

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 22, 2016

| <u>PAGE</u> | <u>ITEM</u> | |
|-------------|-------------|---|
| 19 | 3I-4 | <u>DELETED:</u> Staff recommends motion to approve: technical revisions to the Three Year Local Housing Assistance Plans (LHAP) for Fiscal Years 2014, 2015 and 2016. (DES) (Further staff review) |
| 27 | 3M-1 | <u>REVISED SUMMARY:</u> Staff recommends motion to approve: Budget Transfer of \$124,797 within the 2003 \$25 Million General Obligation Recreational and Cultural Facilities Bond Fund from Reserves to the John Prince Park Phase IV Mound Circle Redevelopment project. SUMMARY: This budget transfer will provide additional funding necessary for the John Prince Park Phase IV 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, parking and landscaping. Funding for this Budget Transfer is from the 2003 \$25 Million General Obligation Recreational and Cultural Facilities Bond Fund reserves. <u>Reserve funding was accumulated through interest and residual balances from completed bond projects in this fund. This Budget Transfer will exhaust all remaining reserves in this bond fund. District 3 (AH) (Parks)</u> |
| 30 | 3N-1 | <u>DELETED:</u> Staff recommends motion to: A) receive and file Grant Agreement in the amount of \$1,227,733 awarded by the Florida Department of State, Division of Library and Information Services for FY 2016 State Aid to Libraries; and...(Library) (State changing Agreement amount) |
| 36 | 5B-2 | <u>ADD-ON:</u> Staff recommends motion to authorize: the County Administrator or her designee to execute a funding agreement with the Palm Beach International Agricultural Summit, Inc., a not-for-profit corporation, in the amount of \$15,000, and to provide in-kind services in a value not to exceed \$10,000, in support of the Palm Beach International Agricultural Summit to be held on Wednesday, May 4, 2016, at the Palm Beach County Convention Center. SUMMARY: This authorization will allow the County Administrator or her designee to enter into a funding agreement providing financial support and in-kind services for a Summit designed to inform and educate the business community and public on the scope and impact of agricultural production in Palm Beach County. The focus of the Summit is the business of modern agriculture and its role in advancing our food security, quality of life, and economy. The Summit, hosted by the Economic Council and the Florida Chamber Foundation, will include an agro-business expo and presentations by a variety of industry leaders and officials including Adam Putnam, Florida's Commissioner of Agriculture and Consumer Services. The financial payment and in-kind services will be used to off-set Summit expenses. In-kind support provided by the County is expected to include printing, graphics and video production services. <u>Countywide (AH) (Admin)</u> |

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**

MARCH 22, 2016

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
- 3. CONSENT AGENDA (Pages 7 - 33)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 34 - 35)**
- 5. REGULAR AGENDA (Pages 36 - 39)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 40)**
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- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.
- 3B-5 List of Finance Department records scheduled for destruction

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** Contract with Bill McDonald in an amount not to exceed \$5,000 for the implementation of the Abundant Community Initiative Pilot Project in the Plantation Community 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 Pilot Project in the Plantation Community 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 skills, abilities and gifts within the neighborhood, and facilitating the formation of associations within the neighborhood. Staff has selected and is recommending a Neighborhood Coordinator to work in the Plantation CCRT community, and is now presenting the contract to the BCC for execution. This Contract begins March 23, 2016 and ends January 31, 2017. District 2 (AH)

B. CLERK & COMPTROLLER

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

| <u>Meeting Type</u> | <u>Meeting Date</u> |
|---------------------|---------------------|
| Comprehensive Plan | October 26, 2015 |
| Zoning | December 3, 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 September 2015. Countywide
5. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services [Ch. 28.30, Ch. 28.31, Ch. 257.36(6)]. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** a Resolution to authorize the removal of Corbett Road from courtesy maintenance, as accepted by Palm Beach County (County) on March 14, 1972. **SUMMARY:** Adoption of this Resolution will discontinue courtesy maintenance of the 15 foot wide Corbett Road accepted by the County on March 14, 1972. Corbett Road was originally a 15 foot wide graded shell rock access road along the south side of the Lake Worth Drainage District Lateral 15 Canal right-of-way from South Haverhill Road east to South Military Trail. The road has changed over the years and no longer requires courtesy maintenance from the County. District 3 (MRE)

2. **DELETED**

3. **Staff recommends motion to approve:** a Contract with Rosso Site Development, Inc. (Rosso) in the amount of \$4,307,307.30 for the construction of Lyons Road from Lantana Road to north of the Lake Worth Drainage District L-14 Canal (Project). **SUMMARY:** Approval of this Contract will allow Palm Beach County to issue a notice to proceed to Rosso, a Palm Beach County company, to begin construction of the Project. The Palm Beach County Small Business Enterprise (SBE) goal for all projects is 15% overall. The SBE participation proposed for the Project by Rosso is 57.37%. Districts 3 & 6 (MRE)

4. **Staff recommends motion to approve:**
 - A)** a Contract with Civil Design, Inc. (CDI), to provide the necessary professional services for civil engineering on a task order basis, for Palm Beach County-wide (County) projects, as required;

 - B)** a Contract with Michael B. Schorah & Associates, Inc. (MBS), to provide the necessary professional services for civil engineering on a task order basis, for County projects, as required; and

 - C)** a Contract with Mock, Roos & Associates, Inc. (MRA), to provide the necessary professional services for civil engineering on a task order basis, for County projects, as required.

SUMMARY: Approval of these contracts will provide the necessary professional services for civil engineering throughout the County for all user departments. At the option of the County, these contracts may be renewed annually for a period of one year, with a maximum of two renewals. CDI, MBS and MRA are Palm Beach County companies and are all certified Small Business Enterprises. Countywide (MRE)

5. **Staff recommends motion to approve:** a Task Order to the annual contract, R2014-0892, in the amount of \$134,619.13, with HSQ Group, Inc. (HSQ), for professional services for the Congress Avenue over West Palm Beach "F" Canal from north of Okeechobee Boulevard to Ware Drive (Bridge Replacement – Culvert) 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%. HSQ committed to 80% SBE participation for this Project and has proposed 100% SBE participation for this Task Order. HSQ is a Palm Beach County company and is a certified SBE. District 7 (MRE)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. DELETED

7. [Staff recommends motion to approve:](#) a Contract with Stantec Consulting Services, Inc. (SCS), in the amount of \$281,599.88, for professional services for the 6th Avenue South over Lake Osborne Drive Bridge Replacement project (Project). **SUMMARY:** Approval of this Contract will provide the professional services necessary to prepare a bridge replacement study for the Project. SCS has an office in Palm Beach County. The Small Business Enterprise (SBE) goal for the Project is 15%. SCS initially committed to 25% SBE participation for this Project, and has subsequently proposed a 25.56% SBE participation for this Contract, thus exceeding their original commitment. District 3 (MRE)

D. COUNTY ATTORNEY

1. [Staff recommends motion to approve:](#) the Stipulation and Agreement as full settlement in the Interpleader case of *Sharon R. Bock v. La Ronda, Inc., et al.*, Case No.: 502015CA005351XXXXMB. **SUMMARY:** This is an Interpleader action brought by the Clerk and Comptroller of Palm Beach County, Sharon R. Bock, following a tax deed sale of the property. As a result of the tax deed sale and this Interpleader action, surplus funds have been deposited into the registry of the Court. The Palm Beach County Department of Economic Sustainability has a mortgage on the subject property in the principal amount of \$150,000. The County will recover 100% of the principal amount of its Mortgage from these surplus funds and waive any interest with the approval of this settlement. District 6/Countywide (PM)

E. COMMUNITY SERVICES

1. [Staff recommends motion to receive and file:](#) Notice of Award No. 2 H89HA00034-23-00 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), for the budget period March 1, 2016, through February 28, 2017, in an amount not to exceed \$4,189,210 for new and existing programs to continue improving health outcomes for clients with HIV/AIDS. **SUMMARY:** On December 15, 2015, the Board of County Commissioners ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Grant Program Application (R2015-1754). A partial notice of award was received from the HRSA issuing a grant amount of \$4,189,210. This amount represents approximately 70% of what is expected to be the final award. These funds will provide for new programs and maintain all existing programs, increase funding for health insurance premiums, deductibles and co-payments. The grant will allow Community Services to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. No County match is required. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with Christians Reaching Out to Society, Inc., for the period October 1, 2015, through September 30, 2016, in an amount not to exceed \$50,000 to provide gleaning services. **SUMMARY:** Christians Reaching Out to Society, Inc. (CROS) will recruit and coordinate gleaning opportunities through local congregations, civic and non-profit agencies within the County to develop strong neighborhood relationships, opportunities and support systems. Gleaning is the gathering of excess produce after the fields have been harvested. The produce is distributed to homeless shelters, day care centers, senior centers, and emergency food pantries. This project is a collaboration between Palm Beach County, CROS and United Way to bring fresh produce into low-income neighborhoods as fresh fruit and vegetables are usually too expensive and/or of poor quality in these areas. The addition of these resources adds much needed nutrition to the diet and promotes health and wellness. No County funds are required. (Community Action Program) Countywide (HH)

3. **Staff recommends motion to ratify:** signature of the Mayor on Modification No. 5 to the Florida Department of Economic Opportunity Federally Funded Subgrant Agreement No. 15EA-0F-10-60-01-023 (R2015-0470), for the period April 1, 2015, through March 31, 2016, for a total amount not to exceed \$3,360,459 to reallocate Low Income Home Energy Assistance Program (LIHEAP) budget lines between service programs. **SUMMARY:** The purpose of this Modification is to reallocate Weather-Related funds to the Crisis Assistance and Home Energy budget line. LIHEAP dollars are reviewed throughout the contract year and reallocated to best fit the needs of the clients. The reallocation of LIHEAP funds in the amount of \$79,210 will enable Community Action Program to increase the Crisis Assistance and Home Energy budget line. These funds will be used to prevent service disconnection or restore electric services to an additional 600 low income Palm Beach County residents. This Modification does not change the total grant award amount of \$3,360,459. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. County funds are not required. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve: proposed seat change of one current member and one appointment to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of approximately three years effective March 22, 2016:

| <u>Current Seat No.</u> | <u>Proposed Seat No.</u> | <u>Appointment</u> | <u>Proposed Seat Requirement</u> | <u>Current Term Expires</u> |
|-------------------------|--------------------------|--------------------|---|-----------------------------|
| 33 | 10 | Thomas McKissack | Mental Health and/or Substance Abuse Provider | 11/14/2016 |
| <u>Seat No.</u> | | <u>Appointment</u> | <u>Seat Requirement</u> | <u>Term Expires</u> |
| 33 | | Stephanie Jordan | Representative of/or former Person Living with HIV/AIDS | 4/15/2019 |

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. Due to an effort to most accurately reflect mandatory requirements, a seat change for one current member is being recommended. Thomas McKissack is currently in Seat No. 33 – Representative of/or former Person Living with HIV/AIDS, but will be moved to Seat No. 10 – Mental Health and/or Substance Abuse Provider. Ms. Jordan has successfully completed the HIV CARE Council’s nomination process and the HIV CARE Council recommends her appointment. Ms. Jordan will complete the term of Thomas McKissack which expires on April 15, 2016 and will serve an additional term which will expire on April 15, 2019. Mr. McKissack has disclosed that he is employed by The Jerome Golden Center for Behavioral Health, 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 this contractual relationship is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Including the current request for appointment, the board makeup will consist of five Black females, three Black males, four White males, three White females, two Hispanic females, one Hispanic male and one Caribbean female. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) approve:

1. Amendment 001 to Standard Agreement IH015-9500 (R2015-1445) for Home Care for the Elderly (HCE) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2015, through June 30, 2016, to add, revise and amend portions of the standard agreement, to assist older adults and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care;
2. Amendment 001 to Standard Agreement IC015-9500 (R2015-1447) for Community Care for the Elderly (CCE) with AAA, for the period July 1, 2015, through June 30, 2016, to revise, remove, add and replace portions of the standard agreement and increase the overall total funding by \$78,788 for a new total agreement amount not to exceed \$1,447,241 to assist seniors and caregivers by providing in-home services to help seniors live independently;
3. Amendment 001 to Standard Agreement IZ015-9500 (R2015-1448) for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2015, through June 30, 2016, to revise, replace and add portions of the standard agreement and increase the overall total funding by \$50,615 for a new total agreement amount not to exceed \$748,319 to provide assistance to seniors and caregivers by ensuring that persons afflicted with Alzheimer's disease and other forms of dementia are given essential services to help them live independently in their own homes or in the homes of relatives/caregivers;
4. Amendment 001 to Standard Agreement No. IP015-9500 (R2015-1449) for Emergency Home Energy Assistance Program (EHEAP) with AAA for the period April 1, 2015, through March 31, 2016, to revise, add, renumber and replace portions of the standard agreement, to provide home energy assistance to seniors;
5. Standard Agreement No. IA016-9500 for Older Americans Act (OAA) with AAA, for the period January 1, 2016, through December 31, 2018, in an amount not to exceed \$1,832,943 for in-home and community based services; and
6. Budget Amendment of \$527,599 in the DOSS Administration Fund to align the budget to the actual grant award;

B) ratify the signature of the Mayor on the Adult Care Food Program (ACFP) Permanent Contract No. Y6119 with the Department of Elder Affairs (DOEA), for the period November 1, 2015, through October 31, 2016, to support the provision of nutritious meals and snacks to community based adults attending to adult day care centers.

SUMMARY: Grant adjustments are made during the contract year to align services with need. These amendments are necessary to incorporate changes made to the standard agreements. The OAA Standard Agreement No IA016-9500 allows DOSS to provide in-home and community based services to older adults, which are funded with \$1,962,346 in Federal and State of Florida funds and \$1,573,119 in County funds. Sufficient funding is included in the current budget to meet County obligations. ACFP provides meal reimbursements to adult day care centers. No County funds are required for this program. The emergency signature process was utilized because there was not sufficient time to submit the grant contract through the regular agenda item process and meet the submission deadline. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve:

A) Memorandum of Understanding with Nurse Assistant Training School, Inc. d/b/a Academy for Nursing and Health Occupations, for the period March 22, 2016, through March 21, 2019, to provide student interns with work training experience; and

B) Memorandum of Understanding (MOU) with Florida Atlantic University Board of Trustees, for the period March 22, 2016, through March 21, 2019, to provide student interns with work training experience.

SUMMARY: These MOUs will facilitate the utilization of student interns with an unpaid internship. The participants do not displace regular employees, but work with employees under close supervision to increase their employability skills. As a result of the MOUs, the County will use these volunteers to provide various program tasks. Student interns will be primarily placed in the Division of Senior Services Adult Day Care and Senior Centers. There is no cost to the County to participate in the program. (CSD) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to receive and file: License Agreement with Avis Rent A Car System, LLC, commencing December 9, 2015, and expiring on January 31, 2016, providing for the parking of vehicles in connection with Avis' car rental operations at the Palm Beach International Airport and the payment of license fees in the amount of \$5,500. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R2007-2070. Countywide (AH)

2. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,000,000 for Aircraft Rescue and Fire Fighting (ARFF) Facility improvements at Palm Beach International Airport (PBIA). This JPA will become effective upon final execution by the FDOT with an expiration date of April 30, 2018; and

B) approve a Budget Amendment of \$1,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$2,000,000; which includes a transfer from Reserves in the amount of \$1,000,000.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,000,000 or 50% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,200,000 for rehab Runway 17/35 and associated taxiways at Palm Beach County Glades Airport (Pahokee). This JPA will become effective upon final execution by the FDOT with an expiration date of April 30, 2018; and

B) approve a Budget Amendment of \$1,200,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$1,500,000; which includes a transfer from Reserves in the amount of \$300,000.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,200,000 or 80% of the eligible project costs, whichever is less. Countywide (AH)

4. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$868,219 for upgrade access roadway signage and landscaping at Palm Beach International Airport (PBIA). This JPA will become effective upon final execution by the FDOT with an expiration date of April 30, 2018; and

B) approve a Budget Amendment of \$868,219 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$1,736,438; which includes a transfer from Reserves in the amount of \$868,219.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$868,219 or 50% of the eligible project costs, whichever is less. Countywide (AH)

5. Staff recommends motion to:

A) adopt a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$800,000 for pavement rehabilitation at Palm Beach County Park Airport (Lantana). This JPA will become effective upon final execution by the FDOT with an expiration date of April 30, 2018; and

B) approve a Budget Amendment of \$800,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$1,000,000; which includes a transfer from Reserves in the amount of \$200,000.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$800,000 or 80% of the eligible project costs, whichever is less. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to receive and file:** Site Access Agreement with State of Florida, Department of Environmental Protection (FDEP), for FDEP to hire a Contractor to access Building 1334 and adjacent areas located at 1334 North Perimeter Road in West Palm Beach for environmental assessment of County-owned property pursuant to the FDEP Petroleum Restoration Program. **SUMMARY:** Delegation of authority for execution of the standard County Site Access Agreement above was approved by the Board of County Commissioners in R2015-1613. Countywide (AH)

7. **Staff recommends motion to receive and file:**
 - A) Site Access Agreement with State of Florida, Department of Environmental Protection (FDEP), for FDEP to hire a Contractor to access Building 504 located at 3323 Belvedere Road in West Palm Beach for environmental assessment of County-owned property pursuant to the FDEP Petroleum Restoration Program; and

 - B) Permission To Enter Property Entry Agreement with Creative Environmental Solutions, Inc. (FDEP's Contractor) to access Building 504 located at 3323 Belvedere Road in West Palm Beach for environmental assessment of County-owned property pursuant to the FDEP Petroleum Restoration Program.

SUMMARY: Delegation of authority for execution of the standard County Site Access Agreement and Permission To Enter Property Entry Agreement above was approved by the Board of County Commissioners in R2015-1613. Countywide (AH)

8. **Staff recommends motion to receive and file:** Non-Signatory Airline Agreement with Les Investissements Nolinor Inc., a Quebec Corporation, commencing January 30, 2016, and terminating September 30, 2016, with automatic October 1st to September 30th annual term renewals unless canceled. **SUMMARY:** Delegation of authority for execution of the standard County Non-Signatory Agreement above was approved by the Board of County Commissioners in R2014-1575. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to adopt:** a Resolution authorizing the execution of a Seventh Amendment to Loan Agreement in connection with the extension of the County's line of credit dated May 21, 2009 with Wells Fargo Bank, N.A., that satisfies the debt service reserve fund requirements for several of the County's outstanding bond issues; authorizing the execution of a separate Seventh Amendment to Loan Agreement in connection with the extension of the County's separate line of credit with Wells Fargo Bank N.A. (the Bank), dated June 4, 2009 that satisfies the debt service reserve fund requirements for several other County bond issues and providing an effective date. **SUMMARY:** Under the terms of the loan agreements, the County requested that the Bank extend the maturity date for each loan agreement. The Bank has agreed to extend the loan agreement for one year for one of the two bond issues remaining and the Bank has agreed to extend the loan agreement for three months for the other of the two remaining issues. One of the bond issues will mature in the beginning of the next fiscal year and the related letter of credit will no longer be needed after this fiscal year. The County will continue to pay an annual fee of .65% (\$35,403) for the remaining two letters of credit issued to satisfy the debt service reserve requirements under the loan agreements. Due to the one bond maturing, this amendment will decrease the annual cost approximately \$4,600. The County expects to continue to renew the one remaining loan agreement each year. The Bonds originally had debt service reserves that were funded by surety policies issued by municipal bond insurance companies. When those companies had their AAA rating downgraded below a level specified in the bond resolutions, the County had to replace the surety policies with letters of credit. The County's AAA bond rating enabled the replacement in an expedient manner at a time when it was difficult for governments with a lesser rating to borrow money. Countywide (PFK)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an Interlocal Agreement with the United States Department of Homeland Security, Immigration and Customs Enforcement (Participant) allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (System). **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Participant. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Participant is required to pay all costs associated with the Participant's subscriber units and to comply with the established operating procedures for the County's System. The Agreement provides for an initial term of five years with three renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (DC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to receive and file: a letter of termination of Interlocal Agreement R2014-1820 (Interlocal) with the City of Boynton Beach (City) for the City's P25 compliant radio system. **SUMMARY:** On December 2, 2014, the County and City entered into the Interlocal which established the terms and conditions pursuant to which the County would facilitate the migration of the City's P25 compliant radio system by: 1) working with County's consultant to develop a design criteria package for the City's Radio System; 2) including the specifications for the City Radio System in the County's Request for Proposals (RFP); 3) negotiating a statement of work for the City's system; and 4) utilizing the County's selected contractor to implement a City Radio System. Prior to the County commencing design and/or construction on behalf of the City, the City was required to issue a Radio System Election accepting the negotiated statement of work for the City Radio System and concurrently transferring, to the County, the funds for implementation of the City Radio System. On February 16, 2016, instead of utilizing the project management and funding approach detailed in the Interlocal, the City voted to finance the costs of the P25 system through Motorola; effectively terminating the Interlocal. As required by the Interlocal, all funds remaining from the City's initial fund transfer have been returned to the City. The termination of this Interlocal in no way impacts the end result of this partnership which has the City operating a P25 compliant system supported by the County's Master Site Equipment. (FDO Admin) Countywide (DC)

3. Staff recommends motion to:

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

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

SUMMARY: In September and December of 2015, the County acquired two parcels located within the municipal boundaries of the City of Belle Glade by Escheatment Tax Deed. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statute 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 maintenance responsibility and potential liability for occurrences on the property. The County will retain mineral and petroleum rights in accordance with Florida Statute Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 6 (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 three parcels of surplus property to the City of Pahokee without charge pursuant to Florida Statute 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 Pahokee.

SUMMARY: In September 2015, the County acquired three parcels located within the municipal boundaries of the City of Pahokee by Escheatment Tax Deed. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statute 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 maintenance responsibility and potential liability for occurrences on the property. The County will retain mineral and petroleum rights in accordance with Florida Statute 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 approve: a First Amendment to Concessionaire Service Agreement (R2014-0359) with Loggerhead Marinelifelife Center, Inc. (LMC) for the continued management and operation of the Juno Beach Pier and concession building at an annual rate of \$43,264/year (\$3,605.33/month). **SUMMARY:** Since April 1, 2014, LMC has managed and operated the Juno Beach Pier and its concession building under the current Concessionaire Service Agreement (R2014-0359). The initial term of the Agreement was for two years expiring on March 31, 2016, with three one-year extension options. This First Amendment will extend the term of the Agreement for one year from April 1, 2016, through March 31, 2017, and also updates and adds various standard County provisions. The annual rent will increase by four percent (4%) from \$41,600 (\$3,466.67/month) to \$43,264 (\$3,605.33/month). The Board has no discretionary authority to deny the exercise of the renewal option; however, the Board may terminate the Agreement upon ninety days written notice. All other terms and conditions of the Agreement shall remain in full force and effect. Parks will continue to have administrative responsibility for this Agreement. (PREM) District 1 (HJF)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: an Agreement with the City of Riviera Beach in the amount of \$154,588 for the period of March 22, 2016, through July 31, 2017. **SUMMARY:** This Agreement provides \$154,588 in Community Development Block Grant (CDBG) funding for the installation of drainage improvements along West 18th, 19th, 20th, 21st and 22nd Streets in Riviera Beach. On July 21, 2015, the Board of County Commissioners approved the Fiscal Year 2015-2016 Action Plan (R2015-0939) which allocated \$154,588 for these drainage improvements. **This funding is projected to have a one year Economic Sustainability Impact of \$186,000. These are Federal CDBG funds which require no local match.** District 7 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. **Staff recommends motion to approve:** an Agreement with the Town of Lake Park in the amount of \$437,555 for the period of March 22, 2016, through July 31, 2017. **SUMMARY:** This Agreement provides \$437,555 in Community Development Block Grant (CDBG) funding for consulting services and park improvements at Lake Shore Park and Kelsey Park in the Town of Lake Park. On July 21, 2015, the Board of County Commissioners approved the Fiscal Year 2015-2016 Action Plan (R2015-0939) which allocated \$33,964 for these park improvements. The balance of \$403,591 in funding for these improvements from Fiscal Year 2013-2014 and Fiscal Year 2014-2015 CDBG funds was allocated on March 10, 2015 to the Town via a previous Agreement (R2015-0299). This Agreement terminates the previous Agreement and combines funds from three CDBG Fiscal Years. The previous Agreement is being terminated in order to consolidate funding into one agreement and in order to establish a combined scope of work for the project. The project design is 90% complete and construction will begin this summer following the procurement process. Work is expected to be completed by July 2017. **This funding is projected to have a one year Economic Sustainability Impact of \$778,540. These are Federal CDBG funds which require no local match.** District 1 (JB)

3. **Staff recommends motion to approve:** a Satisfaction of Mortgage and a Release of Restrictions in exchange for the receipt of \$67,156.81 in connection with the Abidjan Estates project as funded under the HOME Investment Partnerships Program (HOME). **SUMMARY:** On October 21, 2003, the County entered into a Conditional Grant Agreement (R2003-1632) with We Help Community Development Corporation (WHCDC) under which the County provided \$600,000 in HOME funds towards the acquisition of 73 acres of land for the Abidjan Estates mixed-use project in Belle Glade. The funds were secured by a Mortgage and Security Agreement (Mortgage) whose lien was later transferred to a 22 acre portion of the land where 76 affordable homes were to have been constructed. WHCDC's obligation for the development and affordability of these homes was secured by the lien of a Declaration of Restrictive Covenant (Declaration) in favor of the County. WHCDC constructed 12 homes, but was unable to meet its full obligation to the County and to its private lender due to the recession and subsequently went into foreclosure. The foreclosure did not include seven lots which WHCDC conveyed to its builder, 2SBW & Associates, Inc. (2SBW), in lieu of payment for outstanding construction costs. The County's encumbrance created by the Mortgage and the Declaration continues on the seven lots now owned by 2SBW who has proposed the \$67,156.81 payment in exchange for removal of the County's encumbrance. Staff recommends acceptance of this payment which is based on a per lot repayment of \$7,895 as established in the Promissory Note plus interest of \$1,698.83 per lot. **Federal HOME funds require a local match that is met from State SHIP funds.** District 6 (JB)

4. **DELETED: Staff recommends motion to approve:** ~~technical revisions to the Three Year Local Housing Assistance Plans (LHAP) for Fiscal Years 2014, 2015 and 2016.~~ **SUMMARY:** The LHAP was last approved by the Board of County Commissioners (BCC) on September 22, 2015, and allocated a total \$11,372,887 in State Housing Initiatives Partnership (SHIP) funds over a three year period. Staff is recommending two proposed revisions to the LHAP which include: 1) a change to the Purchase Assistance Program to allow an assisted homeowner who desires to relocate in Palm Beach County and who is unable to repay the SHIP loan, to transfer the loan to a newly acquired primary residence for the remaining affordability period to accommodate borrowers who need to relocate within Palm Beach County for any reason including changing family needs and; 2) a change to the Developer Assistance Rental Housing Program to allow more flexibility in the terms of a loan. **These are State SHIP funds which require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to approve:

A) First Amendment to Declaration of Restrictions with the Community Land Trust of Palm Beach County, Inc. (CLT), for the Davis Landings West (DLW) project;

B) Subordination Agreement with the Housing Finance Authority of Palm Beach County, Florida (HFA), in connection with its first mortgage loan to the CLT, for the DLW project; and

C) Delegation of authority to the County Administrator or her designee, to subordinate the Declaration of Restrictions, as amended, to future land leases entered into by the CLT with homeowners at DWL.

SUMMARY: On January 13, 2009, the County entered into an Agreement with the CLT under which the CLT received title to 7.29 acres of land located on Davis Road just south of Melaleuca Lane in unincorporated Palm Beach County. In exchange for the receipt of title to the land which was purchased with Federal Community Development Block Grant (CDBG) funds, the CLT executed a Declaration of Restrictions encumbering the property with certain restrictions requiring it to develop the property for affordable housing. The CLT has partially met its obligation by constructing 25 affordable rental units, known as Davis Landings, on the portion of the property east of Davis Road. The CLT has now secured up to \$3,885,000 in first mortgage financing from the HFA to construct 24 homes on the portion of the property west of Davis Road to be known as DLW. The County has also approved a loan of \$1,747,743 in subordinate financing for DLW under the Federal Home Investment Partnership (HOME) Program. Under the Declaration of Restrictions, the CLT was to have constructed these homes by December 31, 2012; however, the financial crisis delayed their efforts. The First Amendment to Declaration of Restrictions amends the aforesaid completion date to September 30, 2017, in light of the availability of HFA and HOME financing to enable the project to proceed. It also revises the end of the affordability period from December 31, 2042, to December 31, 2036, for homeowners who must be income approved by the County. The Subordination Agreement renders the County's lien on the western portion of the property as secured by the Declaration of Restrictions, and as amended by the First Amendment to Declaration of Restrictions, junior to the lien of the first mortgage to be held by the HFA.

The Subordination Agreement also contains language whereby the County would agree to not exercise its right to take title to the western portion of the property during the time the HFA first mortgage is in effect. Staff believes the temporary suspension of this right to title poses minimal risk to the County. The County's primary reason for having the right to require CLT's forfeiture of title is to ensure the construction of affordable housing units on the property. The HFA first mortgage financing, together with the financing being provided by the County, will enable the CLT to construct the affordable housing units. The Subordination Agreement will not encumber the portion of the property east of Davis Road, so the County will not be suspending its right to forfeiture as it pertains to the CLT's property east of Davis Road. Homes constructed at DLW will be sold pursuant to the CLT model under which the CLT leases the land of each home to the homeowner through a 99-year lease and sells the improvements. This approach renders the homes affordable since homeowners do not buy the land but rather make modest land lease payments while only financing the purchase of the improvements. Affordability is further enhanced through HOME Program subsidies. The Delegation of authority to the County Administrator or her designee, will permit the timely subordination of the Declaration of Restrictions, as amended, to the CLT's land lease as each home is sold and will allow the timely delivery of pertinent documents as closings are scheduled for the sale of these homes. **These are Federal CDBG grant funds which require no local match.**
District 3 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

6. **Staff recommends motion to approve:** Amendment No. 006 and Reinstatement of the Agreement (R2010-1752) with Word of Faith Community Development Corporation (WFCDC). **SUMMARY:** On October 19, 2010, the County entered into an Agreement (R2010-1752) with WFCDC which, after being amended, ultimately provided \$1,003,384.55 of Home Investment Partnership Program (HOME) funds for the acquisition and rehabilitation of five affordable housing properties. The properties were required to be sold to households whose incomes were no more than 80% of area median income. The affordable housing project was placed on hold in order to resolve certain issues, including resolution of a potential conflict of interest issue, and as a result the Agreement terminated on December 31, 2015, prior to completion of project activities under the Agreement. To date, WFCDC has acquired four homes of which two have been fully rehabilitated and two have been substantially rehabilitated. Both the County and WFCDC desire to reinstate the Agreement in order to complete the project in modified form. This Amendment reinstates the Agreement and extends the term to December 30, 2016, reduces the number of homes to be undertaken by WFCDC to four homes, and reduces the funding amount to \$800,000. The Amendment also incorporates changes made by the U.S. Department of Housing and Urban Development (HUD) to the HOME regulations in 2013. Authorization of the County Administrator, or designee, to execute any future amendments to the Agreement will help the County meet HUD expenditure deadlines affecting HOME funds. **These are Federal HOME funds which require a local match that is met from State SHIP funds.** Districts 2 & 7 (JB)

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** appointment of a new member to complete an unexpired term ending September 30, 2016 and begin a full three year term commencing October 1, 2016 and ending September 30, 2019 to the Construction Industry Licensing Board (CILB):

| <u>Appoint</u> | <u>Seat #</u> | <u>Requirement</u> | <u>Term</u> | <u>Nominated by</u> |
|----------------|---------------|--------------------|-----------------|---|
| James M. McKay | 12 | Architect Member | 3/22/16-9/30/19 | Commissioner Abrams Commissioner Burdick Vice Mayor 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 nomination for appointment of one new member is as follows: Mr. James M. McKay has been nominated by the American Institute of Architects, Palm Beach Chapter (AIA) to replace Ms. Vicki Soderlund, who has resigned. The nomination represents the seat for one Architect Member, 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 January 28, 2016; No other nominations were received. The CILB has fourteen member seats currently filled, and a diversity count of White: 11 (78.57%) Hispanic: 3 (21.43%). The gender ratio (male: female) is 14:0. Countywide (SF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 207 6th Street, West Palm Beach, (Commercial);

B) approve a restrictive covenant for 207 6th Street, West Palm Beach, (Commercial) requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

C) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 211 Plymouth Road, West Palm Beach (Residential);

D) approve a restrictive covenant for 211 Plymouth Road, West Palm Beach (Residential) requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

E) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 326 Fern Street, West Palm Beach, (Multi-Family Residential);

F) approve a restrictive covenant for 326 Fern Street, West Palm Beach, (Multi-Family Residential) requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

G) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 1118 Florida Avenue, West Palm Beach, (Residential);

H) approve a restrictive covenant for 1118 Florida Avenue, West Palm Beach (Residential) requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

I) adopt a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for 3231 Vincent Road, West Palm Beach, (Residential); and

J) approve a restrictive covenant for 3231 Vincent Road, West Palm Beach, (Residential) requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

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

Address: 207 6th Street. The property is privately owned for Commercial use.

Address: 211 Plymouth Road. The property is privately owned for Residential use.

Address: 326 Fern Street. The property is privately owned for Multi-Family use.

Address: 1118 Florida Ave. The property is privately owned for Residential use.

Address: 3231 Vincent Road. The property is privately owned for Residential use.

If granted, the tax exemptions will take effect January 1, 2016, and shall remain in effect for ten years, or until December 31, 2025. The exemptions will apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. Actual exemption amounts will be based upon the Countywide Millage Rate on a yearly basis. It is estimated that approximately \$36,694 tax dollars will be exempted annually based on the 2016 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 2 & 7 (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: a “Utility Design by FDOT Consultant Agreement” with the Florida Department of Transportation (FDOT) in the amount of \$58,077.17. **SUMMARY:** FDOT is proposing improvements to State Road 80 (Southern Boulevard) at Lyons Road/Sansbury’s Way. These improvements will necessitate the relocation of the existing 16" water main attached to the west side of the bridge located on Lyons Road over C-51 Canal, the existing 30" force main attached to the east side of the same bridge and the existing 4" force main located on the west side of Sansbury’s Way. In order to have the FDOT consultant design the relocation of the water and sewer mains and make the relocation part of the road improvement project, FDOT requires the Water Utilities Department (WUD) to enter into a “Utility Design by FDOT Consultant Agreement” to reimburse FDOT for the work in the amount of \$58,077.17. (WUD Project No.16-028) Districts 2 & 6 (MJ)

2. Staff recommends motion to receive and file: executed Agreements received during the months of November and December 2015:

A) Utility Concurrency Reservation Agreement with D.R. Horton, Inc., No. 01-01238-000 (District 6);

B) Standard Potable Water and Wastewater Development Agreement with JCL Management, LLC, No. 01-01236-000 (District 6) (OR BK 28015 PG 0724-0732);

C) Standard Potable Water Development Agreement with Kennedy Homes, LLC, No. 01-01237-000 (District 2) (OR BK 28015 PG 0733-0740);

D) Standard Potable Water and Wastewater Development Agreement with Herbert F. Kahlert and Thomas V. Daily, No. 02-01143-000 (District 6) (OR BK 28015 PG 0741-0751);

E) Standard Potable Water and Wastewater Development Agreement with The Treatment Center of the Palm Beaches, LLC, No. 02-01145-000 (District 3) (OR BK 28015 PG 0752-0760);

F) Standard Potable Water and Wastewater Development Agreement with The Place of Hope at the Haven Campus, Inc., No. 09-01074-000 (District 5) (OR BK 27957 PG 0386-0394);

G) Standard Potable Water and Wastewater Development Agreement with Toll FL I, LLC, No. 09-01075-000 (District 5) (OR BK 28015 PG 0761-0769); and

H) Indemnity Agreement between The Westcap Corporation and Palm Beach County, (District 2) (OR BK 27957 PG 0381-0385).

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 and are attached (to the Agenda 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 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 BCC to receive and file. (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve: a Partial Release of a Utility Easement over property owned by Military Self Storage, LLC (Property Owner). **SUMMARY:** On August 10, 1988, Don Carter's All Star Lanes PBC, LTD, the predecessor in interest to the Property Owner, granted the County a Utility Easement (ORB 5875 PG 1987) over County-owned facilities serving the commercial site located on the west side of Military Trail, north of Hypoluxo Road. A review of the building location on the property revealed an encroachment into the easement. No utility facilities are affected by the encroachment. Water Utilities Department staff recommends the partial release of that portion of the utility easement that contains the encroachment. The remaining easement provides for adequate access to County utility facilities. District 3 (MJ)

4. Staff recommends motion to approve: Amendment No. 2 to the Water Utilities Department (WUD) Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation with Lanzo Lining Services, Inc. Florida d/b/a Lanzo Trenchless Technologies, Inc.-South, renewing the contract for a 12-month period. **SUMMARY:** On April 15, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department Pipeline Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation (Contract) with Lanzo Lining Services, Inc. Florida d/b/a Lanzo Trenchless Technologies, Inc.-South (Contractor) in the amount of \$2,632,238.75 (R2014-0521). The Contract provides for the installation of wastewater pipeline liners and repairs that are identified as part of a project or for any wastewater emergency throughout the WUD service area. Amendment No. 2 to the Contract provides for a 12-month contract renewal through April 15, 2017. There are no unit price increases for labor and materials contained in the Amendment. The Contract does not guarantee or authorize the Contractor to perform any work. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract provides for SBE participation of 16.49% overall. As of January 11, 2016, the Contractor has incurred a total amount in Work Authorizations of \$107,575 with 0% in SBE participation. The scope of work assigned so far has not allowed the Contractor the opportunity to use their SBE subcontractors. As WUD has only assigned 4.09% of the total amount of the Contract to the Contractor, staff anticipates that future work assignments will allow the Contractor to utilize their SBE subcontractors to meet the SBE requirements of the Contract. Lanzo Lining Services, Inc. Florida d/b/a Lanzo Trenchless Technologies, Inc.-South is not a Palm Beach County company. (WUD Project No. 12-063B) Countywide (MJ)

5. Staff recommends motion to approve: Amendment No. 2 to the Water Utilities Department (WUD) Continuing Contract for Wastewater Gravity Lines & Manhole Rehabilitation with Hinterland Group, Inc., renewing the contract for a 12-month period. **SUMMARY:** On April 15, 2014, the Board of County Commissioners (BCC) approved the WUD Pipeline Continuing Contract (Contract) for Wastewater Gravity Lines & Manhole Rehabilitation with Hinterland Group, Inc. in the amount of \$2,331,350 (R2014-0520). The Contract provides for the installation of sewer pipeline liners and repairs that are identified as part of a project or for any wastewater emergency throughout the WUD service area. Amendment No. 2 to the Contract provides for a 12-month contract renewal through April 14, 2017. There are no unit price increases for labor and materials contained in the Amendment. The Contract does not guarantee or authorize Hinterland Group, Inc. to perform any work. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Hinterland Group, Inc. provides for SBE participation of 15% overall. As of January 3, 2016, Hinterland Group, Inc. has incurred a total amount in Work Authorizations of \$1,292,625 with a 20.73% in SBE participation. Hinterland Group, Inc. is a Palm Beach County company. (WUD Project No. 12-063A) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. **Staff recommends motion to approve:** Change Order No. 2 to the Contract with Ralph Della Pietra, Inc. (R2015-0877) for the East Central Region Water Reclamation Facility (ECRWRF) Reclaimed Office and Storage Facility Project in the amount of \$15,673 with a 145 day time extension. **SUMMARY:** On July 7, 2015, the Board of County Commissioners (BCC) approved a Contract with Ralph Della Pietra, Inc. (Contractor) in the amount of \$629,954 for the ECRWRF Reclaimed Office and Storage Facility Project. Change Order No. 2 authorizes an increase in the amount of \$15,673 to provide for the addition of an epoxy coating to reduce corrosion and extend the life of the metal building. Five additional calendar days are needed to perform this work. Change Order No. 2 also extends the contract time by an additional 140 calendar days to obtain the building permit from the City of West Palm Beach. The initial contract time was 270 days. Change Order No. 2 will extend the overall Contract time to 415 days. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Ralph Della Pietra, Inc. provides for SBE participation of 27.66% overall. Change Order No. 2 provides for 0% SBE participation. The cumulative SBE participation, including Change Order No. 2, is 26.02% overall. Ralph Della Pietra, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 13-061) District 2 (MJ)

7. **Staff recommends motion to approve:** Contract with R. J. Sullivan Corp. for the Water Treatment Plant No. 8 (WTP 8) Anion Exchange System (Project) in the amount of \$12,185,000. **SUMMARY:** On December 8, 2015, seven bids were received for a 14 million gallon per day (MGD) expansion of the anion exchange treatment system at WTP 8. The Invitation to Bid included Bid Alternate No. 1, which provided for an additional 6 MGD expansion of the anion exchange system. R.J. Sullivan Corp. was determined to be the lowest responsive responsible bidder in the base amount of \$10,575,000 and additionally provided the lowest bid for the combined Base Bid plus Bid Alternate No. 1 in the total amount of \$12,185,000. The Water Utilities Department (WUD) is expanding the anion exchange treatment system to improve the water quality and demolishing the energy intensive ozone system at WTP 8. Awarding the Base Bid plus Bid Alternate No.1 will allow WUD to treat the entire capacity of WTP 8 with the anion exchange treatment system. This will significantly improve the quality of the water leaving WTP 8. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with R.J. Sullivan Corp. provides for SBE participation of 62.98% overall. R.J. Sullivan Corp. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 13-022) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

8. Staff recommends motion to approve: Amendment No. 2 to the Contract for Water Treatment Plant No. 8 (WTP 8) Anion Exchange System Design and Construction Services with Globaltech, Inc. (R2014-1589) in the amount of \$780,664.90. **SUMMARY:** On October 21, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Engineering/Professional Services Contract (Contract) for design and construction services for the WTP 8 Anion Exchange System with Globaltech, Inc. WUD is expanding the anion exchange treatment system to improve the water quality and demolishing the energy intensive ozone system at WTP 8. Amendment No. 2 provides for engineering services during construction. The Small Business Enterprise (SBE) participation established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Globaltech, Inc. provides for SBE participation of 75% overall. Amendment No. 2 has 95.05% of SBE participation. The cumulative SBE participation, including Amendment No. 2, is 97.36% overall. Globaltech, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 13-022) District 2 (MJ)

9. Staff recommends motion to approve: an Interlocal Agreement Among the East Central Regional (ECR) Wastewater Treatment Facilities Operation Board (ECR Board), the City of West Palm Beach (WPB), and Palm Beach County for the Enhancement of the Reclaimed Water Facility (Enhancement Agreement). **SUMMARY:** The ECR was organized and operates pursuant to an Interlocal Agreement between the County, City of West Palm Beach, the Town of Palm Beach, the City of Riviera Beach and the City of Lake Worth, dated September 9, 1992 (Interlocal Agreement). The County, WPB and the ECR Board entered into a subsequent Interlocal Agreement Related to the Construction, Operation and Maintenance of Reclaimed Water Facilities dated May 20, 2008 (the Reclaimed Water ILA) (R2008-0907) regarding the construction of a reclaimed water facility at ECR so that the County could provide reclaimed water service predominantly to Florida Power & Light. Pursuant to the Interlocal Agreement and Reclaimed Water ILA, the ECR Board, through WPB as its agent, is responsible for the operation, maintenance, renewal and replacement of the reclaimed water facility at ECR. The County is responsible for the costs to operate and maintain the reclaimed water facility; payments are made to ECR Board. The reclaimed water facility at ECR requires repair work, including the construction of a bypass line around the storage tank, repairs to sluice gates, mixer assemblies, valves and other equipment, and other necessary work that may be discovered during the construction/repair activities. The proposed Enhancement Agreement will allow the County to undertake the necessary enhancements required to improve the reclaimed water facility. The County will procure professional design and construction services under the County procurement process and will initially fund the costs and expenses of the enhancements. The County will then be reimbursed from the ECR Renewal and Replacement Fund that was established pursuant to the Reclaimed Water ILA and the FPL Renewal and Replacement Fund that was established pursuant to R2008-0906. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

10. Staff recommends motion to approve: a “Utility Work by Highway Contractor Agreement (Lump Sum)” with the Florida Department of Transportation (FDOT) in the amount of \$10,892. **SUMMARY:** FDOT is proposing improvements to State Road 809 (Military Trail) from Lake Worth Road to south of State Road 80 (Southern Blvd). These improvements will necessitate the adjustment of two water valve boxes to final grade and the relocation of existing water and force mains owned by Water Utilities Department (WUD). In order to include the adjustment and relocation of the aforementioned facilities within the road improvement project, FDOT requires WUD to enter into a “Utility Work by Highway Contractor Agreement (Lump Sum)” to reimburse FDOT for the work in the amount of \$10,892. (WUD Project No.16-026) Districts 2 & 3 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Florida Department of Environmental Protection (DEP) Land and Water Conservation Fund Program (LWCF) Grant Agreement No. LW638 (Agreement) Fiscal Year 2015-2016 in an amount of \$200,000 for the Loxahatchee Slough Natural Area Trails for a term of three years from execution by the DEP;

B) approve a Budget Amendment of \$200,000 in the Environmental Resources Capital Projects Fund to recognize the grant revenue;

C) authorize the County Administrator or her designee, to sign all future time extensions and other forms associated with this Agreement and any necessary minor changes that do not significantly change the scope of work or terms and conditions of the Agreement; and

D) execute a Notice of Limitation of Use/Site Dedication identifying the 4,507-acre Loxahatchee Slough Natural Area project as an outdoor recreation area for the use and benefit of the general public in perpetuity.

SUMMARY: On April 7, 2015, the Board of County Commissioners ratified the Mayor’s signature on LWCF Grant Application R2015-0436 requesting \$200,000 in funding to assist with the Loxahatchee Slough Natural Area Trails Project (Project). The Project was awarded funding by the DEP and the County will provide a \$200,000 (50%) cash match through a transfer from non-ad valorem funds within the Natural Areas Fund. The Project includes a parking lot, hiking trail and picnic area, the construction of a new fishing pier and two wildlife observation platforms. District 1 (AH)

M. PARKS & RECREATION

1. **REVISED SUMMARY: Staff recommends motion to approve:** Budget Transfer of \$124,797 within the 2003 \$25 Million General Obligation Recreational and Cultural Facilities Bond Fund from Reserves to the John Prince Park Phase IV Mound Circle Redevelopment project. **SUMMARY:** This Budget Transfer will provide additional funding necessary for the John Prince Park Phase IV 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, parking and landscaping. Funding for this Budget Transfer is from the 2003 \$25 Million General Obligation Recreational and Cultural Facilities Bond Fund reserves. Reserve funding was accumulated through interest and residual balances from completed bond projects in this fund. This Budget Transfer will exhaust all remaining reserves in this bond fund. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) Palm Beach County Officials Association, Inc., Junior Volleyball League Instructor, West Boynton Recreation Center, for the period January 26, 2016, through April 6, 2016; and

B) Gym Class Nation, LLC, Fitness Instructor, West Jupiter Recreation Center, for the period January 22, 2016, through April 1, 2016.

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 Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and is now being submitted by the Board to receive and file. Districts 1 & 3 (AH)

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

A) Chase Stites, Family Night with Food Truck Invasion, Sunset Cove Amphitheater, on January 6, 2016;

B) Tropics Entertainment, Inc., Safety and Sounds, Sunset Cove Amphitheater, on January 9, 2016; and

C) Frank Loverso, The Whitestone Band, Canyon Town Center Amphitheater, on January 16, 2016.

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 three cultural events at the Canyon Town Center and Sunset Cove Amphitheaters. These events were attended by an estimated 650 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 Food Truck Invasion, Inc., offset the expense of the Family Night with Food Truck Invasion event at Sunset Cove Amphitheater. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File agenda item. The Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the 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)

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

Blackwood Productions, LLC, Safety and Sounds, Sunset Cove Amphitheater, on January 9, 2016.

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 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)

5. Staff recommends motion to receive and file: the following original executed Sponsorship Agreements:

A) Food Truck Invasion, Inc., cash sponsorship of a series of seven Family Night with Food Truck Invasion events, Carlin Park, for the period December 9, 2015, through March 9, 2016; and

B) Boynton Beach Associates XVIII, LLLP, cash sponsorship of a series of nine concerts and eighteen movie nights, Canyon Town Center Amphitheater, for the period January 16, 2016, through December 30, 2016.

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 Sponsorship Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director of the Parks and Recreation Department in accordance with Resolution 2008-0442, and are now being submitted to the Board to receive and file. These sponsored events help offer a balanced schedule of events which promote the quality of life in the communities we serve. Districts 1 & 5 (AH)

6. Staff recommends motion to approve: Special Use Agreement with the School Board of Palm Beach County for mutual use of recreation facilities at West Boynton District Park and facilities and parking at Park Vista Community High School. The term of the Agreement is for one year effective March 22, 2016, through March 21, 2017. **SUMMARY:** This Special Use Agreement enables students and faculty of Park Vista Community High School to use the major league baseball field, softball field, multipurpose fields, batting cages, health trail and associated park amenities at West Boynton District Park for Florida High School Athletic Association seasonal play and Park Vista Community High School physical education classes and after-school activities. It provides for public use of Park Vista Community High School's eight lighted tennis courts, four lighted multi-purpose courts and primary parking lot. The Agreement allows the County to use the gym, portable classrooms and associated restrooms for summer camp activities and provides for use of open space owned by the School Board to be used for employee parking. District 3 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

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

~~A) receive and file Grant Agreement in the amount of \$1,227,733 awarded by the Florida Department of State, Division of Library and Information Services for FY 2016 State Aid to Libraries; and~~

~~B) approve a downward Budget Amendment of \$35,241 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount.~~

SUMMARY: The Application was approved and the Agreement was executed by the County Administrator as authorized by the Board of County Commissioners on September 22, 2015 (R2015-1277). Notification of the award was issued on February 7, 2016. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2016 budget. Countywide (AH)

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 Palm Beach Gardens, for the City's use of the training center, for the period February 16, 2016, through February 15, 2021. **SUMMARY:** On July 22, 2014, the Board adopted Resolution No. R2014-1065, which authorized the County Administrator, or 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)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) approve a Budget Amendment in the amount of \$392,500 Information Technology Capital Improvements Fund to recognize interfund transfers from the MSTD-Building Fund and the General Fund;

B) approve a Budget Transfer of \$196,360 in the MSTD-Building Fund to move funds from reserves to establish an interfund transfer to the Information Technology Capital Improvements Fund;

C) approve a Budget Transfer of \$196,140 in the General Fund to move funds from General Government to establish an interfund transfer to the Information Technology Capital Improvements Fund; and

D) authorize the County Administrator or designee, ISS Director, to approve and execute the U.S. Geological Survey (USGS) Joint Funding Agreement, with a local match of \$512,000 and a USGS grant of \$228,000 for a total project cost of \$740,000 to start upon date of final execution and end date of March 31, 2017.

SUMMARY: On October 6, 2015, the Board authorized staff to apply for the 3DEP Grant (R2015-1403) which was approved in January 2016 by the U.S. Geological Survey. The County's portion of the grant was anticipated to be \$226,360 plus external revenues of \$115,640 for a total of \$342,000. On March 1, 2016 (Agenda Item 3-U-1), additional external revenues have become available which reduces the General Government contribution by \$3,860. Opportunities also became available to obtain higher resolution base LiDAR and to negotiate an additional deliverable of building outlines. Planning, Zoning and Building has requested the acquisition of the higher resolution base data and building outlines estimated to cost an additional \$170,000. This increases the total amount of the Joint Funding Agreement with USGS to a not to exceed amount of \$512,000. Countywide (PFK)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: Renewal of the County's excess property, liability, and workers' compensation insurance program for the period April 1, 2016, through March 31, 2017 purchased through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc., under Contract No. 15-050/LJ, for a total cost not-to-exceed \$9,433,820. **SUMMARY:** The projected 2016-2017 excess insurance program renewal premiums reflect a total cost not-to-exceed \$9,433,820, representing an estimated decrease of approximately 9.7% (\$1,017,564) over the expiring program cost. The decrease indicates a softening insurance market for the County's property, liability, and workers' compensation exposures. The projected cost reflects an accurate current quotation of the final program renewal premiums; however the broker will continue to negotiate with the excess carriers until the March 31st program expiration to potentially achieve a greater percentage of savings prior to the final binding of coverage on April 1st. The County's total insurable value of its buildings currently stands at \$2.47 billion. The amount of property insurance purchased contemplates probable maximum loss modeling of various possible loss scenarios and includes a \$1 million self insured retention (SIR) and a 5% windstorm deductible per insured location. The program also includes excess liability insurance covering \$5 million excess of a \$500,000 SIR per occurrence, and excess workers' compensation insurance covering all costs excess of a \$2 million SIR per occurrence. All state mandated surcharges and assessments are contained within the estimated cost. Sufficient funds are budgeted in FY 2016/2017 for this coverage. Countywide (HH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to approve: one appointment as an At-Large member to the Palm Tran Service Board (PTSB) for the following term:

| <u>Nominee</u> | <u>Category, Seat No.</u> | <u>Term to Expire</u> | <u>Nominated by</u> |
|----------------|--|-----------------------|---|
| Martin Rothman | Certified Paratransit User Seat No. 8 | Sept. 30, 2016 | Vice Mayor Valeche Comm. Burdick Comm. Vana Comm. Abrams Comm. Taylor |

SUMMARY: The Palm Tran Service Board is composed of 13 At-Large members with specific seat categories. There are currently five vacancies on the Board. A memo dated January 20, 2016 was circulated to the Board of County Commissioners requesting support of Mr. Martin Rothman’s appointment to fill one vacancy and requesting additional nominees. Mr. Rothman will be replacing Maurice Jacobson posthumously, whose term was scheduled to expire September 30, 2016. With the addition of the one nominee, the PTSB would have eight seats filled. The diversity composition, including the new appointment, would be Caucasian: 6 (75%), African-American: 1 (12.5%) and Multicultural: 1 (12.5%). The gender ratio (male: female) would be 6:2. For the remaining vacancies, Palm Tran staff will conduct targeted outreach in an effort to proffer candidates for appointment that will improve the diversity composition of the Board. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: First Amendment to Agency Affiliation Agreement with Nova Southeastern University, Inc. (University) to expand the scope of the current Agreement to include students enrolled in the University’s Family Therapy graduate program as part of the existing Agreement, at no cost to the County. **SUMMARY:** On September 22, 2015, the Board approved Agreement R2015-1331 with Nova Southeastern University to allow the Youth Services Department to provide clinical supervision to individuals seeking training and experience in family and youth counseling to obtain state licensure, at no cost to the County. Approval of this Agreement will allow Family Therapy practicum students to receive similar training and experience as the Psychology graduate students. Resolution R2015-1331 authorized 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. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to receive and file: Behavioral Health Cooperative Agreement (Agreement) with a Contract/Agreement Addendum with the School Board of Palm Beach County, Florida (School District) to provide school based therapeutic services to students and families attending schools in Palm Beach County for the period August 21, 2014, through June 30, 2017, at no cost to the County. **SUMMARY:** Palm Beach County (County), through its Youth Services Department, provides on-campus individual, family and/or psycho-educational group therapy services to students and their families based on referrals received from School District personnel at 16 schools identified by the School District and the County. The program was previously managed through the Public Safety Department, Youth Affairs Division. The School District's original agreement with the County in 2014 was revised by this Agreement in May 2015 to account for the new Youth Services Department. The services coordinated with the School Board support Tier 1, 2, or 3 interventions of the School Based Team/Multi-Tiered System of support processes and shall not conflict with the student's Individualized Educational Plan or substantially reduce the duration of services in Exceptional Student Education classes. On June 5, 2001, R2001-0892 authorized the County Administrator (or designee), to execute future standard Cooperative Agreements with the School District on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (HH)

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

A. Staff recommends motion to:

1) **adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, confirming the Special Assessment Roll for the East Hialeah Drive Water Main Extension (Project); and

2) **approve** a Work Authorization No. 25 to Johnson-Davis, Inc., under the Water Utilities Department (WUD) Continuing Construction Contract (R2013-0550) in the amount of \$59,777.67.

SUMMARY: Petitions in favor of the installation of a potable water main were received by WUD for 75% of the property owners (3 in favor, 1 not in favor) in the East Hialeah Drive Project area. The petitions were considered and approved at the regular meeting of the Board of Supervisors of the Indian Trails Improvement District (ITID) on May 20, 2015. The Project will serve four residential properties currently on private wells. Individual assessments of \$13,311.47 per parcel will be assessed based on 90% of the total estimated cost of the Project, pursuant to the terms of the agreement between the County and ITID, in which the County committed to allocate \$500,000 to provide financial support for up to 10% of the final cost for assessment projects within the legislative boundaries of the ITID. WUD has encumbered and expended a total of \$267,408.38 for previous ITID assessment projects. The assessment is payable over a 20-year time period in equal annual payments of principal and 5.5% interest. The total assessable cost of the Project is \$53,245.88 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration, and construction contingency, as well as the 10% financial support payment dictated by WUD's contract with ITID. The Project will be constructed utilizing a Work Authorization under the WUD Continuing Construction Contract with Johnson-Davis, Inc. (R2013-0550). The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Johnson-Davis, Inc. provides for SBE participation of 20.96%. This Authorization includes 16.3% overall participation. The cumulative SBE participation is 18.2% overall. If the actual cost of the Project exceeds the total assessable cost, the difference will be covered by WUD. (WUD Project No. 15-047) District 6 (MJ)

B. Staff recommends motion to approve: Budget amendments and transfers in various funds reflecting adjustments for balances brought forward, other revenues, reserves and operating expenses. The total of the adjustments is an increase of \$118,040,656 in 192 funds.

SUMMARY: These budget amendments and transfers are necessary to adjust FY 2016 budgets to reflect differences between actual and estimated revenues and expenditures of FY 2015. These amendments adjust the balances brought forward, various revenue, expenditure, and reserve accounts to their audited balances. The proposed adjustments include \$16,990,072 additional reserves in the General Fund. This represents an 11% decrease from the average amount placed in reserve over the last three years, which has ranged between \$10,966,745 to \$31,392,559. The adjustment is a result of:

- (\$40,284) net reduction in excess fees and commission refunds from Constitutional Officers: Sheriff's Office \$36,314, Clerk and Comptroller \$385,039, Supervisor of Elections (\$1,090,266), Tax Collector \$185,189, Property Appraiser \$443,440 and
- \$3,301,404 net additional Sheriff Revenue, and
- \$10,492,621 expenditures less than and revenues greater than originally estimated, and
- \$3,236,331 in other adjustments to reserves.

FY 2017 budget projections currently assume these additional reserves will be carried forward to balance the annual budget. Countywide (PFK)

4. PUBLIC HEARINGS CONTINUED

- C. Staff recommends motion to approve: Alignment 2A South for Congress Avenue from Park Lane to State Road 811/Alternate A1A. **SUMMARY:** Approval of Alignment 2A South for Congress Avenue from Park Lane to State Road 811/Alternate A1A, will finalize the alignment and allow the start of the design and right-of-way acquisition process for this portion of Congress Avenue. The Board of County Commissioners (Board) approved Alignment 1A at its Board meeting held on February 28, 2006. That was the segment from Northlake Boulevard to Park Lane. The Board also conceptually approved Alignment 2A for Congress Avenue from Park Lane to State Road 811/Alternate A1A at the Board meeting held April 17, 2012, but directed staff to pursue additional studies and associated cost evaluations for all potentially affected properties within this segment. Those studies have been completed and Alignment 2A South was found to be most economically feasible. It is estimated that 15 properties, including single family residences, a mobile home park and commercial properties, will be impacted by the construction of this segment of the extension of Congress Avenue. District 1 (MRE)

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5. REGULAR AGENDA

A. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to receive and file:** a presentation by Richard Machek, State Director of the United States Department of Agriculture (USDA) Rural Development for Florida/U.S. Virgin Islands, of a \$1 Million award for the Intermediary Relending Program (IRP). **SUMMARY:** Palm Beach County through the Department of Economic Sustainability was recently awarded \$1 Million for the IRP. The IRP is designed to provide low interest loans to improve rural communities to small emerging businesses. The funding was only awarded to six local governments across the Country and Palm Beach County was the only entity in Florida to receive an allocation. This allocation will continue to further the County's economic development initiatives in the rural areas of the County. District 6 (JB)

B. ADMINISTRATION

1. **Staff recommends motion to:**

A) approve a proposal for a one cent infrastructure surtax as follows:

- One Cent, Countywide, with allocation of 48% School District, 28.5 % County, 18.5% Municipalities and 5% Economic Development to include Cultural Facilities;
- Maximum of 10 years; and
- Creation of an oversight committee(s) to audit spending for compliance with approved projects.

B) receive and file infrastructure project lists from the County, Municipalities, School District and economic development capital cultural facilities.

SUMMARY: On February 9, 2016, the Board of County Commissioners (BCC) directed staff to work with the Municipalities, School District and Cultural Council to develop a joint plan specific to an infrastructure surtax. Further, the Board directed staff to bring back project lists from the partners. The League of Cities Executive Board voted to not oppose a slightly different proposal which reflected 46.5% School District , 28.5% County, 18.5% Municipalities and 6.5% Economic Development for Cultural Facilities. After further analysis and review, staff refined the proposal and the School District approved the proposal described in the motion with a deadline for approval by the BCC no later than April 15, 2016. All funding must be expended as prescribed by Florida Statutes. If the BCC approves the proposal reflected above, staff will move forward in developing and working with the partners on inter-local agreements and an Ordinance for a one cent infrastructure surtax including ballot language for a referendum scheduled for November 8, 2016. In addition to creating an oversight committee(s), a project manager will be hired or assigned to coordinate and monitor the program. Countywide (PFK)

2. **ADD-ON: Staff recommends motion to authorize:** the County Administrator or her designee to execute a funding agreement with the Palm Beach International Agricultural Summit, Inc., a not-for-profit corporation, in the amount of \$15,000, and to provide in-kind services in a value not to exceed \$10,000, in support of the Palm Beach International Agricultural Summit to be held on Wednesday, May 4, 2016, at the Palm Beach County Convention Center. **SUMMARY:** This authorization will allow the County Administrator or her designee to enter into a funding agreement providing financial support and in-kind services for a Summit designed to inform and educate the business community and public on the scope and impact of agricultural production in Palm Beach County. The focus of the Summit is the business of modern agriculture and its role in advancing our food security, quality of life, and economy. The Summit, hosted by the Economic Council and the Florida Chamber Foundation, will include an agro-business expo and presentations by a variety of industry leaders and officials including Adam Putnam, Florida's Commissioner of Agriculture and Consumer Services. The financial payment and in-kind services will be used to off-set Summit expenses. In-kind support provided by the County is expected to include printing, graphics and video production services. Countywide (AH)

5. REGULAR AGENDA

C. AIRPORTS

1. Staff recommends motion to:

A) approve an Agreement for Purchase and Sale for the following property at a total cost of \$3,900,000 by a supermajority vote. Said property is located north of Belvedere Road across from Palm Beach International Airport (PBI):

| | |
|--|-------------|
| Tree Town Inc., a Florida Corporation | |
| 3359 Belvedere Road, West Palm Beach, FL | Parcel B-1 |
| Sales Price: | \$3,900,000 |
| Replacement Housing: | N/A |

B) accept a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement; and

C) approve a Budget Transfer of \$3,900,000 in the Airport's Improvement and Development Fund.

SUMMARY: The buildings are located on a 3.579 acre site on the north side of Belvedere Road across from the Palm Beach International Airport. The property is improved with two story CBS commercial buildings that were built in 1950. Each building contains approximately 15,000 square feet for a total of 30,000 square feet. The property is currently occupied by numerous non-residential tenants, including an outdoor advertising (billboard) sign with Clear Channel Outdoor, Inc. (Clear Channel) (Sign Lease). The Sign Lease will be assigned to the County at closing. The remaining leases will expire or be terminated by the seller prior to closing, and the tenants will be entitled to non-residential relocation expenses pursuant to the Uniform Act (P.L. 91-646, as amended). The property was appraised by Anderson & Carr, Inc. in November 2015 at \$3,900,000, and review appraisal was completed by Edward E. Wilson on December 2015, which supported the Anderson & Carr appraisal. Local funds are available for the purchase of this property. **All purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners) pursuant to the PREM Ordinance. Countywide (HJF)**

D. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: notification to the South Florida Water Management District (SFWMD) that the County intends to execute the repurchase option contained within the purchase agreement for the Mecca site for the repurchase of lands for the future realignment and extension of Seminole Pratt Whitney Road in the amount of \$1,379,840, and direct staff to take whatever steps are required to complete the repurchase. **SUMMARY:** Approval of this repurchase will restore previously owned right-of-way for the future realignment and extension of Seminole Pratt Whitney Road, as provided in section 19.7 of the sale and purchase agreement with SFWMD approved on October 22, 2013 and referenced in R2013-1514. Funding is available from a previously approved line item in the Five Year Road Program. District 1 (MRE)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) adopt a Resolution authorizing a Lease Agreement with Closter Farms, Inc., a Florida corporation, (Closter Farms) for the continued use of County-owned unimproved land south of Pahokee in unincorporated Palm Bach County at an annual rate of \$3,250.44; and

B) approve a Lease Agreement with Closter Farms.

SUMMARY: Since 1995, the County has leased to Closter Farms a 7.3+/- acre parcel of unimproved land located on the north side of Eastgate Farms Road, south of Pahokee, for sugarcane production. The lease with Closter Farms expired on March 31, 2015, and Closter Farms has been permitted to continue to farm the land. The State owns a 2,725 acre tract of land adjacent to the County property, which Closter Farms leases. In December 2014, the County attempted to convey the parcel to the State but the State required environmental assessments, surveys and title work, at the sole cost of the County, which costs would have been excessive and impractical. Callaway & Price valued the property at \$80,300 and the Property Appraiser assessed the parcel at \$51,100 for FY 2014. In March 2015, Closter Farms offered to purchase the property for \$21,900 (\$3,000/acre) and Staff considered preparing an Invitation for Bid for the sale of the parcel, but the amount proposed is substantially less than the appraised and assessed values. Since Closter Farms leases the State's adjacent property and is the only entity that can readily utilize the County's parcel, Staff determined that entering into a new lease with Closter Farms would be in the best interest of the County. In June 2015, pursuant to PREM's PPM CW-L-023, Staff received approval from the then-County Administrator to negotiate a lease with Closter Farms for the 7.3+/- acre parcel. The term of the lease is for ten years, commencing retroactively on April 1, 2015, with no renewal options, at an annual base rent of \$3,250.44 (\$445/acre), with annual rent increases equal to the percentage increase in the annual Producer Price Index, but in no event will the adjusted annual rent be less than the annual rent for the prior lease year. The lease is triple net. Closter Farms will be responsible for all maintenance and repair of the premises, and will farm the land in accordance with the Everglades Forever Act. Property & Real Estate Management (PREM) will have administrative responsibility for this Lease Agreement. (PREM) District 6 (HJF)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution authorizing the conveyance of the County's interest in 1.30 acres of surplus property to Melvin Boren and Roberta Minx Boren without charge, and without reservation of mineral and petroleum rights; and

B) approve a County Deed in favor of Melvin Boren and Roberta Minx Boren.

SUMMARY: The County recently acquired by Escheatment Tax Deed a vacant 1.30 acre parcel located at 11448 Mellow Court, in unincorporated Royal Palm Beach, with an assessed value of \$18,876. After the issuance of the tax deed to the County, it was discovered that sufficient notice of the tax sale was not provided pursuant to Florida Statute Chapter 197. Rather than file court action to set aside the tax deed sale, the Clerk & Comptroller has requested the County re-convey the parcel to Melvin Boren and Roberta Minx Boren, the owners of record at the time of issuance of the tax deed, at no charge, without reservation of mineral and petroleum rights. (PREM) District 6 (HJF)

3. Staff recommends motion to approve: a Concessionaire Service Agreement with JR Wake Parks, LLC d/b/a Apex Wake Parks (Apex) for the operation of a wake board and water sports concession located in Okeeheelee Park in West Palm Beach.

SUMMARY: The Parks and Recreation Department desires to offer cable operated wake board and water sports activities to patrons at Okeeheelee Park. Presently, there are no such facilities in Palm Beach County. In March 2015, a Request for Proposals (RFP) was issued for the construction, operation and maintenance of a wake board cable complex for wake boarding and water skiing, wake surfing, zip lining, tubing and kneeboard rentals, competitions, and lessons at the Park for the Park's visitors. Proposals were received from Apex and Manuel V. Mendez/Manuel V. Mendez, MD, PA. A Selection Committee reviewed the proposals and ranked Apex the highest. The guaranteed annual rent is \$24,000/year (\$2,000/month), with annual 2% increases. In addition, Apex will pay percentage rent equal to the amount by which 8.5% of Apex's annual gross revenues exceeds the guaranteed annual rent. The initial term of the Concessionaire Service Agreement is for ten years, with two successive options to extend, each for a period of ten years. Apex has posted a \$10,000 security deposit. The Parks Department will manage and administer the Concessionaire Service Agreement. (PREM) District 2 (HJF)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

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

A. HEALTH DEPARTMENT

1. Staff recommends motion to approve: appointment of the following individual to complete an unexpired term on the Environmental Control Hearing Board (Board) beginning March 22, 2016 and ending January 31, 2017:

| <u>Name</u> | <u>Seat No.</u> | <u>Requirement</u> | <u>Recommended By</u> |
|------------------|-----------------|--------------------|-----------------------|
| Lauren Capriotti | 3 | Citizen-at-Large | Vice Mayor Valeche |

SUMMARY: The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association, one medical doctor recommended by the Palm Beach County Medical Society, one engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two citizens-at-large not holding elective office. On November 6, 2015 and January 22, 2016, memos were circulated to the Board of County Commissioners regarding the above vacancy. No additional nominations were received. Out of the four seats currently filled, the diversity count is: one African-American female, and three Caucasian males. Ms. Capriotti is a Caucasian female. Countywide (HH)

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ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

MARCH 22, 2016

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MARCH 22, 2016

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

MARCH 22, 2016

9. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE, VICE MAYOR

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER MARY LOU BERGER, MAYOR

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

Approval for a Proclamation declaring March 19, 2016 as “Delray Dental Day” in Palm Beach County that was presented off-site on March 19, 2016.

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."