

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JULY 21, 2015

<u>PAGE</u>	<u>ITEM</u>	
7	3B-3*	<u>DELETED EXHIBIT “G” ONLY (R. Chuilli - IT Services):</u> Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. (Clerk) (Further staff evaluation)
8	3C-1	<u>REVISED TITLE & SUMMARY:</u> Staff recommends motion to: A) adopt a Resolution to amend the Imperial Woods Subdivision Water Service Improvement Project (Project) to modify the original assessment amount from \$9,124.09 to the actual cost of \$8,662.60 per lot, and confirm the special assessment roll;.... B)...C)...D)...E)...F)...G) authorize the Tax Collector’s Office <u>and/or the Clerk and Comptroller’s Office</u> to process and collect the assessments and <u>authorize the Clerk and Comptroller’s Office</u> to transfer the funds to the Town of Jupiter (Town) per Assessment Agreement R2014- 0747. SUMMARY: Finalization of the water main assessment roll and adoption of the water services assessment roll for the Project is necessary so that the assessment payments can be processed and collected by the Tax Collector’s Office <u>and/or the Clerk and Comptroller’s Office</u> . The funds will be transferred to the Town which has borne all the costs of the Project in this unincorporated area. At the June 3, 2014 Public Hearing, the cost of the Project was estimated at \$428,832.23 and the interest rate was established at 5%, payable over a 20 year period. Property owners were also provided with the voluntary choice to include their connection fee and tie-in fee in their assessment. <u>District 1 (MRE)</u>
8	3C-3	<u>DELETED:</u> Staff recommends motion to approve: an Agreement with Legend Lake Estates Home Owners Association, Inc. (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff’s Office (Sheriff). (Requested by Home Owners Association)

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

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

JULY 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/SPECIAL PRESENTATION**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentation (Page 6)

- 3. CONSENT AGENDA (Pages 7 - 23)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 24 - 26)**

- 5. REGULAR AGENDA (Pages 27 - 32)**
TIME CERTAIN 11:00 A.M. (Vehicle for Hire Ordinance) (Page 32)

- 6. BOARD APPOINTMENTS (Page 33)**

- 7. STAFF COMMENTS (Page 34)**

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3B-2 Minutes
3B-3 Contracts and claims settlements list
3B-4 Change orders, work task orders, minor contracts, final payments, etc.
3B-5 Receive and file two annual financial reports

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JULY 21, 2015

2C. SPECIAL PRESENTATION – 9:30 A.M.

1. Proclamation declaring August 2015 as “Special-Needs Animal Adoption Month” in Palm Beach County. (Sponsored by Mayor Vana)

* * * * *

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
Comprehensive Plan	April 29, 2015
Regular	May 19, 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 January 2015. Countywide
5. **Staff recommends motion to receive and file:** two of Palm Beach County's annual financial reports for fiscal year ended September 30, 2014:
 - A) The Units of Local Government – Annual Financial Report (AFR); and
 - B) Annual Financial Audit Report (AFAR), including the Single Audit Report.

SUMMARY: The Units of Local Government Report is an Annual Financial Report which serves to generate input to the state. The Annual Financial Audit Report is a special annual financial report defined in Chapter 10.550 of the rules of the Auditor General. This report is required to be filed annually with the Auditor General in compliance with Section 11.45 Florida Statutes and includes the Single Audit Report. Countywide (DN)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. REVISED TITLE & SUMMARY: Staff recommends motion to:

A) adopt a Resolution to amend the Imperial Woods Subdivision Water Service Improvement Project (Project) to modify the original assessment amount from \$9,124.09 to the actual cost of \$8,662.60 per lot, and confirm the special assessment roll;

B) adopt a Resolution to amend the Project's Voluntary Service Connection Fee assessment No. 1 to modify the original assessment amount from \$10,968.40 to \$4,478.36 per lot for 33 property owners;

C) adopt a Resolution to amend the Project's Voluntary Service Connection Fee assessment No. 2 to modify the original assessment amount from \$10,968.40 to \$10,833.40 per lot for five property owners;

D) adopt a Resolution to amend the Project's Voluntary Water Service Tie-In Fee No. 1 to modify the original assessment amount from \$2,850 to \$1,800 per lot for eight property owners;

E) adopt a Resolution to amend the Project's Voluntary Water Service Tie-In Fee No. 2 to modify the original assessment amount from \$2,850 to \$2,050 per lot for 22 property owners;

F) adopt a Resolution to amend the Project's Voluntary Water Service Tie-In Fee No. 3 to modify the original assessment to include the tie in fee amount of \$2,850 per lot for three property owners; and

G) authorize the Tax Collector's Office and/or the Clerk and Comptroller's Office to process and collect the assessments and authorize the Clerk and Comptroller's Office to transfer the funds to the Town of Jupiter (Town) per Assessment Agreement R2014-0747.

SUMMARY: Finalization of the water main assessment roll and adoption of the water services assessment roll for the Project is necessary so that the assessment payments can be processed and collected by the Tax Collector's Office and/or the Clerk and Comptroller's Office. The funds will be transferred to the Town which has borne all the costs of the Project in this unincorporated area. At the June 3, 2014 Public Hearing, the cost of the Project was estimated at \$428,832.23 and the interest rate was established at 5%, payable over a 20 year period. Property owners were also provided with the voluntary choice to include their connection fee and tie-in fee in their assessment. District 1 (MRE)

2. **DELETED**

3. ~~**DELETED: Staff recommends motion to approve:** an Agreement with Legend Lake Estates Home Owners Association, Inc. (Community) for traffic control jurisdiction to be performed by the Palm Beach County Sheriff's Office (Sheriff).~~ **SUMMARY:** Approval of this agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon its roadways during normal patrol hours within the Community. District 6 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to receive and file: a Construction Agreement dated May 14, 2015 with the Florida Department of Transportation for construction of the Southern Boulevard and Kirk Road intersection improvement project. **SUMMARY:** This agreement was approved by the Assistant County Engineer as a delegated authority in accordance with R2013-1117. This Agreement is submitted as a receive and file agenda item for the Clerk's Office to note and receive. Existing lanes will be reconfigured to provide an additional northbound left turn lane. District 2 (MRE)

5. Staff recommends motion to adopt: a Resolution authorizing the conveyance of a Palm Beach County (County) owned parcel of land, located off North Federal Highway (U.S. Highway One), immediately west of Appleby Street, to the Town of Highland Beach (Town). **SUMMARY:** Adoption of this Resolution will allow the approval of a County deed in favor of the Town, and will transfer ownership of a 25 foot wide strip of land, not currently being used for any purpose. **The Town has requested that the County convey ownership of the land to them. Pursuant to County Ordinance 2009-052, a supermajority vote is required for this proposed conveyance to the Town.** The total area of the subject parcel is approximately 0.2753 acres. District 4 (MRE)

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

7. Staff recommends motion to approve:

A) a Budget Amendment of \$6,195 in the Road Impact Fee – Zone 1 Fund to recognize reimbursement funding from AT&T Florida and appropriate it to the Burns Road and Military Trail intersection improvement project (Burns Road Project); and

B) a Budget Amendment of \$2,300 in the Transportation Improvement Fund to recognize reimbursement funding from AT&T Florida and appropriate it to the Clint Moore Road and Military Trail intersection improvement project (Clint Moore Road Project).

SUMMARY: Approval of these budget amendments will recognize funding from AT&T Florida for the utility improvements to be incorporated into Palm Beach County's construction of the Burns Road Project and the Clint Moore Road Project. These utility agreements were approved by the Deputy County Engineer as a delegated authority in accordance with R2011-1292. Districts 1 & 4 (MRE)

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

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) ratify signature of the Mayor on the 2015 Florida Department of Children and Families Homeless Prevention Grant Application, in the amount of \$70,000 for homeless prevention services for families;

B) delegate signature authority to the County Administrator, or his designee, to sign the 2015 Florida Department of Children and Families Homeless Prevention Grant Contract for an amount up to \$70,000; and

C) delegate signature authority to the County Administrator, or his designee, to sign the subcontract with Farmworker Coordinating Council of Palm Beach County, Inc., in an amount up to \$70,000 for homeless prevention services.

SUMMARY: In 2013, the Florida Legislature created the Homeless Prevention Grant program to provide emergency financial assistance to families facing the loss of their housing due to a financial crisis. In accordance with Section 420.624, Florida Statutes, the grant application must be submitted by the Lead Agency for the Continuum of Care. The Human Services Division of the Community Services Department serves in this capacity for Palm Beach County. If awarded the grant, the funding will be sub-contracted with Farmworker Coordinating Council of Palm Beach County, Inc. to provide financial assistance, such as rental and utility assistance for 35 families. All funds must be expended no later than June 30, 2016. Follow up services must be continued through June 30, 2017. No County match funds are required. (Human Services) Countywide (HH)

2. Staff recommends motion to:

A) receive and file Notice of Award No. 6 H89HA00034-22-01 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, to increase total funding by \$1,710,121, for a new total grant amount not to exceed \$7,685,411, for new and existing programs to continue improving health outcomes for clients; and

B) approve Budget Amendment of \$3,102,940 in the Ryan White Care Program Fund to align the budget to actual grant.

SUMMARY: A final notice of award was received on May 22, 2015 from the HRSA, issuing remaining funding for the current grant year in the amount of \$1,710,121. The total grant award for grant year 2015, including this grant award is \$7,685,411. 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). 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 notification from HRSA. No County match is required. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

A) Construct Apron and Taxilanes and Miscellaneous General Aviation Security Improvements at Palm Beach County General Aviation Airports, Financial Project Number 416294-1-94-01 approved by the Board on September 23, 2008 (R2008-1636) and amended January 13, 2009 (R2009-0080), May 1, 2012 (R2012-0622) and April 16, 2013 (R2013-0436), is hereby extended until December 31, 2015; and

B) Security Improvements at Palm Beach County General Aviation Airports, Financial Project Number 416296-1-94-01 approved by the Board on September 23, 2008 (R2008-1637) and amended August 18, 2009 (R2009-1268), is hereby extended until December 31, 2015.

SUMMARY: Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

2. Staff recommends motion to approve:

A) Modification No. P00002 to the Other Transaction Agreement (OTA) No. HSTS04-11-H-CT1303 with the Department of Homeland Security/Transportation Security Administration (DHS/TSA) for additional funding of \$4,134,736 and to correct the Period of Performance to July 1, 2016, for Improvements to the Checked Baggage Screening System at Palm Beach International Airport (PBIA); and

B) a Budget Amendment in the Airport's Operating Fund, for the receipt of \$4,134,736 of funding from the TSA for Fiscal Year 2015; and an increase to Airport's Reserve in the amount of \$4,134,736.

SUMMARY: DHS/TSA provided an OTA in 2011 for funding participation of the project in the amount of \$26,736,942, which was executed through the delegation of authority that was approved by the Board of County Commissioners on August 16, 2011 (Agenda Item 3F9). Subsequently, the OTA was approved as a Receive and File agenda item on October 18, 2011 (R2011-1574). Modification No. P00001 approved by the Board on September 9, 2014 (R2014-1297) extended the Period of Performance to September 30, 2016. Approval of Modification No. P00002 increases the base award by \$4,134,736 for a total funding participation of \$30,871,678 and corrects the Period of Performance from September 30, 2016 to July 1, 2016. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to approve:

A) a Budget Amendment of \$3,410,281 in the Airports Improvement and Development Fund to provide budget for an additional phase of wildlife hazard mitigation and compensatory wetland mitigation at North Palm Beach County General Aviation Airport; and

B) a Budget Transfer of \$3,410,281 in the Airports Passenger Facility Charge (PFC) fund to transfer PFC funds to the Airports Improvement and Development Fund, including a transfer from PFC Reserves in the amount of \$3,410,281.

SUMMARY: In 2013, the Department of Airports (Department) initiated the first phase of the Wetland Wildlife Hazard Mitigation project at North Palm Beach County General Aviation Airport. As part of that effort, the Palm Beach County's Department of Environmental Resources Management (ERM) provided the Department with compensatory wetland mitigation as a requirement of South Florida Water Management District Permit No. 50-02617-S and US Army Corps of Engineers Permit No. SAJ-1991-00402 (IP-EGR) for the Wetland Wildlife Hazard Mitigation project at North Palm Beach County General Aviation Airport. The total cost of the wetland mitigation credits is \$3,282,675. Based on discussions during the permitting process, it was decided that the Department would spread this amount between three equal payments of \$1,094,225. The first payment was provided to ERM on April 2013. The second payment was approved by the Board on June 3, 2014 (Agenda Item 3F7) and was provided to ERM in July 2014. Approval of this item will provide funding for the third and final payment of \$1,094,225 to ERM, and \$2,316,056 for Phase II of the wildlife hazard mitigation project. Passenger Facility Charge funds are being utilized to fund these efforts. Countywide (AH)

4. Staff recommends motion to approve: Amendment No. 5 to the General Consulting Agreement with AECOM Technical Services, Inc. for consulting/professional services in the amount of \$1,354,247.24 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement (R2014-0031) with AECOM Technical Services, Inc. for general airport planning and design was approved on January 14, 2014 in the amount of \$1,641,372 in order to carry out the approved Capital Improvement Programs for the County's Airports. Approval of Amendment No. 5 will provide an additional \$1,354,247.24 to complete the following: Task I Services – Specific Projects: Palm Beach International Airport (PBIA) Common Use System Vendor Evaluation and Implementation Program Management; PBIA Building 3400 HVAC & Roof Improvements; PBIA Concourse A/B Commuter Apron and Taxiway Rehabilitation Construction Administration, Construction Management, Construction Engineering Inspection, and Quality Assurance Materials Testing Services; PBIA Terminal Air Handler Units Replacement Construction Administration Services; PBIA Exit Lane Plazas and Other Canopies and Security Office Expansion (DOA Funding Cost Estimate) Technical Memorandum; Task II Services – Environmental Compliance Services 2015 SWPPP Update; and Task III Services – Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM CW-F-050, by way of a separate proposal or task authorization. AECOM Technical Services, Inc. is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based subconsultants and firms. AECOM Technical Services, Inc. has committed to 21% Disadvantaged Business Enterprise (DBE) participation for this agreement. The total anticipated DBE participation to date is \$13.89%. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a Budget Amendment of \$912,087 in the \$66.4M Public Improvement Revenue Bonds, Series 2015A Capital Project Fund to amend the budget for bond proceeds, premium, and costs of issuance. **SUMMARY:** The Board of County Commissioners authorized the issuance of bonds on April 7, 2015 and the bonds were sold on April 28, 2015 through a competitive bid process with Robert W. Baird being chosen to underwrite the bonds. The true interest cost is 3.13%. The County's AA+ rating on this issue saved approximately \$986,000 over the life of the bonds. The Budget Amendment will amend the budget for the final sale bond proceeds, premium, and issuance costs amounts. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a First Amendment to Interlocal Agreement (R2013-0141) (Agreement) with the City of Riviera Beach (City) to extend the term of the Agreement for radio maintenance services to May 20, 2018. **SUMMARY:** The Agreement, which provides the terms and conditions under which the City receives radio equipment maintenance services from the County, expires on September 10, 2015. The Agreement provides for one renewal option for a period of three years. The City has approved a renewal to extend the term of the Agreement to May 20, 2018 to coincide with the expiration of the City's Direct Access Agreement (R2013-0611), and the renewal now requires Board approval. The terms of the Agreement are standard and the maintenance rates are consistent with those being charged to County Departments. Services will be provided on an as-needed basis and billed to the City. In the event that the County must out-source the labor, a separate labor rate is provided to cover the cost of the contract labor. The rates may be adjusted annually with notification by June 1 (effective the following October 1st) at the County's sole discretion, but in no event shall the City's fee schedule exceed the fee schedule applied to County departments. The Agreement may be terminated by either party, with or without cause, with a minimum of three months notice. This First Amendment renews the term, replaces the attachment, updates the asset and notice provisions, and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (ME)
2. Staff recommends motion to approve: a First Amendment to Interlocal Agreement (R2012-1249) (Agreement) with the City of Greenacres, Florida (City) to extend the term of the Agreement for radio maintenance services to July 21, 2017. **SUMMARY:** The Agreement, which provides the terms and conditions under which the City receives radio equipment maintenance services from the County, expires on September 10, 2015. The Agreement provides for one renewal option for a term of three years. The City has approved a renewal to extend the term of the Agreement to July 21, 2017 to coincide with the expiration of the City's Direct Access Agreement (R2008-1301 as amended by R2013-0873), and the renewal now requires Board approval. The terms of the Agreement are standard and the maintenance rates are consistent with those being charged to County Departments. Services will be provided on an as-needed basis and billed to the City. In the event that the County must out-source the labor, a separate labor rate is provided to cover the cost of the contract labor. The rates may be adjusted annually with notification by June 1 (effective the following October 1st) at the County's sole discretion, but in no event shall the City's fee schedule exceed the fee schedule applied to County departments. The Agreement may be terminated by either party, with or without cause, with a minimum of three months notice. This First Amendment renews the term, replaces the attachment, updates the asset and notice provisions, and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** an Agreement with Bethesda Hospital, Inc., (Hospital) allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System (System). **SUMMARY:** This Agreement provides the conditions under which the Hospital can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Hospital. The terms of the Agreement are standard and have been offered to other hospitals and EMS providers with 800 MHz trunked radio capabilities. This Agreement also contains state approved standard operating procedures specific to the use of the EMS common talk groups. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. This Agreement commences on January 11, 2016 at the expiration of the current Agreement (R2004-0095), for a term of three years. There are three renewal options, each for a period of three years. This Agreement may be terminated by either party, with or without cause. (ESS) Countywide (ME)

4. **Staff recommends motion to approve:** an Agreement with Palms West Hospital Limited Partnership (Hospital) allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System (System). **SUMMARY:** This Agreement provides the conditions under which the Hospital can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Hospital. The terms of the Agreement are standard and have been offered to other hospitals and EMS providers with 800 MHz trunked radio capabilities. This Agreement also contains state approved standard operating procedures specific to the use of the EMS common talk groups. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. The Agreement commences on October 6, 2015, at the expiration of the current Agreement (R2003-1611), for a term of three years. There are three renewal options, each for a period of three years. This Agreement may be terminated by either party, with or without cause. (ESS) Countywide (ME)

5. **Staff recommends motion to approve:** an Agreement with ABM Security Services, Inc., d/b/a Elite Protection Services (Agency) allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System (System). **SUMMARY:** This Agreement provides the conditions under which the Agency can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Agency. The terms of the Agreement are standard and have been offered to EMS providers with 800 MHz trunked radio capabilities. This Agreement also contains state approved standard operating procedures specific to the use of the EMS common talk groups. There are no charges associated with this Agreement. The Agency is required to pay all costs associated with the Agency's subscriber units and to comply with the established operating procedures for the County's System. This Agreement commences on December 15, 2015 at the expiration of the current Agreement (R2003-2038), for a term of three years. There are three renewal options, each for a period of three years. The Agreement may be terminated by either party, with or without cause. (ESS) Countywide (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: a Second Amendment to Cooperative Agreement (R88-1311d) with the State of Florida Department of Agriculture and Consumer Services, Division of Forestry, allowing for the continuation of countywide fire protection of forest and wild lands within Palm Beach County at an annual rate of \$41,135.43/yr. **SUMMARY:** Since 1973, the County, pursuant to Florida State Statutes Section 125.27, has been invoiced annually for countywide fire protection of all forest and wild lands as provided by the Department of Agriculture and Consumer Services, Division of Forestry. The initial term of the Cooperative Agreement, as formally approved in September 1988, was to continue in full force and effect until superseded by a new agreement or canceled by Florida Statutes. This Second Amendment will revise the total protected area from 597,885 acres to 587,649 acres, a reduction of 10,236 acres and incorporates third party beneficiary and non-discrimination wording. As the fee per acre of protection remains unchanged at \$0.07, the annual assessment will be reduced \$716.52, from \$41,851.95 to \$41,135.43. All other terms of the Cooperative Agreement remain unchanged. PREM will continue to have administrative responsibility for this Cooperative Agreement. (PREM) Countywide (HJF)

7. Staff recommends motion to approve: Sovereignty Submerged Lands Lease Renewal and Modification (500019776) with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (TIITF) for 10,763 square feet of submerged lands at DuBois Park, for the period February 7, 2015, through February 7, 2025. **SUMMARY:** The County currently leases from TIITF 10,763 square feet (.24 acres) of sovereign submerged lands within DuBois Park. The Lease Renewal allows the County to operate a 17 slip docking facility exclusively for mooring of recreational vessels and an ocean rescue vessel in conjunction with an upland public park, without fueling facilities, with a sewage pumpout facility and without liveboards. This Lease Renewal will retroactively extend the term of the lease for ten years and will expire on February 7, 2025. The lease requires a \$630 processing fee, which has been paid by the Parks and Recreation Department. (PREM) District 1 (HJF)

8. Staff recommends motion to:
 - A) **accept** a Quit-Claim Deed from Lake Worth Drainage District (LWDD); and
 - B) **approve** an Easement in favor of the LWDD.

SUMMARY: The County owns approximately five acres of undeveloped surplus property located north of Lake Ida Park which will be conveyed to the City of Delray Beach pursuant to Board direction at the April 21, 2015 meeting. This property is physically separated from the Park by the LWDD's L-30 canal. By a Right-of-Way Deed recorded in 1919, the LWDD acquired a 40' strip across the property, the location of which was not clearly defined in the Deed. LWDD has agreed to provide the County a Quit Claim Deed releasing any interest it may have in the overall property in exchange for the County granting LWDD an easement along the north bank of the L-30 canal right-of-way which LWDD requires to maintain the Canal. The Easement is approximately 45' wide by 517' long, totaling 23,310 square feet (.54 acre). The Quit-Claim Deed was approved by the LWDD Board on April 15, 2015. The exchange of the Easement for the Quit-Claim Deed has no fiscal impact to the County or LWDD. City staff has agreed to accept title subject to this Easement. (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: appointment of one member to the Public Art Committee, to complete the term of a former member:

<u>Member</u>	<u>Public Art Committee Seat</u>	<u>Term</u>
Marisa J. Pascucci	Nonprofit Arts Professional	07/21/15-09/30/16

SUMMARY: One Committee seat is being filled in this item. The Nonprofit Arts Professional seat became vacant due to retirement of Cynthia E. Palmieri from the Ann Norton Sculpture Gardens. Staff recommends Marisa J. Pascucci, Curator of Collections for the Boca Museum of Art to fill the Nonprofit Arts Professional seat to complete Ms. Palmieri's term through September 30, 2016. (FDO Admin) Countywide (MJ)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: a Program Administration Agreement between the Housing Finance Authority of Palm Beach County, Florida (Authority), and Housing and Development Services, Inc. d/b/a eHousingPlus (eHousing). **SUMMARY:** The Authority was established by the Board of County Commissioners in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances, as amended, requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 be approved by the Board of County Commissioners. The Agreement sets forth the terms under which eHousing will provide program administration services to the Authority in connection with its 2015 Mortgage Credit Certificate Program benefiting first time homebuyers. Under this Program, an eligible first time homebuyer issued a Mortgage Credit Certificate will be entitled to claim a dollar-for-dollar reduction of Federal income tax liability of up to \$2,000 per year for the term of their mortgage as long as they reside in the home as their principal place of residence. eHousing is one of two firms in Florida providing this specialized service and was selected by the Authority on May 8, 2015, based on their lowest cost proposal. **No match from County General funds is required.** (HFA of PBC) Countywide (PFK)
2. Staff recommends motion to approve: the nomination of Raymond Popkin as Chairperson of the Housing Finance Authority of Palm Beach County, Florida (Authority) for the term of June 2015 through May 2016. **SUMMARY:** At the regular Authority meeting of June 12, 2015, the Authority Board nominated Raymond Popkin as its Chairperson to serve a second term of one year in accordance with Ordinance No. 2002-022, as amended. This Ordinance requires the nomination of the Chairperson to be submitted to the Board of County Commissioners for approval. (Housing Finance Authority) Countywide (PFK)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. **Staff recommends motion to approve:** a Settlement Agreement with the U.S. Department of Housing and Urban Development (HUD) regarding Federal HOME Investments Partnership (HOME) Program expenditures on the Village Centre project. **SUMMARY:** On March 14, 2006 (R2006-0469), the Board of County Commissioners (the Board) awarded a \$900,000 HOME loan to the Village Centre Apartments, Ltd. (general partner Northwood Renaissance, Inc.) for the development of 84 rental apartments to be located at 500 25th Street, West Palm Beach. The County's mortgage was subordinate to a first mortgage in favor of the Local Initiatives Support Corporation (LISC) in the amount of \$2,433,535. Initially, the project was supported by the City of West Palm Beach (the City) and included participation by its Community Redevelopment Agency (CRA). After a change in leadership at the CRA, the City required various modifications to the project including a total redesign from apartments to condominiums and a reduction in the number of units. Subsequently, due to delays in the development approval process, Northwood Renaissance missed the IRS deadline to close on its Low Income Housing Tax Credits, and lost the \$10M allocation which constituted the majority of project financing. Although the developer attempted to raise alternate financing, lending had become restrictive with the collapse of the housing market, and they were unsuccessful. The project site was foreclosed upon by the first mortgage lender and the properties sold at auction. Northwood Renaissance initiated litigation against the City, but eventually settled out of court. Because the project did not result in affordable housing, HUD is requiring the repayment of the \$900,000 in HOME funds. The failure of the project was beyond the control of the County. Contributing factors included the substantial rise in construction costs during the planning stage, repeated delays in the development approval process, and the downturn in the housing market. The County's funding was utilized for land acquisition and predevelopment costs. The Settlement Agreement requires the refunding of the County's HOME Trust Fund Account in the amount of \$900,000 from non-Federal funds to the County's local HOME Trust Fund Account, beginning with a payment of \$400,000 of non-Ad Valorem Program Income due no later than August 15, 2015, and followed by two additional payments of \$250,000 each due no later than July 31, 2016 and July 31, 2017. The subsequent repayments are anticipated to be funded with non-Federal program income. **After repayment to the County's local HOME Trust Fund Account, the funds are available to the County for expenditure on new activities in accordance with HOME Program requirements.** (DES Administration) District 7 (JB)

4. **Staff recommends motion to approve:** Consent for Melissa Munker, a relative of Palm Beach County employee William Munker, to receive State Housing Initiative Partnership (SHIP) funds under the Purchase Assistance Program as administered by the Department of Economic Sustainability (DES). **SUMMARY:** Melissa Munker is an income eligible applicant who is seeking to receive \$31,000 in a forgivable second mortgage. She is the daughter of William Munker who has been employed with DES since March 2006. Ms. Munker is seeking to purchase a home at 5467 Club Circle in Haverhill. The purchase price of the home is \$174,000 and it has appraised at the same amount. It contains 1536 square feet with three bedrooms and two bathrooms. The total project cost is \$187,916. Ms. Munker's contribution will be \$6,916 which exceeds the minimum required three and one-half percent (3.5%) contribution of \$6,140. The first mortgage of \$150,000 will be for 30 years at a 4.875% interest, and the County's second mortgage of \$31,000 will be a conditional grant that is forgiven at the end of 30 years as long as the home remains the homeowner's principal place of residence. If the homeowner rents, sells, or otherwise conveys the home during the 30 years, the entire principal amount will become due and payable. **These are State SHIP funds which require no local match.** (B&H) District 2 (JB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Supplement No. 4 to Work Authorization No. 7 (R2014-0832) for the State Road 715 Water Main Replacement Project (Project) with Centerline Utilities, Inc. in the amount of \$238,318.60 and providing a 150 day time extension. **SUMMARY:** On May 7, 2013, the Board of County Commissioners approved the Pipeline Continuing Construction Contract (Contract) with Centerline Utilities, Inc. (R2013-0551). Supplement No. 4 to Work Authorization No. 7 authorizes and provides for pavement replacement requested by Florida Department of Transportation (FDOT) during construction of the water main replacement project, and a 150 day time extension to undertake this required work. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Centerline Utilities, Inc. provides for SBE participation of 16.56% overall. Supplement No. 4 includes 0% overall SBE participation. The cumulative SBE participation including this Supplement is 12.85% overall. (WUD Project No. 13-091) District 6 (MRE)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:
 - A) approve** a Contract for Consulting/Professional Services in the amount of \$107,740 with the Florida Fish & Wildlife Conservation Commission (FWC) to conduct oyster and fisheries monitoring in Lake Worth Lagoon (LWL). This Contract will expire within eighteen months of execution;
 - B) authorize** the County Administrator or his designee to sign all future time extensions, task assignments, certifications, and other forms associated with the Contract, and necessary minor amendments that do not change the scope of work or terms and conditions of the Contract;
 - C) adopt** a Resolution approving disbursement of \$53,870 of Vessel Registration Fees to cover a portion of the funds to monitor fisheries and oyster use of the Lake Worth Lagoon; and
 - D) approve** a Budget Transfer of \$53,870 from the Vessel Registration Fee Trust Fund to the oyster and fisheries monitoring project.

SUMMARY: The Contract authorizes FWC to monitor six oyster reef sites and three fisheries sites located within the LWL as part of the monitoring efforts described in the LWL Management Plan 2013. A Florida Department of Environmental Protection (FDEP) grant, Contract SO751 (R2014-1946) will provide 50% of the monitoring costs (\$53,870). The County match requirement of fifty percent (50%) or \$53,870 is anticipated from Vessel Registration Fee Trust Fund. Countywide (SF)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve:

A) Memorandum of Agreement with the Children's Services Council of Palm Beach County providing the County funding of up to \$25,000 for the Drowning Prevention Coalition for the period June 10, 2015 to September 30, 2015; and

B) Budget Amendment of \$25,000 within the Fire/Rescue MSTU Fund to recognize the additional funding from the Children's Services Council of Palm Beach County.

SUMMARY: The Drowning Prevention Coalition program is managed by Palm Beach County Fire-Rescue. However, the program is funded by multiple sources including the Children's Services Council (CSC) of Palm Beach County and the County's general fund. This Memorandum of Agreement provides the terms and conditions of the Children's Services Council of Palm Beach County's commitment to the County to provide additional funding of up to \$25,000 in FY 2015 for the Drowning Prevention Coalition program. Countywide (PK)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: a Fifth Amendment to Interlocal Agreement R2014-0171, as amended, for network services with the Health Care District of Palm Beach County (HCD). **SUMMARY:** The Health Care District of Palm Beach County has an existing network services Interlocal Agreement, as amended, for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Fifth Amendment adds a new HCD clinic location in Lake Worth. The revised total annual service revenue is \$52,440 for this agreement, reflecting a net annual increase of \$1,800, and \$7,549 for reimbursement of one-time capital costs for fiber optic network construction, which is approximately 50% of the actual construction costs with the County assuming responsibility for the remaining 50% of the installation costs. This clinic is funded through a federal Health Resources and Services Administration (HRSA) grant program, which does not have sufficient funding to pay for 100% of the installation costs. The revised fee structure for network services will not be used for billing until August 1, 2015. The Florida LambdaRail LLC has approved connection of HCD to the Florida LambdaRail network. Countywide (PFK)

2. Staff recommends motion to approve: the First Amendment to Interlocal Agreement R2015-0445, as amended, for network services provided to the South Florida Water Management District (SFWMD). **SUMMARY:** The SFWMD has an existing network services agreement, as amended, with Palm Beach County (R2015-0445) for an initial term of one year with automatic one-year renewals unless notice is given by either party. This First Amendment will remove the \$700 monthly charges for network services in exchange for access to various SFWMD towers for WiMax antenna placements which will provide network connectivity to other County and SFWMD facilities, including specific antenna placement on the SFWMD J. W. Corbett Wildlife Management Area Tower in order to support the County's Water Utilities Department (WUD) smart meter technology project. This amended agreement will decrease annual service revenues by \$8,400 in exchange for access to SFWMD towers. The Florida LambdaRail LLC has approved connection of the SFWMD to the FLR network. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. Staff recommends motion to approve: the Fourth Amendment to Interlocal Agreement R2010-0650, as amended, for network and colocation services provided by Palm Beach County to Palm Beach State College. **SUMMARY:** Palm Beach State College (PBSC) has an existing network and colocation services agreement, as amended, with Palm Beach County (R2010-0650) for an initial term of one year with automatic one-year renewals unless notice is given by either party. Under this agreement, the County provided access to rack space, network connectivity and visual monitoring services in our data center for PBSC server equipment. This Fourth Amendment will terminate their colocation services as PBSC's facility is now capable of providing these services. The result is a decrease in total annual service revenue by \$13,080. Although our existing agreement calls for 90 days written notice upon request to terminate for convenience, we are requesting that termination be approved based on 45 days written notice. District 3 (PFK)

BB. YOUTH SERVICES

1. Staff recommends motion to approve: correction of a scrivener's error on agenda item 3BB-4 approved by the Palm Beach County Board of County Commissioners (Board) on June 2, 2015, approving an agreement with Prime Time Palm Beach County, Inc. **SUMMARY:** On June 2, 2015, the Board approved an Agreement with Prime Time Palm Beach County, Inc. (R2015-0741) for the period beginning July 1, 2015 and ending June 30, 2016. The Motion and Title for that agenda item incorrectly stated the end date of the Agreement as September 30, 2015. In all other respects the agenda item was correct, and the Agreement itself states the correct contract term. Approval of this item will correct the scrivener's error in that Motion and Title, and in the Clerk's official record. No County funds are required. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to ratify:

A) signature of the Mayor on a grant application to the American Psychological Association (APA) Grants for Internship program requesting \$14,900 to fund the cost of Accreditation fees and Intern stipends for insurance; and

B) Mayor's designation of the County Administrator, or his designee, to act as the County's representative for the purpose of electronically signing and submitting the grant application via the APA website.

SUMMARY: The APA Grants for Internship Program is a competitive grant program designed to expand the number of accredited internship positions and promote quality training for professional practice. The Residential Treatment & Family Counseling Division of the Youth Services Department would like to have its internship programs APA accredited by the end of calendar year 2016. The cost of accreditation is an eligible expense under this grant program. Also eligible are stipends for Intern insurance costs and consultation services to aid in the successful navigation of the accreditation process. If awarded this grant request, Youth Services will use the award to fund the following eligible costs: \$2,250 application fee for Accreditation, \$2,250 annual Accreditation fee, \$3,400 site visit fee, \$5,000 consultation services and \$2,000 stipend to existing interns for insurance. Grant rules require submission of grant applications by electronic format in order to assure an efficient review and competitive scoring of all funding requests submitted under this program. The deadline for submission of this grant application to the grantor agency was 5:00 p.m. on June 30, 2015. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant had to be submitted prior to full Board approval. Pursuant to Section 309.00 of the Palm Beach County Administrative Code, the Mayor approved this grant application, which now must be ratified by the Board. The grant program does not require any matching funds from the County. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to receive and file:

A) Grant Modification No. 1 to Subgrant Agreement between the State of Florida Division of Emergency Management (FDEM) and the Palm Beach County Sheriff's Office (PBSO); and

B) Grant Modification No. 2 to Subgrant Agreement between the FDEM and the PBSO, to extend the grant period from May 31, 2015, through June 30, 2015.

SUMMARY: The Board of County Commissioners (BCC) accepted this grant award for \$205,350 on January 14, 2014 (R2014-0091). Grant Modification No. 1 was approved by the grantor on April 9, 2015 for the purpose of revising the budget and deliverables; however, it did not impact the grant award value or project period and therefore was not previously provided to the BCC for approval. Grant Modification No. 2 extends the grant period through June 30, 2015 whereas the original grant period was from December 2, 2013, through May 31, 2015. These grant funds support 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

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, an Interlocal Agreement between the Palm Beach County Sheriff's Office and the Port of Palm Beach of Palm Beach County in the amount of \$300,000, for the period of May 27, 2015, through August 31, 2015; and

B) approve a Budget Amendment in the amount of \$300,000 in the Sheriff's Grant Fund.

SUMMARY: On May 27 2015, the Palm Beach County Sheriff's Office (PBSO) received a U.S. Department of Homeland Security Federal Emergency Management Agency FY 2013 Port Security grant award through the Port of Palm Beach. These funds will be used to support enhanced Chemical, Biological, Radiological, Nuclear, and Explosives (CBRNE) prevention and Intermittent Explosive Device (IED) detection activities for the Port of Palm Beach. There is a cash match associated with this award which will be funded through Federal Law Enforcement Trust Funds (LETF). No additional positions are needed. Countywide (JB)

3. Staff recommends motion to approve: a Budget Transfer of \$150,000 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO).

SUMMARY: Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 15% of the LETF's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2015 estimated donation requirement is \$ \$107,158. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. These funds will establish a city community park which will provide a safe place for the citizens of Belle Glade to congregate. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,025,516. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETF requires approval by the Board, upon request of the Sheriff. The current State LETF balance is \$929,646. Approval of this request will reduce the adopted State Law Enforcement Trust Fund balance to \$779,646. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (JB)

ORGANIZATION	AMOUNT
City of Belle Glade	\$150,000
Total Amount	\$150,000

3. CONSENT AGENDA APPROVAL

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

- 1. Staff recommends motion to approve: the following Westgate/Belvedere Homes Community Redevelopment Agency (CRA) Board Officers for a 12-month term commencing June 8, 2015 and expiring June 13, 2016.

Board Member
 Ronald Daniels
 Joanne Ruffty

Office
 Chair
 Vice-Chair

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven At-Large members from residents and local businesses within the CRA boundaries. At the June 8, 2015 meeting, the CRA Commissioners elected the Chair and Vice-Chair from amongst its Board. The term shall be 12 months, beginning with the date of election. Districts 2 & 7 (RB)

- 2. Staff recommends motion to approve: the re-appointment of the following individual for the term July 21, 2015, through May 31, 2019:

Name
 Ruth Haggerty

Seat No.
 5

Nominated by
 Commissioner Priscilla A. Taylor
 Commissioner Hal R. Valeche
 Commissioner Steven Abrams

SUMMARY: The Westgate/Belvedere Homes Community Redevelopment Agency (Westgate CRA) Board consists of seven At-Large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners (BCC) appoint the Westgate CRA Board Members. After duly advertising, the Westgate CRA held its Annual Meeting on May 11, 2015 to re-appoint a candidate to fill Seat 5. Ruth Haggerty, a resident, has expressed a willingness to remain on the CRA Board in Seat 5. The Commissioners were notified of the vacancy by the Westgate CRA on June 17, 2015. Districts 2 & 7 (RB)

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

- A. **Staff recommends motion to approve:** the issuance of a "Special Secondary Service" Certificate of Public Convenience and Necessity (COPCN) with ABM Security Services, Inc. d/b/a Elite Protection Services to provide Advanced Life Support (ALS) first response, non-transport services to the gated community of BallenIsles Community Association. **SUMMARY:** The residents of BallenIsles Community Association wish to have Elite Protection Services provide ALS first response, non-transport services as part of their security services. The Department of Public Safety, Division of Emergency Management, has reviewed the application and recommends approval of a "Special Secondary Service Provider - Non-Transport" COPCN to be issued to Elite Protection Services for operations restricted to the confines of BallenIsles Community Association for the period July 21, 2015 until Elite Protection Services contractual agreement with BallenIsles Community Association is terminated. The City of Palm Beach Gardens Fire Rescue is the Primary COPCN holder and has signed a "Memorandum of Understanding" with Elite Protection Services to provide such services in their respective zone. District 1 (JB)
- B. **Staff recommends a motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing Ordinance 2012-006 Palm Beach County Amendments to the Florida Building Codes (FBC), 2010 Edition, Chapter 1, "Administration" (FBC-Building) and Flood and Wind Provisions (FBC-Building and Residential), and Appendix F, "Construction Building Codes for Turf and Landscape Irrigation Systems" (FBC-Plumbing) and Section 7-36 of Article III Palm Beach County Code of Ordinances; adopting the Palm Beach County Amendments to the Florida Building Code (FBC), 2014 Edition, Chapter 1, "Administration" (FBC-Building) and Figures 1609.1 A, B and C, Basic Wind Speed Maps (FBC-Building), and Appendix F, "Construction Building Codes for Turf and Landscape Irrigation Systems" (FBC-Plumbing); providing for applicability; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for a savings clause; providing for severability; and providing for an effective date. **SUMMARY:** The Legislature adopted Florida Statute 553.73, mandating a statewide Florida Building Code (FBC), and allowing local governments to adopt their own Administrative Chapter of the FBC. The proposed administrative chapter amending the 2014 FBC would be applicable in the unincorporated area of Palm Beach County, and in those municipalities having an Interlocal Agreement for the provision of County plan review and inspection services. This Administrative Chapter 1 is based upon recommendations of the Palm Beach County Building Code Advisory Board. Figures 1609 A, B, and C in the FBC are accurate for basic wind design to the County, and provides for local governments to establish specific wind speed/wind borne debris lines using physical landmarks, whenever possible, resulting in the more-specific maps of Palm Beach County which are proposed for adoption as Figures 1609.1 A, B and C. As a result of landscape irrigation regulations previously adopted, many cross connections of drinking water and irrigation systems have been abated, and proper water conservation designs have been implemented in the Florida Building Code, Plumbing Volume. Unincorporated (AH)

4. PUBLIC HEARINGS CONTINUED

C. **ADDITIONAL BACKUP: Staff recommends motion to:**

1) **adopt** a Resolution approving the Palm Beach County Action Plan for Fiscal Year 2015-2016; and

2) **authorize** the Mayor, or her designee, to execute Standard Forms 424 and Certifications for submission to the U.S. Department of Housing and Urban Development (HUD) to receive Fiscal Year 2015-2016 grant funding through the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Investment Partnerships (HOME) Programs.

SUMMARY: On April 28, 2015 (Agenda Item 4B-2), the Board of County Commissioners (BCC) approved program strategies and funding allocations for the CDBG and HOME Programs for Fiscal Year 2015-2016. The Action Plan is consistent with CDBG and HOME funding recommendations proposed on April 28, 2015, and incorporates the ESG funding recommendations made by the HHA. At the time, staff had not yet received ESG recommendations from the Palm Beach County Homeless and Housing Alliance (HHA). On April 12, 2015, the HHA Non-Conflict Grant Review Committee met and recommended ESG funding for five agencies. The funding recommendations are listed in Attachment 5 to the Agenda Item. In compliance with HUD regulations at 24 CFR Part 91, the Department of Economic Sustainability (DES) prepared the Action Plan (AP) for Fiscal Year 2015-2016. A summary of the draft AP and a Notice of Public Hearing were published on June 21, 2015. Two public meetings to obtain citizen input on the AP were held on June 29 and 30, 2015, with one meeting each in the eastern and western regions of the County. This funding is projected to create 242 jobs and have a five year Economic Sustainability impact of \$65.9 Million. **The ESG required 100% local match will be provided by the five ESG-funded agencies, the Division of Human Services (DHS), and DES. The HOME required local match (\$325,214) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** (Strategic Planning) Countywide (JB)

D. **ADDITIONAL BACKUP: Staff recommends motion to adopt:** a Resolution approving the Palm Beach County Consolidated Plan for Fiscal Years 2015-2020. **SUMMARY:** On April 28, 2015 (Agenda Item 4B-1), the Board of County Commissioners (BCC) approved priority needs and program goals and objectives for the Palm Beach County Consolidated Plan for Fiscal Years 2015-2020. The Consolidated Plan is consistent with BCC direction received at the April 28, 2015 Workshop to include strategies to address homelessness and the housing of special needs populations. In accordance with Federal regulations at 24 CFR Part 91, the Department of Economic Sustainability (DES) has prepared the Consolidated Plan to identify local housing, economic, and community development needs and to establish objectives for use of funds received through certain U.S. Department of Housing and Urban Development (HUD) programs, including the Community Development Block Grant (CDBG) Program, HOME Investment Partnerships (HOME) Program, and Emergency Solutions Grant (ESG) Program. The Consolidated Plan is inclusive of a Citizen Participation Plan, Anti-Residential Displacement and Relocation Assistance Plan, and Analysis of Impediments to Fair Housing Choice. It was developed through a citizen participation process which included outreach to numerous stakeholder groups, public notices soliciting citizen comment, direct notifications to known interested parties, and six public meetings in the eastern and western regions of the County on December 9 and 11, 2014, on April 8 and 9, 2015, and on June 29 and 30, 2015. The draft Consolidated Plan was posted on the DES website for public review, and direct notifications of its availability were sent to all known interested parties. A public notice summarizing the Consolidated Plan and providing notice of the Public Hearing was published in the Palm Beach Post on June 21, 2015. The Consolidated Plan must be submitted to HUD no later than August 16, 2015. (Strategic Planning) Countywide (JB)

4. PUBLIC HEARINGS CONTINUED

E. Staff recommends motion to:

1) **conduct** a public hearing for approval of the use of the Uniform Method of collecting non-ad valorem special assessments provided for in Chapter 197, Florida Statutes pursuant to the Notice of Intent adopted by Resolution 97-2152 and Resolution 2011-1833; and

2) **adopt** the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment.

SUMMARY: On December 16, 1997, the Board approved Resolution 97-2152, and on November 15, 2011, the Board approved Resolution 2011-1833, expressing the intent of Palm Beach County to use the Uniform Method of collecting non-ad valorem special assessments. The Uniform Method in Resolution 97-2152 provides for inclusion of water and street improvement project special assessments on the tax bill. The Uniform Method in Resolution 2011-1833 provides for the abatement of nuisance conditions. A public hearing is required to implement this collection method for new special assessment projects to be included on the 2015 tax bill. Countywide (PK)

F. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, pertaining to posting of human trafficking public awareness 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 Board of County Commissioners, at its May 15, 2015 meeting, directed staff to prepare an ordinance pertaining to human trafficking upon passage of a state law pertaining to this subject. The new law (Ch. 2015-172), signed by the Governor on June 16, 2015, authorizes counties to enforce posting of human trafficking public awareness signs at adult entertainment and massage/bodywork establishments alerting employees and patrons to remedies and protections related to human trafficking. The law and provisions of this proposed ordinance are to become effective January 1, 2016. Countywide (JB)

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5. REGULAR AGENDA

A. COMMUNITY SERVICES

1. Staff requests motion to approve: Allocations for funding for the Domestic Abuse/Sheltering, Homelessness, Behavioral Health, Special Needs/Developmental Disability, Economic Stability/Poverty, Senior Services, Continuing Initiatives, and Non-competitive service categories under the Financially Assisted Agencies (FAA) Program for the period of October 1, 2015, through September 30, 2016, in a total amount not to exceed \$11,653,770. **SUMMARY:** This item provides the recommended FY 2016 funding allocations for the Financially Assisted Agencies Program. The FAA recommendations in the Homelessness and Domestic Abuse/Sheltering categories reflect the results of a request for proposals (RFP) process initiated in April of this year. Allocations in the other FAA categories are based on prior year's funding as this is a renewal year in the three-year cycle for those categories. The total amount of funding being allocated in this item is \$11,653,770 which includes a 3% increase over the current year program funding and a reallocation of \$25,000 previously designated for a kratom education program. Funding for these allocations is included in the County Administrator's proposed FY 2016 budget and is subject to approval by the Board of County Commissioners in September 2015. Countywide (HH)

B. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:
 - A) an Economic Development Incentive Agreement with Sikorsky Aircraft Corporation for the period of July 21, 2011 to December 31, 2018, providing an Ad Valorem Tax Exemption of up to \$128,575 over a three year period, and providing an economic development cash incentive in the amount of \$18,200;
 - B) a Budget Transfer of \$18,200 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund Job Growth Incentive Grant (JGI) Program; and
 - C) a Budget Amendment of \$18,200 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 (R2011-0944) an Economic Development Ad Valorem Tax Exemption 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 \$18,200 of the \$146,775 be in the form of an economic development cash incentive 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 bears an effective date of 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 2005-004, as amended, 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

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) a Contract with Coston Marine Services, Inc. (Coston) in the amount of \$125,995.94 for the construction of the Intracoastal Road Seawall Repair (Project);

B) a Budget Transfer of \$155,000 in the General Fund from Contingency Reserves to the Capital Outlay Fund; and

C) a Budget Amendment of \$155,000 in the Capital Outlay Fund to recognize the transfer and appropriate it to the Project.

SUMMARY: Approval of this Contract, Budget Transfer, and Budget Amendment will allow Palm Beach County to issue a notice to proceed to Coston, a Palm Beach County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15% overall. The SBE participation proposed for the Project by Coston is 56.99%. District 4 (MRE)

D. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a County Deed in favor of the City of Delray Beach conveying a 5.17 acre vacant parcel adjacent to Lake Ida Park for \$100,000.

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. At the April 21, 2015 Board meeting, the Board directed Staff to prepare the documentation necessary to sell this property to the City of Delray Beach for the City's offer of \$100,000. Staff negotiated the sale of this property subject to deed restrictions limiting the use of the property to open green space or passive park purposes which may include accessory structures such as gazebos or shade structures and temporary docking facilities. Approval of the County Deed will conclude this transaction. Staff will simply exchange Deed for the City's check for \$100,000. **This sale must be approved by a Supermajority Vote (5 Commissioners).** (PREM) District 4 (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) approve a Fourth Amendment to Lease Agreement with Bedner Farm, Inc. (R2001-0582) of 262 acres in the Ag Reserve; and

B) adopt a Resolution finding that an extension of the Lease Agreement with Bedner Farm, Inc. for ten years until 2043 is in the best interest of the County.

SUMMARY: On April 17, 2001, the Board approved a contract with Bedner Farm, Inc. to acquire approximately 262 acres in the Ag Reserve (R2001-0582). Simultaneous with the closing, the County leased the property back to Bedner Farm for a term of ten years at an initial rental rate of \$550/acre/year. The First Amendment approved on May 15, 2007 extended the term for twelve years to 2023 (R2007-0827). The Third Amendment approved on February 4, 2014 extended the term for ten years until 2033 (R2014-0190). Bedner Farm is operated by the Bedner family which wants to ensure that the younger members of the family will have the ability to continue farming. The Bedners are concerned about incremental changes to the land use and zoning regulations for the Ag Reserve, and the potential impact of such changes on the Bedners' ability to continue farming and have requested the County extend their Lease. Extending the Lease will provide the Bedners the legal right to farm as long as it remains economically viable to do so. This Fourth Amendment to Lease Agreement provides Bedner Farm, Inc. ten additional options to extend the term of the Lease, each for a period of one year. If all options are exercised, the term would be extended to 2043. Rent is currently \$500/acre/year and will be periodically adjusted to fair market value as determined by appraisal. The Resolution finds that the extension of the Bedner Lease is in the best interests of the County based upon the following facts: 1) a major element of the Ag Reserve Acquisition Program was to ensure continued agricultural operations in the Ag Reserve; 2) continuity of farming operations assists in preserving agricultural operations in the Ag Reserve; 3) the extension of the Bedner Lease will maintain continuity of existing farming operations; and 4) the County will receive fair market value rent as determined by appraisal during the extensions. (PREM) District 5 (HJF)

5. REGULAR AGENDA

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **REVISED BACKUP:** Staff recommends motion to authorize:

A) Staff to submit proposed millage rates for the FY 2016 budget to the Property Appraiser as follows:

	FY 2015 Adopted		FY 2016 Rollback		FY 2016 Proposed		Over/(Under) Rollback	
	Millage	Taxes	Millage	Taxes	Millage	Taxes		
Countywide Non-Voted	4.7815	\$667,348,198	4.4441	\$678,441,418	4.7815	\$729,949,290	\$51,507,872	7.59%
Library	0.5491	41,552,138	0.5140	42,086,447	0.5491	44,960,444	2,873,997	6.83%
Fire-Rescue MSTU	3.4581	196,637,074	3.2285	200,513,489	3.4581	214,773,330	14,259,841	7.11%
Jupiter Fire-Rescue MSTU	2.1748	17,586,220	2.0384	18,155,260	1.9823	17,655,598	(499,662)	(2.75)%
Aggregate-Excluding Voted Debt	6.6141	\$923,123,630	6.2077	\$947,674,623	6.5985	\$1,007,338,662		6.30%
Countywide Voted-Debt	0.1914	\$26,726,391			0.1462	\$22,334,985		
Countywide-Library Voted-Debt	0.0533	4,033,380			0.0494	4,044,885		

B) Staff to submit to the Property Appraiser public hearing dates of Tuesday, September 8 at 6 p.m. and Monday, September 21 at 6 p.m. in the Commission Chambers, 6th floor of the Governmental Center for FY 2016;

C) Administrative adjustments to establish funding in the FY 2016 budget for capital projects approved and established in the current fiscal year. These projects were approved in the current fiscal year (FY 2015) after the preparation of the proposed budget and are therefore not currently included in the FY 2016 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing; and

D) Administrative adjustments to establish funding in the FY 2016 budget for designated fund balances for contingency and other projects and carryover for encumbrances. These balances and encumbrances were approved in the current fiscal year (FY 2015) after the preparation of the proposed budget and are therefore not currently included in the FY 2016 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing.

SUMMARY: The proposed millage rates for Countywide, Library, & Fire Rescue MSTU are at the current year millage rate, and above rollback. The millage rate for the Jupiter Fire MSTU is below the current rate and rollback. Countywide (PFK)

5. REGULAR AGENDA

F. ADMINISTRATION

1. Staff recommends motion to receive and file: the Triennial Report of the Department of Economic Sustainability for Fiscal Years 2011 through 2013. **SUMMARY:** During Fiscal Years 2011-2013, the Department of Economic Sustainability administered over \$445 Million to support countywide economic development, the development and preservation of affordable housing, the construction of public infrastructure, and to support public services. The projects administered by DES during Fiscal Years 2011-2013 have resulted in: the creation and/or retention of more than 8,200 jobs; nearly \$300 Million in county business investments, tax exemptions and bonds have leveraged more than \$791 Million in private sector economic development capital investments; the allocation of more than \$5.1 Million for the provision of public services and emergency shelter for over 22,000 county residents; construction of the county's first homeless resource center; construction, hurricane hardening or rehabilitation of more than 2,640 housing units; the leveraging of more than \$74 Million in private development costs to construct new, energy-efficient affordable housing communities; and, the construction of more than \$37 Million in infrastructure investments. The Department of Economic Sustainability has compiled a comprehensive report on projects initiated and/or completed by the department during Fiscal Years 2011-2013 under Palm Beach County programs for economic development, housing, and infrastructure. The projects have been funded through county, state and federal allocations in cooperation with governmental agencies and through public/private partnerships. The information is being presented to the Board as a receive and file agenda item to keep the Board apprised of the County's business, affordable housing, and infrastructure investments, and services provided to the public, and will be updated on a triennial basis. Countywide (JB)

5. REGULAR AGENDA

G. PUBLIC SAFETY

TIME CERTAIN 11:00 A.M.

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on August 18, 2015 at 9:30 a.m.:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article IX (Ordinance No. 2008-43) as amended relating to vehicles for hire, amending Section 19-211 (applicability); amending Section 19-213 (definitions); amending Section 19-214 (compliance with article required); amending Section 19-215 (advertising); amending Section 19-216 (reserved) adding new title vehicle for hire operational requirements; amending Section 19-217 (reciprocity); amending Section 19-218 (business permit application); amending Section 19-219 (records required); amending Section 19-220 (vehicle requirements); amending Section 19-221 (vehicle decal requirements); amending Section 19-222 (impoundment); amending Section 19-223 (vehicle safety and appearance requirements); deleting Section 19-224 (non-medical wheelchair and stretcher transportation companies operational requirements); deleting Section 19-225 (vehicle inspections) amending Section 19-226 (commercial automobile liability insurance); amending Section 19-227 (driver requirements; failure to comply); deleting Section 19-228 (fraudulent transfer of vehicle for hire company); amending Section 19-229 (revocation, suspension and denial of permits/I.D. badges; administrative appeal); amending Section 19-230 (enforcement); amending Section 19-231 (violations); amending Section 19-235 (start-up); deleting Section 19-238 (jurisdiction); providing for repeal of laws in conflict; providing for a saving clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date. **SUMMARY:** On March 10, 2015, the Board of County Commissioners approved a Temporary Operating Agreement (TOA) with Rasier, LLC, a subsidiary of Uber Technologies, Inc., to operate as a vehicle for hire company in Palm Beach County which expires on September 30, 2015. Uber as well as other similar transportation network companies (TNC's) seek to provide vehicle for hire services in Palm Beach County and significant revisions to the ordinance are being proposed to provide flexibility for TNC's as well as maintain parity in a competitive industry and public safety. Changes include: categorized industry into two categories taxis vs. non-taxis, removed vehicle decals and replaced with trade dress for vehicle identification purposes, requires taxi companies to have commercial automobile liability insurance as required by Florida Law, requires non-taxi companies to have either commercial automobile liability insurance as required by Florida Law or automobile liability insurance with a Florida approved surplus lines carrier at a minimum of \$1 million per occurrence when providing services, allows non-taxi companies to have insurance coverage as required by Florida Law when not providing vehicle for hire services, allows alternative identification (i.e. smart phone app) or an ID badge, requires taxis to have Level II background checks, allows non-taxis to conduct their own background checks through an accredited agency. This proposed amendment to the Vehicle for Hire Ordinance was presented to the vehicle for hire industry which includes representation from Rasier, LLC on July 17, 2015. Countywide (JB)

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JULY 21, 2015

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

JULY 21, 2015

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

JULY 21, 2015

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

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

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

9. ADJOURNMENT

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