

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

SEPTEMBER 22, 2015

<u>PAGE</u>	<u>ITEM</u>			
11	3A-6	<u>REVISED TITLE:</u> Staff recommends motion to approve: reappointment of one individual to the Health Care District of Palm Beach County (HCD) Board of Commissioners for a four year term commencing October 1, 2015, and ending September 30, 2019:....(Admin)		
		<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>
		Brian Lohmann	2	Glades Area Resident
				<u>Nominated By</u> Comm. Valeche <u>Mayor Vana</u> Comm. McKinlay Comm. Taylor
12	3C-2	<u>DELETED:</u> Staff recommends motion to adopt: a Resolution to abandon that certain portion of a 15 foot wide drainage easement lying in Lot 2A, Seven Oaks Replat of Lots 1 and 2, according to the plat thereof, as recorded in Plat Book 74, Page 196, of the Public Records of Palm Beach County, Florida. (Engineering) (Further staff review)		
50	4G*	<u>DELETED:</u> Staff recommends motion to: 1) adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adopting an Interlocal Service Boundary Agreement with the City of Lake Worth to coordinate future land use, public facilities and services of annexation; authorizing the Mayor of the Board of County Commissioners to sign the interlocal agreement; providing for severability; providing for captions; and providing for an effective date; and... (PZB) (Not properly advertised; scheduled for October 6, 2015 due to time constraint)		
52	5A-2	<u>REVISED SUMMARY:</u> Staff recommends motion to: A) adopt a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Darwin, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Program in the form of a cash grant in an amount not to exceed \$160,000 and providing for an effective date; and B).... <u>SUMMARY:</u> Project Darwin is considering a site in the municipality of Boca Raton for the <u>build out location</u> of its new manufacturing facility which will include a \$28 Million capital investment for the construction of a 150,000 <u>120,000</u> sq. ft. facility and create 160 new full-time jobs over a four year period at an average annual salary and a median salary of \$64,356 and \$58,000, respectively. The company will be required to maintain the existing 57 jobs for a period of five years from the effective date of the Economic Development Incentive Agreement and will be required to maintain the new jobs for a period of five years from the date the jobs are created. It is anticipated that the State of Florida will provide \$800,000 in the form of a Qualified Target Industry tax refund which requires a 20% local match of \$160,000. The County will provide the local match for the QTI. The State is also expected to provide \$400,000 <u>\$500,000</u> in the form of a Quick Action Closing Fund. The local match for the Quick Action Closing Fund of \$160,000 <u>\$200,000</u> will be provided by the City of Boca Raton. The company will be required to enter into a formal agreement memorializing their commitments and establishing criteria for funding distribution which will be presented to the Board of County Commissioners for final approval. At such time the company name will be disclosed. The five year local economic impact is estimated to be \$273 Million. <u>District 4</u> (JB) (Admin/DES)		

53

5A-3

ADD-ON, REVISED SUMMARY: Staff recommends motion to conceptually approve: an Economic Development Incentive for Project Tiger in the form of an Ad Valorem Tax Exemption over ten years, in an amount not to exceed \$850,000. **SUMMARY:** Project Tiger is considering a site in the unincorporated Glades region of Palm Beach County for the location of its new manufacturing facility that plans to make a \$40 Million capital investment for the construction of a ~~250,000~~ 90,000 sq. ft. plant. The project will create 71 new full-time jobs over a five year period at an average annual wage of \$50,000 excluding executive salaries and benefits. The company will be required to maintain the new jobs for a period of five years from the date each job is created. The State of Louisiana is also competing for this project. The State has not made a determination on incentives for this project. The incentive recommendation is based on the fact that the project will be located in the Glades region of Palm Beach County where dire economic conditions persist with poverty rates exceeding 30% and unemployment rates exceeding 20% in census tracts (approximately double and quadruple the national averages respectively). The company will be required to enter into a formal agreement approved by the Board of County Commissioners (BCC) memorializing their commitments and establishing criteria for funding distribution. At such time the company name will be disclosed. The five year local economic impact is estimated to be \$162 Million. District 6 (JB) (Admin/DES)

55

5C-2

DELETED: Staff recommends motion to direct: Staff to take all action necessary to terminate the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a Tina's Café (R2002-0829). (FDO) (Further staff review)

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**

SEPTEMBER 22, 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 8 - 47)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 48 - 51)**
- 5. REGULAR AGENDA (Pages 52 - 58)**
- 6. BOARD APPOINTMENTS (Page 59)**
- 7. STAFF COMMENTS (Page 60)**
- 8. COMMISSIONER COMMENTS (Page 61)**
- 9. ADJOURNMENT (Page 61)**

* * * * *

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

- Page 8
 - 3A-1 CareerSource Palm Beach County, Inc. Youth & Young Adult Outreach Committee appointment
 - 3A-2 Fair Housing/Equal Employment Board reappointment
- Page 9
 - 3A-3 Water Resources Task Force reappointments
 - 3A-4 Contract with Pando Business Services, LLC relating to implementation of the Abundant Community Initiative Pilot project in Cabana Colony
- Page 10
 - 3A-5 Contract with Palm Beach State College Board of Trustees for the benefit of the Small Business Development Center to provide technical assistance and training to small businesses
- Page 11
 - 3A-6 Health Care District of Palm Beach County Board of Commissioners reappointment

B. CLERK & COMPTROLLER

- Page 11
 - 3B-1 Warrant list
 - 3B-2 Minutes
 - 3B-3 Contracts and claims settlements list
 - 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

C. ENGINEERING & PUBLIC WORKS

- Page 12
 - 3C-1 Task Order with Alan Gerwig & Associates, Inc. for preparation of design plans and construction bid documents associated with Florida Mango Road over the Lake Worth Drainage District L-8 Canal
 - 3C-2 Resolution to abandon that certain portion of a 15 foot wide drainage easement lying in Lot 2A, Seven Oaks Replat of Lots 1 and 2

D. COUNTY ATTORNEY - None

E. COMMUNITY SERVICES

- Page 13
 - 3E-1 Amendments to Contracts for Provision of Financial Assistance with 26 agencies through the Financial Assisted Agencies Program
- Page 15
 - 3E-2 Contract for Provision of Financial Assistance with The Jerome Golden Center for Behavioral Health, Inc. for services to homeless individuals
 - 3E-3 Amendment No. 1 with Treasure Coast Health Council, Inc. relating to Ryan White Part A HIV health support services
- Page 16
 - 3E-4 Contracts and Amendments relating to a variety of supportive services to homeless individuals and families
 - 3E-5 Modification No. 1 to Florida Department of Economic Opportunity Community Services Block Grant Program
- Page 17
 - 3E-6 Facility Use Agreement with the City of West Palm Beach to provide a congregate meal site
 - 3E-7 Four Contracts for Provision of Services to provide emergency shelter and rapid re-housing to families who are homeless or at risk of homelessness
- Page 18
 - 3E-8 Citizens Advisory Committee on Health & Human Services appointments and reappointments
- Page 19
 - 3E-9 Palm Beach County HIV Comprehensive Resources Emergency Council appointments

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

F. AIRPORTS

Page 20

- 3F-1 License Agreement with Evans Consoles Incorporated for use of space in Building 1169 at PBI A
- 3F-2 License Agreement with Ranger Construction Industries, Inc. for use of a parking area at PBI A
- 3F-3 License Agreement with Enterprise Leasing Company of Florida, LLC for the parking of vehicles on four areas of PBI A
- 3F-4 Declaration of Easement on four parcels of County-owned property for water utility improvements at 2125 Belvedere Road at PBI A

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET - None

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 20

- 3H-1 Amendment No. 9 with Trillium Construction, Inc. for Water Treatment Plant No. 2 Fire Alarm replacement and new lift project

Page 21

- 3H-2 Contracts with three firms to provide environmental assessment services on a continuing basis
- 3H-3 Interlocal Agreement with the Town of Palm Beach Shores allowing for access to the County's 800 MHz public safety radio system
- 3H-4 Budget Amendment in the Public Building Improvement Fund relating to three Palm Beach County Sheriff's Office capital projects

Page 22

- 3H-5 Amendment No. 2 with The Weitz Company, LLC for the Convention Center Parking Garage project
- 3H-6 Property Review Committee reappointments

Page 23

- 3H-7 First Amendments to documents relating to the new Major League Baseball spring training complex

I. ECONOMIC SUSTAINABILITY

Page 23

- 3I-1 Budget Transfer/Amendment associated with the Limestone Creek Phase IIC project

Page 24

- 3I-2 Certification of Consistency with the Consolidated Plan for the Pahokee Housing Authority
- 3I-3 Revised Short Sale Policy Guidelines for the County Affordable Housing Mortgage programs

Page 25

- 3I-4 Retroactive consent for the receipt of State Housing Initiatives Partnership Program funds by Theophilus Barry
- 3I-5 Revisions to the Three-Year Local Housing Assistance Plans

Page 26

- 3I-6 Issuance of an Impact Fee Affordable Housing Assistance Program Certificate of Award to Silver Palm Place Associates, Ltd.

Page 27

- 3I-7 Loan Agreement with Silver Palm Place Associates, Ltd. Associated with construction of the Silver Palm Place affordable housing project

J. PLANNING, ZONING & BUILDING

Page 28

- 3J-1 Construction Industry Licensing Board appointments

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

K. WATER UTILITIES

- Page 28
 - 3K-1 Utility Work by Highway Contractor Agreement with the Florida Department of Transportation relating to improvements to Forest Hill Boulevard (east of Olive Tree Blvd. to east of Jog Road)
- Page 29
 - 3K-2 Receive and file five standard agreements

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 29
 - 3L-1 Amendment No. 2 with the Florida Department of Environmental Protection for the Jupiter/Carlin Shore Protection project
- Page 30
 - 3L-2 Management Plan for the Jackson Riverfront Pines Natural Area
 - 3L-3 Temporary Easement Agreement for Construction Access with KT 5000, LLC to facilitate the Singer Island Dune Restoration project
- Page 31
 - 3L-4 Natural Areas Management Advisory Committee reappointments

M. PARKS & RECREATION

- Page 32
 - 3M-1 Receive and file one Sound and Light Production Services Contractor Agreement
 - 3M-2 Receive and file four Entertainment Contractor Agreements
- Page 33
 - 3M-3 Ratify the Mayor's signature on a Florida Recreation Development Assistance Program grant application to the Florida Department of Environmental Protection for the John Prince Memorial Park Mound Circle Redevelopment project
 - 3M-4 Ratify the Mayor's signature on a Florida Recreation Development Assistance Program grant application to the Florida Department of Environmental Protection for the Okeeheelee Park South Lakefront Development project
- Page 34
 - 3M-5 Contract for Lease/Purchase of Golf Carts with E-Z-Go Division of Textron, Inc. for the lease/purchase of fleet golf carts

N. LIBRARY

- Page 35
 - 3N-1 Application to the Florida Department of State, Division of Library and Information Services for State Aid to Libraries grant

P. COOPERATIVE EXTENSION SERVICE - None

Q. CRIMINAL JUSTICE COMMISSION

- Page 35
 - 3Q-1 Interlocal Agreement with the City of Riviera Beach for Civil Drug Court
 - 3Q-2 Receive and file one Business Associate Agreement with the Southeast Florida Behavioral Health Network, Inc.
- Page 36
 - 3Q-3 Receive and file eight grant adjustment notices/three contracts relating to Adult Drug Court
- Page 37
 - 3Q-4 Receive and file eighteen grant adjustment notices/one contract relating to the U.S. Department of Justice and Mental Health Collaboration programs

R. HUMAN RESOURCES - None

S. FIRE RESCUE - None

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

T. HEALTH DEPARTMENT

Page 38

3T-1 Resolution adopting the FY 2015/2016 budget for the Air Pollution Control Program

U. INFORMATION SYSTEMS SERVICES

Page 38

3U-1 Information Systems Services Task Order No. 1 with Loxahatchee River Environmental Control District regarding network services

3U-2 Second Amendment with Early Learning Coalition of Palm Beach County, Inc. regarding network services

Page 39

3U-3 First Amendment with the City of Greenacres regarding network services

3U-4 Amendment No. 11 with Xerox Government Systems, LLC extending software maintenance agreement for the Justice Information System

V. METROPOLITAN PLANNING ORGANIZATION - None

W. PUBLIC AFFAIRS - None

X. PUBLIC SAFETY

Page 40

3X-1 Memorandum of Agreement with the Federal Emergency Management Agency Integrated Public Alert and Warning System Program Management Office relating to the exchange of emergency messages

3X-2 Contract for Professional Services with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to indigent citizens

Page 41

3X-3 Receive and file three documents relating to sexual battery recovery services

Page 42

3X-4 Amendments to contracts for drug treatment and testing services with five agencies under the Adult Drug Court and Delinquency Drug Court programs

Page 43

3X-5 Reinstatement and First Amendment to the Interlocal Agreement with the Office of the Public Defender, Fifteenth Judicial Circuit of Florida for professional pretrial services

Y. PURCHASING - None

Z. RISK MANAGEMENT - None

AA. PALM TRAN

Page 43

3AA-1 Contract for Provision of Financial Assistance with Federation Transportation Services, Inc. for one-way trips for disabled and transportation disadvantaged

3AA-2 Contract for Provision of Financial Assistance with Seagull Industries for the Disabled, Inc. for one-way trips for disabled and transportation disadvantaged

Page 44

3AA-3 Interlocal Agreement with the Village of Wellington for paratransit transportation services

BB. YOUTH SERVICES

Page 44

3BB-1 First Amendment with Children's Healthcare Associates, P.A., to provide medical services at Highridge Family Center

Page 45

3BB-2 Agency Affiliation Agreement with Nova Southeastern University, Inc. to allow Youth Services to provide clinical supervision to individuals seeking training/experience in family youth counseling

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

CC. SHERIFF

- Page 45
3CC-1 Modification No. 1 to Subgrant Agreement with the Florida Division of Emergency Management amending the FY 2014 Homeland Security Grant

DD. TOURIST DEVELOPMENT COUNCIL

- Page 46
3DD-1 Seventh Amendment with the Cultural Council of Palm Beach County, Inc. to promote cultural activities
3DD-2 Fourth Amendment with the Palm Beach County Film and Television Commission to attract, promote, and market existing and new film production and production facilities
- Page 47
3DD-3 Sixth Amendment with Discover Palm Beach County, Inc. to provide marketing services
3DD-4 Fourth Amendment with the Palm Beach County Sports Commission, Inc. to promote and assists with various sporting events

PUBLIC HEARINGS – 9:30 A.M.

- Page 48
4A Vehicle for Hire Ordinance
4B Commission on Ethics Ordinance
- Page 49
4C Code of Ethics Ordinance
4D Roadside Vendor Ordinance
4E Two utility easement agreements with Florida Power & Light relating to Sandy Lane and Amelia Street/Resolution to abandon public interest in rights-of-ways
- Page 50
4F Ordinance for Housing and Places of Public Accommodation
4G Interlocal Service Boundary Agreement with the City of Lake Worth
- Page 51
4H Curbstoning Ordinance

REGULAR AGENDA

ADMINISTRATION

- Page 52
5A-1 Proposed 2016 State Legislative Agenda
5A-2 Resolution approving Project Darwin as a Qualified Target Industry business/conceptual approval of an Economic Development Incentive grant

ENGINEERING & PUBLIC WORKS

- Page 54
5B-1 Railroad Crossing Agreement with Florida East Coast Railway, LLC and All-Aboard Florida – Operations, LLC regarding improvements to railway crossings

FACILITIES DEVELOPMENT & OPERATIONS

- Page 54
5C-1 Lease Agreement with RREEF America REIT II Corp. S for continued use of warehouse and office space for the Supervisor of Elections
- Page 55
5C-2 Direction regarding the Lease Agreement with LJL Food Management, Inc. d/b/a Tina's Café associated with food service at the Governmental Center

TABLE OF CONTENTS

REGULAR AGENDA CONTINUED

PLANNING, ZONING & BUILDING

Page 56

5D-1 Responding Resolution to commence the negotiation process for an Interlocal Service Boundary Agreement with the City of Delray Beach

PUBLIC SAFETY

Page 56

5E-1 Resolution regarding Vehicle for Hire fees and fines

WATER UTILITIES

Page 57

5F-1 Agreement with Florida Power & Light for sale and purchase of potable water

WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

Page 57

5G-1 Resolution approving FY 2016 Budget

ECONOMIC SUSTAINABILITY

Page 58

5H-1 Brownfield Loan/Brownfield Grant with West Palm Beach Community Redevelopment Agency for the cleanup of 2401 Broadway, West Palm Beach

BOARD APPOINTMENTS (Page 59)

STAFF COMMENTS (Page 60)

COMMISSIONER COMMENTS (Page 61)

ADJOURNMENT (Page 61)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the following appointment to the CareerSource Palm Beach County, Inc. (CareerSource) Youth and Young Adult Outreach Committee (Youth Council) for the period September 22, 2015, through September 21, 2018:

<u>Nominee/ Appointment</u>	<u>Seat No.</u>	<u>Nominated By</u>
Jennifer W. Pollack	8	Florida Atlantic University Center for Autism and Related Disabilities

SUMMARY: The membership of the CareerSource Youth Council conforms to the requirements of the Workforce Innovation And Opportunity Act (WIOA) of 2014, WIOA Section 107.(b)4(A)(ii) and 20 CFR Parts 676, 677, and 678, Public Law 113-128 and the Workforce Innovation Act of 2000. Per WIOA the local board may designate and direct the activities of standing committees to provide information and to assist the local board in carrying out its activities under WIOA Section 107.(b)4(A). Such standing committees shall be chaired by a member of the local board, may include other members of the local board, and shall include other individuals appointed by the local board who are not members of the local board and who the local board determines have appropriate experience and expertise. At a minimum, the local board may designate a standing committee to provide information and to assist with planning, operational, and other issues relating to the provision of services to youth, which shall include community-based organizations with a demonstrated record of success in serving eligible youth. The Workforce Accountability Act, 445 F.S. approved by the Florida Legislature effective July 1, 2012, requires that CareerSource establish a Youth Council subject to the approval of the Palm Beach County Board of County Commissioners as Chief Elected Official. The CareerSource Youth Council is comprised of 14 members recommended by the CareerSource Board of Directors with representatives appointed in accordance with WOIA. Jennifer W. Pollack was approved by the CareerSource Executive Committee at its August 7, 2015 meeting, and by the CareerSource Board of Directors at its August 20, 2015 meeting. Countywide (JB)

2. Staff recommends motion to approve: reappointment of one at-large member to the Fair Housing/Equal Employment Board for a term beginning on October 1, 2015, through September 30, 2018. The reappointment is to be made from the following nominee:

<u>Nominee</u>	<u>Nominated By:</u>	<u>Seat No.:</u>
Eric Malkin	Mayor Vana Vice Mayor Berger	8

SUMMARY: Eric Malkin is a current at-large member of the Fair Housing/Equal Employment Board (Board). He was appointed to the Board on January 9, 2013. Mr. Malkin has expressed an interest in reappointment and has met the attendance requirement during his current term. The Board is composed of nine members. Seven members are district appointments and two are at-large. The Ordinances require that the appointee should reflect, to the greatest extent possible, representation from the protected groups identified in the Ordinances and who have experience and interest in equal opportunities. The Board meets quarterly. A memorandum was sent to the Board of County Commissioners on July 21, 2015 requesting nominations. Countywide (DO)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve: appointments to the Water Resources Task Force for full three year terms, commencing October 1, 2015 and ending September 30, 2018:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
1	Jay Foy	Member	League of Cities
1A	Jonathan Pearce	Alternate	League of Cities
2	Mike Mullaugh	Member	League of Cities
2A	Milton Block	Alternate	League of Cities
3	Matt Willhite	Member	League of Cities
5	Jeff Hmara	Member	League of Cities
6	David Stewart	Member	League of Cities
6A	David Levy	Alternate	League of Cities

SUMMARY: The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; and one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the imminent end of their first three year term, four League of Cities representative members and three alternates are being submitted to be approved by the Board of County Commissioners for another three year term. Countywide (MJ)

4. Staff recommends motion to approve: Contract with Anthony J. Pando, registered agent for Pando Business Services, LLC, a Limited Liability Company, in an amount not to exceed \$5,000 for the implementation of the Abundant Community Initiative Pilot Project in the Cabana Colony Countywide Community Revitalization Team (CCRT) area. **SUMMARY:** Funding for this pilot project was previously approved by the Board of County Commissioners (BCC) on January 13, 2015, to contract with a resident as Neighborhood Coordinator to spearhead the Abundant Community Initiative (ACI) Pilot Project in the Cabana Colony CCRT area, one of the three selected pilot communities. The purpose of the pilot project is to further engage and help empower residents for civic leadership, and demonstrate the viability and potential of the Asset Based Community Development initiative for neighborhood development in Palm Beach County by utilizing actual neighborhoods, their existing leadership structures and residents. The Neighborhood Coordinator will be responsible for guiding the neighborhood organizing process, inventorying the dreams, desires and gifts within the neighborhood, and facilitating the formation of associations within the neighborhood. Staff has selected a Neighborhood Coordinator to work in Cabana Colony, and is now presenting the contract to the BCC for execution. District 1 (AH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

5. **Staff recommends motion to approve:** a Contract with Palm Beach State College Board of Trustees for the benefit of the Small Business Development Center (SBDC) in the amount of \$94,000 to provide technical assistance and training to small businesses in Palm Beach County for the period of October 1, 2015, through September 30, 2016. **SUMMARY:** This Contract provides Palm Beach County's Small Business Enterprise firms with technical assistance and training in the form of direct consulting services in the areas of finance, marketing, management, construction, human resources, business plans and international trade. In addition, SBDC provides local SBE's with services that result in federal certifications, such as 8(a), HUBZone and Small Disadvantaged Business; identify federal contract opportunities for local small businesses; and assist local businesses in submitting bids to local, state, and federal agencies. The total amount of this proposed contract for FY 2016 is \$94,000. A preliminary audit has been completed for contracted services through June 30, 2015 which indicates a satisfactory performance. The FY 2015 performance and FY 2016 contracted performance is listed below:

	Deliverables	FY14 Achieved	FY15 Contracted	Achieved As of 6/30/15	FY16 Contracted
SBDC					
1	Management & Technical Assistance Clients	894	550	751	600
2	Loans Approved	\$4,375,00	\$1,330,000	\$1,538,000	\$1,330,000
3	SBDC Seminars	15	12	18	14
4	Quarterly Report and Client Profile	4	4	3	4
PTAC					
1	Management & Technical Assistance Clients	131	150	237	225
2	Procurement Approved	3,200,000	\$10,000,000	\$800,000	\$10,000,000
3	Government Procurement Seminars	15	12	9	10
4	Certification Training	10	10	5	10
5	Review of RFP/Bid Process	9	8	6	8

The final quarterly report for the 2015 fiscal year contract will be submitted to the Office of Small Business Assistance by October 6, 2015. The Small Business Development Center (SBDC) has always met their contracted deliverables and will submit a semi-quarter report September 15, 2015 to show their achievements prior to their contract expiration. The fourth quarter report detailing all the achievements for the 2015 fiscal year contract will be submitted by the SBDC October 6, 2015. Information for Procurement & Technical Assistance Centers (PTAC) contract dollars are not fully available, but will be reported at calendar year end due to the new annual survey way of reporting at the State Director's office. Countywide (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6. **REVISED TITLE:** Staff recommends motion to approve: reappointment of one individual to the Health Care District of Palm Beach County (HCD) Board of Commissioners for a four year term commencing October 1, 2015, and ending September 30, 2019:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Brian Lohmann	2	Glades Area Resident	Comm. Valeche <u>Mayor Vana</u> Comm. McKinlay Comm. Taylor

SUMMARY: Per Chapter 2003-326, Laws of Florida, the HCD is comprised of seven members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the HCD, and at least one person, but not more than two shall reside in the Glades Area. The Governor shall appoint three members; the Board of County Commissioners shall appoint three members, one of which must be an elected official at the time of appointment; and one member shall be the director of the Palm Beach County Health Department. Members may serve two, four-year terms. Brian Lohmann has been serving on the HCD Board since October 1, 2011, and is eligible to serve one additional four-year term. A memorandum requesting nominations for this seat was distributed to all members of the Board of County Commissioners. Countywide (HH)

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Regular	June 23, 2015
Workshop	June 30, 2015
Regular	July 7, 2015
Zoning	July 23, 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 April 2015. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: a Task Order to the annual contract, R2014-0119, in the amount of \$231,857.92, with Alan Gerwig & Associates, Inc. (AGA), for professional services for the Florida Mango Road over Lake Worth Drainage District L-8 Canal from south of Exuma Road to north of Antigua Road project (Project). **SUMMARY:** Approval of this Task Order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The Small Business Enterprise (SBE) goal for the Project is 15%. The SBE participation for this Project is 100%. AGA is a Palm Beach County company and is a certified SBE. District 3 (MRE)

2. ~~**DELETED: Staff recommends motion to adopt:** a Resolution to abandon that certain portion of a 15 foot wide drainage easement lying in Lot 2A, Seven Oaks Replat of Lots 1 and 2, according to the plat thereof, as recorded in Plat Book 74, Page 196, of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the public dedication and remove an encroachment due to an error in construction. The petition site is east of Prosperity Farms Road, north of PGA Boulevard and south of Donald Ross Road, on the north side of Seven Oaks Lane. Only a portion of the drainage easement is needed for drainage purposes and that portion will remain under a drainage easement. District 1 (MRE)~~

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendments to Contracts for Provision of Financial Assistance with the below listed agencies, for the period October 1, 2015, through September 30, 2016 in amount totaling \$6,931,838 to provide a variety of human service needs to the community:
 - A)** Amendment No. 01 to Contract for Provision of Financial Assistance with Father Flanagan's Boys Town Florida, Inc. (R2014-1565), increasing funding by \$751,634 for a new total contract amount not to exceed \$1,488,530; and
 - B)** Amendment No. 01 to Contract for Provision of Financial Assistance with For The Children, Inc. (R2014-1682), increasing funding by \$241,740 for a new total contract amount not to exceed \$478,740; and
 - C)** Amendment No. 01 to Contract for Provision of Financial Assistance with The ARC of the Glades, Inc. (R2014-1689), increasing funding by \$189,044 for a new total contract amount not to exceed \$374,381; and
 - D)** Amendment No. 01 to Contract for Provision of Financial Assistance with Palm Beach Habilitation Center, Inc. (R2014-1693), increasing funding by \$278,200 for a new total contract amount not to exceed \$550,945; and
 - E)** Amendment No. 01 to Contract for Provision of Financial Assistance with Housing Partnership, Inc. (R2014-1684), increasing funding by \$70,247 for a new total contract amount not to exceed \$139,117; and
 - F)** Amendment No. 01 to Contract for Provision of Financial Assistance with Mental Health Association of Palm Beach County, Inc. (R2014-1680), increasing funding by \$91,800 for a new total contract amount not to exceed \$181,800; and
 - G)** Amendment No. 01 to Contract for Provision of Financial Assistance with Jeff Industries, Inc. (R2014-1691), increasing funding by \$160,142 for a new total contract amount not to exceed \$317,144; and
 - H)** Amendment No. 01 to Contract for Provision of Financial Assistance with Easter Seals Florida, Inc. (R2014-1686), increasing funding by \$45,540 for a new total contract amount not to exceed \$90,187; and
 - I)** Amendment No. 01 to Contract for Provision of Financial Assistance with The ARC of Palm Beach County, Inc. (R2014-1690), increasing funding by \$243,312 for a new total contract amount not to exceed \$481,853; and
 - J)** Amendment No. 01 to Contract for Provision of Financial Assistance with Seagull Industries for the Disabled, Inc. (R2014-1683), increasing funding by \$274,279 for a new total contract amount not to exceed \$543,180; and
 - K)** Amendment No. 01 to Contract for Provision of Financial Assistance with Gratitude House, Inc. (R2014-1687), increasing funding by \$55,080 for a new total contract amount not to exceed \$109,080; and
 - L)** Amendment No. 01 to Contract for Provision of Financial Assistance with South County Mental Health Center, Inc. (R2014-1681), increasing funding by \$1,516,563 for a new total contract amount not to exceed \$3,003,389; and
 - M)** Amendment No. 01 to Contract for Provision of Financial Assistance with Legal Aid Society of Palm Beach County, Inc. (R2014-1694), increasing funding by \$90,882 for a new total contract amount not to exceed \$179,982; and
 - N)** Amendment No. 01 to Contract for Provision of Financial Assistance with United Cerebral Palsy of Broward, Palm Beach and Mid-Coast Counties, Inc. (R2014-1904), increasing funding by \$66,300 for a new total contract amount not to exceed \$131,300; and
 - O)** Amendment No. 02 to Contract for Provision of Financial Assistance with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2013-1392), increasing funding by \$47,133 for a new total contract amount not to exceed \$139,551 (final renewal option); and
 - P)** Amendment No. 02 to Contract for Provision of Financial Assistance with Farmworker Coordinating Council of Palm Beach County, Inc. (R2013-1394), increasing funding by \$153,353 for a new total contract amount not to exceed \$454,045 (final renewal option); and

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3E-1 MOTION/TITLE CONTINUED

Q) Amendment No. 02 to Contract for Provision of Financial with Assistance Alzheimer's Community Care, Inc. (R2013-1391), increasing funding by \$535,500 for a new total contract amount not to exceed \$1,585,500 (final renewal option); and
R) Amendment No. 02 to Contract for Provision of Financial Assistance Drug Abuse Foundation of Palm Beach County, Inc. (R2014-1692), increasing funding by \$1,077,480 for a new total contract amount not to exceed \$1,980,833; and
S) Amendment No. 02 to Contract for Provision of Financial Assistance with 211 Palm Beach/Treasure Coast, Inc. (R2013-1390), increasing funding by \$37,988 for a new total contract amount not to exceed \$112,474 (final renewal option); and
T) Amendment No. 02 to Contract for Provision of Financial Assistance with Palm Beach County Food Bank, Inc. (R2013-1625), increasing funding by \$153,000 for a new total contract amount not to exceed \$453,000 (final renewal option); and
U) Amendment No. 02 to Contract for Provision of Financial Assistance with Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (R2014-0240), increasing funding by \$268,842 for a new total contract amount not to exceed \$795,984; and
V) Amendment No. 02 to Contract for Provision of Financial Assistance with Drug Abuse Treatment Association, Inc. (R2014-1688), increasing funding by \$262,176 for a new total contract amount not to exceed \$519,211; and
W) Amendment No. 02 to Contract for Provision of Financial Assistance with United Way of Palm Beach County, Inc. (R2013-1560), increasing funding by \$24,480 for a new total contract amount not to exceed \$72,480 (final renewal option); and
X) Amendment No. 03 to Contract for Provision of Financial Assistance with Adopt-A-Family of the Palm Beaches, Inc. (R2013-1623), increasing funding by \$61,200 for a new total contract amount not to exceed \$181,200 (final renewal option); and
Y) Amendment No. 04 to Contract for Provision of Financial Assistance with The Glades Initiative, Inc. (R2011-1774), increasing funding by \$148,441 for a new total contract amount not to exceed \$730,561 (final renewal option); and
Z) Amendment No. 04 to Contract for Provision of Financial Assistance with Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2011-1562), increasing funding by \$87,482 for a new total contract amount not to exceed \$430,550 (final renewal option).

SUMMARY: On July 21, 2015, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. The amendments being recommended in this item reflect the dollar amounts included in the County Administrator's proposed FY 2016 budget and is subject to approval by the BCC in September 2015. These amendments represent \$6,931,838 of the total FAA funding allocation of \$11,653,770. Other contracts and amendments under these programs will be forthcoming upon receipt of all the required information. Employees Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc., Rosalyn Collins of Gratitude House, Inc., and Jeannette Tomici of Children's Case Management Organization, Inc., d/b/a Families First of Palm Beach County serve on a county advisory board, the HIV CARE Council. Employee Pamela Gionfriddo of the Mental Health Association of Palm Beach County, Inc., serves on a county advisory board, the Citizens Advisory Committee on Health and Human Services. Employee Alton Taylor of Drug Abuse Foundation of Palm Beach County, Inc. serves on a county advisory board, Public Safety Coordinating Council. Employee Mary R. Wilkerson of Drug Abuse Treatment Association, Inc. and Annie L. Monroe of Farmworker Coordinating Council of Palm Beach Council, Inc. serve on a county advisory board, the Farmworker Program Advisory Board. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting are being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Contract for Provision of Services with The Jerome Golden Center for Behavioral Health, Inc. for the period of October 1, 2015, through September 30, 2016, in an amount not to exceed \$73,318 for services to homeless individuals. **SUMMARY:** The Jerome Golden Center for Behavioral Health, Inc. will provide supportive services through the Homeless Assertive Community Treatment Team to include case management, employment counseling, medication management, benefits counseling and peer counseling. These services are provided to homeless individuals who are severely mentally ill or dually diagnosed and have been placed in permanent housing through the Housing and Urban Development Shelter Plus Care grant programs. A total of \$73,318 in County funds is proposed in the FY 2016 budget. Thomas McKissack of The Jerome Golden Center for Behavioral Health, Inc. is a member of the HIV CARE Council. This Board provides no regulation, management, or policy-setting recommendations regarding the Homeless Assertive Community Treatment Team activities funded by this Contract. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (Human Services) Countywide (HH)

3. **Staff recommends motion to approve:** Amendment No. 1 to Contract for Provision of Ryan White Part A HIV Health Support Services with Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida (R2015-0469), for the period March 1, 2015, through February 29, 2016 to increase funding by \$18,500, for a total not to exceed \$473,750. **SUMMARY:** This Amendment is necessary to allow for payment of services rendered during the grant year. The reallocation of funds will provide additional member support for the Palm Beach County HIV Care Council. Additional funds of \$18,500 will be reallocated to Comprehensive AIDS Resources Emergency (CARE) Council from the Ryan White grantee administrative dollars. No County funds are required. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Contract for Provision of Services with Gulfstream Goodwill Industries, Inc., for the period October 1, 2015, through September 30, 2016, in an amount not to exceed \$34,005 for supportive housing services to homeless individuals;

B) Contract for Provision of Services with Gulfstream Goodwill Industries, Inc., for the period October 1, 2015, through September 30, 2016, in an amount not to exceed \$85,764 for supportive services to homeless individuals; and

C) Amendment No. 04 to Contract for Services with Gulfstream Goodwill Industries, Inc. (R2012-0612), for the period October 1, 2015, through September 30, 2016, to increase funding for engagement, interim housing and rapid re-housing services to homeless individuals by \$2,160,709, for a new total contract amount not to exceed \$8,545,161; and

D) Amendment No. 07 to Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (R2012-0613), for the period October 1, 2015, through September 30, 2016, to increase funding for engagement, interim housing, rapid re-housing and navigation services to homeless families by \$1,319,099 for a new total amount not to exceed \$5,483,809; and

E) Amendment No. 05 to Contract for Provision of Services with The Lord's Place, Inc. (R2012-0614), for the period October 1, 2015, through September 30, 2016, to increase funding for employment services to homeless individuals and families by \$204,506 for a new total amount not to exceed \$1,001,186.

SUMMARY: The contracts and amendments being recommended in this item reflect the dollar amounts included in the County Administrator's proposed FY 2016 budget. The agencies listed will provide a variety of supportive services to homeless individuals and families, which include case management, employment counseling, engagement, interim housing, rapid re-housing, and navigation services. A total of \$3,804,083 in County funds is proposed in the FY 2016 budget. (Human Services) Countywide (HH)

5. Staff recommends motion to receive and file: Modification No. 1 to Florida Department of Economic Opportunity Community Services Block Grant Program (CSBG) Agreement No. 15SB-0D-10-60-01-021 (R2015-0141), for the period October 1, 2014, through September 30, 2015, in an amount not to exceed \$1,053,480, to provide self sufficiency services for low income individuals and families. **SUMMARY:** Modification 1 incorporates adjusted funds of \$183,669 and carryover funds of \$78,500 for an amended CSBG allocation of \$1,053,480. The additional funding enables CAP to continue providing employment skill trainings, entrepreneur training, emergency, and self-sufficiency services to additional low income families. No County match funds are required for the CSBG grant. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. **Staff recommends motion to approve:** Facility Use Agreement with the City of West Palm Beach, effective September 22, 2015, with no expiration date, to provide a congregate meal site for the elderly at the Gloria Y. Williams Multi-Cultural Center. **SUMMARY:** The Division of Senior Services (DOSS) receives federal funds from the Older Americans Act (OAA) to provide congregate meal sites. This agreement enables DOSS to operate a congregate meal site for the elderly at no cost to the County for space or energy usage. The City of West Palm Beach at the Gloria Y. Williams Multi-Cultural Center (Center) provides meals at the site to elderly participants who require meals. The Center will recruit volunteers to operate the congregate meal site. DOSS will provide training for the volunteers. All meals and necessary food related services and supplies shall be furnished by the County through its designated food service vendor, subject to the availability of funds. The estimated total cost of meals will be \$9,266 funded under the OAA grant in the amount of \$8,339 (90%) and \$927 (10%) in County match funds. This is the first year that DOSS contracts with the City of West Palm Beach to serve congregate meals at the Gloria Y. Williams Multi-Cultural Center. Sufficient funding is included in the current and proposed FY2016 budgets to meet County obligations. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

7. **Staff recommends motion to approve:** Contracts for Provision of Services with the below-listed agencies, for the period October 1, 2015, through September 30, 2016, in an amount totaling \$340,719 to provide emergency shelter and rapid re-housing to families who are homeless or at risk of homelessness:

A) Adopt-A-Family of the Palm Beaches, Inc., in an amount not to exceed \$173,488; and

B) Aid to Victims of Domestic Abuse, Inc., in an amount not to exceed \$45,500; and

C) Center for Family Services of Palm Beach County, Inc., in an amount not to exceed \$90,000; and

D) The Young Women's Christian Association of Palm Beach County, Florida, in an amount not to exceed \$31,731.

SUMMARY: On July 21, 2015 (R2015-0949), the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2015-2016 which allocated \$522,853 in Emergency Solutions Grant (ESG) funds to non-profit agencies to provide assistance to the homeless and those at risk of becoming homeless. These contracts will fund activities which include payment for the cost of operating and maintaining emergency shelters and the cost of assistance for the prevention of homelessness. The balance of the grant funds will be applied to program administration and database management. These Federal ESG funds require a matching contribution which will be provided by the funded agencies. (Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to approve: reappointments and appointment to the Citizens Advisory Committee on Health and Human Services (CAAC/HHS) for a three year term, effective October 1, 2015:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
4	Dr. Christine Koehn	A Component of the Health & Human Services System of Care/Planning, Research and Evaluation	09/30/2018	Comm. Valeche Comm. Abrams Comm. McKinlay CAC/HHS
5	Dr. Patrick Halperin	A Component of the Health & Human Services System of Care/Planning, Research and Evaluation	09/30/2018	Mayor Vana Comm. Valeche Comm. Abrams Comm. McKinlay CAC/HHS
7	Barbara Jacobowitz	A Component of the Health & Human Services System of Care/Education	09/30/2018	Comm. Valeche Comm. Abrams Comm. McKinlay CAC/HHS Vice Mayor Berger
10	Michael E. Gauger	A Component of the Health & Human Services System of Care/Planning, Research and Evaluation	09/30/2018	Mayor Vana Comm. Valeche Comm. Abrams Comm. McKinlay Comm. Taylor CAC/HHS Vice Mayor Berger
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Charles R. Palo	A Component of the Health & Human Services System of Care/Children & Family Services	09/30/2018	Mayor Vana Comm. Valeche Comm. Abrams Comm. McKinlay CAC/HHS

SUMMARY: The Citizens Advisory Committee on Health and Human Services consists of eleven members with at least one member being a resident west of the 20 Mile Bend and at least one member being a representative of the Palm Beach County League of Cities. Four current members, Dr. Christine Koehn, Dr. Patrick Halperin, Barbara Jacobowitz and Michael E. Gauger are seeking reappointments. Charles (Randy) Palo is seeking to be a new appointment with the CAC/HHS. Founding members were appointed for 1, 2 and 3 year terms with subsequent terms of three years. The Resolution creating the CAC/HHS requires the Executive Committee of the Citizens Advisory Committee to solicit and recommend member nominations for transmittal to the Board of County Commissioners. The Board of County Commissioners was notified by memo dated July 27, 2015, and requested to provide nominations for appointment. On August 13, 2015, the CAC/HHS Executive Committee & Regular Committee recommended that Dr. Christine Koehn (Seat No.4) – A Component of the Health & Human Services System of Care/Planning, Research and Evaluation, Dr. Patrick Halperin (Seat No.5) – A Component of the Health & Human Services System of Care/Planning, Research and Evaluation, Barbara Jacobowitz (Seat No.7) –A Component of the Health & Human Services System of Care/Education and Michael E. Gauger (Seat No.10) – A Component of the Health & Human Services System of Care/Planning, Research and Evaluation be reappointed. Additionally, the Committee recommended that Randy Palo (Seat No.1) – A Component of the Health & Human Services System of Care/Children & Family Services be appointed. Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. Staff recommends motion to approve: proposed seat change of one current member and three appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for three year terms, effective September 22, 2015:

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Proposed Seat Requirement</u>	<u>Term Ending</u>
15	5	Quinton Dames	Social Service Providers	09/21/2018

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>
9	Jesus Bautista	Mental Health Provider and/or Substance Abuse Provider	09/21/2018
24	Christopher Dowden	Non-Elected Community Leader	09/21/2018
27	Nicole Frederick	Non-Elected Community Leader	09/21/2018

SUMMARY: The total membership shall be no more than 33 members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These appointments successfully completed the HIV CARE Council nominations process, and the HIV CARE Council has recommended their appointments. Due to an effort to most accurately reflect mandatory requirements, a seat change for one current member is being recommended. Quinton Dames is currently in Seat No. 15 - Affected Community Representative, but will be moved to Seat No. 5 - Social Service Providers. Mr. Bautista has disclosed that he is employed by Compass, Inc., that contracts with the County for services. Mr. Dames has disclosed that he is employed by FoundCare, Inc., that contracts with the County. Ms. Frederick has disclosed that she is employed by Vita Nova, Inc., that contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: License Agreement with Evans Consoles Incorporated (Evans) commencing August 1, 2015 and expiring October 31, 2015, and renewing monthly thereafter through December 31, 2015, for use of space in Building 1169 at the Palm Beach International Airport (PBIA) in connection with Evans' activities as a contractor to the FAA PBIA, for payment of license fees in the amount of \$1,750 per month. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. Countywide (AH)
2. Staff recommends motion to receive and file: License Agreement with Ranger Construction Industries, Inc. (Ranger) commencing August 1, 2015 and expiring October 31, 2015, and renewing monthly thereafter through March 31, 2016, for use of a parking area at the Palm Beach International Airport (PBIA) in connection with Ranger's construction activities on Belvedere Road adjacent to PBIA, for payment of license fees in the amount of \$525 per month. **SUMMARY:** Delegation of authority for execution of the standard license agreement was approved by the Board in R2007-2070. Countywide (AH)
3. Staff recommends motion to receive and file: License Agreement with Enterprise Leasing Company of Florida, LLC (Enterprise) commencing March 11, 2015 and expiring June 30, 2015, for the parking of vehicles on four areas at the Palm Beach International Airport (PBIA) in connection with Enterprise's rental car operation at PBIA, for payment of license fees payable for each week an overflow parking area is used. **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 four separate parking areas at PBIA, for parking of vehicles. Because Enterprise has variable overflow parking needs, the License Agreement provides for Enterprise to pay the license fee on a weekly basis. Countywide (AH)
4. Staff recommends motion to approve: a Declaration of Easement (Declaration) on four parcels of County-owned property for water utility improvements at 2125 Belvedere Road at the Palm Beach International Airport (PBIA). **SUMMARY:** The Water Utilities Department is requesting a Declaration for water and sewer improvements constructed at the Enterprise Leasing (Enterprise) facility, on the north side of Belvedere Road at PBIA. The Declaration provides for the installation, operation and maintenance of water transmission and distribution facilities on the property. Countywide (HJF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 9 to the contract with Trillium Construction, Inc. (R2012-1002) in the amount of \$273,814 for Water Treatment Plant (WTP) No. 2 Fire Alarm Replacement and New Lift project establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** Approval of this Amendment will allow for the removal and replacement of obsolete fire alarm monitoring systems and the installation of a limited use lift to provide accessibility in the Water Treatment Plant Administration Building. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc.'s SBE participation for this Amendment is 10.6%. Trillium's overall SBE participation to date under its annual contract is 25.1%. The time of construction is 117 days. This project will be funded by Water Utility User Fees. Trillium Construction, Inc. is a local firm and 64.3% of the work will be done by local contractors. (FD&O Capital Improvements Division) District 2 (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Contracts with three firms to provide environmental assessment services on a continuing basis for Facilities Development and Operations Department:

A) AECOM Technical Services, Inc.

B) Dunkelberger Engineering & Testing, Inc.

C) ECO Advisors, LLC.

SUMMARY: The purpose of these contracts is to have consultants under contract to provide environmental services for condition assessment, identification of remedial activities, and related consulting and remediation observation services for Facilities Development and Operations Department. These services are required on both County-owned properties and properties being considered for acquisition, and those on which grants are being considered for third parties. Consultant fees will be negotiated on an individual basis for each identified project. These contracts will be for two years with three one-year extension options. All of the firms have agreed to meet, or will exceed, the Small Business Enterprise (SBE) goal of 15%. AECOM Technical Services, Inc.'s estimated SBE participation is 19%; Dunkelberger Engineering & Testing, Inc.'s estimated SBE participation is 15%; and ECO Advisors, LLC's estimated SBE participation is 93%. All firms have Palm Beach County local offices. (FD&O Capital Improvements Division) Countywide (ME)

3. **Staff recommends motion to approve:** an Interlocal Agreement with the Town of Palm Beach Shores (Participant) allowing for direct access to the County's 800 MHz Public Safety Radio System (System). **SUMMARY:** This Interlocal Agreement (Agreement) provides the terms and conditions under which the Participant can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. Since 2002, the Participant's Police Department has been interoperable with the County's System, initially through a Talk Group Agreement, and beginning in 2004 via a Direct Connect Agreement. This Agreement requires that the Participant pay a one-time \$3,234/unit access or capacity charge as well as annual fees of \$211.42/unit towards the renewal and replacement fund and \$226/unit towards maintenance and operation of the system infrastructure. The annual fees are consistent with those being charged to the County departments. The Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. The Participant will assign representatives to participate in user committee meetings to discuss system maintenance and administration issues. The term of the Agreement is for five years and there are two renewal options, each for a term of four years. The Agreement may be terminated by either party, with or without cause on October 1st of any year, with a minimum of six months notice. (ESS) Countywide (MJ)
4. **Staff recommends motion to approve:** a Budget Amendment of \$557,715 in the Public Building Improvement Fund recognizing revenue and establishing budget expense lines. **SUMMARY:** Palm Beach County Sheriff's Office (PBSO) requested that the County develop scopes of work for three projects which it has allocated funding for its FY15 budget; however, the project funds will not be fully encumbered and/or spent in FY15. The three projects are: 1) PBSO HQ Communications/Dispatch Renovation (\$60,715), 2) Main Detention Center Recreation Enclosures (\$291,000); and 3) Main Detention Center Security Camera Expansion (\$206,000). (FDO Administration) Countywide/District 2 (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** Amendment No. 2 to the contract with The Weitz Company, LLC (R2014-0923) in the amount of \$988,714 for the Convention Center Parking Garage Project. **SUMMARY:** On April 7, 2015, the Board approved an initial Guaranteed Maximum Price (GMP) based on design development drawings. The initial GMP included site clearing, excavation, and compaction work which proceeded prior to: 1) the completion of the design documents for the foundation and structure, and 2) issuance of the foundation and building permits. Staff recommended proceeding in this manner in order to coordinate the timing of this project and the hotel construction so as to only impact parking availability for one peak booking/attendance season. Amendment No. 2 will provide for costs associated with the final design of the foundation and above grade work as well as any costs arising as a result of building permit conditions. Small Business Enterprise (SBE) participation for this Amendment is 25.7%, and the overall project SBE participation is 16.2%. The Weitz Company, LLC is a local firm and it is anticipated that 75% of the work will be done by local contractors. Since this secondary pricing was anticipated, the funds for this Amendment are accounted for within the project contingency. (Capital Improvements Division) District 7 (MJ)

6. **Staff recommends motion to approve:** the reappointment of Kathy W. Evans, MAI and Neil Merin, CCIM, SIOR to the Palm Beach County Property Review Committee (PRC) for a term of three years commencing October 1, 2015:

<u>Reappointment Member</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Term</u>	<u>Nominated by:</u>
Kathy W. Evans, MAI	2	A representative from Martin County Property Appraiser's Office; Broward County Property Appraiser's Office; or an MAI certified appraiser with offices in PBC and expertise in the appraisal of PBC real estate	October 1, 2015 – September 30, 2018	Comm. Abrams Comm. Burdick Comm. McKinlay Comm. Valeche
Neil Merin, CCIM, SIOR	3	A licensed real state broker with an office in PBC and expertise in PBC commercial real estate	October 1, 2015 – September 30, 2018	Comm. Abrams Comm. Burdick Comm. McKinlay Comm. Valeche

SUMMARY: On October 22, 2013, the Board of County Commissioners (BCC) adopted Resolution No. 2013-1421, which reestablished the PRC consisting of five members appointed at-large by the BCC and the term limits. Each member is now appointed to serve a term of three years with a limit of three consecutive terms served, which term begins October 1st and ends on September 30th. Ms. Evans has served on the PRC for the duration of a three year term for Seat No. 2 expiring on September 30, 2015. Mr. Merin has served on the PRC for the duration of a three year term for Seat No. 3 which also expires on September 30, 2015. Both individuals have agreed, if reappointed, to continue to serve as representatives for Seat Nos. 2 and 3, respectively, on the PRC. Both seats are for a term commencing October 1, 2015, through September 30, 2018. A memorandum dated July 8, 2015, was circulated to the BCC requesting support of Ms. Evans' and Mr. Merin's appointment or additional nominations. No additional nominations were received. (PREM) Countywide (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to:

A) approve First Amendment to the Developer Agreement (R2015-1071) with HW Spring Training Complex, LLC (LLC) to develop and operate a two team Major League Baseball spring training complex;

B) approve First Amendment to the Sport Facility Use Agreement (R2015-1072) with HW Spring Training Complex, LLC (LLC) to develop and operate a two team Major League Baseball spring training complex;

C) receive and file the guaranty required by Exhibit I-1 of the Developer Agreement, including the statement of net worth; and

D) receive and file the guaranty required by Exhibit I-2 of the Developer Agreement, including the statement of net worth.

SUMMARY: The First Amendment to the Developer Agreement and the First Amendment to the Sports Facility Use Agreement generally: 1) make changes required by Major League Baseball to secure their approval of the Agreements, 2) clarify the interest election provision for consistency with the termination and reimbursement provisions, 3) clarify the conditions precedent to issuance of the County bonds as they relate specifically to the Interlocal Agreement with the City of West Palm Beach (R2015-1070) related to the exchange of properties (Interlocal Agreement), 4) correct scrivener's errors, and 5) make various grammatical changes. These modifications do not change the intent of key business terms nor have any fiscal impact. Effective September 22, 2015, the two guaranties which are the subject of Motions C and D, guarantee all obligations of the Developer and Sports Facility Use Agreements. These guaranties replace the limited guaranties provided with the Due Diligence and Planning Services Agreement (R2015-0358). (FDO Admin) Countywide/District 7 (MWJ)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a Budget Transfer of \$39,954 to the Disaster Recovery Initiative Fund to decrease the transfer budget for the Limestone Creek Phase IIC project; and

B) a Budget Amendment of \$39,954 to the Capital Outlay Fund to recognize the decrease.

SUMMARY: The Limestone Creek Phase IIC Project is complete. This budget transfer and amendment will eliminate the remaining transfer budget and reallocate the funds so that final costs can be processed in the appropriate budget line. Modification 12 to the DRI4 grant reduced the Limestone Creek Activity to the \$854,689 amount that was reported as the final expenditure total. **These are Federal Community Development Block Grant funds which require no local match.** (FALS) District 1 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve: a "Certification of Consistency with the Consolidated Plan" for the Pahokee Housing Authority in connection with their grant application to the U.S. Department of Housing and Urban Development (HUD) under the Resident Opportunity and Self-Sufficiency (ROSS) Service Coordinators Program. **SUMMARY:** HUD requires housing authorities to submit a "Certification of Consistency with the Consolidated Plan" when they apply for grants. The Pahokee Housing Authority is applying to HUD for a grant under the ROSS Service Coordinators Program and requires this Certification from Palm Beach County to do so. The Certification indicates that the application is consistent with the County's Consolidated Plan. The Department of Economic Sustainability examined the proposed program's goals and objectives outlined in the grant application and determined that they are consistent with the overall goals and objectives outlined in the County's Consolidated Plan of increasing the supply of affordable housing, improving the quality of existing affordable rental housing, improving access to affordable rental housing, and promoting self-sufficiency and economic independence. Since the Pahokee Housing Authority's ROSS grant application is consistent with the County's Consolidated Plan, staff recommends approval of this Certification. (Strategic Planning) District 6 (JB)

3. Staff recommends motion to approve: revised Short Sale Policy Guidelines for County Affordable Housing Mortgage Programs. **SUMMARY:** On January 12, 2010, the Board of County Commissioners (BCC) approved Short Sale Policy Guidelines (6C-1) allowing financial relief to distressed homeowners. The current short sale policy requires an eligible homeowner to repay the County \$3,000 or eight percent (8%) of the remaining balance owed on the County's State Housing Initiatives Partnership (SHIP) and HOME Investment Partnership (HOME) assisted second mortgages. Between January 29, 2010 and August 5, 2015, 112 short sales were processed which represent 0.07% of the total County held second mortgages. There were no County held first mortgage short sales during this period. A total of \$326,898.58 was received by the County during this five year period. The housing market has improved with home prices increasing by 64%, from \$193,000 to \$300,000, over the past four years. Additionally, since the policy was approved, the number of days on the housing market has decreased from over 180 to less than 30 days. Due to these significant changes in the housing market, staff is recommending changes to the policy. These changes include: (1) incorporate DES's Neighborhood Stabilization (NSP 1, 2 and 3), Universal Housing Trust, and Community Development Block Grant housing assistance programs; (2) increase the required homeowner repayment to \$10,000 or 50 percent (50%) of the remaining balance owed on the County's second mortgages; and (3) add an administrative fee of \$1,500 to cover staff processing costs. These funds will be returned to the respective funding sources from which homeowners were assisted and will be reused for eligible uses as permitted by the funding sources. No County funds will be utilized for these programs. (MHI) Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

4. **Staff recommends motion to approve:** Retroactive consent for the receipt of State Housing Initiatives Partnership (SHIP) Program funds by Theophilus Barry, a Palm Beach County employee, under the Countywide Emergency Rehabilitation Program as administered by the Department of Economic Sustainability (DES). **SUMMARY:** Theophilus Barry is an income eligible applicant who has received a grant of \$19,244 under the Countywide Emergency Rehabilitation Program. Funding availability for the Program was posted on the DES website and advertised to the general public in the Palm Beach Post on December 3 and 7, 2014. Applicants under this Program are funded on a continuous basis first qualified, first approved (first come, first qualified, first completed) as long as funds are available. Mr. Barry, who applied for assistance on March 3, 2015, has been employed by the Palm Beach County Water Utilities Department as an Air Quality Technician since 2006 and his gross annual salary is \$38,742. He applied for funding to repair the roof of his home at 11658 Turnstone Drive in Wellington. The appraised value of the home according to the Palm Beach County Property Appraiser is \$169,588. The total project cost is \$19,244 which is less than the maximum \$20,000 SHIP assistance available to homeowners under the Countywide Emergency Rehabilitation Program. Approval of this consent is being retroactively requested because the applicant has already been funded. Staff proceeded with the repairs due to the urgent need to address the deteriorated conditions found at the applicant's home. To date, in Fiscal Year 2014-2015, DES has awarded funding to a total of 28 persons. Out of this total, five were County employees or relatives of County employees. **These are State SHIP funds which require no local match.** (B&HI) District 6 (JB)

5. **Staff recommends motion to approve:** revisions to the Three Year Local Housing Assistance Plans for Fiscal Years 2014, 2015, and 2016 (LHAP) as required by the State Housing Initiatives Partnership (SHIP) Program Act, Subsections 420.907-420.9079, Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code; and authorizing the submission of the revised Local Housing Assistance Plan for review and approval by the Florida Housing Finance Corporation (FHFC). **SUMMARY:** The LHAP was approved by the Board of County Commissioners (BCC) on April 16, 2013 (R2013-0488) and allocated a total of \$11,372,887 over the three year period. On June 18, 2015, the Department of Economic Sustainability was advised by FHFC that the LHAP needed revisions to incorporate new State regulations. The proposed revisions include two newly approved housing strategies: the Roof Replacement/Repair Program and the Veterans Home Ownership and Preservation Program as approved by the BCC on October 21, 2014 (Agenda Item 3I-1) and December 16, 2014 (R2014-1924), respectively. Other revisions include an increased Emergency Repair maximum amount from \$20,000 to \$38,000 due to increased construction costs, inclusion of project delivery costs, and a 20% contingency set aside for repair projects to be held until project completion. The LHAP's housing strategies must coincide with the expenditures for the years reported and are required by FHFC to complete the SHIP Annual Closeout Reports. Funds allocated and generated through the SHIP Program will implement various affordable housing programs and related activities. The SHIP regulations require that at least sixty-five percent (65%) of a local jurisdiction's allocation be earmarked toward homeownership activities. **These are State SHIP funds which require no local match.** (MHI) Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

6. Staff recommends motion to approve:

A) the issuance of an Impact Fee Affordable Housing Assistance Program Certificate of Award to Silver Palm Place Associates, Ltd. for a credit of \$261,759.35 towards the payment of Public Buildings Impact Fees, Zone 2 Park Impact Fees and Zone 2 Road Impact Fees for the construction of the Silver Palm Place (SPP) affordable housing project;

B) a Budget Transfer of \$8,267 in Public Buildings Impact Fees to appropriate funds for SPP;

C) a Budget Transfer of \$21,098 in Zone 2 Park Impact Fees to appropriate funds for SPP; and

D) a Budget Transfer of \$232,396 in Zone 2 Road Impact Fees to appropriate funds for SPP.

SUMMARY: On November 17, 2009, the Board of County Commissioners (BCC) authorized the use of impact fee investment earnings from roads, parks, and public buildings for affordable housing projects. Silver Palm Place Associates, Ltd. submitted a request for assistance in response to a Notice of Funding Availability issued in May 18, 2014 by the Department of Economic Sustainability (DES). Staff is recommending \$261,759.35 in credits towards the payment of County Public Buildings Impact Fees (\$8,266.21), Zone 2 Park Impact Fees (\$21,097.78) and Zone 2 Road Impact Fees (\$232,395.36) for SPP which will have a total of 120 units. The SPP project will be located between North Tamarind Avenue and Division Avenue just north of 15th Street in West Palm Beach. All 120 affordable rental units are intended to be rented to persons of moderate income whose incomes are at or below 120% of the area median income. A Declaration of Restrictions will be recorded to secure the funds and ensure a 15 year affordability period. **This project is projected to create 281 construction jobs and have a one year Economic Sustainability Impact of \$175.1 Million. These funds are from interest earned by the Impact Fee Fund.** (DES Contract Development) District 7 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

7. Staff recommends motion to approve:

A) a Loan Agreement with Silver Palm Place Associates, Ltd. (SPPA) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the Silver Palm Place affordable housing project; and

B) delegation of authority to the County Administrator, or her designee, to execute a Subordination and Intercreditor Agreement with Citibank, N.A., with consent from Silver Palm Place Associates, Ltd.

SUMMARY: On October 22, 2013, the Board of County Commissioners (BCC) authorized the allocation of SHIP funds as the required local match under the Florida Housing Finance Corporation's (FHFC) Housing Tax Credit Program. The Department of Economic Sustainability (DES) provided SPPA a conditional award for a \$115,000 loan subject to approval of their Silver Palm Place affordable housing project by FHFC under the Housing Tax Credit Program. The project, which will contain 120 affordable rental units, has now been approved by FHFC and is ready to proceed to construction. The County's funds will be used for construction costs and will be secured by a second mortgage and promissory note. The Loan Agreement requires SPPA to pay annual interest payments on the loan over 30 years with the entire principal due at the end of the term. The Silver Palm Place project will be located between North Tamarind Avenue and Division Avenue just north of 15th Street in West Palm Beach. All 120 affordable rental units are intended to be rented to households whose incomes are at or below 60% of the area median income. Citibank, N.A. will be providing first mortgage financing for this project in the amount of \$9,300,000. They have requested that the County subordinate its \$115,000 second mortgage to their first mortgage by means of a Subordination and Intercreditor Agreement. Delegation of authority to the County Administrator, or her designee, to execute the Subordination and Intercreditor Agreement, subject to the County Attorney's approval of its content, is requested to enable a timely response when the closing is scheduled. **This project is projected to create 281 construction jobs and have a one year Economic Sustainability Impact of \$175.1 Million. These are SHIP funds which require no local match.** (DES Contract Development) District 7 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: appointment of two new members to the Construction Industry Licensing Board (CILB):

<u>Appoint</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Raymond B. Murdock	2	Electrical Contractor	10/1/15-9/30/18	Commissioner Burdick Commissioner Taylor Commissioner Valeche
Gerald Kelly	5	General Contractor	9/22/15-9/30/17	Commissioner Burdick Commissioner Taylor Commissioner Valeche

SUMMARY: The Construction Industry Licensing Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of fifteen members. The nominations for appointment of two new members are as follows: Mr. Gerald Kelly has been nominated by the Associated General Contractor of America, Inc. Florida East Coast Chapter to replace Mr. Michael Carter, who has resigned. Mr. Raymond B. Murdock expressed interest in serving on the Board and would replace Mr. Donald Sharkey who is no longer able to serve. The nominations represent seats for one General Contractor, and one Electrical Contractor, as cited in the Special Act, and F.S. establishing the Construction Industry Licensing Board. Memorandums for appointments and endorsements were sent to the Board of County Commissioners on August 5, 2015. No other nominations were received. As required by Section 2-443 of the Code of Ethics, this Agenda Item Summary will serve as disclosure for Mr. Gerald Kelly. Mr. Gerald Kelly is an officer of The Morganti Group Inc, which contracts with Palm Beach County to provide construction services for the County through sealed bids. The Construction Industry Licensing Board (CILB) of Palm Beach County provides no regulation, oversight, management, or policy-setting recommendations regarding this contract. Countywide (SF)

K. WATER UTILITIES

1. Staff recommends motion to approve: a Utility Work by Highway Contractor Agreement with Florida's Department of Transportation (FDOT) in the amount of \$7,868. **SUMMARY:** FDOT is proposing improvements to Forest Hill Boulevard from east of Olive Tree Boulevard to east of Jog Road in Greenacres. These improvements will necessitate the adjustment of 12 water/sewer valve boxes and five sewer manhole covers owned by the Water Utilities Department (WUD) to final grade elevation. In order to include the adjustment of the aforementioned facilities within the road improvement project, FDOT requires WUD to enter into a Utility Work by Highway Contractor Agreement to reimburse FDOT for the work in the amount of \$7,868. (WUD Project No.15-089) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to receive and file: executed Agreements received during the month of July 2015:

A) Standard Potable Water and Wastewater Development Renewal Agreement with Minto Communities, LLC, No.13-01023-000 (District 6), (OR BK 27676 PG 1686);

B) Standard Potable Water and Wastewater Development Renewal Agreement with Jewish Communities Facilities Corp., No.09-01057-000 (District 5), (OR BK 27676 PG 1681);

C) Standard Potable Water and Wastewater Development Renewal Agreement with Highland Dunes Associates Property, LLC, No.11-01004-001 (District 6), (OR BK 27676 PG 1671);

D) Standard Potable Water and Wastewater Development Renewal Agreement with Hippocrates Health Institute, Inc., No.01-01218-000 (District 2), (OR BK 27676 PG 1676); and

E) Standard Potable Water and Wastewater Development Agreement with Lakeside Development Corporation, No.09-01073-000 (District 5), (OR BK 27676 PG 1659).

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 are attached to the item unless the documents have been recorded in the Public Records of Palm Beach County. 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 (WUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the Board to receive and file. (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

A) Amendment No. 2 to Grant Agreement No. 14PB1 (R2013-1333) with the Florida Department of Environmental Protection (FDEP) for the Jupiter/Carlin Shore Protection Project (Project), increases State funding by \$1,497,991.09 from \$2,500,000 to \$3,997,991.09, to include design, remaining construction and monitoring and extends the term to December 31, 2016; and

B) Budget Amendment in the Beach Improvement Fund to recognize the increase of \$1,497,992.

SUMMARY: Amendment No. 2 of Agreement No. 14PB1 includes State cost sharing of 50% for eligible project costs not included in the original Agreement and extends the termination date from December 31, 2015 to December 31, 2016. County cost share is 50%. There is no Federal participation associated with this Agreement. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to approve: an initial Management Plan for the Jackson Riverfront Pines Natural Area. **SUMMARY:** The Management Plan (Plan) identifies natural resources present on the site and provides for the preservation, restoration, management and recreational uses of those resources. The first update to the Plan will be due in 2025. District 1 (SF)

3. Staff recommends motion to approve:

A) a Temporary Easement Agreement for Construction Access (Agreement) with KT 5000, LLC to facilitate the Singer Island Dune Restoration Project in Zone 4; and

B) Budget Transfer of \$120,000 in the Beach Improvement Fund (3652) from the Juno Beach Shore Protection (M028) to the Coral Cove Dune Restoration (M040), Delray Beach Shore Protection (M041), Central Boca Shore Protection (M051), Palm Beach Midtown Shore Protection (M034) and to the Shoreline Protection Program Activities (M100) project accounts.

SUMMARY: The Singer Island Shore Protection Project includes dune restoration in an area designated by the Florida Department of Environmental Protection (DEP) as “critically eroded”. Dune restoration reconstructs past dune profiles and stabilizes the sand with native dune vegetation. Easement agreements are required for construction access to the beach and dune areas within the project limits. This Agreement will be used for a one-time dune restoration while the subject property is being redeveloped. Plans for a long term easement agreement following anticipated construction are being incorporated into redevelopment plans for this property. This item will establish budget required to provide accounting for anticipated costs and staff time spent on regionalized monitoring of beach and dune projects and other non project-specific staff time. Regional monitoring efforts include digital aerial photography and beach surveys. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve: reappointment of the following individuals to the Natural Areas Management Advisory Committee (NAMAC) for a three-year term beginning October 1, 2015, through September 30, 2018:

<u>Nominee</u>	<u>Seat No.</u>	<u>Representing</u>	<u>Nominated By</u>
Kristi Moyer	3	Professional Educator in South Florida Ecosystems	Comm. Valeche Comm. Burdick Comm. Abrams Comm. McKinlay Comm. Taylor
Eric Call	5	PBC Parks & Recreation Department Representative	Mayor Vana Vice Mayor Berger Comm. Valeche Comm. Burdick Comm. Abrams Comm. McKinlay Comm. Taylor
Evelyn Parkes-Brier	6	Resident of Palm Beach County	Mayor Vana Comm. Valeche Comm. Burdick Comm. Abrams Comm. McKinlay Comm. Taylor

SUMMARY: On October 1, 2013, the Board of County Commissioners (BCC) adopted Resolution No. 2013-1328 which repealed and replaced Resolution No. 2009-0319. Pursuant to Resolution No. 2013-1328, the composition of NAMAC is as follows: one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one member of the Palm Beach County Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. On August 5, 2015, a memorandum was sent to the BCC advising them of the need to appoint or reappoint members to fill the above-referenced seats. Countywide (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

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

Blackwood Productions LLC, Eighth Annual July 4th Celebration, Sunset Cove Amphitheater on July 4, 2014.

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

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

A) Blackwood Productions LLC, Eighth Annual Fourth of July Celebration, Sunset Cove Amphitheater, on July 4th, 2015; and

B) Chase Stites, GL Commercial Presents: The Chase Stites Band concert, Canyon Town Center Amphitheater, on May 16, 2015; and

C) Innovative Leisure, Inc., Eighth Annual Fourth of July Celebration, Sunset Cove Amphitheater, on July 4th, 2015; and

D) Zambelli Fireworks Manufacturing Co., Eighth Annual Fourth of July Celebration, Sunset Cove Amphitheater, on July 4th, 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 two popular cultural events at the Canyon Town Center and Sunset Cove Amphitheaters. These events were attended by an estimated 7,700 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of the concert at the Canyon Town Center Amphitheater. A sponsorship from the West Boca Community Council offset the expense of the July 4th fireworks. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and are now being submitted to the Board to receive and file. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (FDEP) on August 3, 2015, requesting \$200,000 to fund 50% of the project elements associated with the John Prince Memorial Park Mound Circle Redevelopment Project grant;

B) authorize the County Administrator or designee to execute the grant Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

SUMMARY: This grant application requests \$200,000 from FRDAP for the John Prince Memorial Park Mound Circle Redevelopment project. Project elements include renovation of the playground, cricket field, bike trail, and picnic facilities as well as construction of a new dog park, bike trail, parking and landscaping. Total project costs identified in this grant application are \$400,000. The requested grant is for \$200,000, and requires a \$200,000 (50%) match, which will be funded from Zone 2 Park Impact Fees. Grant funding will be used for the renovation portions of the project. If the grant is awarded, and once the project is complete, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 3 (AH)

4. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (FDEP) on August 3, 2015, requesting \$200,000 to fund 50% of the project elements associated with the Okeehelie Park South Lakefront Development Project grant;

B) authorize the County Administrator or designee to execute the grant Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this project.

SUMMARY: This grant application requests \$200,000 from FRDAP for the Okeehelie Park South Lakefront Development Project. Project elements include a new boat ramp, hiking trail, picnic facilities, equestrian trail, bike path, playground, restroom, parking and associated infrastructure. Total project costs identified in this grant application are \$400,000. The grant request is for \$200,000, and requires a \$200,000 (50%) match, which will be funded from Zone 2 Park Impact Fees and the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond. If the grant is awarded, and once the project is complete, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation for the use and benefit of the public in perpetuity as part of the close-out documentation. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to:

A) approve a Contract For Lease/Purchase of Golf Carts with E-Z-Go Division of Textron, Inc., for the lease/purchase of 410 fleet golf carts for use at various Palm Beach County golf courses for \$1,164,633.60 of which \$1,014,633.60 will be financed through PNC Equipment Finance, LLC, and the remaining \$150,000 is allocated for the purchase of golf cart replacement parts on an as-needed basis;

B) approve a Master Equipment Lease-Purchase Agreement, Lease Schedule, and Payment Schedule with PNC Equipment Finance, LLC, for the financing of the lease/purchase of 410 fleet golf carts from E-Z-Go Division of Textron, Inc., in the amount of \$1,014,633.60; and

C) authorize the County Administrator or her designee to execute the Final Receipt Certificate notifying PNC Equipment Finance, LLC, that the County has received and accepted the golf cart fleet and the date that payments will commence.

SUMMARY: A competitive Request for Proposals (RFP) for the lease purchase of golf carts (RFP No. 15-037R/LJ) was issued on April 9, 2015, through the County's Purchasing Department. The RFP contemplated that manufacturers may utilize a third party to provide for the financing of the agreement as is common golf industry practice. E-Z-Go Division of Textron, Inc. was the recommended awardee of the RFP selection committee. PNC Equipment Finance, LLC, is the third party finance company utilized by E-Z-Go Division of Textron, Inc. The agreement, master lease, and associated documents are for the lease/purchase of 410 golf carts; the trade-in of 351 fleet carts from 2010; and the provision of timely warranty repairs and replacement parts for carts located at Okeeheelee Golf Course, Osprey Point Golf Course, Southwinds Golf Course, and Park Ridge Golf Course. The County's standard indemnification language is in the contract which E-Z-Go has executed, however; E-Z-Go has some limited liability language in their warranty which may reduce their liability if there was a failure in a golf cart or battery charger that caused an injury. In the unlikely event of a default by the County, the County will pay PNC's reasonable attorneys' fees and expenses and any costs related to the repossession, safekeeping, storage, repair, reconditioning or disposition of the golf carts. Awardee is located out of State. The RFP process allowed up to ten points for SBE participation. No certified SBE participation was offered by the recommended awardee. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

A) submit an Application to the Florida Department of State, Division of Library and Information Services, for State Aid to Libraries in an estimated amount of \$1,203,600 for FY 2016;

B) approve the associated Agreement for State Aid to Libraries; and

C) authorize the County Administrator or her designee to execute any other necessary agreements, forms and certifications.

SUMMARY: The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue has been included in the County Library's FY 2016 proposed budget. There is no match requirement for this grant. Countywide (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve: an Interlocal Agreement with the City of Riviera Beach for Civil Drug Court for the period October 1, 2014, through September 30, 2015, in the amount of \$130,000 to provide case management and substance abuse treatment. **SUMMARY:** The Criminal Justice Commission recommends use of the funding for this project. The Civil Drug Court Program, located in the City of Riviera Beach, provides case management services and contracts for residential and outpatient substance abuse services arising from court ordered treatment for indigent clients. This Interlocal Agreement was the subject of lengthy negotiations, and as such was significantly delayed. However, the City of Riviera Beach continued to provide services to their clients. Countywide (JB)

2. Staff recommends motion to receive and file: one original Business Associate Agreement with the Southeast Florida Behavioral Health Network, Inc., effective July 1, 2015 until terminated in writing by either party. **SUMMARY:** The Southeast Florida Behavioral Health Network, Inc. has entered into a Business Associate Agreement executed by the Assistant County Administrator, pursuant to authority delegated by the Board of County Commissioners in Resolution Number 2003-0554. Pursuant to Countywide PPM CW-O-051, one standard Business Associate Agreement that has been executed by the Assistant County Administrator and Southeast Behavioral Health Network, Inc. is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. The Business Associate Agreement will facilitate the exchange of health information to complete research and evaluation studies on individuals involved with the criminal justice system. There is no cost to the County associated with this Business Associate Agreement. Countywide (SB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to receive and file:

A) eight grant adjustment notices (GAN), numbered 18 thru 25, for the grant with the U.S. Department of Justice, Bureau of Justice Assistance for the Adult Drug Court Program (R2012-0171), through September 30, 2015:

1. GAN No. 18 - Request Grant Extension through September 30, 2014;
2. GAN No. 19 - Noting Delinquent Financial Report;
3. GAN No. 20 - Noting Financial Compliance;
4. GAN No. 21 - Noting Delinquent Financial Report;
5. GAN No. 22 -Noting Financial Compliance;
6. GAN No. 23 - Noting Delinquent Financial Report;
7. GAN No. 24 - Noting Financial Compliance;
8. GAN No. 25 - Request Grant Extension through September 30, 2015; and

B) the following contracts to provide drug treatment and testing services for clients referred by the Palm Beach County Adult Drug Court for the period October 1, 2014, through September 30, 2015:

1. Counseling Services of Lake Worth, Inc., for \$9,000;
2. Drug Abuse Foundation of Palm Beach County, Inc. for \$12,000; and
3. Drug Testing and Counseling Services, Inc. for \$11,000.

SUMMARY: Since 2011, Palm Beach County has used the award from the U.S. Department of Justice to facilitate the expansion and enhancement of Palm Beach County Drug Court. The grant has increased the participation of the specialized component within Adult Drug Court. The grant was extended to September 30, 2015. These contracts utilize the grant funding to provide drug treatment and testing services for clients referred by the Palm Beach County Adult Drug Court Program. The execution of the contracts and the GAN notices, as well as the filing of the financial reports were delayed because of changes in personnel. In addition, Alton Taylor has disclosed that he is employed by the Drug Abuse Foundation, Inc. and is a member of the Public Safety Coordinating Council. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contracts. Disclosure of this contractual relationship at a duly noted public meeting is being provided in accordance with the provisions of Sec. 2-433, of the Palm Beach County Code of Ethics; authority was approved on January 24, 2012 in R2012-0171. These documents have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission in accordance with Resolution R2014-1836 and are now being submitted to the Board to receive and file. Countywide (JB)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

4. Staff recommends motion to receive and file:

A) eighteen grant adjustment notices (GAN) for the U.S. Department of Justice and Mental Health Collaboration Program Grant:

1. GAN No. 1 - Noting Delinquent Financial Report;
2. GAN No. 2 -Noting Financial Compliance;
3. GAN No.3 - Noting Delinquent Financial Report;
4. GAN No. 4 -Noting Financial Compliance;
5. GAN No. 5 - Noting Delinquent Financial Report;
6. GAN No.6 - Noting Financial Compliance;
7. GAN No.7 - Noting Delinquent Financial Report;
8. GAN No. 8 - Noting Financial Compliance;
9. GAN No.9 - Change Project Scope of Work;
10. GAN No. 10 - Noting Delinquent Financial Report;
11. GAN No. 11 - Noting Financial Compliance;
12. GAN No. 12 - Program Office Approval;
13. GAN No. 13 - Change Grantee Contact;
14. GAN No. 14 - Change Grantee Contact;
15. GAN No. 15 - Noting Delinquent Financial Report;
16. GAN No. 16 - Noting Financial Compliance;
17. GAN No. 17 - Change Project Period;
18. GAN No. 18 - Change Grantee Contact;

B) the executed Contract for Professional Services with Drug Abuse Treatment Association, Inc. (DATA) to provide psychiatric services and staffing for juveniles with co-occurring disorders in the amount of \$33,234 for the period October 1, 2014, through September 30, 2015.

SUMMARY: The Board of County Commissioners approved (R2012-1576); the U.S. Department of Justice and Mental Health Collaboration Program Grant, October 1, 2012, through September 30, 2014, in the amount of \$249,955 to provide treatment of dually diagnosed juveniles. The grant was extended to September 30, 2015. The DATA contract utilizes the grant funding to provide psychiatric services and staffing for juveniles with co-occurring disorders that are referred by the Juvenile Drug Court Program. The execution of the contract and the GAN notices, as well as the filing of the financial reports were delayed because of changes in personnel. The County Administrator or his designee was authorized on October 16, 2012 (R2012-1575) to execute all related documents and contracts for Palm Beach County's FY 2012 Justice Mental Health Collaboration Program Grant, as well as to execute all necessary forms and documents as required by the U.S. Department of Justice, Bureau of Justice Assistance. Countywide (JB)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2015/2016 budget for the Air Pollution Control Program. **SUMMARY:** This Resolution is required by the August 21, 1984, Agreement between the Board of County Commissioners and the Department of Health Palm Beach County to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This program is solely supported by motor vehicle license registration fees. The proposed FY 2015/2016 budget for the Air Pollution Control Program from this funding source is \$966,000 which is a 2.77% increase from the current year budget. This budget can be accommodated by future revenues and a surplus in the Air Pollution Control Trust Fund. Countywide (HH)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: Information Systems Services (ISS) Task Order No. 1 with Loxahatchee River Environmental Control District (District) to replace their existing County WiMax network connection with a County fiber connection at their Indiantown Road location. **SUMMARY:** The District has an existing network services Agreement, as amended, for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Task Order for additional IT services per Agreement R2013-1673, as amended, within Exhibit A, Section O, permits the ISS Director to approve additional IT services under \$50,000. The District approved funding to replace their existing County WiMax network services with County fiber network services at their Indiantown Road location and will pay a one-time estimated installation cost of \$10,978 in FY 2015; upon completion, the existing WiMax equipment will be removed. There is no fiscal impact to annual service revenues. The Florida LambdaRail LLC has approved connection of the District to the Florida LambdaRail network. District 1 (PFK)
2. Staff recommends motion to approve: a Second Amendment to Agreement R2013-0080, as amended, for network services with Early Learning Coalition of Palm Beach County, Inc. (ELC). **SUMMARY:** The ELC has an existing network services Agreement, as amended, for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Second Amendment adds a Belle Glade location and reduces network services fee for their Boynton Beach location, effective October 1, 2015 based on the recently approved fee structure. The ELC will reimburse the County a one-time installation cost estimated at \$1,375; the revised total annual service revenue is \$2,400 for FY 2016 and succeeding years, a net increase of \$168. The Florida LambdaRail LLC has approved connection of ELC to the Florida LambdaRail network. Districts 3 & 6 (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. **Staff recommends motion to approve:** a First Amendment to Interlocal Agreement R2014-1509 for network services with the City of Greenacres (City). **SUMMARY:** The City has an existing Interlocal Agreement for network services for an initial term of one year with automatic one-year renewals unless notice is given by either party. This First Amendment relocates the fiber optic connection from Leisure Services to the Community Center and reduces network service fees at three locations, effective October 1, 2015 based on the recently approved fee structure. The City will reimburse the County a one-time installation cost estimated at \$10,402 for the fiber relocation. The revised total annual service revenue is \$3,000 for FY 2016 and succeeding years, a net annual decrease of \$5,040. The Florida LambdaRail LLC has approved connection of the City to the Florida LambdaRail network. District 2 (PFK)

4. **Staff recommends motion to approve:** Amendment No. 11 to the Technical Currency Program (TCP) Agreement with Xerox Government Systems, LLC (R2003-1017, as amended), to extend the software maintenance coverage for the following component modules of the Banner Courts system: Civil, Juvenile, Extended Case Information and Accounting, at an annual fee of \$255,720 for the period of October 1, 2015, through September 30, 2016, with the right for the County to terminate this agreement with no further monetary obligation to the County on any two month interval, with 30 days written notice. **SUMMARY:** The TCP License Agreement was initially entered into by Palm Beach County and SCT (now Xerox) on September 29, 1998 (R1998-1540 & 1541), for annual maintenance of the Justice Information System (JIS). The TCP Agreement provides for software maintenance coverage and establishes the amount of the annual payments to Xerox. The current TCP agreement expires September 30, 2015 and this extension of the agreement will begin October 1, 2015 to provide a continuation of software maintenance coverage by Xerox. This Amendment incorporates a clause that allows the County to end this agreement on any two month interval, with 30 days notice, with no further monetary obligation to the County. After the Clerk & Comptroller's new case management system is fully implemented (projected for January/February 2016), annual software maintenance cost will decrease to \$5,655 for the Jury Management module, the only Xerox software product which will remain in use by the Clerk & Comptroller. Jury Management software maintenance has been extended under a separate contract amendment. Xerox Government Systems, LLC is based in Fairfax, VA. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to approve:** Memorandum of Agreement (MOA) with the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office, which will allow the County's Public Safety Department Emergency Management Division to use the Interoperable System(s) and IPAWS OPEN Platform for Emergency Networks (IPAWS-OPEN) to facilitate the exchange of emergency messages. This MOA will remain in effect for three years subsequent to execution. **SUMMARY:** The signing of the MOA will allow the County, through its Emergency Management Division, to facilitate the exchange of emergency messages utilizing the standardized web based application interface. This application receives and authenticates messages transmitted by alerting authorities and routes them to IPAWS-compliant public alerting systems that allow messages to travel to the public via radio, television, mobile telephone, National Oceanic and Atmospheric Administration (NOAA) Weather Radio, internet-based systems, and other dissemination systems. IPAWS provides public safety officials to integrate local systems that use Common Alerting Protocol with an effective way to alert and warn the public about serious emergencies. Since the equipment and software requirements are already in place, there is no additional cost associated with gaining access to the IPAWS system. Countywide (JB)

2. **Staff recommends motion to receive and file:** the original executed Contract for Professional Services with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Public Guardianship and Domestic Violence Victim representation in the amount not to exceed \$1,079,721 from October 1, 2015, through September 30, 2016. **SUMMARY:** The Legal Aid Society of Palm Beach County, Inc. has historically provided these services. This Contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. The Contract with the Legal Aid Society of Palm Beach County, Inc. consists of the State Required program (\$812,378), the Public Guardianship program (\$154,530), and the Domestic Violence Representation program (\$112,813). The \$65 Court Fee generates \$313,500 for the State required program and partially offsets the costs of these programs. Two staff members of the Legal Aid Society of Palm Beach County, Inc. serve on a County advisory board. Vicki A. Tucci and Kimberly Rommel-Enright serve on the HIV Care Council. This Board provides no regulation, oversight, management, or policy-setting recommendations regarding the Legal Aid Society of Palm Beach County, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. On October 3, 2006, R2006-2132 authorizes the County Administrator or his designee to execute contracts with the Legal Aid Society of Palm Beach County, Inc. Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) receive and file an executed Contract with the Florida Council Against Sexual Violence (FCASV) (Contract No. 15OAG26) for the period July 1, 2015, through June 30, 2016 to receive grant funding in the amount of \$21,164 to provide sexual battery recovery services; and

B) receive and file an executed Amendment 2 with the FCASV (Contract No.13RCP26), to receive the second year award amount of \$57,028 for the period of July 1, 2015, through June 30, 2016 to provide sexual battery recovery services; and

C) receive and file an executed Amendment 2 with the FCASV (Contract No.13GR26) to receive the third year award amount of \$97,999 for the period of July 1, 2015, through June 30, 2016 to provide sexual battery recovery services; and

D) approve a Budget Amendment of \$159,664 in the Public Safety Grants Fund to recognize the actual grant awards.

SUMMARY: These are annual grants that are received by the Division of Victim Services. The funds will be used to provide sexual battery recovery services to primary and secondary victims of sexual battery. R2006-0095 authorizes the County Administrator or designee to execute FCASV grant contracts on behalf of the County. Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

A) receive and file an issuance of termination notice to Comprehensive Alcoholism Rehabilitation Programs, Inc. (CARP) Contract R2012-1741 effective October 1, 2012 as amended on August 12, 2014; and

B) approve amendments to the following contracts for drug treatment and testing services for individuals referred by the Adult Drug Court and Delinquency Drug Court for the period October 1, 2012, through September 30, 2015:

- 1) Second Amendment to Contract for Services for Adult Drug Court, (R2012-1742), as amended on August 12, 2014, with Counseling Services of Lake Worth, Inc. increasing funding by \$13,807 for a new total not to exceed amount of \$150,807; and
- 2) Third Amendment to Contract for Services for Adult Drug Court, (R2012-1745), as amended on August 12, 2014 with Drug Testing and Counseling Services, Inc. increasing funding by \$27,523 for a new total not to exceed amount of \$609,339.50; and
- 3) Second Amendment to Contract for Services for Adult Drug Court (R2012-1740), as amended (R2014-1851), with the Center for Family Services of Palm Beach County, Inc. increasing funding by \$8,400 for a new total not to exceed amount of \$164,400; and
- 4) Third Amendment to Contract for Services for Adult Drug Court (R2012-1744), as amended (R2014-1858), with the Drug Abuse Foundation of Palm Beach County, Inc. increasing funding by \$4,300 for a new total not to exceed amount of \$191,300; and
- 5) Third Amendment to Contract for Services for Adult Drug Court (R2012-1746), as amended (R2014-1860), with South County Mental Health Center, Inc. increasing funding by \$4,500 for a new total new total not to exceed amount of \$60,500.

SUMMARY: Contract termination is being recommended for CARP due to a failure of the agency to provide reasonable assurances that patient care, service delivery, financial accountability and other essential performance requirements and contract provisions are being maintained, and will be maintained in the future. CARP has failed to adequately address the monitoring concerns of the County and has lost State funding provided through the managing entity, Southeast Florida Behavioral Health Network, Inc. (SEFBHN) and the Department of Corrections, and has stopped accepting patients. To avoid a disruption of services, staff is recommending an expansion of our current drug court contracts to provide substance abuse treatment for the duration of the contract period through September 30, 2015. No new County funding is required. Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to receive and file: a Reinstatement and First Amendment to the Interlocal Agreement with the Office of the Public Defender, Fifteenth Judicial Circuit of Florida (Office of the Public Defender) for Professional Pretrial Services extending the termination date for an additional two years until June 30, 2017 to receive an additional \$20,000. **SUMMARY:** The Office of the Public Defender has requested the Palm Beach County Justice Services Division to continue to provide a service for an extended 24 months; specifically existing County staff will continue to perform duties in completing Applications for Criminal Indigent Status of defendants prior to the defendant's first appearance hearings at court. The Office of the Public Defender will compensate the Palm Beach County Justice Services Division for this service. On July 10, 2012 (R2012-1030), the Justice Services Division began providing the above mentioned services to the Office of the Public Defender to June 30, 2013 for \$10,000. On November 5, 2013 (R2013-1598), the successor agreement was extended until June 30, 2015 and increased by \$20,000 to continue providing services by obtaining information for the criminal indigent status application for defendants that are interviewed during the pretrial stage prior to their first appearance hearing at court. This Reinstatement and First amendment extends the agreement to June 30, 2017 and increases the amount by \$20,000. On November 5, 2013, (R2013-1598) the County Administrator or his designee was authorized to execute future amendments with the Office of Public Defender, Fifteenth Judicial Circuit of Florida for Professional Pretrial Services. Countywide (JB)

AA. PALM TRAN

1. Staff recommends motion to approve: Contract for Provision of Financial Assistance with Federation Transportation Services, Inc. in the amount of \$270,626 for one-way trips for disabled and transportation disadvantaged individuals for the two year period of October 1, 2015, through September 30, 2017. **SUMMARY:** This Contract for Provision of Financial Assistance will provide partial reimbursement for the costs of transportation services for life sustaining services being provided by Federation Transportation Services, Inc. (Federation) for their transportation of disadvantaged clients during FY 2016 and FY 2017. This award is not to exceed \$135,313 per fiscal year. Palm Tran has been providing this funding since June 1999, most if not all the customers served by Federation would be eligible for Palm Tran Connection service. Federation provides approximately 14,000 annual trips, serving 122 individuals per month. The projected cost savings from having Federation provide the service is \$295,187 per year. Trip services include meal sites, medical appointments and life sustaining functions. Funding for this Contract is included in Palm Tran's FY 2016 budget. Countywide (DR)
2. Staff recommends motion to approve: Contract for Provision of Financial Assistance with Seagull Industries for the Disabled, Inc. in the amount of \$200,400 for one-way trips for disabled and transportation disadvantaged individuals for the two year period of October 1, 2015, through September 30, 2017. **SUMMARY:** This Contract for Provision of Financial Assistance will provide partial reimbursement for the costs of transportation services for life sustaining services being provided by Seagull Industries for the Disabled, Inc. (Seagull) for their transportation of disadvantaged clients during FY 2016 and FY 2017. This award is not to exceed \$100,200 per fiscal year. Palm Tran has been providing this funding since June 1999, most if not all of the customers served by Seagull would be eligible for Palm Tran Connection service. Seagull provides 10,200 annual trips, serving approximately 100 clients per month. The projected cost savings from having Seagull provide the service is \$207,915 per year. Trip services include adult day training, medical appointments, employment and life sustaining functions. Funding for this Contract is included in Palm Tran's FY 2016 budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. **Staff recommends motion to approve:** an Interlocal Agreement with the Village of Wellington for paratransit transportation services in the amount of \$54,796 for FY 2016 and \$56,439.88 for FY 2017 for services. **SUMMARY:** On October 21, 2014, the Board of County Commissioners (BCC) approved an Agreement (R2014-1624) with the Village of Wellington extending a partnership that has been in place since 2003 to provide paratransit services to residents who are outside of the Americans with Disabilities Act (ADA) core service area. The County, for reasons of efficiency and economies of service, redefined the ADA core service area in FY 2003, eliminating a portion of the ADA core area in the Village of Wellington. The original partnership (R2003-2073) was formed after the County redefined the ADA core service area to exclude Wellington. This two year Agreement reflects an annual increase of 3% per year. The Village of Wellington is the only municipality in Palm Beach County that contributes to this service. The cost to provide this service over the past three years has averaged \$309,000 per year. District 6 (DR)

BB. YOUTH SERVICES

1. **Staff recommends motion to receive and file:** First Amendment to Contract for Medical Services between Palm Beach County and Children's Healthcare Associates, P.A., dated October 1, 2012, (R2012-1725), to provide medical services at Highridge Family Center for an additional one-year period beginning October 1, 2015 through September 30, 2016, in an amount not to exceed \$54,000. **SUMMARY:** On November 20, 2012, the County entered into a three-year Contract for Medical Services with Children's Health Care Associates, P.A. (R2012-1725) for the provision of medical services such as physical examinations, diagnosis and treatment of illnesses to the residents at the Highridge Family Center. The Contract is set to expire September 30, 2015. This First Amendment exercised the County's right to renew for a one year period beginning October 1, 2015, through September 30, 2016, in an amount not to exceed \$54,000 per fiscal year. Resolution R2010-1147 authorized the County Administrator or his designee to execute contracts for professional/medical services at the Highridge Family Center on behalf of the Board of County Commissioners. One fully executed original is being submitted for the Clerk's office to receive and file. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve Agency Affiliation Agreement with Nova Southeastern University, Inc. for the period August 24, 2015, through August 23, 2016, with the option for three automatic one-year renewals, to allow the Youth Services Department to provide clinical supervision to individuals seeking training and experience in family youth counseling to obtain state licensure at no cost to the County; and

B) authorize the County Administrator or designee to execute any future Agreements, or amendments with Nova Southeastern University, Inc. for clinical experiences on behalf of the Board of County Commissioners.

SUMMARY: The County, through its Youth Services Department is an authorized counselor training facility for various state colleges and universities offering degrees in psychology, social work, and similar fields of educational study. Doctoral programs require practicum experience in order to meet degree and licensing requirements. The Department is offering its services and programs through this Affiliation Agreement, as a means for the Psychology Practicum students earning doctoral degrees and Social Work students earning masters degrees to obtain the necessary training and experience to earn their perspective degree. There are no costs associated with this Affiliation Agreement. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion:

A) receive and file a Modification No. 1 to Subgrant Agreement between the Division of Emergency Management and the Palm Beach County Sheriff's Office amending a FY14 State Homeland Security Grant to provide an additional \$21,250 in reimbursable funding; and

B) approve a Budget Amendment of \$21,250 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners accepted this grant for \$85,000 on April 21, 2015 (R2015-0520). This agenda item will increase the grant award to include an additional \$21,250 in reimbursable funding. 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: the Seventh Amendment to the Agreement (R2012-1318) with the Cultural Council of Palm Beach County, Inc. (the "Cultural Council") for the provision of services under Palm Beach County's Tourist Development Plan during the period of October 1, 2015, through September 30, 2016 an amount not to exceed \$2,315,828 in contractual services and \$5,147,564 in indirect costs, grants and reserves for a total of \$7,463,392. This will be the fourth year of a five year agreement. **SUMMARY:** The Seventh Amendment to the Agreement updates for the Fiscal Year 2016 are Exhibit "A" – Annual Budget; Exhibit "E" – Performance Measures. The Seventh Amendment includes updates to Exhibit "G" – Salary Ranges to current market along with four new positions and Exhibit "H" – Organizational Chart to reflect the two new accounting and two new marketing positions. The Seventh Amendment to the Agreement includes revised changes to the contract for audit services and non-discrimination to comply with County policy and adds Exhibit "D" - Non-Discrimination to the contract. An annual report on diversity, as required in agency contract, is included. The Cultural Council will continue to administer Category "B" grants totaling \$3,650,000, and Category "C II" grants totaling \$480,000 for the County. In addition, indirect cost and reserves of \$1,017,564 are included for a budget totaling \$7,463,392. These contract changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and TDC Board. (TDC) Countywide (DW)

2. Staff recommends motion to approve: the Fourth Amendment to the Agreement (R2012-1319) with the Palm Beach County Film and Television Commission (PBCFTC) for the provision of services under the Palm Beach County's Tourist Development Plan during the period of October 1, 2015, through September 30, 2016 in the amount not to exceed \$1,206,501 in contractual services and \$752,924 in indirect costs, and reserves for a total of \$1,959,425. This will be the fourth year of a five year agreement. **SUMMARY:** The Fourth Amendment to the Agreement updates for Fiscal Year 2016 are Exhibit "A" - Annual Budget; Exhibit "F" - Performance Measures. Includes updates to Exhibit "I" - Salary Ranges, and Exhibit "J" - Organizational Chart for two new staff positions. The Fourth Amendment to the Agreement includes revised changes to the contract for audit services and non-discrimination to comply with County policy and adds Exhibit "E" - Non-Discrimination to the contract. An annual report on diversity, as required in agency contract, is included. In addition, indirect cost and reserves totaling \$752,924 are included for a total budget of \$1,959,425. These contract changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and TDC Board. (TDC) Countywide (DW)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (Cont'd)

3. Staff recommends motion to approve: the Sixth Amendment to the Agreement (R2012-1320) with Discover Palm Beach County, Inc. (Discover) for the provision of services under the Palm Beach County's Tourist Development Plan during the period of October 1, 2015, through September 30, 2016 in the amount of \$14,518,024 in contractual services and \$2,253,114 in stimulus funds, indirect costs and reserves for a total of \$16,771,138. This will be the fourth year of a five year agreement. **SUMMARY:** The Sixth Amendment to the Agreement updates for the Fiscal Year 2016 are Exhibit "A" –Annual Budget and Exhibit "H" – Performance Measures. The Sixth Amendment to the Agreement includes revised changes to the contract for audit services and non-discrimination to comply with County policy and adds Exhibit "D" - Non-Discrimination to the contract. The Sixth Amendment to the Agreement updates Exhibit "I" - Salary Structure to reflect current CPI index. An annual report on diversity, as required in agency contract, is included. In addition, stimulus funds, indirect cost and reserves totaling \$2,253,114 are included for a total budget of \$16,771,138. These contract changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and the TDC Board. (TDC) Countywide (DW)

4. Staff recommends motion to approve: the Fourth Amendment to the Agreement (R2012-1321) with Palm Beach County Sports Commission, Inc., (the "PBCSC") for the provision of services under Palm Beach County's Tourist Development Plan during the period of October 1, 2015, through September 30, 2016 in the amount of \$1,297,181 in contractual services and \$2,354,306 in stimulus funds, indirect costs, grants and reserves for a total of \$3,651,487. This will be the fourth year of a five year agreement. **SUMMARY:** The Fourth Amendment to the Agreement updates for Fiscal Year 2016 are Exhibit "A" - Annual Budget and Exhibit "E" – Performance Measures. The Fourth Amendment includes updates to Exhibit "G" – Salary Structure and Exhibit "H" – Organizational Chart to reflect two position title changes and salary. The Fourth Amendment to the Agreement makes changes to the contract for audit services and non-discrimination to comply with County policy and adds Exhibit "D" - Non-Discrimination to the contract. An annual report on diversity, as required in agency contract, is included. PBCSC will continue to administer Category "G" grants totaling \$800,000 for the County. In addition, indirect cost and reserves of \$1,554,306 are included for a total budget of \$3,651,487. These contract changes have been reviewed and approved by the Tourist Development Council (TDC) Finance Committee and the TDC Board. (TDC) Countywide (DW)

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

CONTINUED FROM AUGUST 18, 2015

- A. **REVISED BACKUP: Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 19, Article IX (Ordinance No. 2008-43) as amended relating to Vehicles for Hire, amending Section 19-211 (short title; 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 service 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 savings clause; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing an effective date. **SUMMARY:** On July 21, 2015, the Board of County Commissioners held a preliminary reading of the Vehicle for Hire Ordinance and approved to advertise for public hearing on August 18, 2015. On August 18, 2015, the Board of County Commissioners continued the public hearing until September 22, 2015. Based on Board direction, the revised proposed Ordinance includes several changes to provide flexibility for Transportation Network Companies (TNC) as well as maintain parity in a competitive industry and public safety. Changes include: group industry into two categories taxis vs. non-taxis, modify vehicle identification requirements and allow for a vehicle trade dress, modify insurance to require policies in accordance with Florida Statutes, allow alternative identification (i.e. digital platform) or an I.D. badge issued by the Division of Consumer Affairs (DCA), allow all vehicle for hire companies to conduct their own comprehensive nationwide background checks through an accredited agency or the DCA can conduct a Level 2 background check, and allow the DCA to conduct bi-annual audits of records maintained by all vehicle for hire companies. This proposed amendment to the Vehicle for Hire Ordinance was presented to the vehicle for hire industry which includes representation from Rasier, LLC on September 10, 2015. Countywide (JB)
- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Commission on Ethics Ordinance, Ordinance 2011-10, creating and providing qualifications for commission on ethics hearing officers; providing for procedure on complaints filed; providing for public hearing procedures; providing for notification and referral to other authorities; providing for dismissal of complaints; providing for frivolous or groundless complaints; providing for appeals; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted the Palm Beach County Commission on Ethics Ordinance as a countywide Ordinance in May of 2011, in accordance with the County Charter. The Charter amendments, which were approved by the voters in November 2010, also called for the establishment of a drafting committee to review and recommend proposed changes to the Commission on Ethics Ordinance. This amendment was proposed by the Commission on Ethics and recommended for approval by the Ordinance Drafting Committee. This amendment would allow a respondent in an enforcement case to have his or her hearing conducted by a hearing officer instead of the Commission on Ethics. This proposed change is based on a recommendation by OPPAGA as part of its final report concerning Commission on Ethics operations. Countywide (LB)

4. PUBLIC HEARINGS CONTINUED

- C. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Code of Ethics, Ordinance 2011-11, amending Section 2-444(f) to provide the requirement to contemporaneously file a copy of the State Gift Law Report with the Palm Beach County Commission on Ethics; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted the Palm Beach County Code of Ethics as a countywide Ordinance in May of 2011, in accordance with the County Charter. The Charter amendments, which were approved by the voters in November 2010, also called for the establishment of a drafting committee to review and recommended proposed changes to the Code of Ethics. This amendment was proposed by the Commission on Ethics and recommended for approval by the ordinance drafting committee. The amendment specifies that those who file state-required gift reports must contemporaneously file a copy of that report with the Palm Beach County Commission on Ethics. Countywide (LB)
- D. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 23 Article V, known as Roadside Vendors Ordinance (Ordinance No. 2008-039) providing for criteria for permit issuance; providing for fees; providing for renewal of permit; providing for repeal of laws in conflict; providing for inclusion in the code of laws and ordinances; providing for severability; providing for savings clause; providing for captions; and providing for effective date. **SUMMARY:** This Ordinance was before the Board of County Commissioners on August 18, 2015, for preliminary reading and permission to advertise. It amends Chapter 23, Article V, known as the Roadside Vendors Ordinance (Ordinance 2008-39) that was adopted September 9, 2008. Adoption of this Ordinance will change the expiration date of the permits issued for roadside vendors from December 31 to January 31. It will also change the dates associated with the wait list and fees to move them each forward by a month. There is no change to the amount of permit fees associated with this program. Currently there are 40 active permits, down from a high of 141 in 1991. Countywide (MRE)
- E. **Staff recommends motion to:**
- 1) approve** two utility easement agreements (Agreements) with Florida Power & Light Company (FPL) for Sandy Lane (aka Golf Avenue) and for Amelia Street; and
- 2) adopt** a Resolution to abandon any public interest in all of the rights-of-way of Amelia Street, Elizabeth Street, Jules Street, Pine Road, Bertram Street and all of Tracts A, B, C and D; all of the rights-of-way of Anita Road and Homewood Drive; all of the right-of-way of Victor Road less and except the south 95.80 feet; all of the rights-of-way of Cross Street and William Road less and except the south 7 feet; all of the rights-of-way of Sandra Lane and Golf Avenue, together with the north ten feet of the plat of Country Club Addition No. 3, also together with all that portion of the five foot utility easement within Lot 17; and all that portion of the 60 foot right-of-way for Country Club Road (Wakely Street) together with that portion of the five foot utility easement within Lot 1, all of the Public Records of Palm Beach County, Florida.
- SUMMARY:** Approval of the Agreements for the provision of utilities in Sandy Lane (aka Golf Avenue) and Amelia Street will replace the utility easement agreements that were rescinded by the Board on August 18, 2015 and will eliminate FPL's objection to the abandonment of certain rights-of-way included in this abandonment petition. Adoption of this Resolution will eliminate the public dedications which are in conflict with future redevelopment plans for this Palm Beach County Department of Airports property. The petition site is located on the east and west sides of Military Trail and on the north and south sides of Wallis Road. Districts 2 & 7 (MRE)

4. PUBLIC HEARINGS CONTINUED

F. [Staff recommends motion to adopt:](#) an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Code, Chapter 15, Article III, the Palm Beach County Ordinance for Housing and Places of Public Accommodation; by expanding the definition of a place of public accommodation; providing for repeal of laws in conflict; providing for savings clause; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** On August 18, 2015, the Board of County Commissioners held a preliminary reading of this Ordinance and authorized advertising for public hearing. The current Housing and Places of Public Accommodation Ordinance was repealed and replaced in 2014. Based on the need to provide additional coverage to aggrieved persons, it is necessary to the amend ordinance to expand the definition of a Place of Public Accommodation as outlined in the ordinance. The League of Cities has no opposition to the proposed amendment to the ordinance. The Equal Employment/Fair Housing Board supports the proposed ordinance in its present form. Countywide (DRO)

G. **~~DELETED:~~ Staff recommends motion to:**

~~1) adopt an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adopting an Interlocal Service Boundary Agreement with the City of Lake Worth to coordinate future land use, public facilities and services of annexation; authorizing the Mayor of the Board of County Commissioners to sign the interlocal agreement; providing for severability; providing for captions; and providing for an effective date; and~~

~~2) initiate a Comprehensive Plan amendment to add by a reference in the Intergovernmental Coordination Element to the Joint Planning Area identified in the Interlocal Service Boundary Agreement between the City of Lake Worth and the Board of County Commissioners.~~

SUMMARY: In accordance with Palm Beach County policy to promote interlocal agreements with municipalities to address service delivery issues, Palm Beach County and City of Lake Worth staff jointly prepared an Interlocal Service Boundary Agreement (ISBA) and Joint Planning Agreement (JPA). In December 2013 and February 2014, the City of Lake Worth and Palm Beach County respectively adopted resolutions to commence negotiations for an ISBA/JPA. The negotiation process for the agreement included a County Departmental review, a data and analysis report prepared by the City, and public participation through community meetings on March 2014 and June 2015. By Ordinance 2015-07 adopted on August 18, 2015 (Attachment 3 to the Agenda Item), the City accepted the terms of the proposed ISBA/JPA to determine efficient and effective service delivery while balancing the needs and desires of the community. The subject unincorporated area is within the future annexation area of the City, generally located on the north and south sides of Lake Worth Road, north and south sides of 10th Avenue North, east side of Lake Worth Drainage District E-4 Canal, as shown in Exhibit A of the ISBA/JPA. The proposed ISBA/JPA does not annex any property, but rather provides a more flexible mechanism for annexation to occur within the proposed area. Pursuant to Chapter 171.203(9), Florida Statutes (F.S.) requiring each party of the Interlocal Service Boundary Agreement to amend the Intergovernmental Coordination Element of the Comprehensive Plan no later than six months following entry of the agreement, this item also initiates an amendment to acknowledge the agreement by reference. District 3 (RB)

4. PUBLIC HEARINGS CONTINUED

- H. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 19 (motor vehicles and traffic), by creating Article X (Curbstoning); providing for a title; providing for authority; providing for applicability; providing for definitions; providing for prohibited acts; exceptions; providing for impoundment; fees and penalties; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for penalty; providing for captions; and providing for an effective date. **SUMMARY:** Section 316.1951, Florida Statutes, authorizes the County to adopt an ordinance to prohibit the parking and display of motor vehicles for sale, hire or rental in certain areas, unless authorized. This proposed Ordinance will prohibit those activities on public rights-of-way, easements and private property open to the public unless authorized. An individual will not be prohibited from displaying a vehicle for sale on property owned or leased by the individual, or on the immediately adjacent public street. Licensed motor vehicle dealers will be able to display vehicles for sale at a location other than their licensed location, if a supplemental license is obtained from the Florida Department of Motor Vehicles. Motor vehicles parked in violation of this Ordinance will be towed and the owner will be fined \$500 per vehicle. Prior to redeeming a towed vehicle, the owner must pay the towing and storage fees and the \$500 fine. Unincorporated (SF)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. **Staff recommends motion to approve:** the proposed 2016 State Legislative Agenda. **SUMMARY:** Staff requests Board approval of the 2016 State Legislative Program, which includes priority appropriations and legislative issues, general appropriations and general issues to support and monitor. The State Legislative Agenda outlines issues the County's Legislative Affairs Office, in conjunction with the County's state lobbyists, will be working on during the 2016 State Legislative Session. Countywide (DW)

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

A) adopt a Resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Darwin, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Program in the form of a cash grant in an amount not to exceed \$160,000 and providing for an effective date; and

B) conceptually approve an Economic Development Incentive for Project Darwin in the amount of \$160,000 in the form of a cash grant as a portion of the local match for a State QTI Grant.

SUMMARY: Project Darwin is considering a site in the municipality of Boca Raton for the build out location of its ~~new~~ manufacturing facility which will include a \$28 Million capital investment for the construction of a ~~150,000~~ 120,000 sq. ft. facility and create 160 new full-time jobs over a four year period at an average annual salary and a median salary of \$64,356 and \$58,000, respectively. The company will be required to maintain the existing 57 jobs for a period of five years from the effective date of the Economic Development Incentive Agreement and will be required to maintain the new jobs for a period of five years from the date the jobs are created. It is anticipated that the State of Florida will provide \$800,000 in the form of a Qualified Target Industry tax refund which requires a 20% local match of \$160,000. The County will provide the local match for the QTI. The State is also expected to provide ~~\$400,000~~ \$500,000 in the form of a Quick Action Closing Fund. The local match for the Quick Action Closing Fund of ~~\$160,000~~ \$200,000 will be provided by the City of Boca Raton. The company will be required to enter into a formal agreement memorializing their commitments and establishing criteria for funding distribution which will be presented to the Board of County Commissioners for final approval. At such time the company name will be disclosed. The five year local economic impact is estimated to be \$273 Million. District 4 (JB)

5. REGULAR AGENDA

A. ADMINISTRATION

3. **ADD-ON, REVISED SUMMARY:** Staff recommends motion to conceptually approve: an Economic Development Incentive for Project Tiger in the form of an Ad Valorem Tax Exemption over ten years, in an amount not to exceed \$850,000. **SUMMARY:** Project Tiger is considering a site in the unincorporated Glades region of Palm Beach County for the location of its new manufacturing facility that plans to make a \$40 Million capital investment for the construction of a ~~250,000~~ 90,000 sq. ft. plant. The project will create 71 new full-time jobs over a five year period at an average annual wage of \$50,000 excluding executive salaries and benefits. The company will be required to maintain the new jobs for a period of five years from the date each job is created. The State of Louisiana is also competing for this project. The State has not made a determination on incentives for this project. The incentive recommendation is based on the fact that the project will be located in the Glades region of Palm Beach County where dire economic conditions persist with poverty rates exceeding 30% and unemployment rates exceeding 20% in census tracts (approximately double and quadruple the national averages respectively). The company will be required to enter into a formal agreement approved by the Board of County Commissioners (BCC) memorializing their commitments and establishing criteria for funding distribution. At such time the company name will be disclosed. The five year local economic impact is estimated to be \$162 Million. District 6 (JB)

5. REGULAR AGENDA

B. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Railroad Crossing Agreement (Agreement) with the Florida East Coast Railway LLC (FECR) and All Aboard Florida – Operations, LLC (AAF) for improvements to be done by AAF to railway crossings covered by existing license agreements. **SUMMARY:** Approval of this Agreement with FECR and AAF will memorialize terms with respect to the construction of additional tracks by AAF for the development of an intercity passenger rail service and maintenance of the crossings. AAF will incur all costs for the construction of the new tracks. The crossings as improved will continue to be governed by the terms and provisions of the current individual license agreements. The additional set of tracks will increase the total annual signal maintenance costs to be paid by Palm Beach County by approximately \$22,000. Districts 1, 2, 3, 4 & 7 (MRE)

C. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** a Lease Agreement with RREEF America REIT II Corp. S (RREEF) for the continued use of 76,603 square feet of warehouse and office space located at 7835 Byron Drive, Unit No. 1, Riviera Beach for the Supervisor of Elections (SOE) support, operations and election day vote tabulation use, for a term of five years, commencing on June 22, 2016 at an annual rent rate of \$497,919.50 (\$6.50/sf). **SUMMARY:** On July 21, 2009 (R2009-1211), the Board entered into a Sublease with Huttig Building Products (Huttig) for 76,603 sf of warehouse and office space for the SOE. The term of the Sublease (and Huttig's Lease with RREEF) will expire on June 21, 2016 and there are no extension options remaining. The SOE desires to make arrangements for extension of this Lease at this time in order to avoid conducting negotiations or being forced to relocate during the preparation time for elections. In addition, RREEF has received requests from other tenants in the complex for expansion space which would require the space occupied by the SOE. This Lease will continue SOE's occupancy for five years through 2021 and provides one option to extend for two years. The annual rent is \$497,919.50 (\$6.50/sf), which represents a (19%) increase over the existing rent, and will increase by 3% annually. SOE is also responsible to pay a prorata share of taxes and expenses for the leased premises. The 2016 estimated prorata share cost is \$178,485 per year (\$2.33/sf). Staff researched rental rates for comparable space and believes that the rental rate for this new Lease is at market. The prior sublease was negotiated during the recession and was below market rates. Extending this Lease will avoid disruption of the SOE's operations during an election cycle. Staff continues to recommend that the County and SOE explore options to construct a County owned facility for the SOE with a targeted completion date of 2022. Extension of this Lease will provide time to explore options. (PREM) Countywide (HJF)

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. ~~DELETED: Staff recommends motion to direct: Staff to take all action necessary to terminate the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a Tina's Café (R2002-0829).~~ **SUMMARY:** LJL Food Management, Inc., d/b/a Tina's Café has been the food service provider operating in Suite 110 of the Governmental Center Parking Garage since 2005. In response to the economic downturn and Tina's poor payment history, rent was reduced by 20% in 2009 and by another 50% in 2010 for a period of two years. On December 18, 2012, the Board approved a Third Amendment (R2012-1941) which continued the reduced half-rent rate retroactively from January 1, 2012 to April 30, 2013. On June 4, 2013, the Board approved a Fourth Amendment (R2013-0711) which continued the reduced half-rent rate to April 30, 2014. At that time, Tina's Café continued to be delinquent with payment of rent, and owed nine months' rent (\$12,450.78). Staff met several times with Tina's to discuss the rent delinquencies, but in each instance Tina's believed they could bring the rent current and proposed to keep the rent at the current reduced rate and pay the back rent in one additional installment per month. The Fifth Amendment (R2014-1092) documented Tina's proposed approach, deleted the annual four percent (4%) rent adjustments and continued the \$16,601/yr reduced half-rent rate to the January 31, 2019, expiration of the Lease. Tina's currently remains delinquent in rent, owing for nine months (January 2015 to September 2015) totaling \$12,450.78. Compounding Tina's troubles, the West Palm Beach Fire Department recently notified Tina's that their fire suppression system was outdated and also required a fire alarm notification system. Staff worked with Tina's and the Fire Department to coordinate efforts to address these code violations. Tina's contracted to obtain an updated fire suppression system but installation has not yet occurred, and has yet to contract for an alarm notification system. Tina's has provided the cost information referenced in Attachment 2 (to the Agenda Item) relating to the fire suppression system and alarm notification system. These costs will total approximately \$9,700, and Staff does not believe there is any way that Tina's will be able to pay both the fire system improvements and the outstanding balance of rent. As Tina's has struggled for years to make a go of it, Staff recommends that the Lease be terminated and past due rent be waived in exchange for Tina's agreeing to surrender the Premises without legal action. There is a current need for this space to accommodate other County functions. (PREM) Countywide (HJF)

5. REGULAR AGENDA

D. PLANNING ZONING & BUILDING

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting a Responding Resolution authorizing Palm Beach County, Florida, to commence the negotiation process for an Interlocal Service Boundary Agreement between Palm Beach County and the City of Delray Beach, pursuant to Chapter 171, Part II, Florida Statutes; and providing an effective date. **SUMMARY:** On August 11, 2015, the City of Delray Beach adopted an Initiating Resolution No. 43-15 pursuant to Chapter 171, Part II, Florida Statutes (F.S.), as a first step in the process of completing an Interlocal Service Boundary Agreement (ISBA) for a designated area outside of the boundaries of the City. Pursuant to Chapter 171.203(2), F.S., the County shall adopt a Responding Resolution within 60 days after the receipt of an Initiating Resolution. Exhibit A of the Initiating Resolution identifies the unincorporated area for discussion, located within the City's future annexation area. Both Resolutions provide options that may be negotiated during the process, including service providers and boundary adjustments. The ISBA was established in the F.S. to encourage local governments to coordinate service delivery and plan for boundary adjustments. By adopting the Responding Resolution, the negotiations can begin; however, the County is not obligated to enter into an interlocal agreement. Additionally, the Responding Resolution does not annex any property at this time. Planning staff will work closely with other County departments and City staff following the adoption of the Responding Resolution to develop an interlocal agreement, which will be presented to the Board at a later date. District 4 (RB)

E. PUBLIC SAFETY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Resolution No. R2014-1221 and enacting a new schedule of fees and fines for the Vehicle for Hire Ordinance. **SUMMARY:** This Resolution provides for adoption of an updated fee and fine schedule in accordance with the provisions of the Vehicle for Hire Ordinance, Palm Beach County Code, Chapter 19, Article IX. The update is necessary to implement Ordinance changes scheduled for adoption on September 22, 2015 and to incorporate fees for all vehicle for hire companies. A summary of the changes to the existing schedule of fees and fines imposed by the Division of Consumer Affairs is attached to the agenda item. This agenda item will repeal Resolution 2014-1221. On September 10, 2015, the proposed schedule of fee changes was presented to the vehicle for hire industry which includes representation from Rasier, LLC. Countywide (JB)

5. REGULAR AGENDA

F. WATER UTILITIES

1. Staff recommends motion to approve: a Potable Water Supply Agreement with Florida Power & Light Company (FPL). **SUMMARY:** The County and FPL were parties to a Temporary Bulk Potable Water Agreement (Agreement) (R2007-1028) to serve their Western Energy Center that expired on July 1, 2014. As the parties negotiated a new permanent agreement, the County has allowed FPL to operate under the terms of the existing Agreement. Under the previous Agreement, FPL was authorized to receive up to 3.2 million gallons daily (MGD) of potable water as a bulk customer. Upon re-examination of FPL's water usage, the Water Utilities Department (WUD) has reclassified FPL from a bulk customer to a retail customer with specialized circumstances. As a result, WUD is proposing to transition from the bulk commodity rate in the previous Agreement to a retail rate with credits for FPL having low peak demand, onsite storage, and fire suppression capability. The new retail agreement authorizes FPL to take up to one MGD of potable water. FPL's effective commodity rate for the new agreement is \$2.53 per 1,000 gallons of potable water, to be indexed annually by 75% of the Consumer Price Index for Water and Wastewater Maintenance. Additionally, FPL will pay a fee of \$5.12 Million for one MGD of permanent capacity over a 20 year period at 3.6% interest. If FPL's Average Annual Daily Flow (AADF) exceeds one MGD for two consecutive fiscal years, FPL will be required to purchase for additional capacity. The Agreement is effective for a term of 25 years, with the possibility of renewal by mutual agreement for an additional five years. District 6 (MJ)

G. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the Westgate/Belvedere Homes Community Redevelopment Agency's (CRA) Fiscal Year 2016 Budget for its Redevelopment Trust (operating) Fund, Construction Fund, Sinking Fund and Reserve Fund. **SUMMARY:** The Budget, in the amount of \$4,579,776, is composed of four components. The first component, the Redevelopment Trust Fund, in the amount of \$1,942,504, consists of the CRA's Annual Tax Increment Financing and balance brought forward from previous years. The second component, the Construction Fund, in the amount of \$2,107,000, consists of balances of reimbursable grants awarded to the CRA by County, State, and Federal governments for construction activities. The third component is the Sinking Fund, in the amount of \$262,210, which consists of one annual payment from Tax Increment Financing revenues to repay the revenue bond reissued in 1999 to retrofit infrastructure in the Westgate area. The last component is the Reserve Fund, in the amount of \$268,062, which consists of a one year security payment (principal and interest), held in escrow for the March 1, 1999 Redevelopment Revenue Refunding Bonds in the amount of \$3,380,000. In accordance with the CRA's Interlocal Agreement with Palm Beach County, Tax Increment Financing revenues will be used for: 1) obligations to Florida Power & Light for street lighting; 2) interest and principal payments due under the \$3.38 Million bond issue; and 3) CRA operations and other projects. The 2016 Budget shows an increase of eight percent (8%) from last year's budget. Districts 2 & 7 (RB)

5. REGULAR AGENDA

H. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) conceptually approve a \$300,000 Brownfield Loan and a \$50,000 Brownfield Grant with the West Palm Beach Community Redevelopment Agency (WPBCRA) for the cleanup of 2401 Broadway in West Palm Beach; and

B) authorize the County Administrator or her designee to execute a new loan agreement, mortgage, promissory note, and all other documents necessary for the transaction.

SUMMARY: On January 14, 2014, the Board of County Commissioners (BCC) received and filed a Cooperative Agreement (R2014-0058) with U.S. Environmental Protection Agency (EPA) for the receipt of \$1 Million for the Brownfield Revolving Loan Fund (BRLF) Program. The Cooperative Agreement allows for 70% of the \$1 Million to be in the form of loans and 30% to be in the form of grants. The \$350,000 from the BRLF will provide environmental cleanup assistance for the City-owned Brownfield redevelopment site located at 2401 Broadway in West Palm Beach in the Northwood/Pleasant City Community Redevelopment Area. The cleanup site is part of an assemblage of land on the western boundary of Northwood Village generally referred to as the Anchor Site comprising approximately three acres. At a WPBCRA meeting on May 26, 2015, Resolution No. 15-26 was approved authorizing the cleanup of the Anchor Site and the application to Palm Beach County for funding for this purpose from the County's BRLF Program. Total cleanup costs are estimated at \$350,000. The WPBCRA is actively working to promote the redevelopment and sale of the site. Conceptually, the development of the Northwood Anchor Site will be a mixed-use project consisting of three midrise buildings, including ground-level retail, residences, public plaza and a Florida East Coast railway train station. The WPBCRA estimates that the redevelopment project will create 75 to 100 new jobs and provide an estimated annual payroll of \$3.5 Million. Under the terms of the loan agreement, the WPBCRA will utilize the funds to undertake the remediation work within 12 months of the date of the loan agreement and will abide by all prescribed EPA terms and conditions. On August 27, 2015, the County's Loan Review Committee recommended approval of the loan. The WPBCRA will provide in-kind services valued up to \$70,000 as the required local match. **These are federal EPA funds which require a 20% local match which will be provided by the West Palm Beach Community Redevelopment Agency. No County local match is required.** (DES Administration) District 7 (JB)

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6. BOARD APPOINTMENTS

A. PUBLIC SAFETY
(Emergency Medical Services Advisory Council)

1. Staff recommends motion to approve: an At Large appointment of one of the following individuals to the Emergency Medical Services Advisory Council (EMS Council) for the term from October 1, 2015 to September 30, 2018:

<u>Nominee</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Recommended by:</u>
Margaret Neddo	2	ER Nurses Forum	Commissioner Abrams Commissioner McKinlay Commissioner Taylor

-OR-

Michael Rich	2	ER Nurses Forum	Commissioner Burdick Commissioner Taylor
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-OR-

Elissa Noyes	2	ER Nurses Forum	Mayor Vana
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SUMMARY: Per Resolution (2014-0100), the Board of County Commissioners approved a representative make-up of the Emergency Medical Services Council to include twenty members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. A memo was sent to all Board members on August 3, 2015 seeking nominations for the above at-large seat. Countywide (JB)

B. COMMISSION DISTRICT APPOINTMENTS

SEPTEMBER 22, 2015

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

Request approval to present off-site, a Proclamation declaring Tuesday, October 6, 2015 as “German-American Day” in Palm Beach County.

C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR

Request approval to present off-site, a Proclamation declaring September 2015 as “Hunger Action Month” in Palm Beach County.

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."