

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 6, 2015

<u>PAGE</u>	<u>ITEM</u>									
6	2C-6	<u>DELETED:</u> Proclamation recognizing the 30 th Anniversary of the Florida Atlantic Research and Development Authority. (Sponsored by Commissioner Abrams Vice Mayor Berger)								
6	2C-9	<u>ADD-ON:</u> Proclamation recognizing the 75 th Anniversary of the Junior League of the Palm Beaches. (Sponsored by Commissioner McKinlay)								
6	2C-10	<u>ADD-ON:</u> Proclamation declaring October 4 – 10, 2015 as “Fire Prevention Week” in Palm Beach County. (Sponsored by Commissioner McKinlay)								
6	2C-11	<u>ADD-ON:</u> Proclamation declaring October 2015 as “Dyslexia Awareness Month” in Palm Beach County. (Sponsored by Commissioner Abrams)								
6	2C-12	<u>ADD-ON:</u> Proclamation declaring October 2015 as “National Disability Employment Awareness Month” in Palm Beach County. (Sponsored by Commissioner Abrams)								
6	2C-13	<u>ADD-ON:</u> Proclamation declaring October 2015 as “Guardianship Fraud Awareness Month” in Palm Beach County. (Sponsored by Vice Mayor Berger)								
7	3A-1	<u>DELETED:</u> Staff recommends motion to approve: Golf Tournament Agreement with Trump International Golf Club, L.C. and Community Assistance & Benefit Corp. for a one day charitable golf tournament to be held on November 9, 2015. (Admin) (Deleted per the Commissioner’s request)								
7	3A-3	<u>REVISED TITLE:</u> Staff recommends motion to: appoint one and reappoint one individual to the Small Business Assistance (SBA) Advisory Committee for a term of three years for the seats and terms indicated below:								
	<u>APPOINT:</u> <u>NOMINEE</u> Thais Sullivan	<table border="0"> <thead> <tr> <th><u>SEAT</u></th> <th><u>DESIGNATION</u></th> <th><u>TERM</u></th> <th><u>NOMINATED BY</u></th> </tr> </thead> <tbody> <tr> <td>14</td> <td>Black Chamber of Commerce</td> <td>10/06/2015 – 9/30/18</td> <td><u>Comm. Abrams</u> <u>Comm. Taylor</u></td> </tr> </tbody> </table>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>	14	Black Chamber of Commerce	10/06/2015 – 9/30/18	<u>Comm. Abrams</u> <u>Comm. Taylor</u>
<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>							
14	Black Chamber of Commerce	10/06/2015 – 9/30/18	<u>Comm. Abrams</u> <u>Comm. Taylor</u>							
	<u>RE-APPOINT:</u> <u>NOMINEE</u> Rachelle Wood	<table border="0"> <thead> <tr> <th><u>SEAT</u></th> <th><u>DESIGNATION</u></th> <th><u>TERM</u></th> <th><u>NOMINATED BY</u></th> </tr> </thead> <tbody> <tr> <td>8</td> <td>National Association of Women in Construction</td> <td>10/6/2015 – 10/5/2018</td> <td><u>Comm. Abrams</u> <u>Comm. Taylor</u> <u>Comm. McKinlay</u></td> </tr> </tbody> </table> <p align="center">(Admin/OSBA)</p>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>	8	National Association of Women in Construction	10/6/2015 – 10/5/2018	<u>Comm. Abrams</u> <u>Comm. Taylor</u> <u>Comm. McKinlay</u>
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8	National Association of Women in Construction	10/6/2015 – 10/5/2018	<u>Comm. Abrams</u> <u>Comm. Taylor</u> <u>Comm. McKinlay</u>							
25	5D-1	<u>DELETED:</u> Staff recommends motion to: A) adopt a Resolution to approve a Traffic Signal Maintenance and Compensation Agreement (Agreement) with the Florida Department of Transportation (FDOT);....(Engineering) (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**

OCTOBER 6, 2015

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 6)
- 3. CONSENT AGENDA (Pages 7 - 21)**
- 4. PUBLIC HEARING – 9:30 A.M. (Page 22)**
- 5. REGULAR AGENDA (Pages 23 - 28)**
TIME CERTAIN 11:00 A.M. (Palm Beach Juvenile Correctional Facility Discussion) (Page 23)
- 6. BOARD APPOINTMENTS (Page 29)**
- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 30)**
- 8. STAFF COMMENTS (Page 31)**
- 9. COMMISSIONER COMMENTS (Page 32)**
- 10. ADJOURNMENT (Page 32)**

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- 2C-2 Lights On Afterschool Day
- 2C-3 National 4-H Week
- 2C-4 Florida Native Plant Month
- 2C-5 Oktoberfest
- 2C-6 30th Anniversary of the Florida Atlantic Research and Development Authority
- 2C-7 Pie It Forward Day
- 2C-8 Poverty Awareness Week

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- 3A-2 Certificate regarding matching funds for the Supervisor of Elections' Federal election activities
- 3A-3 Small Business Assistance Advisory Committee appointment/reappointment

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

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- 3C-1 Work Orders for three milling and resurfacing projects
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2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring October 14, 2015 as “Hotel Day” in Palm Beach County. (Sponsored by Mayor Vana)
2. Proclamation declaring October 22, 2015 as “Lights On Afterschool Day” in Palm Beach County. (Sponsored by Mayor Vana)
3. Proclamation declaring October 4 – 10, 2015 as “National 4-H Week” in Palm Beach County. (Sponsored by Vice Mayor Berger)
4. Proclamation declaring October 2015 as “Florida Native Plant Month” in Palm Beach County. (Sponsored by Commissioner Burdick)
5. Proclamation declaring the weekends of October 9 – 11 and October 16 – 18, 2015 as “Oktoberfest” in Palm Beach County. (Sponsored by Commissioner Burdick)
6. ~~**DELETED:** Proclamation recognizing the 30th Anniversary of the Florida Atlantic Research and Development Authority. (Sponsored by Commissioner Abrams Vice Mayor Berger)~~
7. Proclamation declaring November 24, 2015 as “Pie It Forward Day” in Palm Beach County. (Sponsored by Commissioner Taylor)
8. Proclamation declaring October 12 – 16, 2015 as “Poverty Awareness Week” in Palm Beach County. (Sponsored by Commissioner Taylor)
9. **ADD-ON:** Proclamation recognizing the 75th Anniversary of the Junior League of the Palm Beaches. (Sponsored by Commissioner McKinlay)
10. **ADD-ON:** Proclamation declaring October 4 – 10, 2015 as “Fire Prevention Week” in Palm Beach County. (Sponsored by Commissioner McKinlay)
11. **ADD-ON:** Proclamation declaring October 2015 as “Dyslexia Awareness Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
12. **ADD-ON:** Proclamation declaring October 2015 as “National Disability Employment Awareness Month” in Palm Beach County. (Sponsored by Commissioner Abrams)
13. **ADD-ON:** Proclamation declaring October 2015 as “Guardianship Fraud Awareness Month” in Palm Beach County. (Sponsored by Vice Mayor Berger)

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **DELETED: Staff recommends motion to approve:** ~~Golf Tournament Agreement with Trump International Golf Club, L.C. and Community Assistance & Benefit Corp. for a one-day charitable golf tournament to be held on November 9, 2015.~~ **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C., approved September 3, 1996 (R96-1277D), allows use of the golf course during the months of May through October for the County to host either a single two-day, or two one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on November 9, 2015. Proceeds from the golf tournament will benefit Community Assistance & Benefit Corp. Countywide (AH)

2. **Staff recommends motion to authorize:** the Mayor to sign the Certificate Regarding Matching Funds certifying that the Board of County Commissioners will provide matching funds in the amount of \$21,427.53 for the Supervisor of Elections' Federal Election Activities grant for FY 2016. **SUMMARY:** The 2015 Florida Legislature appropriated funds specifically for federal election activities. These funds are distributed to the Supervisors of Elections (SOE) pursuant to a formula based on active registered voters in each county. Palm Beach County's share of the State funding is \$142,850.21. The County is required to provide a 15% match of \$21,427.53 which is included in the SOE's FY 2016 budget. Countywide (DN)

3. **REVISED TITLE: Staff recommends motion to:** **appoint** one and **reappoint** one individual to the Small Business Assistance (SBA) Advisory Committee for a term of three years for the seats and terms indicated below:

<u>APPOINT:</u> <u>NOMINEE</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Thais Sullivan	14	Black Chamber of Commerce	10/06/2015 – 9/30/18	<u>Comm. Abrams</u> <u>Comm. Taylor</u>
 <u>RE-APPOINT:</u> <u>NOMINEE</u>	 <u>SEAT</u>	 <u>DESIGNATION</u>	 <u>TERM</u>	 <u>NOMINATED BY</u>
Rachelle Wood	8	National Association of Women in Construction	10/6/2015 – 10/5/2018	<u>Comm. Abrams</u> <u>Comm. Taylor</u> <u>Comm. McKinlay</u>

SUMMARY: On August 18, 2015, the Board of County Commissioners approved the appointment of Ms. Kenyatta Brooks to Seat 14. The Black Chamber of Commerce of Palm Beach County has requested replacement of Ms. Kenyatta Brooks with Ms. Thais Sullivan, an Executive Board Member. Ms. Sullivan will complete the term of Ms. Brooks which expires on September 30, 2018. The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code as amended on March 12, 2013. The committee consists of fifteen members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women's Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. The SBA Advisory Committee supports the nominations and a memo was sent to the Board of County Commissioners on September 22, 2015 requesting approval of the recommendations. No other nominations were received. The current diversity count is: Hispanic 2; White 6; and African-American 7. Countywide (HH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Type</u>	<u>Meeting Date</u>
Workshop	July 28, 2015
Zoning	August 27, 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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:**
 - A) Work Order 2013052-051 utilizing Palm Beach County's (County) Annual Asphalt Milling and Resurfacing Contract R2013-0235 (Contract) with Community Asphalt Corp. (Community) in the amount of \$1,319,000 for Military Trail from Donald Ross Road to Indiantown Road (Commission District 1);
 - B) Work Order 2013052-052 utilizing the County's Contract with Community in the amount of \$531,000 for Congress Avenue from Golf Road to Boynton Beach Boulevard (Commission Districts 3 and 4); and
 - C) Work Order 2013052-053 utilizing the County's Contract with Community in the amount of \$637,000 for Indiantown Road from Beeline Highway to Brian Way (Commission District 1).

SUMMARY: Approval of these three Work Orders will allow the contractual services necessary to construct all the improvements. Per County PPM CW-F-050, these Work Orders exceed the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners. (MRE)
2. **Staff recommends motion to approve:** Supplemental Agreement No. 1 (Supplement) to project agreement R2006-0817, in the amount of \$106,973.66, with K-F Group, Inc. (KFG), for professional services for the Indiantown Road and Jupiter Farms Road Intersection Improvements project (Project). **SUMMARY:** Approval of this Supplement 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%. KFG proposed 97% SBE participation for the project agreement. KFG has proposed 90.20% SBE participation for this Supplement for a total of 95.60% SBE participation to date under this project agreement. KFG is a Palm Beach County company and is a certified SBE. The design will include the addition of a second westbound left turn lane and a new "free flow" northbound to eastbound lane. District 1 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve:

A) a Consent to Assignment of the annual structural contract R2014-0120, (Structural Contract) for structural engineering services on a work task order basis from Bridge Design Associates, Inc. (BDA) to Wantman Group, Inc. (WGI);

B) a Consent to Assignment of the annual structural agreement R2011-0174, (Structural Agreement) for structural engineering services on a work task order basis from BDA to WGI;

C) a Consent to Assignment of the project agreement R2012-0378, (Camino Real Agreement) for the Camino Real Road/Boca Club Bridge over the Intracoastal Waterway project from BDA to WGI; and

D) a consent to assignment of the project contract R2014-1555, (Palmetto Park Contract) for the Palmetto Park Road over the Lake Worth Drainage District E-4 Canal (El Rio Canal) Bridge Replacement project from BDA to WGI.

SUMMARY: Approval of these consent to assignments will assign the Structural Contract, Structural Agreement, Camino Real Agreement, and Palmetto Park Contract, from BDA to WGI. BDA has consented to assign their contracts and agreements to WGI for the completion of the work. Countywide/District 4 (MRE)

4. Staff recommends motion to approve: the Fiscal Year 2015/2016 pathway program.

SUMMARY: Approval of the Fiscal Year 2015/2016 pathway program will allow construction of the proposed projects compiled in response to requests from the Palm Beach County School District, Palm Beach County Sheriff's Office, members of the Board of County Commissioners, and residents of Palm Beach County. The proposed projects include eight new construction projects and 13 major maintenance projects. The total program cost is \$1,500,000 and is divided into the following categories:

School Related	\$409,528
Non-School Related	\$473,595
Major Maintenance	\$496,923
Minor Maintenance & Support	\$119,954
Total	\$1,500,000

Countywide (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a Settlement Agreement with Holy Trinity Episcopal Church of West Palm Beach, Inc., Holy Trinity Properties, Inc., and the City of West Palm Beach. **SUMMARY:** Holy Trinity Episcopal Church of West Palm Beach, Inc., and Holy Trinity Properties, Inc., (hereinafter collectively referred to as "Holy Trinity") sued Palm Beach County ("the County") and the City of West Palm Beach ("the City") in a lawsuit styled *Holy Trinity Episcopal Church of West Palm Beach, Inc., et. al. v. Palm Beach County, et. al.*, Case No.: 50 2013 CA 012016 XXXX MB AI (Fifteenth Circuit Court) ("the Lawsuit"), alleging that the County inversely condemned Holy Trinity's riparian rights by installing the South Cove restoration project in the waters off of Flagler Boulevard in downtown West Palm Beach. The parties attended mediation on August 24, 2015, and agreed to a proposed Settlement Agreement, contingent upon the approval of the Board of County Commissioners, the City's Commission, and Holy Trinity's Vestry and Property Committee. Under the proposed Settlement Agreement, Holy Trinity would acknowledge the County's right to attach its boardwalk to the City's seawall, would execute a release on behalf of the City and the County, and would dismiss its pending lawsuit with prejudice, after the following actions occur: 1) the County applies for and obtains on behalf of Holy Trinity a conceptual dock permit from the Army Corps of Engineers and the Florida Department of Environmental Protection for a forty-slip boat dock, accommodating at least ten slips for forty-foot boats and 30 slips for boats ranging in size from twenty-five feet to forty feet; 2) the City reviews and approves the dock permit application, including review for compliance with zoning and building regulations; 3) the County pays Holy Trinity one hundred sixty-thousand dollars (\$160,000); and 4) the City pays Holy Trinity sixty-five thousand dollars (\$65,000). District 7 (ATP)

E. COMMUNITY SERVICES

1. Staff recommends motion to:
 - A) approve** Florida Agency for Health Care Administration (AHCA) Health Care Licensing Application/Addendum renewal for the Division of Senior Services (DOSS) North County Adult Day Care, for the period December 18, 2015, through December 17, 2017; and
 - B) delegate** to the County Administrator, or her designee, signatory authority on individual licenses and any other necessary documents related to the AHCA licensing requirements.

SUMMARY: AHCA is responsible for the licensure and regulation of health facilities, including adult day cares. Adult day cares are required to be licensed by AHCA with a renewal every two years through a licensing application process. The AHCA Health Care Licensing Application for renewal for adult day care is required sixty days prior to the expiration of the current license, which is December 17, 2015. The Health Care Licensing Application/Addendum is a requirement of AHCA and necessary to renew DOSS's adult day care licensing. There is no cost to Palm Beach County. County-operated or municipally operated centers applying for licensure are exempt from the payment of license fees. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: First Amendment (Amendment) to Development Site Lease Agreement with Palm Auto Plaza, LLC (R2014-0037) (Lease), providing for the lease of approximately 322,011 square feet of unimproved ground, additional annual rental in the amount of \$241,508, and a rental credit in the amount of \$141,046 to reimburse Palm Auto Plaza for roadway abandonment costs. **SUMMARY:** The Amendment provides for the lease of approximately 322,011 additional square feet of unimproved ground located south of the Palm Beach International Airport to be used for the construction of access driveways, drainage and landscaping in connection with the retail automotive sale and service facility being constructed by Palm Auto Plaza pursuant to the Lease. The Amendment increases the total annual rental under the lease to \$500,119. Palm Auto Plaza incurred costs in the amount of \$141,046 to abandon a portion of East Grace Drive (Roadway Parcel). The Amendment provides for the reimbursement of the roadway abandonment costs incurred by Palm Auto Plaza through a rental credit. Countywide (HF)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: appointment of Robert S. Kleinberg to the Contract Review Committee (CRC):

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Robert S. Kleinberg	4	Commissioner Burdick

SUMMARY: On December 6, 2011, the Board of County Commissioners voted to add an At-Large appointee to the CRC. The Board directed the new member to be a representative from the community with general contracting experience or an attorney experienced in construction law. Malcolm Cunningham, Esq., was appointed to the CRC. As Mr. Cunningham did not comply with the Board's attendance policy, a vacancy has occurred on the CRC, and the Honorable Robert S. Kleinberg has been nominated. Mr. Kleinberg is a retired Judge and had practiced law for many years. The term of this seat expires September 8, 2017. The Board was notified of the vacancy on July 20, 2015. Countywide (MRE)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:
 - A) adopt** a Resolution authorizing the conveyance of the County's interest in three parcels of surplus property to the City of West Palm Beach without charge pursuant to Florida Statutes Section 197.592(3), and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and
 - B) approve** three County Deeds in favor of the City of West Palm Beach.

SUMMARY: In 2014, the County acquired three tax deed parcels via escheatment that are located within the municipal boundaries of the City of West Palm Beach. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus property acquired by tax deed to the municipality in which it is located. This conveyance will relieve the County of potential liability for occurrences on the property and also the cost of maintenance. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in .22 acres of surplus property to the City of Delray Beach without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 270.11; and

B) approve a County Deed in favor of the City of Delray Beach.

SUMMARY: The City of Delray Beach (City) has requested the conveyance of County-owned unimproved surplus property located at 316 - 4th Avenue. The property was acquired in April 2015 by Tax Deed, is located within the City's municipal boundaries and has an assessed value of \$21,625. This property is a buildable small lot in a designated CRA area. The property is being conveyed pursuant to Florida Statutes Section 197.592(3), which authorizes the conveyance of surplus property acquired by Tax Deed to the municipality in which it is located. This property has been declared surplus and serves no present or future County purpose. Conveyance to the City will relieve the County of maintenance responsibility and liability. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 7 (HJF)

3. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in .06 acres of surplus property to the Palm Beach County Housing Authority, a government entity created pursuant to Chapter 421, Florida Statutes, without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 125.38; and

B) approve a County Deed in favor of the Palm Beach County Housing Authority.

SUMMARY: The Palm Beach County Housing Authority (PBCHA) has requested the conveyance of a County owned unimproved surplus property located at the northwest corner of Northwest 12th Avenue and Northwest 4th Street in Boynton Beach. The property was acquired in June 2010 by Tax Deed and has an assessed value of \$8,190. This property is a buildable small lot adjacent to numerous other vacant properties owned by PBCHA and proposed for the construction of affordable housing units. The property is being conveyed pursuant to Florida Statutes Section 125.38, which authorizes the sale of the property directly to another government entity without competitive bidding provided the Board is satisfied the conveyance promotes a community interest and public welfare. This property has been declared surplus and serves no present or future County purpose. Conveyance to PBCHA will relieve the County of maintenance responsibility and liability. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in seven parcels of surplus property to the City of Belle Glade without charge pursuant to Florida Statutes Section 197.592(3), and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

B) approve seven County Deeds in favor of the City of Belle Glade.

SUMMARY: The County recently acquired via tax deed escheatment seven parcels located within the municipal boundaries of the City of Belle Glade with a collective assessed value of \$43,930. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus property acquired by tax deed to the municipality in which it is located. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 6 (HJF)

5. Staff recommends motion to:

A) adopt a Resolution authorizing the re-conveyance of the County's interest in 0.039 acres of real property located in unincorporated Delray Beach to the Lake Worth Drainage District (LWDD) without charge and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of the Lake Worth Drainage District.

SUMMARY: In 1950 the LWDD conveyed approximately 20 acres of property to the County comprising a large portion of Lake Eden which is adjacent to, but separate from, Lake Ida. The original Deed from LWDD to the County contained a restriction that the property be used for park purposes and included a reverter clause. Robert and Brenda Gallik own a 0.24 acre residential lot at 24 Northwest 25th Court, Delray Beach, which abuts Lake Eden. The Gallik's desire to put an addition on their home and will require the acquisition of approximately .039 acres of additional upland property the County owns along the lake shoreline. The County has no use for this property as it is separated from the County-owned Lake Ida Park. On May 12, 2015, LWDD provided a letter requesting that the County acknowledge the reversion and re-convey the property to LWDD since the upland property has never been used for park purposes. This County Deed is being granted to LWDD in recognition of LWDD's reverter rights and will allow title to be transferred from LWDD to the Galliks. The County will not retain mineral and petroleum rights as provided for in Florida Statutes Section 270.11. **This conveyance must be approved by a supermajority vote (5 Commissioners) pursuant to the PREM Ordinance.** (PREM) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** a Deed of Conservation Easement across a portion of Okeeheelee Park South in unincorporated Greenacres in favor of the South Florida Water Management District (SFWMD). **SUMMARY:** As a condition of a SFWMD permit for the development of Okeeheelee Park South, the County is required to grant SFWMD a Deed of Conservation Easement upon completion of construction of a surface water management system and on-site wetland mitigation to serve the 600+ acre park. The non-exclusive easement will consist of a wetland mitigation area containing 0.66 acres located on the north bank of the 71-acre on-site lake. The easement is being granted to the SFWMD at no cost as a condition of compliance with the SFWMD permit. (PREM) District 2 (HJF)

7. **Staff recommends motion to approve:** a Standard License Agreement in favor of Thalle Construction Company, Inc. (Thalle) for the placement of temporary storm water discharge pipes and a staging area for construction materials within the County's Paul Rardin Park. **SUMMARY:** Paul Rardin Park is located at 460 State Road 715 in Pahokee. The U.S. Army Corps of Engineers (USACE) is replacing a water control structure adjacent to the park as part of the restoration of the Herbert Hoover Dike. Thalle was awarded the construction project. On July 22, 2014, (R2014-104), the Board approved a License Agreement allowing Thalle to use part of the Park for the placement of a temporary above ground storm water discharge pipes and the staging of construction materials for the project. The existing License Agreement will expire on November 5, 2015. Thalle's project has been extended by the USACE and Thalle is requesting continued use of the Park for an additional 13 months until December 20, 2016. The license area is 34,000 square feet or .78 of an acre. The County may terminate the License Agreement at any time. The restoration of the Herbert Hoover Dike is in the best interest of the community's safety and welfare. The construction project is federally funded and any charge for the license would be passed through to the USACE. Therefore, this License Agreement is being granted at no charge. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to delegate:** authority to the County Administrator, or her designee, to sign State required Administrative Closeout Reports (Form SC-62) for the Florida Community Development Block Grant (CDBG) Disaster Recovery Initiative (DRI) Programs. **SUMMARY:** Palm Beach County received allocations of DRI Program funding totaling \$42,660,426.27 from the Florida Department of Economic Opportunity (DEO), including: \$14,361,389.50 under DRI2 Contract No. 07-DB-3V-10-60-01-Z07 (R2007-1027, as last amended by R2015-1022); \$19,568,569.00 under DRI3 Contract No. 08DB-D3-10-60-01-A07 (R2008-1312, as last amended by R2015-1023); \$6,533,405.00 under DRI4 Contract No. 10DB-K4-10-60-01-K29 (R2010-1411, as last amended by R2014-1181); and \$2,197,062.77 under DRI5 Contract No. 12DB-P5-10-60-01-K43 (R2012-1005, as last amended by R2015-1024). The DRI Program served priority community disaster recovery and mitigation needs countywide. Infrastructure and public facility accomplishments included the construction or rehabilitation of 21 drainage and roadway projects, 17 water and sewer projects, and six community facilities. Housing accomplishments included the demolition of 206 dilapidated housing units, new construction of 54 housing units, rehabilitation of 216 single-family housing units, and the rehabilitation of 1,681 multi-family housing units. All together, these projects are benefitting over 118,000 Palm Beach County residents. The County is required to submit an Administrative Closeout Report for each DRI grant. These Reports are due to DEO no later than October 15, 2015. Approval of this item will delegate signatory authority to the County Administrator, or her designee, to execute the Reports in order to facilitate submittal to DEO by the deadline. (Strategic Planning Section) Countywide (JB)

2. **Staff recommends motion to approve:** an Agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$50,000 for the period October 1, 2015 to September 30, 2016. **SUMMARY:** This Agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program, which is entering its 20th year of operation. The Program continues to support the development of the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. This funding will assist in the planning, facilitation and execution of all aspects in the production of the largest film competition and live awards ceremony within the State of Florida, the 2016 Student Showcase of Films (SSOF). The SSOF honors Florida high school and college student filmmakers and celebrates the artistic successes they have achieved in this field. **This funding is projected to have a one year Economic Sustainability Impact of \$179,300. These are County Ad Valorem funds.** (DES Contract Development) Countywide (JB)

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida, changing the street name of Process Drive to Weisman Way located in the unincorporated portions of Sections 31 and 32, Township 43, and Range 42, West Palm Beach. **SUMMARY:** The Board of County Commissioners (BCC) requested a street name change from Process Drive to Weisman Way in honor of retiring County Administrator, Robert Weisman. Upon receiving a copy of the approved Resolution, PZ&B Staff will implement the name change by notifying appropriate parties and agencies. Staff is also coordinating with the Village of Royal Palm Beach to have them change the name for that portion of the road within the Village boundaries. District 6 (RB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a Federal Cost Sharing Agreement with the Department of the Army, represented by the U.S. Army Engineer, Jacksonville District (Government), in the projected amount of \$800,000 that includes the County's share of \$400,000 to cover the costs of an environmental restoration project feasibility study to begin upon execution and end upon Government approval of the decision document; and

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

SUMMARY: This projected \$800,000 Agreement will provide funding for a feasibility study to identify environmental restoration projects within the Lake Worth Lagoon that, upon study acceptance, would be eligible for \$10,000,000 in Federal project construction dollars. The County will be responsible for 50% (\$400,000) of the costs that will include in-kind contributions of up to \$350,000 and Manatee Protection Funds of \$50,000. Countywide (SF)

2. Staff recommends motion to adopt: a Resolution dedicating the 562-acre Winding Waters Natural Area in honor of Mr. Richard E. Walesky's instrumental role in establishing the County's environmentally sensitive lands program and his years of dedicated service to the County. **SUMMARY:** In recognition of Mr. Richard E. Walesky's 24 years of excellent service as the Director of Palm Beach County's Department of Environmental Resources Management from its inception in 1987 until his retirement in 2011, and for his passionate support of the land and water resources of Palm Beach County, the County wishes to express its appreciation to Mr. Walesky by dedicating the Winding Waters Natural Area in his honor. District 7 (SF)

M. PARKS & RECREATION

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

A) Shelly Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period of August 29, 2015, through September 29, 2015.

B) Palm Beach County Officials Association, West Boynton Recreation Center, for the period of September 5, 2015, through September 26, 2015.

C) Kidding Around Yoga of the Palm Beaches, LLC, West Jupiter Recreation Center, for the period of August 5, 2015, through September 30, 2015.

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

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted by the Board to receive and file. Districts 1 & 3 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: one fully executed License Agreement for Training at the Palm Beach County Fire Rescue Regional Training Center with the City of Greenacres, for the City's use of the training center, for the period August 28, 2015, through August 27, 2020. **SUMMARY:** On July 22, 2014, the Board adopted Resolution No. R2014-1065, which authorized the County Administrator, or his designee (Fire Rescue Administrator) to execute a standard license agreement for up to a five year term, with outside fire rescue/public safety agencies and other authorized entities, providing them with access to the Regional Training Center to conduct training activities and events for public safety personnel. The Licensee is responsible for the payment of applicable user fees. Pursuant to Countywide PPM CW-O-051, one fully executed License Agreement is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

2. Staff recommends motion to approve: Interlocal Agreement for Fire/Rescue MSTU CRA Exemption with the Town of Lake Park to exempt the Fire/Rescue MSTU from the Lake Park CRA. **SUMMARY:** The Fire/Rescue Municipal Service Taxing Unit (MSTU) encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within the municipal boundaries of municipalities that have opted to join the MSTU. The County currently provides fire-rescue services to the Town of Lake Park (Town) through an interlocal agreement (R2002-0993), at a rate established by the Agreement. In September 2014, the Town approved an ordinance to opt into the Fire/Rescue MSTU as a method to receive and pay for fire-rescue services from the County. Fire Rescue services to the Town funded through the MSTU beginning October 1, 2015. This Agreement exempts the Fire/Rescue MSTU from any payment of tax increment funds to the Lake Park Community Redevelopment Agency (CRA). Inclusion of the Town in the Fire/Rescue MSTU will not change the amount of revenue received from the Town for fire-rescue services. Districts 1 & 7 (SB)

T. HEALTH DEPARTMENT

1. Staff recommends motion to:
 - A) **adopt** a Resolution authorizing the Department of Health Palm Beach County (DOH PBC), Division of Environmental Public Health, Air Pollution Control Section to utilize funds from the Pollution Recovery Trust Fund (PRTF) for the purpose of purchasing a shelter for ambient air monitoring; and
 - B) **approve** a Budget Transfer of \$60,000 from PRTF Reserves to the Department of Health Palm Beach County for ambient air monitoring.

SUMMARY: This Resolution authorizes the transfer of \$60,000 from the Pollution Recovery Trust Fund to the Department of Health Palm Beach County for purchasing a shelter for ambient air monitoring. Countywide (HH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) rescind the Interlocal Agreement (R2010-0929), dated June 8, 2010;

B) approve the Interlocal Agreement for network services with Seacoast Utility Authority (SUA) for a revised annual revenue total of \$2,400; and

C) authorize the County Administrator or designee, ISS Director, to approve and execute Task Orders associated with these services, up to a maximum dollar value of \$50,000 per Task Order.

SUMMARY: The SUA has an existing network services agreement with Palm Beach County (R2010-0929). This Interlocal Agreement has been revised to include current contract standards, reduce the network bandwidth rate at their Palm Beach Gardens location, and include an additional Exhibit B for WiMAX antenna placements on their communication towers in exchange for WiMAX network services at SUA remote locations. This Interlocal Agreement takes effect on October 1, 2015 for an initial term of one year with automatic one-year renewals unless notice is given by either party; and will decrease revenues in FY 2016 and succeeding fiscal years by \$6,000 due to their bandwidth rate reduction per the new fee structure which will take effect October 1, 2015. The Florida LambdaRail LLC waived their monthly fee on 9/21/2011 and has approved connection of SUA to the Florida LambdaRail. District 1 (PFK)

2. Staff recommends motion to:

A) approve electronic submittal of a grant application and associated documents to the U.S. Geological Survey (USGS) for a 3D Elevation Mapping Program (3DEP) Grant No. G15PS00558 in the amount of \$228,000 with a local match of \$342,000 for a total project cost of \$570,000 expected to begin January 2016 and end December 31, 2017;

B) adopt a Resolution permitting the County to advance funding to USGS to initiate the mapping if Palm Beach County is awarded the grant; and

C) authorize the County Administrator or her designee, ISS Director, to approve the grant agreement from USGS.

SUMMARY: The USGS has published a Broad Agency Announcement for the 3DEP grant program which will fund awarded projects to acquire Light Detection and Ranging (LiDAR) mapping for critically targeted geographic areas that have been identified by multiple federal agencies. These agencies have identified southern coastal areas as a priority, as well as locations without LiDAR coverage, or where existing data are eight years or older. Palm Beach County fits these criteria. The LiDAR data will be used to assist with the FEMA corrected flood maps. The LiDAR base data has value for developing additional products via Task Orders for many other uses across several departments and agencies. Staff is exploring cost-sharing partnerships where at least two entities have expressed an interest in participating in the grant application. The total project amount is \$570,000 of which the local match for the 3DEP grant, if awarded, is estimated to be 60% or \$342,000. The grant funding if awarded will go to USGS. We hope to lower the County's obligation by entering into interlocal agreements with other local entities. SFWMD has agreed to contribute \$81,000 upon receipt of the deliverable. A Resolution is provided to enable the County to advance funding to the USGS under this grant. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file:

A) the executed agreement for Psychological or Expert Witness Professional Services in Adult and Juvenile Criminal Matters with the Fifteenth Judicial Circuit for the period of July 1, 2015 to June 30, 2017; and

B) the executed agreement for Expert Psychological or Professional Services in Guardianship/ Examining Committee Matters with the Fifteenth Judicial Circuit for the period of July 1, 2015 to June 30, 2017.

SUMMARY: The Court has contracted with the Division of Justice Services to provide court ordered forensic evaluations and testimony through Justice Services' Court Psychology Office. Seniors, adults, teens, and children throughout the county are directed to the Court Psychology office with the appropriate court order, outlining which specific evaluation is required. The scope of services provided in each agreement includes competency and psychological evaluations for adult and juvenile criminal matters, psychological evaluations for child welfare and family court cases, and appointment as an examining committee member relating to guardianship matters. These agreements compensate the County Court Psychology office for the contractual services provided to the Fifteenth Judicial Circuit. R-2005-0792 authorizes the County Administrator or her designee to sign agreements to provide psychological services to the Fifteenth Judicial Circuit Court. Countywide (JB)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. Staff recommends motion to approve:

A) Selection of Solstice Benefits; Inc. as the provider for the County’s multiple option, employee paid, dental insurance program beginning January 1, 2016 (RFP No. 15-067/SC); and

B) Contract with Solstice Benefits, Inc. to provide fully insured, employee-paid dental plans for the period January 1, 2016, through December 31, 2018, with guaranteed rates for three years and two annual options to renew.

SUMMARY: Following an unacceptable renewal quote which included a 45% premium hike for both Dental Preferred Provider Organization (PPO) plans from incumbent carrier United HealthCare, a Request for Proposals was issued for a replacement voluntary (employee pay-all) multiple option dental insurance program for County employees and their eligible dependents. Responses from seven responsive carriers were evaluated by a five member selection committee. All responsive companies offered dental plans at comparable levels of benefits and associated rates, but Solstice Benefits, Inc. offered the most comprehensive coverage at the most competitive rates, reducing the PPO renewal rates from a 45% increase to a 19.5% increase. A unanimous vote of the selection committee ranked Solstice Benefits, Inc. as the chosen provider. Solstice Benefits, Inc. is the current provider of the “open access” Dental Health Maintenance Organization (DHMO), which was proposed at a 1% decrease in premium over the expiring plan. The majority of employees are currently participating in the DHMO plan. The plans recommended for approval include coverage for additional procedures. In addition to the employees of Palm Beach County Board of County Commissioners, the employees of Palm Tran, Inc. and the Supervisor of Elections will also be eligible to participate in these plans pursuant to the provisions of Interlocal Agreement R2002-2287. Countywide (HH)

2. Staff recommends motion to approve: the purchase of airport liability insurance, for the period October 10, 2015, through October 10, 2016; to be purchased through the County’s contracted broker, Arthur J. Gallagher & Co. for a total not to exceed cost of \$115,785. **SUMMARY:** The total cost of \$115,785 for airport liability insurance represents an increase of approximately 6% over the expiring premium of \$108,606, but allows the County to increase the liability limits from \$150,000,000 to \$200,000,000. Overall, the aviation insurance market remains stable and the County’s proactive approach to controlling losses continues to keep premiums very reasonable for an agency of this size. For these reasons, we were able to secure additional coverage limits with only a slight increase in premium. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDITOR

1. Staff recommends motion to:

A) reappoint Nam H. Nguyen to Seat 4 on the Internal Audit Committee; and

B) appoint Roger A. Strout to Seat 3 on the Internal Audit Committee to replace Mark Burger who resigned from the Committee.

SUMMARY: Mr. Nguyen was originally appointed to the Internal Audit Committee in August 2010. His current term expired September 30, 2015. His new term will expire September 30, 2018. Mr. Strout is currently serving as the Alternate member for the Committee. He was appointed in October 2014. Current Board policy is to promote the Alternate member to fill any vacancy left by a member whose term expires or who resigns. Since Mr. Burger's term expired September 30, 2015, Mr. Strout would serve a three year term in Seat 3 ending September 30, 2018. The Internal Audit Committee unanimously recommended these actions at its September 16, 2015. Countywide (PFK)

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

A. 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)

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5. REGULAR AGENDA

A. ADMINISTRATION

TIME CERTAIN 11:00A.M.

1. [Palm Beach Juvenile Correctional Facility](#) – Discussion with Christina K. Daly, Secretary, Florida Department of Juvenile Justice. **SUMMARY:** At the request of the Board of County Commissioners, Secretary Daly has agreed to appear before the Board to answer questions related to recent events and management of the Palm Beach Juvenile Correctional Facility.

B. COMMUNITY SERVICES

1. **REVISED BACKUP:** [Staff recommends motion to approve:](#) the Hunger Relief Strategic Plan for Palm Beach County. **SUMMARY:** The Hunger Relief Plan is a strategic planning document containing specific goals, objectives, tactics, strategies, measurements and outcomes designed to address hunger in Palm Beach County. The plan was developed by the Food Research and Action Center (FRAC) with support from the University of South Carolina Center for Nutrition and Research in Health Disparities (USC). FRAC and USC gathered community input through an online survey responded to by 151 people, and conducted twenty one-on-one stakeholder interviews and ten one-on-one interviews with people struggling with hunger. They held ten focus groups around the topics of Children Prenatal to Age Four; School Age Children; Household and Family Crisis; Older Adults; Food Pantries; Infrastructure and Systems; Funders; and Business. The impetus for this Plan is the desire for new strategies and coordination to relieve and prevent hunger. Funding is included in the FY 2016 FAA Budget to support implementation of the plan. Projects or programs that may require funding in future budget years will be presented to the Board on a case-by-case basis and/or included in annual budget requests. Countywide (HH)

5. REGULAR AGENDA

C. COUNTY ATTORNEY

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 20, 2015 at 9:30 A.M.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing the “Home Caregiver Ordinance”; providing for a title; providing for applicability; providing for definitions; providing for licensing; providing for disqualifications; providing for administrative appeal; providing for enforcement; providing for penalties; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners directed staff to work with the Palm Beach County Sheriff’s Office in researching an ordinance requiring licensure and fingerprinting of home caregivers. This Ordinance will require licensure of those who qualify as “Home Caregivers” under the Ordinance, by the County’s Department of Public Safety, Consumer Affairs Division. The Ordinance will be enforced primarily by the Palm Beach County Sheriff’s Office. Countywide (HH)

2. Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 20 at 9:30 A.M.: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing the “Civil Citation for Small Quantity Marijuana Possession Ordinance”; providing for a title; providing for applicability; providing for definitions; providing for civil citation for certain misdemeanor violations; providing for civil penalties and enforcement; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners directed staff to research whether Palm Beach County could enact an ordinance similar to those being considered by other local jurisdictions, including Miami-Dade County and West Palm Beach, which provide an alternative penalty for the possession of small amounts of marijuana and/or marijuana drug paraphernalia. This ordinance allows law enforcement the alternative of issuing a civil citation and imposing a civil fine of \$100 on any person, 18 years of age or older, who possesses 20 grams or less of marijuana and/or marijuana drug paraphernalia. Countywide (HH)

5. REGULAR AGENDA

D. ENGINEERING & PUBLIC WORKS

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

~~A) adopt a Resolution to approve a Traffic Signal Maintenance and Compensation Agreement (Agreement) with the Florida Department of Transportation (FDOT);~~

~~B) approve the addition of four positions for FY 2016 to the complement of the Traffic Engineering Division of the Engineering and Public Works Department (Complement) as follows: two Trades Crew Chiefs (Pay Grade 31); one Traffic Signal Servicer (Pay Grade 20); and one Technical Aide (Pay Grade 19), at an annual cost of \$239,289;~~

~~C) approve in the FY 2016 budget the addition of two utility vehicles at a total cost of \$126,870, and an increase of \$263,564 in the associated line items for the additional related materials and equipment;~~

~~D) approve a Budget Amendment of \$629,723 in the County Transportation Trust Fund to recognize the additional revenue from FDOT and appropriate it to the Traffic Division;~~

~~E) conceptually approve the addition of three positions for FY 2017 to the Complement as follows: one Traffic Signal Technician II (Pay Grade 28); one Senior Network Administrator (Pay Grade 40); and one Technical Assistant III (Pay Grade 30), at an annual cost of \$213,958;~~

~~F) conceptually approve in the FY 2017 budget the addition of three 35' bucket trucks at a total cost of \$300,135, and an increase of \$330,529 in the associated line items for the additional related materials and equipment;~~

~~G) conceptually approve the addition of one Traffic Signal Technician II (Pay Grade 28) position for FY 2018 to the Complement at an annual cost of \$63,105;~~

~~H) conceptually approve in the FY 2018 budget the addition of one 35' bucket truck at a total cost of \$100,045, and an increase of \$136,985 in the associated line items for the additional related materials and equipment; and~~

~~I) conceptually approve in the FY 2019 budget an increase of \$100,045 in the associated line items for the additional maintenance related materials and equipment.~~

SUMMARY: Approval of this Agreement will provide compensation for the maintenance and continuous operations of traffic signals, interconnected and monitored traffic signals, traffic signal systems, control devices, emergency/fire department signals and the payment of electricity. The current agreement does not have any defined performance measures and/or requirements. The new Agreement includes detailed maintenance and operations requirements with defined performance measures, including the forfeiture of compensation if the performance measures are not met. To meet the new performance measures additional staff, equipment, and materials are required. Under the existing agreement, FDOT currently reimburses Palm Beach County (County) \$892,557 annually. Based on the Agreement, the County will receive an estimated \$1,522,280 in FDOT FY 2015/16 and \$2,240,032 in FDOT FY 2016/17. The annual increase over two years is approximately \$1,388,712. Countywide (MRE)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution finding that the Second Amendment to Concessionaire Service Agreement (R2010-1408) with DH2, Inc. for the operation of food and beverage services at Osprey Point Golf Course in South County Regional Park for \$30,000/year is in the best interest of the County; and

B) approve a Second Amendment to Concessionaire Service Agreement (R2010-1408) with DH2, Inc.

SUMMARY: On September 14, 2010, the Board awarded the Concessionaire Service Agreement (R2010-1408) to DH2, Inc. for the use of a 183 SF snack bar/exterior patio area at the Osprey Point Golf Course Clubhouse and for the operation of mobile food and beverage carts on the golf course located in South County Regional Park, Boca Raton. The three year initial term commenced on November 5, 2010, and included two one-year extension options. Both extension options were exercised and the current term will expire on November 4, 2015. A new full service restaurant building is expected to be constructed and be operational in August 2016, at which time a new RFP will be issued. This Amendment will: i) approve a nine month extension of the Term of the Agreement without competitive bid and may be extended on a month to month basis to coincide with completion of construction; ii) increase the Guarantee Annual Rent from \$17,019 to \$30,000; iii) delete the per round fee; iv) add the use of an outside grill, the sale of liquor, and the provision of paper cups; v) modify the dress uniform; vi) incorporate certain standard contract provisions required by the County; and vii) reduce the notice of termination from ninety days to thirty days by either party. Parks will continue to have administrative responsibility for this Agreement. (PREM) District 5 (HJF)

5. REGULAR AGENDA

F. RISK MANAGEMENT

1. Staff recommends motion to approve:

A) Fourth annual option to renew the Administrative Services Only (ASO) Agreement (R2011-1667) dated October 31, 2011, with CIGNA Health and Life Insurance Company (CHLIC) for claims administration services for the County's self-funded HMO and POS health insurance plans for the period January 1, 2016, through December 31, 2016; and

B) CHLIC's proposed administrative fees, access fees and specific stop loss premiums estimated at \$2,193,381 for plan year 2016; and

C) the actuarial rates per coverage tier for plan year 2016; and

D) 2016 plan year continuation of wellness program cash incentives in the amount of \$25 for completion of the online Health Risk Assessment (HRA) and \$25 for participation in an onsite biometric screening; and

E) increases to certain copayments and rate contributions paid by employees for themselves and their eligible dependents for plan year 2016.

SUMMARY: Staff recommends Board approval to renew the ASO Agreement with CHLIC for the period January 1, 2016, through December 31, 2016 on behalf of the employees of the Board of County Commissioners (Board), Supervisor of Elections, and Palm Tran, Inc. (collectively participating in the plan through the provisions of Interlocal Agreement R2002-2287). For plan year 2016, projected premiums for the County's self-funded health plans reflect an increase in employee cost sharing for monthly premiums, as well as an increase in the Board's level of funding in the amounts of \$1,246,112 and \$7,415,359 respectively. The funding level reflects additional savings in the amount of \$1,939,144 through certain copayment increases in the prescription drug, emergency room, and inpatient benefits under the plan, as these are significant cost drivers. The recommended increases are necessary following a sustained period of adverse claim experience. To fund estimated claims and associated costs and meet the Office of Insurance Regulation's "safe harbor" surplus threshold for a self-insured plan, the 2016 funding rates reflect an increase of 14.65% over the expiring rates, which have not been increased since plan year 2011. Included within this amount is a flat renewal of \$2,193,381 in administrative and stop-loss insurance costs for the contract with CHLIC, \$63,537,077 in expected claims, and \$266,604 in taxes/fees mandated by the Affordable Care Act (ACA). In addition to the flat renewal with CHLIC, staff has also negotiated a \$75,000 contribution for wellness initiatives, representing a \$25,000 increase over the expiring year. Recommended copayment and premium increases have been bargained and tentatively agreed to by the CWA collective bargaining unit, with the ratification vote scheduled for October 14, 2015. Countywide (HH)

5. REGULAR AGENDA

G. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** Option to renew the Agreement with Ovations Food Services, L.P. d/b/a Spectra Food Services and Hospitality (Spectra), a limited partnership organized under the laws of the Commonwealth of Pennsylvania, for the provision of Food and Beverage Operations Services at the Palm Beach County Convention Center, from October 1, 2015, through September 30, 2020, a term of five years in the amount of \$50,000 for an annual management fee adjusted for CPI and seven percent (7%) of net profit with the opportunity to earn an incentive fee. County will receive 93% of net profit for the food and beverage operations of the convention center. **SUMMARY:** The food and beverage operations at the Convention Center is currently managed by Spectra, pursuant to the terms of the Operating Agreement (R2010-0965). This Agreement provides Spectra to have authority over day to day operations and marketing food and beverage services at the Convention Center. Under the Agreement Spectra shall receive an annual fixed management fee of \$50,000 paid monthly, seven (7%) of Net Profits and an opportunity to earn an incentive fee of up to 1% of gross sales in an amount of up to \$2.5 Million and up to 2% of the incremental difference over \$2.5 Million of gross sales not to exceed \$4 Million, if key performances measures are met in the areas of financial, marketing, sales, and customer service. The County will receive 93% of net profit of the food and beverage operations of the convention center with a revised sponsorship/rebate incentive program. In addition, the Agreement includes change for non-discrimination to comply with county policy and adds an Exhibit "H"- Non Discrimination to the contract. The Agreement will be retroactive beginning October 1, 2015. The Tourist Development Council Board has approved the contract extension for five years. (TDC) Countywide (DW)

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OCTOBER 6, 2015

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 6, 2015

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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OCTOBER 6, 2015

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

OCTOBER 6, 2015

9. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA, MAYOR

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

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

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

10. ADJOURNMENT

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