

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JULY 1, 2014**

<u>PAGE</u>	<u>ITEM</u>	
7	2C-5	<b><u>ADD-ON:</u></b> Proclamation declaring July 2014 as “Marine Debris Removal Month” in Palm Beach County. (Sponsored by Commissioner Valeche)
36	4E-1	<b><u>DELETED:</u></b> <b>Staff recommends motion to adopt:</b> a Resolution of the Board of County Commissioners of Palm Beach County, Florida repealing and replacing Resolution No. R2013-0485, and enacting a new schedule of fees, fines, and minimum commercial automobile liability insurance limits for the Vehicle for Hire Ordinance...(Public Safety) (Further staff review)
37	4F-2	<b><u>ADD-ON:</u></b> <b>Staff recommends motion to approve on preliminary reading and advertise for public hearing on July 22, 2014, at 9:30 a.m.:</b> an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 18, Article II of the Palm Beach County Code (Ordinance No. 2006-012, amended by Ordinance No. 2011-033); relating to Sexual Offender and Sexual Predator Residence Prohibition, to be known as “the Sexual Offender and Sexual Predator Residence Prohibition Ordinance of Palm Beach County, Florida”; amending Section 18-34 (Sexual Offender and Sexual Predator Residence Prohibition; Exceptions); 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. <b>SUMMARY:</b> The State of Florida sexual offender and sexual predator residence prohibition laws preclude sexual offenders and sexual predators from establishing a permanent or temporary residence within one thousand (1000) feet from specified locations where children regularly congregate. The current County Ordinance provides for a more restrictive distance, prohibiting sexual offenders and sexual predators from establishing a permanent or temporary residence within twenty-five hundred (2500) feet from certain defined areas where children regularly congregate. The proposed amendment reduces the number of feet to 1000 and eliminates a designated public school bus stop from the list of specified locations, making the Ordinance consistent with Florida law. Additionally, the proposed amendment is responsive to current federal and state law evolving in other jurisdictions that suggests a County’s imposition of residency prohibitions on sexual offenders and sexual predators may not be more restrictive than the residency prohibitions mandated by the State. It is anticipated that the League of Cities will have no opposition to the proposed Ordinance amendment, as this Ordinance is applicable only in the unincorporated areas of the County. <u>Unincorporated</u> (PGE) (County Attorney)
41	8E	<b><u>DELETED:</u></b> Request approval to present off-site, a Proclamation declaring July 2014 as “Yellow Dot Program Initiation Month” in Palm Beach County. (Sponsored by Commissioner Berger)

**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**

**JULY 1, 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
  - C. Special Presentations (Page 7)
  
- 3. CONSENT AGENDA (Pages 8 - 33)**
  
- 4. REGULAR AGENDA (Pages 34 - 37)**  
**TIME CERTAIN 11:00 A.M. (School Board Referendum) (Page 37)**
  
- 5. BOARD APPOINTMENTS (Page 38)**
  
- 6. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 39)**
  
- 7. STAFF COMMENTS (Page 40)**
  
- 8. COMMISSIONER COMMENTS (Page 41)**
  
- 9. ADJOURNMENT (Page 41)**

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- 2C-1 Bud Tamarkin Day
- 2C-2 One-Year Anniversary Service Forerunners Generation International Church
- 2C-3 Purple Heart County & Purple Heart Day
- 2C-4 Hunger Relief Day

**CONSENT AGENDA**

**A. ADMINISTRATION** - None

**B. CLERK & COMPTROLLER**

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

**C. ENGINEERING & PUBLIC WORKS**

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- 3C-1 Annual contracts with Arcadis U.S., Inc. and HSQ Group, Inc. for professional services relating to intersection improvement projects on a task order basis
- 3C-2 Supplemental Agreement No. 2 with Bridge Design Associates, Inc. relating to Camino Real Road/Boca Club Bridge over Intracoastal Waterway

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- 3C-3 Contract with HSQ Group, Inc. relating to Lyons Road (Clint Moore Road to Atlantic Avenue)
- 3C-4 Resolution to accept maintenance of Lyons Road (Boynton Beach Blvd to 1.89 miles south)
- 3C-5 Amendment to annual guardrail contract with Southeast Attenuators, Inc. to extend expiration date)
- 3C-6 Deleted
- 3C-7 Resolution amending projected assessment to actual cost of the Wallis Road, Sunbeam Avenue, 1<sup>st</sup> Street, 2<sup>nd</sup> Street and 3<sup>rd</sup> Street paving and drainage improvements project

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- 3C-8 Deleted
- 3C-9 Task Order with Alan Gerwig & Associates, Inc. for design plans and construction bid documents related to Florida Mango Road over L-6 Canal Bridge replacement project
- 3C-10 Receive and file two Interlocal Agreements for joint participation and project funding for two engineering projects
- 3C-11 Supplemental No. 14 with HSQ Group, Inc. relating to Central Boulevard from C-18 Canal to Church Street project

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- 3D-1 Receive and file official transcript for the closing of the Florida Industrial Development Revenue Bonds (Maltz Jupiter Theatre, Inc. project)

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- 3D-2 Second Amendments with JLA Geosciences, Inc. and Kimley-Horn & Associates, Inc. for consulting and professional services relating to Glades area water utilities issues
- 3D-3 Amendment No. 4 with Squire Patton Boggs, LLP for disclosure counsel and related legal services for the \$110M Public Improvement Revenue Refunding Bonds
- 3D-4 Amendment No. 4 with Bryant Miller Olive P.A. for bond counsel and related legal services for the \$110M Public Improvement Revenue Refunding Bonds

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- 3E-4 Summer Food Service Program for Children Authorized Signature Form with the Florida Department of Agriculture and Consumer Services for summer food program
- 3E-5 Amendment No. 2 with For the Children, Inc. regarding outreach services program
- 3E-6 Use of Provider and County Agreement with MorseLife Home Care, Inc. to provide kosher congregate meal site and kosher meals for the elderly

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- 3G-2 Resolutions authorizing issuance of Public Improvement Revenue Refunding Bonds for various public projects

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- 3H-2 Amendment No. 4 with The Weitz Company, LLC for construction management services for various capital projects
- 3H-3 Amendment No. 7 with Trillium Construction, Inc. for construction management services for various capital projects

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- 3H-4 Contracts with two firms to provide property development evaluation services on a continuing contract basis
- 3H-5 Contract with Hedrick Brothers Construction Company, Inc. for pre-construction services for the Airport Center Building 2 Renovations project
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- 3H-9 Interlocal Agreement with State Attorney's Office, 15<sup>th</sup> Judicial Circuit, relating to the use of the County's 800 MHz radio system
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3H-15 Declaration of Restrictive Covenant on a one acre waterfront parcel located within Bert Winters Park

3H-16 Lease Agreement with the Florida Inland Navigation District for construction, use and maintenance of a public boat launching ramp and fishing pier to support development of Waterway Park

3H-17 Standard form Temporary Construction Easement

**I. ECONOMIC SUSTAINABILITY** - None

**J. PLANNING, ZONING & BUILDING**

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3J-1 Receive and file four Contractor Enrollment Agreements

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3M-3 Receive and file one Sound and Light Production Services Contractor Agreement

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**S. FIRE RESCUE**

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3S-1 Receive and file one Independent Contractor Agreement for swimming lessons

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3S-2 Agreement with Palm Beach State College for clinical field experience for Paramedic and EMT students

3S-3 Memorandum of Agreement with the Children's Services Council to providing funding for the Drowning Prevention Coalition program

3S-4 Certify the non-ad valorem assessment roll for the Municipal Service Benefits Unit for fire hydrant maintenance and rental for Riviera Beach and Boca Raton

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**U. INFORMATION SYSTEMS SERVICES** - None

**V. METROPOLITAN PLANNING ORGANIZATION** - None

**W. PUBLIC AFFAIRS** - None

**X. PUBLIC SAFETY**

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3X-1 Receive and file one Memorandum of Agreement with the City of Miami to recognize funding under the Urban Area Security Initiative

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**Z. RISK MANAGEMENT** - None

**AA. PALM TRAN** - None

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3BB-1 Letter of Agreement and Contract with University of South Florida (Center for Urban Transportation Research Center) for PBSO's Pedestrian and Bicycle Safety High Visibility Enforcement project

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**PLANNING, ZONING & BUILDING**

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4D-1 Interlocal Agreement with the Village of Palm Springs for annexation of ten enclaves

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4E-1 Resolution enacting new schedule of fees, fines and minimum commercial automobile liability insurance limits for the Vehicle for Hire Ordinance

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4F-1 Resolution calling for referendum regarding School Board of Palm Beach County to continue an annual levy of 0.25 mills for operational purposes of non-charter District schools – **TIME CERTAIN 11:00 A.M.**

**BOARD APPOINTMENTS** (Page 38)

**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 39)

**STAFF COMMENTS** (Page 40)

**COMMISSIONER COMMENTS** (Page 41)

**ADJOURNMENT** (Page 41)

JULY 1, 2014

**2C. SPECIAL PRESENTATIONS – 9:30 A.M.**

1. Proclamation declaring August 6, 2014 as “Bertram ‘Bud’ Tamarkin Day” in Palm Beach County. (Sponsored by Vice Mayor Burdick)
2. Proclamation recognizing July 13, 2014 as the “Forerunners Generation International’s One-Year Anniversary Service” in Palm Beach County. (Sponsored by Mayor Taylor)
3. Proclamation declaring Palm Beach County a “Purple Heart County” and August 7, 2014 as “Purple Heart Day” in Palm Beach County. (Sponsored by Commissioner Berger)
4. Proclamation declaring July 12, 2014 as “Hunger Relief Day” in Palm Beach County. (Sponsored by Commissioner Valeche)
5. **ADD-ON:** Proclamation declaring July 2014 as “Marine Debris Removal Month” in Palm Beach County. (Sponsored by Commissioner Valeche)

\* \* \* \* \*



3. CONSENT AGENDA APPROVAL

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:

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	April 15, 2014
Workshop	April 22, 2014
Zoning	April 24, 2014
Comprehensive Plan	April 28, 2014
Regular	May 6, 2014
Workshop	May 13, 2014
Zoning	May 22, 2014

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 January 2014. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** contracts with Arcadis U.S., Inc. (Arcadis) and HSQ Group, Inc. (HSQ), to provide the necessary professional services for intersection improvement projects on a task order basis, for Palm Beach Countywide (County) projects, as required. **SUMMARY:** Approval of these contracts will provide the necessary professional services for intersection improvements throughout the County for all user departments. At the option of the County, these contracts may be renewed annually for a period of one year, with a maximum of two renewals. Arcadis and HSQ are Palm Beach County companies. HSQ is a certified Small Business Enterprise. Countywide (MRE)
2. **Staff recommends motion to approve:** Supplemental Agreement No. 2 (Agreement) to Project Agreement R2012-0378 in the amount of \$906,050.01 with Bridge Design Associates, Inc. (BDA), for professional services for the Camino Real Road/Boca Club Bridge over Intracoastal Waterway project (Project). **SUMMARY:** Approval of this Agreement will provide the services necessary for the preparation of design plans and construction bid documents for the Project. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation committed for this supplement by BDA is 43.87%, with 46.08% SBE participation achieved to date. BDA is a Palm Beach County company and is a certified SBE. District 4 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

**A)** a Contract in the amount of \$1,210,618.23 with HSQ Group, Inc. (HSQ), for professional services for the Lyons Road from Clint Moore Road to Atlantic Avenue project (Project); and

**B)** a Budget Transfer of \$500,000 from Impact Fee Zone 5 Reserves and appropriate it to the Lyons Road from Clint Moore Road to Atlantic Avenue Project.

**SUMMARY:** Approval of this Contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. HSQ has an office in Palm Beach County. The Small Business Enterprise (SBE) goal for the Project is 15%. HSQ has achieved 69.34% SBE participation for the Project. District 5 (MRE)

4. Staff recommends motion to adopt: a Resolution to accept maintenance of Lyons Road, a thoroughfare road, from Boynton Beach Boulevard to 1.89 miles south (Project), at an estimated cost of \$10,650 annually. **SUMMARY:** Adoption of this Resolution will allow Palm Beach County to accept maintenance of the Project and update the County Maintained Roads Inventory List. District 5 (MRE)

5. Staff recommends motion to approve: an Amendment to the Annual Guardrail Contract (Contract), R2013-1115, Project No. 2014051, dated September 10, 2013, with Southeast Attenuators, Inc. (Contractor). **SUMMARY:** Approval of this Amendment will extend the expiration date from September 9, 2014 to September 9, 2015. The Contract provides that its term may be extended for a defined period of time, within a total contract time span of 36 months. With this extension, 24 months of the total contract time will be expended. The Contract consists of furnishing and installing guardrail, furnishing guardrail products, removing and disposing of old guardrail and/or resetting of existing guardrail. Countywide (MRE)

6. **DELETED**

7. Staff recommends motion to:

**A) adopt** a Resolution to amend the original projected assessment to the actual cost of the Wallis Road, Sunbeam Avenue, 1<sup>st</sup> Street, 2<sup>nd</sup> Street and 3<sup>rd</sup> Street Paving and Drainage Improvements (Project) Project No. 2005135, from \$87.82 per abutting front foot to \$83.57 per abutting front foot;

**B) authorize** the Tax Collector's Office to process and collect the assessment payments for the Project; and

**C) approve** the transfer of Wallis Road, Sunbeam Avenue, 1<sup>st</sup> Street, 2<sup>nd</sup> Street and 3<sup>rd</sup> Street to Palm Beach County owned and maintained roads.

**SUMMARY:** Finalization of the assessment roll for the Project in Section 34, Township 43, Range 42 is necessary so that the assessment payments can be processed and collected by the Tax Collector's Office. At the January 24, 2012 Public Hearing, the interest rate for the Project was established at 5.5%, payable over a ten year period as directed by the Board of County Commissioners. District 2 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. DELETED

9. Staff recommends motion to approve: a Task Order to the annual contract, R2014-0119, in the amount of \$115,271.52, with Alan Gerwig & Associates, Inc. (AGA), for professional services for the Florida Mango Road over Lake Worth Drainage District L-6 Canal Bridge Replacement Project (Project). **SUMMARY:** Approval of this Task Order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The Small Business Enterprise (SBE) goal for the Project is 15%. AGA has achieved 93.41% for this Project. AGA is a Palm Beach County company and is a certified SBE. District 2 (MRE)

10. Staff recommends motion to receive and file:

**A)** an Interlocal Agreement with the Town of Jupiter for joint participation and project funding in construction of A1A (Carlin Park) bridge replacement; and

**B)** an Interlocal Agreement with the Village of Palm Springs for joint participation and project funding in construction of Kirk Road bridge over the Lake Worth Drainage District's L-9 Canal.

**SUMMARY:** This receive and file will record one agreement with the Town of Jupiter and one agreement with the Village of Palm Springs. Both agreements provide for reimbursement of utility adjustment costs to Palm Beach County, with the Town of Jupiter providing a \$11,520 reimbursement and the Village of Palm Springs providing a \$93,075 reimbursement. Both agreements were executed by the Deputy County Engineer under delegated authority issued on September 19, 2011 by the County Administrator as authorized by the Board of County Commissioners on September 13, 2011, R2011-1292. These items are being submitted in accordance with Countywide PPM No. CW-0-051 to allow the Clerk's Office to note and receive the executed agreements. Districts 1 & 3 (MRE)

11. Staff recommends motion to receive and file: Supplement No. 14 to project agreement dated September 12, 2006, R2006-1863, with HSQ Group, Inc. (HSQ), in a total amount of \$9,949.32 for professional services for the Central Boulevard from C-18 Canal to Church Street project. **SUMMARY:** Filing of this Supplement No. 14 will provide notification to the Board of County Commissioners, required under PPM CW-F-050 that the cumulative value of the additional services exceeds \$250,000. Supplement No. 14, with a total amount of \$9,949.32, resulted in a cumulative value of \$256,792.93, for approved additional services. HSQ is under contract as Palm Beach County's project consultant. District 1 (MRE)

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the official transcript for the closing of the \$6,410,000 Palm Beach County, Florida Industrial Development Revenue Bonds (Maltz Jupiter Theatre, Inc. Project), Series 2014 (the "Bonds"). **SUMMARY:** The official transcript for the Bonds has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

2. Staff recommends motion to approve:

**A)** a Second Amendment to the agreement with JLA Geosciences, Inc. (R2011-1741) for consulting and professional services; and

**B)** a Second Amendment to the agreement with Kimley-Horn and Associates, Inc. (R2011-1742) for consulting and professional services.

**SUMMARY:** Palm Beach County Water Utilities (WUD) has requested that the Palm Beach County Attorney's Office (Attorneys) conduct a review of potential litigation issues relating to the design and construction of the wells and water treatment plant serving the Glades area. Geotechnical and engineering assistance is required to complete the Attorneys' review. The initial agreements with geotechnical consultants, JLA Geosciences, Inc., and engineering consultants, Kimley-Horn and Associates, Inc., authorized consulting and professional services for a one year period, with a not-to-exceed amount of \$49,500 for JLA Geosciences, Inc., and a not-to-exceed amount of \$100,000 for Kimley-Horn and Associates, Inc. The first one-year period expired on September 7, 2012. The parties executed a First Amendment to the agreements (R2012-1899), extending the consulting period to September 7, 2013. However, the consultants have performed work after September 7, 2013. The proposed Second Amendments would extend the agreements for an additional year, so that the consultants can be paid for work already performed. The proposed Second Amendment to the agreement with JLA Geosciences, Inc. also increases the not-to-exceed amount by \$10,000, from \$49,500 to \$59,500, to cover outstanding invoices. No increase to the not-to-exceed amount for Kimley-Horn and Associates, Inc. is proposed. Countywide (ATP)

3. Staff recommends motion to approve: Amendment No. 4 to the Agreement (R2010-1222) with the law firm of Squire Patton Boggs (US) LLP (formerly known as Squire Sanders (US) LLP) (Attorney), to provide disclosure counsel and related legal services for the not-to-exceed \$110 Million Public Improvement Revenue Refunding Bonds, Series 2014 (the "Bonds"). **SUMMARY:** The Attorney was selected as disclosure counsel for the Bonds by the County Financing Committee at the June 5, 2014 meeting. This Amendment No. 4 confirms that selection by amending the existing Agreement for disclosure counsel and related legal services between Palm Beach County and the Attorney. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. This Amendment also revises provisions in the Agreement to comply with current County policies. Countywide (PFK)

4. Staff recommends motion to approve: Amendment No. 4 to the Agreement (R2010-1219) with the law firm of Bryant Miller Olive P.A. (Attorney), to provide bond counsel and related legal services for the not-to-exceed \$110 Million Public Improvement Revenue Refunding Bonds, Series 2014 (the "Bonds"). **SUMMARY:** The Attorney was selected as bond counsel for the Bonds by the County Financing Committee at the June 5, 2014 meeting. This Amendment No. 4 confirms that selection by amending the Agreement for bond counsel and related legal services between Palm Beach County and the Attorney. Payment for the legal services in connection with the bond issuance will be as provided for in the Agreement. This amendment also revises provisions in the Agreement to comply with current County policies. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **REVISED BACKUP: Staff recommends motion to approve:** Youth and Young Adult Internship Non-Financial Agreement No. 1 with Workforce Alliance, Inc. doing business as CareerSource Palm Beach County (CareerSource), effective upon the execution of the Agreement with no expiration date to provide work experience opportunities for program participants. **SUMMARY:** This Agreement will facilitate the utilization of youth, ages 18-24 in clerical work assignments in the Farmworker Career Development Program. The participants will be given an opportunity to gain meaningful work experience as well as compensation. The participants will be placed in clerical work assignments based on their skills, experience, knowledge and abilities. The County will have supervisory responsibility; however, participants will not be employees of the County. For purposes of workers' compensation coverage, participants will be considered employees of the State and CareerSource will be responsible for providing support services and compensation. No County funds are required. (Farmworker Career Development Program) Countywide (TKF)

2. **Staff recommends motion to:**

**A) ratify** the Mayor's signature on the 2014 Florida Department of Children and Families (DCF) Standard Contract No. IPZ02, for the period May 1, 2014, through June 30, 2015, in an amount not to exceed \$26,431, for emergency homeless prevention services for families; and

**B) approve** downward Budget Amendment of \$13,569 in the General Fund, Human Services Division, to align the budget to the actual grant award.

**SUMMARY:** In 2013, the Florida Legislature created the Homeless Prevention Grant program to provide emergency financial assistance to families facing the loss of their housing due to a financial crisis. The funding is sub-contracted with Adopt-A-Family of the Palm Beaches, Inc. (AAF) to provide financial assistance, such as rental and utility assistance for 12 families. All funds must be expended no later than June 30, 2014. A report is due to DCF providing one year follow up. DCF is requiring the grant be in force through the end of the reporting period. The Homeless Prevention Grant agreement was received on April 16, 2014 with instructions to return it no later than May 1, 2014. The emergency signature process was utilized because there was insufficient time to submit the application by the due date. The budget amendment is aligning the County budget with the actual grant award. No County match funds are required. (Human Services) Countywide (TKF)

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

**A) Amendment** to the 2012 Continuum of Care Program Grant Agreement for Shelter Plus Care No. FL0281L4D051205 (R2014-0096), for a total of \$389,103 for the period ending May 22, 2014; and

**B) downward Budget Amendment** of \$457 in the Housing and Urban Development (HUD) Fund to align the budget to the actual grant award.

**SUMMARY:** This Amendment is necessary to incorporate the Fair Market Rent (FMR) rate change. On January 14, 2014, HUD entered into an agreement with the County to provide rental assistance for permanent housing beds. The grant was based on the FMR rate. HUD obligated funding totaling \$389,560 at the time the agreement was signed. The FMR rate has since decreased, thereby reducing HUD's funding obligation to \$389,103. Notice of the reduced grant award was received on April 29, 2014. Based on a review of expenditures and encumbrances, sufficient funds will remain at the end of the grant period; no repayment will be required. (Human Services) Countywide (TKF)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

**A) approve** Summer Food Service Program for Children Authorized Signature Form with the Florida Department of Agriculture and Consumer Services, Food, Nutrition and Wellness (DACCS); and

**B) delegate** signature authority to the County Administrator, or his designee, to sign the Summer Food Service Program for Children Authorized Signature Form with DACS for program operation and claim submission; and

**C) delegate** authority to the County Administrator, or his designee to submit applications, reimbursement requests, and reports to DACS electronically.

**SUMMARY:** DACS requires an updated Summer Food Service Program for Children (SFSP) Authorized Signature Form. The form authorizes County staff to submit the SFSP Application, required forms and submit claims for reimbursement. On August 14, 2012, the BCC ratified the Chair's signature on permanent Agreement (R2012-1089) between the Sponsor and DACS for SFSP. A new annual grant submission and agreement is no longer required. The only document required annually is the Authorized Signature Form. (Human Services) Countywide (TKF)

5. Staff recommends motion to approve: Amendment No. 2 to Contract for Provision of Financial Assistance with For the Children, Inc. (R2013-0029), for the period October 1, 2013, through September 30, 2014, to modify the definition of the unit of service in the Outreach Services program. **SUMMARY:** For the Children, Inc. needs to modify their unit of service definition in the Outreach Services program as it was inaccurately defined in the most recent contract extension. No additional funds are required for this contract modification. Countywide (TKF)

6. Staff recommends motion to approve: Use of Provider and County Agreement with MorseLife Home Care, Inc. for the period July 7, 2014, through July 6, 2015, in an amount not to exceed \$36,962 to provide a kosher congregate meal site and kosher meals for the elderly. **SUMMARY:** The Division of Senior Services (DOSS) receives federal funds from the Older Americans Act (OAA) to provide congregate meal sites. This Agreement enables DOSS to operate a kosher congregate meal site for the elderly at no cost to the County for space or energy usage. MorseLife Home Care, Inc. provides kosher meals at the site to elderly participants who require a kosher meal. DOSS will reimburse MorseLife Home Care, Inc. for cost per meal. The estimated annual cost of the meals will be \$36,962 funded under the OAA grant in the amount of \$33,266 (90%) and \$3,696 (10%) in County match. This is the fifth year that we will contract with this agency for this service. Sufficient funding is included in the current and proposed FY2015 budget to meet County obligations. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: the incorporation of recently acquired parcels into the respective Airport Master Plan for purposes of applying the provisions of the Airport Zoning Overlay (AZO) of the Unified Land Development Code (ULDC). The following parcels have recently been acquired by the Department of Airports:

**Palm Beach International Airport (PBI):**

- **Parcel W-327:** 658 North Military Trail/PCN No.: a portion of 00-42-43-36-05-000-0010, formerly PCN No.: 00-42-43-36-06-002-0430/Approved by the Board on August 17, 2010 (R2010-1326)
- **Parcel W-325:** 600 North Military Trail (a/k/a 985 Morrison Field Road) PCN No.: a portion of 00-42-43-36-05-000-0010/Approved by the Board on August 17, 2010 (R2010-1328)
- **Parcel W-314:** 325-327 North Military Trail/PCN No.: 00-42-43-36-12-000-0130/Approved by the Board on September 13, 2011 (R2011-1441)
- **Parcel W-328:** 161 North Military Trail/PCN No.: a portion of 00-42-43-36-08-000-0512/Approved by the Board on January 11, 2011 (R2011-0030)
- **Parcel W-302/303/304:** Bertram Street/PCN No.: 00-42-43-36-08-000-0901 and 00-42-43-36-08-000-0891 /Approved by the Board on January 15, 2013 (R2013-0111)
- **Parcel S-5:** 80 East Grace Drive/PCN No.: 00-43-44-05-05-000-0181 / 2801 Homewood Drive/PCN No.: 00-43-44-05-00-003-0030 and 2805 Homewood Drive/PCN No.: 00-43-44-05-00-003-0040/Approved by the Board on February 4, 2014 (R2014-0184)

**Palm Beach County Glades Airport (PHK):**

- **Parcel P-5:** Bacom Point Road/PCN No.: 00-36-42-26-02-000-0741/Approved by the Board on March 9, 2010 (R2010-0332)
- **Parcel P-2:** 3596 Airport Road/PCN No.: 00-36-42-26-02-000-0743/Approved by the Board on March 1, 2005 (R2005-0453)

**SUMMARY:** In order for recently-acquired properties to utilize the AZO provisions of the ULDC, they must be incorporated into the Airport Master Plans for their respective airport. As such, this action will allow for these parcels to be added. Future updates to each of the Airport Master Plans will include these parcels. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt:

**A)** Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of General Obligation Refunding Bonds, Series 2014 (Library District Improvement Project) of Palm Beach County, Florida in the principal amount of not exceeding \$15,000,000 (the "Bonds"); authorizing the defeasance, payment and refunding of all or a portion of the County's outstanding \$22,335,000 General Obligation Bonds, Series 2006 (Library District Improvement Project) of which \$14,960,000 remains outstanding; providing for the payment of the Bonds from a tax on all taxable property within the Library District of Palm Beach County; establishing the maturity schedule for the Bonds; authorizing the County Administrator or the Debt Manager of the County to publish through electronic means a summary notice of sale and to receive bids pursuant to a competitive sale of said Bonds and award the sale of said Bonds to the responsive bidder or bidders offering the lowest true interest cost to the County which shall not exceed three and one-half percent (3.50%); approving the execution and delivery of said Bonds; approving the form of and authorizing the execution and delivery of an Escrow Deposit Agreement; approving the form of and authorizing the execution and delivery of a Registrar/ Paying Agent Agreement; approving the preparation and use of a Summary Notice of Sale, an Official Notice of Bond Sale, a Preliminary Official Statement and Final Official Statement; authorizing the electronic dissemination of the Preliminary Official Statement and Official Statement; making certain covenants and agreements in connection with the Bonds; providing for the rights of the owners of the Bonds; appointing a Paying Agent and Bond Registrar; appointing an Escrow Agent; authorizing the registration of the Bonds pursuant to a book-entry system, providing for an undertaking required under Rule 15c2-12 of the Securities and Exchange Commission; providing for a repealer and providing an effective date; and

**B)** Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of General Obligation Refunding Bonds, Series 2014 (Waterfront Access Projects) of Palm Beach County, Florida in the principal amount of not exceeding \$35,000,000 (the "Bonds"); authorizing the defeasance, payment and refunding of all or a portion of the outstanding \$30,000,000 General Obligation Bonds (Waterfront Access Projects), Series 2006 of which \$34,885,000 remains outstanding; providing for the payment of the Bonds from a tax on all taxable property within Palm Beach County; establishing the maturity schedule for the Bonds; authorizing the County Administrator or the Debt Manager of the County to publish through electronic means a summary notice of sale and to receive bids pursuant to a competitive sale of said Bonds and award the sale of said Bonds to the responsive bidder or bidders offering the lowest true interest cost to the County which shall not exceed three and one-half percent (3.50%); approving the execution and delivery of said Bonds; approving the form of and authorizing the execution and delivery of an Escrow Deposit Agreement; approving the form of and authorizing the execution and delivery of a Registrar/ Paying Agent Agreement; approving the preparation and use of a Summary Notice of Sale, an Official Notice of Bond Sale, a Preliminary Official Statement and Final Official Statement; authorizing the electronic dissemination of the Preliminary Official Statement and Official Statement; making certain covenants and agreements in connection with the Bonds; providing for the rights of the owners of the Bonds; appointing a Paying Agent and Bond Registrar; appointing an Escrow Agent; authorizing the registration of the Bonds pursuant to a book-entry system, providing for an undertaking required under Rule 15c2-12 of the Securities and Exchange Commission; providing for a repealer and providing an effective date.



3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

1. CONTINUED

**SUMMARY:** On June 9, 2014, the County Financing Committee approved the advance refunding of all or a portion of the County's General Obligation Bonds, Series 2006 (Library District Improvement Project), and all or a portion of the General Obligation Bonds, Series 2006 (Waterfront Access Projects), based on a target net present value savings for each series of not less than 5.00%. Each series of general obligation refunding bonds will be sold on a competitive basis. Upon the adoption of the resolutions, staff and the County's financial advisor will monitor market conditions. In a competitive sale, the County will, when conditions appear favorable, mail its preliminary official statements and official notices of bond sale. A summary notice of bond sale will also be published in The Bond Buyer. Such notice will set a date and time the bids by underwriters will be due which, under Florida law, must be at least ten days from the date of the notice. The County will reserve the right to change the bid due date or cancel the sale, if market conditions should deteriorate. The resolutions provide that the Bonds of each series must have a true interest cost of not more than three and one half percent (3.50%) and each must achieve a net present value savings of at least five percent (5.00%) and thus no bid will be awarded unless such parameters are met. Upon closing, a portion of the proceeds of the Bonds of each series will be placed in escrow and invested in U.S. Securities. This escrow will be used to secure the refunded bonds and the new bonds will be secured by the previously voter-approved ad valorem taxes. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. **REVISED TITLE:** Staff recommends motions to adopt:

**A)** Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of Public Improvement Revenue Refunding Bonds, Series 2014A and the issuance of Taxable Public Improvement Revenue Refunding Bonds, Series 2014B in the aggregate principal amount of not exceeding \$90,000,000 to refund certain outstanding obligations of the issuer; providing a method for determining the actual principal amounts, interest rates, maturity schedule and redemption provisions for such Series 2014 bonds; making certain provisions and delegating certain responsibilities with respect to the notice, ~~binding~~ bidding and sale of the Series 2014 bonds to the Mayor and the County Administrator; appointing an escrow agent, paying agent and registrar for the Series 2014 bonds; approving the forms of the Summary Notice of Sale, Official Notice of Sale and Official Bid Form with respect to such Series 2014 bonds; authorizing the preparation and use of a preliminary official statement and authorizing the execution and delivery of a final official statement, escrow deposit agreement and paying agent and registrar agreement; providing for compliance with certain continuing disclosure requirements; providing certain other details with respect thereto; and providing for an effective date; and

**B)** Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of Public Improvement Revenue Refunding Bonds, Series 2014A and Taxable Public Improvement Revenue Refunding Bonds, Series 2014B in the aggregate principal amount of not to exceed \$16,000,000, to refund certain outstanding obligations of the issuer; delegating certain responsibilities with respect to the sale of the Series 2014 bonds to the Mayor; authorizing the execution and delivery of an escrow deposit agreement; providing for the rights, securities and remedies for the owner of the Series 2014 bonds; making certain covenants and agreements in connection therewith; providing for severability; and providing an effective date.

**SUMMARY:** The County's Financial Advisors have reviewed the Public Improvement Revenue Bonds (Parking Expansion), Series 2006, Public Improvement Revenue Bonds (Biomedical), Series 2007A, and Taxable Public Improvement Revenue Bonds (Biomedical), Series 2007B and determined that these bonds can be partially refunded for a savings. These will be refunded at a not to exceed amount of \$16 million on a competitive basis. In addition to these three series, the Public Improvement Revenue Bond (Biomedical), Series 2007C meets the 5% savings and may be eligible for refunding. If market conditions continue as is, the Series 2007C will be included in the refunding with a not to exceed amount of \$90million. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 5 to the contract with Hedrick Brothers Construction Co., Inc. (R2012-1000) for construction management services for various capital projects. **SUMMARY:** Hedrick Brothers Construction was selected to provide construction management services associated with various capital projects which may include new construction, additions, or renovations up to \$10,000,000. Work is authorized through individual work orders when required during the term of this contract. The Board approved a continuing contract on July 10, 2012, and the original contract provided for an initial two year term with one two-year renewal option. This Amendment would provide for services during the first and only renewal period. Hedrick Brothers Construction has a Small Business Enterprise (SBE) participation goal of 15%. During the first two years of the contract, Hedrick Brothers Construction has achieved 8.4% participation. Hedrick Brothers Construction has not achieved the SBE goal as the SBE bids which were received were outside the limit which justifies bypassing the low bidder. Hedrick Brothers Construction is currently bidding the Palm Beach Sheriff's Office District 4 Renovation project and expects the SBE participation on that project to raise the total SBE on the entire contract to over 15%. Hedrick Brothers Construction is a Palm Beach County company and are using local subcontractors for the work. (Capital Improvements Division) Countywide (JM)
  
2. Staff recommends motion to approve: Amendment No. 4 to the contract with The Weitz Company, LLC (R2012-1001) for construction management services for various capital projects. **SUMMARY:** The Weitz Company, LLC was selected to provide construction management services associated with various capital projects which may include new construction, additions, or renovations up to \$10,000,000. Work is authorized through individual work orders when required during the term of this contract. The Board approved a continuing contract on July 10, 2012, and the original contract provided for an initial two year term with one two-year renewal option. This Amendment would provide for services during the first and only renewal period. The Weitz Company, LLC has a Small Business Enterprise (SBE) participation goal of 15%. During the first two years of the contract, The Weitz Company, LLC has achieved 21% participation. The Weitz Company, LLC is a Palm Beach County company and are using local subcontractors for the work. (Capital Improvements Division) Countywide (JM)
  
3. Staff recommends motion to approve: Amendment No. 7 to the contract with Trillium Construction, Inc. (R2012-1002) for construction management services for various capital projects. **SUMMARY:** Trillium Construction, Inc. was selected to provide construction management services associated with various capital projects which may include new construction, additions, or renovations up to \$10,000,000. Work is authorized through individual work orders when required during the term of this contract. The Board approved a continuing contract on July 10, 2012, and the original contract provided for an initial two year term with one two-year renewal option. This Amendment would provide for services during the first and only renewal period. Trillium Construction Inc. has a Small Business Enterprise (SBE) participation goal of 15%. During the first two years of the contract, Trillium Construction, Inc. has achieved 28% participation. Trillium Construction, Inc. is a Palm Beach County company and are using local subcontractors for the work. (Capital Improvements Division) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to approve:** Contracts with two firms to provide property development evaluation services on a continuing contract basis for Facilities Development & Operations Department:

A) Cotleur & Hearing, Inc.; and

B) Urban Design Studio, LLC d/b/a/ Urban Design Kilday Studios.

**SUMMARY:** The purpose of these contracts is to have consultants under contract to provide planning, engineering, and related consulting services for Facilities Development & Operations Department efforts to evaluate the developability of existing County-owned property and potential land acquisition parcels. Consultant fees will be negotiated on an individual basis for the identified project. The contracts will be for two years with two one-year renewal options. The Small Business Enterprise (SBE) participation for these contracts is 15%. Cotleur & Hearing, Inc. anticipates 95% SBE participation. Urban Design Kilday Studios anticipates 98% SBE participation. Both firms and all subconsultants are local. (Capital Improvements Division) Countywide (JM)

5. **Staff recommends motion to approve:** Contract with Hedrick Brothers Construction Company, Inc. in the amount of \$90,579 for pre-construction services for the Airport Center Building 2 Renovations project. **SUMMARY:** This project involves renovations to Airport Center Building 2 to accommodate the offices of the Tourist Development Council (TDC) and related agencies as well as several divisions of the Palm Beach Sheriff's Office (PBSO) Administrative Services including Central Records, Human Resources, Risk Management and Graphics. This Contract only authorizes pre-construction services. Once the construction documents are completed, the construction manager will bid the work and provide a guaranteed maximum price to the County. The construction budget is \$11,600,000. The source of funding for this project is bed tax for TDC and ad valorem for PBSO. The Small Business Enterprise (SBE) participation for this Contract is 15%. Hedrick Brothers will provide 17.5% in this pre-construction phase. Hedrick Brothers Construction Company, Inc. is a Palm Beach County firm. (Capital Improvements Division) District 2 (JM)

6. **Staff recommends motion to approve:** Contract with The Weitz Company, LLC in the amount of \$120,000 for pre-construction services for the Convention Center Parking Garage project. **SUMMARY:** This project consists of the construction of a new Convention Center Parking Garage with approximately 2,740 spaces. This Contract only authorizes pre-construction services. Once the construction documents are completed, the construction manager will bid the work and provide a guaranteed maximum price to the County. The garage project is proceeding at this time in order to coordinate with adjacent hotel construction and the loss of surface parking where the hotel will be constructed. Approval to proceed with the project as well as establishment of the design services budget (\$2,000,000) was approved by the Board at the November 19, 2013 meeting. The remainder of the project is estimated at \$58,400,000 and will be financed through a bond to be issued in early 2015 using bed taxes to pay the future debt service. The Small Business Enterprise (SBE) participation for this contract is 15%. The Weitz Company, LLC will provide 34.7% in this pre-construction phase. The Weitz Company, LLC is a Palm Beach County firm and is using Palm Beach County firms as subconsultants. (Capital Improvements Division) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Amendment No. 5 to two Job Order Contracts (JOC):

A) All-Site Construction, Inc. (R2010-0751), North, SBE/Local, 77% SBE participation to date; and

B) Robling Architecture Construction, Inc. (R2010-0802), South, SBE/Local, 55% SBE participation to date.

**SUMMARY:** Amendments No. 5 extends the term of two Job Order Contracts (JOC) for one year. The contractors will continue to perform as an annual general contractor for implementation of maintenance and capital projects. The Job Order Contract is an indefinite-quantity, fixed unit price contract. The Board approved annual contracts on May 18, 2010, which provided for an initial one year term with four one-year renewal options. Amendment No. 5 provides for services during the fourth and final renewal period. Also, Robling's Amendment No. 5 increases the cumulative capacity by \$1,000,000 to match the capacity of All-Site. Since the last renewal, the number of active JOC contractors has dropped from five to two, thereby necessitating the increased capacity to Robling. During the last term of this contract, Robling was awarded \$801,000 of work orders and All-Site was awarded \$250,000. Pursuant to the terms and conditions of the JOC Contract to account for escalation, the contractor's initial adjustment factors from May 18, 2010 will be modified by 11.29%. The Small Business Enterprise (SBE) goal established for this contract is 15% participation. The total cumulative SBE participation to date is 39.7%. (Capital Improvements Division) Countywide (JM)

8. Staff recommends motion to approve: a Second Amendment to Interlocal Agreement (R2004-0568) with the School Board of Palm Beach County, Florida (School Board) to retroactively extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to March 30, 2019. **SUMMARY:** The Agreement which provides the terms and conditions under which the School Board can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expired on March 29, 2014. The Agreement provided for three renewal options, each for a period of five years. The School Board has approved a retroactive renewal to extend the term of the Agreement to March 30, 2019 and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The School Board is required to pay all costs associated with the School Board's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This Second Amendment renews the term, updates the notice provisions, updates the attachments, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General, and School Board Policy 1.092 establishing the School Board Inspector General, and provides for disclosure of County Resolution 92-13 prohibiting discrimination. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: an Interlocal Agreement with the State of Florida, State Attorney's Office, 15<sup>th</sup> Judicial Circuit (State Attorney) allowing for direct access to the County's 800 MHz Public Safety Radio System. **SUMMARY:** This Interlocal Agreement (Agreement) provides the terms and conditions under which the State Attorney can directly access the County's 800 MHz Public Safety Radio System (System). The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The State Attorney's Office has been participating on the County's System since 2001. The Agreement requires that the State Attorney pay a one-time \$2,089/unit access or capacity charge as well as annual fees of \$211.42/unit towards the renewal and replacement fund and \$154.00/unit towards maintenance and operation of the System infrastructure. The annual fees are consistent with those being charged to the County departments. The State Attorney is required to pay all costs associated with State Attorney's subscriber units and to comply with the established operating procedures for the System. The State Attorney will assign representatives to participate in user committee meetings to discuss System maintenance and administration issues. The term of the Agreement is for five years and there are two renewal options, each for a term of four years. The Agreement may be terminated by either party, with or without cause on October 1<sup>st</sup> of any year, with a minimum of six months notice. (ESS) Countywide (JM)
  
10. Staff recommends motion to approve: a First Amendment to Interlocal Agreement (R2011-0736) (Agreement) with the Village of Palm Springs (Village) to extend the term of the Agreement for radio maintenance services to May 17, 2017. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Village receives radio equipment maintenance services from the County, expired on May 17, 2014. The Agreement provides for one renewal option for a period of three years. The Village has approved a renewal to retroactively extend the term of the Agreement to May 17, 2017 and the renewal now requires Board approval. The terms of the Agreement are standard and the maintenance rates are consistent with those being charged to County Departments. Services will be provided on an as-needed basis and billed to the Village. In the event that the County must out-source the labor, a separate labor rate is provided to cover the cost of the contract labor. The rates may be adjusted annually with notification by June 1 (effective the following October 1<sup>st</sup>) at the County's sole discretion, but in no event shall the Village's fee schedule exceed the fee schedule applied to County departments. The Agreement may be terminated by either party, with or without cause, with a minimum of three months notice. This First Amendment renews the term, updates the attachment, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General and County Resolution 92-13 prohibiting discrimination, and provides for the exclusion of third party beneficiaries. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Town of Palm Beach Shores (Participant) for the provision of radio maintenance services. **SUMMARY:** The Agreement with the Participant provides for the provision of radio equipment maintenance services to be provided to the Participant by the Facilities Development and Operations and Electronic Services & Security Division (FDO/ESS). The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must outsource the labor, a separate labor rate is provided. The maintenance costs for future years shall be determined by the County's agreement with Motorola. The rates may be adjusted annually with notification by June 1 annually (effective the following October 1) at the County's sole discretion, but in no event shall the Participant's fee schedule exceed the fee schedule applied to County departments. The term of the Agreement is for a period of three years with one renewal option for a term of four years. The Agreement may be terminated by either party, with or without cause with a minimum of ninety days notice. (ESS) District 2 (JM)
  
12. Staff recommends motion to approve: a First Amendment to Interlocal Agreement (R2009-1173) (Agreement) with the City of Coconut Creek, Florida (City) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System to July 20, 2019. **SUMMARY:** The Agreement which provides the terms and conditions under which the City can program into its radios and utilize the countywide common talk groups for certain inter-agency communications expires on July 20, 2014. The Agreement provided for three renewal options, each for a period of five years. The City has approved a renewal to extend the term of the Agreement to July 20, 2019 and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The City is required to pay all costs associated with the City's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. This First Amendment renews the term, updates the notice provisions, updates the attachments, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General, and provides for the exclusion of third party beneficiaries. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to:

**A) approve** a Notice of Cancellation of Lease Agreement with City of Delray Beach dated April 15, 2008 (R2008-0632) providing for the lease of approximately 3.64 acres of City-owned property, partially within Catherine Strong Park for the construction of a permanent Head Start facility and any other government related improvements;

**B) approve** a Termination of Memorandum of Agreement with the City of Delray; and

**C) authorize** the County Administrator or his designee to prepare an alternate redevelopment plan for the South County Administrative Complex.

**SUMMARY:** On April 15, 2008, the Board approved a Lease Agreement (Lease) with the City of Delray Beach (City) for land partially within Catherine Strong Park: 1) for the construction of a permanent Head Start facility in the same general location as temporary modular units that formerly housed Head Start; and 2) to make additional land available within the South County Administrative Complex for redevelopment. However, last year the Board entered into a contract with the School District as a delegate agency for the relocation of the Head Start operations from the temporary location within Catherine Strong Park to an alternate permanent location. Upon that relocation, the modular units were donated to the City and the City was advised that we would address the future of the Lease by April 2014, at which time the Lease requires that the County and the City meet to discuss the County's construction timeline. Staff initiated that dialog with the City in January 2014, indicating that unmet County needs (unforeseen in 2008) have arisen but are not appropriate for placement on this Lease, but instead are appropriate for placement at the South County Administrative Complex. As such, County Staff recommends that: 1) this Lease be terminated; and 2) Staff develop, after further coordination with the City, an alternate redevelopment plan for the South County Administrative Complex to ensure that the County's unmet needs are fully met at the Complex or on alternate land within the City. (PREM) Districts 4, 5 & 7 (HJF)

14. Staff recommends motion to approve: a Termination of Option Agreement with NewKita Group, Inc. (NewKita) (R2012-1038) providing for the donation of an 11.8 acre County-owned parcel of land adjacent to the Palm Glades Apartment complex in unincorporated Belle Glade. **SUMMARY:** On July 10, 2012, the Board approved an Option Agreement with NewKita for the donation of an 11.8 acre parcel of land located adjacent to the Palm Glades Apartment Complex in unincorporated Belle Glade (the "Parcel") for the development of a multi-use recreational and community center complex (Complex). The Option Agreement required County to execute a Purchase and Sale Agreement for the Parcel when NewKita satisfied the established fund raising milestones designed to demonstrate the ability to develop the Complex as proposed. NewKita is unable to meet the funding milestones and has requested a termination of the Option Agreement and Staff concurs with the request. The Termination of Option Agreement releases the parties from further obligations under the Option Agreement. (PREM) District 6 (HJF)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve: a Declaration of Restrictive Covenant on a one acre waterfront parcel located within Bert Winters Park. **SUMMARY:** Bert Winters Park is located on the west side of Ellison Wilson Road just south of Donald Ross Road in Juno Beach. In 2013, the County was awarded a \$250,000 Florida Inland Navigation District (FIND) grant to reimburse the County 25% of the cost to acquire the one acre AMIKids, Inc. parcel (Property) located on the Intracoastal Waterway within the limits of Bert Winters Park. The County completed the acquisition in April 2013. The FIND grant contract requires the Property to be improved as a public boating access facility within seven years of land acquisition and requires dedication of the property for public use for a minimum period of 25 years after completion of construction. The FIND grant contract requires recordation of this Declaration to provide notice of the foregoing restrictions. (PREM) District 1 (HJF)
16. Staff recommends motion to approve: Lease Agreement (Lease) with the Florida Inland Navigation District of the State of Florida (FIND) for the construction, use and maintenance of a public boat launching ramp and fishing pier on FIND's property to support the development of the County's Waterway Park located in unincorporated Jupiter. **SUMMARY:** The County is in the process of developing its Waterway Park property located on the Intracoastal Waterway, funded in part by a matching grant through FIND approved by the Board on December 3, 2013 (R2013-1742). Waterway Park is located on East Indiantown Road, west of and adjacent to the Intracoastal Waterway, in unincorporated Jupiter. The Lease area consists of an approximately 8,000 square foot strip of land running perpendicular to the South Right of Way Line of State Road No. 706 (Indiantown Road) and east of and adjacent to the eastern limits of the Park property along the Intracoastal Waterway. The term of the Lease will commence on August 1, 2014, and extend for a period of 30 years. FIND will execute the Lease after Board of County Commissioners approval. The Lease allows the County to construct, use and maintain a public boat launching ramp and a fishing pier on submerged lands owned by FIND and requires an annual lease fee of \$1 for the term of the Lease. Lease fees will be paid by the Parks and Recreation Department under annual operating expenses for Waterway Park. (PREM) District 1 (HJF)
17. Staff recommends motion to:
- A) approve** a standard form Temporary Construction Easement; and
- B) authorize** the Director of Facilities Development and Operations to sign and administer the Temporary Construction Easement.
- SUMMARY:** On October 22, 2002, the Board adopted Ordinance 2002-067, the Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance (PREM Ordinance) which authorized the Director of the Facilities Development and Operations Department (FDO) or his or her designee to execute, on behalf of the Board, approved standard form limited duration easements for a term which is less than two years. This form of Temporary Construction Easement establishes the standard terms and conditions under which an individual or corporation may use County owned property for construction purposes. The delegated authority is expanded to include modifications to the insurance/indemnity provisions with the approval of Risk Management and the County Attorney's Office. Based on the type of project, if required, special conditions will be added as it relates to the purpose/use of the County property. (PREM) Countywide (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file: four Contractor Enrollment Agreements with the following municipalities:

- A) City of Boynton Beach;
- B) City of Greenacres;
- C) Town of Cloud Lake; and
- D) Village of Palm Springs.

**SUMMARY:** On August 13, 2013, the Board of County Commissioners approved Resolution 2013-1063 creating a contractor enrollment program whereby participating municipalities within the County can utilize the construction contractor information obtained by the County. The Interlocal Agreement sets forth the terms and conditions of the program. This program benefits local construction contractors by allowing them to do business with all participating jurisdictions after enrolling with the County. Countywide (SF)

2. Staff recommends motion to approve: reappointment of three members to the Building Code Advisory Board:

<u>NOMINEE</u>	<u>SEAT</u>	<u>REQUIREMENT</u>	<u>NOMINATED BY</u>	<u>TERM</u>
Gary Kozan	8	Contractor	Construction Industry Management Council	7/1/2014 – 6/30/2017
Howarth Lewis	12	Registered Architect	Palm Beach Chapter of American Institute of Architects	7/1/2014 – 6/30/2017
Gregory Miller	16	Contractor	Construction Industry Management Council	7/1/2014 – 6/30/2017

**SUMMARY:** The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Construction Industry Management Council has renominated Gary Kozan and Gregory Miller for a term of three years. The Palm Beach Chapter of American Institute of Architects has renominated Howarth Lewis for a term of three years. The Board is comprised of sixteen members: seven Building Officials, one from each commission election district appointed from nominees submitted by the Building Officials Association of Palm Beach County; seven members appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; and one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society. Countywide (SF) (PZB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** Interlocal Agreement (Agreement) with the Solid Waste Authority (SWA) for the future procurement of fill material from the County; and

**B) terminate** Amended and Restated Interlocal Agreement (AR Agreement, R2009-0575) with the SWA to allow for the harvesting and removal of fill within a 230 acre parcel located south of Indiantown Road, between Jupiter Farms Road and Riverbend Park (the Property).

**SUMMARY:** The County approved the purchase of the Property on September 11, 2007 (R2007-1589). Pursuant to a December 4, 2007 Interlocal Agreement (R2007-2212), SWA contributed \$5.5 million at closing in exchange for the right to harvest up to 2.2 million cubic yards of fill from the Property. The Property was jointly acquired by the County and SWA in 2008; full title was conveyed to the County in 2009 pursuant to the AR Agreement. The County supplied SWA with 200,000 cubic yards of fill in 2010, thereby reducing its fill obligation to 2 million cubic yards. SWA now wishes to delay the County's delivery of the remaining fill and the County wishes to reduce the amount of fill excavated from the Property. The Agreement terminates the AR Agreement, identifies different ways the County can fulfill its remaining fill obligation to SWA and extends the term of the agreement to a maximum of 50 years. There is no cost to the County. Countywide (SF)

2. Staff recommends motion to:

**A) approve** a License Agreement (License) with the State of Florida Department of Transportation (FDOT) for the discharge of treated stormwater onto Pine Glades Natural Area, subject to all of the terms and conditions set forth in the License; and

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

**SUMMARY:** FDOT is preparing to widen State Road 710 from two to four lanes from approximately 2500 feet north of Innovation Drive northward to the Martin County line and on to Indiantown. To widen the road, FDOT must address stormwater runoff from the widened road. The County's Pine Glades Natural Area is immediately adjacent to the State Road 710 right-of-way for much of the length of the proposed construction in Palm Beach County. FDOT requests approval to discharge treated stormwater into wetlands on the Pine Glades Natural Area. The level of stormwater pretreatment necessary, the flow rate of the discharge, and the location and design of the discharge structures are stipulated in the conditions of the proposed License. There is no cost to the County for this item. District 1 (SF)

3. **DELETED**

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

**A) ratify** a Standard Written Agreement with the Florida Department of Transportation (FDOT) in the amount of \$1,000,000 as compensation for creating 0.396 seagrass credits within the Fullerton Island Wetlands Restoration Project, expiring 72 months from issuance of a Notice to Proceed;

**B) approve** a Budget Amendment of \$1,000,000 in the Environmental Enhancement Fund to recognize the revenues from the Agreement; and

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

**SUMMARY:** This Agreement will reimburse Palm Beach County a portion of the costs for constructing the Fullerton Island Wetlands Restoration Project. FDOT will provide \$1,000,000 and receive 0.396 seagrass credits as mitigation for transportation projects planned within the Loxahatchee River/Lake Worth Lagoon Watershed. There are no matching requirements. District 1 (SF)

5. Staff recommends motion to approve: Amendment Number 2 to the Sea Turtle Monitoring Services Contract (R2012-0342) with the Loggerhead Marinelifelife Center (LMC) of Juno Beach, retroactive to October 1, 2013, modifying the Scope of Work to itemize tasks by individual survey areas and extend the Contract duration to December 31, 2015. **SUMMARY:** Upon execution by both parties, Amendment Number 2 is retroactive to October 1, 2013 and extends the expiration date of the existing Contract to December 31, 2015. Extending the duration of authorized monitoring is required to meet Jupiter/Carlin and Tequesta/Coral Cove project permit monitoring requirements. The not to exceed contract price of \$744,481.88 will remain unchanged. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreements for community events:

A) BandsRock Entertainment International, Inc., Classic Rock Therapy concert, Canyon Town Center Amphitheater on April 19, 2014;

B) Simply Tina, LLC, Simply Tina concert, Sunset Cove Amphitheater on May 10, 2014; and

C) Steven Vincent Cluthe, Meeting of the Minds concert, Canyon Town Center Amphitheater on May 17, 2014.

**SUMMARY:** The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities we serve. The Parks and Recreation Department produced three popular cultural events at our Canyon Town Center and Sunset Cove Amphitheaters. These events were attended by an estimated 1,350 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concerts at the Canyon Town Center Amphitheater. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and are now being submitted to the Board to receive and file. District 5 (AH)

2. Staff recommends motion to receive and file: the following original executed Amphitheater Rental Agreement:

Compass Rose Events, Inc., Rexall Sundown Spring Picnic, Sunset Cove Amphitheater on April 26, 2014.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715 and 2014-0166, and is now being submitted to the Board to receive and file. This event helps to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 800 persons attended the event produced under this Amphitheater Rental Agreement. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: the following original executed Sound and Light Production Services Contractor Agreement:

Blackwood Productions LLC, Simply Tina concert, Sunset Cove Amphitheater on May 10, 2014.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Sound and Light Production Services Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645 and 2014-0167, and is now being submitted to the Board to receive and file. District 5 (AH)

4. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreements and First Amendment to Independent Contractor Agreement received during the month of May:

**A)** Sally Welsh-Chapela, Water Fitness Instructor, Aqua Crest Pool for the period May 12, 2014, through September 30, 2014;

**B)** Heather Tate-Boldt, Read A Recipe Instructor, Westgate Recreation Center for the period February 25, 2014, through May 12, 2014; and

**C)** Anthony Talton, Vocal Instructor, Westgate Recreation Center for the period June 26, 2014, through August 8, 2014.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted to the Board to receive and file. District 7 (AH)

5. Staff recommends motion to receive and file: the following original executed Tee Time Advertising and Sales Agreement:

GolfNow, LLC, County golf courses, for the period March 18, 2014, through March 17, 2015.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a Receive and File agenda item. This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2013-1607 and is now being submitted to the Board to receive and file. This Agreement helps to sell tee times at non-peak times that would otherwise not be sold. Countywide (AH)



3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve:

A) Fourth Amendment to the agreement (R2010-1582) with Friends of the Mounts Botanical Garden, Inc. for funding of a horticulturist position to assist in the care and maintenance of The Mounts Botanical Garden of Palm Beach County; and

B) a Budget Amendment in the General Fund (Fund 0001) in the amount of \$42,642.

**SUMMARY:** Friends of the Mounts Botanical Garden, Inc. will provide funding to the County in amount not to exceed \$42,642 (\$30,577 for salary and \$12,065 for fringe benefits) to support 65.5% of a horticulturist position beginning July 17, 2014 and ending on July 16, 2015. Palm Beach County will be funding the remaining \$22,454 (\$16,104 for salary and \$6,350 for fringe benefits) at a funding level of 34.5% for a total of \$65,096. The position will continue to support The Mounts Botanical Garden of Palm Beach County (Garden). This Amendment also extends the term one additional year, until July 16, 2015. District 7 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file: the following two Contract Amendments approved on May 8, 2014: 1) First Contract Amendment -The Lord's Place for RESTORE reentry services; and 2) First Contract Amendment-The Lord's Place for community reentry services. These amendments do not change the dollar amounts of the original contracts. The amendments rearrange staff and service dollars within the budgets and update the standard County contract non-discrimination language. **SUMMARY:** These documents have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission in accordance with Resolutions R2012-0840 and R2013-1452 and are now being submitted to the Board to receive and file. The two original contracts (R2014-0312 for \$261,378 for the period of October 1, 2013, through September 30, 2014, and R2014-0313 for \$152,034 for the period of October 1, 2013, through September 30, 2014, were executed on January 7, 2014 and received and filed by the Board on March 11, 2014 for reentry services. Countywide (PGE)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one original standard Independent Contractor Agreement with Young Men's Christian Association of South Palm Beach County, Inc. **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, one standard County agreement that has been executed by the County Administrator, or his designee (the Fire Rescue Administrator) is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (PK)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve: an Agreement with the Palm Beach State College (PBSC) for clinical field experience for Paramedic and Emergency Medical Technician (EMT) students effective July 13, 2014 for a three-year period. **SUMMARY:** This Agreement allows Palm Beach County Fire Rescue to provide clinical field experience to Paramedic and EMT students of the PBSC. Paramedic and EMT students will respond with County paramedics to observe and assist in delivering emergency medical care under actual emergency conditions. This clinical field experience is a component of the Paramedic and EMT training required for State certification, and will enhance the available job pool of qualified personnel. Countywide (SB)
  
3. Staff recommends motion to approve: a Memorandum of Agreement with the Children's Services Council of Palm Beach County providing the County funding of up to \$50,000 for the Drowning Prevention Coalition for the period October 1, 2014 to September 30, 2015. **SUMMARY:** The Drowning Prevention Coalition program is managed by Palm Beach County Fire Rescue. However, the program is funded by multiple sources including the Children's Services Council of Palm Beach County and the County's General Fund. This Memorandum of Agreement provides the terms and conditions of the Children's Services Council of Palm Beach County's agreement to provide funding to the County of up to \$50,000 for the Drowning Prevention Coalition program. The proposed additional funding of this program for FY 2015 is being provided from the County's General Fund in the amount of \$154,099. Countywide (PK)
  
4. Staff recommends motion to approve: the Mayor to certify the non-ad valorem assessment roll for the MSBU (Municipal Service Benefits Unit) for Fire Hydrant Maintenance and Rental-Riviera Beach and for the MSBU for Fire Hydrant Maintenance and Rental-Boca Raton. **SUMMARY:** MSBU's for fire hydrant maintenance and rental for Riviera Beach and Boca Raton were established in February 1993, by Ordinance No. 93-5. The current rates as established by resolutions are \$52.86 per parcel for Riviera Beach (R98-1023) and \$23 per parcel for Boca Raton (R2008-0239). Every year the assessment roll must be certified by the Mayor of the Board and the State Department of Revenue Form DR-408A must be signed by the Mayor for each MSBU. These forms and the tape of the assessment rolls must be submitted to the Tax Collector no later than September 15 of each year. Districts 4, 5 & 7 (SB)



3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) receive and file** the executed Memorandum of Agreement with the City of Miami, a municipal corporation of the State of Florida, as a fiscal agent for the Miami Urban Area Security Initiative (UASI) Grant Program 2013 to receive \$153,908.48 in reimbursable grant funding effective May 1, 2014, through March 31, 2015; and

**B) approve** a Budget Amendment of \$153,909 in the Urban Areas Security Initiative Grant Fund to recognize the grant award.

**SUMMARY:** This Agreement provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. The UASI awarded \$153,908.48 to the County, which will be used to fund jurisdictional fire, health, emergency management and other approved anti-terrorism activities. On May 21, 2013, the County Administrator or his designee was authorized to execute all UASI sub-grant contracts on behalf of the Board of County Commissioners, for the UASI Grant Program in any given year (R2013-0622). **No County matching funds are required.** Countywide (PGE)

BB. SHERIFF

1. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and Contract between the Palm Beach County Sheriff's Office and the University of South Florida Board of Trustees for the University of South Florida's Center for Urban Transportation Research, for the Palm Beach County Sheriff's Office's Pedestrian and Bicycle Safety High Visibility Enforcement Project in the amount of \$75,600, for the period of May 28, 2014, through August 15, 2014; and

**B) approve** a Budget Amendment of \$75,600 increasing the Sheriff's Grant Fund.

**SUMMARY:** On May 28, 2014, the University of South Florida's Center for Urban Transportation Research awarded a Pedestrian and Bicycle Safety High Visibility Enforcement (HVE) Grant to the Palm Beach County Sheriff's Office, in the amount of \$75,600, to support the Florida Department of Transportation's Pedestrian and Bicycle Safety Enforcement Campaign. These funds will be used to pay for overtime costs associated with the HVE project. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PE)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF (Cont'd)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a pass-through contribution from Massachusetts Mutual Life Insurance Company in the amount of \$38,125, which represents reimbursement of a portion of administrative cost paid by Sheriff employees for FY 2013; and

**B) approve** a Budget Amendment of \$38,125 in the Sheriff's Grant Fund.

**SUMMARY:** As contracted, Massachusetts Mutual Life Insurance Company is responsible to pay fees incurred in the administration of the Palm Beach County Sheriff's Office (PBSO) 12-b-1 employee deferred compensation plan. On May 19, 2014, the PBSO received a reimbursement of a portion of the administrative cost paid by employees for FY 2013. Once accepted, the funds will be transferred to the employee welfare organization 501(c)(4). There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (PGE)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, Grant Modification Notices 10 through 11, with the U.S. Department of Homeland Security Transportation Security Administration (TSA), to provide an additional \$52,000 in annual reimbursable funding, for Homeland Security Enforcement at the Palm Beach International Airport; and

**B) receive and file** Grant Modification Notices 1 through 9, which obligates federal funding; and

**C) approve** a Budget Amendment of \$52,000 in the Sheriff's Grant Fund.

**SUMMARY:** The Board of County Commissioners (BOCC) accepted this grant for \$1,252,000 on November 16, 2010 (R2010-1938). On October 2, 2012, the BOCC accepted a Grant Modification providing \$52,500 in additional FY12 funding (R2012-1440). On June 4, 2013, the BOCC accepted a Grant Modification providing \$52,000 in additional FY13 funding (R2013-0703). Grant Modifications 10 through 11 provides \$52,000 in additional FY14 funding to offset the costs associated with the salary and benefits of five TSA Canine Teams. Grant Modifications 1 through 9 do not impact the award value or time period. The purpose of this TSA Canine program is to provide enhanced security at the Palm Beach International Airport, to promptly respond to threats and suspected threat explosive devices which affect air carrier operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (PGE)

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4. REGULAR AGENDA

A. ADMINISTRATION

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on July 22, 2014, at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Palm Beach County Code, Chapter 20, Nuisances, Article III, Abatement of Nuisances, codifying Ordinance No. 90-12, amended by Ordinance Nos. 93-16, 95-64, 97-9 and 2002-023, known as the “Nuisance Abatement Ordinance” created pursuant to Section 893.138 Florida Statutes, establishing the Nuisance Abatement Board of Palm Beach County; providing for inclusion in the Code of Laws and Ordinances; and providing an effective date. **SUMMARY:** The Nuisance Abatement Ordinance was enacted in 1990 to establish the “Nuisance Abatement Board of Palm Beach County” (NAB) to abate drug-related nuisances occurring on premises throughout the County. The Ordinance was amended in 1997 to apply only in the unincorporated areas of the County. Since its creation, the NAB has convened less than five times to hear complaints and evidence regarding “drug-related nuisances.” The Sheriff does not object to the dissolution of the NAB. Repealing the Nuisance Abatement Ordinance will not prohibit the County or any citizen from proceeding against a public nuisance by any other means, including, but not limited to, seeking injunctive relief under Section 60.05 of the Florida Statutes. The League of Cities has no opposition to the proposed Ordinance repeal. Countywide (PGE)
  
2. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on July 22, 2014, at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Palm Beach County Code, Chapter 15, Article III, codifying Ordinance No 90-1, as amended by Ordinance No. 07-042, the Palm Beach County Ordinance for Equal Opportunity to Housing and Places of Public Accommodation; and adopting a new Palm Beach County Ordinance for Equal Opportunity to Housing and Places of Public Accommodation; providing for purpose; providing for definitions; providing for powers and duties of the Director of the Office of Equal Opportunity; providing for filing of complaints; providing for notice of complaint process; providing for determination of reasonable cause; providing for conciliation; providing for enforcement; providing for administrative remedies and other relief; providing for enforcement by private persons; providing for unlawful discriminatory practice in public accommodations and housing; providing for limitations and exceptions; providing for repeal of laws in conflict; providing for savings clause; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The current Equal Opportunity to Housing and Places of Public Accommodation Ordinance was last amended in 2007. Due to the procedural and substantive changes made to the ordinance with the purpose of bringing it into substantial compliance with the Federal Fair Housing Act and the County’s policy concerning Advisory Boards such as the Fair Housing Board, repealing and replacing the Equal Opportunity to Housing and Places of Public Accommodation Ordinance in its entirety is more efficient than amending it piecemeal. The League of Cities has no opposition to the proposed ordinance. The Fair Housing Board supports the proposed ordinance in its present form. Countywide (DRO)

4. REGULAR AGENDA

B. ENGINEERING & PUBLIC WORKS

1. **REVISED BACKUP: Staff recommends motion to approve on preliminary reading and advertise for public hearing on July 22, 2014 at 9:30 a.m.:** an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program; providing for title; purpose; adoption of revised Five Year Road Program and revised list of projects contained in Exhibit "A" to the Ordinance; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date. **SUMMARY:** A Mid Year Modification of the Palm Beach County Five Year Road Program is contemplated in the Traffic Performance Standards and allows the Board of County Commissioners, through the adoption of an ordinance, to delete projects from the Program two times a year. Exhibit "A" to the Ordinance is a list of proposed projects for the next five years and contains certain changes and modifications. This list is submitted for the Board of County Commissioners' consideration on preliminary reading today, with the final list to be approved with the Ordinance at public hearing on Tuesday, July 22, 2014. Countywide (MRE)

C. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to:**
  - A) adopt** a Resolution authorizing the conveyance of the County's interest in a 0.16 acre vacant parcel of County-owned land located at the northeast corner of Miner Road and Grove Road in unincorporated Lantana to GJARS Properties, LLC (GJARS) for \$5,000 with reservation of mineral and petroleum rights, but without rights of entry and exploration;
  - B) adopt** a Resolution designating .025 acre parcel of County owned property as right-of-way, as needed for the intersection of Grove Road and Miner Road in Section 9, Township 45, Range 43; and
  - C) approve** a County Deed in favor of GJARS.

**SUMMARY:** The County acquired a 0.19 acre parcel of vacant land at the northeast corner of Miner Road and Grove Road in unincorporated Lantana by Tax Deed in July 2001. The County's Roadway Production Division requires a .025 acre portion of the parcel be designated as right-of-way for future road expansion at the intersection of Grove Road and Miner Road. The balance of this property was deemed surplus because it serves no present or future County purpose. The assessed value of the remainder 0.16 acre is \$6,930. Pursuant to Florida Statutes Section 125.35(2), the Board may effect a private sale of the parcel upon a finding that the value of a parcel is \$15,000 or less, as determined by the County property appraiser, and when due to its size, shape, location and value it is of use to only one or more adjacent property owners. The property is 45'x 130', cannot be developed as a standalone parcel and is only of use to the adjoining owners. Notice of the County's intent to sell this 0.16 acre parcel was sent to the two adjacent property owners providing them an opportunity to bid on this parcel. One response was received from GJARS with a proposed purchase price of \$5,000. Staff recommends the sale of this parcel as it will lessen the County's potential liability and maintenance responsibilities and return the parcel to the tax roll. The County will retain mineral rights in accordance with Florida Statutes Section 270.11, but will not retain rights of entry and exploration. **This sale must be approved by a supermajority vote (5 Commissioners).** (PREM) District 7 (HJF)

4. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** an Interlocal Agreement with the Village of Palm Springs providing for the annexation of ten enclaves, generally located north of Lake Worth Road, east and west of Kirk Road, with Exhibits A, B and C. **SUMMARY:** The Board of County Commissioners has directed staff to work with municipalities to strategically address annexations. Chapter 171, Florida Statutes (F.S.), allows annexation of enclaves less than ten acres through an Interlocal Agreement between the annexing municipality and the County. By Resolution No. 2014-22 adopted on May 8, 2014, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of ten enclaves consisting of 16 parcels totaling 3.72 acres, as identified in Exhibit A of the Interlocal Agreement. The Village has provided written notice to all owners of real property located within the enclaves as shown in Attachment 4 to the Agenda Item. The Interlocal Agreement also provides for the annexation of the right-of-way segments identified in Exhibit B of the Interlocal Agreement, as well as the transfer of operation and maintenance of the right-of-way segments identified in Exhibit C of the Interlocal Agreement. The annexation has been processed through the County's review departments, including Fire Rescue, Engineering, Planning, Zoning, Environmental Resources Management, Parks and Recreation, Water Utilities, County Attorney, Property and Real Estate Management, Sheriff's Office, and the Office of Financial Management and Budget Departments. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 3 (RPB)

E. PUBLIC SAFETY

1. **DELETED: Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida repealing and replacing Resolution No. R2013-0485, and enacting a new schedule of fees, fines, and minimum commercial automobile liability insurance limits for the Vehicle for Hire Ordinance. **SUMMARY:** In accordance with recent amendments to the Vehicle for Hire (VFH) Ordinance, the Resolution establishes a total additional fee of \$26 to cover the cost of processing a Level 2 fingerprint based criminal background check through the Florida Department of Law Enforcement and the Federal Bureau of Investigation. All other fees, fines, and insurance levels remain unchanged. Countywide (PGE)



4. REGULAR AGENDA

F. COUNTY ATTORNEY

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

1. **Staff recommends motion to adopt:** a Resolution calling for a referendum to be held on November 4, 2014 for the purpose of submitting to the duly qualified electors of Palm Beach County, Florida a question regarding the School Board of Palm Beach County, Florida's authority to continue an annual levy of 0.25 mills for operational purposes of non-charter District schools for the next four fiscal years beginning July 1, 2015 and ending June 30, 2019; providing for notice of election; providing for an official ballot; providing for absentee voting and early voting; providing for referendum results; providing for severability and providing an effective date. **SUMMARY:** Section 1011.71, Florida Statutes, permitted the School Board, by super majority vote, to levy an annual 0.25 mills for school operational purposes. That statute requires a referendum to be held before that 0.25 mills levy may be extended. The .25 mills levy will be spent on non-charter District schools within the District. The School Board adopted a resolution on June 18, 2014, under Section 1011.73(2), Florida Statutes, to direct that this referendum be held on November 4, 2014. Adoption of this resolution will allow the referendum to be held. Countywide (PFK)
  
2. **ADD-ON: Staff recommends motion to approve on preliminary reading and advertise for public hearing on July 22, 2014, at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 18, Article II of the Palm Beach County Code (Ordinance No. 2006-012, amended by Ordinance No. 2011-033); relating to Sexual Offender and Sexual Predator Residence Prohibition, to be known as "the Sexual Offender and Sexual Predator Residence Prohibition Ordinance of Palm Beach County, Florida"; amending Section 18-34 (Sexual Offender and Sexual Predator Residence Prohibition; Exceptions); 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:** The State of Florida sexual offender and sexual predator residence prohibition laws preclude sexual offenders and sexual predators from establishing a permanent or temporary residence within one thousand (1000) feet from specified locations where children regularly congregate. The current County Ordinance provides for a more restrictive distance, prohibiting sexual offenders and sexual predators from establishing a permanent or temporary residence within twenty-five hundred (2500) feet from certain defined areas where children regularly congregate. The proposed amendment reduces the number of feet to 1000 and eliminates a designated public school bus stop from the list of specified locations, making the Ordinance consistent with Florida law. Additionally, the proposed amendment is responsive to current federal and state law evolving in other jurisdictions that suggests a County's imposition of residency prohibitions on sexual offenders and sexual predators may not be more restrictive than the residency prohibitions mandated by the State. It is anticipated that the League of Cities will have no opposition to the proposed Ordinance amendment, as this Ordinance is applicable only in the unincorporated areas of the County. Unincorporated (PGE)

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JULY 1, 2014

5. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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JULY 1, 2014

6. MATTERS BY THE PUBLIC – 2:00 P.M.

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**JULY 1, 2014**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

JULY 1, 2014

**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**

**DELETED:** Request approval to present off-site, a Proclamation declaring July 2014 as “Yellow Dot Program Initiation Month” in Palm Beach County.

**F. District 6 - COMMISSIONER JESS R. SANTAMARIA**

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

**9. ADJOURNMENT**

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