

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 21, 2015

<u>PAGE</u>	<u>ITEM</u>	
33	5A-2	<u>DELETED:</u> Staff recommends motion to approve: A) an Economic Development Incentive Agreement with Sikorsky Aircraft Corporation for the period of June 21, 2011 to December 31, 2017, providing an Ad Valorem Tax Exemption of up to \$133,475 over a three year period, and providing an economic development incentive in the amount of \$13,300;....(DES) (Further staff review)
35	5B-2*	<u>ADD-ON, REVISED TITLE:</u> Staff recommends motion to approve: assignment of contract with RCC Consultants, Inc. (RCC) for planning and engineering services associated with the Countywide Public Safety Radio System (R-2014-1463 <u>1462</u>). SUMMARY: RCC Consultants, Inc. has advised the County that their Tallahassee Branch Office has separated from the corporate group and RCC Consultants, Inc. desires to assign the Palm Beach County contract to the newly formed company, Omnicom Consulting Group, Inc. (OCG). OCG will assume all of the contractual requirements of RCC contract and staff has reviewed the request and OCG has the proper license and insurance. The Tallahassee Branch Office represented RCC in the original selection and makes up the entirety of the Team assigned to the County to perform under this contract. As such, there is essentially no impact of this assignment on the County in terms of personnel or assigned or available resources. Staff recommends assigning the RCC contract to OCG so that the County does not lose the unique knowledge of the existing system and user requirements for the P25 migration project and provide continuity for the remainder of County projects underway pursuant to this contract. (Capital Improvements Division) <u>Countywide</u> (JM) (FDO)
35	5C-1	<u>DELETED:</u> Staff recommends motion to approve on preliminary reading and advertise for public hearing on May 19, 2015, at 9:30a.m.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending section 17-116 of the Code of Laws and Ordinances; codifying the Tourist Development Ordinance of Palm Beach County, Ordinance 95-30, as amended; providing for an amendment to the tourist development plan of categories used; percentage of yearly revenue, and special allocations; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date. (TDC) (Further staff review)

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|----|------|---|
| 36 | 5D-2 | <p><u>REVISED TITLE & SUMMARY (2nd):</u> Staff requests Board direction: regarding adoption of a resolution supporting proposed legislation providing a statewide prohibition on hydraulic fracturing, acid fracturing, and similar high pressure well stimulation practices performed for the purpose of exploration or production of oil or natural gas in the State of Florida and supporting legislation providing for the prohibition. SUMMARY: Commissioners <u>Burdick and McKinlay</u> has <u>have</u> requested Board consideration of a resolution supporting legislation banning oil and gas drilling practices commonly referred to as “fracking” in the State of Florida. Resolutions for this purpose have been passed by several counties including Miami-Dade, Alachua, Leon, St. Lucie, Madison, Hamilton, and Union. The pending legislation prohibiting these drilling practices (SB 166 by Soto and HB 169 by Jenne) is being considered in the current legislative session along with various bills providing for additional regulation and permitting of fracking activities (CS/HB 1205 by Rodrigues and SB 1468 by Richter). A resolution <u>supporting a prohibition for this purpose</u> would state the potential risk of contamination of groundwater resources and drinking water aquifers and the importance of protecting Florida’s natural resources. It would urge the Florida Legislature to enact SB 166, HB 169 or similar legislation prohibiting fracking. <u>Countywide</u> (DW) (Admin)</p> |
| 40 | 9C | <p><u>ADD-ON:</u> Request approval to present off-site, a Proclamation declaring April 25, 2015 as “Comcast Cares Day” in Palm Beach County. (Sponsored by Mayor Vana)</p> |
| 40 | 9D | <p><u>ADD-ON:</u> Request approval to present off-site, a Proclamation declaring May 10 – 16, 2015 as “National Nursing Home Week” in Palm Beach County. (Sponsored by Commissioner Abrams)</p> |
| 40 | 9E | <p><u>ADD-ON:</u> Request approval to present off-site, a Proclamation for “All People’s Day” in Palm Beach County. (Sponsored by Vice Mayor Berger)</p> |

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

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

APRIL 21, 2015

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Pages 7 - 30)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 31)**
- 5. REGULAR AGENDA (Pages 32 - 36)**
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- 3B-3 Contracts and claims settlements list
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** an Agreement with West Jupiter Community Group, Inc. and the Town of Jupiter for an amount not to exceed \$12,380 for the construction and installation of a community identity sign in the Limestone Creek CCRT area. **SUMMARY:** The above project was reviewed and recommended for funding by the Countywide Community Revitalization Team (CCRT). The CCRT is comprised of neighborhood representatives as well as representatives from various County departments and agencies, including: the School District, the Palm Beach County Sheriff's Office, Community Services, Water Utilities Department, Engineering Department, Department of Economic Sustainability, Code Enforcement, Planning, Zoning and Building Divisions, Parks and Recreation, Fire Rescue, Animal Care and Control, Drowning Prevention, Health Department, and the Solid Waste Authority. The funding for this project was previously approved by the Board of County Commissioners (BCC) on June 3, 2014, to assist with the construction and installation of a community identity sign in the Limestone Creek CCRT area. Staff is now presenting the Agreement for the community identity sign to the BCC for execution. District 1 (AH)

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	January 22, 2015

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during October 2014. Countywide
5. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services (Ch 28.30, Ch 257.36 (6)). Countywide (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** the Second Amendment to the street lighting design annual contract R2013-0658 with Electrical Design Associates, Inc. (Consultant), whose original contract was dated June 4, 2013. **SUMMARY:** Approval of this second amendment to the annual contract will extend the required professional services for one year, on a task order basis. This Amendment with the Consultant will extend the contract period from June 4, 2015, through June 3, 2016. This Amendment is the second and final renewal of two possible one year renewals contemplated in the original contract. The Consultant is a Palm Beach County company and is certified as a small business enterprise. Countywide (MRE)

2. **Staff recommends motion to:**

A) approve a Contract with Shoreline Foundation, Inc. (Shoreline) in the amount of \$4,064,012.40 for the construction of County Road 880 Twenty Mile Bend Slope Protection (Project);

B) adopt a Resolution to approve the Local Agency Program Supplemental Agreement Number One (Supplement) with the State of Florida Department of Transportation (FDOT) to add \$1,051,065 of grant funding for the construction and construction engineering inspection of the Project; and

C) approve a Budget Amendment of \$1,051,065 in the Transportation Improvement Fund to recognize the Supplement with FDOT and appropriate it to the Project.

SUMMARY: Approval of this Contract will allow Palm Beach County to issue a notice to proceed to Shoreline, a Broward County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15%, but the responsive bidders cannot be ranked for SBE compliance for this Project due to federal funding restrictions. However, they will be using four Palm Beach County companies as subcontractors on this project. Adoption of the Supplement will allow Palm Beach County to receive a total of \$3,282,283 in grant funding for the Project. Approval of the Budget Amendment will recognize the Supplement and appropriate it to the Project. The County will be responsible for all costs above the grant amount. District 6 (MRE)

D. COUNTY ATTORNEY

1. **Staff recommends motion to receive and file:** the conversion of interest rate documents for the \$8,600,000 Palm Beach County, Florida Amended and Restated Tax-Exempt Adjustable Mode Revenue Bonds (Caron Foundation of Florida, Inc. Project), Series 2008 (the "Bonds"). **SUMMARY:** The conversion of interest rate documents for the Bonds have been provided. These documents should now be received and filed in the Minutes Department. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to receive and file:** Notice of Award No. 2 H89HA00034-22-00 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), for the budget period March 1, 2015, through February 28, 2016, in an amount not to exceed \$5,975,290, for new and existing programs to continue improving health outcomes for clients. **SUMMARY:** On October 21, 2014, the Board of County Commissioners ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Grant Program application (R2014-1558). A partial notice of award was received from the HRSA issuing grant amount of \$5,975,290. This amount represents approximately 80% of the final award. These funds will provide for new programs and maintain all existing programs, increase funding for health insurance premiums, deductibles and co-payments. The grant will allow Community Services to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. The grant end date will be changed to February 29, 2016 with the notification of final award, since this is only the partial award. No County match is required. (Ryan White) Countywide (HH)

2. **Staff recommends motion to approve:** Contracts for Provision of Ryan White Part A HIV Health Support Services with the below listed agencies, for the period March 1, 2015, through February 29, 2016, totaling \$744,495:

A) Legal Aid Society of Palm Beach County, Inc., for Legal Services in an amount not to exceed \$289,245; and

B) Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida in an amount not to exceed \$455,250.

SUMMARY: A notice of grant award was received on February 6, 2015, from the U.S Health and Human Services Health Resources Services Administration (HRSA), issuing a partial award in the amount of \$5,975,290 in Formula, Supplemental and Minority AIDS Initiative (MAI) funding. An additional grant award will be issued at a later date. These contracts are being funded based on level funding from the prior grant year. The contracts will be amended and the budget will be aligned once the final notice of award has been received. These agencies are selected and recommended for contracting through the Request for Proposal (RFP) process. These contracts cover services for HIV affected clients which includes medical case management, medical care, pharmacy oral health care, and substance abuse treatment. These contracts represent a modified reimbursement methodology to track actual cost of service instead of units delivered. The change is in response to HRSA site visit report resulting in increased scrutiny and oversight of program and administrative expenses. Employees Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc., and Julie Graham of Treasure Coast Health Council, Inc., d/b/a Health Council of Southeast Florida serve on a County Advisory Board, the HIV CARE Council. The HIV CARE Council provides 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. No County funds are required. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

A) ratify the signature of the Mayor on State of Florida Department of Economic Opportunity Federally Funded Subgrant Agreement No. 15EA-0F-10-60-01-023, for the period April 1, 2015, through March 31, 2016, in an amount not to exceed \$3,192,053, for the Low Income Home Energy Assistance Program (LIHEAP); and

B) approve Budget Amendment of \$1,585,152 in the LIHEAP Fund to reconcile the budget.

SUMMARY: LIHEAP funds of \$3,192,053 will enable Community Action Program to provide assistance to approximately 9,000 low income households with energy bills and crisis assistance to prevent service disconnection or to restore utility services. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. County funds are not required. (Community Action Program) Countywide (HH)

4. Staff recommends motion to receive and file: Amendment No. 1 to the Contract for Provision of Ryan White Part A HIV Support Services with Health Care District of Palm Beach County, Inc. (R2014-0587), for the period March 1, 2014, through July 31, 2015, increasing funding by \$100,000 for a new total contract amount not to exceed \$544,031. **SUMMARY:** This Amendment is necessary in order to extend the current contract with the Health Care District of Palm Beach County, Inc. (HCD) to ensure a continuation of services as the Department of Community Services transitions to a new provider of local pharmacy services. Due to federal requirements for registering a new provider for the Ryan White Drug Reimbursement Program, new providers cannot be registered until April 2015, for services commencing July 2015. The contract extension with HCD is necessary to ensure continued availability of medications for Ryan White clients. This Amendment was executed by the Deputy County Administrator in accordance with Resolution R2013-0519, which delegates signatory authority to the County Administrator or his designee. This receive and file item is being submitted in accordance with County Wide PPM No. CW-O-051 to allow the Clerk's office to note and receive the executed amendment. No County funds are required. (Ryan White) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to approve: Terminal Space Lease Agreement with MorphoTrust USA, LLC (MorphoTrust) (Lease) for the lease of office space at the Palm Beach International Airport (PBIA), commencing on February 1, 2015 and expiring on September 30, 2015, and renewing on an annual basis thereafter (October 1 through September 30) for the operation of the Transportation Security Administration (TSA) Pre-Check Program for rental of \$1,500 per month. **SUMMARY:** The Lease provides for the use of approximately 550 square feet of space in the PBIA terminal by MorphoTrust, as the contractor for the TSA's Pre-Check Program at PBIA. Rental is a lump-sum amount of \$1,500 per month, and may be adjusted upon each annual renewal by no more than 5% at the County's discretion. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Fourth Amendment to Terminal Building Lease Agreement (R2011-1160) (Fourth Amendment) with the General Services Administration, an executive agency of the United States of America, for the Transportation Security Administration's (TSA) operations at the Palm Beach International Airport (PBIA). **SUMMARY:** The Terminal Building Lease Agreement provides for the lease of office and support space for the TSA at PBIA. The Fourth Amendment relocates a portion of the TSA leasehold, resulting in a net increase of 69 square feet; delays rental commencement by two months in certain areas; and reduces the construction reimbursement to reflect actual cost incurred. Countywide (HJF)
3. Staff recommends motion to approve: a Second Amendment to Short-Term Lease Agreement with Enterprise Leasing Company of Florida, LLC, a Delaware limited liability company, d/b/a National Car Rental (Enterprise) (R2014-0591) (Lease) (Second Amendment) providing for additional renewal terms for the lease of property located at 2401 Turnage Boulevard at the Palm Beach International Airport (PBIA) (Turnage Property). **SUMMARY:** The Lease currently provides for two one-month renewal terms. The Second Amendment increases the number of renewal terms to a total of eight one-month renewals, which would extend the term of the Lease to October 28, 2015, if all renewal terms are exercised. The monthly rental for each month the Lease is renewed is \$17,261. Countywide (HJF)
4. Staff recommends motion to approve: Utility Easement Agreement with Florida Power & Light Company (FPL) for electric utility facilities on two parcels west of the Palm Beach International Airport (PBIA) in West Palm Beach. **SUMMARY:** As part of the Department's efforts to redevelop property west of PBIA, the Department of Airports has requested the abandonment of Amelia Street and Sandy Lane public road rights of way. FPL currently maintains electric utility facilities within each right-of-way. Consent from the utility companies is necessary to abandon the road rights of way. FPL has agreed to issue a letter of no objection to the abandonments, but is requiring the County to grant an easement for its existing electric utility facilities currently located within the road rights of way. Countywide (HJF)
5. Staff recommends motion to receive and file: License Agreement with Atlantic Aviation – West Palm Beach, LLC (Atlantic) commencing 7am, February 19, 2015 and expiring 6pm, February 19, 2015, for overflow parking of vehicles in connection with the National Business Aviation Association (NBAA) event hosted by Atlantic at the Palm Beach International Airport (PBIA), for payment of license fees in the amount of \$3,600. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. This License Agreement provides for the use of a portion of the PBIA economy parking lot during an 11-hour period on February 19, 2015, for use solely for the parking of vehicles in connection with the NBAA event hosted by Atlantic. Countywide (AH)
6. Staff recommends motion to receive and file: License Agreement with Imperial Construction, Inc., a Texas corporation (Imperial), commencing March 6, 2015 and expiring April 5, 2015, and renewing on a month to month basis, provided no renewal shall extend beyond December 5, 2015, for a 1,000 square foot portion of Building 508, at the Palm Beach International Airport as identified in Exhibit "A" of the License Agreement, for payment of license fees in the amount of \$500 per month. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a Negotiated Settlement Agreement in the amount of \$110,000 for the full satisfaction of three Code Enforcement Liens that were entered against NT Family Limited Partnership and Krishna Tripuraneni on June 1, 2009 and July 7, 2009. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered three separate Orders on a property currently owned by NT Family Limited Partnership and Krishna Tripuraneni. These orders gave NT Family Limited Partnership and Krishna Tripuraneni specific dates in which to bring the violations into full code compliance or daily fines ranging from \$50 to \$500 per day would begin accruing if compliance with the CESM's Orders were not achieved by the ordered compliance dates. The cited code violations were all fully corrected as of January 21, 2009 for the breeding and caring of horses, October 31, 2014 for the fence permit & September 19, 2014 for the building renovations/alterations. The total accumulated and aggregate lien amounts through October 31, 2014 totaled \$624,127.20 for which NT Family Limited Partnership and Krishna Tripuraneni has agreed to pay the County \$110,000 (17.6%) for full settlement of the three outstanding Code Enforcement Liens. District 6 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:
 - A) approve** a Restated and Amended Lease with Alzheimer's Community Care, Inc., for 1080 square feet of space located at the Mid-County Senior Service Center at 3680 Lake Worth Road, at an annual rent of \$13,200, increasing to \$13,332 annually on October 1, 2015; and
 - B) adopt** a Resolution authorizing the Restated and Amended Lease of certain real property to Alzheimer's Community Care, Inc. for the provision of an adult day care dementia specific unit in partnership with the Division of Senior Services.

SUMMARY: On April 2, 2013, the Board approved a Lease Agreement (R2013-0404) with Alzheimer's Community Care, Inc. (ACC), for the provision of an adult day care dementia specific unit, in partnership with the Division of Senior Services (DOSS), at the Mid-County Senior Center for a term expiring on September 19, 2015. This Restated and Amended Lease (Restated Lease) extends the Term to September 30, 2017 and increases the annual rent from \$13,200 to \$13,332, commencing on October 1, 2015. In addition, the Restated Lease: 1) expands the days of authorized use from County business days to include Martin Luther King, Jr., Presidents' Day, Columbus Day, Veterans' Day, Christmas Eve, and other mutually agreed weekday holidays, and 2) authorizes the ACC staff to remain at the Senior Center past County's business hours until such time as all ACC patients have been transported from the Senior Center for the evening. The ACC is made solely responsible for any loss or damage resulting from its failure to properly secure the Senior Center and must promptly notify County of any repair issues arising during the holidays. Other than updating standard agreement provisions, the remainder of the terms remain unchanged. (FDO Admin) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) a Budget Transfer of \$100,000 from reserves in the Zone 3 Park Impact Fee Fund to increase the project budget; and

B) Contract with Intercounty Engineering, Inc. in the amount of \$377,425 for the Morikami Park Sewer Expansion project.

SUMMARY: The Budget Transfer will provide the additional funding necessary to fully fund the Morikami Park Sewer Expansion project as the previous budgeted amount was not sufficient to cover the project costs. The work consists of construction of a new sanitary service system to replace the existing septic systems for the caretaker's residence, Oki-Data learning center, Yamato-Kan museum, remote restroom building and maintenance building. This work was competitively bid with Intercounty Engineering, Inc. submitting the lowest responsive, responsible bid. The funding for this project is from Zone 3 Park Impact Fees fund. The total construction duration is 120 calendar days. The goal for Small Business Enterprise (SBE) participation is 15%. The SBE participation in this contract is 25.9%. Intercounty Engineering, Inc. is a Broward County company. (Capital Improvements Division) District 5 (JM)

3. Staff recommends motion to receive and file: notice of exercise of the sixth option to extend the term of the Lease Agreement with Theodore W. Winsberg and Gertrude K. Winsberg (R99-842D) for one year for rent of \$1/yr. **SUMMARY:** In 1996, the County purchased 175 acres of property from the Winsbergs for the development of the Water Utilities Department's Green Cay Wetlands Water Reclamation project. The property is located off Hagen Ranch Road between Boynton Beach Boulevard and Atlantic Avenue. The Board approved the original Lease Agreement in May of 1999 (R99-842D), which allowed the Winsbergs to continue to farm the property until the Water Utilities Department (WUD) was ready to construct its project. Over time, as WUD constructed phases of the Water Reclamation Project, the area leased to the Winsbergs was reduced and the Winsbergs currently lease approximately 60 acres. The next phase of the Water Reclamation Project is not expected to be implemented within the next four years. In April of 2008, the Board approved the Fourth Amendment (R2008-0629) which extended the term of the Lease Agreement through May 1, 2010, and provided the Winsbergs with ten additional one-year options to extend for one year each. Exercising this sixth option will extend the term of the Lease Agreement through May 1, 2016. The Winsbergs have the right to exercise their option and the Board has no discretionary authority to not allow the exercise of the option. The County will continue to have the right to terminate this Lease upon 120 days notice. The annual rental rate for this extension will continue to be \$1/yr. Four one-year options remain available to the Winsbergs. WUD supports the extension and will continue to have administrative responsibility for this Lease. All other terms of the Lease Agreement remain in full force and effect. (PREM) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: a Partial Release of Conservation Easement located within the limits of Waterway Park, in unincorporated Jupiter. **SUMMARY:** The County is in the process of developing Waterway Park property located on East Indiantown Road, west of and adjacent to the Intercoastal Waterway, in unincorporated Jupiter. As a condition of obtaining environmental permits for the project, the County was required to record a Conservation Easement over 3.85 acres of the Park which contain wetlands. Subsequently, the County completed the Fullerton Island Environmental Restoration project on an island owned by the Town of Jupiter within the Intracoastal Waterway. The project produced mitigation credits for the creation of seagrass and mangrove habitat, 50% of which have been approved by the Town of Jupiter to be used by the County on other County mitigation projects. A portion of those mangrove mitigation credits are being used to release .34 acres of the existing 3.85 acre Conservation Easement on Waterway Park. (PREM) District 1 (HJF)

5. Staff recommends motion to approve: an Agreement with the Sheriff of Palm Beach County (Sheriff) for the provision of food and laundry services to the County's Homeless Resource Center n/k/a the Senator Philip D. Lewis Center (Lewis Center) located at 1000 45th Street, West Palm Beach. **SUMMARY:** Since July 2, 2012 when the Lewis Center opened, the County has been meeting its obligation to Lewis Center's Lead Operator (Goodwill) to: (i) produce meals meeting established dietary guidelines for adults and juveniles; and (ii) provide laundry service for bedding and towels, via an Agreement with the Sheriff (R2012-0885). Staff is recommending that the County continue to meet its obligations to Goodwill for food and laundry services through the use of the Sheriff's facilities at the Main Detention Center (MDC) for another three year period. The Sheriff's contracted food service provider (Food Service Provider) will produce the meals on-demand for the Lewis Center. This Agreement requires that: (i) the Sheriff provide the County with meals and linens for use at the Lewis Center; (ii) the County order and pick-up meals and linens from the MDC; (iii) the County reimburse the Sheriff for out of pocket expenses associated with production of meals actually ordered; and (iv) the County reimburse the Sheriff for out of pocket costs for lost trays and/or linens. The Agreement permits both the County and the Sheriff, upon mutual agreement, to delegate each of their administrative and logistical responsibilities to the Director of Facilities Development & Operations and the Major, Corrections Operations, respectively. Certain administrative responsibilities such as the ordering, meal preparation, serving of meals and transport duties can be further assigned to Goodwill and the Sheriff's Food Service Provider. The term of the Agreement commences on June 19, 2015 and continues for three years, with an expiration date of June 18, 2018, or until the expiration of the Food Service Provider's contract, whichever occurs first. The Agreement may be terminated by either party, with or without cause with a minimum of thirty days notice. Due to this being an on-demand contract with no minimum purchase requirement, the County is free to order as many or little meals as they desire, allowing the County to utilize alternate food production sources/approaches as determined to be appropriate on a case by case or longer term basis. (FDO Admin) District 7 (JM)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to:

A) adopt a Resolution authorizing the Restated Lease Agreement with the Town of Jupiter, Florida (Town) for use of 1.5± acres adjacent to the Jupiter Branch Library at 705 Military Trail for operation of Jupiter's Pine Gardens Park; and

B) approve the Restated Lease Agreement with the Town.

SUMMARY: Beginning in 1999, the Town leased 1.5 ± acres from the County pursuant to Lease Agreement R1999-570D for its Pine Gardens Park. The Lease was extended in 2009 (R2009-0421) and provided for automatic one year renewals. Recently, the Town approached the County seeking to renovate and improve the park and playground and to extend the term in order to qualify the project for grant funding. The Restated Lease Agreement extends the term to April 8, 2025, with five one-year renewal options. In exchange for the extended Term, the Town agreed to update park signage, include Library-themed stamped designs in the concrete pathways of the park, and to permit the Library to reserve and use the park and park pavilions for Library events. The annual rent is One Dollar (\$1). Tenant is solely responsible for all maintenance and repair of the property and improvements. The Restated Lease may be terminated by either party with one hundred twenty days notice: 1) if Tenant fails to commence the improvements within ninety days, and 2) at any time after the conclusion of the initial term. Other than the changes set forth herein, the Restated Lease remains the same. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a First Amendment to Mortgage and Security Agreement and Modification of Promissory Note with Vista Del Lago Limited Partnership (VDLLP) to extend the maturity date from April 30, 2015 to September 30, 2015; and

B) delegation of authority to the County Administrator, or his designee, to execute a Satisfaction of Mortgage in favor of VDLLP subject to the receipt of \$150,000 no later than September 30, 2015.

SUMMARY: On December 19, 1995, the County entered into a cash flow dependent Loan Agreement (R95-1780D) with VDLLP to provide \$161,926 in State Housing Initiative Partnership Program funds towards the construction of a 58 unit affordable housing project. The project, known as Vista Del Lago, is located at 1701 North Flagler Drive, in West Palm Beach. This three percent (3%) cash flow dependent loan matures on April 30, 2015. It was secured on January 17, 1996, by a Mortgage and Security Agreement (County Mortgage) and a Promissory Note from VDLLP. As of March 31, 2015, \$161,926 and \$92,948.37, in principal and accrued and deferred interest, respectively, are owed. Insufficient cash flow from the project has precluded the receipt of any payments by the County. In order to enforce the mortgage, the County would be required to foreclose on the County Mortgage. Extending the maturity date of the County Mortgage to September 30, 2015, will avert foreclosure by allowing VDLLP to refinance the project and pay the County \$150,000 in exchange for a Satisfaction of Mortgage. It is uncertain that the County would receive any funds through a foreclosure process given the County's junior mortgage position. Staff is recommending acceptance of a payment which is less than the total amount owed in order to assist VDLLP to obtain the refinancing it needs to successfully operate this affordable housing project. The County's required affordability period will survive until January 17, 2026. Delegation of authority to the County Administrator, or his designee, will streamline the process of issuance of the Satisfaction of Mortgage provided VDLLP makes its payment no later than September 30, 2015. **The original funding was provided from the State Housing Initiatives Partnership Program which required no local match.** (DES Contract Development) District 7 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) conceptually approve amendment of the loan documents approved by the Board of County Commissioners on March 1, 2005, with Executive Trust, Ltd. (ETL) to extend the maturity date of the loan to May 1, 2050, modify how cash flow payments will be received by the County, subordinate the County's mortgage to a new first mortgage loan from Walker & Dunlop, LLC and accept a monitoring fee from ETL; and

B) delegate authority to the County Administrator, or his designee, to execute the documents necessary to accomplish the aforesaid.

SUMMARY: On March 1, 2005, the County entered into a cash flow dependent Loan Agreement (R2005-0463) with ETL to provide \$262,000 in State Housing Initiative Partnership Program funds towards the construction of a 262 unit affordable housing rental project. The project, known as Malibu Bay, was completed in 2005 and is located at 750 West Executive Center Drive, in West Palm Beach. This three percent (3%) cash flow dependent loan matures on December 31, 2020. It was secured on March 30, 2005, by a Mortgage and Security Agreement (County Mortgage) and a Promissory Note from ETL. ETL intends to refinance the first mortgage on the property with a U.S. Department of Housing and Urban Development (HUD) insured loan from Walker & Dunlop, LLC, which will not exceed the principal amount of the original first mortgage. The County, which holds a third mortgage, and the other subordinate lenders have been requested to extend the maturity dates of their mortgages and to subordinate to the new financing. The County's lien position will not change, nor will there be any changes to the County's loan documents except the extension of the maturity date, the addition of a monitoring fee to be paid to the County in the amount of \$7,500 annually. Staff recommends approval to preserve this important affordable housing project. **The original funding was provided from the State Housing Initiatives Partnership Program which required no local match.** (DES Contract Development) District 7 (JB)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file: Interlocal Agreement with the Village of Wellington. **SUMMARY:** On August 13, 2013, the Board of County Commissioners (BCC) approved Resolution 2013-1063 creating a contractor enrollment program whereby participating municipalities within the County can utilize the construction contractor information obtained by the County. The Interlocal Agreement sets forth the terms and conditions of the program; this shall become effective upon approval and shall continue thereafter, on a year to year basis, unless terminated or amended. Delegated authority was granted for these agreements under Resolution R2013-1063. This program benefits local construction contractors by allowing them to do business with all participating jurisdictions after enrolling with the County. Countywide/District 6 (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** executed Agreements received during the months of November and December 2014:

A) Standard Potable Water and Wastewater Development Renewal Agreement with Lantana Farm Consultants, Inc. and Lantana Farm Associates, Inc., No. 02-01079-000 (District 3);

B) Standard Potable Water and Wastewater Development Renewal Agreement with Lantana Farm Associates, Inc., No. 02-01080-000 (District 3);

C) Standard Potable Water & Wastewater Development Renewal Agreement with Anne M. Gannon, Constitutional Tax Collector Serving Palm Beach County, No. 02-01099-001 (District 2);

D) Standard Potable Water & Wastewater Development Renewal Agreement with Magdalene Carney Baha'i Institute, Inc., No.01-01201-000 (District 2); and

E) Utility Concurrency Reservation Agreement with Silverstone Healthcare Company, LLC, No. 02-01139-000 (District 6).

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator/Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. (MJ)

2. **Staff recommends motion to approve:** Change Order No. 2 to the Contract with Intercounty Engineering, Inc. (R2014-0283) for the Southern Region Water Reclamation Facility Headworks Bypass project providing for a 90-day time extension. **SUMMARY:** On March 11, 2014, the Board of County Commissioners approved a Contract with Intercounty Engineering, Inc. for the Southern Region Water Reclamation Facility Headworks Bypass project. The project encountered delays due to the failure of the material manufacturer to meet scheduled delivery dates, which requires an extension of time for the completion of the project. The Small Business Enterprise (SBE) participation goal established by SBE Ordinance (R2002-0064) is 15% overall. The Contract provides for 16.04% SBE overall. Change Order No. 2 has 0% overall SBE participation. Intercounty Engineering, Inc. is not a local company. (WUD Project No. 12-015) District 5 (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Change Order No. 1 to the Contract with Lanzo Lining Services, Inc. - Florida (R2012-1822) for the City of Pahokee Inflow & Infiltration Improvements project decreasing the contract price by \$637,883.58 and providing for a 198-day time extension. **SUMMARY:** On December 4, 2012, the Board of County Commissioners approved the Water Utilities Department Construction Contract (Contract) for the City of Pahokee Inflow & Infiltration Improvements in the amount of \$1,024,591.11 with Lanzo Lining Services, Inc. - Florida (Contractor). Due to high groundwater conditions that caused surcharging of the sewer system, the Contractor was unable to complete the project. Change Order No. 1 will close out the project and includes the final adjustment of unit quantities required for the Contract, as well as providing for a 198-day time extension. This project was funded by a grant from the State of Florida Department of Economic Opportunity through the Disaster Recovery Initiative Program managed by the County's Department of Economic Sustainability. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is not applicable to this contract due to the fact that it is a federally funded project. Per federal regulations, the project is subject to a 22.4% minority participation goal and a 6.9% female participation goal for trades rather than the County's SBE goals. The Contract with Lanzo Lining Services, Inc. - Florida includes 27.44% minority participation and 0% female participation. Change Order No. 1 has 0% overall SBE participation. Lanzo Lining Services, Inc. - Florida is a Palm Beach County company. (WUD Project No.12-039) District 6 (JM)

4. **Staff recommends motion to approve:** Amendment No. 1 to the unit price Water Utilities Department (WUD) Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation with Hinterland Group, Inc. (R2014-0520) renewing the contract for a 12-month period. **SUMMARY:** On April 15, 2014, the Board of County Commissioners (BCC) approved the WUD Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation (Contract) with Hinterland Group, Inc. in the amount of \$2,331,350. The Contract provides for the installation of sewer pipeline liners and repairs that are identified as part of a project or for any wastewater emergency throughout the WUD service area. Amendment No. 1 provides for a 12-month contract renewal through April 14, 2016. There are no unit price increases for labor and materials contained in the Contract. The Contract does not guarantee or authorize Hinterland Group, Inc. to perform any work. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Hinterland Group, Inc. provides for SBE participation of 15% overall. As of March 3, 2015, Hinterland Group, Inc. has achieved 100% SBE participation overall. Hinterland Group, Inc. is a Palm Beach County company. (WUD Project No. 12-063A) Countywide (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to approve: Amendment No. 1 to the unit price Water Utilities Department (WUD) Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation with Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South (R2014-0521) renewing the contract for a 12-month period. **SUMMARY:** On April 15, 2014, the Board of County Commissioners approved the WUD Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation (Contract) with Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South in the amount of \$2,632,238.75. The Contract provides for the installation of sewer pipeline liners and repairs that are identified as part of a project or for any wastewater emergency throughout the Water Utilities Department's service area. Amendment No. 1 to the Contract provides for a 12 month contract renewal through April 14, 2016. There are no unit price increases for labor and materials contained in the Contract. The Contract does not guarantee or authorize Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South to perform any work. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South provide for SBE participation of 16.49% overall. As of March 3, 2015, Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South has achieved 0% SBE participation overall. The reasons for the current SBE participation rate are that WUD has only assigned 10.48% of the total amount of the contract and the scope of the work that has been assigned has not allowed for the utilization of SBE subcontractors. Future work assignments will allow the Contractor to utilize their SBE subcontractors and to reach their SBE commitment. Lanzo Lining Services, Inc. d/b/a Lanzo Trenchless Technologies South is not a Palm Beach County company. (WUD Project No. 12-063B) Countywide (JM)

6. **DELETED**

7. Staff recommends motion to approve:a Contract with Engineer Service Corporation for the Telemetry Information Management System Improvements Project in the amount of \$1,098,799.50. **SUMMARY:** On January 16, 2015, three bids were received to provide and install new Remote Telemetry Units with Programmable Logic Controllers, antennas, level transducers, transformers, solar panels, and associated electrical components and instrumentation at 48 lift stations and replace electrical panels at four stations. Engineer Service Corporation was the lowest responsive and responsible bidder in the amount of \$1,098,799.50. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Engineer Service Corporation provides for SBE participation of 89.69% overall. Engineer Service Corporation is a Palm Beach County company. The Project is included in the FY15-16 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 12-023) Districts 1, 2, 3, 5, 6 & 7 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

8. **Staff recommends motion to approve:** Work Authorization No. 1 with Globaltech, Inc. (R2015-0315) for the Water Treatment Plant No. 11 (WTP 11) Degasifier and Clearwell Improvements (Project) in the amount of \$1,051,189.81. **SUMMARY:** On March 10, 2015, Board of County Commissioners (BCC) approved the Optimization and Improvements Design-Build Services Contract with Globaltech, Inc. Work Authorization No. 1 provides for upgrades to the air filtration system for the degasifier blowers, replacement of the degasifier packing and optimization of the clearwell chemical feed systems at WTP 11. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75% overall. This Work Authorization includes 97.04% overall SBE participation. The cumulative SBE participation, including this Work Authorization is 97.04% overall. Globaltech, Inc. is a Palm Beach County company. This project is included in the FY15 Capital Improvement Plan adopted by the BCC. (WUD Project No. 14-073) District 6 (JM)

9. **Staff recommends motion to approve:** Work Authorization No. 1 with Cardinal Contractors, Inc. (R2015-0316) for the Pahokee Wastewater Treatment Plant (WWTP) Improvements Project in the amount of \$1,977,954.58. **SUMMARY:** On March 10, 2015, Board of County Commissioners (BCC) approved the Optimization and Improvements Design-Build Contract with Cardinal Contractors, Inc. Work Authorization No. 1 is necessary to modify the headworks and install two new wastewater screens at the Pahokee WWTP. The existing treatment system will be taken out of service and repaired. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Cardinal Contractors, Inc. provides for SBE participation of 26% overall. This Work Authorization includes 32.47% overall participation. The cumulative SBE participation, including this Work Authorization is 32.47% overall. Cardinal Contractors, Inc. is a Palm Beach County company. This project is included in the FY15 Capital Improvement Plan adopted by the BCC. (WUD Project No. 15-010) District 6 (JM)

10. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 10 for Maximo Reconfiguration Iterations 3 & 4 with Black & Veatch Corporation, (R2014-0064), in the amount of \$695,340.77. **SUMMARY:** On January 14, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Engineering/Professional Services Contract with Black & Veatch Corporation for sustainability and strategic planning consulting services. CSA No. 10 provides for services relating to Maximo configuration (Asset Management Software), asset inventory and the development of procedures that will allow WUD to properly manage the repair and replacement of assets. Industry best practices in asset management will be used to guide the development of the management procedures. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Black & Veatch Corporation provides for SBE participation of 15%. The CSA includes 27.29% overall participation. The cumulative SBE participation is 18.31% overall. Black & Veatch Corporation is not a Palm Beach County company. (WUD Project No. 14-018) Countywide (JM)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

11. Staff recommends motion to approve: a Settlement/Service Agreement with PFBG, LLC (Owner). **SUMMARY:** The old Belle Glade hospital was recently purchased by PFBG, LLC who plans to develop the property, which will result in significant economic benefits to the Glades Region of the County. The previous property owner incurred water and wastewater charges of \$289,565.88 dating back to 2010 that were never paid. The vast majority of the charges resulted from base charges and late fees that were incurred prior to the absorption of the Glades Utility Authority (GUA) by the County in May of 2013. According to County Policy, liens were placed on the property. Based on the age of the unpaid potable water and wastewater service charges it is in the County's best interest to negotiate a settlement of these liens. Staff is recommending a Settlement in the amount of \$144,782.94 due to the age of the charges and the fact that they were incurred prior to assumption of the GUA. District 6 (MJ)

12. Staff recommends motion to approve: Work Authorization No. 1 for the Lift Station Rehabilitation Project Priority 1 (Project) with Hinterland Group, Inc. (R2015-0318) in the amount of \$1,770,793.39. **SUMMARY:** On March 10, 2015, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Lift Station Rehabilitation Continuing Construction Contract with Hinterland Group, Inc. Work Authorization No. 1 provides for the rehabilitation of ten submersible lift stations throughout the WUD service area. The rehabilitation work includes replacing pumps, piping, pump guide rails, fences, concrete slabs and driveways to increase reliability, safety, security and ease of maintenance. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Hinterland Group, Inc. provides for SBE participation of 97.47%. The Work Authorization includes 100% SBE overall participation. The cumulative SBE participation including this authorization is 100% overall. Hinterland Group, Inc. is a Palm Beach County company. This project is included in the FY15 Capital Improvement Plan adopted by the BCC. (WUD Project No. 14-104) Districts 1, 2, 4, 5 & 6 (JM)

13. Staff recommends motion to approve: Work Authorization No. 16 for a 12" Water Main Extension on South Main Street (State Road 15) between Southeast Avenue K and Southwest Avenue G in the City of Belle Glade (Project) with Johnson-Davis, Inc. (R2013-0550) in the amount of \$324,840.86. **SUMMARY:** On May 7, 2013, the Board of County Commissioners (BCC) approved the Water Utilities Department Pipeline Continuing Construction Contract with Johnson-Davis, Inc. Work Authorization No. 16 provides for construction of a 12" water main, fire hydrants and service lines to increase fire flow in the City of Belle Glade. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 20.96%. Work Authorization No. 16 includes 19.77% overall participation. The cumulative SBE participation including this Authorization is 18.19% overall. Johnson-Davis, Inc. is a Palm Beach County company. The Project is included in the FY15 Capital Improvement Plan adopted by the BCC. (WUD Project No. 13-067) District 6 (JM)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file:

A) Work Supplement No. 0640-06D for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) with the Vance Construction Company for additional monthly deployment of barges, reduction of their bid items, and extension of work time by 90 days retroactive to December 11, 2014 resulting in a \$102,623.88 decrease in the work order necessary to complete the Grassy Flats Restoration Project; and

B) Work Order Annual Contract No. 0640-8 for the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract (R2012-0640) with the Vance Construction Company for the Juno Dunes Natural Area Shoreline Protection Project from February 10, 2015, through October 8, 2015.

SUMMARY: On December 16, 2014, the Board of County Commissioners authorized Work Order No. 0640-8 to construct a shoreline stabilization project at the Juno Dunes Natural Area in accordance with the Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract. Delegated authority to execute this Work Order was granted at that time, and the Work Order is now being submitted for receiving and filing pursuant to PPM No. CW-O-051. District 1 (JM)

On December 16, 2014, the Board of County Commissioners authorized Work Supplement No. 0640-06D to the Palm Beach County Annual Artificial Reef & Breakwater Project No. 2012ERM01 Contract. Delegated authority to execute this Work Supplement was granted at that time, and the Work Supplement is now being submitted for receiving and filing pursuant to PPM No. CW-O-051. District 7 (JM)

2. Staff recommends motion to accept: a Statutory Warranty Deed for the donation of two parcels of vacant land totaling 27.63 acres from Effie Eda Westervelt, as sole surviving Trustee under Trust Agreement dated December 1, 1951, provided that the County pays delinquent and current property taxes estimated at \$800, and title insurance, closing and miscellaneous costs estimated at \$500. **SUMMARY:** The subject parcels make up one of two tracts needed to complete the part of the Northeast Everglades Natural Area (NENA) trail system which will connect the J.W. Corbett Wildlife Management Area and several County natural areas to Jonathan Dickinson State Park. Acceptance of the Statutory Warranty Deed (deed) will allow the County to acquire the parcels at a 95 percent discount over the estimated \$27,630 market value of the property. Both parcels are encumbered by an exclusive drainage easement held by the South Florida Water Management District. A title policy will be obtained for the parcels and a pre-acquisition environmental assessment will be performed by Environmental Resources Management (ERM). A boundary survey will not be obtained due to the low value of the land. ERM will be responsible for the administration of the property. The outstanding taxes and all costs related to the closing will be paid from the Natural Areas Fund, a non-ad valorem source of funds. **This donation must be approved by a supermajority vote (5 Commissioners).** District 1 (HF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

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

Derek Jones, US Diving Coach, North County Aquatic Complex, for the period January 1, 2015, through September 30, 2015.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. This Independent 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 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and is now being submitted to the Board to receive and file. District 1 (AH)

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

A) Monkey Leboo Inc., Safety Fair and concert event, Sunset Cove Amphitheater, on January 10, 2015;

B) Frank Loverso, Whitestone Band concert, Canyon Town Center Amphitheater, on January 17, 2015;

C) Peter Sarfati, Valentine's Date Night with Solid Brass concert, Seabreeze Amphitheater, on February 14, 2015; and

D) Blackwood Productions LLC, The Fabulous Fleetwoods concert, Canyon Town Center Amphitheater, on February 21, 2015.

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 four popular cultural events at the Sunset Cove, Canyon Town Center, and Seabreeze amphitheaters. These events were attended by an estimated 2,300 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concerts at the Canyon Town Center Amphitheater. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and are now being submitted to the Board to receive and file. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Blackwood Productions LLC, Safety Fair and concert event, Sunset Cove Amphitheater, on January 10, 2015; and

B) Blackwood Productions LLC, Valentine's Date Night with Solid Brass concert, Seabreeze Amphitheater, on February 14, 2015.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. 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. Districts 1 & 5 (AH)

4. Staff recommends motion to approve:

A) reallocation of \$200,000 from the Off-Highway Vehicle (OHV) Park project to Okeeheliee Park South Development Phase III project;

B) Budget Transfer of \$50,000 within Park Impact Fees Zone 1 from Reserves for the Off-Highway Vehicle (OHV) Park project to the Okeeheliee Park South Development Phase III project;

C) Budget Transfer of \$75,000 within Park Impact Fees Zone 2 from Reserves for the Off-Highway Vehicle (OHV) Park project to the Okeeheliee Park South Development Phase III project; and

D) Budget Transfer of \$75,000 within Park Impact Fees Zone 3 from Reserves for the Off-Highway Vehicle (OHV) Park project to the Okeeheliee Park South Development Phase III project.

SUMMARY: These budget transfers will provide additional funding necessary to continue the development of Okeeheliee Park South. Funds will be used for the removal of exotic vegetation on over 145 acres, the construction and installation of new equestrian, biking and pedestrian trails and the continued creation and enhancement of native wetland habitat as required by the South Florida Water Management District and Army Corps of Engineers permits. Native wildlife habitats will be created within the park with a focus on passive public recreation. This environmental restoration and park development program is also essential for the establishment of a Natural Areas Management Plan for Okeeheliee Park South for the prevention of wildfires. Funding for these budget transfers is from the three Park Impact Fee Zones. There is no longer a need to utilize most of the current funds set aside for the design of the OHV facility at this time as current plans call for an RFP to be issued, with the winning bid assuming all design and development responsibilities. District 2 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: appointment of the following individual to the Criminal Justice Commission to complete term ending December 31, 2015:

<u>Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Mr. Joseph Ianno, Jr.	27	12/31/15	Economic Council

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 33 members including elected officials and representatives from private and public sectors. The twelve private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc., and appointed by the Board of County Commissioners. The Council has nominated Mr. Joseph Ianno, Jr. for appointment effective April 21, 2015, to complete former CJC member Marshall Manley's vacated term which expires on December 31, 2015. Countywide (JB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: the First Amendment to Interlocal Agreement, R2014-1068, for network services provided by Palm Beach County to the East Central Regional Wastewater Treatment Facilities Operation Board (ECR Board), a legal entity created under Chapter 163, Florida Statutes. **SUMMARY:** The ECR Board has an existing network services agreement, as amended, with Palm Beach County (R2014-1068). This First Amendment changes: (1) the Issue Escalation Contact for the ECR, (2) the service installation address, (3) the effective service start date, and (4) reduces FY 2015 revenue from \$600 to \$400. This Amendment continues to require the ECR Board to reimburse the County for installation costs (estimated at \$21,327). The Florida LambdaRail LLC has approved connection of the ECR Board via the City of West Palm Beach to the Florida LambdaRail network. District 7 (PFK)

X. PUBLIC SAFETY

1. Staff recommends motion to:
- A) receive and file** the executed State-Funded Subgrant Agreement for Hazardous Materials Contingency Planning (15-CP-11-10-60-01-356) with the State of Florida, Division of Emergency Management (FDEM) in the amount of \$19,891 for the period July 1, 2014, through June 30, 2015; and

B) approve a Budget Amendment of \$19,891 in the Emergency Management Grant Fund to recognize the grant award.

SUMMARY: This is an annual grant from FDEM to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act (EPCRA), also known as the Superfund Amendments and Reauthorization Act. R2012-1731 gave authority to the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. Although the grant period began July 1, 2014, the County received the executed agreement from the State in March 2015. **No matching funds are required.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) receive and file the executed Federally-Funded Subgrant Agreement (15DS-P4-10-60-01-396) with the State of Florida, Division of Emergency Management (FDEM) to receive \$40,000 from the FY 2014 State Homeland Security Grant Program (SHSGP) to conduct planning, training and exercise activities for the period beginning February 27, 2015, through December 31, 2015; and

B) approve a Budget Amendment of \$40,000 in the Emergency Management Fund to recognize the actual grant award.

SUMMARY: This is an annual federal grant from FDEM to conduct planning, training and exercise activities in order to develop, and enhance emergency preparedness capabilities. R2012-1731 gave the authority to the County Administrator, or his designee, to execute these agreements on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (JB)

CC. 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 February 28, 2015, through August 31, 2015. **SUMMARY:** The Board of County Commissioners 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 BOCC 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 BOCC received and filed an agenda item extending the grant period from February 28, 2014, through August 31, 2014 (R2014-0655). On October 7, 2014, the BOCC received and filed an agenda item extending the grant period from August 31, 2014, through February 28, 2015 (R2014-1516). This agenda item will extend the grant period from February 28, 2015, through August 31, 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 (JB)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) receive and file a Grant Modification No. 1 dated February 9, 2015, with the Office of National Drug Control Policy to provide an additional \$124,470, in reimbursable funding, for the Palm Beach Narcotics Task Force; and

B) approve a Budget Amendment of \$124,470 in the Sheriff's Grant Fund.

SUMMARY: On March 10, 2015, the Board of County Commissioners (BOCC) accepted an award from the Office of National Drug Control Policy to provide \$30,536, in reimbursable funding for overtime and other expenses associated with the Palm Beach Narcotics Task Force (R2015-0352). This modification will provide an additional \$124,470 in reimbursable funding to offset costs associated with the Palm Beach Narcotics Task Force. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a pass-through contribution from Massachusetts Mutual Life Insurance Company in the amount of \$38,125, which represents reimbursement of a portion of administrative cost paid by Sheriff employees for FY 2014; and

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

SUMMARY: As contracted, Massachusetts Mutual Life Insurance Company is responsible to pay fees incurred in the administration of the Palm Beach County Sheriff's Office (PBSO) 12-b-1 employee deferred compensation plan. On March 10, 2015, the PBSO received a reimbursement of a portion of the administrative cost paid by employees for FY 2014. Once accepted, the funds will be transferred to the employee welfare organization 501(c)(4). There is no match requirement associated with this award. No additional positions are needed and no County funds are required. Countywide (JB)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Florida Division of Emergency Management Federally Funded Subgrant Agreement for the FY 2014 Operation Stonegarden Grant Program award in the amount of \$100,936 for the period of March 16, 2015, through August 31, 2016; and

B) approve a Budget Amendment of \$100,936 in the Sheriff's Grants Fund.

SUMMARY: On March 16, 2015, the Palm Beach County Sheriff's Office (PBSO) received a FY 2014 Operation Stonegarden Grant Program award. Funds provided will be used to enhance the United States Border Patrol's mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Federally-Funded Subgrant Agreement for a FY14 State Homeland Security Grant in the amount of \$85,000, for the period of March 5, 2015 through December 31, 2015; and

B) approve a Budget Amendment in the amount of \$85,000 in the Sheriff's Grant Fund.

SUMMARY: On March 5, 2015, the Palm Beach County Sheriff's Office (PBSO) received a FY14 State Homeland Security Grant award from the State of Florida, Division of Emergency Management. These funds will be used for direct homeland security initiatives. There is no match associated with this award. No additional positions are needed and no additional County funds are required. Countywide (JB)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve:

A) the Fifth Amendment to the Agreement (R2012-1320) with Discover Palm Beach County, Inc., for the provision of services under Palm Beach County's (PBC) Tourist Development Plan during the period of October 1, 2014, through September 30, 2015; and

B) a Budget Transfer totaling \$1,500,000 from operating reserves to other contractual services in TDC – Tourism Promotion.

SUMMARY: This Amendment to the Agreement amends Exhibit A – the FY 2015 budget in the amount of \$1,500,000 for marketing and advertising. (TDC) Countywide (DW)

2. Staff recommends motion to approve:

A) the Sixth Amendment to the Agreement (R2012-1318) with Cultural Council of Palm Beach County, Inc., for the provision of services under Palm Beach County's (PBC) Tourist Development Plan during the period of October 1, 2014, through September 30, 2015; and

B) a Budget Transfer totaling \$680,000 from operating reserves to other contractual services in TDC – Cultural Arts.

SUMMARY: This Amendment to the Agreement amends Exhibit A – the FY 2015 budget in the amount of \$680,000 for marketing and advertising. (TDC) Countywide (DW)

* * * * *

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

- A. **Staff recommends motion to adopt:** a Resolution to abandon any public interest in a portion of right-of-way known as East Grace Drive and dedicated to the public by plat of Morrison Homes, as recorded in Plat Book 23, Page 190; and adjacent ingress/egress, drainage and utility easements granted to Palm Beach County and recorded in Official Records Book 18972, Page 56; Official Records Book 22307, Page 1049; and Official Records Book 23061, Page 1205, all of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the public dedications which are in conflict with future redevelopment plans for the site. The petition site is located east of Congress Avenue and south of Southern Boulevard. District 2 (MRE)

- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to the posting of kratom warning signs; providing for definitions; providing for general requirements; providing for enforcement; providing for severability; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for captions; providing for applicability; and providing for an effective date. **SUMMARY:** The Ordinance was requested by the Board of County Commissioners to address health concerns regarding consumption and use of the plant substance kratom, also known as *Mitragyna speciosa*, and kratom-containing products. The proposed ordinance requires the posting of warning signs in business establishments where kratom is sold or dispensed to make potential consumers aware of the risk and potential for harm associated with use and consumption of the substance. Kratom is considered highly addictive and has effects on the body including respiratory depression, psychosis, delusions, tremors, nausea, constipation, anorexia, vomiting, insomnia, and severe withdrawal signs and symptoms. The Ordinance was approved on first reading on March 10, 2015. Countywide (JB)

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5. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of not exceeding \$11,000,000 Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Paul Laurence Dunbar Senior Complex) within the meaning of Section 147(f) of the Internal Revenue Code of 1986, as amended, and Section 2-190, Palm Beach County Code of Ordinances; approving the sale of the Bonds to RBC Capital Markets, LLC as the underwriter thereof, within the meaning of Section 2-190, Palm Beach County Code of Ordinances; and providing an effective date. **SUMMARY:** The Bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the "Authority"), to finance the costs of acquiring, constructing and equipping an approximately 99 unit new multifamily rental housing development for the elderly to be located at the southwest corner of Grant Street and Division Avenue in the City of West Palm Beach to be known as the Paul Laurence Dunbar Senior Complex. These units will be rented to qualified persons and families as required by Section 142(d) of the Internal Revenue Code of 1986, as amended (the "Code"). The Borrower is Paul Laurence Dunbar Senior Complex, Ltd. and the Co-Developers are Baobab Development, Inc. and Landmark Development Corp. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Greenberg Traurig, P.A. is Bond Counsel to the Authority with respect to the Bonds, and RBC Capital Markets, LLC will be the underwriter with respect to the Bonds. On March 13, 2015, the Authority held a public hearing with respect to the Bonds as required by Section 147(f) of the Code. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, of interest on the Bonds.** (HFA of PBC) District 7 (PFK)

5. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY (Cont'd)

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

~~**A)** an Economic Development Incentive Agreement with Sikorsky Aircraft Corporation for the period of June 21, 2011 to December 31, 2017, providing an Ad Valorem Tax Exemption of up to \$133,475 over a three year period, and providing an economic development incentive in the amount of \$13,300;~~

~~**B) on preliminary reading and advertise for a public hearing on May 19, 2015 at 9:30 a.m.:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing an exemption from certain Ad Valorem Taxation to encourage economic development in the County for Sikorsky Aircraft Corporation, an existing business; providing for a finding that requirements have been met; providing for the amount of revenue available from Ad Valorem Tax sources for the current fiscal year; providing for the amount of revenue lost by virtue of the economic development Ad Valorem Tax exemptions currently in effect; providing for the estimated revenue lost attributable to the exemption granted to Sikorsky Aircraft Corporation; providing for the period of time for which the exemption will remain in effect and the expiration date of the exemption; providing for annual reporting requirement; providing for applicability; providing for inclusion in the Code of Laws and Ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date;~~

~~**C)** a Budget Transfer of \$13,300 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund Job Growth Incentive Grant (JGI) Program; and~~

~~**D)** a Budget Amendment of \$13,300 in the Department of Economic Sustainability Fund to recognize the funds from the General Fund.~~

SUMMARY: On June 21, 2011, the Board of County Commissioners (BCC) conceptually approved an Economic Development Ad Valorem Tax Exemption (R2011-0944) for Sikorsky Aircraft Corporation (Sikorsky) in an amount not to exceed an estimated \$146,775 over a three year period, for real property and tangible personal property improvements undertaken in the company's \$10.3 Million expansion of their existing facility in unincorporated Palm Beach County. Due to the timing of the tax rolls, Staff is recommending that \$13,300 of the \$146,775 be provided in the form of a Job Growth Incentive (JGI) Grant to meet the State's Refund Schedule. The exemption, together with the incentive payments, will serve as the local financial support for the State of Florida's commitment to the company of \$698,000 under the Qualified Target Industry Tax Refund Program (QTI). The County's approval required Sikorsky to make a minimum \$10.3 Million capital investment, create 14 new jobs over a three year period at an annualized average wage of \$80,000, and maintain those jobs for three years, as well as retain 81 existing jobs for three years. The Agreement is retroactive to June 21, 2011, and acknowledges that Sikorsky has completed the real property and personal property improvements. As required under Palm Beach County's Economic Development Ad Valorem Tax Exemption Program implemented by the BCC through adoption of Ordinance 2013-022, Sikorsky Aircraft Corporation has filed an application with the Property Appraiser's (PA) office, and the PA has issued a determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption. The Regional Economic Model estimates that this expansion project will have a five year economic impact of \$172.3 Million.
District 1 (JB)

5. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY (Cont'd)

3. [Staff recommends motion to approve on preliminary reading and advertise for a public hearing on May 19, 2015 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing an exemption from certain Ad Valorem Taxation to encourage economic development in the County for Florida South Division, LLC, a new business; providing for a finding that requirements have been met; providing for the amount of revenue available from Ad Valorem Tax sources for the current Fiscal Year; providing for the amount of revenue lost by virtue of the economic development Ad Valorem Tax exemptions currently in effect; providing for the estimated revenue lost attributable to the exemption granted to Florida South Division, LLC; providing for the period of time for which the exemption will remain in effect and the expiration date of the exemption; providing for annual reporting requirement; providing for applicability; providing for inclusion in the code of laws and ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** On May 21, 2013, the Board of County Commissioners (BCC) approved an Economic Development Incentive Grant Agreement (R2013-0632) with Florida South Division, LLC (FSD), a distribution center and regional headquarters serving the ALDI, Inc. stores in South Florida, for an incentive in the amount of \$1.7 Million in the form of an Ad Valorem Tax Exemption over a seven year period. The Ad Valorem Tax Exemption is for real property and tangible personal property improvements undertaken in the company's construction of a 650,000 sf distribution center and regional headquarters in Royal Palm Beach. The Agreement requires the company to make a minimum \$55 Million capital investment, create 95 new full-time equivalent jobs over a three year period at an annualized average wage of \$46,100, and maintain those jobs for a period of five years. As required under Palm Beach County's Economic Development Ad Valorem Tax Exemption Program implemented by the BCC through adoption of Ordinance 2013-022, FSD has filed an application with the Property Appraiser's (PA) office, and the PA has issued a determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption (attached as Exhibit B to the proposed Ordinance). This Ordinance is being presented to the BCC as required by State statute. District 6 (JB)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Deposit Receipt and Contract For Sale and Purchase with Lake Ida Tract, LLC for the sale of approximately five acres of vacant land adjacent to Lake Ida Park for \$500,000. As an alternative, the City of Delray Beach has recently expressed interest in acquiring the property, which Staff does not recommend. **SUMMARY** The County owns approximately five acres of surplus vacant land at the north end of Lake Ida Park. This property is separated from the rest of the Park by a canal and has no legal access. The most recent appraisal valued the property at \$480,000. Lake Ida Tract, LLC, the principal of which is Lak Kalra who also owns the adjoining property, was the sole bidder on a recent IFB with a bid of \$500,000. On October 21, 2014, the Board rejected Lake Ida Tract's Bid and chose to sell the property to the City of Boynton Beach for \$100,000. Subsequently the Boynton Beach City Council voted against purchasing the property. The City of Delray Beach has now indicated a desire to purchase the property upon the terms initially proposed by Boynton Beach. The sale of this property has become a contentious issue between two factions within the larger community – those wanting to create a bikeway/greenway connecting residential communities and public facilities within Boynton, Delray and Boca Raton; and the adjoining property owner and residents within the neighboring Boynton residential development that oppose a neighborhood park, greenway and any connection to Lake Ida Park. The opposition fears an increase in traffic and potential for loitering/vandalism/crime. Mr. Kalra has stated that he will never allow access through his adjoining property for the park and greenway. Staff again recommends the sale of the property to Lake Ida Tract, LLC as it will generate substantially more revenue for the County than Delray Beach's proposal. **This sale must be approved by a Supermajority Vote (5 Commissioners).** (PREM) Districts 3 & 4 (HJF)
2. **ADD-ON, REVISED TITLE: Staff recommends motion to approve:** assignment of contract with RCC Consultants, Inc. (RCC) for planning and engineering services associated with the Countywide Public Safety Radio System (R2014-1463 1462). **SUMMARY:** RCC Consultants, Inc. has advised the County that their Tallahassee Branch Office has separated from the corporate group and RCC Consultants, Inc. desires to assign the Palm Beach County contract to the newly formed company, Omnicom Consulting Group, Inc. (OCG). OCG will assume all of the contractual requirements of RCC contract and staff has reviewed the request and OCG has the proper license and insurance. The Tallahassee Branch Office represented RCC in the original selection and makes up the entirety of the Team assigned to the County to perform under this contract. As such, there is essentially no impact of this assignment on the County in terms of personnel or assigned or available resources. Staff recommends assigning the RCC contract to OCG so that the County does not lose the unique knowledge of the existing system and user requirements for the P25 migration project and provide continuity for the remainder of County projects underway pursuant to this contract. (Capital Improvements Division) Countywide (JM)

C. TOURIST DEVELOPMENT COUNCIL

1. **DELETED: Staff recommends motion to approve on preliminary reading and advertise for public hearing on May 19, 2015, at 9:30a.m.:** ~~an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending section 17-116 of the Code of Laws and Ordinances; codifying the Tourist Development Ordinance of Palm Beach County, Ordinance 95-30, as amended; providing for an amendment to the tourist development plan of categories used; percentage of yearly revenue, and special allocations; providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for penalties; providing for captions; and providing for an effective date.~~ **SUMMARY:** This Ordinance provides for the transfer of funds from the first (1st) percent of the bed tax and the amendment of the Tourist Development Plan which will provide for the expenditure of one (1) cent of "bed" tax revenues to be used for one or more of the authorized uses pursuant to Florida Statutes, 125.0104(5): AUTHORIZED USES OF REVENUE in Palm Beach County and a few other minor housekeeping language corrections and one correction to the Cultural Council's percentage that was a typographical error. (TDC) Countywide (DW)

5. REGULAR AGENDA

D. ADMINISTRATION

1. **Staff requests Board direction:** a request by the City of Pahokee for \$13,000 to provide sports field lighting for their municipal fields and if approved, authorizing a budget transfer from the General Fund Contingency Reserve to fund the request. **SUMMARY:** This type of request is unusual as it would be expected to be a routine function of a local government to fund such a small amount. If there is a need to make such a request, it raises questions about the ability of the municipality to function on an ongoing basis. Pahokee is proposing to use a local contractor which has an ongoing contract for these purposes with the County. District 6

2. **REVISED TITLE & SUMMARY (2nd):** **Staff requests Board direction:** regarding adoption of a resolution supporting ~~proposed legislation providing~~ a statewide prohibition on hydraulic fracturing, acid fracturing, and similar high pressure well stimulation practices performed for the purpose of exploration or production of oil or natural gas in the State of Florida and supporting legislation providing for the prohibition. **SUMMARY:** Commissioners Burdick and McKinlay ~~has~~ have requested Board consideration of a resolution supporting legislation banning oil and gas drilling practices commonly referred to as “fracking” in the State of Florida. Resolutions for this purpose have been passed by several counties including Miami-Dade, Alachua, Leon, St. Lucie, Madison, Hamilton, and Union. The pending legislation prohibiting these drilling practices (SB 166 by Soto and HB 169 by Jenne) is being considered in the current legislative session along with various bills providing for additional regulation and permitting of fracking activities (CS/HB 1205 by Rodrigues and SB 1468 by Richter). A resolution supporting a prohibition for this purpose would state the potential risk of contamination of groundwater resources and drinking water aquifers and the importance of protecting Florida’s natural resources. ~~It would urge the Florida Legislature to enact SB 166, HB 169 or similar legislation prohibiting fracking.~~ Countywide (DW)

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6. BOARD APPOINTMENTS

A. ADMINISTRATION
(Commission on Ethics Ordinance Drafting Committee)

1. Staff recommends motion to approve: appointment of two of the following individuals to the Commission on Ethics (COE) Ordinance Drafting Committee:

Nominees
David Baker
APPOINT TWO Alan Johnson
Bruce Lewis

SUMMARY: At its April 2, 2015 meeting, the Commission on Ethics (COE) requested the COE Ordinance Drafting Committee meet to consider amendments to the Code of Ethics Ordinance to clarify: 1) the definition of vendor; and 2) gift reporting requirements. Countywide (LB)

B. COMMISSION DISTRICT APPOINTMENTS

RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

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

A. HEALTH DEPARTMENT
(Environmental Control Hearing Board)

- 1. [Staff recommends motion to approve](#): appointment of the following individual to the Environmental Control Hearing Board for a term of three years beginning on April 21, 2015 and ending on April 20, 2018:.

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
David Shulan, M.D.	2	Medical Doctor	PBC Medical Society

SUMMARY: The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association, one medical doctor recommended by the Palm Beach County Medical Society, one engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two citizens-at-large not holding elective office. Countywide (HH)

(Environmental Appeals Board)

- 2. [Staff recommends motion to approve](#): reappointment of the following individual to the Environmental Appeals Board for a term of three years beginning on April 21, 2015 and ending on April 20, 2018:

<u>Nominee</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated by:</u>
Ray Puzzitiello	3	Member	Gold Coast Builders Assoc.

SUMMARY: The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association; one person recommended by the Gold Coast Builders Association (formerly known as Home Builders and Contractors Association); one professional engineer recommended by the Palm Beach Branch of the American Society of Civil Engineers; one water resource professional employed by the South Florida Water Management District; and one drinking water engineer employed by the Department of Environmental Protection. Countywide (HH)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

APRIL 21, 2015

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

9. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR

ADD-ON: Request approval to present off-site, a Proclamation declaring April 25, 2015 as “Comcast Cares Day” in Palm Beach County.

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

ADD-ON: Request approval to present off-site, a Proclamation declaring May 10 – 16, 2015 as “National Nursing Home Week” in Palm Beach County.

E. District 5 - COMMISSIONER MARY LOU BERGER, VICE MAYOR

ADD-ON: Request approval to present off-site, a Proclamation for “All People’s Day” in Palm Beach County.

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

Request approval to present off-site, a Proclamation declaring May 3 – 9, 2015 as “National Correctional Officers and Employees Week” in Palm Beach County.

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."