

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 7, 2014

<u>PAGE</u>	<u>ITEM</u>											
8	2C-6	<u>ADD-ON:</u> Proclamation declaring October 5 – 11, 2014 as “National 4-H Week” in Palm Beach County. (Sponsored by Commissioner Vana)										
8	2C-7	<u>ADD-ON:</u> Update on Ebola Virus – Dr. Alina Alonso, Director, Palm Beach County Health Department.										
15	3E-4	<u>REVISED TITLE:</u> Staff recommends motion to ratify: the signature of the Mayor on <u>the Federally-Funded Subgrant (Community Service Block Grant) Agreement No. 15SB-0D-10-60-01-021</u> with the State of Florida, Department of Economic Opportunity, for the period October 1, 2014, through September 30, 2015, in an amount not to exceed \$791,311 to provide self sufficiency services for low income individuals and families. (Community Services)										
31	3I-11	<u>DELETED:</u> Staff recommends motion to: A) approve a HOME Investment Partnerships (HOME) Program funding award in the amount of \$1,440,000 to the Community Land Trust of Palm Beach County, Inc.;...(DES) (Further staff review)										
32	3I-12	<u>DELETED:</u> Staff recommends motion to: A) approve a HOME Investment Partnerships (HOME) Program funding award in the amount of \$1,033,996 to New South Bay Villas, Ltd.;.....(DES) (Further staff review)										
33	3I-13	<u>REVISED TITLE:</u> Staff recommends motion to approve: A) the issuance of an Impact Fee Affordable Housing Assistance Program Certificate of Award to Danza Group of Pine Bay, LLC for a credit of \$346,197.94 towards the payment of Zone 1 Public Buildings Impact Fees and Zone 2 Road Impact Fees for the construction of the Pine Bay Apartments affordable housing project; B) a Budget Transfer of \$15,006.88 <u>\$15,007</u> in Zone 1 Public Buildings Impact Fees to appropriate funds for the Pine Bay Apartments project; and C) a Budget Transfer of \$331,191.06 <u>\$331,192</u> in Zone 2 Road Impact Fees to appropriate funds for the Pine Bay Apartments project. (DES)										
33	3J-1	<u>REVISED TITLE:</u> Staff recommends motion to approve: reappointment of one member to the Construction Board of Adjustments and Appeals: <table><thead><tr><th><u>Nominee</u></th><th><u>Seat No.</u></th><th><u>Requirement</u></th><th><u>Nominated By</u></th><th><u>Term</u></th></tr></thead><tbody><tr><td>Margie Walden</td><td>8</td><td>Alternate Citizen At Large</td><td>Comm. Valeche Vice Mayor Burdick <u>Comm. Abrams</u></td><td>10/07/2014-10/6/2015</td></tr></tbody></table> (PZB)	<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>	Margie Walden	8	Alternate Citizen At Large	Comm. Valeche Vice Mayor Burdick <u>Comm. Abrams</u>	10/07/2014-10/6/2015
<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>								
Margie Walden	8	Alternate Citizen At Large	Comm. Valeche Vice Mayor Burdick <u>Comm. Abrams</u>	10/07/2014-10/6/2015								
40	3S-1	<u>DELETED:</u> Staff recommends motion to approve: two reappointments to Seat No. 6 and Seat No. 7 to the Fire Code Board of Appeals and Adjustments beginning on October 7, 2014 through September 30, 2017...(Fire Rescue) (Further staff review)										

- 43 3AA-1 **REVISED SUMMARY: Staff recommends motion to approve:** a Contract in the amount of \$394,927.92, with K-F Group, Inc. (KFG), for professional services for the Palm Tran Bus Stop Improvement Program project (Project). **SUMMARY:** Palm Tran is required, to the greatest extent feasible, to comply with accessibility standards for the transportation for individuals with disabilities. Approval of this Contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The initial phase includes 257 bus stops, and this Contract will initially address up to 75 of those. The Project is funded by a grant from the Federal Transit Administration. ~~The Small Business Enterprise (SBE) and Disadvantaged Business Enterprise (DBE) non-mandatory~~ goals for this project are is 15%, each. KFG has achieved 100% ~~SBE and DBE~~ participation for this Project. KFG is a Palm Beach County company ~~and a certified SBE.~~ Countywide (DR/MRE) (Palm Tran)
- 43 3AA-2 **REVISED SUMMARY: Staff recommends motion to approve:** a Contract in the amount of \$333,271.66, with Last Devenport, Inc. (LDI), for professional services for the Palm Tran Bus Stop Improvement Program project (Project). **SUMMARY:** Palm Tran is required, to the greatest extent feasible, to comply with accessibility standards for the transportation for individuals with disabilities. Approval of this Contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The initial phase includes 257 bus stops, and this Contract will initially address up to 75 of those. The Project is funded by a grant from the Federal Transit Administration. ~~The Small Business Enterprise (SBE) and Disadvantaged Business Enterprise (DBE) non-mandatory~~ goals for this project are is 15%, each. LDI has achieved ~~100% SBE and~~ 26.52% DBE participation for this Project. LDI is a Palm Beach County company ~~and a certified SBE.~~ Countywide (DR/MRE) (Palm Tran)
- 45 4A-4 **ADD-ON: Staff recommends motion to approve:** FY 2015 Wage Increase for employees covered by the Labor-Management Agreement with the Communication Workers of America (CWA), Local 3181, effective the first pay period of the new fiscal year. **SUMMARY:** Pursuant to collective bargaining negotiations, the negotiating committees for Palm Beach CWA, Local 3181, have reached a tentative agreement on a wage increase for FY 2015. The proposed wage increase will adjust the base rate of pay for covered employees by 3% or \$.60 an hour, whichever is greater. Countywide (DO) (Admin)
- 48 4C-2 **REVISED SUMMARY: Staff recommends motion to approve:** an Agreement for Donation of Real Property with Rowan Construction-PSL, Inc. (Rowan), and G.L. Homes of Florida II Corporation (GL) providing for the donation to the County of approximately 20 acres of land in the northwest portion of the Ag Reserve. **SUMMARY:** This 20 acre parcel of land is located west of 441 and north of Boynton Beach Boulevard. The property has an assessed value of \$158,165. It is surrounded on three sides by the 100 acre County-owned Butts property which was acquired through a donation agreement similar to this Agreement. Environmental Resources Management (ERM) plans to use the combined 120 acres for water resource and wetlands restoration and an expanded buffer to the Loxahatchee National Wildlife Refuge. Pursuant to this Donation Agreement, GL will pay Rowan \$1,608,800 for the 20 development rights attributable to this property, Rowan will convey the property to the County without charge and GL will have the right to include the property as a Preservation Area within future 60/40 Ag Reserve PUD's which GL intends to develop east of U.S. 441/State Road 7. Closing will occur within 30 days of approval of this Agreement. There is a long history of code and permit enforcement actions against this property stemming from failure of Rowan to complete the reclamation plan required by County development orders and SFWMD permits for mining operations. Rowan will pay approximately \$37,900 to satisfy an existing code enforcement lien and will contribute \$50,000 towards the cost of long term maintenance. The County will assume responsibility for non-compliance with said approvals and permits. ERM is confident that there is minimal risk to the County in assuming this responsibility as the Butts property had similar issues, enforcement has never been pursued, and ERM will ultimately address some elements of the reclamation plan as part of ERM's restoration efforts. (PREM) District 6 (HJF) (FDO)

- 52 4F-1 **REVISED TITLE:** Staff recommends motion to approve: the following three contracts for the delivery of Paratransit Services for Palm Tran Connection:
- A)** Contract for Palm Tran Connection Paratransit Services Run Package A with MV Contract Transportation, Inc. and MV Transportation, Inc. in the amount of \$72,670,431.20, which approval is conditioned upon the County Administrator's receipt of an original executed bond on or before October 10, 2014, that complies with the requirements of Article 7 of the contract, as determined by County in its sole discretion. A contract will not exist if this condition is not met.;
- B)** Contract for Palm Tran Connection Paratransit Services Run Package B with First Group America, Inc. and First Transit, Inc. in the amount of \$76,201,014.96; and
- C)** Contract for Palm Tran Connection Paratransit Services Run Package C with Maruti Fleet & Management, LLC in the amount of \$35,017,146.77, which approval is conditioned upon the County Administrator's receipt of an original executed bond on or before October 10, 2014, that complies with the requirements of Article 7 of the contract, as determined by County in its sole discretion. A contract will not exist if this condition is not met. (Palm Tran)
- 53 4H-1 **REVISED TITLE & SUMMARY:** Staff recommends motion to approve: a Tri-Party Agreement between Palm Beach County (County), a political subdivision of the State of Florida, the City of Boca Raton (City), a municipal corporation, each one constituting a public agency defined in Part I of Chapter 163, Florida Statutes, and ESPN Regional Television, Inc. (ESPN), a ~~North Carolina Delaware~~ corporation, in an amount not to exceed \$140,000 annually from Tourist Development Tax (Bed Tax) for six years. **SUMMARY:** Approval of this Agreement establishes the expenditure of \$140,000 annually in tourist development tax revenues for three six years ~~with options to renew for an additional three years;~~ for an annual college football bowl game featuring teams from Conference USA, the Mid-America Conference (MAC) and the American Athletic Conference (AAC) at Florida Atlantic University (FAU) in the City of Boca Raton, Palm Beach County, Florida, beginning in December of 2014. ~~The Agreement requires the expenditure of Bed Tax funds in the amount of \$140,000 annually for three years.~~ A sum of \$50,000 will be paid to ESPN on October 15th of each year, \$50,000 will be paid thirty days after the occurrence of the Bowl Game, and \$40,000 for activity costs as incurred for the Teams. The City of Boca Raton will match all of the County's funding requirements. ESPN will be responsible for all activities and services regarding the planning, organization, production, and operation of the Bowl Game and shall be responsible for the full cost of such activities and services. ESPN will market the County and City on all marketing materials associated with the Bowl Game including, but not limited to, TV ads, Program ads, website, etc. An estimated economic impact will yield, at a minimum \$2.5 Million as a result of this partnership. This event funding has been reviewed and approved by the Tourist Development Council Board. (TDC) Countywide (DW) (TDC)
- 58 9G **ADD-ON:** Request approval to present off-site, a Proclamation honoring Tabernacle Missionary Baptist Church on its 121st Anniversary. (Sponsored by Mayor Taylor)

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

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

OCTOBER 7, 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 8)

- 3. CONSENT AGENDA (Pages 9 - 44)**

- 4. REGULAR AGENDA (Pages 45 - 53)**
TIME CERTAIN 1:30 P.M. (Executive Session) (McEaddy Conference Room) (Page 45)

- 5. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Environmental Control Act) (Page 54)**

- 6. BOARD APPOINTMENTS (Page 55)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 56)**

- 8. STAFF COMMENTS (Page 57)**

- 9. COMMISSIONER COMMENTS (Page 58)**

- 10. ADJOURNMENT (Page 58)**

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- 2C-2 White Cane Safety Day
- 2C-3 World Polio Day
- 2C-4 Guardianship Fraud Awareness Month
- 2C-5 Palm Beach County Estuaries Day

CONSENT AGENDA

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- 3A-1 Appointment to the Water Resources Task Force
- 3A-2 Agreement with the Cultural Council of Palm Beach County, Inc. for administration of the Category C-Level 1 (Small & Emerging Organizations, Children's and Multicultural projects) grant program
- 3A-3 Certificate Regarding Matching Funds certifying Board will provide matching fund for Supervisor of Elections' Federal Election Activities grant

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- 3A-4 Resolution supporting Palm Beach County Food Bank's application for The Emergency Food Assistance Program
- 3A-5 Appointment to the Health Facilities Authority

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- 3A-6 Reappointments/Appointment to the Handicap Accessibility and Awareness Grant Review Committee

B. CLERK & COMPTROLLER

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

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- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

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- 3C-1 Budget Transfer/Task Order for preparation of design plans and construction bid documents for the Hood Road and Central Boulevard intersection improvements project
- 3C-2 Agreement with Sunterra Homeowners Association, Inc. for traffic control jurisdiction by the Palm Beach County Sheriff's Office
- 3C-3 Agreement with Kings Point Recreation Corporation, Inc. for traffic control jurisdiction by the Palm Beach County Sheriff's Office
- 3C-4 FY 2014/2015 Pathway Program

D. COUNTY ATTORNEY

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- 3D-1 Resolution establishing policy that Palm Beach County shall not do business with nor appropriate funds to any public or private organization which practices discrimination
- 3D-2 First Amendment to Stipulated Settlement Agreement in Compliant No. C-2011-04010004, Petitioner Anshei Emuna Congregation.

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- 3E-3 Proposed seat change of one current member of the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council
- 3E-4 Ratify Mayor signature on the Community Service Block Grant Agreement with the Florida Department of Economic Opportunity to provide self-sufficiency services to low income individuals/families
- 3E-5 Authority Department of Community Service to execute Purchase Order relating to the Senior Companion Program with the Florida Department of Elder Affairs

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- 3E-6 Amendments to 16 Contracts for the Provision of Financial Assistance for a variety of human service needs to the community

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- 3E-7 Appointments to the Farmworker Program Advisory Board

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- 3F-1 Change Order No. 1 with The Weitz Company, LLC relating to the terminal restroom renovations at PBIA
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- 3H-4 Receive and file a third option to extend the Concessionaire Service Agreement with DH2, Inc. for operation of food and beverage services at Osprey Point Golf Course
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3H-9 Contract with RCC Consultants, Inc. to provide planning and engineering services associated with the countywide public safety radio system

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3I-2 Agreement with the City of Pahokee to use Community Development Block Grant funds to pay for the salary/benefits of one full-time Code Compliance Clerk and partially fund one Code Compliance Officer

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3I-3 Agreement with the City of South Bay to use Community Development Block Grant funds to pay for the salary/benefits of one full-time Code Compliance Officer

3I-4 Agreement with Palm Beach County Film & Television Commission, Inc. to fund operational and educational expenses for the Film & TV Tech Prep Program

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3I-7 Consulting/Professional Services Contract with Palm Beach County Black Business Investment Corporation for consulting and financial assistance to existing and start-up small businesses in Palm Beach County

3I-8 Agreement with Business Loan Fund of the Palm Beaches, Inc. for technical assistance and business support services to small businesses and persons developing small businesses

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3I-9 Agreement with The Center for Technology, Enterprise and Development, Inc. to provide business resources and support services for business opportunities

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- 3L-1 Reappointments to the Artificial Reef and Estuarine Enhancement Committee
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- 3L-4 Amendment No. 1 to the Marine Debris Removal Services Contract with Lake Worth Lagoon Environmental Defense Fund, Inc. associated with removal of derelict and abandoned vessels
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- 3M-1 Receive and file Project Agreement Amendment with the Florida Inland Navigation District Waterways Assistance Program Grant relating to Burt Reynolds Park project

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- 3M-2 Receive and file Independent Contractor Agreements and First Amendment to Independent Contractor Agreements

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- 3M-3 Receive and file Amphitheater Rental Agreement
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- 3M-6 Budget Transfer to Green Cay Nature Center improvements
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3X-2 Receive and file 211 Palm Beach/Treasure Coast, Inc. contract providing for 24-hour emergency crisis phone counseling services

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3X-3 Reappointment to the Consumer Affairs Hearing Board

3X-4 Receive and file Family Drug Court Grant Adjustment Notice with the Office of Justice Programs relating to the Family Drug Court program

3X-5 Contract with Palm Beach County Medical Society Services, Inc. to coordinate and deliver a business continuity and disaster recovery workshop

Y. PURCHASING - None

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3Z-1 Purchase of Airport liability insurance through Arthur J. Gallagher & Co.

AA. PALM TRAN

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3AA-1 Contract with K-F Group, Inc. for professional services for the Palm Tran Bus Stop improvement program project

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3BB-1 Grant Adjustment Notice amending the Child Sexual Predator Program grant with the U.S. Department of Justice

REGULAR AGENDA

ADMINISTRATION

Page 45

4A-1 Treasure Coast Regional Planning Council

4A-2 Executive Session to discuss collective bargaining negotiations with the ATU, Local 1577 –
TIME CERTAIN 1:30 P.M. in the McEaddy Conference Room/CLOSED SESSION

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4D-1 Interlocal Agreement with the Village of Palm Springs providing for the annexation of 16 enclaves

4D-2 Resolutions granting a County tax exemption for two historic properties located within the City of Delray Beach

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4D-3 Resolutions granting a County tax exemption for four historic properties located within the Town of Palm Beach

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BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

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BOARD APPOINTMENTS (Page 55)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 56)

STAFF COMMENTS (Page 57)

COMMISSIONER COMMENTS (Page 58)

ADJOURNMENT (Page 58)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring the weekends of October 10 – 12 and October 17 – 19, 2014, as “Oktoberfest 2014” in Palm Beach County. (Sponsored by Vice Mayor Burdick)
2. Proclamation declaring October 15, 2014 as “White Cane Safety Day” in Palm Beach County. (Sponsored by Commissioner Valeche)
3. Proclamation declaring October 24, 2014 as “World Polio Day” in Palm Beach County. (Sponsored by Commissioner Santamaria)
4. Proclamation declaring October 2014 as “Guardianship Fraud Awareness Month” in Palm Beach County. (Sponsored by Commissioner Berger)
5. Proclamation declaring November 1, 2014 as “Palm Beach County Estuaries Day.” (Sponsored by Vice Mayor Burdick)
6. **ADD-ON:** Proclamation declaring October 5 – 11, 2014 as “National 4-H Week” in Palm Beach County. (Sponsored by Commissioner Vana)
7. **ADD-ON:** Update on Ebola Virus – Dr. Alina Alonso, Director, Palm Beach County Health Department.

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Jason Haselkorn of the Town of Juno Beach as the alternate for the League of Cities representative alternate seat on the Palm Beach County Water Resources Task Force (Seat No. 4), effective October 7, 2014. **SUMMARY:** The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of one of the League of Cities alternates, one new alternate is being submitted to be approved by the Board of County Commissioners. Countywide (MJ)

2. **Staff recommends motion to approve:** Agreement with the Cultural Council of Palm Beach County, Inc., in the amount of \$200,000, from October 1, 2014, through September 30, 2015, for services relating to the administration of Category C – Level 1 (Small and Emerging Organizations, Children’s and Multicultural projects) cultural grant program for non-profit organizations within the County. **SUMMARY:** The County shall provide an amount of Two Hundred Thousand Dollars (\$200,000) to fund certain activities of non-profit organizations as determined by the Cultural Council of Palm Beach County (Council) pursuant to a process established herein and approved by County. Of the \$200,000 in County funding, up to One Hundred Eighty Thousand Dollars (\$180,000) shall be applied to Category C-Level I (Small and Emerging Organizations, Children’s and Multicultural projects). A portion of the remaining funds, not to exceed 20% of the total amount, may be used by the Council to administer the program. In the event any of the funds are unspent, the Council will reallocate said funds to support cultural programs in underserved areas of the County. Rena Blades of the Cultural Council of Palm Beach County serves on the Public Art Committee. The Committee provides no regulation, oversight, management, or policy-setting recommendations regarding the above contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (DW)

3. **Staff recommends motion to authorize:** the Mayor to sign the Certificate Regarding Matching Funds certifying that the Board of County Commissioners will provide matching funds in the amount of \$32,811.22 for the Supervisor of Elections’ Federal Election Activities grant for FY 2015. **SUMMARY:** The 2014 Florida Legislature appropriated funds specifically for federal election activities. These funds are distributed to the Supervisors of Elections (SOE) pursuant to a formula based on active registered voters in each county. Palm Beach County’s share of the State funding is \$218,741.45. The County is required to provide a 15% match of \$32,811.22 which is included in the SOE’s FY 2015 budget. Countywide (DN)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

4. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, supporting the Palm Beach County Food Bank and its application for The Emergency Food Assistance Program for Palm Beach County. **SUMMARY:** In early 2012, the Palm Beach County Food Bank was created in response to a growing hunger problem in our community and a realization that existing food banking operations were ineffective in meeting community needs. The Palm Beach County Food Bank is supported by a broad coalition of community organizations and agencies including the Board of County Commissioners, Children's Services Council of Palm Beach County, United Way of Palm Beach County, the Community Foundation of Palm Beach and Martin Counties, and several other locally operating foundations. The Resolution being recommended in this item will be forwarded to the Florida Department of Agriculture and Consumer Services, the grant administering agency, in support of the Palm Beach County Food Bank and its application for The Emergency Food Assistance Program known as TEFAP. Countywide (TKF)
5. Staff recommends motion to approve: appointment of the following individual to the Health Facilities Authority to fill an unexpired term ending April 30, 2017:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Term Expiration</u>	<u>Nominated by:</u>
Carla S. Bryant	2	Resident of PBC	04/30/2017	Mayor Taylor Vice Mayor Burdick Comm. Valeche

SUMMARY: Per Chapter 154.207, Florida Statutes and Resolution Nos. R77-379 and R92-563, the Health Facilities Authority is composed of five members appointed at-large by the Board of County Commissioners (BCC). A memo dated September 3, 2014 was circulated to the BCC notifying the BCC that the current representative, Dr. Keysha had resigned from the Authority and requesting support of Ms. Carla Bryant or asking for additional nominations. No other nominations have been received. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6. **Staff recommends motion to approve:** reappointment of two and appointment of one at-large member to the Handicap Accessibility and Awareness Grant Review Committee (Committee) for a three year period beginning October 7, 2014, through September 30, 2017. These are at-large appointments to be made from the following list of nominees:

<u>Nominee:</u>	<u>Seat No.</u>	<u>Nominated by:</u>
Laurence Osband	6	Mayor Taylor Vice Mayor Burdick Comm. Abrams Comm. Valeche Comm. Vana
Gerald Rosenberg	9	Mayor Taylor Vice Mayor Burdick Comm. Abrams Comm. Valeche
Yevola Falana	8	Mayor Taylor Vice Mayor Burdick Comm. Valeche

SUMMARY: Laurence Osband and Gerald Rosenberg are current at-large members of the Handicap Accessibility Awareness Committee whose current term expired on September 10, 2014. Both have expressed an interest in reappointment and have met the attendance requirements during the current term. The other appointment is to fill one at-large vacancy as a result of automatic removal of a member due to lack of attendance. We received an application from Yevola Falana to fill that one seat. This Committee is comprised of nine members. All members must be residents of Palm Beach County and a person with a disability or advocate for persons with disabilities. The Committee meets quarterly. All appointments are for a term of three years and are at-large. A memorandum was sent to the Board of County Commissioners on August 29, 2014 requesting nominations. No other nominations were received. Countywide (DO)

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>
Comprehensive Plan	July 23, 2014
Environmental Control Board	August 19, 2014
Regular	August 19, 2014
Environmental Control Board	August 28, 2014
Zoning	August 28, 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

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

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 May 2014. Countywide

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) a Budget Transfer of \$153,000 from Impact Fee Zone 1 Reserves and appropriate it to the Hood Road and Central Boulevard Intersection Improvements project; and

B) a Task Order to the annual contract, R2014-0891, in the amount of \$150,371.05, with Arcadis U.S., Inc. (Arcadis), for professional services for the Hood Road and Central Boulevard Intersection Improvements Project (Project).

SUMMARY: Approval of this Budget Transfer and 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%. Arcadis has committed to 21% SBE participation for the Project. Arcadis is a Palm Beach County company. District 1 (MRE)

2. Staff recommends motion to approve: an Agreement with Sunterra Homeowners Association, Inc. (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this Agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon its roadways during normal patrol hours within the Community. District 2 (MRE)

3. Staff recommends motion to approve: an Agreement with Kings Point Recreation Corporation, Inc. (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this Agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon its roadways during normal patrol hours within the Community. District 5 (MRE)

4. Staff recommends motion to approve: the Fiscal Year 2014/2015 Pathway Program. **SUMMARY:** Approval of the Fiscal Year 2014/2015 pathway program will allow construction of the proposed projects compiled in response to requests from the Palm Beach County School Board, Palm Beach County Sheriff's Office, members of the Board of County Commissioners, and residents of Palm Beach County. The proposed projects include eight new construction projects and 15 major maintenance projects. The total program cost is \$1,500,000 and is divided into the following categories:

School Related	\$465,015
Non School Related	\$472,395
Major Maintenance	\$464,187
<u>Minor Maintenance & Support</u>	<u>\$98,403</u>
Total	\$1,500,000

Countywide (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, establishing the policy that Palm Beach County shall not do business with nor appropriate funds to any public or private organization which practices discrimination on the basis of race, color, national origin, religion, ancestry, sex, age, marital status, familial status, sexual orientation, gender identity and expression, disability, or genetic information; requiring entities doing business with Palm Beach County to submit their non-discrimination policy to Palm Beach County prior to entering into contracts with Palm Beach County; repealing and replacing Resolution 92-13, as amended by Resolutions R2012-0197 and R2014-0113. **SUMMARY:** The Board of County Commissioners of Palm Beach County, Florida, gave direction on July 22, 2014, to amend the County's non-discrimination in contracting policy to require entities doing business with Palm Beach County to submit their non-discrimination policy to Palm Beach County prior to entering into contracts with Palm Beach County. Countywide (TKF)

2. Staff recommends motion to approve: First Amendment to Stipulated Settlement Agreement in the alternative dispute resolution proceeding styled, In re Complaint No. C-2011-04010004, Petitioner Anshei Emuna Congregation, 16191 South Jog Road, Delray Beach, FL, Property ID No. 00-42-46-27-00-000-3900. **SUMMARY:** In 2011, Anshei Emuna Congregation ("the Temple") and T-Mobile, Inc. filed a petition for alternative dispute resolution, pursuant to Fla. Stat. Sec. 70.51, to resolve pending code enforcement violations arising from the petitioners' failure to install an approved Alternative Landscaping Plan before installing a cell-phone tower on the Temple property. The petitioners took the position that the Alternative Landscaping Plan related to development that was contemplated, but never developed, on the southern portion of the Temple's original site and should not be required for development on the Temple's existing site. The parties executed a settlement agreement in the dispute resolution proceeding which required, in part, that the Temple and T-Mobile remove invasive species from an existing thirty-foot ficus hedge on the Temple property and install additional vegetative material in the hedge, so that the hedge could serve as an opaque barrier between the Temple and the neighboring homes. In spite of the Temple and T-Mobile's best efforts, the additional plantings have not restored the hedge to opacity, after the removal of the invasive species. The First Amendment to the Settlement Agreement allows the petitioners to plant no less than twenty-five areca palms on the Temple's property, in order to make the hedge an opaque barrier. The First Amendment also requires the Temple and T-Mobile to expand the existing irrigation system to further ensure the viability of the hedge. Staff recommends approval of the proposed First Amendment to the Settlement Agreement, as consistent with the intent of the parties in executing the original settlement agreement. District 5 (ATP)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) receive and file Project Award Notification Amendments No. 2 through 5 to Project Award No. 760-4054A-4CFJ1 from the Florida Department of Education, for the budget period July 1, 2013, through June 30, 2015, increasing the amount by \$7,033, for a new total amount not to exceed \$231,886, and to extend the grant period to June 30, 2015; and

B) approve Budget Amendment of \$7,033 in the Farmworker Career Development Program Fund to reconcile the budget with the grant amount.

SUMMARY: Amendment No. 5 to Project No. 760-4054A-4CFJ1 was received from the Florida Department of Education (FDOE) National Farmworker Jobs Program, Title I Section 167, issuing a budget increase in the amount of \$7,033, for a total grant amount not to exceed \$231,886. On June 3, 2014, Project Award Notification No. 760-4054A-4CFJ1 (R2014-0753) and Amendment No. 1 to Project No. 760-4054A-4CFJ1 (R2014-0754) were approved by the Board of County Commissioners. Amendments No. 2 and 3 were technical amendments that did not affect the total grant amount or basic scope of services. Amendment No. 4 extends the grant period to June 30, 2015. Amendment No. 5 award is based on a final statewide revision and reallocation by FDOE. The funds will be utilized to pay educational/vocational fees for participants enrolled in the program. This receive and file item is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk’s Office to note and receive this item. No County funds are required. (Farmworker Career Development Program) Countywide (TKF)

2. Staff recommends motion to approve: appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for three year terms, effective October 7, 2014:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
6	Lilia Perez	Provider Seat	10/06/2017
25	Denise St. Joy	Non-Elected Community Leaders	10/06/2017
31	Jeannette Tomici	Part D	04/15/2016
32	Tony Martez White	Federal HIV Program	10/06/2017

SUMMARY: The total membership shall be no more than 33 members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These appointments successfully completed the HIV CARE Council nominations process, and the HIV CARE Council has recommended their appointments. Ms. Perez has disclosed that she is employed by Foundcare, Inc., that contracts with the County for services. Mr. White has disclosed that he is employed by Compass, Inc., that contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (Ryan White) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. **Staff recommends motion to approve:** proposed seat change of one current member of the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council:

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
10	26	Rosalyn Collins	Non-Elected Community Leaders	11/17/2016

SUMMARY: The Palm Beach County HIV CARE Council Bylaws state that total membership shall be no more than 33 members. Founding members were appointed for three year terms with subsequent terms of three years. The Palm Beach County HIV CARE Council nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Due to an effort to most accurately reflect mandatory seat requirements, a seat change for one current member is being recommended. Rosalyn Collins is currently in Seat No. 10 - Mental Health and/or Substance Abuse Provider, but will be moved to Seat No. 26 - Non-Elected Community Leaders. (Ryan White) Countywide (TKF)

4. **REVISED TITLE: Staff recommends motion to ratify:** the signature of the Mayor on the Federally-Funded Subgrant (Community Service Block Grant) Agreement No. 15SB-0D-10-60-01-021 with the State of Florida, Department of Economic Opportunity, for the period October 1, 2014, through September 30, 2015, in an amount not to exceed \$791,311 to provide self sufficiency services for low income individuals and families. **SUMMARY:** The State of Florida Department of Economic Opportunity awarded the Palm Beach County Community Action Program (CAP) \$791,311 in Community Service Block Grant (CSBG) funds, with additional County funds of \$268,181 for a total budget not to exceed \$1,059,492. These funds will be used to provide employment skills training and job placement services, financial management training, health education, rental assistance, utility assistance and case management services to more than 500 low income residents of Palm Beach County. The emergency signature process was utilized because there was insufficient time to submit this Agreement through the regular agenda process. (Community Action Program) Countywide (TKF)

5. **Staff recommends motion to:**
- A) authorize** the Department of Community Services to execute a purchase order for the Senior Companion Program (SCP) with the Florida Department of Elder Affairs (DoEA) for the period July 1, 2014, through June 30, 2015, in an amount not to exceed \$1,800 for reimbursement of volunteer support expenses; and

B) approve Budget Amendment of \$1,250 in the DOSS Administration Fund to align the budget to the actual grant award.

SUMMARY: DoEA is implementing a purchase order, in place of a contract, to reimburse for volunteer support expenses. This purchase order will be utilized to reimburse the Division of Senior Services (DOSS) \$1,800 to pay for volunteer level II background checks, training, supplies, recognition, and physicals. Stipends, meals and mileage will be provided by DoEA. Additional County funds in the amount of \$3,158 will be provided to cover expenses that are not cover by grant funds. Supervision of the Senior Companion volunteers will be provided by DOSS. The Budget Amendment is aligning the County budget with the actual grant award. (DOSS) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. [Staff recommends motion to approve:](#) Amendments to Contracts for Provision of Financial Assistance with the below listed agencies, for the period October 1, 2014, through September 30, 2015, in an amount totaling \$3,424,275 to provide a variety of human service needs to the community:
- A)** Amendment No. 03 to Contract for Provision of Financial Assistance with The Glades Initiative, Inc., (R2011-1774), increasing funding by \$145,530 for a new total contract amount not to exceed \$582,120; and
 - B)** Amendment No. 01 to Contract for Provision of Financial Assistance with The Mae Volen Senior Center, Inc., (R2014-0026), increasing funding by \$1,153,419 for a new total contract amount not to exceed \$2,306,838; and
 - C)** Amendment No. 01 to Contract for Provision of Financial Assistance with Alzheimer's Community Care, Inc., (R2013-1391), increasing funding by \$525,000 for a new total contract amount not to exceed \$1,050,000; and
 - D)** Amendment No. 02 to Contract for Provision of Financial Assistance with The Young Women's Christian Association of Palm Beach County, Florida., (R2012-1517), increasing funding by \$112,053 for a new total contract amount not to exceed \$337,877; and
 - E)** Amendment No. 02 to Contract for Provision of Financial Assistance with Aid to Victims of Domestic Abuse, Inc., (R2012-1656), increasing funding by \$227,007 for a new total contract amount not to exceed \$681,021; and
 - F)** Amendment No. 01 to Contract for Provision of Financial Assistance with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2013-1392), increasing funding by \$46,209 for a new total contract amount not to exceed \$92,418; and
 - G)** Amendment No. 02 to Contract for Provision of Financial Assistance with The Lord's Place, Inc. (R2012-1514), increasing funding by \$226,380 for a new total contract amount not to exceed \$679,140; and
 - H)** Amendment No. 03 to Contract for Provision of Financial Assistance with The Center for Family Services of Palm Beach County, Inc., (R2012-1511), increasing funding by \$157,754 for a new total contract amount not to exceed \$496,751; and
 - I)** Amendment No. 02 to Contract for Provision of Financial Assistance with Adopt-A-Family of the Palm Beaches, Inc. (R2012-1655), increasing funding by \$234,100 for a new total contract amount not to exceed \$702,300.
 - J)** Amendment No. 01 to Contract for Provision of Financial Assistance with Adopt- A-Family of the Palm Beaches, Inc. (R2013-1623), increasing funding by \$60,000 for a new total contract not to exceed \$120,000; and
 - K)** Amendment No. 01 to Contract for Provision of Financial Assistance with Farmworker Coordinating Council of Palm Beach County, Inc. (R2013-1394), increasing funding by \$150,346 for a new total contract amount not to exceed \$300,692; and

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. MOTION/TITLE CONTINUED

L) Amendment No. 02 to Contract for Provision of Financial Assistance with The Children's Place at Home Safe, Inc. (R2012-1658), increasing funding by \$42,188 for a new total contract amount not to exceed \$124,846; and

M) Amendment No. 01 to Contract for Provision of Financial Assistance with Communities in Schools of Palm Beach County, Inc. (R2013-1393), increasing funding by \$69,618 for a new total contract amount not to exceed \$139,236; and

N) Amendment No. 02 to Contract for Provision of Financial Assistance with The Children's Home Society of Florida (R2012-1512), increasing funding by \$124,431 for a new total contract amount not to exceed \$373,293; and

O) Amendment No. 03 to Contract for Provision of Financial Assistance with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2011-1562), increasing funding by \$85,767 for a new total contract amount not to exceed \$343,068; and

P) Amendment No. 03 to Contract for Provision of Financial Assistance with Sickle Cell Foundation of Palm Beach County, Inc. (R2011-1771), increasing funding by \$64,473 for a new total contract amount not to exceed \$257,892.

SUMMARY: On July 22, 2014, the Board of County Commissioners approved funding allocations for the Financially Assisted Agencies (FAA) Program and the Youth Violence/Diversion and Summer Camp Scholarship Programs being transferred to the new Youth Services Department. The contract amendments being recommended in this item reflect the dollar amounts approved by the Board for FY 2015. These contracts represent \$3,354,657 of the total FAA funding allocation of \$11,290,068 and \$69,618 of the total Youth Violence/Diversion and Summer Camp Scholarship allocation of \$968,118. Other contracts and amendments under these programs will be forthcoming upon receipt of all the required information. Countywide (TKF)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: appointments to the Farmworker Program Advisory Board for two year terms, effective October 7, 2014:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Connie Harriage	Program Participant	09/30/2016	Mayor Taylor Vice Mayor Burdick Comm. Valeche
2	Annie L. Monroe	Farmworker Family Advocate	09/30/2016	Mayor Taylor Vice Mayor Burdick Comm. Valeche
3	Mae D. Campbell	Farmworker Family Advocate	09/30/2016	Mayor Taylor Vice Mayor Burdick Comm. Valeche
4	Beatriz Solis	Farmworker Family Advocate	09/30/2016	Mayor Taylor Comm. Valeche
5	Diane L. Walker	Elected Community Leader	09/30/2016	Mayor Taylor Vice Mayor Burdick Comm. Valeche
6	Mary R. Wilkerson	Business Rep	09/30/2016	Mayor Taylor Vice Mayor Burdick Comm. Valeche
8	Lazara G. Gutierrez	Local Employer	09/30/2016	Mayor Taylor Comm. Valeche
9	Berkley Finley	Higher/Adult Education	09/30/2016	Mayor Taylor Vice Mayor Burdick Comm. Valeche

SUMMARY: The total membership for the Farmworker Career Development Program (FCDP) Farmworker Program Advisory Board shall be no more than nine members, per Resolution No. R2014-0402, comprised of students, representatives of business, education, agencies, and farm worker representatives. Ms. Monroe has disclosed that she is employed by Farmworker Coordinating Council, that contracts with the County for services. Ms. Wilkerson has disclosed that she is employed by Drug Abuse Treatment Association, that contracts with the County for services. Mr. Finley has disclosed that he is employed by Palm Beach State College, that contracts with the County for services. The Farmworker Program Advisory Board provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. These Appointments meet all applicable guidelines and requirements outlined in the Resolution adopted by the Board of County Commissioners on April 1, 2014. The FCDP Program Coordinator and staff have recommended these appointments. (Farmworker Career Development Program) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: Change Order No. 1 to Amendment No. 1 of the Construction Manager (CM) at Risk Contract with The Weitz Company, LLC for Terminal Restroom Renovations – Phase 1 at Palm Beach International Airport (PBIA) for a time extension of 240 calendar days and no increase in cost. **SUMMARY:** The CM at Risk Contract with The Weitz Company, LLC for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0664). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Weitz Company, LLC is an Iowa based firm; however, the work will be directly managed by their local South Florida office in Palm Beach County. Amendment No. 1: Terminal Restroom Renovations – Phase 1 (Task W-1) at PBIA was approved by the Board on May 6, 2014 (R2014-0589) for the Guaranteed Maximum Price of \$2,097,138 and 185 calendar days. Approval of Change Order No. 1 will extend the time an additional 240 calendar days due to delays in procurement of materials. There is no increase in cost. Pursuant to PPM No. CW-F-050, this Change Order is being brought to the Board for approval due to the time extension exceeding the limit of 90 calendar days. Countywide (JCM)

2. Staff recommends motion to approve: a Transfer Agreement with the Federal Aviation Administration (FAA) to transfer ownership of a Glide Slope (GS) Shelter for Runway 28R at Palm Beach International Airport (PBIA) to the FAA, without cost to the FAA. **SUMMARY:** On October 20, 2009, the Board approved a Reimbursable Agreement (R2009-1760) with the FAA for the FAA to provide engineering support services for the relocation of the FAA's Glide Slope and Runway Visual Range (RVR) systems as a result of the Taxiway 'L' Extension project at PBIA. The Agreement provided funds for the FAA to establish and carry out these essential services. This project was funded by Passenger Facility Charge funds and Florida Department of Transportation grants. Approval of the Transfer Agreement allows for the transfer of the GS Shelter for Runway 28R at PBIA to the FAA at no cost to the FAA. The FAA has determined that the said system and equipment serve a public safety need. A Memorandum of Understanding dated April 25, 2000 provides that the FAA may assume ownership of the equipment funded by the Passenger Facility Charge. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. **Staff recommends motion to approve:** Amendment No. 1 to the General Consulting Agreement with AECOM Technical Services, Inc. for consulting/professional services in the amount of \$1,904,125 for the Master Plan Update at Palm Beach International Airport (PBIA). **SUMMARY:** The Consulting Agreement (R2014-0031) with AECOM Technical Services, Inc. for general airport planning and design was approved on January 14, 2014 in the amount of \$1,641,372 in order to carry out the approved Capital Improvement Programs for the County's Airports. The agreement is for two years with two one-year renewal options. Approval of Amendment No. 1 in the amount of \$1,904,125 will provide funds to complete the following task: Task I Services – Palm Beach International Airport (PBIA) Master Plan Update. AECOM Technical Services, Inc. is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based subconsultants and firms. Certain tasks performed during the term of this contract will be eligible for State and Federal grant participation; as such, the proposed fee for this task has been verified in accordance with FAA Advisory Circular 150/5100-14C by use of an Independent Fee Analysis conducted by a neutral third party firm (CH2M Hill, Inc.). A Disadvantaged Business Enterprise (DBE) goal of 15.00% was set for this contract. The DBE participation for this Amendment is 4.99%. The total anticipated DBE participation to date is 12.00%. William Snow and Michael Bennett of AECOM serve on the Board of County Commissioners Groundwater & Natural Resources Protection Board. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding the disclosed contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (JCM)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to:**
 - A) approve** the Communication Services Tax Agreement for Access to Confidential State Tax Information with the Florida Department of Revenue (DOR), which authorizes the Office of Financial Management & Budget (OFMB) to access necessary information for revenue projections; and
 - B) authorize** the County Administrator or his designee to execute any future agreements relating to continued access to DOR's communication services tax information.

SUMMARY: Execution of the Communication Services Tax Agreement will provide OFMB with the necessary access to confidential communication services tax information maintained by DOR. This is a required agreement at no cost to the County. Delegating signature authority will simplify future agreements. Countywide (PK)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve:

A) Budget Transfer from School Impact Fee Zone 1 reserve account to School Impact Fee Zone 1 appropriation account for \$4,865,000;

B) Budget Transfer from School Impact Fee Zone 2 reserve account to School Impact Fee Zone 2 appropriation account for \$3,461,000;

C) Budget Transfer from School Impact Fee Zone 3 reserve account to School Impact Fee Zone 3 appropriation account for \$5,385,000; and

D) Budget Transfer from School Impact Fee Zone 4 reserve account to School Impact Fee Zone 4 appropriation account for \$2,180,000.

SUMMARY: Impact fees budgeted in reserve accounts cannot be appropriated until funds have been collected. These budget transfers recognize school impact fee revenues as of August 31, 2014 and allow for their appropriation so that the County may remit funds to the School District in accordance with Article 13 of the Unified Land Development Code. Countywide (LB)

3. Staff recommends motion to approve: reappointment of F. Malcolm Cunningham, Jr. to the Contract Review Committee:

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
F. Malcolm Cunningham, Jr., Esq.	4	Mayor Taylor Vice Mayor Burdick Commissioner Valeche Commissioner Abrams Commissioner Berger Commissioner Santamaria

SUMMARY: On December 6, 2011, the Board of County Commissioners voted to add an At-Large appointee to the Contract Review Committee. The Board directed the new member to be a representative from the community with general contracting experience or an attorney experienced in construction law. Malcolm Cunningham, Esq., was appointed to the Contract Review Committee on March 20, 2012. Mr. Cunningham is a local attorney admitted to practice in Florida, and he specializes in commercial and construction litigation. As Mr. Cunningham's term has expired, reappointment is being recommended as he has served the Committee and County well during his tenure. Staff is recommending a three-year term for Mr. Cunningham, per Board policy. Countywide (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 2 to the contracts for environmental assessment services on a continuing contract basis:

A) Dunkelberger Engineering & Testing, Inc. (R2011-1504);

B) URS Corporation Southern (R2011-1505); and

C) Eco Advisors, LLC. (R2011-1506).

SUMMARY: Amendments No. 2 extend the term of three contracts for professional consulting services for environmental assessment services for one year. The Board approved annual contracts on October 4, 2011, which provided for an initial two year term with two one-year renewal options. Amendments No. 2 will provide services during the second and final renewal period. During the three years of these contracts, Dunkelberger Engineering & Testing, Inc. has achieved 14.6% SBE participation, URS Corporation Southern has achieved 13.7% SBE participation, and Eco Advisors, LLC has achieved 96.3% SBE participation. The Small Business Enterprise (SBE) goal for these contracts is 15% participation. All three of these firms are Palm Beach County companies. (Capital Improvements Division) Countywide (JM)

2. Staff recommends motion to approve: Change Order No. 236 to the contract with Moss & Associates, Inc. (R2007-0031) decreasing the Guarantee Maximum Price (GMP) for the Jail Expansion Program II project in the amount of \$224,749.88.

SUMMARY: On May 17, 2011, the Board approved Amendment No. 9 to the contract with Moss & Associates, Inc. (R2011-0755) in the amount of \$11,926,673 for renovations to the West County Courthouse. There is \$224,749.88 remaining as a result of buyout savings, unused allowances, unused owner contingency and reconciliation of sales tax recovery purchase orders all associated with Amendment No. 9. This work was funded through the Criminal Justice and Public Improvement Revenue Bond Series 2008 and funds will be returned to the project budget. The Small Business Enterprise (SBE) goal for this contract is 15% and the final SBE participation is 16.4%. (Capital Improvements Division) Countywide (JM)

3. Staff recommends motion to approve: a Water Service Agreement with the Town of Jupiter and South Florida Water Management District for water service to Riverbend Park.

SUMMARY: The Water Service Agreement is a requirement of the Town of Jupiter Utilities Department to provide adequate water facilities and services to the Riverbend Park project. This type of agreement is typical for connection into Jupiter's water system and the water service agreement has been reviewed by the County Attorney's Office. South Florida Water Management District must sign the Agreement as the property owner. All of the required contribution-in-aid-of-construction fee has been paid by the Parks & Recreation Department. (Capital Improvements Division) District 1 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. **Staff recommends motion to receive and file:** a notice of exercise of the third extension option of Concessionaire Service Agreement (R2010-1408) (Agreement) with DH2, Inc. for the operation of food and beverage services at Osprey Point Golf Course in Burt Aaronson South County Regional Park for \$7,019.15 per year. **SUMMARY:** On September 14, 2010, the Board approved the Agreement with DH2, Inc. for the use of a 183 SF snack bar and a portion of the exterior patio area at the clubhouse, and the operation of mobile food and beverage carts on the golf course at Osprey Point Golf Course located in Burt Aaronson South County Regional Park. The minimum guaranteed annual rent is \$7,019.15 per year with a per round fee of \$0.20 for each round of golf played during the preceding 12 months that exceeds 60,000 rounds. The Osprey Point Golf Course opened in November of 2010, with 51,000 to 85,000 rounds played annually over the past four years. The course has matured and is popular with the public. Use during this 12 month extension period is anticipated to exceed the 60,000 round threshold by 30,000 rounds. DH2, Inc. is exercising the third and final option for the period of November 5, 2014 to November 4, 2015. The Parks and Recreation Department is satisfied with DH2, Inc.'s performance. Pursuant to the Agreement, DH2, Inc. has the right to exercise its option and the Board has no discretionary authority to deny the exercise of the option. (PREM) District 5 (HJF)

5. **Staff recommends motion to approve:** a License Agreement with the School Board of Palm Beach County for the continued use of School Board property for a temporary customer service and a maintenance facility for the County's Water Utilities Department (WUD) operations and maintenance crews in West County. **SUMMARY:** WUD has been using 3.8 acres of the School Board's property adjacent to the Glades Regional Water Treatment facility and the School Board's West Tech campus in Belle Glade since 2006. This License Agreement provides for WUD's continued use of the School Board property from January 1, 2015 to December 31, 2015, at the same annual rental rate of \$19,000. WUD uses this property for its existing customer service operations, fuel storage, and a lay down area for storage of utility materials and equipment. WUD is in the process of completing a permanent facility for operations and maintenance and requires an additional year to complete same. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve:

A) First Amendment to Access Easement in favor of Sannlor Properties II, LLC (Sannlor) (R2011-1786);

B) First Amendment to Drainage Easement in favor of Sannlor (R2011-1785);

C) First Amendment to Flowage and Drainage Easement in favor of Sannlor (R2012-0567);

D) Termination of Use and Management Agreement with Sannlor (R95-8240); and

E) a Signage and Landscape Easement in favor of Sannlor.

SUMMARY: Morikami Park (Park) is located on Jog Road in western Delray Beach between Linton Boulevard and Clint Moore Road. On June 20, 1995, the Board approved a Use and Management Agreement (Agreement) (R95-8240) with the American Orchid Society, Inc. (AOS) whereby the orderly development of the Park and the adjacent AOS property would occur in the best interest of both parties. The Agreement required the County to grant AOS easements for access, storm water drainage and signage over Park property. The Board previously approved an Access Easement (R2011-1786), a Drainage Easement (R2011-1785), and a Flowage and Drainage Easement (R2012-0567). Sannlor is the successor in interest to the AOS property and is redeveloping the site as a day care and private school for autistic children. The Access Easement is being modified to add security fencing, a card reader gate and a vehicle turn around area for the new school. The 10' Drainage Easement and the 15' Flowage and Drainage Easement are being modified to expand the width to 25' to meet current code requirements. In addition, Sannlor has requested a Signage and Landscape Easement which it is entitled to under the Agreement. With approval of these easements the County will have fulfilled its obligations under the Agreement and will record a Termination of Use and Management Agreement to document that the County will be under no further obligation to provide Sannlor additional use of the Park property. All of the Easements described herein are being granted at no charge since each is consistent with the original intent of the Agreement. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to accept: a Quitclaim and Release of Interests from Florida Department of Transportation (FDOT) for an approximately .25 acre portion of County-owned real property commonly known as the Wedge and located within the City of West Palm Beach's Transit Oriented Development District. **SUMMARY:** In 2007, FDOT conveyed the southernmost .25 acre portion of the 5.8 acre Wedge property to the County to facilitate the development of the County's Intermodal Transit Center (ITC) at the southeast corner of Banyan Boulevard and Clearwater Drive in the City of West Palm Beach. FDOT retained: 1) a reversionary interest in the property in the event that it was not used for public purposes, and 2) mineral rights. The County entered into an Agreement for Purchase and Sale (R2012-1158) with Transit Village, LLC (TV) for the sale of excess portions of the Wedge property, including the .25 acre acquired from FDOT. A release of FDOT's reversionary interest is required to facilitate development of TV's project. This Quitclaim and Release of Interests releases the aforementioned FDOT reversionary interest, requires that use of the property continue to be for a public purpose, including open space comprising a publically accessible amenity, and also releases FDOT's mineral rights reservations. The property is currently improved with a pedestrian sidewalk and landscaping improvements as part of the ITC which are consistent with the modified restrictions. In the event that the property is not utilized in a manner that is consistent with the use restriction, the then current owner (presumably TV) would be required to pay FDOT the fair market value of the property. The Quitclaim and Release of Interests is being provided at no cost to the County. (PREM) District 7 (HJF)

8. Staff recommends motion to approve: an Agreement with G.L. Building Corporation to provide donated equipment, materials, and renovations for the South County Civic Center. **SUMMARY:** This Agreement provides the terms and conditions under which G.L. Homes, through its affiliate G.L. Building Corporation, will install needed improvements to the South County Civic Center at 16700 Jog Road, Delray Beach. The Civic Center is over twenty years old and many of its amenities have aged and are in need of improvement or replacement. This facility is widely used by the area residents, and G.L. Homes believes it to be an important component to the vitality of the western Delray Beach area and its residents. This facility is utilized for informational meetings and seminars, cookouts, educational instruction/tutoring for school age children, voting, weddings receptions, and many more community and civic uses. The improvements will renovate the lighting, sound, and video systems for the stage, replace the stage flooring and curtains, renovate the kitchen, and provide new furniture for the entrance lobby and social hall. G.L. Homes has offered to construct the needed improvements for the Civic Center at no cost to the County. The value of the work is estimated at \$200,000. (Capital Improvements Division) District 5 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve:

A) Contract with RCC Consultants, Inc. to provide planning and engineering services associated with countywide public safety radio system; and

B) Consultant Service Authorization (CSA) No. 1 in the amount of \$304,105.

SUMMARY: The purpose of this Contract is to have a consultant provide planning and engineering services for countywide public safety radio system. Consultant fees will be negotiated on an individual basis for the identified projects. This Contract will be for three years with two one-year renewal options. RCC Consultants, Inc. has headquarters in New Jersey with a regional office in Tallahassee and will be using Palm Beach County subconsultants for 15% of the work. This Contract includes a Small Business Enterprise (SBE) goal of 15% which can be met through the use of either M/WBE or SBE firms. RCC's scope of work includes two initial milestones which require a formal review and comment by potential vendors and municipalities prior to proceeding to the next task. Those two milestones are: 1) the recommendation for a phased or full migration from the existing countywide trunked radio system to a full digital system that is compliant with the Association of Public-Safety Communications Officials (APCO) Project 25 (P25) standards, and 2) the draft of the Request for Proposals (RFP) for the design and implementation of the P25 system. The purpose of these reviews is to ensure: 1) municipal participation, 2) the production of a vendor-neutral RFP, and 3) that any issues are timely addressed and not compounded by proceeding when underlying issues are not resolved. CSA No. 1 provides the County with project management services for the planning, preparation of vendor neutral RFP, and technical review services during the procurement phase of a P25 compliant public safety radio system. (Capital Improvements Division) Countywide (JM)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: an Agreement with the City of Belle Glade in the amount of \$135,071 for the period of October 1, 2014 to September 30, 2015. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding to pay for the salary and benefits of three full-time Code Compliance Officers. On July 22, 2014, the Board of County Commissioners approved the Fiscal Year 2014-2015 Action Plan (R2014-1079) which allocated \$135,071 for these code enforcement costs. The City also received CDBG funding for this activity in the two prior Fiscal Years. **This funding is projected to create four jobs and have a one year Economic Sustainability Impact of \$179,290. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

2. Staff recommends motion to approve: an Agreement with the City of Pahokee in the amount of \$48,132 for the period of October 1, 2014 to September 30, 2015. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding to pay for the salary and benefits of one full-time Code Compliance Clerk and partially fund the salary of one Code Compliance Officer. On July 22, 2014, the Board of County Commissioners approved the Fiscal Year 2014-2015 Action Plan (R2014-1079) which allocated \$48,132 for these code enforcement costs. The City also received CDBG funding for this activity in the two prior Fiscal Years. **This funding is projected to create three jobs and have a one year Economic Sustainability Impact of \$122,070. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve: an Agreement with the City of South Bay in the amount of \$28,450 for the period of October 1, 2014 to September 30, 2015. **SUMMARY:** This Agreement provides Community Development Block Grant (CDBG) funding to pay for the salary and benefits of one full-time Code Compliance Officer. On July 22, 2014, the Board of County Commissioners approved the Fiscal Year 2014-2015 Action Plan (R2014-1079) which allocated \$28,450 for these code enforcement costs. The City also received CDBG funding for this activity last Fiscal Year. **This funding is projected to create two jobs and have a one year Economic Sustainability Impact of \$61,000. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 6 (TKF)

4. Staff recommends motion to approve: an Agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$50,000 for the period October 1, 2014 to September 30, 2015. **SUMMARY:** This Agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program, which is entering its 19th year of operation. The Program continues to support the development of the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. This funding will assist in the planning, facilitation and execution of all aspects in the production of the largest film competition and live awards ceremony within the state of Florida, the 2015 Student Showcase of Films (SSOF). The SSOF honors Florida high school and college student filmmakers and celebrates the artistic successes they have achieved in this field. **This funding is projected to have a one year Economic Sustainability Impact of \$179,300. These are County Ad Valorem funds.** (DES Contract Development) Countywide (DW)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to approve: thirteen Agreements under the Fiscal Year 2014-2015 Community Development Block Grant (CDBG) Program totaling \$219,966 to 13 non-profit agencies, in the amounts indicated below, for the period of October 1, 2014 to September 30, 2015, as follows:

A) Aid to Victims of Domestic Abuse, Inc., in the amount of \$20,020 for transitional housing and supportive services;

B) The Children's Home Society of Florida in the amount of \$18,480 for transitional housing and services to homeless pregnant or parenting teen mothers;

C) The Children's Place at Home Safe, Inc., in the amount of \$13,867 for emergency transitional shelter and specialized therapeutic care;

D) The Coalition for Independent Living Options, Inc., in the amount of \$17,821 for emergency meals;

E) Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc., in the amount of \$7,252 for assistance to uninsured low income pregnant women and their families in order to access health care, to secure payer sources and other services for prenatal care;

F) Jesus and You Outreach Ministries, Inc., in the amount of \$9,239 for transitional residential shelter and supportive services to homeless men;

G) Legal Aid Society of Palm Beach County, Inc., in the amount of \$47,300 for fair housing education, outreach, advocacy and enforcement activities;

H) Place of Hope, Inc., in the amount of \$12,100 for transitional emergency housing and supportive services;

I) Redlands Christian Migrant Association, Inc., in the amount of \$10,780 for child care and education services;

J) Seagull Industries for the Disabled, Inc., in the amount of \$24,200 for vocational training and supervision;

K) Sickle Cell Foundation of Palm Beach County, Inc., in the amount of \$13,860 for comprehensive case management services;

L) Urban League of Palm Beach County, Inc., in the amount of \$14,708 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and

M) Vita Nova, Inc., in the amount of \$10,339 for transitional housing and supportive services.

SUMMARY: On July 22, 2014 (R2014-1079), the Board of County Commissioners approved the Palm Beach County Action Plan which allocated \$219,966 in CDBG funds to 13 non-profit agencies to provide public services, including fair housing activities. Kimberly Rommel-Enright and Vicki Tucci, employees of Legal Aid Society of Palm Beach County, Inc., serve on the HIV CARE Council, a County Advisory Board. Jimmy Weatherspoon, an employee of the Urban League of Palm Beach County, Inc., serves on the Board of Housing Finance Authority, a County Advisory Board. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agency contracts listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. **These are Federal CDBG funds which require no local match.** (DES Contract Development) Countywide (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

6. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2012-1799) with the Treasure Coast Regional Planning Council (TCRPC) to extend the expiration date from October 8, 2014 to February 14, 2015. **SUMMARY:** On October 12, 2012, the County entered into an Agreement (R2012-1799) with the Treasure Coast Regional Planning Council, to provide \$347,398 in Community Challenge Planning Grant (CCPG) funds to complete the planning activity deliverables for the development of the Glades Region Master Plan. Due to delays in the commencement of the overall planning process, TCRPC was not able to complete the contract deliverables by the October 8, 2014 deadline. This Amendment provides an additional four months to the term of the Agreement to allow the TCRPC to complete the project. **These are Federal CCPG funds which require a match which will be met through in-kind contributions that include staff time and resources from the County and other partner agencies.** (DES Contract Development) District 6 (DW)

7. Staff recommends motion to approve: a Consulting/Professional Services Contract with the Palm Beach County Black Business Investment Corporation (BBIC) in the amount of \$54,000 for the period October 1, 2014 to September 30, 2015. **SUMMARY:** This Consulting/Professional Services Contract will fund the BBIC for operational expenses for providing consulting and financial assistance to existing and start-up small businesses in Palm Beach County. The BBIC, a non-profit organization, will be required to obtain four business loan approvals from financial institutions totaling at least \$500,000, while serving 270 clients and creating/retaining 25 full-time equivalent jobs. BBIC received \$54,000 in Ad Valorem funds during Fiscal Year 2013-2014 and created/retained 41 full-time equivalent (FTE) jobs (based on their August 2014 progress report) which exceeded their 25 FTE job creation/retention requirement. **This funding is projected to have a five year Economic Sustainability Impact of \$13 Million. These funds were approved in the Fiscal Year 2014-2015 Budget adopted by the Board of County Commissioners.** (DES Contract Development) Countywide (DW)

8. Staff recommends motion to approve: an Agreement with Business Loan Fund of the Palm Beaches, Inc. d/b/a Center for Enterprise Opportunity (CEO) in the amount of \$80,000 for the period October 1, 2014 to September 30, 2015. **SUMMARY:** On July 22, 2013, the Board of County Commissioners (BCC) approved (R2014-1079) the FY 2014-2015 Action Plan for Palm Beach County which includes an allocation of \$80,000 in Community Development Block Grant (CDBG) Program funds for CEO. This Agreement will provide these CDBG funds to CEO who will provide technical assistance and business support services to small businesses and persons developing small businesses. CEO will also provide loans for the establishment, stabilization, and expansion of small businesses. CEO is required to provide one-on-one business and financial counseling sessions for at least 40 clients, conduct no less than four comprehensive business plan trainings and close five credit builder loans and/or microloans to microenterprises and small businesses. CEO is a Community Development Financial Institution certified by the U.S. Treasury. CEO currently has a Contract with the County and is in compliance. **These are Federal CDBG funds which do not require a local match.** (Strategic Planning) Countywide (DW)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

9. Staff recommends motion to approve: an Agreement with The Center for Technology, Enterprise and Development, Inc. (TED Center) in the amount of \$226,000 for the period October 1, 2014 to September 30, 2015. **SUMMARY:** This Agreement will provide Community Development Block Grant (CDBG) Program funds for operational expenses for the development and expansion of microenterprises (defined as “commercial enterprises” that have five or fewer employees) and small businesses. The TED Center is required to create a minimum of 18 full-time equivalent (FTE) jobs countywide of which at least 51% must be held by, or made available to, low and moderate income persons, and of which at least 51% must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. The TED Center, a non-profit organization, is a business incubator with associated programs and services designed to improve the viability and strength of microenterprises and small businesses. The primary objective of the TED Center is to provide business resources and support services for business opportunities. The TED Center received \$151,000 in CDBG funds during Fiscal Year 2013-2014 and created 11 FTE jobs (based on their July 2014 progress report) which met their 11 FTE job creation requirement. The higher job creation requirement associated with this Agreement reflects the higher level of funding over last year’s funding. **This funding is projected to have a five year Economic Sustainability Impact of \$8.5 Million. These are Federal CDBG funds which do not require a local match.** (Strategic Planning) Countywide (DW)

10. Staff recommends motion to approve: an Agreement with Enterprise Development Corporation of South Florida (EDC) in the amount of \$51,000 for the period October 1, 2014 to September 30, 2015. **SUMMARY:** This Agreement will provide Community Development Block Grant (CDBG) Program funds for operational expenses for the development and expansion of microenterprises (defined as “commercial enterprises” that have five or fewer employees) and small businesses. EDC is required to create a minimum of four full-time equivalent (FTE) jobs countywide of which at least 51% must be held by, or made available to, low and moderate income persons, and of which at least 51% must reside in the Palm Beach County CDBG jurisdiction during the term of the Agreement. EDC is a non-profit organization whose mission is the development of an innovation-based economy through the creation of high skill, high wage jobs in key industries that are driving global commerce. The primary objective of EDC is to facilitate the creation and growth of high technology companies. EDC received \$51,000 in CDBG funds during Fiscal Year 2013-2014 and created 19 FTE jobs (based on their August 2014 progress report), which exceeded their four FTE job creation requirement. **This funding is projected to have a five year Economic Sustainability Impact of \$2.5 Million. These are Federal CDBG funds which do not require a local match.** (Strategic Planning) Countywide (DW)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

11. ~~DELETED: Staff recommends motion to:~~

~~A) approve a HOME Investment Partnerships (HOME) Program funding award in the amount of \$1,440,000 to the Community Land Trust of Palm Beach County, Inc.;~~

~~B) direct staff to negotiate the loan agreement; and~~

~~C) authorize the County Administrator or his designee to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation.~~

SUMMARY: On August 3, 2014, the Department of Economic Sustainability (DES) issued a Request for Proposal DES.2014.1 (RFP) making \$2,473,996 in Federal HOME Program funds available for housing development projects. A selection committee consisting of six voting members met at a public meeting held on September 17, 2014. The committee ranked the proposals based on the criteria established in the RFP. The selection committee recommended that the Community Land Trust of Palm Beach County, Inc. be awarded funding in the amount of \$1,440,000 for Davis Landings West, a 24-unit single family homeownership project to be located at 4938 Davis Road in unincorporated Palm Beach County. The project will result in the new construction of 18 single family detached homes and eight townhomes, all three-bedroom/two-bath units. The project is the second and final phase of the Davis Landings project, the first phase of which the County funded with \$5,723,006 in Neighborhood Stabilization Program funds (R2010-1944) and which resulted in the successful construction of a 25-unit multifamily rental complex. This proposal received scoring preference in the RFP process because it will complete an existing County project. Due to strict Federal deadlines staff is requesting the authorization of the County Administrator, or his designee, to execute loan agreements. **These are Federal HOME Program grant funds which require a 25% local match provided with State SHIP funds.** (Strategic Planning Section) District 3 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

12. ~~STAFF RECOMMENDS MOTION TO:~~

~~A) approve a HOME Investment Partnerships (HOME) Program funding award in the amount of \$1,033,996 to New South Bay Villas, Ltd.;~~

~~B) direct staff to negotiate the loan agreement; and~~

~~C) authorize the County Administrator or his designee to execute the loan agreement, amendments thereto, and all other documents necessary for project implementation.~~

SUMMARY: On August 3, 2014, the Department of Economic Sustainability (DES) issued a Request for Proposal DES.2014.1 (RFP) making \$2,473,996 in Federal HOME Program funds available for housing development projects. A selection committee consisting of six voting members met at a public meeting held on September 17, 2014. The committee ranked the proposals based on the criteria established in the RFP. The selection committee recommended that New South Bay Villas, Ltd., be awarded funding in the amount of \$1,033,996 for the redevelopment of New South Bay Villas, a 131-unit multifamily rental project to be located on the site of the Palm Beach County Housing Authority's Marshall Heights and South Bay Villas properties at 1001 Jasmine Court and 110 Harrelle Drive in South Bay. The project includes the rehabilitation of 65 apartment units in eight buildings, and the replacement of 62 demolished units with 66 newly-constructed units in ten buildings. The project will result in 40 four-bedroom, 34 three-bedroom, 56 two-bedroom, and one one-bedroom apartments. The proposal received scoring preference in the RFP process because of its location in the Glades Region, as per Board direction given during the Action Plan approval process. The project will be developed by the Palm Beach County Housing Authority and the McCurdy Senior Housing Corporation. Due to strict Federal deadlines staff is requesting the authorization of the County Administrator, or his designee, to execute loan agreements. **These are Federal HOME Program grant funds which require a 25% local match provided with State SHIP funds.** (Strategic Planning Section) District 6 (TKF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

13. **REVISED TITLE:** Staff recommends motion to approve:

A) the issuance of an Impact Fee Affordable Housing Assistance Program Certificate of Award to Danza Group of Pine Bay, LLC for a credit of \$346,197.94 towards the payment of Zone 1 Public Buildings Impact Fees and Zone 2 Road Impact Fees for the construction of the Pine Bay Apartments affordable housing project;

B) a Budget Transfer of ~~\$15,006.88~~ \$15,007 in Zone 1 Public Buildings Impact Fees to appropriate funds for the Pine Bay Apartments project; and

C) a Budget Transfer of ~~\$331,191.06~~ \$331,192 in Zone 2 Road Impact Fees to appropriate funds for the Pine Bay Apartments project.

SUMMARY: On November 17, 2009, the Board of County Commissioners (BCC) authorized the use of impact fee investment earnings from roads, parks, and public buildings for affordable housing projects. Danza Group of Pine Bay, LLC (Danza Group) submitted a request for assistance in response to a Notice of Funding Availability issued in May 18, 2014 by the Department of Economic Sustainability. Staff is recommending \$346,197.94 in credits towards the payment of County Zone 1 Public Buildings Impact Fees (\$15,006.88) and Zone 2 Road Impact Fees (\$331,191.06) for Pine Bay Apartments which will have a total of 84 units. All 84 affordable rental units are intended to be rented to persons of moderate income whose incomes are at or below 120% of the area median income. A Declaration of Restrictions will be recorded to secure the funds and ensure a 15 year affordability period. **This project is projected to create 155 jobs and have a five year Economic Sustainability Impact of \$11.3 Million. These funds are from interest earned by the Impact Fee Fund.** (DES Contract Development) District 2 (TKF)

J. PLANNING, ZONING & BUILDING

1. **REVISED TITLE:** Staff recommends motion to approve: reappointment of one member to the Construction Board of Adjustments and Appeals:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Margie Walden	8	Alternate Citizen At Large	Comm. Valeche Vice Mayor Burdick <u>Comm. Abrams</u>	10/07/2014-10/6/2015

SUMMARY: Palm Beach County Ordinance 89-31, as amended in 2002, established the Construction Board of Adjustment and Appeals (the "Board"). Commissioner Valeche has re-nominated Margie Walden for a term of one year. Per Palm Beach County Ordinance 2012-006, as amended, Palm Beach County Amendments to the Florida Building Code, 2010 Edition, the Board is comprised of seven regular members: one architect; one engineer; one general contractor; one electrical contractor; one HVAC contractor; one plumbing contractor; and any other contractor licensed category. In addition to these members, there should be two alternate members: one member with the qualifications referenced above; and one member at large from the public. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to accept:

A) Utility Easement from the Pahokee Housing Authority, Inc. for Padgett Island;

B) Utility Easement from the Pahokee Housing Authority, Inc. for Fremd Village.

SUMMARY: These Utility Easements are necessary for the Palm Beach County Water Utilities Department to access and maintain newly constructed/upgraded wastewater facilities that serve the housing communities of Padgett Island and Fremd Village, owned and managed by the Pahokee Housing Authority, Inc. (PHA). The PHA has requested certain changes to the County's Standard Utility Easement requiring that the County use reasonable care while utilizing the easements. The Department concurs with the changes to the Utility Easements provided by the PHA. There is no cost to the County for acquisition of these easements. District 6 (MJ)

2. Staff recommends motion to approve:

A) First Amendment to the Miex DOC Resin Supply Agreement with Orica Watercare, Inc.; and

B) Agreement for Operational Support Services with Orica Watercare, Inc.

SUMMARY: On July 20, 2010, the Palm Beach County Board of County Commissioners (BCC) approved the Miex DOC Resin Supply Agreement (R2010-1128) (Agreement) with Orica Watercare, Inc. On May 20, 2014, the BCC approved an increase in the price Agreement from \$1,900,000 to \$2,518,000. The First Amendment extends the termination date of the Agreement from July 20, 2015 to September 30, 2017, without increasing the overall approved amount of \$2,518,000. Orica Watercare, Inc. shall provide operational support services, to minimize risk of operational failure and optimize resin and plant performance. The County agrees to pay Orica Watercare, Inc. \$10,000 per month for the term of this Agreement for the operational support services set forth in the Scope of Work. Orica Watercare, Inc. is located in Watkins, Colorado, and is a sole source provider. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Orica Watercare, Inc. provides for 0% SBE participation. (WUD Project No. 09-046) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** two reappointments of at-large members to the Artificial Reef and Estuarine Enhancement Committee (AREEC). Seats No. 2 and No. 6 are for a term of three years beginning October 7, 2014 through September 30, 2017.:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Term</u>	<u>Nominated By</u>
Jennifer Smith	2	Other Government Entity	3 yrs	Mayor Taylor Vice Mayor Burdick Comm. Valeche Comm. Abrams Comm. Santamaria
David Snyder	6	Fisheries Interests	3 yrs	Mayor Taylor Vice Mayor Burdick Comm. Valeche Comm. Abrams Comm. Santamaria

SUMMARY: Resolution No. R-08-1511 provides for an eleven-member AREEC. The membership consists of one representative of the County Commission, one representative of commercial SCUBA diving, one representative of recreational SCUBA diving, one representative of marine industry, one representative of recreational fishing, one representative of fisheries, one representative of an environmental organization, two representatives from other government entity and two general members. On August 12, 2014, the Board was advised that two seats were vacant and need to be filled. Countywide (HF)

2. **Staff recommends motion to approve:** reappointment of the following individuals to the Natural Areas Management Advisory Committee (NAMAC) for a three-year term beginning October 7, 2014, through September 30, 2017:

<u>Nominee</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Nominated By</u>
Steve Coughlin	1	Manager of Natural Area	Comm. Valeche Comm. Santamaria Comm. Abrams
Richard Moyroud	2	Biological Scientist	Comm. Valeche Comm. Santamaria Comm. Abrams

SUMMARY: On October 1, 2013, the Board of County Commissioners (BCC) adopted Resolution No. 2013-1328 which repealed and replaced Resolution 2009-0319. Pursuant to Resolution No. 2013-1328, the composition of NAMAC is as follows: one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one member of the Palm Beach County Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. On August 20, 2014, a memorandum was sent to the BCC advising them of the need to appoint or reappoint members to fill the referenced seats. Countywide (SF)

3. **DELETED**

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

A) approve Amendment No.1 to the Marine Debris Removal Services Contract (R2014-0523) with Lake Worth Lagoon Environmental Defense Fund, Inc., d/b/a Lagoon Keepers.org (LKO), to alter the original scope of work to include removal of derelict and abandoned vessels in Palm Beach County and to increase the three-year contract amount by \$60,000 (\$20,000 annually); and

B) authorize the County Administrator, or his designee, to sign all future time extensions, task assignments, certifications and necessary minor amendments which do not substantially change the scope of work, terms or conditions of this contract.

SUMMARY: Amendment No. 1 increases the contract amount from \$49,500 to \$109,500 to cover costs associated with the removal of derelict and abandoned vessels and to provide a level of matching funds for grant opportunities to increase money to remove such vessels. The Amendment is supported by the County's Pollution Recovery Trust Fund, a Non-Ad Valorem funding source. Countywide (SF)

5. Staff recommends motion to approve: Contract with Ferreira Construction Co., Inc.

in the amount of \$322,052 for the construction of Fullerton Island Public Use Facilities, Project No. 2014ERM01 for a period of one hundred eighty calendar days.

SUMMARY: The County restores and manages the Town of Jupiter's Fullerton Island under a 99-year Interlocal Agreement (R2011-1634). A six-slip floating day dock with an aluminum gangway, concrete path, picnic area, shade shelter, kiosk and signs will be constructed on this island, which is adjacent to Burt Reynolds Park. Two bids were received for this project. Ferreira Construction Co., Inc., a New Jersey corporation with a Martin County office, was the lowest responsive, responsible bidder with 2.91% Small Business Enterprise (SBE) participation, which does not meet the established 15% goal. However, the second low bidder had 0% SBE participation. The project is funded by a grant from Florida Inland Navigation District (FIND) and Vessel Registration fees, a non-ad valorem source. District 1 (JM)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: fully executed Project Agreement

Amendment with the Florida Inland Navigation District (FIND) Waterways Assistance Program Grant PB-12-162 for planning, design, and permitting to redevelop the west side of Burt Reynolds Park extending the project completion date from September 1, 2014, to September 1, 2015. **SUMMARY:** In 2012, the County applied for and was awarded a \$50,000 FIND grant for the planning, design and permitting of the redevelopment of the west side of Burt Reynolds Park. The term of the grant agreement, R2012-1829, was from October 16, 2012 to September 1, 2014. The County applied for and was awarded a one year project completion extension. The fully executed Project Agreement Amendment is now being submitted to the Board to receive and file. There are no other changes to the terms of the Agreement as a result of this Amendment. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreements and First Amendment to Independent Contractor Agreements:

A) Palm Beach County Officials Association, Inc., Youth Basketball Official, West Boynton Recreation Center, for the period September 6, 2014, through September 27, 2014;

B) Palm Beach County Officials Association, Inc., Youth Basketball Official, West Boynton Recreation Center, for the period October 4, 2014, through October 11, 2014;

C) Marya Willis Glowka (R2014-1205), US Diving Coach, North County Aquatic Complex, for the period July 9, 2014, through October 31, 2014;

D) Shelly Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period October 2, 2014, through June 7, 2015;

E) Palm Beach County Officials Association, Inc., Youth and Teen Basketball Official, Westgate Recreation Center, for the period September 20, 2014, through September 27, 2014;

F) Palm Beach County Officials Association, Inc., Youth and Teen Basketball Official, Westgate Recreation Center, for the period October 4, 2014, through November 22, 2014;

G) Palm Beach County Officials Association, Inc., Junior Basketball Official, Westgate Recreation Center, for the period September 20, 2014, through September 27, 2014;

H) Palm Beach County Officials Association, Inc., Junior Basketball Official, Westgate Recreation Center, for the period October 4, 2014, through November 22, 2014; and

I) Theresa A. Ruckert (R2014-0629), Gentle Yoga Instructor, Therapeutic Recreation Complex, for the period April 1, 2014, through September 30, 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. Districts 1, 3 & 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

AEG Live SE, LLC, Slightly Stoopid concert, Sunset Cove Amphitheater, for the period August 16, 2014, through August 17, 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 2011-1960, and is now being submitted to the Board to receive and file. This event helped to offer a balanced schedule of events which promote the quality of life in the communities we serve. An estimated 4,600 persons attended the event produced under this Amphitheater Rental Agreement. District 5 (AH)

4. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreement for a community event:

Diane DeNoble, On the Roxx concert, Sunset Cove Amphitheater, on August 9, 2014.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. The Parks and Recreation Department produced a popular cultural event at the Sunset Cove Amphitheater. This event was attended by an estimated 400 people and generated positive support and goodwill for the County. 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 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 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and is now being submitted to the Board to receive and file. District 5 (AH)

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

A) Blackwood Productions LLC, On the Roxx concert, Sunset Cove Amphitheater, on August 9, 2014; and

B) Blackwood Productions LLC, Slightly Stoopid concert, Sunset Cove Amphitheater, for the period August 16, 2014, through August 17, 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 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 2009-0592, amended by Resolutions 2010-0645 and 2014-0167, and are now being submitted to the Board to receive and file. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to approve: Budget Transfer of \$6,558 in Park Improvement Fund from the Payment in Lieu of Recreation reserve to Green Cay Nature Center Improvements. **SUMMARY:** This Budget Transfer establishes funding for the Green Cay Nature Center Improvements project from reserves generated pursuant to the County's Unified Land Development Code (ULDC) Article 5, Parks and Recreation – Rules and Recreation Standards. Article 5 revenues originate from cash-outs from residential developments that are unable to provide homeowners onsite recreation areas. Revenues from this fund are to be used for the purpose of acquiring and/or developing land necessary to meet the need for neighborhood or community type recreational facilities created by the development. This funding will be used to modify the fire alarm system to comply with the National Fire Protection Association's codes and standards at the Green Cay Nature Center. Funding for this project is from the \$123,379.20 Payment in Lieu of Recreation payment received for the Aspen Square development. A balance of \$67,658.20 will remain after this expenditure. This project meets the requirements of ULDC Article 5. District 5 (AH)

7. Staff recommends motion to approve: Agreement with the Ski Club of the Palm Beaches, Inc., a Non-Profit Corporation (Ski Club) for the cooperative maintenance, management, and use of the water ski lakes at Okeeheelee Park, for the period of October 7, 2014, through October 6, 2019. **SUMMARY:** The Ski Club has worked cooperatively with the Parks and Recreation Department since 1983 to maintain, improve, and oversee the use of the Okeeheelee Ski Lakes. These ski lakes are ranked as some of the best competition lakes in the world and, as such, have brought thousands of visitors to Palm Beach County for tournaments and the experience of water skiing at a world class facility. The initial term of the Agreement is for five years, with two five-year renewal options at the County's sole discretion. District 2 (AH)

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:
 - A) accept** the donation of \$53,690 from the Friends of the Mounts Botanical Garden, Inc. (Friends) for the purpose of developing an Art in the Garden Plan and curatorial aspects by Palm Beach County Art in Public Places of the traveling art exhibit entitled "Nature Connects" to the Garden;
 - B) accept** the donation of \$60,000 from the Friends to bring the traveling art exhibit sculptures known as Iowa State University's Reiman Gardens LEGO® Brick "Nature Connects" Exhibit, by Sean Kenney Design; and
 - C) approve** a Budget Amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$53,690 and \$60,000, for a total of \$113,690 to complete the Art in the Garden Plan design.

SUMMARY: The Friends voted for Palm Beach County Art in Public Places to develop an Art in the Garden Plan which will include strategies for traveling art exhibits in the future and the curatorial tasks involved in bringing the traveling art exhibit entitled "Nature Connects." This work will be led by Art in Public Places and is estimated to cost \$53,690. The \$60,000 is what it will cost to bring the "Nature Connects" exhibit to The Mounts Botanical Garden of Palm Beach County in November 2015 through February 2016, from Iowa State University's Reiman Gardens. District 7 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file: First Amendment to Contract For Professional Services between Palm Beach County and Drug Abuse Treatment Association, Inc. to increase the contract price by \$1,232.85. **SUMMARY:** The Board of County Commissioners (BCC) ratified the submittal of a grant application to the U.S. Department of Justice for the Justice Mental Health Collaboration Program in the amount of \$249,955 on October 16, 2012 (R2012-1575). The grant funded the original contract between the County and Drug Abuse Treatment Association, Inc. (DATA) (R2013-0775) in the amount of \$163,686.00. The original contract inadvertently failed to include a line item in the budget for authorized travel expenses. Authorized travel expenses were incurred by a DATA employee in the amount of \$1,232.85; the parties have agreed to amend the original contract price by \$1,232.85, for a new total contract price of \$164,918.85. The County Administrator or his designee was authorized on October 16, 2012 (R2012-1575) to execute all related documents and contracts for Palm Beach County's FY 2012 Justice Mental Health Collaboration Program Grant, as well as to execute all necessary forms and documents as required by the US Department of Justice, Bureau of Justice Assistance. Countywide (PGE)

S. FIRE RESCUE

1. ~~**DELETED: Staff recommends motion to approve:** two reappointments to Seat No. 6 and Seat No. 7 to the Fire Code Board of Appeals and Adjustments beginning on October 7, 2014 through September 30, 2017.~~

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Roy Pollack	Fire Alarm Contractor	6	Mayor Taylor Vice Mayor Burdick Comm. Valeche
Daniel Thompson	Mechanical Engineer	7	Mayor Taylor Vice Mayor Burdick Comm. Valeche

SUMMARY: The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Ordinance 2014-002). On August 29, 2014, a memo was distributed to the Commissioners requesting nominations to this eight member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three consecutive three year terms. No other nominations were received. Countywide (PK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) rescind the Interlocal Agreement (R2012-1025) dated July 10, 2012; and

B) approve the Interlocal Agreement for network services with the City of Greenacres.

SUMMARY: The City of Greenacres (City) has an existing Interlocal Agreement with Palm Beach County for network services (R2012-1025) and wishes to replace this Interlocal Agreement to include current contract standards and reduce their monthly internet fees at their Public Safety location. The City's monthly network service costs will decrease from \$300 to \$270 based on the revised fee structure approved by the Board of County Commissioners on January 14, 2014. The County's revised annual revenue in FY 2015 is \$8,040 resulting in a net fiscal impact of \$360. The Florida LambdaRail LLC has approved connection of the City to the Florida LambdaRail network. District 2 (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: an executed FY 2014-15 Grant Agreement (15-BG-83-10-60-01-050) with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding in the amount of \$105,806 to improve and enhance the emergency management plans and programs of the County and to provide operational support to maintain state required programs for the period of July 1, 2014, through June 30, 2015. **SUMMARY:** The Emergency Management Preparedness and Assistance grant is state funded. This grant recurs annually, with the funds being distributed to the Public Safety Department's Division of Emergency Management. These funds are used to enhance and improve emergency management plans and programs and provide operational support to maintain state required programs consistent with the state's Comprehensive Emergency Management Plan. The grant will be used to further enhance emergency planning, response, mitigation and recovery in the County. R2012-1731; dated November 20, 2012, gave authority to the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. No matching County funds are required. Countywide (PGE)

2. Staff recommends motion to receive and file: the executed 211 Palm Beach/Treasure Coast, Inc. contract to provide 24-hour emergency crisis phone counseling services through the Violent Crime Rape Crisis Hotline in an amount not to exceed \$45,000 for the period October 1, 2014, through September 30, 2015. The contract will be automatically renewed, providing funding is available, for increments of one year terms. **SUMMARY:** 211 Palm Beach/Treasure Coast, Inc. will continue to provide immediate telephone rape crisis intervention services twenty-four hours per day, seven days per week on the Violent Crime Rape Crisis Hotlines. Three Thousand Dollars (\$3,000) from the Florida Council Against Sexual Violence Rape Crisis Program grant will be used to off-set the cost of the Rape Crisis Hotline. R2011-0937 authorized the County Administrator, or his designee, to exercise the option to renew future agreements provided that funding is available and the County Attorney signs for legal sufficiency. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to approve: reappointment of one At-Large member to the countywide Consumer Affairs Hearing Board as follows:

<u>Nominee</u>	<u>Seat No</u>	<u>Requirement</u>	<u>Recommended by:</u>	<u>Term</u>
Harold Murphy	7	Citizen/Resident	Mayor Priscilla Taylor	10/07/2014 to 09/30/2017

SUMMARY: The Consumer Affairs Ordinance approved by the Board of County Commissioners (BCC) on December 17, 2013, and codified in Chapter 9, Article I of the Palm Beach County Code, establishes a seven member Consumer Affairs Hearing Board (Hearing Board). The Hearing Board serves in both an advisory capacity to the BCC and as an appellate board, hearing administrative appeals filed by persons disputing final decisions made by the Division of Consumer Affairs concerning the towing, vehicle for hire, and moving industries. With the approval of this motion the Hearing Board will have seven of seven members. Countywide (PGE)

4. Staff recommends motion to receive and file: the approved Family Drug Court Grant (2009-DC-BX-0115) Adjustment Notice to modify the project budget. **SUMMARY:** The Public Safety Departments, Division of Justice Services, in conjunction with the Department of Children and Families Substance Abuse and Mental Health Office applied for and was awarded a grant from the Office of Justice Programs (2009-DC-BX-0115) in the amount of \$484,907 to develop a Family Drug Court program which was approved by the Board of County Commissioners on October 20, 2009. Two requests to extend the grant for an additional two years were approved. The grant was closed out on September 30, 2014. A budget modification was developed and approved with the grantor to exhaust the funds in the grant program. Countywide (PGE)
5. Staff recommends motion to approve: Contract with Palm Beach County Medical Society Services, Inc. in the amount of \$7,000 for the period September 23, 2014, through June 30, 2015 to coordinate and deliver a business continuity and disaster recovery workshop. **SUMMARY:** The County was awarded \$105,806 from the State of Florida, Division of Emergency Management for the Emergency Preparedness and Assistance grant. Of the \$105,806 in grant funding, the County will award \$7,000 to Palm Beach County Medical Society Services, Inc. to coordinate and deliver a business continuity and disaster recovery workshop for not for profit community health centers and physicians offices which will enhance and/or develop new emergency capabilities for responding to disaster events affecting the twenty-two member health care and emergency management organization. An employee of the Palm Beach County Medical Society Services, Inc., Tenna Wiles, CEO, serves on the County's Health Facilities Authority. The County's Health Facilities Authority provides no regulation, oversight, management, or policy-setting recommendations regarding the Palm Beach County Medical Society Services, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (PGE)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** the purchase of airport liability insurance, for the period October 10, 2014, through October 10, 2015; to be purchased through the County's contracted broker, Arthur J. Gallagher & Co. for a total not to exceed cost of \$112,000. **SUMMARY:** The not-to-exceed estimated total cost of \$112,000 for airport liability insurance represents a small increase of approximately 1.5% over the expiring premium of \$110,123. This increase is indicative of a slight upward trend for aviation liability coverage throughout the industry. Overall, the aviation insurance market remains stable and the County's proactive approach to controlling losses continues to keep premiums very reasonable for an agency of this size. Countywide (TKF)

AA. PALM TRAN

1. **REVISED SUMMARY: Staff recommends motion to approve:** a Contract in the amount of \$394,927.92, with K-F Group, Inc. (KFG), for professional services for the Palm Tran Bus Stop Improvement Program project (Project). **SUMMARY:** Palm Tran is required, to the greatest extent feasible, to comply with accessibility standards for the transportation for individuals with disabilities. Approval of this Contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The initial phase includes 257 bus stops, and this Contract will initially address up to 75 of those. The Project is funded by a grant from the Federal Transit Administration. The ~~Small Business Enterprise (SBE)~~ and Disadvantaged Business Enterprise (DBE) ~~non-mandatory~~ goals for this project ~~are is~~ 15%, each. KFG has achieved 100% ~~SBE~~ and DBE participation for this Project. KFG is a Palm Beach County company ~~and a certified SBE~~. Countywide (DR/MRE)
2. **REVISED SUMMARY: Staff recommends motion to approve:** a Contract in the amount of \$333,271.66, with Last Devenport, Inc. (LDI), for professional services for the Palm Tran Bus Stop Improvement Program project (Project). **SUMMARY:** Palm Tran is required, to the greatest extent feasible, to comply with accessibility standards for the transportation for individuals with disabilities. Approval of this Contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The initial phase includes 257 bus stops, and this Contract will initially address up to 75 of those. The Project is funded by a grant from the Federal Transit Administration. The ~~Small Business Enterprise (SBE)~~ and Disadvantaged Business Enterprise (DBE) ~~non-mandatory~~ goals for this project ~~are is~~ 15%, each. LDI has achieved ~~100% SBE~~ and 26.52% DBE participation for this Project. LDI is a Palm Beach County company ~~and a certified SBE~~. Countywide (DR/MRE)

3. CONSENT AGENDA APPROVAL

BB. SHERIFF

1. **Staff recommends motion to receive and file:** Grant Adjustment Notice amending a U.S. Department of Justice, Community Oriented Policing Services, Child Sexual Predator Program grant, to extend the grant period from August 31, 2014, through February 28, 2015. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$500,000 on November 16, 2010; the original period for this grant was September 1, 2010, through August 31, 2012 (R2010-1936). On October 12, 2012, the BCC received and filed an agenda item extending the grant period from August 31, 2012, through February 28, 2014 (R2012-1438). On May 6, 2014, the BCC received and filed an agenda item extending the grant period from February 28, 2014, through August 31, 2014 (R2014-0655). This agenda item will extend the grant period from August 31, 2014, through February 28, 2015. The Palm Beach County Sheriff's Office (PBSO) received an award to implement Palm Beach County's Child Sexual Predator Strategy. The purpose of the strategy is to enhance the PBSO's Sexual Predator Offender Tracking Unit; maintain PBSO's Strategically Targeting Online Predators Program at its current staffing level; develop a multidisciplinary team to assist in the development, implementation, and evaluation of the strategy; and to increase community awareness through education forums and a public awareness campaign. 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 request Board direction:** with regards to retaining membership in the Treasure Coast Regional Planning Council (TCRPC) or consider another regional planning council. **SUMMARY:** On July 1, 2014, the Board of County Commissioners (BCC) directed staff to schedule a workshop to discuss the County's membership in TCRPC. During the board meeting, the BCC discussed the potential of withdrawing from TCRPC (Indian River, St. Lucie, Martin and Palm Beach County) and joining South Florida Regional Planning Council (Miami-Dade, Monroe and Broward County). The Board discussed membership fees (\$553,000), and the benefits received with TCRPC and the very diverse interests among the various member counties of TCRPC. The Board highlighted the need to consider which regional planning council Palm Beach County has the commonality of interests such as transportation demands, growth management and water issues. Staff has compiled a number of relevant questions and answers for your consideration during this discussion. Countywide (RB)

TIME CERTAIN 1:30 P.M.

2. **Executive Session** scheduled for 1:30 p.m. in McEaddy Conference Room to discuss collective bargaining negotiations with the Amalgamated Transit Union, Local 1577. **(CLOSED SESSION)**
3. **Staff recommends Board reconsideration of direction regarding:** implementing a mandatory program to promote the education and employment of building trade apprentices on County building construction projects due to legal issues that have been identified. The Board has discussed other options, each with issues, including: providing a bid preference , or implementing a post bid voluntary policy, or taking no further action at this time. **SUMMARY:** In March, the Board directed staff to implement a mandatory program to promote the education and employment of building trade apprentices in State authorized programs on County building construction contracts. Contractor associations, while favoring and participating in voluntary apprentice programs, oppose any local government bidding requirements for such programs. They have circulated a very recent Federal Court decision from Massachusetts which found a local mandatory program to be contrary to Federal labor law. There are a number of legal and practical issues which complicate achieving the goals that the Board might have for any such program. There would be County costs associated with any alternative. A bid preference would need criteria development and complicate bid award evaluation with local and SBE preferences possibly in conflict. A post contract award financial incentive to a contractor who uses apprentices would also require criteria development and might not satisfy the original trade union goal in seeking this program. It is not possible to limit apprentice participation to Palm Beach County residents. Countywide (JM)
4. **ADD-ON: Staff recommends motion to approve:** FY 2015 Wage Increase for employees covered by the Labor-Management Agreement with the Communication Workers of America (CWA), Local 3181, effective the first pay period of the new fiscal year. **SUMMARY:** Pursuant to collective bargaining negotiations, the negotiating committees for Palm Beach CWA, Local 3181, have reached a tentative agreement on a wage increase for FY 2015. The proposed wage increase will adjust the base rate of pay for covered employees by 3% or \$.60 an hour, whichever is greater. Countywide (DO)

4. REGULAR AGENDA

B. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of the Palm Beach County Revenue Refunding Bonds Series 2014 (Lourdes-Noreen McKeen Residence for Geriatric Care, Inc. Project), in the aggregate principal amount not exceeding \$19,500,000, for the purpose of making a loan of funds to Lourdes-Noreen McKeen Residence for Geriatric Care, Inc. (the "Borrower"), in order to: A) refinance the County's Senior Health and Housing Facilities Revenue Refunding Bond, Series 2002 (Lourdes-Noreen McKeen Residence for Geriatric Care, Inc.), and B) pay costs associated with the issuance of the Bonds; providing that such Revenue Bonds shall not constitute a debt, liability or obligation of Palm Beach County, Florida or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; approving and authorizing the execution and delivery of a Loan and Trust Agreement with the Borrower, to provide security for such Bonds and for other matters therein provided; approving and authorizing the execution and delivery of a Tax Regulatory Agreement; approving and authorizing the execution and delivery of certain other documents required in connection with the foregoing; and providing certain other details in connection therewith. **SUMMARY:** On September 9, 2014, the Board of County Commissioners (BCC) conducted a Tax Equity & Fiscal Responsibility Act (TEFRA) Public Hearing concerning the issuance of up \$19,500,000 in Revenue Refunding Bonds. The BCC also approved the Borrower's application for the issuance of the Bonds. The proceeds of the Bonds will be used by the Borrower to refinance the County's Senior Health and Housing Facilities Revenue Refunding Bond, Series 2002 (Lourdes-Noreen McKeen Residence for Geriatric Care, Inc. Project), and pay the costs of issuance related to the Bonds. The 2002 Bonds were issued to refinance earlier bonds issued by the County, the proceeds of which were used to finance capital assets for the Borrower's facilities located at 311 South Flagler Drive, West Palm Beach, Florida. The Borrower has been providing senior and assisted living services for more than 50 years in Palm Beach County. The Bonds will be payable solely from revenues derived by the Borrower. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 7 (PFK)

4. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in a .09 acre and a .10 acre vacant property to the Village of Palm Springs without charge, with reservation of mineral and petroleum rights, and without rights of entry and exploration;

B) adopt a Resolution authorizing the conveyance of the County's interest in a 1.57 acre property known as Lakewood Park to the Village of Palm Springs without charge, restricted to use only for park and recreation purposes without charge for entry or admission, with reservation of mineral and petroleum rights, and without rights of entry and exploration; and

C) adopt a Resolution designating three parcels of County-owned property as right-of-way, as needed for Kirk Road in Section 24, Township 44, Range 42; and

D) approve three County Deeds in favor of the Village of Palm Springs.

SUMMARY: The Village of Palm Springs (Village) requested the annexation of three County-owned properties located south of Lakewood Road on the west side of Kirk Road. The properties are located at 3887 Kirk Road, 3909 Kirk Road and 4000 Lakewood Road. Each of the properties was acquired by Warranty Deed in 1993 to attain the ultimate right-of-way of Kirk Road. The Village is actively expanding its municipal boundaries and committed to assume ownership, maintenance responsibility and liability for each property in exchange for the County voluntarily annexing each property into the Village. The Board of County Commissioners consented to the annexation (R2014-0568) on April 28, 2014, and the Village Council approved the annexation on June 12, 2014. The two vacant properties serve no present or future County purpose, except for that portion that is encumbered by and within ten feet of Kirk Road, and have an assessed value of \$16,250 each. The Lakewood Park property has an assessed value of \$220,100. In 2003, the Parks and Recreation Department spent approximately \$175,000 installing a basketball court, sand volleyball court, playground, picnic shelter, picnic area with grills, and other amenities upon that property for use as a neighborhood park serving the Narcissus/Gardenia Countywide Community Revitalization Team (CCRT) area. Staff did not obtain appraisals since this is an intergovernmental conveyance at no cost and since the property values are offset by maintenance costs and liability to be assumed by the Village. The Lakewood Park property will be limited to public park and recreation purposes and open to all regardless of residency or ownership will revert to the County. Land area required to preserve the ultimate right-of-way of Kirk Road has been excluded from each deed and is being formerly designated as right-of-way. The County will retain mineral and petroleum rights to all three properties in accordance with Florida Statutes, Section 270.11, without rights of entry and exploration. **These conveyances must be approved by a supermajority vote (5 Commissioners).** (PREM) District 3 (HJF)

4. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **REVISED SUMMARY: Staff recommends motion to approve:** an Agreement for Donation of Real Property with Rowan Construction-PSL, Inc. (Rowan), and G.L. Homes of Florida II Corporation (GL) providing for the donation to the County of approximately 20 acres of land in the northwest portion of the Ag Reserve. **SUMMARY:** This 20 acre parcel of land is located west of 441 and north of Boynton Beach Boulevard. The property has an assessed value of \$158,165. It is surrounded on three sides by the 100 acre County-owned Butts property which was acquired through a donation agreement similar to this Agreement. Environmental Resources Management (ERM) plans to use the combined 120 acres for water resource and wetlands restoration and an expanded buffer to the Loxahatchee National Wildlife Refuge. Pursuant to this Donation Agreement, GL will pay Rowan \$1,608,800 for the 20 development rights attributable to this property, Rowan will convey the property to the County without charge and GL will have the right to include the property as a Preservation Area within future 60/40 Ag Reserve PUD's which GL intends to develop east of U.S. 441/State Road 7. Closing will occur within 30 days of approval of this Agreement. There is a long history of code and permit enforcement actions against this property stemming from failure of Rowan to complete the reclamation plan required by County development orders and SFWMD permits for mining operations. Rowan will pay approximately \$37,900 to satisfy an existing code enforcement lien and will contribute \$50,000 towards the cost of long term maintenance. The County will assume responsibility for non-compliance with said approvals and permits. ERM is confident that there is minimal risk to the County in assuming this responsibility as the Butts property had similar issues, enforcement has never been pursued, and ERM will ultimately address some elements of the reclamation plan as part of ERM's restoration efforts. (PREM) District 6 (HJF)

4. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

A) an early termination of the Interlocal Agreement (R2008-1178) with the Village of North Palm Beach (Village) terminating the Village's direct access to the County's 800 MHz Radio System and waiver of the six month notice requirement of early termination;

B) an early termination of the Interlocal Agreement (R2009-1969) with the Village terminating the provision of radio maintenance services and waiver of the three month notice requirement of early termination; and

C) an Interlocal Agreement with the Village allowing for interoperable communications through the countywide common talk groups of the County's 800 MHz Radio System.

SUMMARY: On July 7, 2008, the Board approved an Interlocal Agreement (R2008-1178) (Direct Access Agreement) with the Village which provided the Village with direct access to the County's 800 MHz Radio System for a period of five years and which was extended to July 7, 2016 through a First Amendment (R2012-0887). In August 2014, the Village voted to transition its dispatch services from the Village to the North County Dispatch Center administered by Palm Beach Gardens, and to join the Municipal Public Safety Communication Consortium (MPSCC). Consequently, the Village requested an early termination of the Direct Access Agreement (effective September 30, 2014) and a waiver of the six month notice provision. In this case, the waiver of the notice period is particularly important to the Village as without it, the Village would be required to pay an entire year's worth of use and renewal/replacement charges. The Village's talk groups on the County's system were disabled on October 1, 2014 but the Village is aware that charges for FY 15 are still due to the County unless the waiver is approved by the Board. On November 17, 2009, the Board approved an Interlocal Agreement (R2009-1969) (Radio Maintenance Agreement) which provided for radio maintenance services and which was extended to November 16, 2015 through a First Amendment (R2012-1683). The Village is also requesting approval of an early termination of the Radio Maintenance Agreement and waiver of the three month notice provision. The County notified its maintenance vendor that services to the Village would be terminated close of business on September 30, 2014. The Interlocal Agreement for access to the countywide common talk groups provides the terms and conditions under which the Village can program its radios to utilize the countywide common talk groups for certain interagency communications through the MPSCC's radio system. The terms of the Agreement are standard and there are no charges associated with this Agreement. The Village is required to pay all costs associated with the subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. (ESS) Countywide (JM)

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 16 enclaves, generally located north of Lakewood-Road, east and west of Kirk Road with Exhibits A, B, and C of the Interlocal Agreement. **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. 2014-38 adopted on August 28, 2014, the Village of Palm Springs has petitioned the County to enter into such an agreement for the annexation of 16 enclaves consisting of 34 parcels totaling 10.26 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 of 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 ownership 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. 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)

2. **Staff recommends motion to:**

A) adopt resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for two historic properties located within the City of Delray Beach; and

B) approve the restrictive covenants for the historic properties, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The resolutions will authorize a County tax exemption for the following historic properties located within the City of Delray Beach:

- Address: 65 Palm Square, Marina Historic District, Delray Beach (Residential)
- Address: 290 SE 6th Avenue, Delray Beach (Commercial)

If granted, the tax exemption shall take effect January 1, 2015, and shall remain in effect for ten years or until December 31, 2024. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$7,411 tax dollars will be exempted annually based on the 2014 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 4 & 7 (RPB)

4. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING (Cont'd)

3. Staff recommends motion to:

A) adopt resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for four historic properties located within the Town of Palm Beach; and

B) approve restrictive covenants for the historic properties, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The resolutions will authorize a County tax exemption for the following historic properties located within the Town of Palm Beach:

Address: 235 Sunrise Avenue (Commercial Hotel & Condominium)

Address: 252 El Bravo Way (Residential)

Address: 350 Worth Avenue (Commercial)

Address: 319 El Vedado Road (Residential)

If granted, the tax exemption shall take effect January 1, 2015, and shall remain in effect for ten years, or until December 31, 2024. The exemption shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$43,625 tax dollars will be exempted annually based on the 2014 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 1 & 7 (RPB)

E. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the Westgate/Belvedere Homes Community Redevelopment Agency's (CRA) Fiscal Year 2015 Budget for its Redevelopment Trust (operating) Fund, Construction Fund, Sinking Fund and Reserve Fund. **SUMMARY:** The Budget, in the amount of \$7,701,549, is composed of four components. The first component, the Redevelopment Trust Fund, in the amount of \$1,705,777, consists of the CRA's Annual Tax Increment Financing and balance brought forward from previous years. The second component, the Construction Fund, in the amount of \$5,465,000, consists of balances of reimbursable grants awarded to the CRA by County, State, and Federal governments for construction activities. The third component is the Sinking Fund, in the amount of \$262,710, which consists of one annual payment from TIF revenues to repay the revenue bond reissued in 1999 to retrofit infrastructure in the Westgate area. The last component is the Reserve Fund, in the amount of \$268,062, which consists of a one-year security payment (principal and interest), held in escrow for the March 1, 1999, Redevelopment Revenue Refunding Bonds in the amount of \$3,380,000. The 2015 Budget shows an increase of nine percent (9%) from last year's budget. Districts 2 & 7 (RB)

4. REGULAR AGENDA

F. PALM TRAN

1. **REVISED TITLE: Staff recommends motion to approve:** the following three contracts for the delivery of Paratransit Services for Palm Tran Connection:

A) Contract for Palm Tran Connection Paratransit Services Run Package A with MV Contract Transportation, Inc. and MV Transportation, Inc. in the amount of \$72,670,431.20, which approval is conditioned upon the County Administrator's receipt of an original executed bond on or before October 10, 2014, that complies with the requirements of Article 7 of the contract, as determined by County in its sole discretion. A contract will not exist if this condition is not met.;

B) Contract for Palm Tran Connection Paratransit Services Run Package B with First Group America, Inc. and First Transit, Inc. in the amount of \$76,201,014.96; and

C) Contract for Palm Tran Connection Paratransit Services Run Package C with Maruti Fleet & Management, LLC in the amount of \$35,017,146.77, which approval is conditioned upon the County Administrator's receipt of an original executed bond on or before October 10, 2014, that complies with the requirements of Article 7 of the contract, as determined by County in its sole discretion. A contract will not exist if this condition is not met.

SUMMARY: On September 9, 2014, the Board of County Commissioners (BCC) approved the Selection Committee's recommendations under the Request for Proposal (RFP No. 14-041/SC) for Palm Tran Connection Paratransit Services. The contracts terms and conditions conform with the direction of the BCC at the April 22, 2014 BCC Workshop. All contracts have an effective date of October 7, 2014 and a termination date of January 31, 2022. Countywide (DR/DW)

G. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to adopt:** a Resolution supporting passage of the Water and Land Conservation Amendment to the State Constitution, encouraging support of the Amendment by other organizations, and providing an immediate effective date. **SUMMARY:** This Resolution expresses Palm Beach County's support for passage of the Water and Land Conservation Amendment to the State Constitution, which will appear on the November 4, 2014 ballot as Amendment No. 1. Support of Amendment No. 1 by Palm Beach County re-emphasizes the County's commitment to preserving and restoring the water and natural resources of the County and State for the benefit of all. This Water and Land Conservation Amendment will not increase or decrease any State or local revenue, nor will it alter any tax rate to create the dedicated funds needed to fulfill the purposes of the Amendment. However, it will secure a certain portion of funds that are already collected on real estate and recorded document transactions (documentary stamp tax revenue). The Amendment will secure 33% of this funding source for a period of 20 years. Approval of Amendment No. 1 may also provide the opportunity for new funding sources to be made available to the County for management and maintenance of natural areas within Palm Beach County. Countywide (SF)

4. REGULAR AGENDA

H. TOURIST DEVELOPMENT COUNCIL

1. **REVISED TITLE & SUMMARY:** Staff recommends motion to approve: a Tri-Party Agreement between Palm Beach County (County), a political subdivision of the State of Florida, the City of Boca Raton (City), a municipal corporation, each one constituting a public agency defined in Part I of Chapter 163, Florida Statutes, and ESPN Regional Television, Inc. (ESPN), a ~~North Carolina~~ Delaware corporation, in an amount not to exceed \$140,000 annually from Tourist Development Tax (Bed Tax) for six years. **SUMMARY:** Approval of this Agreement establishes the expenditure of \$140,000 annually in tourist development tax revenues for three six years ~~with options to renew for an additional three years,~~ for an annual college football bowl game featuring teams from Conference USA, the Mid-America Conference (MAC) and the American Athletic Conference (AAC) at Florida Atlantic University (FAU) in the City of Boca Raton, Palm Beach County, Florida, beginning in December of 2014. ~~The Agreement requires the expenditure of Bed Tax funds in the amount of \$140,000 annually for three years.~~ A sum of \$50,000 will be paid to ESPN on October 15th of each year, \$50,000 will be paid thirty days after the occurrence of the Bowl Game, and \$40,000 for activity costs as incurred for the Teams. The City of Boca Raton will match all of the County's funding requirements. ESPN will be responsible for all activities and services regarding the planning, organization, production, and operation of the Bowl Game and shall be responsible for the full cost of such activities and services. ESPN will market the County and City on all marketing materials associated with the Bowl Game including, but not limited to, TV ads, Program ads, website, etc. An estimated economic impact will yield, at a minimum \$2.5 Million as a result of this partnership. This event funding has been reviewed and approved by the Tourist Development Council Board. (TDC) Countywide (DW)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

OCTOBER 7, 2014

5. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

A. HEALTH DEPARTMENT

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 21, 2014 at 9:30 a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, sitting as the Environmental Control Board; amending Chapter 11, Article II, Section 11-19, Section 11-20, and Section 11-24 of the Palm Beach County Code; providing for statutes, laws, rules, etc. incorporated by reference; providing for County Health Department and Solid Waste Authority permits, licenses, and approvals; providing for a fee schedule; providing for applicability; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances, and providing for an effective date. **SUMMARY:** The Palm Beach County Environmental Control Act, Chapter 77-616, Laws of Florida, as amended, establishes the Palm Beach County Board of County Commissioners as the Palm Beach County Environmental Control Board and authorizes the Environmental Control Board to adopt, revise, and amend from time to time appropriate ordinances for the implementation, effective enforcement, administration and interpretation of the act. The Palm Beach County Environmental Control Ordinance No. 78-5, as amended, and codified in Chapter 11, Article II of the Palm Beach County Code was adopted for this purpose. The proposed ordinance will amend in Chapter 11, Article II of the Palm Beach County Code, the rules adopted by reference and the list of activities required to be approved, licensed or permitted as necessary due to changes in the laws and regulations of the state of Florida, and the fee schedule as necessary to keep pace with rising costs and current regulatory requirements. The League of Cities reviewed the proposed ordinance amendment and adopted a motion of "no objection". Countywide (PGE)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

OCTOBER 7, 2014

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 7, 2014

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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OCTOBER 7, 2014

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 7, 2014

9. 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

F. District 6 - COMMISSIONER JESS R. SANTAMARIA

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

Request approval to present off-site, a Proclamation declaring October 8, 2014 as “Hotel Day” in Palm Beach County

ADD-ON: Request approval to present off-site, a Proclamation honoring Tabernacle Missionary Baptist Church on its 121st Anniversary.

10. 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."