

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 2, 2018

<u>PAGE</u>	<u>ITEM</u>	
7	Dist. 2 -	ADD-ON: Request for off-site Proclamation declaring October 25, 2018 as Lights on Afterschool Day in Palm Beach County (Sponsored by Commissioner Burdick)
7	Dist. 6 -	ADD-ON: Request for off-site Proclamation declaring November 14-21, 2018 as Farm-City Week in Palm Beach County (Sponsored by Mayor McKinlay)
7	Dist. 7 -	ADD-ON: Request for off-site Proclamation declaring November 2018 as Diabetes Awareness Month in Palm Beach County (Sponsored by Vice Mayor Bernard)
23	4A-1	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m.: ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article II, Division 1, (Ordinance No. 2017-030); amending Section 13-22 (Application for COPCN); providing a savings clause; providing severability; providing inclusion in the Code of Laws and Ordinances; providing captions; and providing for an effective date.
24	4D-1*	REVISED MOTION AND SUMMARY: Staff recommends motion to approve: installation of a park bench with an engraved plaque indicating "The <u>Tim Tom</u> and Ann Conner Serenity Garden", into the serenity garden at the Senator Philip D. Lewis Center (The Lewis Center), in honor of and recognition of a \$250,000 donation to The Homeless Coalition of Palm Beach County, Inc., from the estate of The <u>Tim Tom</u> and Ann Conner Trust. SUMMARY: County PPM CW-O-044 establishes the policy for naming County-owned facilities and locations. To honor an individual or group within a County-owned facility, the individual or group must be nominated by a County Commissioner. Vice Mayor Bernard has nominated The <u>Tim Tom</u> and Ann Conner Trust in recognition of their generous donation to The Lewis Center. The donation in the amount of \$250,000 will be used for housing assistance in \$5,000 increments for homeless families who are clients of The Lewis Center. The memorial bench and engraved plaque will be provided by The Homeless Coalition of Palm Beach County, Inc., at an estimated cost of \$1,200. No County funds required. (Division of Human and Veteran Services) <u>Countywide</u> (HH)

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**

OCTOBER 2, 2018

**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/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 5)
 - D. Staff Comments (Page 6)
 - E. Commissioner Comments (Page 7)

- 3. CONSENT AGENDA (Pages 8-23)**

- 4. REGULAR AGENDA (Pages 24-29)**

- 5. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 30)**

- 6. BOARD APPOINTMENTS (Page 31)**

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- 2C-3 Breast Cancer Awareness Month
- 2C-4 Oktoberfest Weekends
- 2C-5 Domestic Violence Awareness Month
- 2C-6 Palm Beach County Poverty Awareness Month
- 2C-7 National 4-H Week
- 2C-8 Choose to be G.R.E.A.T. Week
- 2C-9 Guardianship Month
- 2C-10 Family Promise Week

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- 3B-2 Contracts and claims settlements list

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2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring October 2018 as Walk to End Alzheimer’s Month in Palm Beach County (Sponsored by Commissioner Valeche)
2. Proclamation declaring October 14-20, 2018 as Mediation Week in Palm Beach County (Sponsored by Commissioner Burdick)
3. Proclamation declaring October 2018 as Breast Cancer Awareness Month in Palm Beach County (Sponsored by Mayor McKinlay)
4. Proclamation declaring the weekends of October 12-14 and October 19-21, 2018 as Oktoberfest in Palm Beach County (Sponsored by Commissioner Burdick)
5. Proclamation declaring October 2018 as Domestic Violence Awareness Month in Palm Beach County (Sponsored by Mayor McKinlay)
6. Proclamation declaring October 2018 as Palm Beach County Poverty Awareness Month in Palm Beach County (Sponsored by Vice Mayor Bernard)
7. Proclamation declaring October 7-14, 2018 as National 4-H Week in Palm Beach County (Sponsored by Commissioner Berger)
8. Proclamation declaring October 15-19, 2018 as Choose to be G.R.E.A.T. Week in Palm Beach County (Sponsored by Commissioner Kerner)
9. Proclamation declaring October 2018 as Guardianship Month in Palm Beach County (Sponsored by Commissioner Berger)
10. Proclamation declaring October 21-28, 2018 as Family Promise Week in Palm Beach County (Sponsored by Commissioner Kerner)

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OCTOBER 2, 2018

2D. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

Staff recommends motion to receive and file: updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to bring back as a receive and file once a month a status report of the board directives to date. The categories of the board directives have been revised to now reflect two groups: **1)** In Process and **2)** Completed. The report continues to be updated on an on-going basis. Countywide (DN)

2. COUNTY ATTORNEY

OCTOBER 2, 2018

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER PAULETTE BURDICK

1. Request for off-site Proclamation declaring November 17, 2018 as Chuck Shaw Day in Palm Beach County
2. Request for off-site Proclamation declaring October 25, 2018 as Lights on Afterschool Day in Palm Beach County

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER STEVEN L. ABRAMS

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY, MAYOR

Request for off-site Proclamation declaring November 14-21, 2018 as Farm-City Week in Palm Beach County

District 7 – COMMISSIONER MACK BERNARD, VICE MAYOR

Request for off-site Proclamation declaring November 2018 as Diabetes Awareness Month in Palm Beach County

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** contract with Habilitation Center for the Handicapped, Inc. (HabCenter) in an amount not to exceed \$5,000 to be used to purchase and install an Americans with Disabilities Act (ADA) compliant automatic powered door at an alternate entrance of the HabCenter facility in Boca Raton. **SUMMARY:** Approval of this contract will provide alternative accessibility to persons with disabilities. In 2017, the Board of County Commissioners approved a \$5,000 contract for the HabCenter to fund the purchase and installation of a new door system in their main entrance. This request is for an additional door system in an equally high traffic entrance of the HabCenter's building. Countywide (DO)

2. **Staff recommends motion to approve:** contract with Florida Outreach Center for the Blind, Inc. (FOCB) in an amount not to exceed \$5,000 to be used to present to the general public a fundraising event designed to educate and increase awareness of the barriers faced by persons with low vision or blindness. **SUMMARY:** Approval of this contract will provide increased awareness and educate the community about the challenges of blindness as well as raise funds for programs that help blind and visually impaired individuals. William Lapp, a member of the Office of Equal Opportunity Handicap Accessibility and Awareness Grant Review Committee (Committee), has disclosed that he serves on the Board of Directors for the non-profit Florida Outreach Center for the Blind, Inc., on which his wife is the executive director. Disclosure of these relationships are being provided in accordance with the provision of Section 2-443 of the Palm Beach Code of Ethics. Mr. Lapp requested an advisory opinion from the Palm Beach County Commission on Ethics (COE) regarding his eligibility to serve on the Committee. On September 14, 2011, the COE opined that Mr. Lapp is not prohibited from serving on the Committee, but must 1) disclose the nature of his conflict before the Committee discusses the issue; 2) abstain when the vote takes place and not personally participate in the matter; and 3) file a state voting conflict form. A copy of the advisory opinion is attached. Mr. Lapp has agreed to and has complied with the COE direction. Countywide (DO)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller's Office.

2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

A) receive and file Project Award Notification No. 760-4059B-9CFJ1 from the Florida Department of Education, for the budget period July 1, 2018, through September 30, 2019, in an amount not to exceed \$246,216; and

B) approve budget amendment of \$185,321 in the Farmworker Career Development Program fund to reconcile the budget to the actual grant award.

SUMMARY: The Project Award Notification No. 760-4059B-9CFJ1 was received from the Florida Department of Education for a grant award of \$246,216 in the National Farmworker Jobs Program Workforce Investment Act, Title I Section 167. The Florida Department of Education Project Application was approved on June 5, 2018 (R2018-0826). The funds are used to provide services to the farmworker population of Palm Beach County, as well as, the City of Clewiston in Hendry County, as the migrant seasonal farmworker population is often in transit from one county to another due to the seasonal crops. The funds are utilized to pay education/vocational fees for participants enrolled in the program. 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. **No County funds are required.** (Farmworker Career Development Program) Countywide (HH)

2. Staff recommends motion to approve: two reappointments and two appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for a term of three years, effective October 2, 2018:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Term Expires</u>
14	Quinton Dames	10/01/21
17	Christopher Dowden	10/01/21

<u>Seat No.</u>	<u>Appointment</u>	<u>Term Expires</u>
10	Ashnika Ali	10/01/21

SUMMARY: The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. All members have successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends their appointments. Mr. Dames has disclosed that he is employed by FoundCare, Inc. and Ms. Ali has disclosed that she is employed by Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida, which both agencies contract with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. R2011-1560. The diversity count for the 16 seats that are currently filled is, African-American: 7 (44%), Caucasian: 6 (38%), and Hispanic-American: 3 (18%). The gender ratio (female:male) is 8:8. Mr. Dames is an African-American male. Mr. Dowden is a Caucasian male. Ms. Ali is an Asian-American female. The Ryan White Program Manager and staff conduct targeted outreach in an effort to proffer candidates for appointments that will maintain a diverse composition of the Board. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. [Staff recommends motion to approve:](#) six appointments to the Farmworker Career Development Program Advisory Board, effective October 2, 2018:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Sintaiav Gabriel	Student Representative	09/30/20	Mayor McKinlay Comm. Burdick Comm. Abrams Comm. Berger Comm. Kerner
3	Irene Figueroa	Farmworker Representative	09/30/20	Comm. Burdick Comm. Abrams Comm. Berger Comm. Kerner
4	Cosha Jackson	Education	09/30/20	Comm. Burdick Comm. Abrams Comm. Berger Comm. Kerner
5	Brenda Bunting	Public Sector	09/30/20	Mayor McKinlay Comm. Burdick Comm. Abrams Comm. Berger Comm. Kerner
7	Charles Duval	Regional Workforce Board	09/30/20	Mayor McKinlay Comm. Burdick Comm. Abrams Comm. Berger Comm. Kerner
8	Stephen Bedner	Private Sector/Employer	09/30/20	Mayor McKinlay Comm. Burdick Comm. Abrams Comm. Berger Comm. Kerner

SUMMARY: The total membership for the Farmworker Career Development Program (FCDP) Farmworker Program Advisory Board shall be no more than nine at-large members, per Resolution No. R2014-0402, comprised of students, representatives of business, education, agencies, and farmworker representatives. Members shall be concerned citizens who understand the problems encountered by farmworkers and are willing to be advocates for them. At least one member shall represent the regional workforce agency. The appointments meet all applicable guidelines and requirements outlined in the Resolution adopted by the Board of County Commissioners on April 1, 2014. Mr. Bedner has disclosed that he is the owner of Bedner Growers, Inc., which contracts with the County for services. The Farmworker Program Advisory Board provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. The FCDP Program Coordinator and staff have recommended these appointments. The current seats expire on September 30, 2018 for all existing members. The new appointments will fill the recently vacant seats. The diversity count with the approval of this item for the six seats will be African-American: 3 (50%), Caucasian: 2 (33%), and Hispanic-American: 1 (17%). The gender ratio (female:male) is 4:2. Ms. Gabriel and Ms. Jackson are African-American females. Mr. Duval is an African-American male. Ms. Bunting is a Caucasian female. Mr. Bedner is a Caucasian male. Ms. Figueroa is a Hispanic-American female. The FCDP Program Coordinator and staff conduct targeted outreach in an effort to proffer candidates for appointments that will maintain a diverse composition of the Board. (Farmworker Career Development Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** extension of time to the following Joint Participation Agreements (JPAs) with the Florida Department of Transportation (FDOT):

A) Security Improvements at Palm Beach County Park Airport, Financial Project Number 425723-1-94-01 approved by the Board on December 17, 2013 (R2013-1788 and R2013-1789), is hereby extended until March 31, 2019;

B) Master Plan Update at Palm Beach International Airport, Financial Project Number 425756-1-94-01 approved by the Board on March 11, 2014 (R2014-0257 and R2014-0258), is hereby extended until December 31, 2018;

C) Southside Hangar Development and Infrastructure at Palm Beach County Park Airport, Financial Project Number 427915-1-94-01 approved by the Board on June 29, 2010 (R2010-1001 and R2010-1002) and amended March 15, 2011 (R2011-0369) and October 18, 2011 (R2011-1570 and R2011-1571), is hereby extended until March 31, 2019;

D) Fuel Farm Improvements at Palm Beach County Glades Airport, Financial Project Number 427892-1-94-01 approved by the Board on February 3, 2015 (R2015-0149 and R2015-0150), is hereby extended until September 30, 2019; and

E) Construct Hangars at Palm Beach County Park Airport, Financial Project Number 434600-1-94-01 approved by the Board on December 2, 2014 (R2014-1813 and R2014-1814), is hereby extended until March 31, 2019.

SUMMARY: Delegation of authority for execution of the above extensions of time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to approve:

A) Change Order No. 2 to Amendment No. 13 (Task M-28) to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for the Third Level Improvements at Palm Beach International Airport (PBIA) in the amount of \$271,290.21; and

B) budget transfer of \$271,291 in the Airport's Local fund to transfer local funds to the Airport's Improvement and Development Fund, including a transfer from local reserves in the amount of \$271,291.

SUMMARY: The contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBIA was approved by the Board on June 4, 2013 (R2013-0663). The contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBIA. The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Amendment No. 13 (Task M-28) for the Guaranteed Maximum Price (GMP) in the amount of \$7,637,600 and 420 calendar days was approved by the Board on April 10, 2018 (R2018-0378). Change Order No. 1 in the amount of \$116,259.65 was approved by the Board on June 5, 2018 (R2018-0843). Change Order No. 2 provides for the replacement of additional flooring on the third level at PBIA in front of vacant airline check-in counters in an effort to minimize impacts on airlines and passengers during the next phase of the construction project. Change Order No. 2 also provides for the repair and replacement of damaged HVAC duct and insulation discovered as a result of the construction project. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. The total to date participation for this contract is 15%. Countywide (AH)

3. Staff recommends motion to receive and file: five Consent to Sublease (Consent) documents for Galaxy Aviation of Lantana, Inc. d/b/a Stellar Aviation of South Palm Beach (Galaxy Aviation), for Palm Beach County Park Airport (Lantana Airport).

1. Consent for Galaxy Aviation and Palm Beach Flight Training Corp., effective 4/1/2018;
2. Consent for Galaxy Aviation and Application Dynamics, LLC, effective 4/1/2018;
3. Consent for Galaxy Aviation and A.S. Flight Academy, LLC, effective 3/1/2018;
4. Consent for Galaxy Aviation and Skywalker Aviation, Inc., effective 2/27/2018; and
5. Consent for Galaxy Aviation and Total Avionix, Inc., effective 4/1/2018.

SUMMARY: Galaxy Aviation provides fixed base operator services at Lantana Airport pursuant to a Lease Agreement (R2016-0759) with the County. The Lease Agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R94-1453. Countywide (AH)

4. Staff recommends motion to receive and file: Terminal Space Lease Agreement (Agreement) with F.B. Enterprise LLC d/b/a Top Flight Aviation Services (Top Flight), commencing on August 1, 2018, terminating on September 30, 2018, and automatically renewing on a year-to-year basis (October 1st through September 30th) thereafter, for the lease of approximately 200 square feet of space at the Palm Beach International Airport. **SUMMARY:** The Agreement provides for the lease of terminal space to aviation-related businesses. Top Flight is an airline support provider. As Top Flight has not provided cancellation notice, the Agreement will automatically renew for a year on October 1, 2018. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the Board pursuant to R2018-0995. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: payment to Sunshine Cleaning Systems, Inc. (Sunshine) in the amount of \$15,625.92. **SUMMARY:** Sunshine was under contract to perform custodial and cleaning services at Palm Beach International Airport (PBIA) with a contract term expiring September 30, 2017 (Contract #11052, approved 9/13/11). During the Hurricane Irma storm event (September 2017), Sunshine was authorized by Airport staff to perform specified cleanup and dehumidification services at PBIA. Services were performed satisfactorily by Sunshine but exceeded authorized limits causing a dispute and delaying payment for services. Sunshine now agrees to accept the County's authorization limits and has invoiced the County accordingly. Due to the contract expiration, it is necessary for the Board to authorize payment. Countywide (AH)

6. Staff recommends motion to approve: first amendment (Amendment) to Fixed Base Operator (FBO) Lease Agreement (Lease) (R2017-0281) with Jet Aviation Associates, Ltd. (Jet), a Florida Limited Partnership, for the lease of approximately 6,995 additional square feet of unimproved ground at the Palm Beach International Airport (PBIA) and an initial annual ground rental of \$4,896.50 and clarifying responsibilities for off-site improvements. **SUMMARY:** The Amendment provides for the lease of an additional 6,995 square feet of unimproved land near the northwest corner of PBIA. Jet is in the process of completing construction plans for the development of aviation facilities as required by the Lease and has requested to lease the additional property for the construction of a foam pond, which would be used for containment in the event of a foam release from its fire protection systems. In order to obtain access to the newly-constructed aviation facilities, Jet will need to develop certain infrastructure improvements that will be located off-site, including driveway connections to airport roadways, utility and drainage improvements and a connection to Taxiway W for access to airfield facilities by aircraft. The Amendment also clarifies Jet's right to access the areas for the construction of the off-site improvements and the on-going maintenance responsibilities of each of the parties for the off-site improvements. Countywide (HF)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: negotiated settlement offer in the amount of \$31,865 for the full satisfaction of a code enforcement lien that was entered against Donald Hoffman on September 16, 2015. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on June 3, 2015 for property owned by Donald Hoffman (Mr. Hoffman) giving him until August 2, 2015 to bring his property located at 6896 S Congress Avenue in Lake Worth into full code compliance. The property had been cited for operating an unlicensed business, vehicle storage and expired building permits. Only the building permit issues remained unresolved at the time of the CESM hearing. 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 Mr. Hoffman on September 16, 2015. The Code Enforcement Division issued an affidavit of compliance for the property on April 26, 2018 stating that as of April 26, 2018 the cited code violations had been fully corrected. The total accrued lien amount on June 4, 2018, the date on which settlement discussions began, totaled \$63,729.39, of which Mr. Hoffman has agreed to pay Palm Beach County \$31,865 (50%) for full settlement of his outstanding code enforcement lien. District 3 (SF)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. Staff recommends motion to approve: negotiated settlement offer in the amount of \$6,000 for the full satisfaction of a code enforcement lien that was entered against Rachel & Raymond Stenersen on November 1, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on March 3, 2017 for property owned by Rachel & Raymond Stenersen giving them until August 28, 2017 to bring their property located at 4289 Coconut Road in Lake Worth into full code compliance. The property had been cited for installing a garage, shed & shipping container without the proper building permits. 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 Rachel & Raymond Stenersen on November 1, 2017. The Code Enforcement Division issued an affidavit of compliance for the property on April 24, 2018 stating that as of April 19, 2018 the cited code violations had been fully corrected. The total accrued lien amount on May 31, 2018, the date on which settlement discussions began, totaled \$11,995.86, of which Rachel & Raymond Stenersen have agreed to pay Palm Beach County \$6,000 (50%) for full settlement of their outstanding code enforcement lien. District 3 (SF)

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to ratify: *Affordable Housing Program: 2018 Plan Consistency Certification* for the Village of Valor (VOV) project. **SUMMARY:** This Certification of Consistency is being brought forward for ratification, acknowledging that the Director of the Department of Housing and Economic Sustainability executed the *Affordable Housing Program: 2018 Plan Consistency Certification* form acting in his capacity as plan manager of the Consolidated Plan. Typically, the Mayor signs the certification form; however, the VOV contacted the County the day before the form was due, requesting confirmation. Confirmation was needed for their Affordable Housing Program Grant Application from the Federal Home Loan Bank of Pittsburgh in the amount of \$500,000. The Affordable Housing Program: 2018 Plan Consistency Certification supports the VOV's application to the Federal Home Loan Bank of Pittsburgh for funding to construct a 148-unit affordable housing development to be located on 12 acres of vacant land located at 2431 - 2559 2nd Avenue North in Lake Worth (east portion) and Palm Springs (west portion). The VOV project will provide 130 apartments and 18 townhomes for affordable rental by very low, low, and moderate-income persons with a priority given to veterans and their families, including disabled, homeless, and at-risk of homelessness. The VOV project is an initiative of Faith-Hope-Love-Charity, Inc., a non-profit agency whose mission is to reintegrate displaced and at-risk veterans and their families back into communities to sustain independent living. Palm Beach County's Consolidated Plan for Fiscal Years 2015-2020 states that affordable rental housing is a high priority countywide. The Plan further states that the supply of affordable rental housing available to very-low, low, moderate, and middle income residents, as well as veterans, elderly, disabled, and homeless persons should be increased through new construction. There are three VOV regular agenda companion items being presented today for BCC approval including a conceptual approval for up to \$2M for the VOV project (Agenda Item 4E-1), \$272,306 from the Impact Fee Affordable Housing Assistance Program (Agenda Item 4E-2) and \$115,000 from the Housing Tax Credit Local Government Contribution Program (Agenda Item 4E-3). District 3 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve:

A) appointment of one new member; and

B) three reappointments to the Construction Industry Licensing Board (CILB).

<u>A) Appoint</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Frank Keiser	6	Residential Contractor	10/2/18-9/30/21	Mayor McKinlay Commissioner Abrams Commissioner Kerner Commissioner Valeche
<u>B) Reappoint</u>				
Terry Horan	9	Engineer	10/2/18-9/30/21	Mayor McKinlay Commissioner Abrams Commissioner Kerner Commissioner Valeche Fl. Engineering Society
Raymond Murdock	2	Electrical Contractor	10/2/18-9/30/21	Mayor McKinlay Commissioner Abrams Commissioner Kerner Commissioner Valeche
Mark Worrell	1	HARV	10/2/18-9/30/21	Mayor McKinlay Commissioner Abrams Commissioner Burdick Commissioner Kerner Commissioner Valeche

SUMMARY: The CILB was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, Section 489.131, Florida Statutes (F.S.) sets forth the membership of the Board, which consists of fifteen members. The nomination for appointment of a new member is Mr. Frank Keiser, who was nominated to replace Mr. Steve Svopa, the Residential Contractor. The reappointments are Mr. Terry Horan, Engineer member, who was nominated by the Florida Engineering Society (FES), Mr. Raymond Murdock, Electrical Contractor and Mr. Mark Worrell, HARV (Heating, Air Conditioning, Refrigeration and Ventilation) are members that currently sit on the Board and have both expressed a willingness to serve second terms; all seats cited in the Special Act, and F.S. establishing the CILB. Memorandums for appointments and reappointments were sent to the Board of County Commissioners on July 27, 2018. No other nominations were received. The CILB has fifteen seats currently filled and a diversity count of Caucasian: 9 (58%), Hispanic-American: 4 (28%), African-American: 1 (7%), and Native-American: 1 (7%). The gender ratio (female:male) is 2:13. Mr. Keiser, Mr. Horan and Mr. Murdock are Caucasian males. Mr. Worrell is a Native-American male. Staff is addressing the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board’s diversity. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Work Authorization (WA) No. 11 to Hinterland Group, Inc., for the CD01 Water Distribution System Improvements Zones 2, 3 and 4 (Project) in the amount of \$1,264,998.80. **SUMMARY:** On January 10, 2017, the Board of County Commissioners approved the Water Utilities Department (WUD) Pipeline Continuing Construction Contract (Contract) with Hinterland Group, Inc., (R2017-0072). WA No. 11 provides for the construction of approximately 5,500 linear feet of water mains throughout the eastern portion of the WUD service area. The work undertaken as part of the Project will improve system capacity, improve hydraulic efficiencies, eliminate dead ends and decrease water retention time in the distribution system resulting in improved water quality. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Hinterland Group, Inc. provides for SBE participation of 15%. WA No. 11 includes 100% overall SBE participation. The cumulative SBE participation to date including WA No. 11 is 100%. Hinterland Group, Inc., is a Palm Beach County company. This project is included in the WUD FY19 Budget. (WUD Project No. 15-013) Districts 4, 5 & 6 (MJ)

2. **Staff recommends motion to approve:** Work Authorization (WA) No. 23 for the Force Main Improvements on Lyons Road from Norte Lago to Palmetto Park Road (Project) with Johnson-Davis Incorporated in the amount of \$653,114.45. **SUMMARY:** On July 12, 2016, the Board of County Commissioners approved the Pipeline Continuing Construction Contract (Contract) with Johnson-Davis Incorporated (R2016-0902). WA No. 23 provides for the replacement of approximately 3,300 linear feet of an existing 12-inch asbestos cement (AC) force main with 12-inch polyvinyl chloride (PVC) force main from Norte Lago to Palmetto Park Road. The existing AC force main will be grouted in place. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract with Johnson-Davis Incorporated provides for SBE participation of 3.28% overall. WA No. 23 includes 11.51% overall SBE participation. The cumulative SBE participation, including WA No. 23 is 12.38%. Johnson-Davis Incorporated is a Palm Beach County company. The Project is included in the Water Utilities Department (WUD) FY19 Budget. (WUD Project No. 17-047) District 5 (MJ)

3. **Staff recommends motion to approve:** Change Order 2 to Lanzo Trenchless Technologies, Inc.-South (Lanzo) for the Glades Priority 1 Collection System Rehab & Sanitary Sewer Evaluation Survey (SSES) Project in the amount of \$260,145 and providing for a 60 day project time increase. **SUMMARY:** On September 26, 2017, the Board of County Commissioners approved the Water Utilities Department (WUD) Contract for Glades Priority 1 Collection System Rehab & SSES Project Belle Glade with Lanzo Trenchless Technologies, Inc.-South, (R2017-1365). The project, as originally approved, entailed the rehabilitation of over 22,000 linear feet of gravity sewer main and approximately 300 manholes in 14 lift station basins located in the cities of Belle Glade, Pahokee and South Bay. However, during the course of construction it was discovered that additional gravity sewer segments not originally included in the scope of work are in poor condition and require rehabilitation. Lanzo has submitted a proposal for the rehabilitation and improvement of the additional gravity sewer segments in the amount of \$260,145. The completion of this project will result in a reduction of infiltration into the gravity sewer collection system and an improvement of the wastewater service. The Contract provides for SBE participation of 3.28%. Change Order No. 2 provides for 0% SBE participation. The cumulative SBE participation including Change Order No. 2 is 2.93%. Lanzo Trenchless Technologies, Inc.-South is a Palm Beach County company. This project is included in the WUD's FY 19 Budget. (WUD Project No. 15-024) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: Florida Greenways and Trails Designation Agreement (Agreement) with the State of Florida Department of Environmental Protection (FDEP) for a portion of the Hungryland Slough Natural Area (Natural Area) for a 20-year term. **SUMMARY:** On April 10, 2018, staff submitted an Application for Designation of the Natural Area (R2018-0559) (Application) to become part of the Florida Greenways and Trails System. The Application requested that a 2,987-acre portion of the Natural Area be designated as part of the Florida Greenways and Trails System. A 160-foot-wide strip of land along the western boundary of the Natural Area is reserved for a proposed road right of way and is not part of the Application. The natural, recreational and historic resources found within the designation area are maintained pursuant to the Management Plan (Agenda Item 3.L.1, 5/21/02), which requires certification every five years from the date of execution. Neither the Application or Agreement are expected to have any fiscal impact. 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. District 1 (AH)

2. Staff recommends motion to receive and file:

A) Interlocal Agreement with the Riviera Beach Police Department for manatee speed zone law enforcement services from November 15, 2018 to March 31, 2023; and

B) Interlocal Agreement with the City of West Palm Beach for manatee speed zone law enforcement services from November 15, 2018 to March 31, 2023.

SUMMARY: On August 21, 2007, the Board of County Commissioners (BCC) adopted the Manatee Protection Plan (MPP) (agenda item 6B-1) providing for increased law enforcement presence in the County's waterways and public education. The Department of Environmental Resources Management implements the MPP and manages associated law enforcement agreements. On August 19, 2014, the BCC approved a standard form Interlocal Agreement (R2014-1193) (Agreement) with law enforcement agencies for manatee protection and public education. Delegated authority to the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement was approved at that time. 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. Districts 1 & 4 1 & 7 (AH)

M. PARKS & RECREATION

1. Staff recommends motion to approve: fourth amendment to Contract No. 800014/LS with Chet's, Inc., located in Boynton Beach, Florida, providing professional water ski instruction at Burt Aaronson South County Regional Park renewing the contract for one year to begin October 1, 2018, and to expire September 30, 2019. **SUMMARY:** On September 30, 2014, Palm Beach County entered into a contract for consulting/professional services (R2014-1780) with Chet's, Inc., to provide a complete water skiing school program at Burt Aaronson South County Regional Park. The contract provided an initial one year term, which expired on September 30, 2015, with four one year renewal options. This fourth amendment renews the Agreement for the fourth and final option period of October 1, 2018, through September 30, 2019. The total annual revenue for this fourth amendment is \$12,420. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to approve:

A) budget transfer of \$4,646,195 in the Golf Course Operations Special Revenue Fund; and

B) budget amendment of \$4,646,195 in the Golf Course Capital Fund to recognize budget transfer from the Golf Course Operations Special Revenue Fund and allocate funding to the existing Osprey Point Golf Course Clubhouse Expansion Project and to establish the Golf Course Capital Improvements and Renovations FY 2019 Project budget.

SUMMARY: The Golf Course Operations Special Revenue Fund was developed to retain revenues generated at the County's golf facilities so that they would pay for their operating expenses from revenues earned rather than ad valorem taxes. The purpose of this budget transfer and budget amendment is to establish a specific capital account for golf course projects for FY 2019. Funding for this budget transfer is from the Golf Course Operations Special Revenue Fund. The Special Revenue fund is comprised of budgets from five County golf facilities including Okeeheelee Golf Course, Osprey Point Golf Course, Park Ridge Golf Course, Southwinds Golf Course, and John Prince Golf Learning Center. These funds are from revenue earned and not ad valorem taxes and have been earmarked for specific projects. There is no fiscal impact associated with this budget transfer and amendment. Countywide (AH)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve:

A) contract with the Department of Health (DOH) in the amount of \$2,114,162 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2018, through September 30, 2019; and

B) addendum to the contract to clarify:

1) Paragraph 6.a. - as State employees/personnel, CHD employees are not "officers, agents, or employees of the County";

2) Paragraph 7.c. - The County shall assure that insurance coverage for vehicles is available through either a self-insurance program or insurance purchased by the County except for insurance referenced in paragraph 7.e.;

3) Paragraph 7.d. - The County shall be named as additional insured on any agreement in which the CHD contracts or subcontracts any work to be performed on the premises to a third party; and

4) Paragraph 7.e. - As a State agency, the CHD agrees to be responsible for its own, its officers', employees', or agents' negligent acts, or omissions, or tortuous acts, which result in claims or suits against the parties, and agrees to be liable for any damages proximately caused by said acts or omissions.

SUMMARY: This contract sets forth the funding responsibilities of the DOH and the County for the operation of the Palm Beach County Health Department. The State and County share in the funding of the \$8,016,697 Environmental Health Budget. The State's share is \$2,332,507 (29.10%), primarily from State general revenue and fees. Funding from the County's FY 2019 budget is \$2,114,162 (26.37%) that includes Childcare Enforcement & Control Funding of \$126,888 and is equal to FY 2018 funding. The remaining local share (44.53%) is comprised of County Authorized Fees of \$2,043,806 (25.49%), Federal Funds of \$320,831 (4.00%), Department of Environmental Protection (DEP) Funds of \$104,034 (1.30%), and the Air Pollution Tag Fees of \$1,101,357 (13.74%); County funding is used primarily for salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of child care and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control Funding provides for a full time attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Acting Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2019 budget. No additional funds are requested. County staff requested certain changes to the State's standard contract in order to clarify the insurance and liability provisions. The State preferred including these in an addendum instead of revising the standard contract. Countywide (HH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: two Grant Adjustment Notices (GAN) #013: Training; and #014: Strategic Plan; with the US Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Improve Criminal Justice Response Program (ICJR) (2017-WE-AX-0034), which facilitated administrative filing and approvals through August 10, 2018. **SUMMARY:** As per grant guidelines, certain expenditures and work product require approval from the OVW ICJR grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. GAN #013 approved payment for the Sexual Assault Nurse Examiner Program Coordinator and sexual assault survivor to attend the International Association of Forensic Nurses Annual Conference. GAN #014 approved the Start By Believing Strategic Plan. R2014-1633 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)

2. Staff recommends motion to:

A) approve contract for professional services with Drug Abuse Treatment Association, Inc. for a total not-to-exceed amount of \$156,780 to provide drug abuse and psychiatric treatment for the Delinquency Drug Court for the period retroactive to October 1, 2018 through September 30, 2021;

B) approve contract for consulting/professional services with Phamatech Inc. for a total not-to-exceed amount of \$666,525 to provide drug testing for individuals referred by the Adult, Delinquency and Family Drug Courts for the period retroactive to October 1, 2018 through September 30, 2021; and

C) authorize the County Administrator or designee to execute minor amendments and administrative documents associated with the above contracts, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations.

SUMMARY: In July 2018, the Justice Services Division solicited proposals to provide drug treatment and testing services to individuals referred by the Adult, Delinquency and Family Drug Courts. These contracts will provide drug treatment to the participants in the Delinquency Drug Court and drug testing services to all individuals referred by the Adult, Delinquency, and Family Drug Courts. These contracts will be funded by the Drug Abuse Trust Fund, the Crime Prevention Trust Fund, user fees, and ad valorem funds. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. Staff recommends motion to approve:

A) first annual option to renew the Administrative Services Only (ASO) Agreement (R2017-1607) dated October 17, 2017 with Cigna Health and Life Insurance Company (CHLIC) for claims administration for the County's self-funded Health Maintenance Organization (HMO) and Point of Service (POS) health insurance plans for the period January 1, 2019 through December 31, 2019;

B) CHLIC's proposed administrative fees, access fees, utilization fees, disease management fees, estimated at \$1,780,628 and specific stop loss premiums estimated at \$484,243 for the County's self-funded HMO and POS health insurance plans for the period of January 1, 2019 through December 31, 2019;

C) the actuarial rates per coverage tier for the County's self-funded HMO and POS health insurance plans for plan year 2019; and

D) employee wellness participation cash incentives in the amount of \$25 for completion of the online Health Risk Assessment (HRA) and \$25 for participation in a biometric screening that meets the requirements of the County's wellness program.

SUMMARY: Staff recommends Board approval of the first annual option to renew the ASO Agreement with CHLIC for the period January 1, 2019 through December 31, 2019 on behalf of the employees of the Board of County Commissioners (Board), Supervisor of Elections, and Palm Tran, Inc. (collectively participating in the plan through the provisions of Interlocal Agreement (R2002-2287). The total projected claims and administrative expenses for plan year 2019 is \$74,706,994 which represents an increase of \$5,075,499 over the actuary's projected cost of the expiring plan year. This includes expected claims of \$73,165,729, fixed administrative, access, utilization, and disease management fees of \$1,780,628, stop loss insurance costs of \$484,243 paid to CHLIC, and an estimated \$20,000 in taxes/fees mandated by the Affordable Care Act (ACA). Based on the contract negotiated following a competitive Request for Proposal that includes level ASO and administrative fees beginning January 1, 2018 and for five years, the fixed ASO/Access fees of \$1,780,628 represent a flat renewal over the expiring contract, and a flat renewal of specific stop loss premiums, which will remain at the specific excess insurance cap (stop loss insurance) of \$600,000 per claim for plan year 2019. Specific stop loss coverage protects the County against catastrophic claim losses and the premium is estimated at \$484,243 for 2019. The County will continue to receive an annual wellness allowance of \$100,000 and two additional contracted on-site representatives (one service representative and one wellness representative). Staff is not recommending changes to County or employee funding. The actuary has certified that the 2019 plan year beginning surplus can sufficiently absorb the projected increase in claims expenses and will maintain the required margin for the Office of Insurance Regulation safe harbor surplus threshold. Staff will closely monitor health fund financial performance and may find it necessary to recommend plan and/or premium changes in a future plan year, if claims continue to trend higher. Sufficient funds have been budgeted to fund the program. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to receive and file: second amendment to the Interlocal Agreement, dated August 28, 2018, with the Port of Palm Beach on behalf of the Palm Beach County Sheriff's Office to extend the current project period from August 31, 2018 to September 30, 2018. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant award for \$22,500 on May 2, 2017 (R2017-0593). The BCC accepted a first amendment to the grant award, which provided an additional \$150,000 April 10, 2018 (R2018-0591). This second amendment to the Interlocal Agreement will extend the current grant award from August 31, 2018 to September 30, 2018. Countywide (LDC)

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4. REGULAR AGENDA

A. PUBLIC SAFETY

1. ~~**DELETED: Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m.:** ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 13, Article II, Division 1, (Ordinance No. 2017-030); amending Section 13-22 (Application for COPCN); providing a savings clause; providing severability; providing inclusion in the Code of Laws and Ordinances; providing captions; and providing for an effective date. **SUMMARY:** The Emergency Medical Services (EMS) Ordinance establishes standards for issuing Certificates of Public Convenience and Necessity (COPCN's) for advanced life support services (ALS) which applies to the unincorporated and incorporated areas of Palm Beach County. All entities applying for a COPCN are required to have experience providing ALS services and have staff who have experience providing ALS services. This amendment permits entities applying for a Special Secondary Service Provider COPCN who have experienced staff but that lack experience providing ALS services as an entity, to obtain a Special Secondary Service Provider COPCN with conditions requiring: 1) successful provision of service for six months; and 2) implementation of a formal quality assurance program meeting at least three times during the six-month period. All other requirements of the ordinance apply to Special Secondary Service Provider COPCN applicants. The six-month condition is documented by letter of the primary provider and the primary provider is invited to the quality assurance meetings. Special Secondary Service Provider COPCN Holders are companies that contract with a homeowner's association to provide services within a community. They are also required to contract with the primary provider of ALS services, and adhere to the primary provider's ALS protocols and they must be licensed by the State. The Special Secondary Service Provider COPCN Holder will report to the County Administrator or designee (Public Safety Director) at the end of six months with the letter from the primary provider and evidence of the formal quality assurance program. The County Administrator or designee will determine if the conditions have been met and if so, the COPCN shall remain in effect until the contract with the community expires or is terminated. If the conditions have not been satisfied, then the Special Secondary Service Provider COPCN Holder shall be in violation of the EMS Ordinance and the COPCN shall be subject to immediate suspension by the County Administrator or designee and revocation by the Board of County Commissioners. The County Administrator or designee may permit an additional 30 days to satisfy conditions if the Applicant has demonstrated good faith efforts towards satisfaction of the conditions. The EMS Council has reviewed and recommends the Board of County Commissioners approval of the Ordinance revisions at the July 19, 2018 EMS Council meeting. This proposed amendment to the Emergency Medical Services Ordinance was presented to the League of Cities on August 22, 2018, and was unanimously approved. Countywide (LDC)~~

B. RISK MANAGEMENT

1. Staff requests Board direction: regarding new voluntary supplemental benefits for County employees. **SUMMARY:** At the regular meeting of the Board of County Commissioners on September 18, 2018, staff was directed to bring back the topic of supplemental benefits for County employees for Board discussion. Currently, dental, supplemental life insurance, short term disability and upgraded long term disability are offered on a voluntary (employee pay-all) basis to County employees as a part of their benefits package, but a full suite of supplemental benefits is not offered. Countywide (HH)

4. REGULAR AGENDA

C. FIRE RESCUE

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m.:](#) ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 26, Article III, Division 2, relating to Municipal Service Benefit Units (MSBU) to fund fire hydrant maintenance and rental charges from the City of Riviera Beach and the City of Boca Raton; repealing and replacing Exhibit B to amend, update and restate the boundaries of the MSBU-Riviera Beach; updating certain provisions relating to the adoption of the non-ad valorem assessment roll and rate resolution; providing for repeal of laws in conflict; providing for severability; providing for savings clause; providing for inclusion in the code of laws and ordinances; providing for enforcement; providing for captions; and providing for an effective date. **SUMMARY:** This ordinance amends the boundaries of the MSBU-Riviera Beach to include 141 properties that were previously missing from the MSBU-Riviera Beach. Commencing with tax year 2019, the special assessment for fire hydrant maintenance and rental on the previously missing parcels will be levied and collected on the tax roll as a part of the MSBU-Riviera Beach. This ordinance also updates and restates the boundaries of the MSBU-Riviera Beach and updates certain provisions relating to the adoption of the non-ad valorem assessment roll and the rate resolution. District 7 (SB)

D. COMMUNITY SERVICES

1. [Staff recommends motion to approve:](#) installation of a park bench with an engraved plaque indicating “The ~~Tim~~ Tom and Ann Conner Serenity Garden”, into the serenity garden at the Senator Philip D. Lewis Center (The Lewis Center), in honor of and recognition of a \$250,000 donation to The Homeless Coalition of Palm Beach County, Inc., from the estate of The ~~Tim~~ Tom and Ann Conner Trust. **SUMMARY:** County PPM CW-O-044 establishes the policy for naming County-owned facilities and locations. To honor an individual or group within a County-owned facility, the individual or group must be nominated by a County Commissioner. Vice Mayor Bernard has nominated The ~~Tim~~ Tom and Ann Conner Trust in recognition of their generous donation to The Lewis Center. The donation in the amount of \$250,000 will be used for housing assistance in \$5,000 increments for homeless families who are clients of The Lewis Center. The memorial bench and engraved plaque will be provided by The Homeless Coalition of Palm Beach County, Inc., at an estimated cost of \$1,200. **No County funds required.** (Division of Human and Veteran Services) Countywide (HH)

4. REGULAR AGENDA

E. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to conceptually approve: Neighborhood Stabilization Program 2 (NSP2) funding award in an amount up to \$2,000,000 to Village of Valor, Ltd. (VOV) and Faith-Hope-Love-Charity, Inc., for the Village of Valor project. **SUMMARY:** VOV recently met with County Administration and Housing and Economic Sustainability staff to discuss the need for gap financing to support their Village of Valor project. The project is a 148 unit rental development (apartments-townhomes) to be located on vacant land on the north side of 2nd Avenue North, east and west of Keller's Canal in Lake Worth (east portion) and Palm Springs (west portion). The project entails new construction of 130 apartments and 18 townhomes for affordable rental to very low, low, and moderate-income persons with a priority given to veterans and their families, including the disabled, homeless, and at-risk of homelessness. The assisted units will be deed-restricted to remain affordable for no less than 30 years. VOV's project is an initiative of Faith-Hope-Love-Charity, Inc., a local not-for-profit agency whose mission is to reintegrate displaced and at-risk veterans and their families back into communities to sustain independent living. Faith-Hope-Love-Charity, Inc. is the non-profit Managing Owner / Partner for the Village of Valor, LLC., and along with KSM Holdings, serve as the development team for the VOV project. Village of Valor, Ltd. is the organization / landowner created by the development team for this project. The estimated development cost of the project is \$31 Million and VOV has identified sources of funding totaling \$27 Million, leaving an approximate \$4 Million gap. VOV has launched fundraising activities for an additional \$2 Million and the proposed NSP2 award of up to \$2,000,000 will serve as a match to those funds to close the funding gap. The actual award is contingent on confirmation that VOV has secured all funding necessary to complete the project and underwriting of the project by the Department of Housing and Economic Sustainability (HES) prior to execution of a NSP2 funding agreement. Upon confirmation of funding, the NSP2 award will be brought back to the Board of County Commissioners (BCC) for consideration of final approval. The \$2 Million is available from program income generated from certain NSP2 activities and is subject to applicable NSP2 program requirements. As NSP federal regulations do not require a competitive process for allocation of funds, staff supports the direct allocation of these funds in lieu of issuing a Request for Proposal (RFP) due to the BCC's priorities to assist at-risk veterans and disabled communities, and to address the lack of homeless and affordable housing. This item has three HES companion items: 3I-1 (Ratify 2018 Plan Consistency Certification form), 4E-2 (Impact Fee Affordable Housing Assistance Program Funding of \$227,000) and 4E-3 (Housing Tax Credit Local Government Contribution Program SHIP Funding of \$115,000). These are NSP2 program income funds which require no local match. District 3 (JB)

4. REGULAR AGENDA

E. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) approve Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$272,306 to Village of Valor, Ltd. (VOV) for the Village of Valor project;

B) authorize the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve budget transfer of \$236,233 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for VOV;

D) approve budget transfer of \$19,943 in Impact Fee Assistance Program – Parks Zone 1 to appropriate funds for VOV; and

E) approve budget transfer of \$16,130 in Impact Fee Assistance Program – Public Building to appropriate funds for VOV.

SUMMARY: On May 14, 2018, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$1,305,932 in IFAHAP funding available from Palm Beach County's Fiscal Year 2017 funding cycle. VOV submitted a request for assistance in response to the NOFA on May 21, 2018. Staff recommends that up to \$272,306 be provided as a credit for impact fees associated with the Village of Valor project. VOV will be given credits for Roads Zone 2 Impact Fees (\$236,233), Parks Zone 1 Impact Fees (\$19,943) and Public Building Impact Fees (\$16,130) for the construction of Village of Valor. VOV will pay impact fees above the allocated \$272,306. The project is located at 2431 – 2559 2nd Avenue North in Lake Worth and Palm Springs, and will have 148 multifamily rental units (apartments-townhomes) for affordable rental to very low, low, and moderate income persons, with a priority for veterans and their families, including the disabled, homeless, and at-risk of homelessness. According to IFAHAP requirements, all 101 apartment units assisted by IFAHAP will be rented to households with incomes no greater than 140% of Area Median Income (AMI). The assisted units will be deed-restricted to remain affordable for no less than 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 3 (JB)

4. REGULAR AGENDA

E. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) approve Housing Tax Credit Local Government Contribution funding award in the amount of \$115,000 to Village of Valor, Ltd. (VOV) for the Village of Valor project; and

B) delegate authority to the County Administrator or designee to execute a funding agreement, amendments thereto, and all other related documents necessary for implementation of the project.

SUMMARY: On October 13, 2017, the Department of Housing and Economic Sustainability (DHES) published a Notice of Funding Availability (NOFA) for the Housing Tax Credit Local Government Contribution Program offering State Housing Initiatives Partnership (SHIP) funding to be used as the minimum local funding match for projects seeking tax credits through the Florida Housing Finance Corporation (FHFC) Housing Credits Program. One developer submitted a response to the NOFA and SHIP funding in the amount of \$115,000 was reserved for the project. However, the developer was ultimately unsuccessful in FHFC's competitive Housing Credits process, and consequently, the SHIP funds are now available for other projects. Recently, VOV submitted to DHES a request for a Housing Tax Credit Local Government Contribution for the Village of Valor project. The project is an initiative of Faith-Hope-Love-Charity, Inc., a local not-for-profit agency whose mission is to reintegrate displaced and at-risk veterans and their families back into communities to sustain independent living. The project is an approximately 148 unit rental development (apartments-townhomes) to be located on vacant land on the north side of 2nd Avenue North, east and west of Keller's Canal in Lake Worth (east portion) and Palm Springs (west portion). The project entails new construction of approximately 130 apartments and 18 townhomes for affordable rental to very low, low, and moderate-income persons with a priority given to veterans and their families, including disabled, homeless, and at-risk of homelessness. The assisted units will be deed-restricted to remain affordable for no less than 30 years. The proposed \$115,000 funding award is provided in the form of a 1% interest-only loan which balloons in 30 years. The award is contingent on FHFC's allocation of Housing Credits to VOV. If FHFC does not allocate Housing Credits, the SHIP award will be nullified and the funds will be reprogrammed for other uses by the County. **These are SHIP funds which require no local match.** District 3 (JB)

4. REGULAR AGENDA

F. ADMINISTRATION

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m.:](#) ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Palm Beach County Code, Section 2-80.20 through 2-80.40, as amended, as follows: Section 2-80.20 Policy, Purpose, and Objectives; Section 2-80.21 Definitions; Section 2-80.22 Scope and Exclusions; Section 2-80.23 Equal Business Opportunity Office; Section 2-80.24 Commercial Nondiscrimination Policy; Section 2-80.25 Factual Predicate and Purpose; Section 2-80.26 Administrative Reforms; Section 2-80.27 Affirmative Procurement Initiatives; Section 2-80.28 Program Administration; Section 2-80.29 Severability Clause; Section 2-80.30 Sunset; Sections 2-80.31 through 2-80.40 Reserved; Providing for Interpretation of Captions; Providing for Repeal of Laws in Conflict; Providing for a Savings Clause; Providing for Severability; Providing for Inclusion in the Code of Laws and Ordinances; and Providing for an Effective Date. **SUMMARY:** The Board of County Commissioners accepted the Disparity Study conducted by Mason, Tillman and Associates, Ltd. on December 19, 2017. The County's Disparity Study found statistically significant disparities in the County's contracting with various minorities, and recommended implementation of race and gender-neutral remedies and race and gender-conscious remedies. This Equal Business Opportunity Ordinance is intended to further the County's compelling interest in ensuring that it is neither an active nor passive participant in private sector marketplace discrimination, and to actively promote equal opportunity for all segments of the contracting and business community to participate in County contract opportunities. Countywide (HH)

G. PURCHASING

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m.:](#) ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code Chapter 2, Article III, Division 2, Part A (The Palm Beach County Purchasing Code); Amending Section 2-51 "Application/Exemptions"; Amending Section 2-52 "Definitions"; Amending Section 2-54 "Source Selection"; Amending Section 2-55 "Protested Awards"; Amending 2-57 "Vendor Preferences"; Providing for Repeal of Laws in Conflict; Providing for Severability; Providing for a Savings Clause; Providing for Inclusion in the Code of Laws and Ordinances; and Providing for an Effective Date. **SUMMARY:** The current Purchasing Code (Ordinance No. 2005-062), as amended in 2008 (Ordinance No. 2008-009) and April 20, 2010 (Ordinance 2010-010), established a centralized purchasing system for the procurement of the County's goods and services. This Amendment to the Purchasing Code includes necessary references to the Office of Equal Business Opportunity, the Equal Business Opportunity Program, and the Equal Business Opportunity Policies and Procedures. Countywide (DW)

4. REGULAR AGENDA

G. PURCHASING (Cont'd)

2. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m.:](#) ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Section 2-80.47 Limitations of the Palm Beach County Code, the Local Preference in Purchasing Code; Providing for Repeal of Laws in Conflict; Providing for Severability; Providing for a Savings Clause; Providing for Inclusion in the Code of Laws and Ordinances; and Providing for an Effective Date. **SUMMARY:** The current Local Preference Code (Ordinance No. 2002-065), as amended by Ordinance Nos. 2009-095, 2010-011 and 2015-002, provides a local preference to Palm Beach County vendors offering their goods or services to Palm Beach County. This Amendment to the Local Preference Code includes necessary references to the Equal Business Opportunity Program and the Equal Business Opportunity Policies and Procedures. Countywide (DW)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

5. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: reappointment of two members to the Child Care Advisory Council to fill the positions of a representative for fire protection, engineering or technology, and a representative who is the parent of a child currently enrolled in a child care facility or family child care home. The reappointments will expire September 30, 2021.

<u>NOMINEE:</u>	<u>SEAT No.</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY</u>
Elyse W. Brown	5	Represents fire protection, engineering, or technology.	Staff
Kendra Barnes	6	Represents a parent of a child, currently enrolled in a child care facility.	Staff

SUMMARY: The Child Care Advisory Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Council membership must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; and one member who, at the time of appointment, was the parent of a child attending a child care facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for reappointment to Seat # 5, Elyse Brown, is a Community Education Specialist with Palm Beach County Fire Rescue. She has more than 15 years of work experience in the areas of fire and life safety science and education. The applicant for reappointment to Seat # 6, Kendra Barnes is the parent of a child currently enrolled in a child care facility in Palm Beach County. With this approval, the Council will consist of seven members: one African-American male (14.3%), one African-American female (14.3%), and five Caucasian females (71.4%). The gender ratio (female: male) is 6:1. Countywide (HH)

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ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

OCTOBER 2, 2018

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 2, 2018

7. MATTERS BY THE PUBLIC – 2:00 P.M.

OCTOBER 2, 2018

8. 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."