

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**DECEMBER 20, 2016**

<u>PAGE</u>	<u>ITEM</u>	
13	3I-1	<b><u>REVISED SUMMARY:</u></b> The Treasure Coast Regional Planning Council (TCRPC) manages and maintains the CEDS Committee whose purpose is to oversee and guide Districtwide economic development planning. The TCRPC region is comprised of Palm Beach, Martin, St. Lucie and Indian River Counties. The CEDS Committee is a requirement of the U.S. Department of Commerce Economic Development Administration and is comprised of five appointees from each of the participating counties. The TCRPC annually requests the Board of County Commissioners (BCC), as the appointing authority for Palm Beach County, to review its existing members, and to either appoint or reappoint members. Staff recommends the appointment and reappointment of the above five individuals. Andrew Duffell of the Florida Atlantic Research and Development Authority (FARDA) disclosed in his application his employer's existing and pending contracts with the County. Gary Hines of the Business Development Board of Palm Beach County, Inc. disclosed in his application his employer's existing contract with the County. Michael Corbit of CareerSource Palm Beach County inadvertently omitted disclosure of his employer's existing contract with the County. Mr. Corbit subsequently informed staff, in writing, of his employer's existing contract with the County. <u>Carol Thompson is a current County employee.</u> The diversity count of the five representatives recommended for appointment/reappointment by the BCC is as follows: Caucasian: 4 (80%) and African-American: 1 (20%). The gender ratio (female:male) is 1:4. Staff has evaluated these contractual relationships and determined that the above Committee provides no regulation, oversight, management or policy-setting recommendations regarding any of the disclosed contractual relationships. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. <u>Countywide</u> (JB) (DES)
18	3Q-1*	<b><u>REVISED SUMMARY (2<sup>nd</sup>):</u></b> Staff recommends motion to approve: A) appointment of one new member to the Criminal Justice Commission as follows:... <b>SUMMARY:</b> The CJC is comprised of 32 members including elected officials and representatives from private and public sectors. Ten private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. (Council), and appointed by the Board. The Council has nominated Mr. George T. Elmore, Mr. Douglas Duncan, and Ms. Barbara Cheives to be reappointed. The Council has nominated Ms. Rachel Docekal as a new appointment. Mr. George Elmore has disclosed that he is employed by Hardrives of Delray, Inc., which frequently bids on County Engineering contracts. There is no current contract in place. The CJC provides no regulation, oversight, management, or policy setting recommendations regarding or related to the Hardrives of Delray, Inc. contracts. Disclosure of this potential contractual relationship is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. The Board has 32 seats, <del>30</del> <u>31</u> seats currently filled and a diversity count of Caucasian: <del>24</del> <u>23</u> <u>22</u> ( <del>70%</del> <u>74%</u> <u>71%</u> ), African-American: 8 ( <del>28%</del> <u>26%</u> ) and Hispanic: 1 (3%). The gender ratio (female:male) is: <del>9:24</del> <u>8:23</u> . The four nominees include two Caucasian males, one African American female and one Caucasian female. <u>Countywide</u> (JB) (CJC)
20	3U-1	<b><u>DELETED:</u></b> Staff recommends motion to approve: A) the Seventh Amendment to Interlocal Agreement (R2014-0171), effective November 22, 2016 with the Health Care District (HCD) of Palm Beach County to add Colocation Roles, Responsibilities and Expectations;...(ISS) (Further staff review)

**REVISED TITLE & SUMMARY:** Staff recommends motion to: **A) waive** the Board of County Commissioner policy that limits advisory board members to eleven members under Resolution No. R2013-0913; and

**B) adopt** Resolution of the Board of County Commissioners of Palm Beach County, Florida, establishing a ~~seventeen~~ nineteen member Palm Beach County Infrastructure Surtax Independent Citizen Oversight Committee.

**SUMMARY:** On November 8, 2016, the voters of Palm Beach County approved an infrastructure surtax plan for one cent, maximum ten years beginning January 1, 2017 (or sooner if the surtax generates \$2.7 billion before September 1<sup>st</sup> of any year), creation of an oversight committee to audit spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The proceeds of such tax would finance the renewal and replacement of existing capital investments including roadway surfaces, bridges, drainage improvements, canals, park amenities, and government buildings, all of which were deferred during the recent recession and remain outstanding, and projects to maintain levels of service. An independent oversight committee would be established to ensure that spending is in line with the statutory requirements. The Resolution establishes the County's Infrastructure Surtax Independent Citizen Oversight Committee (Committee). The Committee will consist of the following: one member appointed by each District Commissioner; two members nominated by the Business Forum of Palm Beach County; one member nominated by the Black Chamber of Commerce of Palm Beach County; one member nominated by the Hispanic Chamber of Commerce of Palm Beach County; one member from the Economic Council of Palm Beach County; one member nominated by the Tri City Education Committee; one member nominated by the Florida Engineering Society Palm Beach Chapter; one member nominated by the Palm Beach County City Management Association; one member nominated by the Urban League of Palm Beach County; two members nominated by the Palm Beach – Treasure Coast AFL-CIO; and one member nominated by the Associated General Contractors Association Florida East Coast Chapter.

The Committee will meet monthly, or as needed, issue an annual report, may make recommendations to the Board, and ensure that the proceeds of the surtax are expended for the purposes set forth in the ballot measure and are in compliance with the County's surtax plan. Countywide (DW)

**ADD-ON:** Staff recommends motion to amend: the 2017 Palm Beach County Legislative Agenda to address the organizations that can nominate local construction industry representatives to serve on the Building Code Advisory Board of Palm Beach County (BCAB). **SUMMARY:** The current language in Chapter 2001-323, Section 6, of the Laws of Florida requires that seven industry representatives must be nominated by the Construction Industry Management Council of Palm Beach (CIMC). The CIMC was last active in 2014 and was dissolved administratively in 2016 by the Florida Division of Corporations. As a result, County staff is unable to secure nominations to fill vacant industry seats on BCAB. Because two industry seats are currently vacant, industry representation on BCAB is lessened and it has become difficult to establish a quorum in order for BCAB to hear issues, or to offer technical advisories, evaluate products, or offer interpretations. The proposed changes to the law are intended allow the seven industry representatives to be nominated by existing local chapters of national or regional construction industry trade associations. Countywide (SF) (PZB)

**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**

**DECEMBER 20, 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 6-25)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 26-28)**
- 5. REGULAR AGENDA (Pages 29-33)**
- 6. BOARD APPOINTMENTS (Page 34)**
- 7. STAFF COMMENTS (Page 35)**
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3B-1 Warrant list

3B-2 Minutes

3B-3 Contracts and claims settlements list

3B-4 Change orders, work task orders, minor contracts, final payments, etc.

**C. ENGINEERING & PUBLIC WORKS**

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3C-2 Second Amendments to three annual construction materials testing, geotechnical engineering & inspection contracts

**D. COUNTY ATTORNEY** - None

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3F-5 First Amendment to the Signatory Airline Agreement with JetBlue Airways Corporation for relocation of ticket counter, ticket office, operations area and gate locations at PBIA

**G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET** - None

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- 3I-2 Section 108 Loan/USDA Intermediary Relending Program loan for J&R Care Finders, Inc.
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**J. PLANNING, ZONING & BUILDING** - None

**K. WATER UTILITIES**

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- 3K-1 Contract with Johnson-Davis Incorporated for the 16" Water System improvements on Lyons Road project
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**L. ENVIRONMENTAL RESOURCES MANAGEMENT** - None

**M. PARKS & RECREATION**

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- 3M-2 2016 South Florida Water Management District Indian River Lagoon License Plat Funding Agreement for an environmental restoration project at DuBois Park
- 3M-3 Receive and file one Tee Time Advertising and Sales Agreement
- 3M-4 Licensed Training Provider Agreement with the American National Red Cross to allow employees to teach Red Cross courses at County facilities

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- 3M-5 First Amendment with the U.S. Olympic Committee related to the Paralympics Sports Club

**N. LIBRARY** - None

**P. COOPERATIVE EXTENSION SERVICE** - None

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**R. HUMAN RESOURCES** - None

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**W. PUBLIC AFFAIRS** - None

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- 3X-1 Grant Agreement with Florida Power & Light Company related the Radiological Emergency Preparedness Program

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**Y. PURCHASING** - None

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5D-1 Annual Report for Fiscal Year 2016 – Tourism Performance

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION/OFFICE OF EQUAL OPPORTUNITY

1. **Staff recommends motion to approve:** Contracts for the Handicap Accessibility and Awareness Grant Program with the following non-profit agencies, for the period October 1, 2016, through September 30, 2017, in a total amount not to exceed \$29,680.12 for services:

**A)** Florida Outreach Center for the Blind, Inc. - funds will provide financial support to assist with expenses for the 10<sup>th</sup> Annual Thomas Hartig "Dining in the Dark" event. This event increases awareness about the abilities of persons with disabilities who are blind or visually impaired in Palm Beach County, in an amount not to exceed \$5,000; and

**B)** Coalition for Independent Living Options, Inc.- funds will be used to improve physical accessibility of the main building, located at Riverbridge Centre, 6800 Forest Hill Boulevard, Greenacres, FL 33413, by repaving the parking lot, in an amount not to exceed \$2,985; and

**C)** Jeff Industries, Inc. - funds will enhance services for persons with disabilities by extending the computer network systems in the Amigos Drop-in Center. The purchase of two computers, a smart television and other related equipment will allow persons with disabilities to access career websites, community resources, educational training videos and display disability awareness information, in an amount not to exceed \$4,743.17; and

**D)** Palm Beach Habilitation Center, Inc. - funds will be used to install twelve Silent Call Signature Series fire safety kits and three Silent Call Signature doorbell transmitters for persons with disabilities, to provide audible and visual emergency notification for individuals who are deaf or hard of hearing that are living in community based residential environments, in an amount not to exceed \$5,000; and

**E)** Clinics Can Help, Inc. - funds will be used to improve physical accessibility of the main building, by installing automatic front doors, grab bars, and fixtures in the bathroom to make it ADA compliant, in an amount not to exceed \$5,000; and

**F)** Archer Disability Foundation, Inc. - funds will be used to purchase t-shirts and other related supplies for students and job seekers with disabilities to participate in community outreach and career development activities, in an amount not to exceed \$1,951.95; and

**G)** Lake Worth Towers, Inc. - funds will be used to improve physical accessibility of the main building by repaving the entrance sidewalks and adding accessible ramps to make it ADA compliant, in an amount not to exceed \$5,000.

**SUMMARY:** The grant funds are derived from fines collected from parking violations in designated parking spaces. County Ordinance 92-29 provides that revenue from these fines shall be used to improve accessibility and equal opportunity to qualified physically disabled persons in the County, and to provide funds to conduct public awareness programs concerning physically disabled persons. Ms. Maite Reyes-Coles, an employee of the Coalition for Independent Living Options, Inc., serves on the Palm Beach County Homeless Advisory Board (Board), which is a County Advisory Board. Mr. Gary Strother, an employee of the Palm Beach Habilitation Center, Inc. (Council), is the Board of County Commissioners' appointee on the Health Council of Southeast Florida, Inc. The Board and Council provide no regulation, oversight, management, or policy-setting recommendations regarding the contracts listed above. Mr. William Lapp, a member of the County's Handicap Accessibility and Awareness Grant Review Committee, has disclosed that he serves on the Board of Directors for the non-profit Florida Outreach Center for the Blind, Inc., on which his wife is the executive director. Disclosure of these relationships are being provided in accordance with the provision of Sect. 2-443 of the Palm Beach Code of Ethics. Mr. Lapp requested an advisory opinion from the Palm Beach County Commission on Ethics (COE) regarding his eligibility to serve on the Committee. On September 14, 2011, the COE opined that Mr. Lapp is not prohibited from serving on the Committee, but must 1) disclose the nature of his conflict before the Committee discusses the issue; 2) abstain when the vote takes place and not personally participate in the matter; and 3) file a state voting conflict form. A copy of the advisory opinion is attached to the Agenda Item. Mr. Lapp has agreed to and has complied with the COE direction. Countywide (DO)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION/OFFICE OF EQUAL OPPORTUNITY (Cont'd)

2. **Staff recommends motion to approve:** a Contract with the Legal Aid Society of Palm Beach County, Inc. totaling \$133,000 for the period of January 1, 2017, through December 31, 2017, for the Wage Dispute Project. **SUMMARY:** On December 15, 2015, the County and the Legal Aid Society of Palm Beach County (Legal Aid Society) entered into a Contract (R2015-1739) for \$128,750 to cover the salary and benefits of the staff attorney assigned to the Wage Dispute Project, together with the support, investigative, court processing services and other actual costs of the project. The Legal Aid Society has requested to continue the program for another year. The increase in funding has been requested to support a full-time paralegal with the goal of decreasing intake time and the time for issuing demand letters, while increasing the number of individuals served by the project. Kimberly Rommel-Enright and Vicki Krusel, employees of the Legal Aid Society, serve on the Palm Beach County HIV CARE Council (Council), which is a County Advisory Board. The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the contract listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443 of the Palm Beach County Code of Ethics. Countywide (DO)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
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	September 22, 2016
Zoning	September 22, 2016
Environmental Control Board	September 22, 2016
Regular	September 27, 2016
Child Care Facilities Board	September 27, 2016
Regular	October 18, 2016

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during April 2016. Countywide (Clerk)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

**A) receive and file** an Interlocal Agreement with the City of Riviera Beach Utility District (City) for joint participation and project funding for design of Haverhill Road from north of Caribbean Boulevard to State Road 710 (Project); and

**B) approve** a Budget Amendment of \$47,736 in the Road Impact Fee – Zone 2 Fund to recognize reimbursement funding from the City and appropriate it to the Project.

**SUMMARY:** In accordance with Countywide PPM CW-O-051 “Delegated Authority for Execution of County Contracts and Agreements”, this agreement is being submitted as a receive and file agenda item for the Clerk’s Office to note and receive. It was approved by the Deputy County Engineer as a delegated authority in accordance with Palm Beach County Administrative Code Section 404.00. Approval of the budget amendment will recognize funding from the City for the utility design to be incorporated into Palm Beach County’s (County) design of the Project. The agreement provides for reimbursement of utility design costs to the County, with the City providing a \$47,735.25 reimbursement for the Project. The Project will widen Haverhill Road from a two lane roadway to a four lane divided roadway. District 7 (PM)

2. Staff recommends motion to approve:

**A)** a Second Amendment to the annual construction materials testing, geotechnical engineering & inspection contract with Dunkelberger Engineering & Testing, Inc. (DET), R2014-1662, whose original contract was dated November 18, 2014;

**B)** a Second Amendment to the annual construction materials testing, geotechnical engineering & inspection contract with Professional Service Industries, Inc. (PSI), R2014-1663, whose original contract was dated November 18, 2014; and

**C)** a Second Amendment to the annual construction materials testing, geotechnical engineering & inspection contract with Radise International, L.C. (Radise), R2014-1661, whose original contract was dated November 18, 2014.

**SUMMARY:** Approval of the second amendments with DET, PSI and Radise will extend the required professional services for one year, on a task order basis. These amendments are the final renewals allowed in the original contracts. The amendments with DET, PSI and Radise will extend the expiration date of the contracts from November 17, 2016, to November 17, 2017. To date, tasks in the amount of \$104,010.23 have been authorized for DET with 13.87% Small Business Enterprise (SBE) participation which is currently less than their commitment of 35%. To date, tasks in the amount of \$71,586 have been authorized for PSI with 35.30% SBE participation which exceeds their commitment of 30%. To date, tasks in the amount of \$41,135 have been authorized for Radise with 100% SBE participation which exceeds their commitment of 95%. DET has been notified that they will need to improve their SBE participation during the final year of their contract to meet their commitment. They responded via letter stating that they will add an additional SBE firm (Nutting Engineers) as a subconsultant to help them increase their SBE participation and ultimately meet their commitment. The consultants are all Palm Beach County based companies. Radise is a certified SBE firm. Countywide (PM)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to approve:** Amendment No. 2 to Contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc. (R2016-0966), for the period of June 1, 2016, through December 31, 2016, increasing funding by \$28,660 for a new total contract amount not to exceed \$78,660 for the provision of training and employment services for up to 71 qualified clients. **SUMMARY:** On April 2, 2013, the Board of County Commissioners (BCC) approved a list of 19 pre-qualified public and non-profit agencies to provide various training services for the Community Services Department (Agenda Item 3.E.6). Gulfstream Goodwill Industries, Inc. is one of two agencies selected to provide employment skills training and job placement services to 71 qualified clients. The training funds are provided by the Community Services Block Grant (CSBG). Qualified clients must be residents of Palm Beach County and meet the Federal Poverty Guidelines. (Community Action Program) Countywide (HH)
  
2. **Staff recommends motion to approve:** Contracts for the Provision of Financial Assistance with the below listed agencies, for the period October 1, 2016, through September 30, 2017, in an amount totaling \$259,869 to provide a variety of human service needs to the community:
  - A)** The Glades Initiative, Inc., for the provision of financial literacy training services to individuals and the development of an outreach plan to improve the participation toward the goals of reducing hunger in the Glades, in an amount not to exceed \$152,250; and
  - B)** Adopt-A-Family of the Palm Beaches, Inc., for the provision of transportation services to homeless individuals returning home to their support systems, in an amount not to exceed \$25,000; and
  - C)** Gulfstream Goodwill Industries, Inc., for the provision of transportation services to homeless individuals returning home to their support systems, in an amount not to exceed \$25,000; and
  - D)** Southeast Florida Behavioral Health Network, Inc., to provide the Wraparound Model training services to Financially Assisted Agencies that focus on behavioral health services, in an amount not to exceed \$57,619.**SUMMARY:** On August 16, 2016, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contracts being recommended in this item reflect dollar amounts included in the FY 2017 budget. These contracts represent \$259,869 of the total FAA funding allocation of \$12,132,220. Other contracts and amendments under these programs will be forthcoming upon receipt of all the required information. Linda Kane, employee of Southeast Florida Behavioral Health Network, Inc. is a member of the Homeless Advisory Board. This board provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: Contract for Provision of Financial Assistance with United Way of Palm Beach County, Inc. (United Way), for the period October 1, 2016, through September 30, 2017, in an amount not to exceed \$24,847, for the provision of providing free tax preparation services to low-income families. **SUMMARY:** On August 16, 2016, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. This contract was part of the FAA Request for Proposal Process for Economic Stability and Poverty, and the funding was approved by the BCC for FY 2017. Funding will be provided through the Chase Grant received by the County in FY 2016 and extended for FY 2017. United Way's Volunteer Income Tax Assistance (VITA) program helps strengthen the financial stability of families through utilization of the Earned Income Tax Credit and free tax preparation services. Families served by this program receive the maximum possible refund. (Financially Assisted Agencies) Countywide (HH)

F. AIRPORTS

1. 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 \$760,000 to Construct Hangars at Palm Beach County Glades Airport (PHK). This JPA will become effective upon final execution by the FDOT with an expiration date of January 31, 2019; and

**B) approve** a Budget Amendment of \$760,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project cost of \$950,000; which includes a transfer from Reserves in the amount of \$190,000.

**SUMMARY:** The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$760,000 or 80% of the eligible project costs, whichever is less. Countywide (AH)

2. Staff recommends motion to receive and file: Addendum To Airline Agreement with WestJet, an Alberta Partnership, commencing September 15, 2016, and terminating on the date the Non-Signatory Airline Agreement with WestJet (R2016-0158), either expires or is canceled, providing for changes in leased facilities on a short-term basis due to seasonal demands at the Palm Beach International Airport. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2016-0976. Countywide (AH)
3. Staff recommends motion to receive and file: First Amendment to the Signatory Airline Agreement with Southwest Airlines Co. (R2014-1720), providing for the relocation of operations area at the Palm Beach International Airport effective October 1, 2016. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2014-1033. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: General Aeronautical Services Permit with The American Service Team Group Services, LLC, commencing August 1, 2016, terminating on September 30, 2017, and automatically renewing on an October 1st to September 30th annual basis until canceled, providing for support services to airlines operating at the Palm Beach International Airport and the payment of service fees in the amount of seven percent (7%) of gross revenues derived from airlines except signatory airlines. **SUMMARY:** Delegation of authority for execution of the standard County agreements above was approved by the Board of County Commissioners in R2010-0708. Countywide (AH)
5. Staff recommends motion to receive and file: First Amendment to the Signatory Airline Agreement with JetBlue Airways Corporation (R2014-1719), providing for the relocation of ticket counter, ticket office, operations area and hold-room/gate locations at the Palm Beach International Airport effective September 1, 2016. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2014-1033. Countywide (AH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Change Order No. 8 to the contract with Hedrick Brothers Construction Company, Inc. (R2012-1000) decreasing the Guarantee Maximum Price (GMP) for the Main Detention Center East Tower Pipe Replacement project in the amount of \$126,609. **SUMMARY:** On January 26, 2016, the Board approved Amendment No. 8 to the contract with Hedrick Brothers Construction Company, Inc. (R2016-0058) in the amount of \$4,081,975 for replacement of the chilled water lines at the Main Detention Center under the East Tower and around the exterior of the building. The Change Order also includes the replacement of the exhaust in the showers in Pod A, reconstructing the chase for the exhaust, and repairing miscellaneous security bars and door frames. There is \$126,609 remaining as a result of buyout savings, unused allowances, and unused contractor contingency. This work was funded from the Public Improvement and 176M NAV 08 CTF Jail Expansion/ Public Building and funds will be returned to the project budget. The Small Business Enterprise (SBE) participation for this contract is 84.2% and the final SBE participation is 84.9%. (Capital Improvements Division) District 2 (LDC)

2. Staff recommends motion to:

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

**B) approve** six County Deeds in favor of the City of West Palm Beach.

**SUMMARY:** The County recently acquired via tax deed escheatment six parcels located within the municipal boundaries of the City of West Palm Beach with a collective assessed value of \$69,403. The parcels serve no present or future County purpose. The parcels are being conveyed to the City pursuant to Florida Statutes Section 197.592(3), which requires the conveyance of surplus property acquired by tax deed to the municipality in which it is located. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** a Maintenance and Easement Agreement with Arden Homeowners Association, Inc. (HOA) for the installation and maintenance of landscaping and an irrigation system over a portion of the County's Arden PUD Civic Site. **SUMMARY:** In October of this year, the developer of the Arden PUD, Highland Dunes Associates Property, LLC (Developer), conveyed a 25 acre Civic Site to Palm Beach County in satisfaction of a condition of approval of its development order. The Arden PUD is located on the north side of Southern Boulevard, west of Seminole Pratt Whitney Boulevard. This Civic Site is located along the Southern Boulevard frontage. The Developer is interested in keeping a visually appealing landscape plan along its entire Southern Boulevard frontage, and requested that the County enter into a Maintenance and Easement Agreement allowing the Homeowners Association to maintain the landscaping. The initial landscape planting will be performed by the Developer at its expense. The easement area will be 60' in width and 1520' in length and will cover an area of approximately two acres. Granting this Easement will relieve the County from the expense of installing and maintaining the landscaping buffer and irrigation system along Southern Blvd. The Maintenance and Easement Agreement will be recorded to provide public notice of its existence. (PREM) District 6 (HJF)
  
4. **Staff recommends motion to authorize:** the County Administrator, or designee, to donate a surplus 2009 Ford Ranger Compact Pickup with tool box with a value of \$4,750 to the School District of Palm Beach County for use by Seminole Ridge Community High School's Automotive Academy. **SUMMARY:** Seminole Ridge Community High School (School) has an Automotive Academy which teaches automotive repair and maintenance. Resources for the Automotive Academy program are limited. The School has been working for the last year to get accredited through the National Automotive Technicians Education Foundation (NATEF) which is an automotive training accreditation program. This accreditation will allow the school access to additional program funding to help offset the current limited resources and provide the students with a higher level of training as compared to other schools which may not have the accreditation or best practices in place. As part of NATEF's requirements they are required to have a ten year or newer vehicle that they will use to educate their students hands-on. The School does not have the funding to purchase a vehicle and the School District does not have any vehicles which meet the requirements. Donating a vehicle will allow students to receive the most effective training possible and gain experience only received when working with a vehicle, supplementing the classroom and book education. In addition, by donating a vehicle the students will be able to learn troubleshooting, familiarize themselves with various vehicle components, repair and replacement procedures, learn about current technology, and safety procedures. The School's Automotive Academy is extremely important to Fleet Management, as these are future employees. In fact, on an annual basis the County utilizes students from the Automotive Academy as interns. Over the past years, Fleet has hired four interns which have become excellent Fleet employees. Due to the revenue from surplus vehicle sales offsetting Fleet's annual budget Staff does not typically support the donation of vehicles. However, in this case the benefits accrue directly to the Fleet Management. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. **REVISED SUMMARY:** Staff recommends motion to approve: appointment/reappointment of the following individuals to the Treasure Coast Regional Planning Council's Comprehensive Economic Development Strategy (CEDS) Committee, for the January 1, 2017, to December 31, 2017, term:

**Appoint:**

Carol Thompson

**Nominated By:**

Commissioner Steven L. Abrams  
Commissioner Melissa McKinlay  
Commissioner Hal Valeche

**Reappoint:**

Artice "Art" Cobb, Jr

**Nominated By:**

Commissioner Steven L. Abrams  
Commissioner Melissa McKinlay  
Commissioner Hal Valeche

Michael Corbit

Commissioner Steven L. Abrams  
Commissioner Melissa McKinlay  
Commissioner Hal Valeche

Andrew Duffell

Commissioner Steven L. Abrams  
Commissioner Melissa McKinlay  
Commissioner Hal Valeche

Gary Hines

Commissioner Steven L. Abrams  
Commissioner Melissa McKinlay  
Commissioner Hal Valeche

**SUMMARY:** The Treasure Coast Regional Planning Council (TCRPC) manages and maintains the CEDS Committee whose purpose is to oversee and guide Districtwide economic development planning. The TCRPC region is comprised of Palm Beach, Martin, St. Lucie and Indian River Counties. The CEDS Committee is a requirement of the U.S. Department of Commerce Economic Development Administration and is comprised of five appointees from each of the participating counties. The TCRPC annually requests the Board of County Commissioners (BCC), as the appointing authority for Palm Beach County, to review its existing members, and to either appoint or reappoint members. Staff recommends the appointment and reappointment of the above five individuals. Andrew Duffell of the Florida Atlantic Research and Development Authority (FARDA) disclosed in his application his employer's existing and pending contracts with the County. Gary Hines of the Business Development Board of Palm Beach County, Inc. disclosed in his application his employer's existing contract with the County. Michael Corbit of CareerSource Palm Beach County inadvertently omitted disclosure of his employer's existing contract with the County. Mr. Corbit subsequently informed staff, in writing, of his employer's existing contract with the County. Carol Thompson is a current County employee. The diversity count of the five representatives recommended for appointment/reappointment by the BCC is as follows: Caucasian: 4 (80%) and African-American: 1 (20%). The gender ratio (female:male) is 1:4. Staff has evaluated these contractual relationships and determined that the above Committee provides no regulation, oversight, management or policy-setting recommendations regarding any of the disclosed contractual relationships. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to conceptually approve: for J&R Care Finders, Inc. (Company):

**A)** a Section 108 Loan with in the amount of \$42,836, contingent upon approval of the U.S. Department of Housing and Urban Development (HUD); and

**B)** a USDA Intermediary Relending Program (IRP) loan in the amount of \$53,545, contingent upon approval of the U.S. Department of Agriculture.

**SUMMARY:** The Company, founded in 2010 provides home health care and related services to elderly clients or medically compromised individuals. The Company currently rents space in Boca Raton, but with a large client base in the western portion of the County, the Company has signed a long term lease at 323 Bacom Point Road, Pahokee, FL, which is in Census Tract 80.02, and has a poverty rate of 39.8%. The total project cost is \$107,090 and the applicant has committed 10% of the total project cost in the amount of \$10,709. This project is located in an economically distressed area and supports a Minority Women owned Business Enterprise (MWBE). Program funds in the amount of \$96,381 are being recommended to be allocated to the Company. The funds will provide working capital, allowing the principal to expand the business. This project will meet HUD's national objective by creating three full-time jobs. The loan project was approved by The Loan Review Committee on September 29, 2016. Upon conceptual approval by the Board of County Commissioners, the loan package will then be submitted to HUD and USDA for approval and funding. District 6 (JB)

3. Staff recommends motion to approve: a three year Contract for Accounting Services between the Housing Finance Authority of Palm Beach County, Florida (Authority), and Goldstein, Zugman, Weinstein and Poole, LLC (GZW) beginning with the fiscal ended September 30, 2016 and ending with September 30, 2018 with a first year fee of \$36,000 with the subsequent two years adjusted up or down based on the number of outstanding bond issues. **SUMMARY:** The Authority was established by the Board of County Commissioners (BCC) in 1979 in accordance with Part IV, Chapter 159, Florida Statutes. Section 2-189 of the Palm Beach County Code of Ordinances, as amended, requires that all contracts of the Authority for the purchase of goods and services in excess of \$10,000 be approved by the BCC. This is a revised Contract which sets forth the terms under which GZW will provide accounting services to the Authority. The need to incorporate new guidelines issued by the American Institute of Certified Public Accountants have necessitated revising and resigning the Contract during its last renewal period without any changes to the term, the scope or the compensation. GZW was selected by the Authority to provide accounting services pursuant to a public Request for Accounting Services process on August 14, 2009. The initial Contract provides for a three year term and up to two successive three year renewals. The initial Contract was approved by the BCC on October 6, 2009 (R2009-1628), the first renewal was approved on July 16, 2013 (R2013-0907), and the second and final renewal of the Contract was approved by the BCC on November 3, 2015 (R2015-1561). The revised Contract was executed by the Authority on November 18, 2016 subject to approval by the BCC. **No Match from County General funds is required.** (HFA of PBC) Countywide (PFK)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Contract with Johnson-Davis Incorporated (Contract) for the 16" Water System Improvements on Lyons Road from the Lake Worth Drainage District (LWDD) L-5 Canal to North of Pioneer Road (Project) in the amount of \$543,110. **SUMMARY:** On August 31, 2016, three bids were received to undertake the Project, which requires the construction of approximately 2,200 linear feet of 16" Ductile Iron Pipe (DIP) water main. The Project will improve system capacity and hydraulic efficiencies, eliminate dead ends, and decrease water retention time in the distribution system, which will result in improved water quality. Johnson-Davis Incorporated was the lowest responsive and responsible bidder in the amount of \$543,110. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract provides for SBE participation of 17.068% overall. Johnson-Davis Incorporated is a Palm Beach County company. The Project is included in the FY 17 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 16-061R) Districts 2 & 6 (MJ)

2. **Staff recommends motion to receive and file:** executed Agreements received during the month of September 2016:

**A)** Utility Concurrency Reservation Agreement with Kennedy Homes, LLC, No. 01-01248-000 (District 2);

**B)** Indemnity Agreement with Meritage Homes of Florida, Inc., No. 02-01137-001 (District 6) (OR BK 28593 PG 1514-1520);

**C)** Standard Potable Water and Wastewater Development Agreement with Standard Pacific of Florida GP, Inc., No. 02-01148-000 (District 6) (OR BK 28593 PG 1521-1529); and

**D)** Standard Potable Water and Wastewater Development Agreement with Lennar Homes, LLC, No. 13-01025-000 (District 6) (OR BK 28593 PG 1530-1538).

**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

M. PARKS & RECREATION

1. DELETED

2. [Staff recommends motion to:](#)

**A) receive and file** a fully executed 2016 South Florida Water Management District (SFWMD) Indian River Lagoon License Plate Funding Agreement for an environmental restoration project at DuBois Park; and

**B) approve** Budget Amendment of \$100,000 within the Park Improvement Fund to establish budget for the approved grant project. The total project cost is \$133,333 and the SFWMD will reimburse the County seventy-five percent of the cost (\$100,000). This grant contract runs from November 7, 2016, through November 7, 2017.

**SUMMARY:** On July 12, 2016, the Board authorized submission of an Indian River Lagoon License Plate grant application to the SFWMD, R2016-0908, for shoreline stabilization and environmental restoration at DuBois Park. This \$100,000 Indian River Lagoon License Plate grant will be matched with \$33,333 in staff costs. The Board also authorized the County Administrator or designee to execute the grant funding Agreement, SFWMD Agreement No. 4600006918, and other standard state and/or federal grant forms related to this project if the grant was approved. This grant was approved, the SFWMD Agreement has been fully executed, and is now being submitted to the Board to receive and file. This grant contract runs from November 7, 2016, through November 7, 2017. District 1 (AH)

3. [Staff recommends motion to receive and file:](#) the following original executed Tee Time Advertising and Sales Agreement:

Distinct Software Solutions, LLC, for the period October 17, 2016, through October 16, 2017.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a Receive and File agenda item. This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director/Assistant Director of Parks and Recreation in accordance with Resolution 2013-1607, and is now being submitted to the Board to receive and file. This Agreement helps to sell tee times at Okeehetee Golf Course, Park Ridge Golf Course and Southwinds Golf Course at non-peak times that would otherwise not be sold. County net revenues generated from this Agreement are estimated at \$20,498. Countywide (AH)

4. [Staff recommends motion to approve:](#) Licensed Training Provider Agreement with the American National Red Cross (Red Cross) to allow properly certified Parks and Recreation Department employees to teach Red Cross courses at County facilities for the period of December 20, 2016, through December 19, 2019. **SUMMARY:** The Parks and Recreation Department's Aquatics and Recreation Services Divisions utilize the Red Cross safety services courses to certify lifeguards, teach swimming lessons and train staff to teach instructor level safety services courses. The Agreement requires the Department to ensure that instructors maintain the appropriate Red Cross certifications for courses being taught, operate in accordance with Red Cross policies, pay the provider fees associated with the courses taught and properly submit course records to the Red Cross. The Red Cross will provide course materials, certifications for courses and access to the Red Cross electronic resources. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to:

**A) approve** First Amendment to Agreement R2015-0332 with the United States Olympic Committee to extend the term from September 30, 2016, to June 30, 2017; and

**B) approve** the Letter of Acknowledgement to the United States Paralympics to extend the term from September 30, 2016, to June 30, 2017; and

**C) authorize** the Director of the Parks and Recreation Department to extend the term of the Agreement or execute amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement; and

**D) authorize** the Director of the Parks and Recreation Department to execute letters of acknowledgement to the United States Paralympics that extend the term of the Agreement.

**SUMMARY:** This First Amendment to Agreement R2015-0332 provides for a nine month extension from September 30, 2016, to June 30, 2017. The United States Olympic Committee (USOC) has requested this extension of our Paralympic Sport Club located at The Club Managers Association of America Therapeutic Recreation Center because we are in good standing and this period allows them to focus on an organization-wide review of partnership programs. This Agreement enables the United States Olympic Committee (USOC) and the Parks and Recreation Department to utilize each other's resources for the provision of a Paralympic Sports Club. All other terms of the Agreement remain the same. The delegation of authority will authorize the Director of the Parks and Recreation Department to extend the term of the agreement or execute amendments to the Agreement that do not change the scope of work or terms and conditions of the Agreement. District 3 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. **REVISED SUMMARY (2<sup>ND</sup>):** Staff recommends motion to approve:

A) appointment of one new member to the Criminal Justice Commission as follows:

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>	<u>Term</u>
Rachel Docekal	29	Private Sector	Economic Council	01/01/2017 -12/31/2019

B) reappointment of three members to the Criminal Justice Commission as follows:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>	<u>Term</u>
George Elmore	20	Private Sector	Economic Council	01/01/2017 -12/31/2019
Douglas Duncan	21	Private Sector	Economic Council	01/01/2017 -12/31/2019
Barbara Cheives	23	Private Sector	Economic Council	01/01/2017 -12/31/2019

**SUMMARY:** The CJC is comprised of 32 members including elected officials and representatives from private and public sectors. Ten private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. (Council), and appointed by the Board. The Council has nominated Mr. George T. Elmore, Mr. Douglas Duncan, and Ms. Barbara Cheives to be reappointed. The Council has nominated Ms. Rachel Docekal as a new appointment. Mr. George Elmore has disclosed that he is employed by Hardrives of Delray, Inc., which frequently bids on County Engineering contracts. There is no current contract in place. The CJC provides no regulation, oversight, management, or policy setting recommendations regarding or related to the Hardrives of Delray, Inc. contracts. Disclosure of this potential contractual relationship is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. The Board has 32 seats, ~~30~~ 31 seats currently filled and a diversity count of Caucasian: ~~24~~ 23 22 (70% ~~74%~~ 71%), African-American: 8 (~~28%~~ 26%) and Hispanic: 1 (3%). The gender ratio (female:male) is: ~~9:24~~ 8:23. The four nominees include two Caucasian males, one African American female and one Caucasian female. Countywide (JB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to ratify:

**A)** a FY 2016 Assistance to Firefighters Grant (AFG) grant application electronically submitted to the U.S. Department of Homeland Security's (DHS), Federal Emergency Management Agency (FEMA) on November 18, 2016, requesting \$27,655 to fund 90% of the purchase of sixteen multi-gas monitors for a term beginning twelve months from the date of award; and

**B)** the Mayor's designation of Deputy Chief Thomas Tolbert, through the County Administrator, to act as the County's representative for the purpose of electronically signing and submitting the FY 2016 AFG grant application, including Applicant Acknowledgements, and Assurances and Certifications via the DHS FEMA website.

**SUMMARY:** This grant application requests \$27,655 from DHS FEMA for the purchase of sixteen multi-gas monitors. The total project cost identified in the grant application is \$30,420. The required match for this grant is \$2,765 (10%), which will be funded from Fire Rescue's contingency reserve and has been included in the FY 2017 budget. Fire Rescue has partnered with the University of Miami (UM) for cancer research, prevention, education and support. Firefighters are exposed to extreme hazardous environments containing hundreds of unmonitored toxins, and UM's research demonstrates the significance of Volatile Organic Compounds (VOC) that contain known and suspected carcinogens. If awarded, the grant will provide funding for sixteen multi-gas monitors that have the capability of detecting VOCs. These monitors will be placed on all command vehicles to ensure that at least one multi-gas monitor is on every major incident. Countywide (SB)

2. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance and Automatic Aid with Martin County effective October 1, 2016, through September 30, 2026. **SUMMARY:** The current Emergency Services Agreement for Mutual Assistance and Automatic Aid with Martin County expired on September 30, 2016. The Agreement was originally on the County's September 27, 2016 Board of County Commissioners' agenda; however, Martin County requested it be deleted when it became known their Board did not review the Agreement prior to their September 13, 2016 meeting. The proposed Agreement is for a ten year period through September 30, 2026. The Agreement provides for fire suppression, emergency medical services, and other emergency services during extraordinary emergency events. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

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

~~A) the Seventh Amendment to Interlocal Agreement (R2014-0171), effective November 22, 2016 with the Health Care District (HCD) of Palm Beach County to add Colocation Roles, Responsibilities and Expectations;~~

~~B) Memorandum of Understanding (MOU) form for future Colocation Services Agreements between Palm Beach County and non-billable entities requesting colocation services; and~~

~~C) delegation of signature authority for MOU Colocation Service Agreements to the Director of Information Systems Services (ISS).~~

**SUMMARY:** ISS has deemed it necessary to amend the Interlocal Agreement with the HCD to clearly define the roles, responsibilities and expectations of ISS as the colocation service provider and HCD as a colocation tenant. Colocation is a common service where a business rents space in their data center to a tenant for their servers and other computing hardware. In addition, the Board's delegation of signatory authority is requested to allow the ISS Director to sign MOU forms for colocation services provided to County departments and agencies. Countywide (PFK)

2. Staff recommends motion to:

**A) rescind** the Interlocal Agreement (R2011-1085), as amended, dated July 19, 2011;

**B) approve** the Interlocal Agreement for network services with the Jewish Federation of Palm Beach County, Inc.; and

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

**SUMMARY:** The Jewish Federation of Palm Beach County, Inc. (JFPBC) has an existing Interlocal Agreement with Palm Beach County for Network Services (R2011-1085) and wishes to replace this Interlocal Agreement to include current contract standards and add a new location for network services at 1 Harvard Circle within West Palm Beach, which will replace their 4601 Community Drive main office location at the same monthly rate of \$1,200. In addition, the JFPBC will pay an estimated one-time \$63,740 cost for installation. The Florida LambdaRail LLC has approved connection of the JFPBC to the Florida LambdaRail network. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. **Staff recommends motion to receive and file:** Exercise of Renewal Option Form for Software License and Professional Services Agreement (R2015-0585) with the Government of the U.S. Virgin Islands, in the amount of \$164,000 for the one-year period October 1, 2016, through September 30, 2017. **SUMMARY:** The Information Systems Services Department developed and currently hosts a Business License Web Application for the Government of the U.S. Virgin Islands. The Virgin Islands pays the County a software lease fee of \$1,650 per month, an application hosting fee of \$3,000 per month, and Professional Services up to \$108,200 per year. The Exercise of Renewal Option Form provides for a one-year renewal period from October 1, 2016, to September 30, 2017. Authority was delegated to the ISS Director by the County Administrator to approve and execute future Exercise of Renewal Option Forms that do not change the scope of work or terms and conditions. Countywide (PFK)
  
4. **Staff recommends motion to:**
  - A) approve** the Interlocal Agreement for network services with the Village of Palm Springs (Village) for a total annual revenue of \$3,300; and
  
  - B) authorize** the County Administrator, or designee, ISS Director, to approve and execute Task Orders associated with these services, up to a maximum dollar value of \$50,000 per Task Order.

**SUMMARY:** The Village is requesting connection to the Palm Beach County network from their Village Hall location. This Interlocal Agreement is for an initial term of one year with automatic one-year renewals unless notice is given by either party, and will generate \$3,300 in annual revenues to the County and fully reimburse the County for installation costs (estimated at \$32,046). The Florida LambdaRail LLC has approved connection of the Village to the Florida LambdaRail network. District 3 (PFK)

X. PUBLIC SAFETY

1. **Staff recommends motion to approve:** Grant Agreement with Florida Power & Light Company (FPL) to receive \$200,000 for the Radiological Emergency Preparedness (REP) Program of the Division of Emergency Management. The term of the agreement is retroactive to October 1, 2016, through September 30, 2018. **SUMMARY:** FPL will provide Palm Beach County \$200,000 over two years, for the Palm Beach County Division of Emergency Management REP Program, in accordance with U.S. Nuclear Regulatory Commission Provision (NRC) 10 CFR Parts 50 and 70, NRC guidance documents NUREG 0654 and Florida Statute Chapter 252. The County's responsibilities shall include coordination with FPL in the development, maintenance and implementation of an emergency preparedness program in support of FPL's nuclear power program. The FPL Grant will continue to fund a Planner position within the Division of Emergency Management that oversees the REP program and related expenses such as training and exercises. **No County match is required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve:

**A)** The following contracts with Volunteer Florida for the period retroactive to July 1, 2016, through June 30, 2017:

1. Contract Award from Volunteer Florida serving as administrative agency for FY 2017 Federal Emergency Management Performance Grant Program (EMPG) funding in the amount of \$7,600 for Community Emergency Response Team (CERT) program initiatives, and
2. Contract Award from Volunteer Florida serving as administrative agency for FY 2017 Federal EMPG Program funding in the amount of \$7,400 for Citizen Corps program initiatives to include CERT training and associated supplies; and

**B)** a Budget Amendment of \$15,000 in the Emergency Management Fund to recognize the grant awards.

**SUMMARY:** Serving as administrative agency, Volunteer Florida will be awarding annual grants for CERT and Citizen Corps program activities. On July 1, 2016, the Florida Department of Emergency Management transferred CERT and Citizen Corps programs to Volunteer Florida. **In-kind donation of volunteer hours will be used to fulfill the matching requirement of \$7,600 for the CERT grant and \$7,400 for the Citizen Corps grant.** Countywide (LDC)

3. Staff recommends motion to approve: Memorandum of Agreement with the Florida Division of Emergency Management (Division) effective on the date of execution by the last signing party through the duration of services provided under the Division's contract DEM-16-PG-E4-13-00-22-379, but no later than June 30, 2019, to utilize the notification system provided by the Division at no cost to transmit alerts, notifications, and other authorized public safety messaging to residents, businesses, and visitors located in or transiting through the County. **SUMMARY:** In 2015, the Florida Legislature made revisions to Section 252.35(2)(a)6, Florida Statutes, which requires the Division to "establish a system of communications and warning to ensure that the state's population and emergency management agencies are warned of developing emergency situations and can communicate emergency response decisions". As such, the Division and Emergency Management Agencies are the only eligible users of the Statewide Notification System services provided under the Division's contract with Everbridge, Inc. The County's responsibilities shall include use of the system at no cost to the County to make notifications of population protective actions, share emergency preparedness and response information, disaster recovery information, provide automated weather warnings, assist with law enforcement searches, and provide notifications and recall of County employees, contractors, and other response partners. The agreement will remain in effect for the duration of services provided under the Division's contract with Everbridge Inc., but no later than June 30, 2019. Upon execution of this MOA, local governmental agencies will be eligible to enter into their own agreements with the Division at no cost. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. Staff recommends motion to:

**A) approve** payment of the Transitional Reinsurance Program Annual Enrollment Contribution Submission in the amount of \$197,608.41 due for the Affordable Care Act's (ACA) Transitional Reinsurance Program as established by Section 1341 of the ACA, and

**B) delegate** the County Administrator, or designee, as the Authorizing Official for Reporting Entity's Acknowledgment, as defined by the ACA, to verify and acknowledge the annual enrollment count, supporting data, and accompanying required contribution as stated above.

**SUMMARY:** The ACA established the Transitional Reinsurance Program to stabilize premiums in the individual health insurance market and ACA exchanges. Contributing Entities, as defined by 45 CFR 153.20, including the Board's self-insured group health plan, are required to pay annual contributions for the 2014, 2015, and 2016 benefit (calendar) years. The 2016 contribution is due by January 15, 2017 and represents \$27 per enrolled participant for the current benefit year. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to:

**A) receive and file** Grant Modification 2, dated October 3, 2016, with the Office of National Drug Control Policy to provide an additional \$69,211 in grant funds for the Palm Beach County Narcotics Task Force; and

**B) receive and file** Grant Modification 3, dated October 19, 2016, with the Office of National Drug Control Policy to provide an additional \$17,848 in grant funds for the Palm Beach County Narcotics Task Force; and

**C) approve** a Budget Amendment of \$87,059 in the Sheriff's Grant Fund.

**SUMMARY:** The Board of County Commissioners (BOCC) accepted this grant award for \$149,548 on April 16, 2016 (R2016-0521). The BOCC received and filed an agenda item for Grant Modification 1, increasing the grant award by \$20,000, on July 12, 2016 (R-2016-0923). Grant Modification 2 will provide an additional \$69,211 in reimbursable funding to support additional overtime expenses. Grant Modification 3 will provide an additional \$17,848 in reimbursable funding to support additional overtime expenses. There is no match requirement associated with this award. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation for the Palm Beach County Sheriff's Office, Palm Beach County Impaired Driving Initiative, in the amount of \$60,000, for the period of November 1, 2016, through September 30, 2017; and

**B) approve** a Budget Amendment of \$60,000, increasing the Sheriff's Grant Fund.

**SUMMARY:** On November 1, 2016, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$60,000, to support an Impaired Driving Initiative in Palm Beach County. Funds will be used to support overtime costs associated with the Impaired Driving project. There is no match requirement associated with this award. Countywide (LDC)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, an Agreement with the State of Florida, Office of the Attorney General for a Victim of Crime Act (VOCA) award in the amount of \$81,895.25 for the period October 1, 2016, through September 30, 2017; and

**B) approve** a Budget Amendment of \$81,896 in the Sheriff's Grant Fund.

**SUMMARY:** On September 16, 2016, the Palm Beach County Sheriff's Office (PBSO) received a VOCA grant. These funds will be used to continue to allow for a victim advocate position to concentrate on the victim population in Palm Beach County. This position will continue to coordinate services with PBSO officers, the County's Victim Services Program, and other municipal agencies to offer crisis intervention, lethality assessments and safety plans. The PBSO will be reimbursed for personnel and training expenses totaling \$81,895.25. The PBSO will provide the 20% required match in the amount of \$19,973.81, through its approved operating budget. Countywide (LDC)

4. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office, a Financial Assistance Agreement between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office in the amount of \$98,638.32 for the period of October 1, 2016, through September 30, 2017; and

**B) approve** a Budget Amendment of \$98,639 in the Sheriff's Grant Fund.

**SUMMARY:** The Florida Department of Law Enforcement (FDLE) provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. For FY 2017, FDLE provided the first quarterly payment to PBSO in the amount of \$98,638.32 to offset the costs of operating the Palm Beach County Crime Lab. There is **no match requirement** associated with this award. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** First Amendment to the Tri-Party Agreement between Palm Beach County (County), a political subdivision of the State of Florida, the City of Boca Raton (City), a municipal corporation, each one constituting a public agency defined in Part I of Chapter 163, Florida Statutes and ESPN Productions, Inc. (ESPN), a Delaware corporation to as it relates to the City's and County's obligations regarding an annual college football bowl game; changing the name from ESPN Regional Television, Inc. to ESPN Productions, Inc. and changing the City's and County's obligations regarding the hotel package promotion. **SUMMARY:** Approval of this Amendment recognizes the change of name for ESPN from ESPN Regional Television, Inc. to ESPN Productions, Inc. and changes the City's and County's obligations regarding the hotel package promotion. The City's and County's obligations regarding the hotel package promotion and liability is being deleted from the agreement. This is the 3<sup>rd</sup> year of that six year Tri-Party Agreement. The changes were approved by the City of Boca Raton at the December 13<sup>th</sup>, 2016 City Council Meeting. (TDC) Countywide (DW)

\* \* \* \* \*

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

A. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

**A) conduct** a Tax Equity and Fiscal Responsibility Act (TEFRA) public hearing concerning the proposed issuance of the Bonds; and

**B) approve** the Application of Tuscan Gardens of Delray Beach, LLC, for the issuance of the County's up to \$45,000,000 Industrial Development Revenue Bonds (Tuscan Gardens of Delray Beach Project), Series 2016 (Bonds).

**SUMMARY:** Tuscan Gardens of Delray Beach, LLC (Company) has applied for the issuance of the Bonds by Palm Beach County in an amount not to exceed \$45,000,000. Bond proceeds will be used to finance, refinance or reimburse the acquisition, construction, development, installation, equipping and furnishing of a senior living facility and related facilities. The facility will have approximately 128 units which includes 16 supportive independent living units comprising 18 beds, 60 assisted living units comprising 70 licensed beds, and 52 memory care units comprising 56 licensed beds and will be located on approximately 7.5 acres at the southwest corner of the intersection of Frost Lane and Sims Road near Delray Beach. The proceeds will also fund necessary reserves and pay costs associated with the issuance of the Bonds. The Internal Revenue Code requires the County to hold a TEFRA public hearing prior to issuance of these tax-exempt bonds. The applicant will be required to receive the County's future approval prior to issuing the Bonds, which is anticipated to be in early 2017. The Bonds will be payable solely from revenues derived from the Company. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 5 (PFK)

4. PUBLIC HEARINGS CONTINUED

B. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

**A) determine** that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan (Plan) and that fewer than 20% of the Fiscal Year 2015 construction projects are more than 12 months behind schedule as defined in Attachment "1" to the Agenda Item;

**B) approve** Program Findings of Fact (per Article 12.M.3.B of the Unified Land Development Code) with a majority affirmative vote that the deletion of Clint Moore Road, east of Congress Avenue to east of LWDD E-4 Canal, will not result in any link or intersection on the road network operating at greater than the adopted level of service, and that no project which was approved and phased based upon such assured construction would be denied building permits because of the deletion of the construction; and

**C) adopt** an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Program; providing for title; purpose; adoption of revised Program and revised list of projects contained in Exhibit "A"; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date.

**SUMMARY:** This is the annual update of the County's Five Year Road Program which is required to be considered each year by the Program Ordinance. The Unified Land Development Code (ULDC) requires that concurrent with the adoption of the annual Program, the Board of County Commissioners (BCC) determine that the appropriate Findings of Fact associated with the Program have been made. Those findings have been made and are defined in Attachment "1" to the Agenda Item. The ULDC also requires prior to the deletion/delay of any construction project from/of the County's Program, the Board must determine that the findings associated with the deletion have been made. They have been made, and they are defined in Attachment "2" to the Agenda Item. Exhibit "A" to the Ordinance contains the road projects to be undertaken by the County in the next five years and is included as part of Attachment "3" to the Agenda Item. Countywide (PM)

4. PUBLIC HEARINGS CONTINUED

C. PUBLIC SAFETY

1. Staff recommends motion to approve: the following twelve Primary Provider Advanced Life Support (ALS) Certificates of Public Convenience and Necessity (COPCN's) for a six-year term commencing on January 1, 2017, through December 31, 2022, with appropriate endorsements to define geographic areas of service and service type. Providers are as follows:

- |                                      |   |
|--------------------------------------|---|
| 1. City of Boca Raton Fire Rescue    | 7. Town of Palm Beach Fire Rescue         |
| 2. City of Boynton Beach Fire Rescue | 8. City of Palm Beach Gardens Fire Rescue |
| 3. City of Delray Beach Fire Rescue  | 9. City of Riviera Beach Fire Rescue      |
| 4. City of Greenacres Fire Rescue    | 10. Village of Tequesta Fire Rescue       |
| 5. Village of North Palm Fire Rescue | 11. City of West Palm Beach Fire Rescue   |
| 6. Palm Beach County Fire Rescue     | 12. Martin County Fire Rescue             |

**SUMMARY:** Pursuant to Palm Beach County Ordinance 2006-040, any agency desiring to provide emergency medical services in Palm Beach County, must submit an application and meet the requirements for issuance of a COPCN. Advertisement for applications began on September 22, 2016 and ended on October 3, 2016. A total of twelve applications were submitted and reviewed by staff. There were no new applicants requesting a COPCN to provide Primary ALS services. All of the applicants currently hold a COPCN license that will expire on December 31, 2016. On November 17, 2016, the Emergency Medical Services Advisory Council (EMS Council) reviewed the applications and supporting documentation and has recommended approval. The applicants have met the requirements for issuance of their respective COPCN's with requested endorsements to specify level of service and geographic area requested. Countywide (LDC)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to approve: a priority list of the appropriation requests included in the 2017 State Legislative Agenda. **SUMMARY:** At the November 29, 2016 workshop, the Board approved the proposed 2017 State Legislative Agenda. Additionally, the Board directed Legislative Affairs to prioritize the appropriation requests included in the Agenda by category and present this priority list back to them at a future Board meeting. Countywide (DW)

5. REGULAR AGENDA

B. ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to approve:** technical revisions to Palm Beach County's State Housing Initiative Partnership (SHIP) Program strategies for the 2013-2016 and 2016-2019 Local Housing Assistance Plans (LHAPs); and authorizing the submission of the revised LHAPs to the Florida Housing Finance Corporation (FHFC). **SUMMARY:** On April 16, 2013, the Board of County Commissioners (BCC) approved the SHIP 2013-2016 LHAP (R2013-0487 and R2013-0488), and on April 19, 2016 the BCC approved the SHIP 2016-2019 LHAP (R2016-0503). These LHAPs establish how Palm Beach County utilizes its SHIP allocation for the fiscal years identified. Staff is seeking BCC approval of two proposed technical revisions to the two LHAPS, which have been reviewed by FHFC per the SHIP Program Procedures Manual. FHFC reviewed the proposed changes on October 4, 2016 and classified them as "technical revisions". FHFC allows the approval of "technical revisions" to be at the option of the local governing body, whereas "amendments" are required to be approved by the local governing body. Historically, DES has sought BCC approval of both "technical revisions" and "amendments" to the LHAPs. The two proposed Technical Revisions to the attached LHAPs' strategies in ~~strikethrough~~/underline format which are summarized as follows: The first proposed technical revision to the 2013-2016 LHAP adds the purchase of condominiums and townhomes as eligible activities under the Purchase Assistance Program (PAP). Condominiums and townhomes are more affordable to low and extremely-low income households. Permitting the purchase of these properties would benefit these income categories. Currently, 62% of PAP income certified applicants are low and extremely-low income families. This revision to the PAP strategy in the 2013-2016 LHAP will permit these applicants to secure affordable home ownership opportunities within these property types. The second proposed technical revision impacts both the 2013-2016 LHAP and the 2016-2019 LHAP. This technical revision brings into consistency the Rental Housing Entry Assistance Strategy with F.S. 420.9072(10) which restricts long-term rental assistance to only very low income (50% AMI or below) special needs and homeless households and limits that assistance to a twelve-month period. This technical revision does not impact the provision of one-time assistance payments for security deposits and utility fees or costs for households earning up to 80% AMI. These technical revisions were reviewed and approved by the FHFC on October 4, 2016. **These are State SHIP Program grant funds which do not require a local match.** Countywide (JB)

5. REGULAR AGENDA

B. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve:

**A)** an Economic Development Incentive Agreement with Granite Telecommunications, LLC (Company), for a cash incentive of \$25,000 as the local match to be paid according to the State's schedule for the Qualified Target Industry Program;

**B)** a Budget Transfer of \$25,000 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund Economic Incentive Growth Program; and

**C)** a Budget Amendment of \$25,000 in the Department of Economic Sustainability Fund to recognize the funds from the General Fund.

**SUMMARY:** On July 12, 2016, the Board of County Commissioners (BCC) conceptually approved (R2016-0939) an Economic Development Incentive for the Company totaling \$25,000. This Agreement discloses the name of the Company, Granite Telecommunications, LLC, previously referred to as Project Chop. The Agreement requires the Company to make a minimum \$600,000 capital investment to expand, build out and renovate its existing building in West Palm Beach as well as relocating its Regional Headquarters. The Company will create 50 new full-time jobs over a five year period at an annualized average wage of \$50,675 and a median wage of \$60,000. The Company will retain 60 existing Palm Beach County jobs and the new and retained jobs must be retained for an additional five years from the date of the Agreement. The State of Florida is providing a \$250,000 incentive in the form of a Qualified Target Industry (QTI) Tax Refund. Of this amount, \$200,000 is from the State of Florida and \$50,000 is the required 20% match from local governmental entities. The local share will be split equally between Palm Beach County and the City of West Palm Beach. The local match from Palm Beach County will be provided in the form of an Economic Development Grant (cash) in an amount not to exceed \$25,000 over a period of five years provided the project meets the requirements under the State of Florida and the County. The Grant will be paid according to the State's QTI Refund Schedule, and will be secured by a Letter of Credit, Bond, Corporate Guarantee or equivalent. District 7 (JB)

5. REGULAR AGENDA

C. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

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

**A) waive** the Board of County Commissioner policy that limits advisory board members to eleven members under Resolution No. R2013-0913; and

**B) adopt** Resolution of the Board of County Commissioners of Palm Beach County, Florida, establishing a ~~seventeen~~ nineteen member Palm Beach County Infrastructure Surtax Independent Citizen Oversight Committee.

**SUMMARY:** On November 8, 2016, the voters of Palm Beach County approved an infrastructure surtax plan for one cent, maximum ten years beginning January 1, 2017 (or sooner if the surtax generates \$2.7 billion before September 1<sup>st</sup> of any year), creation of an oversight committee to audit spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The proceeds of such tax would finance the renewal and replacement of existing capital investments including roadway surfaces, bridges, drainage improvements, canals, park amenities, and government buildings, all of which were deferred during the recent recession and remain outstanding, and projects to maintain levels of service. An independent oversight committee would be established to ensure that spending is in line with the statutory requirements. The Resolution establishes the County's Infrastructure Surtax Independent Citizen Oversight Committee (Committee). The Committee will consist of the following: one member appointed by each District Commissioner; two members nominated by the Business Forum of Palm Beach County; one member nominated by the Black Chamber of Commerce of Palm Beach County; one member nominated by the Hispanic Chamber of Commerce of Palm Beach County; one member from the Economic Council of Palm Beach County; one member nominated by the Tri City Education Committee; one member nominated by the Florida Engineering Society Palm Beach Chapter; one member nominated by the Palm Beach County City Management Association; one member nominated by the Urban League of Palm Beach County; two members nominated by the Palm Beach – Treasure Coast AFL-CIO; and one member nominated by the Associated General Contractors Association Florida East Coast Chapter.

The Committee will meet monthly, or as needed, issue an annual report, may make recommendations to the Board, and ensure that the proceeds of the surtax are expended for the purposes set forth in the ballot measure and are in compliance with the County's surtax plan. Countywide (DW)

5. REGULAR AGENDA

D. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to receive and file:** Annual Report for Fiscal Year 2016 – Tourism Performance in Palm Beach County. **SUMMARY:** The Board of County Commissioners directed by Palm Beach Ordinance 95-30 and County Code 17-111-116 known as the Tourist Development Ordinance of Palm Beach County requests submission of an Annual Report covering performance of all contracted agencies overseen by the Tourist Development Council: Discover The Palm Beaches; the Cultural Council of Palm Beach County; the Palm Beach County Sports Commission; the Palm Beach County Film & Television Commission; the Palm Beach County Convention Center. The Annual Report is performance based covering the prior Fiscal Year starting October 1<sup>st</sup> 2015 through September 30<sup>th</sup> 2016. Countywide (DW)

E. PLANNING, ZONING & BUILDING

1. **ADD-ON: Staff recommends motion to amend:** the 2017 Palm Beach County Legislative Agenda to address the organizations that can nominate local construction industry representatives to serve on the Building Code Advisory Board of Palm Beach County (BCAB). **SUMMARY:** The current language in Chapter 2001-323, Section 6, of the Laws of Florida requires that seven industry representatives must be nominated by the Construction Industry Management Council of Palm Beach (CIMC). The CIMC was last active in 2014 and was dissolved administratively in 2016 by the Florida Division of Corporations. As a result, County staff is unable to secure nominations to fill vacant industry seats on BCAB. Because two industry seats are currently vacant, industry representation on BCAB is lessened and it has become difficult to establish a quorum in order for BCAB to hear issues, or to offer technical advisories, evaluate products, or offer interpretations. The proposed changes to the law are intended allow the seven industry representatives to be nominated by existing local chapters of national or regional construction industry trade associations. Countywide (SF)

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DECEMBER 20, 2016

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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**DECEMBER 20, 2016**

**7. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**8. COMMISSIONER COMMENTS**

**A. District 1 – COMMISSIONER HAL R. VALECHE**

**B. District 2 – COMMISSIONER PAULETTE BURDICK, MAYOR**

**C. District 3 – COMMISSIONER DAVE KERNER**

**D. District 4 – COMMISSIONER STEVEN L. ABRAMS**

**E. District 5 - COMMISSIONER MARY LOU BERGER**

**F. District 6 - COMMISSIONER MELISSA MCKINLAY, VICE MAYOR**

**G. District 7 – COMMISSIONER MACK BERNARD**

**9. ADJOURNMENT**

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