CDBG and HOME allocations;~~

C) authorize ~~Staff to proportionately allocate funding among recommended strategies if funding is 25% above or below Fiscal Year 2013-2014 CDBG and HOME allocations; and~~

D) direct ~~Staff to come back to the Board of County Commissioners for direction if funding for CDBG and HOME allocations is more than 25% above or below Fiscal Year 2013-2014 levels.~~

SUMMARY: Palm Beach County receives annual allocations of Federal CDBG, HOME, and Emergency Solutions Grant (ESG) funds from the ~~U.S. Department of Housing and Urban Development (HUD).~~ In ~~Fiscal Year 2013-2014,~~ the County received \$5,892,217 in CDBG funds, \$1,511,843 in HOME funds and \$393,491 in Emergency Solutions Grant (ESG) Program funds. HUD has not released funding estimates for Fiscal Year 2014-2015 due to uncertainty over the Federal budget. Therefore, for planning purposes the grant amounts for Fiscal Year 2014-2015 will be estimated at the same amounts received for Fiscal Year 2013-2014. For Fiscal Year 2014-2015, HUD has allocated \$5,865,753 in CDBG funds (0.9% decrease from Fiscal Year 2013-2014), \$1,749,997 in HOME funds (8.6% increase from Fiscal Year 2013-2014) and \$478,676 in ESG funds (21.6% increase over Fiscal Year 2013-2014). Staff recommends CDBG funding for the following six strategies: **1)** Housing Demolition in the amount of \$500,000; **2)** Economic Development in the amount of \$683,376; **3)** County-Initiated Capital Projects in the amount of ~~\$1,599,493~~ \$1,557,192; **4)** Local Entitlement Municipalities in the amount of \$749,882; **5)** Special Area of Hope Allocation in the amount of \$322,291; and **6)** Public Services in the amount of ~~\$883,832~~ \$879,862. Staff recommends HOME funding for the following three strategies: **1)** Rental Development in the amount of ~~\$698,290~~ \$794,998; **2)** Homeless Prevention/Intervention in the amount of \$250,000; and **3)** Community Housing Development Organization Activities in the amount of ~~\$322,369~~ \$350,000. A competitive ESG allocation process will be administered by the Department of Community Services. Funding allocations for all three Programs will be contained in the Action Plan for Fiscal Year 2014-2015 and presented to the Board of County Commissioners for approval at a Public Hearing on July 22, 2014, ~~at which time final grant amounts for these Programs as established by HUD for Fiscal Year 2014-2015 will also be presented.~~ Two public meetings to obtain citizen input were held in the eastern and western regions of the County on March 5 and 6, 2014. **No local match is required to implement the CDBG Program. The ESG Program matching requirement is met through a cash or in-kind contribution by each agency receiving funding and the HOME matching requirement is met from State funds allocated from the State Housing Initiatives Partnership Program.** (Strategic Planning) Countywide (TKF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) a Consent to Assignment and Amendment of Lease Agreement (R2012-0242) between the City of Boynton Beach, Lutheran Services Florida, Inc., a Florida not-for-profit corporation (LSF) and the County to evidence the City's consent to the County's assignment and modification of the Lease Agreement to LSF for the continued operation of a Head Start facility located in Boynton Beach; and

B) an Assignment and Assumption of Lease (R2012-0242) from the County to LSF for the operation of the Boynton Beach Head Start facility.

SUMMARY: Since October of 1990 (R90-1697D), the County, on behalf of the Community Services Department, has leased a 10,190 SF building plus associated ground area for the operation of a Head Start facility located at 909 Northeast 3rd Street, Boynton Beach. On February 7, 2012 (R2012-0242), the Board approved a new ten year Lease Agreement with the City of Boynton Beach. The annual rent is \$1. On September 24, 2013, the Board determined that the County would not apply for Federal grant funding to continue providing Head Start services and supported LSF assuming the County's role as principal grantee, in partnership with the School Board of Palm Beach County and the Children's Services Council of Palm Beach County, in obtaining the grant award. These documents will, contingent upon LSF receiving its initial Federal funding, assign the County's interest and obligations of the Lease Agreement to LSF; revise the insurance provisions; and modify various other requirements. Assignment of the Lease Agreement will save the County approximately \$50,000 annually in maintenance costs. Should the Federal grant not be awarded to LSF, the County may terminate the Lease Agreement with ninety days notice to the City. The County will also leave the fire and intrusion alarm systems in the Premises which shall become the City's property upon County's surrender of the Premises. (PREM) District 7 (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: a capital renewal/replacement project to migrate from the existing countywide public safety trunked radio system to a full digital system which is compliant with APCO Project 25 (P25) standards. **SUMMARY:** In January 2014, Staff distributed the P25 Migration Path Recommendation Report (Report) which identified procurement options, critical issues in choosing a migration approach, and recommendations on timing. The Report contained three general conclusions which were that the County: **1)** conduct a competitive selection for the vendor responsible for the design and implementation, **2)** consider the complex interoperability, fiscal and transitional impacts on its users prior to choosing a specific approach to replacing the existing system, and **3)** begin the infrastructure replacement no later than 2016 in order to complete same by 2018. The Report did emphasize that there could be operational/functionality requirements and/or decisions by interoperability partners which could cause an earlier Project commencement. Since the distribution of the Report, Sheriff Ric Bradshaw has asked that County begin the migration as soon as possible in order to gain encryption functionality which currently only exists for a limited number of users. The next major activity in the project will be the selection of a design professional/consultant pursuant to the Competitive Consultants Negotiation Act who will be responsible for preparing the technical specifications (including recommending a specific approach to the migration), soliciting input from direct connect cities and other interoperability partners prior to finalizing the technical specifications, and summarizing any comments from interoperability partners which are not addressed by the final specifications. Staff also intends on seeking input from potential vendors on the draft RFP prior to the RFP being solicited. The recommended award of the consultant contract will likely occur in September 2014. The goal is to have drafts of the technical specification out for review and comment in January – March of 2015. This project will be funded from the 800 MHz System Renewal/Replacement Fund which is made up of annual renewal/replacement contributions by PBSO, Fire Rescue, county departments and all cities who have direct connect agreements on the existing County system as well as PBSO generated \$12.50 funding. No new appropriations are anticipated. (FDO Admin) Countywide (JM)

E. PUBLIC SAFETY

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on May 20, 2014 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adopting a Countywide Ordinance to be entitled “The Palm Beach County Water Taxi Registration Ordinance”; providing for title; providing definitions; providing for registration and licensure requirements; providing for insurance and indemnification requirements; providing for revocation, suspension and denial of license/administrative appeal/court appeal; providing for refusal of service regulations; providing for enforcement; providing for inclusion in the code of laws and ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** The Board of County Commissioners has determined that it is in the best interests of Palm Beach County and the general public to permit licensed and qualified water taxi service providers to operate water taxis, in order to provide services necessary to transport pedestrian passengers between Designated Docking Facilities and various municipalities in Palm Beach County. This countywide Water Taxi Registration Ordinance is intended to provide only for a countywide registration and licensing process for these water taxi service providers. The initial registration fee shall be \$150 and the renewal registration fee shall be \$150. The initial registration shall be valid for a two year period and a renewal registration shall be valid for a two year period. Nothing herein prevents Providers from obtaining successive renewals from Palm Beach County so long as the requirements of this Ordinance are met. The League of Cities has no opposition to the proposed Ordinance. Countywide (DW)

5. REGULAR AGENDA

E. PUBLIC SAFETY (Cont'd)

~~TIME CERTAIN 11:00 A.M.~~

2. ~~DELETED: Staff requests Board direction to:~~

~~A) identify and declare what extraordinary circumstances or conditions exist to justify granting four year extensions to the Certificates of Public Convenience and Necessity (COPCN) for Medics and AMR ambulance companies scheduled to expire on December 31, 2014; or~~

~~B) authorize staff to solicit additional COPCN applications to be effective January 1, 2015.~~

SUMMARY: Pursuant to Ordinance 2010-056, COPCN's are issued by the Board for advanced life support ambulance (ALS) and basic life support (BLS) ambulance services to operate within the County for six years and may be extended for an additional four years, if the Board either: **1)** identifies and declares extraordinary circumstances; or **2)** determines that a special pilot program is to be initiated with the Palm Beach County Fire Rescue Department. AMR has held their COPCN since 2000, and Medics since 2002. The Board has approved extensions due to "Extraordinary Circumstances" (see attached Executive Summary to the Agenda Item) for AMR and Medics on two occasions since 2000. One extension was to allow Fire Rescue to commence BLS transportation and the second extension was to allow additional time to evaluate the success of Fire Rescue assuming BLS transportation services. AMR and Medics are again requesting their COPCNs be extended for four additional years (December 31, 2018), and are suggesting a pilot program for Fire Rescue to begin non-emergency transfers between medical facilities. This service is currently provided by AMR and Medics. In May of 2011, AMR purchased Medics Ambulance Service; however, Medics has indicated they are still operating as a independent company. Early last year, staff received several letters from local hospitals requesting the County open the COPCN process up early in order to promote additional ambulance competition. The Board elected to take no action regarding that request pending consideration of the COPCN process at this time. Staff has prepared an Executive Summary of the COPCN process starting in 2000 for the Board's review. Countywide (PGE)

3. ADD-ON: Staff recommends motion to:

A) accept the Urban Area Security Initiative (UASI) Grant 2011 Award Letter with the City of Miami to receive an additional \$141,062 in reimbursable grant funding to purchase special equipment to assist Palm Beach County in the response and recovery of local disaster events through April 30, 2014; and

B) approve a Budget Amendment of \$141,062 in the Urban Areas Security Initiative Grant Fund to recognize the additional grant funds.

SUMMARY: The award letter from the City of Miami, dated April 7, 2014, approves the allocation of additional funding to Palm Beach County which relates to the original UASI 2011 Grant Agreement (R2013-0622). These funds will be used to purchase a router for the WebEOC system, WebEOC headsets, two portable generators, and two portable light towers, which will be used by Palm Beach County's Division of Emergency Management for response and recovery efforts during a local disaster. These additional funds represent unexpended Regional UASI funds that were sought by the Division of Emergency Management and must be expended no later than April 30, 2014. No County matching funds are required. Countywide (PGE)

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5. REGULAR AGENDA

F. PALM TRAN

1. **ADD-ON, REVISED SUMMARY: Staff recommends motion to ratify:**

A) a Labor Management Agreement between Palm Tran, Inc. and the Local Union 1577 of the Amalgamated Transit, A.F. of L. – C.I.O.-C.L.C. (ATU) covering Palm Tran bus operators, mechanics, utility workers and storekeepers for the three year period of October 1, 2013, through September 30, 2016; and

B) a Letter of Understanding between Palm Tran, Inc. and the ATU establishing an implementation schedule and clarifying other changes to the Labor Management Agreement.

SUMMARY: The collective bargaining negotiation committees for Palm Tran, Inc. and the ATU have concluded negotiations and a new Labor Management Agreement has been formalized. The proposed Agreement incorporating all agreed upon terms was presented to the bargaining unit which ratified the new Agreement on April 13, 2014. The previous Agreement expired on September 30, 2009. This Agreement is in effect from ~~will become effective retroactively to~~ October 1, 2013, through September 30, 2016. The Letter of Understanding establishes a timeline for the implementation of some wages and benefits. This Agreement allows for eligible bus operators to advance up to two wage progressions beyond their current. The Agreement also allows for a one-time 3% wage increase in the top step, from \$22.69/hour to \$23.37/hour. Mechanics, utility workers and storekeepers will receive a 3% increase, or \$1,200/year, whichever is greater. No other wage increases for FY 2015 or FY 2016 are included in the Agreement. This Agreement also affects the Pension Plan by: ~~i) altering eligibility requirements for new hires; and ii) increasing employee contributions to the Pension Plan, from 2.5% of gross pay to 3%; and iii) providing control of Plan benefits to the Board of County Commissioners and requiring Employer Minimum Contributions to fund the Plan.~~ Changes to pension benefits will be subject to labor negotiations. Employer Minimum Contributions to the Plan will be made in accordance with the requirements of law. The Supplement Health Insurance Trust Fund will not be funded by Palm Tran, Inc. The wage increases will be retroactive to the first pay period in October 2013. The effect of this Agreement on Palm Tran's current budget is \$1,346,588 for the wage increases, ~~and \$1,980,201 for increased pension contributions.~~ Countywide (DR)

6. BOARD APPOINTMENTS

A. PUBLIC SAFETY
(Emergency Medical Services Advisory Council)

1. Staff recommends motion to approve: an At-Large appointment of one of the following individuals to the Emergency Medical Services Advisory Council (EMS Council) for the term from April 15, 2014 to September 30, 2015:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Recommended by:</u>
Margaret Neddo	2	ER Nurses Forum	Mayor Taylor Vice Mayor Burdick

-OR-

Margaret Steele	2	ER Nurses Forum	Comm. Valeche Comm. Vana
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SUMMARY: Per Resolution (2014-0100), the Board of County Commissioners approved a representative make-up of the Emergency Medical Services Council to include twenty members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. A memo was sent to all Board members on March 6, 2014 seeking nominations for the above at-large seat. Countywide (PGE)

B. COMMISSION DISTRICT APPOINTMENTS

APRIL 15, 2014

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK, VICE MAYOR

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER MARY LOU BERGER

Request approval to present off-site, a Proclamation declaring May 2014 as “Lyme Disease Awareness Month” in Palm Beach County.

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR, MAYOR

ADD-ON: Request approval to present off-site, a Proclamation supporting the YWCA’s “Stand Against Racism 2014” in Palm Beach County. (Sponsored by Mayor Taylor)

9. ADJOURNMENT

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