

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JULY 11, 2017

<u>PAGE</u>	<u>ITEM</u>	
16	3F-1	<u>DELETED:</u> Staff recommends motion to: A) Receive and file an Award Modification (Modification P00002) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) in the amount of \$264,568.29 for law enforcement services at Palm Beach International Airport (PBIA); and B) Approve a Budget Amendment in the Airport's Operating Fund, for the receipt of \$264,568 of funding from the TSA; and an increase to Airport's Reserve in the amount of \$264,568. SUMMARY: Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093). <u>Countywide</u> (AH)
54	5G-1*	<u>DELETED:</u> Staff recommends motion to approve: Agreement for Purchase and Sale (Agreement) with Nelson R. Santos and Teresa Santos (Santos) to acquire a .96 acre parcel improved with a 2,505 sf home for \$300,000. (FDO)
54	5G-2	<u>ADD-ON:</u> Staff recommends motion to approve: A) an Amended and Restated Landlord Estoppel Agreement related to the Convention Center Hotel refinancing; B) a Memorandum of Amended and Restated Landlord Estoppel Agreement; C) an Amended and Restated Insurance Proceeds and Condemnation Awards Escrow Agreement; and D) an Amended Memorandum of Hotel Lease. SUMMARY: CityPlace Hotel, LLC is refinancing the existing loan secured by a Mortgage encumbering its leasehold interest in the Convention Center Hotel, which, among other things, will result in an increase in the principal amount of said loan to \$93,000,000 and the payoff and satisfaction of other mezzanine debt. Pursuant to the Hotel Lease (R2013-0104), the County is required to provide the Lenders with an Estoppel Certificate confirming: the various documents related to the Hotel project; that there are no defaults under those documents; and various factual matters under those documents, including the Substantial Completion Date and the Rent Commencement Date. These documents are the same in all material respects as approved by the Board in May of 2014, for the existing loan which is being refinanced. (PREM) <u>District 7/Countywide</u> (HJF)

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

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

JULY 11, 2017

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 8)

- 3. CONSENT AGENDA (Pages 9-45)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 46-48)**

- 5. REGULAR AGENDA (Pages 49-55)**

- 6. BOARD APPOINTMENTS (Page 56)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 57)**

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- 2C-2 Proclamation declaring July 2017 as Summer Learning Month and July 13, 2017 as Summer Learning Day in Palm Beach County (Sponsored by Mayor Burdick)
- 2C-3 Certificate of Appreciation presented to Senator Bobby Powell for his dedication and leadership as chair of the Palm Beach County Legislative Delegation during the 2017 Legislative Session (Sponsored by Mayor Burdick)
- 2C-4 Proclamation declaring July 2017 as Parks and Recreation Month in Palm Beach County (Sponsored by Commissioner Kerner)
- 2C-5 Proclamation declaring July 11, 2017 as K-9 Casper Day in Palm Beach County (Sponsored by Commissioner Kerner)

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
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- 3C-2 Contract with Rosso Site Development, Inc. for construction of Coral Ridge Drive, from Regional Park Drive to 750' north
- 3C-3 DELETED
- 3C-4 Contract with Rosso Site Development, Inc. for the construction of Center Street from Thelma Avenue to Woodland Estates Drive
- 3C-5 Construction agreement with the Florida Department of Transportation for construction of Hood Road from east of Florida's Turnpike to west of Central Boulevard, including a bridge over I-95
- 3C-6 Interlocal Agreement with the Village of Palm Springs for joint funding of design, permitting and construction of roadway improvements for Canal 11 Road, Erie Terrace, Long Pine Way and Childs Street

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JULY 11, 2017

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. [Employee Service Awards](#)
2. Proclamation declaring July 2017 as Summer Learning Month and July 13, 2017 as Summer Learning Day in Palm Beach County (Sponsored by Mayor Burdick)
3. Certificate of Appreciation presented to Senator Bobby Powell for his dedication and leadership as chair of the Palm Beach County Legislative Delegation during the 2017 Legislative Session (Sponsored by Mayor Burdick)
4. Proclamation declaring July 2017 as Parks and Recreation Month in Palm Beach County (Sponsored by Commissioner Kerner)
5. Proclamation declaring July 11, 2017 as K-9 Casper Day in Palm Beach County (Sponsored by Commissioner Kerner)

* * * * *

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** an appointment to the Water Resources Task Force (WRTF) for the remainder of a full three-year term commencing July 11, 2017 and ending September 30, 2018.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Seat Representative</u>	<u>Term Ending</u>
2	Paula Ryan	Member	League of Cities	09/30/18

SUMMARY: The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; and one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. There are currently 13 active members on the WRTF. One of the League of Cities' member slots has recently opened up due to a resignation. This slot is a League of Cities has selected one of its alternates to fill that slot on the Task Force, bringing the active number of members to 14. Therefore, an appointee for Seat No. 2 is being submitted for approval by the Board of County Commissioners for the remainder of the current three-year term ending September 30, 2018. The diversity of the current 13 Task Force members is as follows: Caucasian: 13 (100%). The gender ratio (female:male) is 3:10. The proposed League of Cities member appointee is a Caucasian female. Staff is aware of the minimal amount of diversity on this Task Force and is actively seeking to bring more diversity to this Task Force. Countywide (MJ)

2. **Staff recommends motion to approve:**

A) an Amendment of Solicitation/Modification of Contract (Contract No. EEC45015C0047P00002) with the U. S. Equal Employment Opportunity Commission (EEOC) in the total amount of \$74,600 as payment for processing and resolving employment discrimination complaints;

B) an Award/Contract (Contract No. EECEE14PA14138) with the EEOC in the total amount of \$800 as payment for travel expenses to attend EEOC training;

C) an Amendment of Solicitation/Modification of Contract No. EECEE14PA14138 with the EEOC in the amount of \$1,000 as payment for travel expenses to attend EEOC training; and

D) a net downward Budget Amendment of \$3,600 in the General Fund to adjust the budget to the actual contract.

SUMMARY: Execution of the documents are required so that Office of Equal Opportunity can receive payment for processing and resolving complaints of employment discrimination pursuant to the Worksharing Agreement with the EEOC and payment for travel expenses to attend required EEOC training. Contract No. EEC45015C0047P00002 is for FY 2016-2017 and is in the amount of \$74,600 (\$70,000 for charge processing; \$2,100 for intake services; \$1,500 for attendance at EEOC sponsored annual training and \$1,000 for Fair Employment Practices Agencies engagement funding). Contract No. EECEE14PA14138, in the amount of \$1,800, is payment for travel expenses to attend EEOC training for FY 2016-2017. **No County funds are required.** Countywide (DO)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **Staff recommends motion to approve:** Golf Tournament Agreement with Trump International Golf Club, L.C. and the West Jupiter Community Group, Inc. aka Edna W. Runner Tutorial Center for a one-day charitable golf tournament to be held on November 3, 2017. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (TIGC), approved September 3, 1996 (R96-1277D), allows the use of the golf course during the months of May through October for the County to host either a single two-day, or two one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the TIGC to be available exclusively for the tournament to be held on November 3, 2017. The parties have agreed to hold the tournament the first Friday of November which is outside the parameters of the Development Site Lease Agreement. Proceeds from the tournament will benefit the West Jupiter Community Group aka Edna W. Runner Tutorial Center. Countywide (AH)

4. **Staff recommends motion to approve:** Appointment of Carole Hart to the Small Business Assistance (SBA) Advisory Committee to complete the term of Vincent Nolan, Seat No. 12, who has resigned, for the term of July 11, 2017, to September 30, 2018.

<u>NOMINEE</u>	<u>SEAT No.</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Carole Hart Appoint	12	Small Business	07/11/17 to 09/30/18	Development Center

SUMMARY: The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code as amended on March 12, 2013. The Committee consists of 15 members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. The SBA Advisory Committee supports the nomination and a memo was sent to the Board of County Commissioners on June 21, 2017, requesting approval of the recommendation. No other nominations were received. The SBA Advisory Committee consists of 15 members and the terms of the seats are for three years. The SBA Advisory Committee reviews and evaluates the effectiveness of small business programs within County Government. The Committee currently consists of 14 members. The current diversity count is: Caucasian: 6 (42.8%), African American: 6 (42.8%), and Hispanic: 2 (14.2%). The gender ratio (female:male) is: 7:7. The nominee for appointment to seat 12 is a Caucasian female. Countywide (HH)

5. **Staff recommends motion to adopt:** Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the use of the Pollution Recovery Trust Fund for climate resilience planning expenditures for an additional one-year period through FY 2018. **SUMMARY:** Approval of this item advances Palm Beach County’s commitment to climate resilience planning and coordination locally and regionally. This resolution extends the authorization to expend Pollution Recovery Trust Fund (PRTF) dollars in an amount not to exceed \$230,000 to fund the County’s newly established Office of Resilience and associated program expenses for a one-year period through FY 2018. There are sufficient unobligated funds in the PRTF to accommodate this purpose. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6. **Staff recommends motion to approve:** Memorandum of Understanding between Palm Beach County (County) and The Solar Foundation, a nonprofit organization, to provide a full-time advisor for six months, at no cost to the County, to help the County and co-host municipalities reduce the soft costs of solar. **SUMMARY:** Approval of this item enables the County to host an Advisor, under The Solar Foundation's SolSmart program funded by the United States Department of Energy SunShot Initiative, who will work with the County and co-applicants to address solar soft costs (e.g. planning and zoning, permitting, financing, etc.), foster local solar market growth, and obtain SolSmart Community designations. Countywide (RPB)

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:

Meeting Type	Meeting Date
Comprehensive Plan	April 26, 2017
Regular	May 02, 2017
Regular	May 16, 2017

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; Water Utilities Department; Environmental Resources Department; and the Department of Airports during July 2016. Countywide
5. **Staff recommends motion to receive and file:** two of Palm Beach County's annual financial reports for fiscal year ended September 30, 2016.
- A. The Units of Local Government – Annual Financial Report (AFR)
- B. Annual Financial Audit Report (AFAR), including the Single Audit Report

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

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Change Order No. 1 for a time extension of 111 days from July 6, 2017 to October 24, 2017 with West Construction, Inc. (Contractor) for construction of Canal Point Pedestrian Bridge, R2016-1050 (Project). **SUMMARY:** Approval of Change Order No. 1 will extend the project time due to delays caused waiting for the relocation of Florida Power & Light (FPL) overhead electric lines. Per PPM CW-F-050, Change Order No. 1 exceeds the 90-day threshold contained in Section 7F-1 requiring the Board of County Commissioners approval. District 6 (LBH)
2. **Staff recommends motion to approve:** Contract with Rosso Site Development, Inc. (Rosso) in the amount of \$1,067,218.45 for the construction of Coral Ridge Drive, from Regional Park Drive to 750' north (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to Rosso, a Palm Beach County based company, to begin construction of the project. The work consists of the construction of a roundabout at Coral Ridge Drive and Regional Park Drive and extending Coral Ridge Drive 750' to the north where it will connect to a segment of Coral Ridge Drive currently under construction by the developer. The Small Business Enterprise (SBE) goal for all contracts is 15%. The lowest responsive, responsible bidder, Rosso, met the SBE requirement and committed to 20% participation. District 5 (LBH)
3. DELETED
4. **Staff recommends motion to approve:** Contract with Rosso Site Development, Inc. (Rosso) in the amount of \$1,583,167.36 for the construction of Center Street from Thelma Avenue to Woodland Estates Drive (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to Rosso, a Palm Beach County based company, to begin construction of the project. The work consists of the reconstruction and widening of Center Street from Thelma Avenue to Woodland Estates Drive, and includes driveway replacements, sidewalk construction, utility relocation and drainage improvements. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, Rosso, met the SBE requirement and committed to 20.6% participation. District 1 (LBH)
5. **Staff recommends motion to receive and file:** a construction agreement with the Florida Department of Transportation (FDOT) for construction of Hood Road from east of Florida's Turnpike to west of Central Boulevard, including a bridge over I-95 (Project). **SUMMARY:** This agreement is being submitted to the Clerk & Comptroller of Palm Beach County (County) in accordance with Countywide PPM CW-O-051. The Agreement was approved by the Deputy County Engineer as a delegated authority in accordance with Palm Beach County Resolution (R2013-1117). The County intends to construct Hood Road from east of Florida's Turnpike to west of Central Boulevard as a four lane divided roadway. The project includes construction of a new two lane bridge over I-95, to be located north of the existing two lane bridge. District 1 (LBH)
6. **Staff recommends motion to receive and file:** an interlocal agreement with the Village of Palm Springs (Village), for joint funding of design, permitting and construction of roadway improvements for Canal 11 Road, Erie Terrace, Lone Pine Way and Childs Street (Project). **SUMMARY:** This agreement is being submitted to the Clerk and Comptroller of Palm Beach County (County) in accordance with Countywide PPM CW-O-051. The Village requested that the County participate in joint funding of the design, permitting and construction, including construction engineering and inspection services for the paving and drainage improvements to the project. On November 22, 2016, the Board of County Commissioners approved funding in the amount of \$231,000 and authorized the County Administrator to sign the agreement on the County's behalf. The agreement is dated January 12, 2017 and was signed by the County Administrator and the Village Manager. Districts 2 & 3 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. **Staff recommends motion to adopt:** a Resolution to abandon the west 443 feet of a 50-foot wide ingress/egress easement recorded in Official Record Book 5156, Page 363, of the public records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the ingress/egress easement which is in conflict with future development plans developed by Strata Realty, Inc., Boat-Mart, Inc., and Stratemeyer, LLC (Owners). The petition site is located west of Military Trail and north of Forest Hill Boulevard. District 2 (LBH)
8. **Staff recommends motion to approve:** a second amendment to the annual asphalt milling and resurfacing contract R2016-0143, Project No. 2015053, dated February 9, 2016, with Ranger Construction, Inc. (Ranger) to increase the amount of the contract by \$6,000,000. **SUMMARY:** Approval of this second amendment will increase Ranger's contract from \$14,000,000 to \$20,000,000. There is no change in the contract expiration date, it remains February 8, 2018. This increase is needed to continue progressing with the infrastructure sales tax resurfacing projects. There is \$12,300,000 in sales tax funding identified for resurfacing in FY2018. The Small Business Enterprise (SBE) goal for this contract is 15%. Ranger committed to 15% SBE participation. For the first ten task orders under this contract, they achieved only 8% SBE participation. For the last ten task orders, they have achieved over 15%. Recently, they have been able to use a new SBE for milling and they plan to continue that relationship for future task orders. Ranger is a Palm Beach County based company. Countywide (LBH)
9. **Staff recommends motion to approve:** a second amendment to the annual asphalt pavement marking contract R2016-0693, Project No. 2016051, dated June 7, 2016, with Southwide Industries, Inc. (Southwide) to increase the amount of the contract by \$2,000,000. **SUMMARY:** Approval of this second amendment will increase Southwide's contract from \$1,520,000 to \$3,520,000. There is no change in the contract expiration date, it remains June 6, 2018. This increase is needed to continue progressing with the infrastructure sales tax restriping projects. There is \$2,000,000 in sales tax funding identified to replace worn out striping in FY 2017 and FY 2018. The Small Business Enterprise (SBE) goal for this contract is 15%. Southwide committed to 100% SBE participation and has achieved 100% to date for Engineering related projects. Southwide is an SBE company and a Palm Beach County based company. Countywide (LBH)

D. COUNTY ATTORNEY

1. **Staff recommends motion to:** approve a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of \$70,000 in the personal injury action styled Gary Tahal vs. Palm Beach County Board of County Commissioners, Case No. 502015CA007132XXXMB. **SUMMARY:** On August 24, 2012, the plaintiff was traveling south on Haverhill Road approaching the intersection with Melaleuca Lane. A WUD employee in a County van made a left turn in front of plaintiff causing an accident. Countywide (SCL)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. **Staff recommends motion to receive and file:** U.S. Department of Housing and Urban Development (HUD) FY 2016 Continuum of Care (CoC) Program Grant Agreement No. FL0663L4D051600, for the period of October 1, 2017, through September 30, 2018, in the amount of \$147,485 to provide funding for the coordination of activities related to ending homelessness. **SUMMARY:** The Palm Beach County CoC Planning Project grant provides funding for the coordination and evaluation of activities related to ending homelessness. These activities involve coordination of monthly CoC and Sub-Committee meetings, homeless service system performance evaluation, technical assistance and training, and annual monitoring of all CoC and emergency shelter grant funded projects to ensure performance outcomes and fiscal accountability. A 25% cash match of \$36,872 is required and is included in the proposed FY 2018 budget. This grant agreement was executed by delegated authority. On October 18, 2016, the Board of County Commissioners authorized the County Administrator, or designee, to execute agreements for this purpose. This grant agreement is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk and Comptroller's Office to receive and file this item. (Division of Human and Veteran Services) Countywide (HH)

2. **Staff recommends motion to approve:** Amendment No. 1 to Contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (AAF) (R2016-1475), for the period October 1, 2016, through September 30, 2017, increasing funding by \$4,355 for a new total contract amount not to exceed \$266,416, to provide emergency shelter and rapid re-housing to families who are homeless or at risk of homelessness. **SUMMARY:** The purpose of this amendment is to reallocate the remaining Emergency Solutions Grant (ESG) funding from GY 2015 to the current fiscal year program. ESG service dollars are reviewed throughout the contract year and reallocated to best fit the needs of the clients. These reallocated dollars will be utilized for the Adopt-A-Family Rapid Re-housing program. The funds will cover rental security deposits for families who are homeless or at risk of homelessness. **No County funds are required.** (Division of Human and Veteran Services) Countywide (HH)

3. **Staff recommends motion to:**
 - A) approve** Sunshine Health Long Term Care Credentialing/Recredentialing Application Direct Service Provider Level II Background Screening form in accordance with the Florida Agency for Health Care Administration (AHCA) requirements in order to provide in-home and community based services to members; and

 - B) delegate** to the County Administrator, or designee, signatory authority on recredentialing applications and any other necessary documents related to AHCA requirements for all long-term care managed plans.

SUMMARY: The Division of Senior Services (DOSS) is a service provider and currently has a standard agreement with Sunshine Health (R2013-0863), which is a Florida Statewide Medicaid Long Term Care Managed Care Plan (LTCMCP). DOSS also has standard agreements with the following LTCMCPs; Humana American Eldercare, Inc., Coventry Health Care of Florida, Inc., Independent Living Systems and UnitedHealthcare Community Plan. DOSS provides case management and adult day care services to its members. LTCMCP credential verification requires ongoing monitoring and maintenance of providers' records to ensure that information is accurate and up-to-date as required by AHCA and in accordance with applicable state law. DOSS will continue to provide long-term managed care, in-home care, and community-based services as a service provider. (Division of Senior Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. **Staff recommends motion to approve:** Contract for Provision of Ryan White Part A HIV Health Support Services with AIDS Healthcare Foundation, Inc., for the period March 1, 2017, through February 28, 2018, in an amount not to exceed \$191,585 for the provision of improving the health of persons with HIV Spectrum Disease. **SUMMARY:** A notice of grant award was received on January 18, 2017, from the U.S. Department of Health and Human Services, Health Resources Services Administration (HRSA), issuing a partial award in the amount of \$3,404,398 in Formula and Minority AIDS Initiative (MAI) funding. This contract will be amended and the budget will be aligned once the final notice of award has been received. AIDS Healthcare Foundation, Inc. was selected and recommended for contracting through the Request for Proposal (RFP) process. This contract covers a variety of services for HIV affected clients which includes medical case management, laboratory diagnostic testing, outpatient/ambulatory medical care, and early intervention services. **No County funds are required.** (Ryan White Program) Countywide (HH)

5. **REVISED Staff recommends motion to approve:** Use of Facility Agreement with the City of Greenacres ~~Leisure Services Department~~, for the period May 1, 2017, through April 30, 2018, with automatic renewals for two additional, consecutive terms of one year each with no renewal term extending beyond May 1, 2020, to provide a congregate meal site for the elderly at the City of Greenacres Leisure Services Department. **SUMMARY:** The Division of Senior Services (DOSS) receives federal funds from the Older Americans Act (OAA) to provide congregate meal sites. This agreement enables DOSS to operate a congregate meal site for the elderly at no cost to the County for space or energy usage. The City of Greenacres Leisure Services Department (the City) provides meals at the site to elderly participants who require meals. The City will recruit volunteers to operate the congregate meal site. DOSS will provide training for the volunteers. All meals and necessary food related services and supplies shall be furnished by the County through its designated food service vendor, subject to the availability of funds. The estimated total cost of the meals is \$15,677, and will be funded under the OAA grant in the amount of \$14,109 (90%) and \$1,568 (10%) in County match. Sufficient funding is included in the current and proposed FY 2018 budgets to meet County obligations. The areas of service include all of the districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Rd. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Rd. (Division of Senior Services) Countywide, except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

6. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with CareerSource Palm Beach County, Inc. (CareerSource), for the period June 1, 2017, through March 31, 2018, in an amount not to exceed \$65,000 to provide work readiness training to low-income residents of Palm Beach County. **SUMMARY:** CareerSource will provide various training services, including, Microsoft Suite Certification training, work readiness training and other employment skills training for Community Action Program (CAP) participants. Potential program participants will be identified by both CareerSource and the CAP. Those who qualify must be at or below 125% of the Federal Poverty Guidelines. **No County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. DELETED

2. DELETED

3. Staff recommends motion to approve: Contract with West Construction, Inc. in the amount of \$6,353,448.52 for the Southside Redevelopment Program Phase 1 and 2 project at Palm Beach County Park (Lantana) Airport. **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On March 23, 2017, three bids were received for the Southside Redevelopment Program Phase 1 and 2 at Lantana Airport. Of the three bids, West Construction, Inc., a Palm Beach County company has been identified as the lowest responsible/responsive bidder in the amount of \$6,353,448.52. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 11%. West Construction, Inc. has met and satisfied the DBE goal. Florida Department of Transportation (FDOT) grant funding of \$5,082,760 and Airport Local funds of \$1,270,689 are being utilized to fund this project. Countywide (AH)

4. Staff recommends motion to approve:

A) Contract with Rio-Bak Corporation in the amount of \$2,499,634 for the Wetland Wildlife Hazard Mitigation Phases 3A, 3B, and 4 at North Palm Beach County General Aviation Airport (F45); and

B) Budget Transfer of \$254,964 in the Airport's Improvement and Development Fund to provide budget for the Rio-Bak Corporation contract, including a transfer from Reserves of \$254,964.

SUMMARY: This project was advertised utilizing the County's competitive bid process. On April 18, 2017, four bids were received for the Wetland Wildlife Hazard Mitigation Phases 3A, 3B, and 4 at F45. Of the four bids, Rio-Bak Corporation, a Palm Beach County company, has been identified as the lowest responsible/responsive bidder in the amount of \$2,499,634. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 21%. Rio-Bak Corporation has satisfied the DBE requirement by meeting the DBE participation goal. Passenger Facility Charge (PFC) funds of \$2,244,670 and Airport Local funds of \$254,964 are being utilized to fund this project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. **Staff recommends motion to approve:** Ninth Amendment to Retail Concession Agreement (Amendment) with Paradies-Palm Beach, LLC (Paradies) (R2007-2052), providing for replacement of the Tech for Takeoff at the Palm Beach International Airport. **SUMMARY:** This Amendment provides for the replacement of the Tech for Takeoff located on Concourse C with a Flagler Gourmet Express. Tech items, such as chargers and headphones, currently sold at Tech for Takeoff will remain available in other retail units on the Concourse. The Flagler Gourmet Express will offer fresh, locally-prepared grab and go food options, such as fresh sandwiches, salads and baked goods; fresh fruit; pre-packaged gourmet and specialty food products; and an assortment of high quality, healthy pre-packaged snack and food and beverage items. The privilege fee for the sale of all food and beverages from the location will be 15.1%. Paradies may also sell general news and gift items, such as newspapers and magazines, as an incidental part of the overall assortment of products. The privilege fee for all general news and gift items sold from the location will be 22%. The current privilege fee for the location is 22% of all sales. All costs of the leasehold improvements will be paid by Paradies. Countywide (AH)

6. **Staff recommends motion to approve:** First Amendment to Hotel Development Site Lease Agreement (Lease) (R2017-0356) with CVH PBIA, LLC, a Florida Limited Liability Company, extending the inspection period to September 1, 2017. **SUMMARY:** The Lease provided for a 90-day inspection period, which expired on June 12, 2017. CVH PBIA has requested an extension of the inspection period through September 1, 2017, in order to complete inspections required by its lender for financing of the improvements. In order to preserve its termination rights under the Lease based on inspections, CVH PBIA provided a conditional termination of the Lease, which will be automatically withdrawn upon approval of this Amendment. Countywide (HF)

7. **Staff recommends motion to approve:** Assignment of Rights to Refund of Sales Tax by the Florida Department of Revenue (FDR) to Delta Air Lines, Inc. (Delta). **SUMMARY:** Delta is seeking reimbursement from the FDR for sales tax paid on certain airport space rentals at Palm Beach International Airport. The approval form will allow the FDR to review Delta's reimbursement claim and, if approved, to reimburse Delta directly for sales tax Delta originally paid. Delta agrees to provide the County with documentation supporting the taxability pertaining to the claim. Delta is a customer in good standing with the County and promptly pays all invoices including sales tax; therefore, staff recommends allowing Delta to seek this reimbursement. Countywide (AH)

3. **CONSENT AGENDA APPROVAL**

F. **AIRPORTS (Cont'd)**

8. **Staff recommends motion to:**

A) approve a Development Site Lease Agreement (Lease) with Drive Shack Palm Beach LLC (Drive Shack), a Delaware limited liability company, for the lease of approximately 520,226 square feet of unimproved ground for the development of a golf-related entertainment venue with associated event, lounge and restaurant space on the southwest corner of Belvedere Road and Australian Avenue at the Palm Beach International Airport (PBI), commencing on July 11, 2017, and expiring 20 years from the date of beneficial occupancy with an option to renew for five additional terms of five years each and an initial annual rental of \$728,316.40; and

B) authorize the Director of the Department of Airports or his designee to execute, on behalf of County, the Owner's Affidavit and Memorandum of Lease in the form attached to the Lease and all applications and similar instruments required to obtain necessary governmental approvals for the development of the property.

SUMMARY: The Lease provides for the development of an approximately 60,000 square foot golf-related entertainment venue consisting of outdoor terraces/golf hitting suites and associated event, lounge and restaurant space. Drive Shack will pay an initial annual rental of \$728,316.40, which is based on the appraised fair market rental value of the property. Rental will be adjusted every three years, commencing on October 1, 2022. The total anticipated investment to be made by Drive Shack is approximately \$20,000,000. The Lease is contingent on receipt of all necessary governmental approvals. The property is under the municipal jurisdiction of the City of West Palm Beach. Construction of the improvements is required to be completed within 24 months of the effective date of the Lease. The Lease requires the County to deliver an Owner's Affidavit for title purposes and a Memorandum of Lease. In order to provide the documents within the timeframes required by the Lease and to ensure that Drive Shack can timely process its applications for development approvals when the signature of the property owner is required, the Department is requesting a delegation of authority to the Department Director or his designee to sign the documents on behalf of the County. The Airport Concession Disadvantaged Business Enterprise (ACDBE) Participation goal for this project was 10%. Drive Shack has committed to a minimum of 4% ACDBE through the term of the Lease. Countywide (HF)

G. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

1. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$11,450 for the full satisfaction of a Code Enforcement Lien that was entered against Arnold Sachs on May 18, 2005. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on September 1, 2004, on property owned by Arnold Sachs giving him until March 1, 2005, to bring the property located at 16569 60th Street North in Loxahatchee into full Code Compliance. The property had been cited for the construction of a horse pole barn without the required building permit. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Arnold Sachs on May 18, 2005. Code Enforcement issued an Affidavit of Compliance for the property stating that as of January 27, 2017, the cited code violation had been fully corrected. The total accrued lien amount on January 27, 2017, the date on which settlement discussions began, totaled \$30,508.00, of which Arnold Sachs has agreed to pay Palm Beach County \$11,450 (37.5%) for full settlement of his outstanding Code Enforcement Lien. District 6 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** First Amendment to retroactively extend the term of the Interlocal Agreement with the Clerk & Comptroller, 15th Judicial Circuit (R2012-1679), providing fleet management services retroactively through June 7, 2022. **SUMMARY:** The Interlocal Agreement (Agreement) provides the terms and conditions under which the County provides fleet management services expired on June 7, 2017. The Agreement provides for one five-year renewal but renewals require approval by both parties. Clerk & Comptroller has approved a renewal to retroactively extend the term of the Agreement through June 7, 2022. The renewal now requires Board approval. The County does not require any additional staffing and/or equipment to extend this Agreement, and as such, this Agreement will result in increased revenues to Fleet Management. This First Amendment renews the term, and adds standard County Inspector General, Third Party Beneficiary, Independent Contractors and Non-discrimination provisions. Other than the changes set forth herein, all other terms remain the same. (FDO Admin) Countywide (LDC)

2. **Staff recommends motion to:**
 - A) adopt** a Resolution establishing a standard form Permission to Enter Property Agreement (Non-Source) with the Florida Department of Environmental Protection (FDEP) for assessment and remediation of contamination on County-owned property originating from a nearby property; and

 - B) authorize** the County Administrator, the Director of Facilities Development & Operations and the Airports Director to execute the standard form Agreement.

SUMMARY: The Board has approved a standard form Site Access Agreement and Permission to Enter Property Agreement (FDEP Source Agreements) with FDEP for assessment and remediation of contamination originating on County-owned property. This Resolution establishes a standard form Permission to Enter Property Agreement (FDEP Non-Source Agreement) for use when FDEP seeks access to County-owned property to assess, remove, monitor and remediate contamination where the County owned property is not the source of the contamination and the contamination is eligible for state-funded cleanup. The Agreement is required to authorize FDEP and its contractors to complete the remediation activities. The Agreement will be provided without cost to FDEP and the assessment/remediation work is completed at no cost to the County. The Agreement requires FDEP provide proof that its contractor and subcontractors have liability insurance of one million dollars and provides for continuity of operations during the remediation. The duration of the Agreement with FDEP is for so long as it is necessary to assess, remove, monitor and remediate contamination on the property. The Agreement provides for restoration of the County-owned property by FDEP and/or its contractor(s). Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. **Staff recommends motion to approve:** a Third Amendment to Interlocal Agreement (R2002-0886), as amended by R2007-0953 and R2013-0263 collectively referred to as "Agreement" with Florida Atlantic University Board of Trustees (University) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System retroactively through June 3, 2022. **SUMMARY:** The Agreement, which provides the terms and conditions under which the University can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on June 2, 2017. The Agreement provides for three renewal options, each for a period of five years. The University has approved a renewal to extend the term of the Agreement retroactively through June 3, 2022 and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The University is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with 10 days-notice. This Third Amendment renews the term, updates the attachment, and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

4. **Staff recommends motion to approve:** First Amendment to Interlocal Agreement (R2012-0241) with the United States Marshals Service, (US Marshals) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System retroactively to February 6, 2022. **SUMMARY:** The Agreement, which provides the terms and conditions under which the US Marshals can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on February 6, 2017. The Agreement provides for three renewal options, each for a period of five years. The US Marshals have approved a renewal to extend the term of the Agreement retroactively to February 6, 2022, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The US Marshals are required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with 10 days-notice. This First Amendment renews the term, updates the attachment, modifies the provisions on preventative maintenance, provides for disclosure of County Code Section 2-421 - 2-440 establishing the Office of the Inspector General and adds standard County nondiscrimination and third party beneficiary provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to approve:** Interlocal Agreement with the Port of Palm Beach District (Port) allowing for direct access to the County's Public Safety Radio System (System). **SUMMARY:** This Interlocal Agreement (Agreement) provides the terms and conditions under which the Port can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. Since 2005, the Port has been interoperable with the County's System. This Agreement requires that the Port pay a one-time \$3,234.00/unit access or capacity charge as well as annual fees of \$211.42/unit towards the renewal and replacement fund and \$226.00/unit towards maintenance and operation of the system infrastructure. The annual fees are consistent with those being charged to the County departments. The Port is required to pay all costs associated with Port's subscriber units and to comply with the established operating procedures for the System. The Port will assign representatives to participate in user committee meetings to discuss system maintenance and administration issues. The term of the Agreement is for four years and there are two renewal options, each for a term of four years. The Agreement may be terminated by either party, with or without cause on October 1st of any year, with a minimum of six-month notice. (ESS) Countywide (LDC)

6. **Staff recommends motion to approve:** Second Amendment to Agreement (R2007-1108), as amended by R2013-0262, collectively referred to as "Agreement" with Florida Forest Service, Florida Department of Agriculture and Consumer Services (Forest Service) to extend the term of the Agreement for interoperable radio communications through the countywide common talk groups of the County's 800 MHz Radio System retroactively to July 9, 2022. **SUMMARY:** The Agreement, which provides the terms and conditions under which the Forest Service can program its radios and utilize the countywide common talk groups for certain inter-agency communications expired on July 8, 2017. The Agreement provides for three renewal options, each for a period of five years. The Forest Service has approved a renewal to extend the term of the Agreement retroactively to July 9, 2022, and the renewal now requires Board approval. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with the Agreement. The Forest Service is required to pay all costs associated with its subscriber units and to comply with established operating procedures for the System. The Agreement may be terminated by either party, with or without cause with 10 days-notice. This Second Amendment renews the term, updates the attachment, and adds standard County nondiscrimination provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (LDC)

7. DELETED

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to receive and file:

A) Standard Equipment Use Agreement with Ric L. Bradshaw, Sheriff of Palm Beach County, Florida for a period of April 5, 2017, through April 8, 2017;

B) Standard Equipment Use Agreement with Animal Care and Control for a period of April 28, 2017, through May 3, 2017;

C) Standard Equipment Use Agreement with Palm Beach County Fire Rescue for a period of June 6, 2017, through June 8, 2017; and

D) Standard Equipment Use Agreement with Palm Beach County Fire Rescue for a period of June 6, 2017, through June 9, 2017.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreements, dated from April 5, 2017 to June 9, 2017, have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Equipment Use Agreement was approved by the Board on October 1, 2013, Agenda 3H-2. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

9. Staff recommends motion to:

A) adopt resolution authorizing a Maintenance Memorandum of Agreement (Agreement) with FDOT for the maintenance of a sidewalk/boardwalk and associated improvements installed underneath and along the east and west sides of the State Road 5/U.S. Highway 1 bridge adjacent to Burt Reynolds Park in the Town of Jupiter; and

B) approve Agreement between the County and FDOT.

SUMMARY: On August 20, 2009, the Board approved a Locally Funded Agreement with FDOT (R2009-1806) to construct a pedestrian underpass under the southern end of the northern bridge spans adjacent to Burt Reynolds Park. On July 12, 2016, the Board approved a Contract with Ahrens Enterprises, Inc. d/b/a Ahrens Companies (R2016-0881) to construct the Burt Reynolds Park West Side Expansion project which includes the construction of a pedestrian pathway connecting said underpass to provide a connection to the east side of Burt Reynolds Park. The County is required to enter into an Agreement with FDOT which documents that the County will be responsible for the perpetual maintenance of the pedestrian pathway and underpass improvements. FDOT is requesting that the Board adopt a Resolution authorizing said Agreement. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. **Staff recommends motion to receive and file:** Entry Agreement with AMEC Foster Wheeler Environment & Infrastructure, Inc. dated March 17, 2017, for 650 Okeechobee Boulevard (contains the former 746 Okeechobee Boulevard), West Palm Beach, FL, FDEP Facility ID: 50-8513818. **SUMMARY:** Resolution (R2015-1613) established a new standard form Agreement for use with the Florida Department of Environmental Protection (FDEP) and its contractors to assess, remove, monitor and remediate contamination on County-owned property. The Site Access Agreement is FDEP's standard form, and is required for FDEP to solicit a contractor, who will actually complete the remediation activities. The County enters into a separate Entry Agreement with each contractor before the contractor commences work. Both Agreements are provided without cost to FDEP or its contractors, and the remediation work would be completed at no cost to the County. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a Receive and File agenda item. The attached standard Site Access Agreement was fully executed on March 8, 2016 on behalf of the Board of County Commissioners. (FDO Admin) Countywide (LDC)

11. **Staff recommends motion to receive and file:** ATM Operating License Agreement with Guardians Credit Union dated May 8, 2017, for the Robert Weisman Governmental Center located at 301 N. Olive Avenue, West Palm Beach, FL; Midwestern Communities Service Center located at 200 Civic Center Way, Royal Palm Beach, FL; South County Administrative Complex located at 501 South Congress Avenue, Delray Beach, FL; and North County Courthouse located at 3188 PGA Blvd., Palm Beach Gardens, FL. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached ATM Operating License Agreement dated May 8, 2017, has been fully executed on behalf of the Board of County Commissioners (Board) by the Director, Facilities Development and Operations in accordance with the delegation of authority approved by the Board on June 5, 2012. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Districts 1, 6 & 7 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to receive and file:

A) Standard License Agreement for Use of County Owned Property dated February 27, 2017, with Kerry Barnes (North County Senior Center);

B) Standard License Agreement for Use of County Owned Property dated March 8, 2017, with AREC Repeater Group, Inc. (County Equipment Building located at WWTP, 5801 Ernest Street, Unit 2, WPB, FL);

C) Standard License Agreement for Use of County Owned Property dated March 29, 2017, with Cultural Council of Palm Beach County (Governmental Center wall space at elevator lobbies, floors 2-12);

D) Standard License Agreement for Use of County-Owned Property dated April 3, 2017, with South Florida Fair and Palm Beach County Expositions, Inc. (Vacant lot at 9620 Weisman Way, WPB);

E) Standard License Agreement for Use of County-Owned Property dated April 12, 2017, with West Palm Beach Community Redevelopment Agency (Judicial Center Parking garage and surface lot, WPB);

F) Standard License Agreement for Use of County-Owned Property dated April 27, 2017, with Sunfest of Palm Beach County, Inc. (Judicial Center parking garage and surface lot, Governmental Center parking garage and 4th Street parking lot); and

G) Standard License Agreement for Use of County-Owned Property dated May 12, 2017, with Wanda I. Serbia (North County Senior Center).

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard Agreements, dated from February 27, 2017, to May 12, 2017, have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or her designee. The Standard License Agreement was approved by the Board on March 9, 2010 with R2010-0333, as was amended and approved by the Board on October 1, 2013, Agenda Item 3H-3. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

13. Staff recommends motion to approve: Amendment No. 3 to the contract with Robling Architecture Construction, Inc. (R-2016-0762) in the amount of \$1,463,148 for the Water Utilities Department (WUD) Hurricane Hardening Projects in Belle Glade establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** This Amendment authorizes reinforcing of roof structures, replacement of doors and windows, securing of roof and ground HVAC equipment of Water Utilities facilities located in the Glades region specifically Water Treatment Plant (WTP) No. 11, Belle Glade Wastewater Treatment Facility, Glades Repump Facility and the Pahokee Wastewater Treatment Facility. Upon completion of this work these facilities will be hardened to withstand 180 mph wind to the greatest extent feasible in order to protect the County's assets. The duration of construction is 240 days. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Robling Architecture Construction, Inc.'s SBE participation for this Amendment is 31.7% and including this Amendment, Robling Architecture Construction Inc.'s overall SBE participation is 41.4%. This project is fully funded from Water Utilities user fees. Robling Architecture Construction, Inc. is a Palm Beach County business and it is anticipated that 100% of the work will be performed by Palm Beach County contractors, including a 20% Glades businesses participation for this work. (Capital Improvements Division) District 6 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

14. **Staff recommends motion approve:** Twelfth Amendment to Tower Site Lease and Joint Use Agreement with New Cingular Wireless PCS, LLC (Cingular) and the City of Boynton Beach (City) (R99-311-D) for a tower site located in Boynton Beach. **SUMMARY:** County, Cingular and City entered into a Tower Site Lease and Joint Use Agreement to jointly use Cingular's tower located east of I-95, south of Gateway Boulevard, in Boynton Beach. Cingular desires to replace its existing and add new antennas to improve signal coverage and add frequencies to improve Cingular's 4G services. Cingular will obtain all necessary permits and governmental approvals associated with its modifications, and all equipment installations will be made at Cingular's sole cost. This Twelfth Amendment modifies Exhibit "G" Antenna Tower Schematics of the Tower Site Lease and updates various standard provisions. There will be no cost to the County nor service interruptions to the County's system. All other terms of the Agreement remain unchanged. PREM will continue to have administrative responsibility of the Agreement. (PREM) District 7 (HJF)
15. **Staff recommends motion to approve:** Amendments No. 2 to the Contracts for property development evaluation assistance on a continuing contract basis:
- A)** Cotleur & Hearing Landscape Architecture, LLC d/b/a Cotleur & Hearing (R2014-0920), Non-SBE/Local, 100% SBE participation to date; and
- B)** Urban Design Studio, LLC d/b/a Urban Design Kilday Studios (R2014-0921), SBE/Local, 100% SBE participation to date.
- SUMMARY:** Amendments No. 2 extend the term of two contracts for professional consulting services for property development evaluation assistance for one year. The Board approved annual contracts on July 1, 2014, and the original Contracts provided for an initial two-year term with two renewal options each for a period of one year. Amendments No. 2 will provide services during the second and final renewal period from July 1, 2017, through June 30, 2018. During the first three years of these contracts, Cotleur & Hearing was awarded \$105,321 and Urban Design Kilday Studios was awarded \$355,459 in task authorizations. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The contracts with Cotleur & Hearing and Urban Design Kilday Studios provide for SBE participation of 95%. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. **Staff recommends motion to approve:** Amendments No. 1 to the Contracts for mechanical, electrical, plumbing (MEP) engineering services on a continuing contract basis:

A) Gartek Engineering Corporation (R2015-0777), SBE/Local, 100% SBE participation to date;

B) Johnson, Levinson, Ragan, Davila, Inc. (R2015-0779), SBE/Local, 99.9% SBE participation to date; and

C) RGD & Associates, Inc. (R2015-0778), SBE/Local, 96.9% SBE participation to date.

SUMMARY: Amendments No. 1 extend the term of three contracts for professional consulting services for MEP services for one year. The Board approved annual contracts on June 23, 2015, and the original Contracts provided for an initial two-year term with three renewal options each for a period of one year. Amendments No. 1 will provide services during the first renewal period from June 23, 2017, through June 22, 2018. During the first two years of these contracts, Gartek Engineering Corporation was awarded \$266,763, Johnson, Levinson, Ragan, Davila, Inc. (JLRD) was awarded \$298,652 and RGD & Associates was awarded \$130,115 in task authorizations. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The contract with Gartek Engineering Corporation provides for SBE participation of 98%, the contract with JLRD provides for SBE participation of 95%, and the contract with RGD & Associates provides for SBE participation of 100%. (Capital Improvements Division) Countywide (LDC)

17. **Staff recommends motion to approve:** Consultant Services Agreement (CSA) No. 4 to the Contract with Leo A. Daly Company (R2015-0851) in the amount of \$607,354 for additional professional architectural and engineering design, permitting and construction administration services for the Palm Beach County Sheriff's Office (PBSO) Evidence/Impound Facility. **SUMMARY:** This CSA No. 4 provides additional design, permitting and construction administration services for the expansion of the previously designed Evidence/Impound Facility, located on a 16-acre site near Congress Avenue and Gun Club Road in West Palm Beach. The project's program has been increased to include the Forensic Sciences (Crime Lab and Ballistics) and the remainder of Technical Services within the building, in a second story extension on top of the Evidence and Crime Scene units. The presence of Technical Services Division currently within the Headquarters building: 1) presents the highest risk for the introduction of chemical and biological containments and 2) does not comply with currently available environmental barriers and controls for these hazards; both presenting occupational and physical health and safety risks. In addition, by co-locating the existing multiple satellite evidence facilities, the effectiveness of PBSO's evidence custodial/security functions will be significantly increased. This CSA is funded from 2008 Jail Expansion bond issue and from Infrastructure Sales Tax (IST) funds. The total project construction cost is now estimated at \$23,286,000. It is anticipated that construction will begin early 2018 with funding from IST funds and Public Building Impact Fees. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The contract with Leo A. Daly Company provides for SBE participation of 30%. Their overall participation to date is 31.1%. Leo A. Daly Company is a national business with a Palm Beach County office. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

18. Staff recommends motion to approve: Work Order #17-020 with The Airtex Corporation (R2015-0050) in the amount of \$244,000 for the SRWRF Solids Building "L" and Pre-Treatment Building "A" – Heating Ventilation and Air Conditioning (HVAC) Replacement Project. **SUMMARY:** The work consists of the replacement of the existing 25-ton water source heat pump with two smaller capacity water source heat pumps at Building "L" and replace the existing outside air intake fan and filter assembly at Building "A", with an FRP construction fan and filter assembly. This work was competitively bid among the HVAC Annual Contractors with The Airtex Corporation submitting the lowest responsive, responsible bid. The Airtex Corporation is a Small Business Enterprise (SBE) and participation for this work order is 99%. The total construction duration is 90 days. The Airtex Corporation is a Palm Beach County business. (Capital Improvements Division) District 5 (LDC)

19. Staff recommends motion to approve:

A) finding that Palm Beach Imports, Inc., dba Braman Motorcars (Braman) is the only entity capable of reasonably utilizing the vacant field within the Cherry Road Complex located at 4215 Cherry Road, West Palm Beach and that such use would be in the best interest of the County; and

B) Lease Agreement with Braman at an annual rental rate of \$54,000 (\$0.80/SF).

SUMMARY: This Lease Agreement allows Braman to use approximately 67,000 SF (1.54 acres) of the vacant field within the Cherry Road Complex for the purpose of storing vehicles on a short term basis while constructing a new parking garage at its headquarters at 2801 Okeechobee Boulevard, West Palm Beach. The leased premises share the rear property line with property Braman owns at 1466 N. Military Trail. Braman has a unique ability to use the premises in that they abut the property and can directly access the premises through their property. Staff would not recommend allowing any other parties to use this property as it would require access through the County's Cherry Road Complex. Staff recommends the Board find Braman is the only entity capable of reasonably utilizing the County property and that such use would be in the best interest of the County. The term of the Lease Agreement is two years, commencing on July 11, 2017, and expiring on July 10, 2019, with no extension options. Either party may terminate the Lease Agreement for any reason with 90 days-notice. Braman shall pay an annual rental rate of \$54,000 and shall fence the entire perimeter of the premises. The Lease Agreement will be managed by PREM. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY

1. DELETED

2. [Staff recommends motion to approve:](#) First Amendment to Contracts for Bond and Disclosure Counsel Services between the Housing Finance Authority of Palm Beach County, Florida (HFA) and **A)** Greenberg Traurig, P.A.; and **B)** Bryant Miller Olive P.A., to extend the term by one year and to adjust the fees for legal services. **SUMMARY:** On May 12, 2012 (Agenda Item 3D-3), the Board of County Commissioners (BCC) approved a Contract for Bond and Disclosure Counsel Services (Contract) between the HFA and each of the two above named law firms. Each contract was for an initial term of three years and allowed for automatic one year renewals thereafter unless one of the parties wished to terminate. The legal services provided by these firms include advice on all actions necessary for the HFA's issuance of bonds, the preparation of bond documents and bond counsel opinions, the review and comment on all documents prepared by others in connection with bond issuances, and the preparation of the bond offering documents and opinions thereon as disclosure counsel. On May 12, 2017, the HFA Board approved Resolution No. 2017-04 authorizing First Amendments to the Contracts with the two law firms subject to BCC approval. BCC approval is now required since the parties wish to change the compensation amounts in both Contracts and such change does not fall under the allowed automatic renewal where fees remain the same. Approval by the BCC of both First Amendments is requested pursuant to Section 2-189 of the Housing Finance Authority of Palm Beach County Ordinance which requires that all contracts for the purchase of goods and services in excess of \$10,000 be approved by the BCC. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve:

A) A Loan Agreement with SP Court, LLC (SPC) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the Calusa Estates affordable housing project;

B) A Subordination Agreement with Citibank, N.A.; and

C) Delegation of authority to the County Administrator, or designee, to execute the aforesaid Subordination Agreement.

SUMMARY: On September 1, 2015, (Agenda Item 3I-5), the Board of County Commissioners authorized the allocation of SHIP funds as the required local match under Florida Housing Finance Corporation's (FHFC) Housing Tax Credit Program. The Department of Economic Sustainability (DES) provided SPC a conditional award for a \$115,000 loan subject to approval of their Calusa Estates affordable housing project by FHFC under the Housing Tax Credit Program. The project, which will contain 114 affordable rental units, was delayed due to FHFC funding approvals, but it has since been approved and is ready to proceed. The County's funds will be used for construction costs and will be secured by a mortgage and promissory note. The development will achieve a Florida Green Building Coalition Certification and will include a clubhouse, computer lab, splash pad, and resident programs including an after school program, literacy program and employment assistance program. The Loan Agreement requires SPC to pay annual interest payments on the loan over 30 years with the entire principal due at the end of the term. The Calusa Estates project will be located at the northeast corner of State Road 80 and SW 16th Street in Belle Glade and has a total project cost of \$23.9M. All 114 affordable rental units are intended to be rented to households whose incomes are at or below 60% of the area median income for a period of 30 years. Citibank, N.A. has provided first mortgage financing for this project in the amount of \$13,810,000. SPC has requested that the County subordinate its \$115,000 mortgage to Citibank's first mortgage by means of the Subordination Agreement. This Subordination Agreement, unlike standard subordination agreements, would among other matters: 1) require that all proceeds that could be received by the County in the event of the condemnation of the property be paid to the first mortgage holder; and 2) prohibits the County from commencing, or joining other creditors in commencing, bankruptcy proceedings against the borrower. Delegation of authority to the County Administrator, or designee, to execute the subordination agreement, subject to the County Attorney's approval of its content, is requested to enable a timely response when the closing is scheduled. **These are SHIP funds which require no local match. District 6 (JB)**

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to approve:

A) Amendment 002 to a Loan Agreement (R2016-0624) with Royal Palm Place, Ltd. to recognize an increase in the first mortgage amount and to recognize a fourth mortgage;

B) a Subordination Agreement with Citibank, N.A. (Citibank);

C) a Subordination Agreement with Florida Housing Finance Corporation (FHFC);

D) a Subordination Agreement with the City of West Palm Beach (City);

E) a Joinder by SPP Mortgagee in connection with the First Amendment to Easement Agreement for the Royal Palm Place project; and

F) Delegation of authority to the County Administrator, or designee, to execute the aforesaid Subordination Agreements with Citibank, FHFC, and the City, and to execute the aforesaid Joinder by SPP Mortgagee.

SUMMARY: On May 17, 2016, the County entered into a Loan Agreement (R2016-0624) with Royal Palm Place, Ltd. to provide a loan of \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of 125 affordable rental housing units to be known as Royal Palm Place in West Palm Beach. The development will include a clubhouse, pool, Energy Star appliances and provide Resident Programs including after school programs for children, literacy training and an employment assistance program. These funds represent the County's local match as required under FHFC's State Apartment Incentive Loan (SAIL) Program. Royal Palm Place is a \$30.5 Million project and Citibank, N.A. will be providing first mortgage financing. The amount of this first mortgage has increased from \$14,500,000 to an amount not to exceed \$17,000,000. FHFC will be providing second and third mortgage financing as follows: a SAIL Program loan of \$4,750,000 and an Extremely Low Income Gap Loan of \$495,000. The City will be providing fourth mortgage financing in the amount of \$300,000 and the County's mortgage securing the \$115,000 in SHIP funding will be in fifth position. On May 17, 2016, the Board of County Commissioners (Agenda Item 3I-1) delegated authority to the County Administrator, or designee, to execute subordination agreements with Citibank and FHFC. The Subordination Agreement with Citibank includes terms that: 1) require all proceeds that could be received by the County in the event of the condemnation of the property be paid to the first mortgage holder; and 2) prohibit the County from commencing, or joining other creditors in commencing, bankruptcy proceedings against the borrower. The project site is owned by the West Palm Beach Housing Authority and is leased to Royal Palm Place, Ltd. An Easement Agreement exists between the West Palm Beach Housing Authority and Silver Palm Place Associates, Ltd., the developer of the adjoining property. The County has a mortgage on the Silver Palm Place property. The First Amendment to the Easement Agreement will allow Royal Palm Place, Ltd. necessary ingress, egress, transport and utility rights in the easement. A joinder by the County consenting to the First Amendment to the Easement Agreement is necessary since the County is a mortgage holder. This request for approval of delegation of authority to the County Administrator, or designee, to execute Subordination Agreements with Citibank, FHFC, and the City, the execution of the Joinder by SPP Mortgagee, subject to the County Attorney's approval of their content, is requested to enable a timely response when the closing is scheduled. **These are SHIP funds which require no local match.** District 7 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: Appointment of one new member to the Building Code Advisory Board (BCAB).

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Kristin Materka	12	Architect	07/11/17–07/10/20	AIA Palm Beach

SUMMARY: The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members: one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects (AIA); one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society; seven members appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County (CIMC) and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County. The Palm Beach Chapter of the AIA has nominated Kristin Materka to be appointed as the Architect in Seat 12. This Advisory Board has 16 seats, 13 currently filled and three vacancies, and a diversity count of Caucasian: 11 (84%), African-American: 1 (8%) and Asian-American: 1 (8%). The gender ratio (male:female) is 13:0. The nominee is a Caucasian female. On June 6, 2017, the Governor approved a local bill which eliminates the CIMC as the nominating body for the seven industry nominees and replaces it with local chapters of national or regional construction industry trade organizations. This action should help to promote more diversity within the BCAB nominees and appointments. Countywide (SF)

2. Staff recommends motion to approve: The appointment of the following individual to the Historic Resources Review Board (HRRB).

<u>Appointment</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Odlanyer Hernandez de Lara	7	Interested in History	07/11/17–07/10/20	Mayor Burdick Vice Mayor McKinlay Comm. Abrams

SUMMARY: The Unified Land Development Code (ULDC) Article 2, Chapter G, Section 3-H provides for the membership of the HRRB. The term of office of each member is for three years. HRRB seats are at-large positions to be appointed by the Board of County Commissioners (BCC). This at-large position, Seat 7 is to fill an existing vacancy. The advisory board (HRRB) has a membership of nine seats, eight currently filled, with a diversity count of Caucasian: 8 (100%). The gender ratio (male:female) is 4:4. The nominee is a Hispanic American male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards Diversity. Unincorporated (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: executed Agreements received during the month of April 2017.

A) Standard Potable Water and Wastewater Development Agreement with Flagler System Management, Inc., #01-01251-000 (District 2), recorded in OR BK 29016 PG 1456-1464; and

B) Reclaimed Water Service Agreement – Lake Discharge Irrigation System with 441 Acquisition, LLC, #09-90011-000 (District 5), recorded in OR BK 29016 PG 1442-1448.

SUMMARY: In accordance with County PPM CW-O-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 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)

2. Staff recommends motion to approve: Amendment No. 3 to the Water Utilities Department (WUD) Lift Station Rehabilitation Continuing Construction Contract (Contract) with Hinterland Group, Inc., renewing the Contract for an additional one-year period. **SUMMARY:** On March 10, 2015, the Board of County Commissioners (BCC) approved the Contract (R2015-0318). The original Contract provided for materials and construction services for system-wide lift station rehabilitation projects in the amount of \$6,797,500 over an 18-month term, with the possibility of two one-year renewals. Hinterland Group, Inc., was the lowest responsive and responsible bidder. On March 1, 2016, Amendment No. 1 (R2016-0257) to the Contract increased the Contract amount by \$1,000,000. There were no time extensions to the Contract as part of this Amendment. On December 6, 2016, Amendment No. 2 (R2016-1774) to the Contract renewed the Contract for an additional one-year and increased the Contract amount by an additional \$2,000,000. Amendment No. 3 to the Contract constitutes the final one-year Contract renewal through September 9, 2018. Amendment No. 3 does not involve any additional increase to the contract amount of \$9,797,500. Amendment No. 3 is to provide the necessary time extension to the Contract for additional lift station rehabilitations required throughout the WUD service area. The rehabilitation work undertaken under Amendment No. 3 will include the replacement of pumps, piping, pump guide rails, fences, concrete slabs and driveways to increase reliability, safety, security and ease of maintenance. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Hinterland Group, Inc., provides for 100% SBE participation. Hinterland Group, Inc., has performed 87.62% SBE participation under the Contract. Hinterland Group, Inc., is a Palm Beach County company. This project is included in the FY18 Capital Improvement Plan adopted by the BCC. (WUD Project No. 14-047) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to approve:** Contract with All Webbs Enterprises, Inc., for the GL01 Water Treatment Plant 11 (WTP 11) Production Well 11 Well and Wellhead Project (Project) in the amount of \$1,469,205. **SUMMARY:** On April 12, 2017, three bids were received for the Project to construct a new Floridan Aquifer Production Well 11 (PW-11). All Webbs Enterprises, Inc., was determined to be the lowest responsive, responsible bidder in the amount of \$1,469,205. PW-11 is needed to maintain adequate wellfield capacity to meet the potable water treatment demands at WTP 11. PW-11 will provide an additional 900 gallons per minute (gpm) of raw water to WTP 11 and provide for improved wellfield management practices. The Project is being partially funded by a Congressional appropriation in the form of a grant administered by the United States Environmental Protection Agency in the amount of \$485,000. Pursuant to federal law (2 CFR 200.321), All Webbs Enterprises, Inc., was required to undertake good faith efforts to meet Disadvantaged Business Enterprise goals for federally funded projects and the County is preempted from utilizing its local SBE ordinance. All Webbs Enterprises, Inc., has undertaken the good faith efforts necessary to satisfy the federal requirements to take all necessary and affirmative steps to assure that minority and women's business enterprises are used where possible. All Webbs Enterprises, Inc., is a Palm Beach County company. This project in the FY17 Capital Improvement Plan adopted by the Board of County Commissioners (BCC). (WUD Project No. 15-058) District 6 (MJ)
4. **Staff recommends motion to approve:** Work Authorization (WA) No. 6 with Cardinal Contractors, Inc., for the TR04 – Water Treatment Plant (WTP) No. 8 Lime Slakers, Fuel Storage Tanks and High Service Pump Replacement Project (Project) in the amount of \$1,906,492. **SUMMARY:** On March 10, 2015, the Board of County Commissioners (BCC) approved the Optimization and Improvements Design-Build Contract (Contract) with Cardinal Contractors, Inc., (R2015-0316). WA No. 6 is necessary to upgrade aging lime feed equipment, increase diesel fuel storage for emergency preparedness, improve high service pumping capacity, and install mixers in three storage tanks to improve water quality. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Cardinal Contractors, Inc., provides for SBE participation of 26% overall. WA No. 6 includes 34.26% overall participation. The cumulative SBE participation, including WA No. 6, is 29.52% overall. Cardinal Contractors, Inc., is a Palm Beach County company. The Project is included in the FY17 Capital Improvement Plan adopted by the BCC. (WUD Project No. 17-034) District 2 (MJ)
5. **Staff recommends motion to approve:** Contract for Consulting/Professional Services Water Treatment and Water Resources Engineering Services (Contract) with Kimley-Horn and Associates, Inc. for a term of three years. **SUMMARY:** This Continuing Contract will be used by the Water Utilities Department (WUD) to obtain engineering/professional services for water treatment and water resources projects. The selected engineering firm was procured under the provisions of Florida Statutes, Section 287.055 (Consultant Competitive Negotiation Act). Assignment of tasks to the engineering firm will be at the sole discretion of the County, and the County may choose to select another firm or use in-house staff to perform any task. Consultant Service Authorizations (CSA) will be negotiated and issued against this contract on a task basis at the sole discretion of the County. Task scope and fee negotiation will be performed on a task by task basis. The Contract has a term of three years, subject to annual performance review. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract provides for SBE participation of 28% and M/WBE participation of 7%. Kimley-Horn and Associates, Inc. is a Palm Beach County Company. (WUD Project No. 17-007) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: donation of memorabilia from the *M/V Ana Cecilia* to the Palm Beach County Diving Association (PBCDA) to promote the Artificial Reef Program and to generate funding for future artificial reef projects. **SUMMARY:** The PBCDA is a 501(c)(3) non-profit organization whose purpose is to support recreational scuba diving-related tourism in Palm Beach County. The PBCDA holds an annual fundraising event to raise money for the Artificial Reef Program. Proceeds raised from the *M/V Ana Cecilia* memorabilia will be earmarked for the creation of future artificial reefs in Palm Beach County. Districts 1 & 7 (AH)

2. Staff recommends motion to:

A) adopt a resolution authorizing the Clerk of the Board to disburse \$160,000 from the Vessel Registration Fee Trust Fund as settlement in a previously approved Agreement (R2015-1368) with Holy Trinity Episcopal Church of West Palm Beach, Inc. and Holy Trinity Properties, Inc.; and

B) approve a Budget Transfer of \$160,000 in the Environmental Enhancement Non Specific Fund (1225) from reserves to allow for payment.

SUMMARY: Holy Trinity Episcopal Church of West Palm Beach, Inc., and Holy Trinity Properties, Inc., (Holy Trinity) sued the County and the City of West Palm Beach (City) alleging that the County inversely condemned Holy Trinity's riparian rights by installing the South Cove restoration project in Lake Worth Lagoon. The parties reached a settlement agreement (Agreement) which was approved by the Board of County Commissioners on October 6, 2015. Under the Agreement, Holy Trinity would dismiss its pending lawsuit after the following actions occur: 1) the County obtains, on behalf of Holy Trinity, state and federal permits for a forty-slip boat dock; 2) the City reviews and approves the dock permit applications, including review for compliance with City zoning and building regulations; 3) the County pays Holy Trinity One Hundred Sixty-Thousand Dollars (\$160,000) and 4) the City pays Holy Trinity Sixty-Five Thousand Dollars (\$65,000), both payments which are intended to offset Holy Trinity's legal expenses. The County has now obtained the requisite state and federal permits for a 40-slip dock on behalf of Holy Trinity. The agenda item which originally approved the Agreement (R2015-1368) also specified that "[t]he required resolution and budget transfer will be presented to the board prior to payment". Payment of the identified amount will have completed the County's obligation under the Settlement Agreement.

District 7 (AP)

3. Staff recommends motion to approve: updated Management Plan (Plan) for Hypoluxo Scrub Natural Area. **SUMMARY:** The Plan identifies natural resources present on the site, provides for the preservation, restoration, management and passive recreational uses of those resources, and summarizes significant onsite events that occurred following Board of County Commissioners approval of the initial plan in 2003. The next update to the Plan will be due in 2027. District 7 (AH)

4. Staff recommends motion to receive and file: Amendment Number One to Joint Partnership Agreement (Agreement) Contract No. ARX-05 (R2015-0725) with the Florida Department of Transportation (FDOT) providing for a one-year time extension expiring June 30, 2020. **SUMMARY:** On June 2, 2015, the Board of County Commissioners approved Agreement (R2015-0725) with the FDOT for mangrove mitigation along the Southern Boulevard Causeway. FDOT will provide up to \$60,000 for services associated with the post-construction monitoring and maintenance of a mangrove mitigation project along the Causeway. Delegated authority to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement was approved at that time. District 7 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to receive and file: Amendment Number One to Joint Participation Agreement (Agreement) Contract No. ARR-96 (R2015-0065) with the Florida Department of Transportation (FDOT) providing for a one-year time extension expiring on June 30, 2018. **SUMMARY:** On January 13, 2015, the Board of County Commissioners approved an Agreement with the FDOT for the design, permitting and construction of Bingham Island mangrove mitigation to offset impacts caused by the replacement of the SR80/Southern Boulevard Bridge. Delegated authority to sign all future time extensions, task assignments, certifications and other forms associated with this Agreement was approved at that time. District 7 (AH)

6. Staff recommends motion to receive and file:

A) a Sponsorship Agreement with The West Palm Beach Fishing Club, Inc. providing a Platinum level sponsorship in the amount of \$2,720 in services or goods for The Lake Worth Lagoon Fishing Challenge on May 26 – July 13, 2017, beginning upon execution and terminating July 14, 2017;

B) a Sponsorship Agreement with The Snook and Gamefish Foundation, Inc. providing a Platinum level sponsorship in the amount of \$5,000 in services or goods for The Lake Worth Lagoon Fishing Challenge on May 26 – July 13, 2017, beginning upon execution and terminating July 14, 2017; and

C) a Sponsorship Agreement with Go Fish! Publications, LLC providing a Silver level sponsorship in the amount of \$714 in services or goods for The Lake Worth Lagoon Fishing Challenge on May 26 – July 9, 2017, beginning upon execution and terminating July 14, 2017.

SUMMARY: On December 18, 2012, the Board of County Commissioners approved Resolution 2012-1905 authorizing the County Administrator or designee to execute a Standard Sponsorship Agreement. The Standard Sponsorship Agreement allows the sponsor access to commercial and/or marketing potential associated with specific environmental programs or special events hosted by ERM. The Lake Worth Lagoon Fishing Challenge was designed as a citizen-science fishing event for the public to participate in the collection of valuable fisheries information while working alongside partners in the Lake Worth Lagoon Initiative and other community partners. Countywide (AH)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following original executed Entertainment Contractor Agreement:

Blackwood Productions, The Barn Burners concert, Canyon Amphitheater, on May 20, 2017.

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 one concert in May. This event was attended by an estimated 250 people and generated positive support and goodwill for the County. A sponsorship from GL Homes offset the expenses of this concert. 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 Entertainment 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 2008-1109, amended by Resolutions 2010-0644 and 2014-0168, and is now being submitted to the Board to receive and file. District 5 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:

A) accept the donation of \$124,445 from the Friends of the Mounts Botanical Garden, Inc. (Friends) to fund the costs associated with hosting the traveling art exhibit sculptures known as “Washed Ashore”, by the Artula Institute for Arts and Environmental Education (Artula); and

B) approve a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$124,445.

SUMMARY: The Friends voted for Palm Beach County to host and display Artula’s Washed Ashore: Art to Save the Sea Exhibit at the Mounts Botanical Garden of Palm Beach County (MBG). The \$124,445 donation is to pay the costs associated with hosting the “Washed Ashore” exhibit at the MBG from December 2, 2017, through May 31, 2018. These costs include, payment to the artist, shipping of the exhibit and installation costs. District 7 (AH)

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file: the following documents for the John D. and Catherine T. MacArthur Safety and Justice Challenge (SJC) Grant number 16-16019150543-CJ:

A) no-cost contract extension amendment with the Pretrial Justice Institute to September 30, 2017, to provide more time to implement a risk assessment instrument at First Appearance Hearings;

B) no-cost contract extension amendment with The Lord’s Place to September 30, 2017, to provide more time to complete an implementation for the Frequent User System Engagement (FUSE) Project; and

C) Data Use Agreement with the City University of New York, Institute for State and Local Governance to share local criminal justice system data.

SUMMARY: Palm Beach County was awarded \$150,000 from the John D. and Catherine T. MacArthur Foundation’s Safety and Justice Challenge (SJC) Grant Program on April 1, 2016. The grant continued Palm Beach County’s participation in the MacArthur SJC Network of 20 national sites in order to continue the criminal justice system reform work started in 2015 to reduce the reliance on jail for appropriate individuals. The grant award agreement was approved by the Board of County Commissioners on May 3, 2016 (R2016-0577). Contracts with the Pretrial Justice Institute and The Lord’s Place were approved by the Board on June 21, 2016, and no-cost extensions executed on April 11, 2017, on behalf of the Board by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with R2016-0810 and 0811. The Data Use Agreement with the City University of New York, Institute for State and Local Governance, was executed on March 2, 2017, on behalf of the Board by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with Agenda Item 3Q-3 from August 14, 2012, and subsequent delegation by the County Administrator on June 27, 2016. Countywide (DC)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

2. Staff recommends motion to:

A) receive and file grant application to become a Core Site for the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge Grant Program in the amount of \$2,000,000 for two years to fund five strategies to reduce Palm Beach County's jail by 16.7% by April 30, 2019, and address racial and ethnic disparities in the jail population; and

B) authorize the County Administrator or designee to execute the grant award, amendments, travel advances for non-county Core Team delegates to attend required MacArthur All Sites meetings, and all electronic reporting forms related to this grant on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County's Attorney's Office, and within budget allocations.

SUMMARY: Palm Beach County was awarded \$150,000 from the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) Grant Program on April 1, 2016, to be a Partner Site. The grant continued Palm Beach County's participation in the SJC Network of 20 national sites in order to continue the criminal justice system reform work started in 2015. This grant application to become a Core Site proposes to reduce the county's jail population of 2,210 by 16.7% by April 30, 2019, through five strategies identified by the McArthur Core Team of stakeholders including the Judiciary, State Attorney, Public Defender, Sheriff's Office, The Lord's Place, PBC Pretrial Services, Clerk's Office, State and County Probation, West Palm Beach Police Department, PBC Justice Services Division, and Court Administration. The five strategies include: 1) pretrial jail population reduction for low and medium risk defendants; 2) diversion and warrant reduction for low-level defendants; 3) case processing efficiencies for pretrial inmates; 4) racial and ethnic disparity identification and resolution; and 5) increased data capacity, analysis and evaluation. The second year Partner Site grant agreement was approved by the Board on May 3, 2016, and this third year grant renewal was submitted on June 1, 2017, on behalf of the Board by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with R2016-0577. **No County matching funds are required.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to:

A) receive and file two Grant Adjustment Notices (GANs) from the Federal FY 2015 Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) Program:

1. GAN 3: 2016-JAGC-PALM-1-H3-211 decrease award by \$4,715.23 and closeout; and
2. GAN 2: 2016-JAGC-PALM-2-H3-048 decrease award by \$260.96 and closeout.

B) receive and file two (2) GANs from the Federal FY 2015 U.S. Department of Justice (DOJ) JAG Program:

1. GAN 7: 2015-DJ-BX-0924 modifying the budget by \$2,903.94 to procure Moral Reconciliation Therapy (MRT) workbooks; and
2. GAN 7: 2016-DJ-BX-0889 modifying the budget by \$33,150 to procure MRT training and workbooks.

SUMMARY: The JAG Program allows local governments to support a range of activities to prevent and control crime based on local needs and conditions. Palm Beach County was allocated \$295,183 in Federal FY 2015 as part of the FDLE JAG Program. The grants were approved to support the Department of Public Safety's Adult Reentry Program and the Palm Beach County Law Enforcement eXchange, Inc.(LEX) Project. Grant 2016-JAGC-PALM-1-H3-211 was awarded in the amount of \$195,183 to the Adult Reentry Program. The grant closeout, Grant Adjustment Notice 3, reduced the award to \$190,467.77 due to an unexpended balance of \$4,715.23. Grant 2016-JAGC-PALM-H3-048 was awarded in the amount of \$100,000 to the LEX Project. The grant closeout, Grant Adjustment Notice 2, reduced the award to \$99,739.04 due to an unexpended balance of \$260.96. Palm Beach County was allocated \$144,219 in Federal FY15 (2015-DJ-BX-0924) and \$160,148 in Federal FY16 (2016-DJ-BX-0889) as part of the DOJ JAG Formula Grant Program. The grants were approved to support the Department of Public Safety's Juvenile Reentry Program. GAN 7 for 2015-DJ-BX-0924 modifies the budget by transferring \$2,903.94 from lapsed salaries to procure Moral Reconciliation Therapy (MRT) workbooks. GAN 7 for 2016-DJ-BX-0889 modifies the budget by transferring \$33,150 from lapsed salaries to procure MRT Training and workbooks. MRT is a state of the art cognitive behavioral rehabilitation system that has shown substantial effectiveness in significantly reducing offender's recidivism. These documents have been fully executed on behalf of the Board of County Commissioners by the Executive Director of the Criminal Justice Commission, Kristina Henson, in accordance with R2016-0295, R2016-0273, R2016-1027 and R2014-1836. **No County matching funds are required for this grant.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. **Staff recommends motion to receive and file:** fully executed standard Interlocal Agreement for Swimming Lessons for FY 2017 with the City of Riviera Beach. **SUMMARY:** On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator, or designee (the Fire Rescue Administrator), to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. This standard Interlocal Agreement has been fully executed by the Fire Rescue Administrator, and is now being submitted to the Board as a Receive and File agenda item in accordance with Countywide PPM CW-O-051 for the Clerk and Comptroller's Office to receive and file. Countywide (PK)

2. **Staff recommends motion to approve:** Second Amendment to Interlocal Agreement for Fire Protection and Emergency Medical Services Agreement with the Town of Jupiter for additional personnel to be funded through the Jupiter Municipal Service Taxing Unit (MSTU) based on the "Full Cost Formula", which the amount for FY 2018 will be \$406,615. **SUMMARY:** On November 19, 2013, the Board approved an Interlocal Agreement for Fire Protection and Emergency Medical Services (R2013-1670) with the Town of Jupiter (Town) for a term of ten years. The Town adopted Ordinance Number 42-13 to extend inclusion in the MSTU through tax year 2022 to fund fire rescue services through September 30, 2023. On February 7, 2017, the Board approved a First Amendment (R2017-0209) to increase the number of fire rescue personnel to be on duty at all times. This proposed Second Amendment will increase the number of fire rescue personnel on duty at all times from 18 to 19 beginning on October 1, 2017, and will require four additional positions in order to cover the various shifts. The total estimated cost for these four new positions for FY 2018 to the Jupiter MSTU is \$406,615, and is included in the proposed FY 2018 Jupiter MSTU budget. An increase to the complement for the four new positions is also included in the proposed FY 2018 Jupiter MSTU budget. The Town's contract price for this Agreement, as amended, is calculated on a "Full-Cost Formula" methodology as described in the Agreement. The "Full-Cost Formula" methodology is calculated using a percentage of the Battalion 1 budget based on the percentage of Unit Responses within the Jupiter MSTU boundaries. The percentage of Unit Responses used for developing the FY 2018 Jupiter MSTU budget is 67.44%. This proposed Second Amendment will increase the Fire Rescue personnel complement beginning in FY 2018 by four Firefighter/Paramedic positions for an estimated cost to the main Fire/Rescue MSTU of \$602,929, of which 67.44% or \$406,615, will be funded by a transfer from the Jupiter MSTU in FY 2018. This arrangement also benefits the main Fire/Rescue MSTU by the provision of additional personnel to serve the Battalion 1 area. Countywide/District 1 (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to:

A) accept U.S. Department of Homeland Security’s (DHS), Federal Emergency Management Agency (FEMA) FY2016 Assistance to Firefighters Grant (AFG), Agreement No. EMW-2016-FO-05219, award in the amount of \$27,655 for the purchase of multi-gas monitors for the period of May 26, 2017, through May 25, 2018;

B) approve Budget Amendment of \$27,655 within the Fire/Rescue MSTU Fund to recognize the grant award, establish budget for the approved grant and transfer \$2,765 from contingency reserves for Fire Rescue’s matching requirement; and

C) authorize County Administrator or designee (Fire Rescue Administrator or Fire Rescue Deputy Chief of Operations) to electronically accept the grant award via the DHS FEMA website, and execute certifications, assurances, standard forms and documents, reimbursement requests, or work activities and time frames that do not change the general scope or terms and conditions of the grant.

SUMMARY: On December 20, 2016, the Board ratified the Mayor’s signature on a grant application (R2016-1890) requesting \$27,655 to purchase multi-gas monitors. The application included the required match of \$2,765. On June 2, 2017, the County received notification of the grant award from FEMA. This grant award in the amount of \$27,655 plus the required matching funds of \$2,765 (10% of the federal award amount) from the Fire Rescue’s Main MSTU contingency reserves equal a total grant project cost of \$30,420, and will be used to purchase 16 multi-gas monitors. The County must comply with all terms, conditions, certifications, assurances and other requirements of the grant program and related regulations, including the Summary Award Memo, Agreement Articles, Obligating Document, Notice of Funding Opportunity and the grant application package. Countywide (SB)

4. Staff recommends motion to approve: One reappointment to Seat No. 2 and one appointment for Seat No. 8 to the Fire Code Board of Appeals and Adjustments Committee beginning October 1, 2017 through September 30, 2020.

Reappoint:

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
David Woodside	Municipal Fire Rep	2	Commissioner Valeche Commissioner Abrams Vice Mayor McKinlay

Appoint:

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
George Heisel	Citizen	8	Commissioner Valeche

SUMMARY: The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Ordinance 2014-002). On January 26, 2017, a memo was distributed to the Commissioners requesting nominations to this eight-member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three consecutive three year terms. No other nominations were received. The Board consists of 8 members, with 6 seats currently filled and a diversity count of Caucasian: 5 (80%), African-American: 1 (20%). The current gender ratio (male:female) is 6:0. Nominee, Mr. Heisel is a Caucasian male. Countywide (PK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** executed Interlocal Agreement for professional services with Florida State University (FSU) for the period of May 1, 2017, through September 30, 2019, in the amount of \$150,000 to provide research, data collection, and evaluation services. **SUMMARY:** To assist in meeting the requirements of Cooperative Agreement 2016-XV-GX-K018 with the U.S. Department of Justice, Office of Justice Programs, FSU will document the performance and effectiveness of the grant project through conducting focus groups, establishing a baseline data collection process, developing a logic model and process evaluation, disseminating and tracking evidenced-based programs, collecting data, tracking judicial outcomes of DUI manslaughter and homicide cases, and producing professional publications to disseminate project findings to highlight some of the activities. R2017-0477 approved on April 4, 2017, authorized the County Administrator, or designee, to execute future amendments and partner agreements associated with the current grant on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (LDC)

2. **Staff recommends motion to receive and file:** two Grant Adjustment Notices (GAN) numbered 26 and 27, with the US Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) (2014-WE-AX-0011), which facilitated administrative filing and approvals through May 2, 2017:
 1. GAN #26 Training;
 2. GAN #27 Training;

SUMMARY: As per grant guidelines, certain expenditures and work product require approval from the OVW GTEA grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. These GANs facilitated approval of Victim Services staff and Sexual Assault Response Team members to attend various trainings. The approved grant budget, total grant, and scope of work remained the same. R2014-1633 approved on April 4, 2017, authorized the County Administrator or designee to execute future awards, contract, sub-recipient agreements and sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (LDC)

3. **CONSENT AGENDA APPROVAL**

X. **PUBLIC SAFETY (Cont'd)**

3. **Staff recommends motion to receive and file:** six Interlocal Agreements with the City of Boynton Beach, City of Palm Beach Gardens, Village of North Palm Beach, City of Delray Beach, City of Greenacres, and the Village of Tequesta, for reimbursement from Emergency Medical Services (EMS) grant funding for medical equipment. **SUMMARY:** The County was awarded \$193,474 during the FY 2016-17 grant cycle from the State of Florida Department of Health, Bureau of Emergency Medical Services (EMS), to improve and expand the EMS systems. The grant funding may be used by the County or municipal agencies to purchase EMS equipment and accordingly, the County has agreed to reimburse the municipalities as follows: 1) City of Boynton Beach for the purchase of patient reporting tablets in an amount not to exceed \$10,000; 2) City of Palm Beach Gardens for the purchase of patient recording tablets in an amount not to exceed \$18,200; 3) Village of North Palm Beach for the purchase of a cardiac compression device and video laryngoscopes in an amount not to exceed \$21,207; 4) City of Delray Beach for the purchase of an adult simulation lab in an amount not to exceed \$25,000; 5) City of Greenacres for the purchase of a cardiac compression device and video laryngoscopes in an amount not to exceed \$21,478; and 6) Village of Tequesta for the purchase of a patient transport stretcher in an amount not to exceed \$17,500. The remaining EMS grant funding will be used to purchase EMS equipment for the benefit of the citizens of the County and surrounding municipal agencies. On August 13, 2013, the County Administrator or designee was authorized to execute these standard agreements between the County and various governmental and non-governmental/private entities and make non-substantive and ministerial changes on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. There is no ad valorem funding required. Countywide (LDC)

BB. **YOUTH SERVICES**

1. **Staff recommends motion to:**
- A) approve** Affiliation Agreement with the University of Miami for the term August 1, 2017, through July 31, 2018, with three automatic one-year renewal options, for its students to complete Master's/Doctoral Degrees required planned and supervised clinical experience at various Youth Services Department facilities, at no cost to the County; and
- B) authorize** the County Administrator, or designee, to execute any future agreements/minor amendments with the University of Miami to provide clinical supervision to students seeking training and experience in graduate programs of psychology, social work or other related fields.
- SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division continues to be an authorized counselor training facility for many state colleges and universities offering degrees in graduate programs of psychology, social work or other related fields of educational study. Master's/Doctoral Degree programs require field education experience in order to meet degree and licensing requirements. The County will continue to offer its services and programs as a means for the students to obtain the necessary training and experience to earn their respective degree. There are no costs associated with this Agreement. Approval of the delegated authority will allow the County Administrator, or designee, to execute any future agreement/minor amendments with the University of Miami, for supervised clinical and experience. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. JUDICIAL – COURT ADMINISTRATION

1. Staff recommends motion to:

A) accept on behalf of the Fifteenth Judicial Circuit a donation in the sum of \$11,795 from Making Every Day Count, Inc. to support the Delinquency and Family Drug Court programs;

B) establish part-time Juvenile Court Case Manager position within the 15th Judicial Circuit-Court Administration; and

C) approve the budget amendment of \$11,795 in the General Fund.

SUMMARY: On May 18, 2017, the Fifteenth Judicial Circuit received a letter committing funds to Palm Beach County in the sum of \$11,795 from Making Every Day Count, Inc. The funds are to be used to establish a Juvenile Court Case Manager position to develop protocols for the recruitment, training and coordination of advocates to assist Delinquency and Family Drug Court participants. The funding will cover the salary, benefits, and travel for a Juvenile Court Case Manager position. The position will work ten hours per week at \$19.35 per hour for one year. The position will terminate when funds have been spent or one year from date of hire. The position will report to the Juvenile Court Operations Manager within the 15th Judicial Circuit, under the supervision of the Administrative Judge of the Juvenile Division. Countywide (AH)

3. CONSENT AGENDA APPROVAL

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. Staff recommends motion to approve: Reappointments to the Westgate CRA Board, effective July 11, 2017:

<u>Seat No.</u>	<u>Reappointments</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term Ending</u>
1	Christopher Fleming	Engaged in Business in the CRA	Comm. Hal R. Valeche Comm. Dave Kerner Comm. Steven L. Abrams	05/31/2021
2	Joseph H. Kirby	Business Owner	Comm. Hal R. Valeche Comm. Dave Kerner Comm. Steven L. Abrams Vice Mayor Melissa McKinlay	05/31/2021
3	Ralph Lewis	Business Owner	Comm. Hal R. Valeche Comm. Dave Kerner Comm. Steven L. Abrams Vice Mayor Melissa McKinlay Comm. Mack Bernard	05/31/2021
7	Joanne Ruffy	Resident	Comm. Hal R. Valeche Comm. Dave Kerner Comm. Steven L. Abrams Vice Mayor Melissa McKinlay Comm. Mack Bernard	05/31/2021

SUMMARY: The Westgate/Belvedere Homes Community Redevelopment Agency (Westgate CRA) Board consists of seven At-Large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners appoint the Westgate CRA Board Members. After duly advertising, the Westgate CRA held its Annual Meeting on May 8, 2017, to nominate candidates to fill seats 1, 2, 3 and 7. Christopher Fleming, a business owner, has expressed a willingness to remain on the CRA Board in Seat 1. Joseph H. Kirby, a business owner, has expressed a willingness to remain on the CRA Board in Seat 2. Ralph Lewis, a business owner has expressed a willingness to remain on the CRA Board in Seat 3. Joanne Ruffy, a resident, has expressed a willingness to remain on the CRA Board in Seat 7. The Westgate/Belvedere Homes CRA Board consists of seven seats. Three are currently filled with a diversity count of Caucasian: 2 (67%) and Asian: 1 (33%). The gender ratio (female:male) is 1:2. The four nominees are three Caucasian males and one Caucasian female and will serve a term of four years. The CRA Board and Staff are working diligently to recruit more minority Board members. Three minority candidates have been engaged and will be free to serve after completing some projects that need CRA Board approval. The CRA has held two community meetings in the last three months and have contacted several minority stakeholders. Districts 2 & 7 (RPB)

2. Staff recommends motion to approve: the following Westgate/Belvedere Homes Community Redevelopment Agency (CRA) Board Officers for a 12-month term commencing June 13, 2017, and expiring June 12, 2018.

<u>Board Member</u>	<u>Office</u>
Ronald Daniels	Chair
Joanne Ruffy	Vice-Chair

SUMMARY: The Westgate/Belvedere Homes CRA Board consists of seven At-Large members from residents and local businesses within the CRA boundaries. At the June 12, 2017 meeting, the CRA Commissioners elected the Chair from amongst its Board. The term shall be 12 months, beginning with the date of election. Districts 2 & 7 (RPB)

3. CONSENT AGENDA APPROVAL

EE. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve:

A) Amendment to extend the term of the Convention Center Operating Agreement R2012-1047 (Agreement) with Global Spectrum, L.P. (Operator), a Delaware Limited Partnership, doing business as Spectra Venue Management (Spectra Venue), for the operation and management of the Palm Beach County Convention Center (Convention Center); and

B) Amendment to the Agreement which adds language to the Agreement on incentive funds along with County Policy for Nondiscrimination and required provisions for Public Records and Survival state laws.

SUMMARY: The Amendment to the Agreement extends the term of the Convention Center Operating Agreement with Global Spectrum for an additional five years for the operation and management of the Palm Beach County Convention Center through September 30, 2022. This Agreement provides for Spectra Venue to have the authority over the day to day operation of the Convention Center. The Agreement provides for the County to pay Spectra Venue an annual fixed fee (Annual Fixed Fee) of \$203,182.92 to be paid in monthly installments of \$16,931.91 which will be adjusted annually as of October 2017, based on the percentage change in the Consumer Price Index (CPI); provided however, the annual adjustment will not increase or decrease by more than 3%. In addition to the Annual Fixed Fee, Spectra Venue has the potential to earn an incentive fee (Incentive Fee), which will not exceed \$100,000 or 25% of the Annual Fixed Fee, whichever is less, if key performance measures are met in areas of financial, SBE achievement, marketing, sales and customer service. The Amendment addresses guidelines on the administration, sources and uses of incentive funds to further assist with marketing and group sales effort for the Convention Center. The Amendment to the Agreement adds language to comply with the county's Nondiscrimination policy. In addition, the Amendment inserts Public Records and Survival provisions into the Agreement to comply with state laws. The BCC approved the incentive funding and transfer from the first cent to the Convention Center on January 26, 2016. (TDC) Countywide (DW)

FF. SHERIFF

1. Staff recommends motion to:

A) Accept on behalf of the Palm Beach County Sheriff's Office, a donation through an insurance policy benefit in the amount of \$14,645; and

B) Approve a Budget Amendment of \$14,645 in the Sheriff's Grant Fund.

SUMMARY: The Palm Beach County Sheriff's Office was designated as a beneficiary in a former employee's Great American Financial Resources 457 Fixed Annuity Policy. The donation will be transferred to the employee welfare organization 501(c)(4). There is **no match requirement** associated with this donation. Countywide (LDC)

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

A. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) adopt Resolution approving the Palm Beach County Action Plan for Fiscal Year 2017-2018; and

B) authorize the Mayor, or designee, to execute Standard Forms 424 and Certifications for submission to the U.S. Department of Housing and Urban Development (HUD) to receive Fiscal Year 2017-2018 grant funding through the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) Programs.

SUMMARY: At the April 25, 2017 Workshop (Agenda Item 4C), the Board of County Commissioners (BCC) conceptually approved program funding strategies for the CDBG and HOME Programs for Fiscal Year 2017-2018. CDBG and HOME funding allocations consistent with these strategies are incorporated in the Action Plan (AP). CDBG allocations total \$5,821,645 plus program income of \$10,000 and HOME allocations total \$1,627,785. The AP also incorporates the ESG funding recommendations made by the Homeless and Housing Alliance (HHA). ESG allocations total \$519,046. The HHA Non-Conflict Grant Review Committee met on April 24, 2017, and recommended ESG funding for five agencies. The Department of Economic Sustainability (DES) prepared the AP in compliance with HUD regulations at 24 CFR Part 91. A summary of the draft AP and a Notice of Public Hearing were published on June 11, 2017, and posted on the DES website, with direct notification provided to all known interested parties. Two public meetings to obtain citizen input on the AP were held on June 19 and 21, 2017, with one meeting each in the eastern and western regions of the county. A summary of the citizen participation process and public comments is provided. **The ESG required 100% local match (\$519,046) will be provided by the five ESG-funded agencies, the Department of Community Services, and DES. The HOME required local match (\$345,905) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** This Agenda Item will approve a total of \$7,978,476 in federal funding. Countywide (JB)

B. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) approve utility easement deed for the City of Boca Raton for a portion of Balboa Lane; and

B) adopt resolution to abandon all of the 60-foot wide right-of-way (ROW) for Balboa Lane, as recorded in the plat of Boca Del Mar No. 2, Plat Book 30, Page 80, Public Records of Palm Beach County, Florida.

SUMMARY: Adoption of this resolution will allow Penn Florida Club Properties, LLC, to pursue redevelopment of the Boca Del Mar Clubhouse at Mizner Golf and Country Club. The ROW currently functions as a secondary driveway for access to the clubhouse, the Whitehall Condominium Property and the golf course maintenance facilities. However, this access to Whitehall has been physically blocked to prevent vehicular access. The ROW is located west of Military Trail, south of Palmetto Park Road, east of Powerline Road and north of Camino Real. The petition to abandon the ROW is subject to a privilege fee of \$2,825.41. District 4 (LBH)

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

B. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to:

A) approve utility easement for Florida Power & Light Company (FPL) over the abandonment site, a 40 foot by approximately 104-foot portion of the unimproved right-of-way of Shawnee Avenue, lying east of Seminole Boulevard, as recorded in the plat of West Gate Estates Northern Section, Plat Book 8, Page 38, public records of Palm Beach County, Florida (Abandonment Site);

B) approve utility easement for BellSouth Telecommunications, LLC d/b/a AT&T over the Abandonment Site; and

C) adopt resolution reserving one utility easement for Palm Beach County Water Utilities (WUD) over the Abandonment Site and abandoning any public interest in the Abandonment Site.

SUMMARY: Adoption of this resolution will eliminate the public dedication that is in conflict with future redevelopment plans developed by Sil Fir Corp. The petition site is located on the east side of Seminole Boulevard and south of Okeechobee Boulevard. District 7 (LBH)

3. Staff recommends motion to:

A) adopt Resolution confirming the Municipal Service Taxing Unit (MSTU) special assessment process for paving and drainage improvements of Myrtle Drive and 47th Way South (Project); and

B) approve budget transfer from the Unincorporated Improvement Fund Reserves in the amount of \$201,500 and appropriate it to the project.

SUMMARY: Adoption of this Resolution will allow Palm Beach County to assess 50% (\$150,750) of the total project cost (\$301,500) to the 11 benefitting property owners. On April 2, 2013, the Board of County Commissioners approved the allocation of \$100,000 to the project. Approval of the budget transfer will allocate the remaining required balance of \$201,500 to the project. The project includes construction of roadway pavement, driveway reconstruction and drainage improvements. In accordance with Section 26-24 of the MSTU Special Assessment Ordinance in effect prior to May 1, 2013, projects accepted into the MSTU program were assessed 50% of the total cost, instead of 100%. To recoup the \$150,750, each lot will be assessed \$13,705. The assessments will be payable in 20 equal annual installments at an interest rate of five and one half percent (5.5%) per annum. District 2 (LBH)

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

B. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to:

A) approve the Five Year Road Program (Program) Findings of Fact (per Article 12.M.3.A of the Unified Land Development Code) with a majority plus one vote that the delay of the three intersection projects (Atlantic Avenue and Florida’s Turnpike, Sandalfoot Boulevard and State Road 7 and SW 3rd Street and State Road 7) will not result in any link or intersection on the road network operating at greater than the adopted level of service, and no development projects are phased to this construction; and

B) adopt Ordinance to amend Ordinance No. 85-40, as amended, establishing an amended program; providing for title; purpose; adoption of revised Program and revised list of projects; implementation of the program; modification of the 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: Since the development and adoption of Palm Beach County’s Program on December 20, 2016, the progress and evolution of current and near term projects have continued to be monitored. Traffic counts, costs and revenues have been updated. Revisions are being proposed to modify the Program to reflect this updated information. A mid-year ordinance amendment with a preliminary reading and a public hearing is required in order to accomplish this. On June 20, 2017, the Board of County Commissioners approved this amendment on preliminary reading and authorized advertisement for today’s Public Hearing for final adoption. Countywide (LBH)

C. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to:

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

B) adopt the non-ad valorem special assessment roll and specify the unit of measurement and amount of the assessment; and

C) authorize the Mayor to certify the non-ad valorem assessment roll on electronic media to the Tax Collector pursuant to Chapter 197, Florida Statutes.

SUMMARY: On December 16, 1997, the Board approved Resolution 97-2152, and on November 15, 2011, the Board approved Resolution 2011-1833, expressing the intent of Palm Beach County to use the Uniform Method of collecting non-ad valorem special assessments. The Uniform Method in Resolution 97-2152 provides for inclusion of water and street improvement project special assessments on the tax bill. The Uniform Method in Resolution 2011-1833 provides for the abatement of nuisance conditions. Placing these accounts on the tax bill reduces administrative (including collections) costs and provides for a more efficient collection of amounts due to the County. A public hearing is required to implement this collection method for new special assessment projects to be included on the 2017 tax bill. Countywide (PK)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to receive and file: Presentation of the 2017 Legislative Session final report by the Palm Beach County Legislative Affairs Office and Palm Beach County Legislative Delegation Office. **SUMMARY:** A presentation of the final legislative report reviewing Palm Beach County's 2017 State Legislative Agenda priorities and appropriations with the Board of County Commissioners. Countywide (DW)

B. COMMUNITY SERVICES

1. Staff recommends motion to approve:
 - A) Allocations for renewal funding in the Domestic Abuse/Sheltering, Homelessness, Economic Stability/Poverty, Senior Services, and Non-competitive service categories under the Financially Assisted Agencies (FAA) Program, for the period October 1, 2017, through September 30, 2018, in a total amount not to exceed \$5,067,093; and
 - B) Allocations for Request for Proposals (RFP) funding in the Behavioral Health and Special Needs/Developmental Disability service categories, under the FAA Program for the period October 1, 2017, through September 30, 2018, in a total amount not to exceed \$7,429,093.

SUMMARY: This item provides the recommended FY 2018 funding allocations for the FAA. The FAA recommendations in the Behavioral Health and Special Needs/Developmental Disabilities categories reflect the results of an RFP process initiated in February of this year. Allocations in the other FAA categories are based on prior year's funding as this is a renewal year in the three-year cycle for those categories. The total amount of funding being requested for this program is \$12,496,186. Funding is included in the County Administrator's proposed FY 2018 budget and is subject to approval by the Board of County Commissioners. (FAA) Countywide (HH)

5. REGULAR AGENDA

C. YOUTH SERVICES

1. **Staff recommends motion to conceptually approve:** Allocations for funding in the areas of Economic Access, Parenting and Role Models, Social and Emotional Learning Supports, and Ensuring Safety and Justice, for the period October 1, 2017, through September 30, 2018, with two one-year extensions at the option of the County, in an estimated total amount of \$2,190,500:

Proposer	Action Area				Amount
	Economic Access	Parenting & Role Models	Social & Emotional Learning	Ensure Safety & Justice	
ASPIRA of Florida, Inc.	x				\$ 122,000
Urban Youth Impact, Inc.	x				\$ 84,000
Vita Nova, Inc.	x				\$ 153,000
Children of Inmates, Inc.		x			\$ 57,000
Grandma's Place, Inc.		x			\$ 146,000
Planned Parenthood of South Florida and The Treasure Coast, Inc.		x			\$ 49,000
United Way of Palm Beach County, Inc.		x			\$ 100,000
Achievement Centers for Children & Families			x		\$ 240,000
American Association of Caregiving Youth, Inc.			x		\$ 35,000
Center for Child Counseling, Inc.			x		\$ 203,000
City of Greenacres			x		\$ 77,000
Compass Inc.			x		\$ 60,000
Florida Fishing Academy, Inc.			x		\$ 39,000
Housing Partnership, Inc. (Lake Worth)			x		\$ 50,000
Housing Partnership, Inc. (Pahokee)			x		\$ 50,000
Milagro Foundation, Inc.			x		\$ 32,500
The Urban League of Palm Beach County, Inc.			x		\$ 84,000
Aid to Victims of Domestic Abuse, Inc.				x	\$ 100,000
Families First of PBC				x	\$ 129,000
Father Flanagan's Boys Town Florida, Inc.				x	\$ 200,000
Gulfstream Goodwill Industries, Inc.				x	\$ 180,000
Total					\$2,190,500

SUMMARY: On April 3, 2017, the Youth Services Department issued a Request for Proposals (RFP) for Community Based Agencies (CBAs) FY 2018. Proposals were accepted for four Actions Areas identified as priorities in the Youth Master Plan: Economic Access, Parenting and Role Models, Social and Emotional Learning Supports, and Ensuring Safety and Justice. Funding for the CBAs comes from the Headstart reallocation money identified for evidence-based and promising practices. Countywide (HH)

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) approve HOME Investment Partnerships (HOME) Program Community Housing Development Organization (CHDO) funding award of \$532,187 to Neighborhood Renaissance, Inc.;

B) approve HOME Program CHDO funding award of \$749,767 to Community Land Trust of Palm Beach County, Inc.;

C) direct staff to negotiate the funding agreements; and

D) authorize the County Administrator, or designee, to execute the funding agreements, amendments thereto, and all other documents necessary for project implementation including subordination agreements.

SUMMARY: The Board of County Commissioners (BCC) approved the Annual Action Plans allocating HOME CHDO funding for Fiscal Years 2011-2012 (R2011-1095), 2012-2013 (R2012-0942), 2013-2014 (R2013-0950), 2014-2015 (R2014-1079), and 2016-2017 (R2016-0928). On March 29, 2017, the Department of Economic Sustainability (DES) issued Request for Proposals DES.2017.1 (RFP) making available \$1,186,954 in HOME CHDO set-aside funds and up to \$158,984 in operating funds to Palm Beach County Certified CHDOs for the creation of affordable rental or homeownership housing through new construction or acquisition and/or rehabilitation of residential property. A selection committee consisting of five voting members met at a public meeting held on June 7, 2017, and recommended that: **a)** Neighborhood Renaissance, Inc., be awarded \$532,187 for four of eight townhomes to be known as Art Lofts at West Village to be constructed at 110 North F Street (NE Corner of North F Street and Lucerne Avenue) in Lake Worth; and **b)** Community Land Trust (CLT) of Palm Beach County, Inc., be awarded \$654,767 in set-aside funds and \$95,000 in operating funds for the construction of six single family homes and one duplex, on scattered sites in Palm Springs. The Art Lofts at West Village project leverages 20% of HOME funding with 80% of funding from other sources for a total development cost of \$2,625,700. The CLT project leverages 42% of HOME funding with 58% of funding from other resources for a total development cost of \$1,800,000. All funded housing units including the four townhomes, the six single family homes and the duplex will be sold to households with incomes no greater than 80% of Area Median Income (AMI). It is anticipated that the County will be required to subordinate its mortgages to mortgages held by other lenders in order for these projects to proceed. The required subordination agreements are likely to include terms that: 1) require all proceeds that could be received by the County in the event of the condemnation of the property be paid to the first mortgage holder; and 2) prohibit the County from commencing, or joining other creditors in commencing, bankruptcy proceedings against the borrower. To facilitate project implementation, staff is requesting the authorization for the County Administrator, or designee, to execute the funding agreements and related documents. **These are Federal HOME Program grant funds which require a 25% local match provided by State SHIP funds. District 3 (JB)**

5. REGULAR AGENDA

D. ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve: payment to the Palm Beach County Tax Collector for the delinquent property taxes, interest, and fees on County-owned property in the Brook's Subdivision currently estimated at \$147,297.96. **SUMMARY:** Between August 2007 and August 2009, the Board of County Commissioners approved numerous agreements with the Brook's Subdivision, LLC and the Northwest Riviera Beach Community Redevelopment Corporation (the managing partner of Brook's Subdivision, LLC). These Agreements provided funding from the Federal HOME Program and the State Housing Initiative Partnership (SHIP) Program totaling \$1,414,500 to be used for site acquisition and the construction of eighteen homes that were to be sold to very low, low and moderate income households on property now known as Brook's Subdivision. Of that amount, \$786,778.51 was expended to acquire the property and complete on-site infrastructure before the project stalled. The default provisions of the Conditional Grant Agreement required that the 18 SHIP assisted homes be completed and sold to eligible homebuyers by December 31, 2010. After Brook's failed to construct any of the homes, on February 7, 2014, the County initiated action to foreclose on the property. The Final Judgment of Foreclosure was entered by the Court on February 11, 2016, and a Certificate of Title issued to the County on April 6, 2016, for 18 lots within the subdivision. Prior to the County's receipt of the property, taxes went unpaid by Brook's starting in 2009, and along with accrued interest and fees now total an estimated \$147,297.96. Approval of this item will authorize payment from the Workforce Housing Program Trust Fund to pay the taxes in order for a new project to move forward. Staff intends to issue a Request for Proposals to procure a developer to build single-family homes on the County-owned lots and to sell those homes to eligible buyers. The project will result in the new construction of 18 workforce/affordable housing to buyers with varying incomes but no greater than 140% AMI. District 7 (JB)

E. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:
 - A)** waiver of PPM CW-F-049 (Contract Development PPM) with regard to the indemnity provision in a license agreement with Florida East Coast Railway, LLC (FEC);
 - B)** license agreement with FEC in the amount of \$680,898.25 for reconstruction of the Silver Beach Road railroad DOT/AAR crossing number 272389V to accommodate the widening of Silver Beach Road from east of Congress Avenue to President Barack Obama Highway/Old Dixie Highway (Project); and
 - C)** waiver of the Contract Development PPM with regard to all future agreements with FEC that are in substantially similar form as this FEC license agreement.

SUMMARY: Approval of this agreement allows FEC to remove and rebuild the existing railroad-crossing surface at Silver Beach Road. This is required to accommodate the Project. Palm Beach County (County) is obligated to fund all maintenance and improvements associated with the crossing. The cost of construction is \$680,898.25. The agreement requires the County to indemnify FEC for "assessments or other charges of any kind whatsoever" arising out of the crossing site. Pursuant to the Contract Development PPM, the County could not legally agree to this indemnity provision. However, a recent Florida Supreme Court decision recognizes that contractual indemnity arrangements are enforceable, thus Staff is requesting approval of a waiver of the Contract Development PPM in this instance. The Contract Development PPM will be reviewed and revised, as appropriate. District 7 (LBH)

5. REGULAR AGENDA

F. AIRPORTS

1. **Staff recommends motion to approve:** First Amendment to Amended and Restated Fixed Base Operator Lease Agreement (Lease) (R2016-0759) with Galaxy Aviation of Lantana, Inc. d/b/a Stellar Aviation of South Palm Beach (Stellar), removing the requirement to construct an aviation fuel farm and aircraft wash rack; providing for the extension of construction deadlines; requiring Stellar to pay the County a fuel farm recovery fee in the amount of \$.08 per gallon of aviation fuel sold (Recovery Fee); providing opportunity for rental relief based on temporary flight restrictions (TFRs); and modifying the lease term to provide 30 years from substantial completion of the construction of a new terminal building or October 1, 2020, whichever occurs first. **SUMMARY:** Stellar provides fixed based operator services at the Palm Beach County Park Airport (Lantana Airport) pursuant to the Lease. Stellar is a Florida corporation with its principal place of business in Lantana, Florida. The Lease requires Stellar to build a fuel farm and wash rack; however, the County received a grant from the Florida Department of Transportation, which will fund 80% of the cost of the improvements. Stellar will be responsible for the operation, maintenance and management of the fuel farm and wash rack and will pay the County the Recovery Fee, which will allow the County to recover its share of the cost of the improvements and provide for future repairs. The fuel farm will include a self-service fuel system, which will provide airport users with a lower cost fuel option. The County will be responsible for the cost of repairs to the fuel farm in excess of \$15,000 per year, which will be reimbursed through rental credit. Because Stellar will not be responsible for funding the fuel farm, the Amendment also provides for a reduction to the Minimum Capital Investment from \$5,525,000 to \$4,750,000. The Lease requires Stellar to complete renovations to the existing terminal building by October 1, 2020, and construction of a new terminal building by October 1, 2019. The Amendment modifies the requirement to provide for the renovation of the existing terminal to be completed by October 1, 2019, and construction of the new terminal to be completed by October 1, 2020. The Lease provides Stellar with 30 years to amortize its investment in the construction of a new terminal building. The Amendment updates the term to reflect the new construction deadline of October 1, 2020. The Amendment authorizes the Department to further extend construction deadlines based on impacts of TFRs imposed during Presidential visits to Mar-a-Lago and authorizes Stellar to provide appropriate rental relief to commercial tenants subject to the approval of the Department. Countywide (HJF)

5. REGULAR AGENDA

G. FACILITIES DEVELOPMENT AND OPERATIONS

1. DELETED

2. Staff recommends motion to approve:

A) an Amended and Restated Landlord Estoppel Agreement related to the Convention Center Hotel refinancing;

B) a Memorandum of Amended and Restated Landlord Estoppel Agreement;

C) an Amended and Restated Insurance Proceeds and Condemnation Awards Escrow Agreement; and

D) an Amended Memorandum of Hotel Lease.

SUMMARY: CityPlace Hotel, LLC is refinancing the existing loan secured by a Mortgage encumbering its leasehold interest in the Convention Center Hotel, which, among other things, will result in an increase in the principal amount of said loan to \$93,000,000 and the payoff and satisfaction of other mezzanine debt. Pursuant to the Hotel Lease (R2013-0104), the County is required to provide the Lenders with an Estoppel Certificate confirming: the various documents related to the Hotel project; that there are no defaults under those documents; and various factual matters under those documents, including the Substantial Completion Date and the Rent Commencement Date. These documents are the same in all material respects as approved by the Board in May of 2014, for the existing loan which is being refinanced. (PREM) District 7/Countywide (HJF)

5. REGULAR AGENDA

H. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to authorize:

A) Staff to submit proposed millage rates for the FY 2018 budget to the Property Appraiser as follows:

	FY 2017 Adopted		FY 2018 Rollback		FY 2018 Proposed		Over/(Under) Rollback	
	Millage	Taxes	Millage	Taxes	Millage	Taxes		
Countywide Non-Voted	4.7815	\$789,564,716	4.5421	\$803,255,676	4.7815	\$845,592,790	\$42,337,114	5.27%
Library	0.5491	48,446,010	0.5208	49,045,131	0.5491	51,710,218	2,665,087	5.43%
Fire-Rescue MSTU	3.4581	231,718,738	3.2747	234,728,633	3.4581	247,874,640	13,146,007	5.60%
Jupiter Fire-Rescue MSTU	2.0035	19,414,286	1.9065	19,675,792	2.0038	20,679,964	1,004,172	5.10%
Aggregate-Excluding Voted Debt	6.5957	\$1,089,143,750	6.3363	\$1,120,554,135	6.5925	\$1,165,857,612		4.04%
Countywide Voted-Debt	0.1327	\$21,928,020			0.1208	\$21,379,848		
Countywide-Library Voted-Debt	0.0442	3,899,679			0.0400	3,766,907		

B) Staff to submit to the Property Appraiser public hearing dates of Tuesday, September 5 at 6 p.m. and Monday, September 18 at 6 p.m. in the Commission Chambers, 6th floor of the Governmental Center for FY 2018;

C) Administrative adjustments to establish funding in the FY 2018 budget for capital projects approved and established in the current fiscal year. These projects were approved in the current fiscal year (FY 2017) after the preparation of the proposed budget and are therefore not currently included in the FY 2018 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing; and

D) Administrative adjustments to establish funding in the FY 2018 budget for designated fund balances for contingency and other projects and carryover for encumbrances. These balances and encumbrances were approved in the current fiscal year (FY 2017) after the preparation of the proposed budget and are therefore not currently included in the FY 2018 budget. These adjustments will have no impact on proposed ad valorem taxes and will be incorporated into the tentative budget to be presented at the first public hearing.

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

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JULY 11, 2017

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

JULY 11, 2017

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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JULY 11, 2017

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

JULY 11, 2017

9. 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

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."