

November 20, 2018
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS – Final Meeting of Current Board

NOVEMBER 20, 2018

<u>PAGE</u>	<u>ITEM</u>
1B*	ADD-ON: Presentation of Flags
1E*	ADD-ON: Special Recognition
1D-10*	ADD-ON/RENUMBERED TO 2B-10: Proclamation declaring November 20, 2018 as Michelle McGovern Day in Palm Beach County (Sponsored by Mayor McKinlay)

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 (*).

November 20, 2018
9:30am

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS – New Board

NOVEMBER 20, 2018

<u>PAGE</u>	<u>ITEM</u>	
53	5F-1*	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve: Amendment No. 2 to the Agreement (R2016-1422) with the Business Development Board of Palm Beach County, Inc. (BDB) to amend the Scope of Services. (HES)

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**

FINAL MEETING OF CURRENT BOARD

NOVEMBER 20, 2018

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

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Presentation of Flags
- C. Invocation
- D. Pledge of Allegiance
- E. Special Recognition

2. ADOPTION OF AGENDA

- A. Additions, Deletions, Substitutions
- B. Special Presentations

3. CALL FOR UNFINISHED BUSINESS

4. COMMENTS FROM COMMISSIONERS

5. STAFF COMMENTS

6. COMMENTS FROM THE PUBLIC

7. ADJOURNMENT

NOVEMBER 20, 2018

2B. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Certificate of Appreciation to Representative Bill Hager (Legislative Delegation)
2. Proclamation declaring November 2018 as Joey Bergsma Retinoblastoma Awareness Month in Palm Beach County (Sponsored by Vice Mayor Bernard)
3. Proclamation declaring November 2018 as Alzheimer’s Awareness Month in Palm Beach County (Sponsored by Commissioner Abrams)
4. Proclamation declaring November 2018 as Diabetes Month in Palm Beach County (Sponsored by Vice Mayor Bernard)
5. Proclamation declaring November 2018 as Palm Beach County Disability Employment Awareness Month in Palm Beach County (Sponsored by Commissioner Abrams)
6. Proclamation declaring November 20, 2018 as Stephen Chandler Bass Appreciation Day in Palm Beach County (Sponsored by Commissioner Kerner)
7. Proclamation declaring December 1, 2018 as World AIDS Day in Palm Beach County (Sponsored by Mayor McKinlay)
8. Proclamation celebrating the 30th Anniversary of the Palm Beach County Health District (Sponsored by Commissioner Kerner)
9. Proclamation declaring November 2018 as Hunger and Homelessness Awareness Month in Palm Beach County (Sponsored by Mayor McKinlay)
10. Proclamation declaring November 20, 2018 as Michelle McGovern Day in Palm Beach County (Sponsored by Mayor McKinlay)

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

REORGANIZATIONAL MEETING

NOVEMBER 20, 2018

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

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
(Sharon R. Bock, Clerk & Comptroller, presides)

- 2. OATH OF OFFICE TO NEWLY ELECTED COUNTY COMMISSIONERS**
(To be administered by Sharon R. Bock, Clerk & Comptroller)

- 3. ADOPTION OF AGENDA**

- 4. ELECTION OF MAYOR**

- 5. ELECTION OF VICE MAYOR**
(New Mayor, presides)

- 6. COMMENTS FROM COMMISSIONERS**

- 7. COMMENTS FROM THE PUBLIC**

- 8. ADJOURNMENT**

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

NOVEMBER 20, 2018

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

**COMMISSION
CHAMBERS**

BOARD OF COUNTY COMMISSIONERS SITTING AT THE SOLID WASTE AUTHORITY

1. CALL TO ORDER

- A. Roll Call
- B. Election of Chair, Vice-Chair and Secretary

ADJOURN AS THE SOLID WASTE AUTHORITY

CONVENE AS THE BOARD OF COUNTY COMMISSIONERS

1. CALL TO ORDER

- A. Roll Call

2. AGENDA APPROVAL/SPECIAL PRESENTATIONS/BCC AND STAFF COMMENTS

- A. Additions, Deletions, Substitutions
- B. Adoption
- C. Staff Comments (Page 8)
- D. Commissioner Comments (Page 9)

3. CONSENT AGENDA (Pages 10-46)

4. PUBLIC HEARINGS - 9:30 A.M. (Page 47-49)

5. REGULAR AGENDA (Pages 50-53)

6. BOARD APPOINTMENTS (Page 54)

7. BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD (Page 55)

8. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 56)

9. ADJOURNMENT (Page 57)

TABLE OF CONTENTS

STAFF COMMENTS

Page 8

2C-1 Updated Board Directive Reports

COMMISSIONER COMMENTS (Page 9)

CONSENT AGENDA

A. ADMINISTRATION

Page 10

- 3A-1 Construction and installation of community pavilion in the Cabana Colony Neighborhood Park
- 3A-2 Two contracts to implement the Office of Community Revitalization's Abundant Community Initiative Pilot Project

B. CLERK & COMPTROLLER

Page 11

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.
- 3B-5 Receive and file Finance department records converted to electronic format

C. ENGINEERING & PUBLIC WORKS

Page 11

- 3C-1 Assignment Assumption and Consent Agreement from Amec Foster Wheeler Environment & Infrastructure, Inc. to Wood Environment & Infrastructure Solutions, Inc.

Page 12

- 3C-2 Amendment to Infrastructure Surtax Project Plan for the Northtree resurfacing project
- 3C-3 Annual contract with Superior Landscaping & Law Service, Inc.

Page 13

- 3C-4 Interlocal agreement with the City of Riviera Beach Utility Special District for utility adjustments as part of the Silver Beach Road from east of Congress Avenue to east of Old Dixie Highway project
- 3C-5 Task order to contract with HSQ Group, Inc. for Okeechobee Boulevard and Jog Road intersection improvements
- 3C-6 Deleted
- 3C-7 Interlocal agreement with the City of Westlake transferring ownership, operation and maintenance of Persimmon Boulevard from Seminole Pratt Whitney Road to approximately 1400 feet east of Seminole Pratt Whitney Road
- 3C-8 Receive and file proportionate share agreement with Toll FL I, LLC for proposed project on the east side of Jog Road north of Clint Moore Road

Page 14

- 3C-9 Easement from the Trustees of the Internal Improvement Trust Fund on property located between Duda Road and CR 880
- 3C-10 Assignment of traffic signal easement to Florida Department of Transportation located on the northeast corner of the intersection of US Highway 1 and East 22nd Street
- 3C-11 Resolution approving a highway maintenance memorandum of agreement with the Florida Department of Transportation for improvement on the Forest Hill Boulevard bridge over the C-51 canal

D. COUNTY ATTORNEY

Page 14

- 3D-1 Approve and file the official bonds on the newly elected or re-elected Commissioner(s) with the Clerk of the Circuit Court
- 3D-2 Settlement with Paulette Allen

Page 15

- 3D-3 Settlement with Stephen P. Padilla

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

E. COMMUNITY SERVICES

- Page 15
3E-1 Amendment with the RAND Corporation to improvement health outcomes for persons living with HIV Spectrum Disease
- Page 16
3E-2 Ratify the Mayor's signature on the 2018 U.S. Department of Housing and Urban Development Palm Beach County Continuum of Care Planning Project Grant Application
- Page 17
3E-3 Reappointments and appointment to the Community Action Advisory Board
3E-4 Amendment to contract with Children's Case Management Organization revising the unit cost rate for the Kin Support Project
- Page 18
3E-5 Contract with CareerSource Palm Beach County to provide training services to low-income participants
- Page 19
3E-6 Amendments to agreements with the Area Agency on Aging for services for seniors

F. AIRPORTS

- Page 20
3F-1 Amendments to agreements with the airlines replacing the rate and fee schedule
3F-2 Receive and file license agreement with Special Olympics Florida, Inc. for a one-day charity event
- Page 21
3F-3 Receive and file amendments to lease agreements with cargo carriers replacing the rate and fee schedule
3F-4 Change order with The Morganti Group, Inc. for air handler replacement at PBI A extending the contract time
3F-5 Change order with The Morganti Group, Inc. for site access roadway & utilities project at PBI A and time extension
- Page 22
3F-6 Receive and file award modification of Law Enforcement Office reimbursement Program and Other Transaction Agreement to correct a funding error
3F-7 Change order with West Construction, Inc. for the Southside Redevelopment Program Phase 1 and 2 project at the Lantana Airport
3F-8 Receive and file General Aviation Airport Aeronautical Activities Permit with AirSign Group, LLC
- Page 23
3F-9 Receive and file license agreement with Sixt Rent A Car LLC, for use of paved parking for overflow parking at PBI A
3F-10 Receive and file Memorandum of Lease with PBI Post Distr. LLC for property west of PBI A
3F-11 Receive and file terminal space lease agreement with F.B. Enterprise LLC
3F-12 Memorandum of Lease with Gulfstream Product Support Corporation at PBI A
3F-13 Amendment to lease agreement with Atlantic Aviation – West Palm Beach, LLC at PBI A
- Page 24
3F-14 Reappointments to the Aviation and Airports Advisory Board

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

- Page 24
3G-1 Settlement offer with 2015 1 IH2 Borrower LP for full satisfaction of code enforcement lien
- Page 25
3G-2 FY 2018 Year-End Budget Amendments and Transfers
- Page 26
3G-3 Settlement offer with Victor and Barbara Dieguez for full satisfaction of code enforcement lien
3G-4 Settlement offer with Paul Eykel and Mary E. Robertson for full satisfaction of code enforcement lien

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

H. FACILITIES DEVELOPMENT & OPERATIONS

- Page 27
3H-1 Amendments to three contracts for environmental assessment services
- Page 28
3H-2 Contract with Advanced Painting Contractors, Inc. for weatherproofing of the Governmental Center and the Governmental Center Parking Garage
3H-3 Annual contract with Cedar Electro-Mechanical, Inc. for HVAC services
3H-4 Utility easement agreement with Florida Power and Light Company for underground electrical services at the Acreage Community Park South
- Page 29
3H-5 Quit Claim Deed from the City of Delray Beach for the western portion of NW 1st Street to expand Palm Tran South County Facility employee and bus parking areas

I. HOUSING AND ECONOMIC SUSTAINABILITY

- Page 30
3I-1 Reimbursement to Town of Lake Park for the Lake Shore Park and Kelsey Park project

J. PLANNING, ZONING & BUILDING

- Page 31
3J-1 Receive and file terminations of removal agreements for the months of March and May 2018
- Page 32
3J-2 Reappointments to the Historic Resources Review Board

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 33
3L-1 Contract with the Florida Fish and Wildlife Conservation Commission to provide fisheries monitoring in the Lake Worth Lagoon
3L-2 Agreement with the Florida Fish and Wildlife Conservation Commission to help fund the construction of the Juno Mid-Depth Artificial Reef
- Page 34
3L-3 Receive and file supplement to Grant and Cooperative Agreement with the U.S. Bureau of Land Management for services at the Jupiter Inlet Lighthouse Outstanding Natural Area
3L-4 Grant Agreement with the FDEP for reimbursement for cleanup related to red tide
- Page 35
3L-5 Ratify the Mayor's signature on State Financial Assistance Recipient Agreement and Annual Certified Budget for Mosquito Control with the Florida Department of Agriculture and Consumer Services

M. PARKS & RECREATION

- Page 35
3M-1 Receive and file three amphitheater rental agreements
- Page 36
3M-2 Receive and file three entertainment contractor agreements
3M-3 Receive and file three sound and light production services contract agreements

Q. CRIMINAL JUSTICE COMMISSION

- Page 37
3Q-1 Receive and file two Grant Adjustment Notices from the Edward Byrne Memorial Justice Assistance Grant Program
3Q-2 Ratify the Mayor's signature on grant application to the John D. and Catherine T. MacArthur Foundation for community engagement
- Page 38
3Q-3 Reappointments to the Criminal Justice Commission
3Q-4 Receive and file award letter from the U.S. Department of Justice to fund the Palm Beach County Reentry Program from October 1, 2018 through September 30, 2019

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

S. FIRE RESCUE

Page 39

- 3S-1 U.S. Department of Homeland Security's Federal Emergency Management Agency award to purchase single gas monitors
- 3S-2 Interlocal agreement for fire hydrant maintenance and rental with the City of Riviera Beach Utility Special District

X. PUBLIC SAFETY

Page 40

- 3X-1 Interlocal Agreement for Civil Drug Court with the City of Riviera Beach to provide support to the Civil Drug Court and substance abuse treatment services
- 3X-2 Receive and file project budget adjustments for ex-offender reentry services

Page 41

- 3X-3 Receive and file grant agreement with the State of Florida, Division of Emergency Management for hazardous material planning and prevention program
- 3X-4 Receive and file amendment to contracts for drug treatment for individuals referred by the Adult Drug Court

Page 42

- 3X-5 Receive and file subcontract with the Florida Council Against Sexual Violence for sexual assault services
- 3X-6 Receive and file Victim of Crime Act grant agreement with the State of Florida, Department of Legal Affairs, Office of the Attorney General for victim advocacy and therapy services

Page 43

- 3X-7 Receive and file amendment to the City of Boynton Beach's Interlocal Agreement for temporary medical staff at disaster shelters
- 3X-8 contract with the Drug Abuse Foundation of Palm Beach County, Inc. to provide drug abuse and psychiatric treatment for the Adult Drug Court

Page 44

- 3X-9 Grant agreement with Florida Power and Light Company for the Radiological Emergency Preparedness Program
- 3X-10 Award letter from the Urban Area Security Initiative

Page 45

- 3X-11 Appointment to the Emergency Medical Services Advisory Council

BB. YOUTH SERVICES

Page 45

- 3BB-1 Afterschool Arts Outreach Agreement with Norton Museum of Art, Inc.

CC. SHERIFF

Page 45

- 3CC-1 Receive and file grant modification with the Palm Beach County Police Athletic League extending the term of the grant period

Page 46

- 3CC-2 Receive and file grant modification with the Office of National Drug Control Policy to provide grant funds for the Palm Beach County Narcotics Task Force

DD. INSPECTOR GENERAL

Page 46

- 3DD-1 Interagency agreement with the Palm Beach County Sheriff Office for access to the Florida Crime Information Center

TABLE OF CONTENTS

PUBLIC HEARINGS – 9:30 A.M.

A. FIRE RESCUE

Page 47

- 4A-1 Resolution levying and collecting assessment with the Municipal Service Benefit Unit for Fire Hydrant Maintenance and Rental – Riviera Beach

B. PALM TRAN

Page 47

- 4B-1 Federal Transit Administration grant application for bus shelter replacement and expansion

Page 48

- 4B-2 Federal Transit Administration grant application for expansion of Palm Tran’s South County facility

C. HOUSING AND ECONOMIC SUSTAINABILITY

Page 49

- 4C-1 Application of The Raymond F. Kravis Center for the Performing Arts, Inc. for issuance of Industrial Development Revenue Bond

REGULAR AGENDA

A. FIRE RESCUE

Page 50

- 5A-1 Amendment to Interlocal Agreement with the City of West Palm Beach for fire vehicle maintenance

B. PUBLIC SAFETY

Page 51

- 5B-1 Ordinance amending the Palm beach County Code for issuing Certificate of Public Convenience and Necessity for Advance Life Support services

C. ENGINEERING & PUBIC WORKS

Page 52

- 5C-1 Ordinance amending the Five Year Road Program

D. ADMINISTRATION

Page 52

- 5D-1 Presentation of proposed 2019 State Legislative Agenda

E. COMMISSION ON ETHICS

Page 52

- 5E-1 Memorandum of Understanding with the Lake Worth Community Redevelopment Agency to engage the services of the Commission on Ethics

F. HOUSING AND ECONOMIC SUSTAINABILITY

Page 53

- 5F-1 Amendment to agreement with the Business Development Board amending the Scope of Services

NOVEMBER 20, 2018

TABLE OF CONTENTS

BOARD APPOINTMENTS (Page 54)

BOARD OF COUNTY COMMISSIONERS SITTING AS THE ENVIRONMENTAL CONTROL BOARD

Page 55

7A-1 Reappointment to the Environmental Control Hearing Board

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 56)

ADJOURNMENT (Page 57)

2C. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

Staff recommends motion to receive and file: the 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

NOVEMBER 20, 2018

2D. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve:

A) expenditure of \$40,000 for the construction and installation of a community pavilion in the Cabana Colony Neighborhood Park; and

B) budget transfer of \$40,000 to the Capital Outlay Fund from the Countywide Community Revitalization Team (CCRT) Recoup Funding Account for the Cabana Colony Community Pavilion Project.

SUMMARY: The Cabana Colony community pavilion was requested by the Cabana Colony Residents League (CCRL) and residents from the Cabana Colony CCRT neighborhood to address the need for a covered area for community events. The request was reviewed by the Office of Community Revitalization (OCR) and the Parks and Recreation Department (Parks) staff and it was determined that a pavilion would be needed to address the lack of shelter within the park. The pavilion would support a very active neighborhood group that has numerous meetings, social activities and events. There is currently no permanent structure in the park to provide shelter for neighborhood meetings. Approval of the requested funds and the associated budget transfer will fund the construction and installation of the pavilion. District 1 (HH)

2. Staff recommends motion to approve: the following contracts in an amount not to exceed \$10,000 each to implement the Office of Community Revitalization's (OCR) Abundant Community Initiative Pilot Project (Project):

A) contract with Shannon Doughney to implement the project in the Cabana Colony Countywide Community Revitalization Team (CCRT) area; and

B) contract with Bonnie Hodges Leech to implement the project in the San Castle Countywide Community Revitalization Team (CCRT) area.

SUMMARY: The BCC approved contracts with residents Shannon Doughney and Bonnie Hodges Leech on September 12, 2017 in an amount not to exceed \$6,000 each to serve as Neighborhood Connectors to implement the Project in the Cabana Colony and San Castle CCRT areas respectively. The purpose of the Project is to further engage and help empower residents for civic leadership. The Project will test the viability and potential of the Asset Based Community Development (ABCD) initiative for neighborhood development in Palm Beach County by utilizing actual neighborhoods, their existing leadership structures, and residents. The Neighborhood Connectors are responsible for guiding the neighborhood organizing process, inventorying the dreams, desires and gifts within the neighborhood, and facilitating the formation of associations within the neighborhood. Both Ms. Doughney and Ms. Hodges Leech have fulfilled the terms of the executed contracts. Staff is now requesting the BCC approve the new contracts for the upcoming fiscal year to continue implementation of the Project in these two pilot communities. The contracts will commence on November 20, 2018 and expire on November 22, 2019. The new contract amount of \$10,000 reflects added tasks and deliverables. Funding for this Project is available from the Abundant Community Initiative account. Districts 1 & 7 (HH)

3. CONSENT AGENDA APPROVAL

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
Budget	September 17, 2018
Regular	September 18, 2018
Zoning	September 24, 2018
Workshop	September 25, 2018
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 April 2017. Countywide
5. **Staff recommends motion to receive and file:** list of Clerk & Comptroller Finance Department records which have been converted to an electronic format. **SUMMARY:** These records have been converted from paper to an electronic format. The electronic records will be maintained according to their required retention schedule under the State of Florida’s General Records Schedule GSI-SL for State and Local Government Agencies. (Ch. 119, Ch. 257). Countywide

C. ENGINEERING & PUBLIC WORKS

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

A) Assignment Assumption and Consent Agreement (Agreement) for the construction materials testing, geotechnical engineering and inspection services annual contract R2017-1722 dated November 21, 2017 (Contract) to transfer the Contract from Amec Foster Wheeler Environment & Infrastructure, Inc. (Amec) to Wood Environment & Infrastructure Solutions, Inc. (Wood); and

B) first amendment to the assigned Contract with Wood to extend the contract expiration date from November 20, 2018 to November 20, 2019, and to add reporting language to the contract.

SUMMARY: On April 16, 2018, Wood acquired the assets of Amec. Approval of the Agreement will allow the Contract with Amec to be assigned to Wood. Approval of the first amendment to the assigned Contract will extend the expiration dates of the Contract from November 20, 2018 to November 20, 2019, and add the additional reporting language required by Palm Beach County (County) to report information regarding the county of residency of the employees who work for a firm that was awarded a contract funded by the one-cent infrastructure sales tax. This is the first renewal of two possible one-year renewals permitted per the original contract. After the second renewal, the Contract will need to be resolicited. The Small Business Enterprise (SBE) goal for all contracts is 15%. To date, tasks in the amount of \$30,500 have been authorized for Wood through the assigned Contract, with 25% SBE participation which meets their commitment of 25%. Wood has an office located in Palm Beach County. Countywide (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve:

A) amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017, to advance a portion of the “Northtree (residential roads)” resurfacing project from FY2020 to FY2019; and

B) budget transfer of \$100,000 within the Infrastructure Sales Tax Fund from reserves to advance the funds for the “Northtree (residential roads)” resurfacing project from FY2020 to FY2019.

SUMMARY: The purpose of this amendment and budget transfer is to advance the remaining funding for the “Northtree (residential roads)” resurfacing project from FY2020 to FY2019. The scope of the project involves resurfacing all Palm Beach County (County) owned/maintained streets within the Northtree subdivision. The project is currently funded in two separate years - \$100,000 in FY2019 and \$100,000 in FY2020. This funding schedule was based on the Northtree HOA paying to complete the project in 2017, and the County reimbursing them 50% in FY2019 and 50% in FY2020. Subsequently, the Northtree HOA decided to not advance the funding for the resurfacing but to wait for the County’s schedule to complete the project. The funding for the entire project will remain at \$200,000 but the funding of \$100,000 in FY2020 will be advanced (through the Engineering Department’s IST Reserve account) from FY2020 to FY2019. The budget transfer will implement the accounting changes for FY2019 funding. The Sales Tax Oversight Committee reviewed this request at their October 18, 2018 meeting and approved it unanimously. District 3 (LBH)

3. Staff recommends motion to approve: annual roadway-landscaping contract with Superior Landscaping & Lawn Service, Inc. (Superior), in an amount not to exceed \$1,000,000. **SUMMARY:** Approval of this contract will provide services for all labor, materials, equipment and incidentals required to bring Palm Beach County (County) landscape sites to final grade, install landscape trees, plants, sod and irrigation systems in accordance with plans as specified by various County departments on an as needed basis. Superior is a Miami-Dade County registered business. The Small Business Enterprise (SBE) goal for all contracts is 15%. Superior, the only bidder, committed to 13.9% SBE participation. The contract will be in effect for 12 months from the date of approval by the Board of County Commissioners and may be extended for a defined period of time, not to exceed 36 months total contract time, or resolicited. Countywide (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve:

A) interlocal agreement with the City of Riviera Beach Utility Special District (District) in the amount of \$465,844.61 for water and force main utility adjustments as part of the Silver Beach Road from east of Congress Avenue to east of Old Dixie Highway project (Project);

B) interlocal agreement with the Seacoast Utility Authority (Authority) in the amount of \$461,918.57 for water and force main utility adjustments as part of the Project; and

C) budget amendment of \$927,764 in the Road Impact Fee Fund – Zone 1 to recognize reimbursement funding from the District and Authority and appropriate it to the Project.

SUMMARY: Approval of this agreement will allow Palm Beach County (County), the District and the Authority to jointly participate in construction of utility adjustments as part of the Project. The Project consists of the reconstruction of Silver Beach Road from east of Congress Avenue to east of Old Dixie Highway, as a three-lane road. The Project also includes installation of drainage structures, sidewalk, curb and gutter and utilities. The District and Authority agree to reimburse the County for the cost of these utility adjustments, which were included in the bid. This budget amendment is necessary to recognize the funding from the District and the Authority for the utility improvements to be incorporated into the County's construction of the Project. District 7 (LBH)

5. Staff recommends motion to approve: task order to the Intersection Improvements Annual Contract R2017-0779 with HSQ Group, Inc., (HSQ) in the amount of \$259,207.99 for professional services for the Okeechobee Boulevard and Jog Road intersection improvements (Project). **SUMMARY:** Approval of this task order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The Project will extend the westbound left turn lane and will add a third northbound to westbound left turn lane by shifting Jog Road to the west, south of Okeechobee Boulevard. Additionally, the Project will extend the southbound right turn lane, realign the southbound through lanes and add a third southbound through lane. The Small Business Enterprise (SBE) goal for all contracts is 15%. HSQ committed to 75% SBE participation for the annual contract. They propose 82.72% SBE participation for this task order. HSQ is a Palm Beach County based company and a certified SBE company. District 2 (LBH)

6. DELETED

7. Staff recommends motion to approve: interlocal agreement with the City of Westlake (City), for the transfer of ownership, operation and maintenance of Persimmon Boulevard from Seminole Pratt Whitney Road to approximately 1400 feet east of Seminole Pratt Whitney Road (Persimmon). **SUMMARY:** Approval of this interlocal agreement will allow the transfer of County ownership, operation and maintenance responsibilities of Persimmon to the City upon the completion of improvements to Persimmon by the City. District 6 (LBH)

8. Staff recommends motion to receive and file: proportionate share agreement for \$678,233.55, Project Control Number 2017-1113, with Toll FL I, LLC, dated June 15, 2018, for their proposed project located on the east side of Jog Road north of Clint Moore Road. **SUMMARY:** This item was executed by the County Administrator on August 7, 2018. Resolution R2016-0125 delegates authority to the County Administrator, or designee, to enter into certain proportionate share agreements on behalf of the Board of County Commissioners. 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. District 5 (LB)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. **Staff recommends motion to accept:** easement from the Trustees of the Internal Improvement Trust Fund of the State of Florida to Palm Beach County (County) on property located between Duda Road and CR 880, also known as East Canal Street South. **SUMMARY:** The proposed 20' easement runs along the portion of roadway that abuts CR 880 and is needed so that the road may be shifted to allow South Central Florida Express Railroad to extend its rail lines and allow U.S. Sugar to continue farming and increase safety by lessening road traffic. District 6 (LBH)
10. **Staff recommends motion to approve:** assignment of a traffic signal easement to the Florida Department of Transportation (FDOT), located at the northeast corner of the intersection of US Highway 1 /Broadway (State Road No. 5) and East 22nd Street. **SUMMARY:** Approval of this assignment of a traffic signal easement will transfer the existing Palm Beach County (County) owned traffic signal easement to FDOT. In order for a FDOT permit to be issued for a new signal installation, FDOT has requested that the County assign the traffic signal easement to FDOT. The traffic signal easement is adjacent to a FDOT maintained road, and is located within the municipal limits of the City of Riviera Beach. District 7 (LBH)
11. **Staff recommends motion to adopt:** resolution approving a highway maintenance memorandum of agreement (MMOA) with the Florida Department of Transportation (FDOT) for the construction of improvements on the Forest Hill Boulevard bridge over South Florida Water Management District's (SFWMD) C-51 Canal and within the Crestwood Boulevard right-of-way (Project). **SUMMARY:** Adoption of this resolution approving the MMOA will allow FDOT to construct the Project. This includes widening the Forest Hill Boulevard bridge over SFWMD's C-51 Canal to accommodate a northbound to eastbound free flow right turn, new sidewalks and updated traffic railings, as well as minor modifications within the Crestwood Boulevard right-of-way that include median nose modification, milling and resurfacing of pavement, and installation of new pavement markings. The MMOA is required since the Project impacts the County maintained Forest Hill Boulevard bridge over the SFWMD C-51 Canal. Construction will be funded entirely by FDOT at an estimated cost of \$4,971,306. District 6 (LBH)

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve and file:** with the Clerk of the Circuit Court the official bonds on the newly elected or re-elected Commissioners of Palm Beach County. **SUMMARY:** Pursuant to Fla. Stat. § 137.01 and Palm Beach County Code Ordinance § 2-140, newly elected or re-elected Commissioners must secure bonding for presentation to the Board of County Commissioners (Board) immediately following their election. Such official bonds must be approved by the Board and filed with the Clerk of the Circuit Court. Countywide (DB)
2. **Staff recommends motion to approve:** settlement in the amount of \$95,000 including attorneys' fees and costs for a personal injury claim resulting from a motor vehicle accident involving a Palm Tran bus and Claimant, Paulette Allen's vehicle, which occurred on July 20, 2017. **SUMMARY:** On July 20, 2017, a Palm Tran bus operator was driving eastbound in the right lane on State Road 80, approaching the intersection of Sugar House Road, in Belle Glade, Florida, when he crossed into the left lane to make a left turn at the intersection and collided with Claimant's vehicle. Claimant sustained serious bodily injuries as a result of the accident. Countywide (DO)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY (Cont'd)

3. Staff recommends motion to approve: settlement agreement, inclusive of attorney's fees and costs, in the amount of \$68,181 payable by Palm Beach County in the wrongful death action styled Stephen P. Padilla, as Personal Representative of the Estate of Herminio Padilla, Jr., Decedent vs. City of West Palm Beach, Palm Beach County, City of Lake Worth, City of Riviera Beach, and Town of Palm Beach, Case No. 502015CA014143XXXMB. Further, as a condition of the settlement, Palm Beach County will pay an additional \$22,727, should the Florida Legislature approve a Claims Bill in this case. **SUMMARY:** On January 17, 2015, Decedent, Herminio Padilla, Jr., was a City of West Palm Beach employee working at the East Coast Regional Water Reclamation Facility (ECR), located at 4375 Easley Drive, West Palm Beach, when he fell from a catwalk to his death. Plaintiff filed suit alleging the negligence of the City of West Palm Beach, Palm Beach County, City of Lake Worth, City of Riviera Beach, and the Town of Palm Beach as joint owners of the ECR pursuant to a 1992 Interlocal Agreement that the entities entered into establishing the duties and responsibilities for the operation of the ECR. The \$68,181 payable by the County represents its proportionate share of the \$300,000 Sovereign Immunity Cap, based on the Interlocal Agreement. Additionally, the \$22,727 payable by the County represents its proportionate share of the \$100,000 should the Florida Legislature approve a Claims Bill, which the Defendants will not oppose. Countywide (DRO)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:
 - A) Subaward Amendment 4, No. 9920160083 with the RAND Corporation, for the performance period September 1, 2017 through August 31, 2019, in an amount not to exceed \$258,173.49, to continue improving health outcomes for persons living with HIV Spectrum Disease; and
 - B) FY 2018 downward Budget Amendment of \$59,192, in the Ryan White Care Program fund to align budget to actual grant award.

SUMMARY: On March 1, 2016, the Board of County Commissioners (BCC) ratified the Ryan White Part A, Data Integration Grant Application (R2016-0239) with the RAND Corporation for the maximum cumulative amount of \$317,365 for a three year contract. Staff recommends approval of this amendment, which will extend the contract through August 31, 2019, with a revised maximum cumulative amount of \$258,173.49, which includes the de-obligation of unused prior year amounts and carryover funding of \$37,800. On August 16, 2016, the BCC ratified the first of three Subaward Agreements. The second agreement was approved on January 10, 2017. The third agreement was approved on November 21, 2017. This is the fourth and last of the agreements which represents a revised cumulative amount of \$258,173.49. The Addressing HIV Care Project is a collaboration between the Palm Beach County Community Services Department and the City of West Palm Beach's Department of Housing and Community Development. The funding integrates data management systems between the Ryan White Part A and Housing Opportunities for Persons with AIDS (HOPWA) programs. The funds improve the delivery of medical and housing services, improve health outcomes, and coordinate service delivery and quality management through improved data infrastructure for homeless HIV-positive clients. **No County funds are required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

A) ratify the signature of the Mayor on the 2018 U.S. Department of Housing and Urban Development (HUD) Palm Beach County Continuum of Care (CoC) Planning Project Grant Application, for the proposed period October 1, 2019 through September 30, 2020, in the amount of \$164,403, for the coordination of planning activities related to ending homelessness;

B) ratify the signature of the Mayor on the Certification of Consistency with the Consolidated Plan Form 2991; and

C) delegate to the County Administrator, or designee, signatory authority on additional forms and any other necessary documents related to the 2018 HUD CoC Planning Project Grant Application.

SUMMARY: The Palm Beach County CoC Planning Project Grant will provide funding for the coordination and evaluation of activities related to ending homelessness. These activities involve coordination of monthly CoC meetings and sub-committee meetings, administration of the Homeless Management Information System (HMIS), annual preparation of HUD CoC grant application, and technical assistance and monitoring of local grant recipients. HUD will establish the actual grant period. A 25% cash match of \$41,101 is required and will be requested in the FY 2020 budget cycle. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: reappointments and a new appointment to the Community Action Advisory Board, effective October 1, 2018:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
11	Allie H. Biggs	Representative of the Low-Income Sector	9/30/21	Democratic Election in Belle Glade
13	Michelle C. Davis	Representative of the Low-Income Sector	9/30/21	Democratic Election in Boynton Beach
14	Retha Lowe	Representative of the Low-Income Sector	9/30/21	Democratic Election in Lake Worth
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
15	Alma Atkins-Robinson	Representative of the Low-Income Sector	9/30/21	Democratic Election in Riviera Beach

SUMMARY: The total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, per Resolution No. R2018-0372, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served. Members fully participate in the planning, implementation, and evaluation of the Community Services Block Grant (CSBG) program to serve low-income communities. All members have successfully completed the CAAB’s nomination process. Ms. Davis has disclosed that she is employed by the Community Caring Center of Greater Boynton Beach, Inc., which contracts with the County for services. The CAAB 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 diversity count for the 8 seats that are currently filled is African-American: 6 (75%), Caucasian: 2 (25%). The gender ratio (female:male) is 5:3. All nominees are African-American females. The Community Action Program Coordinator and staff conduct targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Community Action Program) Countywide (HH)

4. Staff recommends motion to approve: Amendment No. 2 to Contract for Provision of Financial Assistance with Children’s Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2016-1468), for the period October 1, 2018, through September 30, 2019, to revise the unit cost rate, from \$78 per cost unit to \$88 per cost unit, for the Kin Support Project. **SUMMARY:** Amendment No. 2 is necessary to revise the unit cost rate for the Kin Support Project. The unit cost is being revised in order to align monthly program billings with actual expenditures. The Kin Support Project provides comprehensive home and community based social work case management services to assist relative caregiver families. The overall purpose of the program is to help kinship families sustain healthy family functioning. Keisha Jackson, an employee of Children’s Case Management Organization, Inc. is a member of the Palm Beach County HIV CARE Council (HIV CARE Council). The HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. **No new County funding required.** (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve: contract for Consulting/Professional Services with CareerSource Palm Beach County, Inc. (CareerSource), for the period October 1, 2018 through March 31, 2019, in an amount totaling \$100,000, to provide a variety of training services to low-income participants. **SUMMARY:** CareerSource is qualified to provide trades industry training and work readiness skills training for the Community Action Program. Funding for the contract is provided by the Community Services Block Grant (CSBG). Qualified clients must be residents of Palm Beach County and meet the Federal Poverty Guidelines. Charles Duval, an employee of CareerSource is a member of the Farmworker Program Advisory Board (FPAB). The FPAB provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. **No County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve:

A) 1. Amendment 004 to Standard Agreement No. IU016-9500 (R2015-1608) for the Nutrition Services Incentive Program (NSIP) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January, 1, 2018 through December 31, 2018, to decrease the overall funding by \$37,548.38 and to revise, amend, and replace portions of the standard agreement to provide effective delivery of nutritious meals to older individuals;

2. Amendment 006 to Standard Agreement No. IA016-9500 (R2016-0321) for the Older Americans Act (OAA) with AAA, for the period January 1, 2018 through December 31, 2018, to increase the overall total funding for the period by \$200,356 and to revise, amend, and replace portions of the standard agreement to provide in-home and community-based services to seniors;

3. Amendment 008 to Standard Agreement No. IZ015-9500 (R2015-1448) for the Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2017 through June 30, 2018 to increase the overall total funding by \$97,661.13 and to revise, amend and replace portions of the standard agreement to provide assistance to older adults and caregivers by ensuring that individuals affected with Alzheimer's disease and other forms of dementia are offered services to help them live independently in their own homes;

4. Amendment 008 to Standard Agreement No. IH015-9500 (R2015-1445) for the Home Care for the Elderly (HCE) with AAA, for the period July 1, 2017 through June 30, 2018 to increase the overall total funding by \$27,658.04 and to revise, amend and replace portions of the standard agreement to assist older adults and their caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care; and

B) FY 2018 budget amendment of \$229,285 in the DOSS Administration Fund to align the budget to the actual grant award.

SUMMARY: Grant adjustments are made during the contract year to align services with need. These amendments are necessary to incorporate changes made to the standard agreements. The Division of Senior Services is responsible for providing services north of Hypoluxo Road. The areas of service include all districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. **No additional funds are required for these amendments.** (Division of Senior Services) Countywide except for portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file:

A) second amendment to Signatory Airline Agreement with American Airlines, Inc. (R2016-0974), effective October 1, 2018, replacing Exhibit “E”, the Rate and Fee Schedule.

B) first amendment to Signatory Airline Agreement with Bahamasair Holdings Limited, Inc. (R2016-0973), effective October 1, 2018, replacing Exhibit “E”, the Rate and Fee Schedule.

C) first amendment to Signatory Airline Agreement with Delta Air Lines, Inc. (R2014-1718), effective October 1, 2018, replacing Exhibit “E”, the Rate and Fee Schedule.

D) second amendment to Signatory Airline Agreement with JetBlue Airways Corporation (R2014-1719), effective October 1, 2018, replacing Exhibit “E”, the Rate and Fee Schedule.

E) second amendment to Signatory Airline Agreement with Southwest Airlines Co. (R-2014-1720), effective October 1, 2018, replacing Exhibit “E”, the Rate and Fee Schedule.

F) first amendment to Signatory Airline Agreement with United Airlines, Inc. (R-2014-1721), effective October 1, 2018, replacing Exhibit “E”, the Rate and Fee Schedule.

SUMMARY: The above six signatory airlines that operate at the Palm Beach International Airport have executed amendments replacing Exhibit “E”, the Rate and Fee Schedule, for the Signatory Airline Agreement. The new Exhibit “E” modifies the methodology for estimating rates and fees in an effort to reduce final settlement amounts to the signatory airlines. The revision does not result in any change in the total annual revenue paid to the County. Delegation of authority for execution of the standard County amendments above was approved by the BCC in R2018-0845. Countywide (AH)

2. Staff recommends motion to receive and file: license agreement with Special Olympics Florida, Inc. (Special Olympics), for the use of certain areas at the Palm Beach International Airport (PBIA) on September 29, 2018, for a one-day charitable plane pull event, without charge. **SUMMARY:** Special Olympics is a Florida Not For Profit Corporation that has organized charitable events such as “plane pulls” at Florida airports. On Saturday, September 29, 2018, a plane pull event was held at PBIA. This event pits organized teams against each other to determine who can pull a jet aircraft a certain length the quickest. Approximately 600 people attended the event and almost \$30,000 was raised for charity. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to receive and file:

A) first amendment to Signatory Cargo Carrier Operating and Lease Agreement with Federal Express Corporation (R2014-1715), effective October 1, 2018, replacing Exhibit "E", the Rate and Fee Schedule.

B) first amendment to Signatory Cargo Carrier Operating and Lease Agreement with United Parcel Service Co. (R2014-1716), effective October 1, 2018, replacing Exhibit "E", the Rate and Fee Schedule.

SUMMARY: The above two signatory cargo carriers that operate at the Palm Beach International Airport have executed amendments replacing Exhibit "E", the Rate and Fee Schedule, for the Signatory Cargo Carrier Operating and Lease Agreement. The new Exhibit "E" modifies the methodology for estimating rates and fees in an effort to reduce final settlement amounts to the cargo carrier signatory airlines. The revision does not result in any change in the total annual revenue paid to the County. Delegation of authority for execution of the standard County amendments above was approved by the BCC in R2018-0844. Countywide (AH)

4. Staff recommends motion to approve: Change Order No. 7 to Amendment No. 8 (Task M-18) to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for Air Handler Replacement at Palm Beach International Airport (PBIA) to extend the contract time by 280 calendar days. **SUMMARY:** Amendment No. 8 (Task M-18) in the amount of \$8,250,000 and 680 calendar days was approved by the Board on December 15, 2015 (R2015-1765). Approval of Change Orders No. 1-6 in the amount of \$1,184,950.37 and 167 calendar days were approved in accordance with the authority designated in PPM CW-F-050. Approval of Change Order No. 7 will provide additional time to meet final acceptance of the Air Handler Replacement at PBIA. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. The total to date participation for this contract is 14%. Countywide (AH)

5. Staff recommends motion to approve:

A) Change Order No. 3 to Amendment No. 15 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-36: Parcel I Site Access Roadway & Utilities Project at Palm Beach International Airport (PBIA) in the amount of \$339,522.77 and a time of extension of 158 calendar days; and

B) budget transfer of \$339,523 in the Airport's Improvement and Development fund to provide budget for The Morganti Group, Inc. contract; including a transfer from Reserves of \$339,523.

SUMMARY: Amendment No. 15 (Task M-36) in the amount of \$4,951,000 and 330 calendar days was approved by the Board on April 20, 2018 (R2018-0380). Change Orders No. 1-2 in the amount of \$301,264.20 were approved in accordance with the authority designated in PPM CW-F-050. Change Order No. 3 will provide additional compensation to the contractor to complete the Task M-36: Parcel I Site Access Roadway & Utilities Project at PBIA. Airport local funds are being utilized to fund this change order. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. The total to date participation for this contract is 14%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to:

A) receive and file Award Modification (Modification P00007) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) to correct a funding amount error found in Modification P00005; and

B) approve budget amendment in the Airport's Operating Fund, to decrease the amount previously obligated by TSA by \$17,379.

SUMMARY: On May 1, 2018 (R2018-0650), the Board approved Award Modification P00005 with the TSA in the amount of \$94,164.73. TSA has advised that said Modification listed the incorrect funding amount, and as a result, the amount stated on Modification P00005 is hereby decreased by \$17,378.93. The correct amount for Modification P00005, as recorded by TSA is \$76,785.80. Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093). Countywide (AH)

7. Staff recommends motion to approve:

A) Change Order No. 8 to the contract with West Construction, Inc. in the amount of \$110,661.79 and 30 calendar days for the Southside Redevelopment Program Phase 1 and 2 project at Palm Beach County Park (Lantana) Airport; and

B) budget transfer of \$110,662 in the Airport's Improvement and Development Fund to provide budget for West Construction, Inc. Change Order No. 8; including a transfer from Reserves of \$110,662.

SUMMARY: The contract with West Construction, Inc. for the Southside Redevelopment Program Phase 1 and 2 project at Lantana Airport in the amount of \$6,353,448.52 and 390 calendar days was approved by the Board on July 11, 2017 (R2017-0935). Change Orders 1-7 in the amount of \$90,020.51 and 179 calendar days were approved under the delegated authorities detailed in PPM CW-F-050. Approval of Change Order No. 8 will increase the contract to \$6,554,130.82 and increase the contract time for substantial completion to 599 calendar days. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 11%. The DBE to date participation for this contract is 2.8%. The DBE participation is primarily in later phases of this contract. DBE participation for this Change Order is 18.7%. Countywide (AH)

8. Staff recommends motion to receive and file: General Aviation Airport Aeronautical Activities Permit (Permit) with AirSign Airship Group, LLC (AirSign), commencing February 1, 2018 terminating on January 31, 2019, and automatically renewing on a February 1st to January 31st annual basis until canceled, for blimp airship operations at Palm Beach County Park Airport (Lantana Airport) and the payment of Permit fees in the amount of \$125 per day of blimp airship operations. **SUMMARY:** The Permit authorizes AirSign to moor its blimp airship at the Lantana Airport for short term events typically lasting three to five days upon prior approval of the Department. Delegation of authority for execution of the standard Permit was approved by the BCC in R2010-0323. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to receive and file: license agreement with Sixt Rent A Car LLC (Sixt), commencing October 1, 2018 terminating September 30, 2019, and providing for the use of 26,460 square feet of paved parking for the overflow parking of vehicles in connection with Sixt's rental car operations at the Palm Beach International Airport (PBI A) and the payment of license fees in the amount of \$1,764 per month. **SUMMARY:** Sixt operates at PBI A under a Nonconcessionaire Rental Car Operator Ground Transportation Permit and requires a paved area for overflow parking of their rental cars. The License Agreement allows Sixt to utilize a paved area for that purpose. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R2007-2070. Countywide (AH)
10. Staff recommends motion to receive and file: Memorandum of Lease for the Development Site Lease Agreement (Agreement) with PBI Post Distr. LLC (PBI Post) (R2017-1892) for property west of the Palm Beach International Airport (PBI A). **SUMMARY:** PBI Post entered into the Agreement on December 19, 2017 to construct a PODS storage container facility on property west of PBI A. The purpose of the Memorandum of Lease is to place the public on notice as to specific terms and conditions of the Agreement. Delegation of authority for execution of the Memorandum of Lease was approved by the Board pursuant to R2017-1892. Countywide (HJF)
11. 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 November 1, 2018 and terminating on May 31, 2019, for the lease of approximately 87 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 and is leasing a curbside office during the seasonal months to assist airline passengers. Delegation of authority for execution of the standard form Terminal Space Lease Agreement was approved by the BCC pursuant to R2018-0995. Countywide (AH)
12. Staff recommends motion to approve: Memorandum of Fixed Base Operator Lease Agreement (Memorandum of Lease) with Gulfstream Product Support Corporation (Gulfstream) at the Palm Beach International Airport (PBI A). **SUMMARY:** The County entered into a Fixed Base Operator Lease Agreement (Lease) (R2017-0281) with Jet Aviation Associates, Ltd. (Jet), a Florida Limited Partnership, on March 14, 2017. On October 16, 2018, Jet assigned the Lease to Gulfstream in accordance with the requirements of the Lease. Gulfstream is in the process of obtaining financing for the construction of leasehold improvements at the PBI A, consisting of approximately 168,245 square feet of building and hangar space for the operation of an aircraft maintenance, repair and operations facility. The purpose of the Memorandum of Lease is to place the public on notice as to specific terms and conditions of the Lease. Countywide (HJF)
13. Staff recommends motion to approve: ninth amendment (Amendment) to Lease Agreement (Lease) with Atlantic Aviation – West Palm Beach, LLC (Atlantic), providing for the lease of an additional 133,049 +/- square feet of unimproved ground at the Palm Beach International Airport (PBI A) for an initial annual rental of \$93,134.30, commencing on December 1, 2018. **SUMMARY:** Atlantic provides fixed-based operator services for general aviation aircraft at the PBI A pursuant to a Lease dated October 18, 2000 (R2000-1067). The Lease provided Atlantic with the option to lease an additional 133,049 +/- square feet of property previously used by Federal Aviation Administration for the operation of the former air traffic control tower at the PBI A prior to demolition. Atlantic exercised its option to lease the property on September 11, 2018. This Amendment adds the additional property to Atlantic's existing leasehold as required by the Lease. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

14. Staff recommends motion to approve: the At-Large reappointments of the following two individuals to the Aviation and Airports Advisory Board (AAAB) for a term beginning November 20, 2018 and expiring September 30, 2021:

<u>SEAT</u>	<u>NAME</u>	<u>SEAT REQUIREMENT</u>	<u>NOMINATED BY</u>
No. 8	Ronald Ash	Favorable reputation for experience and expertise in engineering, architecture and construction.	Comm. Mack Bernard Comm. Dave M. Kerner
No. 9	E. Llwyd Ecclestone	Favorable reputation for experience and expertise in banking, insurance, business, non-residential construction and consumer.	Comm. Mack Bernard Comm. Dave M. Kerner

SUMMARY: Per Resolution No. R2013-1303, the AAAB consists of nine members. Seven members are District appointments (Seats 1 through 7) and two members are At-Large appointments (Seats 8 and 9). The term for Seat No. 8 has expired and the term for Seat No. 9 has expired. Mr. Ash and Mr. Ecclestone meet the membership requirements and are willing to serve another term. No other nominations were received. The diversity of the current AAAB is as follows: Caucasian – 9. The gender ratio (female:male) is 0-9. Both nominees are Caucasian male. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: negotiated settlement offer in the amount of \$22,000 for the full satisfaction of a code enforcement lien that was entered against 2015 1 IH2 Borrower LP on October 5, 2016. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on July 14, 2016 for property owned by 2015 1 IH2 Borrower LP (IH2) giving them until August 13, 2016 to bring their property located at 174 Ohio Road in Lake Worth into full code compliance. The property had been cited for erecting/installing a wood fence without first obtaining the required 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 IH2 on October 5, 2016. The Code Enforcement Division issued an affidavit of compliance for the property on July 12, 2018 stating that as of June 19, 2018 the cited code violation had been fully corrected. The total accrued lien amount on July 10, 2018, the date on which settlement discussions began, totaled \$42,208.04, of which IH2 has agreed to pay Palm Beach County \$22,000 (52.1%) for full settlement of their outstanding code enforcement lien. District 2 (SF)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: the following FY 2018 Year-End Budget Amendments and Transfers:

A) budget amendment of \$30,605 in the General Fund to reallocate budget between departments and increase amounts used for debt service costs;

B) budget transfer of \$45,147 in TDC 4th Cent Local Option Tax Fund 1453 to decrease amount used for debt service payments;

C) budget transfer of \$23,520 in 176.5M NAV 08 DS, Jail Expand/Public Bldg Fund 2053 to reduce amount transferred from General Fund due to increased interest received;

D) budget amendment of \$23,517 in 176.5M NAV 08 DSR, Jail Expand/Pub Bldg Fund 2054 to fund debt service payments in Fund 2053 due to increased interest received;

E) budget amendment of \$100 in 94.2M NAV 08-2 DS, Max Planck & SS Refunding Fund 2067 to increase the paying agent services cost and reduce debt service funded by the general fund due to increased interest received;

F) budget amendment of \$48,548 in 94.2M NAV 08-2 DSR, Max Planck & SS Refunding Fund 2068 to fund debt service payments in Fund 2067 due to increased interest received;

G) budget amendment of \$93,299 in 30.6M NAV 11DS, Ocean Avenue Bridge & Max Planck2 Fund 2069 due to increased interest expense;

H) budget transfer of \$45,147 in 62.7M NAV 11 DS, Ref Part 81M Conv Cntr 04 Fund 2526 to fund debt service payments from increased interest received;

I) budget amendment of \$45,147 in 62.7M NAV 1 DSR. Ref Part 81M Conv Cntr 04 Fund 2527 to fund debt service payments in Fund 2526 due to increased interest received;

J) budget transfer of \$5,315 in 63.64M Public Improvement Revenue Refunding Bonds, Srs. 2015 Fund 2534 due to funding available from the close out of Fund 3043;

K) budget amendment of \$22,665,039 in 22.5M NAV 18 DS, Ref NAV 11 Ocean Ave Bridge & Max Plank2 Fund 2536 to recognize new bond issuance;

L) budget amendment of \$120 in 6.1M Sunshine #8 06, Park & Marina Improv Fund 3043 to close fund; and

M) budget transfer of \$5,585 in Beach Improvement Fund 3652 to increase transfer to the General Fund.

SUMMARY: These transfers and amendments are necessary to properly allocate budget for FY 2018. **A)** the amendment of \$30,605 is necessary to increase amounts used for debt service expenses. **B, C, D, E, F, G, H, I, J, K, L, M)** these amendments and transfers all relate to adjustments in debt service funds or capital projects funds. Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to approve:** negotiated settlement offer in the amount of \$130,000 for the full satisfaction of a code enforcement lien that was entered against Victor and Barbara Dieguez on April 4, 2012. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on November 2, 2011 for property owned by Victor and Barbara Dieguez giving them until January 31, 2012 to bring their property located at 130 Cypress Avenue in West Palm Beach into full code compliance. The property had been cited for adding on to an existing stable and installing a utility building without first obtaining the required building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Victor and Barbara Dieguez on April 4, 2012. The Code Enforcement Division issued an affidavit of compliance for the property on February 9, 2017 stating that as of October 21, 2016 the cited code violations had been fully corrected. The total accrued lien amount as of May 31, 2018, the month in which settlement discussions began, totaled \$208,194.96, of which Victor and Barbara Dieguez have agreed to pay Palm Beach County \$130,000 (62.4%) for full settlement of their outstanding code enforcement lien. District 2 (SF)

4. **Staff recommends motion to approve:** negotiated settlement offer in the amount of \$15,802 for the full satisfaction of a code enforcement lien that was entered against Paul Eykel and Mary E. Robertson on May 17, 2017. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on December 7, 2016 for property owned by Paul Eykel and Mary E. Robertson giving them until February 5, 2017 to bring their property located at 18100 50th Street North in Loxahatchee into full code compliance. The property had been cited for open storage of trash and debris, installing a fence without the required permits, expired electrical permit and property use violation. 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 Paul Eykel and Mary E. Robertson on May 17, 2017. The Code Enforcement Division issued an affidavit of compliance for the property on June 28, 2018 stating that as of June 27, 2018 the cited code violations had been fully corrected. The total accrued lien amount on September 4, 2018, the date on which settlement discussions began, totaled \$31,604.19, of which Paul Eykel and Mary E. Robertson have agreed to pay Palm Beach County \$15,802 (50%) for full settlement of their outstanding code enforcement lien. District 6 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: Amendment No. 2 to the contracts for environmental assessment services on a continuing contract basis retroactive from September 22, 2018 to September 21, 2019:

A) AECOM Technical Services, Inc. (R2015-1253), Non-SBE/Local, 7.33% SBE participation to date;

B) Terracon Consultants, Inc. (R2015-1254), Non-SBE/Local, 20.24% SBE participation to date; and

C) Eco Advisors, LLC (R2015-1255), SBE/Local, 63.63% SBE participation to date.

SUMMARY: Amendment No. 2 extends the term of three contracts for environmental assessment services for one year through September 21, 2019. The Board approved annual contracts on September 22, 2015, and the original contracts provided for an initial two year term with three renewal options each for a period of one year. Amendment No. 2 is the second of the three renewal options and will authorize services during the second renewal period retroactively from September 22, 2018 through September 21, 2019. The following is a summary of the SBE commitment, SBE achieved and value of work to date for each of the consultants over the last three years of the contract.

	SBE Commitment	SBE Achieved	Value of Work to Date
AECOM Technical Services, Inc.	19%	7.33%	\$223,223
Terracon Consultants, Inc.	15%	20.24%	\$329,113
Eco Advisors, LLC	93%	63.63%	\$144,328

SBE attainment and value of work by each consultant is a direct function of specific project assignments, scope of work, availability of SBE subconsultants and subcontractors, and the overall contract approach for project completion. Continuous efforts are made during the assignment and performance of work to achieve SBE commitments and maintain a balanced work distribution. However, there are factors that are beyond the control of the consultants and staff, such as the nature of testing required. SBE subcontractor participation was to be achieved through the use of two SBE testing labs, but the tests required by more recent incidents has required specialized analysis that is beyond the capabilities of the SBE labs and therefore required performance by a non-SBE lab. The Office of Small Business Assistance (OSBA) has been made aware of all the reasons for low SBE participation and for those reasons has no objection to the renewal. The unbalanced value of the work among the consultants is mainly a result of a brownfield remediation and a petroleum remediation that were assigned to Terracon for two separate departments. In each case, the continuity in assignment resulted in time and financial savings based on their previous experience. Staff is committed to assigning work during the renewal term to be as responsive to the current work imbalance and SBE attainment as possible given the nature of the work presented. To date each of these firms has successfully provided the professional services required by the County in a timely manner, and they remain committed to continue delivering the professional services required by the County. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: contract with Advanced Painting Contractors, Inc., in the amount of \$666,500 for the weatherproofing of the Governmental Center and Governmental Center Parking Garage project for the period of 180 days or until project is complete. **SUMMARY:** The work consists of pressure washing, sealing and painting of the Governmental Center (GCC) and Governmental Center Parking Garage. The exterior finishes are more than 30 years old, have faded and are in need of weatherproofing and refinishing. The work specified in this contract will remove all deteriorated finishes, repair any cracks and provide a new weather-tight finish to provide years of protection from the elements. This work was competitively bid with Advanced Painting Contractors, Inc. submitting the lowest responsive bid. Advanced Painting Contractors, Inc. is not an SBE, but is a Palm Beach County business. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% and this contract has 0% SBE participation. Funding source for this work is Ad Valorem. The total construction duration is 180 days. (Capital Improvements Division) District 7 (LDC)

3. Staff recommends motion to approve:

A) annual contract for HVAC with Cedar Electro-Mechanical, Inc., through January 12, 2019; and

B) increase in the maximum dollar value of the HVAC annual contracts by \$2,000,000 for a total cumulative value of \$8,500,000 for HVAC repair and/or replacement services on a continuing contract basis.

SUMMARY: On January 13, 2015, the Board initially approved the annual HVAC contract for an initial term of one year, with four renewal options each for a period of one year, at the sole option of the County. This contractor now joins the list of five already prequalified contractors for a total of six. Firms may become pre-qualified and join the bidding pool at any time during the term or renewals. These are indefinite-quantity contracts with a cumulative maximum value of \$6,500,000 across all pre-qualified contractors. Staff is also requesting the cumulative value limit be increased by \$2,000,000 for a total cumulative value of \$8,500,000 in order to accommodate the current and anticipated new projects required to be completed. The work consists of HVAC services associated with repairs, improvements and renovations to County properties. Work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of six pre-qualified contractors. Since the beginning of this annual contract, the County awarded \$6,015,465 in work orders. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. Cedar Electro-Mechanical, Inc. is an SBE, as well as a Palm Beach County business. SBE actual participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative SBE participation for all work orders to-date is 65.08%. (Capital Improvements) Countywide (LDC)

4. Staff recommends motion to approve: Utility Easement Agreement (Easement) in favor of Florida Power and Light Company (FPL) for underground electrical services and an above ground pad-mounted transformer to service Acreage Community Park South (Park). **SUMMARY:** The Park is located at 140th Avenue North in the Acreage. Indian Trail Improvement District is currently constructing additional improvements within the Park and FPL service is required. An easement in favor of FPL will be granted for underground electric services and a pad-mounted transformer. The easement area is approximately 10 to 15 feet in width by 105 feet in length, containing approximately 1,128 square feet (0.03 acres). The Easement is being granted at no charge, as the improvements will only service the Park. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to:

A) accept Quit Claim Deed from the City of Delray Beach (City) for the western portion of NW 1st Street road right-of-way recently abandoned by the City;

B) approve Plat of Palm Tran South County Facility (Plat) which combines three County-owned parcels and the abandoned right-of-way;

C) approve easement in favor of the Lake Worth Drainage District (LWDD) for the right-of-way gap created by the road abandonment of the western portion of NW 1st Street;

D) approve first amendment to easement with the LWDD to extinguish any County obligation to maintain any improvements pursuant to the Encroachment License Agreement; and

E) approve Termination of Encroachment License Agreement with the LWDD.

SUMMARY: Palm Tran is in the process of expanding its South County Facility (Facility) located at 100 North Congress Avenue in Delray Beach which includes the addition of employee and bus parking areas and expansion of the existing maintenance and administration facilities. This development requires re-platting the Facility to include the recently abandoned western portion of road right-of-way for NW 1st Street and two adjacent County-owned parcels to create one legal lot of record. The City is conveying the abandoned right-of-way to the County by Quit Claim Deed. A small portion of the County property is being dedicated by the Plat to the City for NW 1st Street right-of-way. The Plat also dedicates to the City a waterline easement across a small sliver of the County property for a water main. The LWDD E-4 canal right-of-way is located within the western boundary of the Facility. The abandonment of the road right-of-way creates a gap within LWDD's canal right-of-way and restricts LWDD's access to its E-4 canal. The County will grant LWDD an exclusive easement to close the gap created by the abandonment, together with a non-exclusive access easement from the road right-of-way to the LWDD right-of-way. As a part of the plat review process, LWDD has requested that the County terminate an existing Encroachment License Agreement (R96-1304D) between the County and LWDD in order to convert the County's berm and landscaping use of the right-of-way to a right-of-way permit. A 56 foot wide E-4 canal right-of-way easement located within the western portion of the Facility which was granted to LWDD by the County in 1996 (R96-1303D) is being amended to release the County's maintenance obligations. The Encroachment License Agreement is being terminated. The County will sign the Plat as the property owner. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: reimbursement to the Town of Lake Park in an amount not to exceed \$63,701.47 for the Lake Shore Park and Kelsey Park project. **SUMMARY:** On March 22, 2016, the County entered into an Agreement (R2016-0350) with the Town of Lake Park (Town) for a grant of \$437,555 in Community Development Block Grant (CDBG) funds for improvements to Lake Shore Park and Kelsey Park. Amendment 001 (R2017-0065), dated January 10, 2017, added \$197,132 in CDBG funds to the project for a total amount of \$634,687. Amendment 002 (R2017-1479), dated October 3, 2017, extended the project completion date to February 28, 2018. The project entails numerous improvements to both Lake Shore Park and Kelsey Park. The work was substantially completed before the expiration of the Agreement, but the final payment could not be made to the contractor by the Town in accordance with the Agreement until the contractor completed his compliance with the Federal mandated Davis-Bacon Act relating to the payment of wages to workers on the project. The project also experienced quality control issues that needed to be addressed before the Town would issue final payment to the contractor. Davis-Bacon Act requirements have been addressed and the Town and contractor have settled the quality control issues. Per the Town, they will process the final payment to the contractor in the amount of \$63,701.47 contingent upon being reimbursed those funds from the County. Upon the Board's approval of this Agenda Item and receipt of final documentation of the payment to the contractor, staff will reimburse the Town the \$63,701.47. **These are Federal CDBG funds which require no local match.** District 7 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file: the following Terminations of Removal Agreements (Agreement(s)) received during the months of March and May 2018.

A) two unrecorded Agreements received during the month of March 2018

4533 Kelmar Drive, LLC, owners of property located at 4533 Kelmar Drive, West Palm Beach, Florida 33415, PCN 00-42-44-12-05-000-0030.

4533 Kelmar Drive, LLC, owners of property located at 4521 Kelmar Drive, West Palm Beach, Florida 33415, PCN 00-42-44-12-05-000-0010;

B) one recorded Agreement received during the month of March 2018

BW 10th Military Trail, LLC, owners of property located at 4468 10th Avenue North, Palm Springs, Florida 33461, recorded in Official Record Book 29726, Page 0238 on March 21, 2018; and

C) one recorded Agreement received during the month of May 2018

Rex & Rex Unlimited, Inc., owners of property located at 3615 Northlake Blvd, West Palm Beach, Florida, 33410, PCN 00-43-42-18-00-000-7530, recorded in Official Record Book 29865, Page 453 on May 21, 2018.

SUMMARY: The listed property owners entered into the Agreements for future right of way or other easements within the County and have decided to terminate them. The Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Planning, Zoning & Building Department in accordance with Resolution 2015-1863, and are now being submitted to the Board to receive and file. 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. Countywide (AH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: reappointment of the following individuals to the Historic Resources Review Board (HRRB).

<u>Re-appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Helen Vogt Greene	2	Interested in History	11/20/18-11/15/21	Mayor McKinlay Vice Mayor Bernard Commissioner Abrams Commissioner Kerner Commissioner Valeche
Amy Alvarez	3	Historic Preservation Planner	11/20/18-11/15/21	Mayor McKinlay Vice Mayor Bernard Commissioner Abrams Commissioner Kerner Commissioner Valeche
Clifford Brown	5	Archaeologist	11/20/18-11/15/21	Mayor McKinlay Vice Mayor Bernard Commissioner Abrams Commissioner Kerner Commissioner Valeche
Steve Weeks	8	Interested in History	11/20/18-11/15/21	Mayor McKinlay Vice Mayor Bernard Commissioner Abrams Commissioner Kerner Commissioner Valeche

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 for each member is three years. HRRB seats are at-large positions to be appointed by the Board of County Commissioners (Board). On October 3, 2018, a memorandum and applications were sent to the Board informing them of the vacancies and requesting nominations, five responses were received. The HRRB has a membership of nine seats with seven currently filled and a diversity count of Caucasian: 6 (90%) and Hispanic: 1 (10%). The gender ratio (male: female) is 3:4. The nominees are two Caucasian males and two Caucasian females. Staff will continue to address the need to increase diversity on our boards. Unincorporated (RPB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve Contract for Consulting/Professional Services (Contract) with the Florida Fish and Wildlife Conservation Commission (FWC) for an amount not to exceed \$117,336, commencing upon execution and expiring July 29, 2021; and

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

SUMMARY: The Contract authorizes FWC to provide fisheries monitoring in the Lake Worth Lagoon (LWL) and compare fisheries presence, utilization and recruitment between the County's central LWL restoration projects and the seagrass habitats of the north Lagoon as part of monitoring efforts described in the LWL Management Plan. The monitoring project is funded by Vessel Registration Fees. Districts 1, 3 & 7 (AH)

2. Staff recommends motion to:

A) approve Agreement No. 18105 with the Florida Fish and Wildlife Conservation Commission (FWC) to provide up to \$60,000 of State funding (CSFA 77-007) for the construction of the Juno Mid-Depth Artificial Reef (Project), expiring August 31, 2019;

B) adopt resolution authorizing the Clerk of the Court to disburse \$70,000 from the Vessel Registration Fee Trust Fund to provide matching funding for the project, including \$10,000 for contingencies;

C) approve budget amendment of \$60,000 in the Environmental Enhancement Saltwater Fund, and a transfer from Reserves of \$70,000 for a total of \$130,000 in funding for the Project; and

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

SUMMARY: The Agreement reimburses the County up to \$60,000 for the placement of a minimum of 635 tons of limestone boulders at Juno Mid-Depth Artificial Reef Site. The estimated total project cost is \$130,000. The resolution and budget transfer from County Vessel Registration Fees, a non-ad valorem source, will cover the County's 50% match of \$60,000 with an additional \$10,000 contingency. District 1 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) receive and file Supplement Number 0003 to Grant and Cooperative Agreement L16AC00163 (Agreement) (R2016-1779) with the U.S. Bureau of Land Management (BLM) to continue supporting habitat management and restoration, biological monitoring, facilities maintenance, public outreach/education, and increase funding in the amount of \$48,000; and

B) approve upward budget amendment of \$48,000 to recognize the funding received from BLM for FY 2018.

SUMMARY: On December 6, 2016, the Board of County Commissioners (BCC) approved the BLM Agreement and Supplement Number 0001 (R2016-1780) for contracted services at the Jupiter Inlet Lighthouse Outstanding Natural Area (JILONA). On October 17, 2017, Supplement Number 0002 (R2017-1594) was approved by the BCC for additional funds in the amount of \$60,000 to support habitat management and restoration, biological monitoring, facilities maintenance, and public outreach/education at JILONA for the period of July 21, 2016 through September 30, 2021. The Catalog of Federal Domestic Assistance (CFDA) number for the BLM is CFDA15.231. On August 2, 2018, the BCC approved this Agreement with BLM. 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. District 1 (AH)

4. Staff recommends motion to:

A) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. AB009 (Agreement) with the FDEP to receive reimbursement for the cost of cleanup of dead fish and marine life washing up on County beaches as a result of red tide (marine debris) for an amount not to exceed \$500,000 beginning on October 4, 2018 and expiring December 1, 2018;

B) approve budget amendment of \$500,000 in the General Fund (0001) to recognize the revenue award from the FDEP Agreement;

C) adopt resolution approving a standard form Interlocal Agreement for the dispersal of grant funds for the cleanup of red tide marine debris and authorizing the County Administrator, or designee, to execute the standard form Interlocal Agreement; and

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

SUMMARY: On October 4, 2018, Governor Rick Scott issued Emergency Order 18-275 to help address the red tide algal bloom in five counties including Palm Beach. As a result, FDEP provided grant funds to the County for the reimbursement of costs associated with the clean up of red tide marine debris. The County will disperse grant funds to County municipalities incurring clean up costs by using standard form Interlocal Agreements. Municipalities shall submit final invoice(s) no later than December 11, 2018 to the County. The resolution also authorizes the County Administrator, or designee, to sign extensions and minor amendments to the Interlocal Agreements. **No County match is required.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) ratify the Mayor's signature on State Financial Assistance Recipient Agreement 025519 and the Annual Certified Budget for Mosquito Control with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during contract period October 1, 2018 through September 30, 2019, for an amount not to exceed \$41,645.44;

B) approve downward budget amendment of \$10,921 in the State Mosquito Fund to align the budget to the awarded amount; and

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

SUMMARY: The Agreement provides Arthropod Control State Aid of up to \$41,645.44 in quarterly installments with monthly reporting requirements regarding mosquito control activities. The FDACS Agreement and Form 13617 Certified Budget needed to be signed and delivered to Tallahassee no later than October 1, 2018. **A 25% County match is required.** Countywide (AH)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following executed Amphitheater Rental Agreements between Palm Beach County and

A) Music Jam Productions, LLC, Southern Jam, Sunset Cove Amphitheater, on January 30, 2016 and

B) Grand Slam Events, LLC, Jupiter Seafood Festival, Seabreeze Amphitheater, for the period February 20, 2016, through February 22, 2016 and

C) The Alliance for Eating Disorders Awareness Inc., Celebrating Everybody: 5th Annual Walk for Eating Disorders, Sunset Cove Amphitheater, on February 27, 2016.

SUMMARY: These Amphitheater Rental Agreements were fully executed in 2016 on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. Due to staff processing issues, these agreements were not previously submitted to the Board to receive and file. The Department has modified its process to address this issue and is now submitting the agreements to the Board in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements to be submitted by the initiating Department as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

2. Staff recommends motion to receive and file: the following executed Entertainment Contractor Agreements between Palm Beach County and

A) Steven Vincent Cluthe, Family Night with Food Truck Invasion, Sunset Cove Amphitheater, on May 4, 2016 and

B) Chase Stites, Family Night with Food Truck Invasion, Sunset Cove Amphitheater, on May 18, 2016 and

C) Jeannine Tilford, Casey Raines Band, Canyon Amphitheater, on May 21, 2016.

SUMMARY: These Entertainment Contractor Agreements were fully executed in 2016 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, 2014-0168, and 2017-1367. Due to staff processing issues, these agreements were not previously submitted to the Board to receive and file. The Department has modified its process to address this issue and is now submitting the agreements to the Board in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements to be submitted by the initiating Department as a receive and file agenda item. Districts 3 & 5 (AH)

3. Staff recommends motion to receive and file: the following executed Sound and Light Production Services Contractor Agreements between Palm Beach County and

A) Blackwood Productions, LLC, Southern Jam concert, Sunset Cove Amphitheater, on January 29, 2016 and

B) Blackwood Productions, LLC, Southern Jam concert, Sunset Cove Amphitheater, for the period January 30, 2016, through January 31, 2016, and

C) Blackwood Productions, LLC, Navy Band Southeast Wind Ensemble, Sunset Cove Amphitheater on May 1, 2016.

SUMMARY: These Sound and Light Production Services Contractor Agreements were fully executed in 2016 on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, and 2017-1368 and 2018-0179. Due to staff processing issues, these agreements were not previously submitted to the Board to receive and file. The Department has modified its process to address this issue and is now submitting the agreements to the Board in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements to be submitted by the initiating Department as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file:

A) two Grant Adjustment Notices (GANs) from the Federal Fiscal Year 2017 (County FY18) Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) Program grant 2017-JAGC-PALM-4F9-226 for GAN 2 to change the project director and GAN 3 to extend the grant period from September 30, 2018 to March 31, 2019; and

B) GAN 4 for the MacArthur Safety and Justice Challenge Grant to adjust the budget and extend the grant period from November 30, 2018 to May 31, 2019.

SUMMARY: Grant 2017-JAGC-PALM-4-F9-226 was awarded by FDLE in the amount of \$56,000 to the PalmFUSE Project on October 6, 2017. GAN 2 of this grant changes the project director due to a reassignment of CJC staff and GAN 3 extends the grant period to expend remaining funds of \$41,011. Grant G-1601-150543 was awarded by the MacArthur Foundation on March 1, 2016 to continue Palm Beach County's planning efforts toward full implementation of the Safety and Justice Challenge (SJC). GAN 4 readjusts the budget to fund the Clerk of Court's case management vendor in the amount of \$29,430 to build a data extraction and file transfer protocol to send to a vendor for text court reminders. These GANs 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 R2017-1741 and R2016-0577 respectively. **No County matching funds are required for these grants.** Countywide (DC)

2. Staff recommends motion to:

A) ratify the Mayor's signature on a grant application to the John D. and Catherine T. MacArthur Foundation in the amount of \$337,000 for a two-year period for community engagement around the local criminal justice system; and

B) authorize the County Administrator, or designee, to execute the award and any amendments relating to this agreement on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: Palm Beach County was awarded \$2,000,000 from the John D. and Catherine T. MacArthur Foundation (Foundation) on October 2, 2017 as an implementation site in the Foundation's Safety and Justice Challenge (SJC). The goal of the SJC is to safely reduce Palm Beach County's jail population of 2,210 by 16.7% by September 30, 2019 through five main and two supportive strategies which have been identified and are being implemented by our SJC Core Team of stakeholders. A key component of these strategies is ongoing and meaningful community engagement around our reform efforts to facilitate interactions intended to align our common goals and create a more equitable justice system. This grant application is for a supplemental funding opportunity from the Foundation for enhanced community engagement. The emergency procedure, pursuant to Palm Beach County Administrative Code, Section 309, was used because of the limited time for submission of the grant application following the funding announcement. **No County matching funds are required.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to approve: reappointment of the following individuals to the Criminal Justice Commission for the period January 1, 2019 to December 31, 2021.

<u>Re-Appoint Nominee</u>	<u>Seat No.</u>	<u>Term to Expire</u>	<u>Nominated By:</u>
Mr. Barry Krischer	24	12/31/18	Economic Council
Ms. Christina Morrison	26	12/31/18	Economic Council
Mr. Joseph Ianno, Jr.	27	12/31/18	Economic Council
Mr. Gerald Richman	28	12/31/18	Economic Council
Mr. Randolph Johnson, Sr.	31	12/31/18	Economic Council
Rev. Kevin L. Jones	22	12/31/18	Criminal Justice Commission

SUMMARY: The Criminal Justice Commission (CJC) is comprised of 32 members including elected officials and representatives from the private and public sectors. Ten private sector members are nominated for three-year terms by the Economic Council of Palm Beach County, Inc. (Council), and appointed by the Board of County Commissioners (Board). One private sector member representing the clergy is nominated for a three-year term by the CJC and appointed by the Board. The Council nominated Barry Krischer and Christina Morrison for their third term and Joseph Ianno, Jr., Gerald Richman and Randolph Johnson, Sr., for their second term, all effective January 1, 2019. The CJC voted unanimously on September 24, 2018 to nominate Kevin L. Jones for a second term to represent the clergy, effective January 1, 2019. The current diversity make up consists of 21 males (15 Caucasians, 6 African-Americans) and 11 females (10 Caucasians and 1 African-American). Countywide (DC)

4. Staff recommends motion to receive and file: award letter from the U.S. Department of Justice (DOJ), Edward Byrne Memorial, Justice Assistance Grant, Local Solicitation, grant number 2018-DJ-BX-0606 in the amount of \$147,611 to fund the Palm Beach County Reentry Program for the period October 1, 2018 through September 30, 2019. **SUMMARY:** Palm Beach County was allocated \$147,611 in Federal FY18 (County FY19) funds as part of the Edward Byrne Memorial Justice Assistance Grant Program. The Criminal Justice Commission (CJC) approved recommendations made by the CJC's Finance Committee to allocate these funds to the existing Reentry Program created by the CJC and now operating under the County's Public Safety Department. This program provides transitional services to juveniles and adults reentering society from jail and prison. This grant was awarded on October 1, 2018 and accepted on October 10, 2018 by Kristina Henson, Executive Director of the CJC, in accordance with approval granted on August 14, 2018 in Board Agenda Item 3Q-3. **No local match is required for this grant.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to:

A) accept U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA), FY 2017 Assistance to Firefighters Grant (AFG), Agreement No. EMW-2017-FO-03782, award in the amount of \$98,807 for the purchase of 149 single gas monitors for the period of August 27, 2018 through August 26, 2019;

B) approve budget amendment of \$98,807 within the Fire/Rescue MSTU Fund to recognize the grant award, establish a budget for the approved grant and transfer \$9,880 from contingency reserves for Fire Rescue's matching requirement; and

C) authorize County Administrator, or designee, 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 March 13, 2018, the Board ratified a grant application (R2018-0310) requesting \$98,807 to purchase single gas monitors. The application included the required match of \$9,880. On September 28, 2018, the County received notification of the grant award from FEMA. This grant award in the amount of \$98,807 plus the required matching funds of \$9,880 (10% of the federal award amount) from the Fire Rescue's Main MSTU contingency reserves equal a total grant project cost of \$108,687, and will be used to purchase 149 single 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)

2. Staff recommends motion to approve:

A) Interlocal Agreement for Fire Hydrant Maintenance and Rental with the City of Riviera Beach Utility Special District for a term beginning on November 20, 2018 for a period of ten years;

B) budget transfer of \$9,541 within the Fire/Rescue MSTU (Fund 1300) to increase budget in the MSBU-Hydrant Rental-Riviera Beach (Fund 1306) to fund FY 2019 hydrant rental payments;

C) budget amendment of \$9,541 in the MSBU-Hydrant Rental-Riviera Beach (Fund 1306) to recognize the revenue from the Fire/Rescue MSTU (Fund 1300) and to increase budget to fund hydrant rental payments for FY 2019; and

D) budget transfer of \$14,127 within the MSBU-Hydrant Rental-Riviera Beach (Fund 1306) from Operating Reserves to Rent to fund FY 2019 hydrant rental payments.

SUMMARY: This agreement formalizes the County's rental and use of 89 fire hydrants in certain unincorporated areas that receive fire rescue services from the County and water utility services from the City of Riviera Beach's Utility Special District (District), which owns and maintains the hydrants. This agreement provides for the District to maintain the hydrants and establishes the monthly fee to be paid by the County. The two budget transfers and the budget amendment are necessary to fund this agreement. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve Interlocal Agreement for Civil Drug Court with the City of Riviera Beach for the period retroactive to October 1, 2018 through September 30, 2021, in the amount of \$401,700 to provide support to the Civil Drug Court and substance abuse treatment services; and

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

SUMMARY: The Civil Drug Court program, located in the City of Riviera Beach, provides case management services and contracts for residential and outpatient substance abuse services arising from court ordered treatment for indigent clients throughout the county. This Interlocal Agreement will provide funding to the City of Riviera Beach to continue to operate the Civil Drug Court program. The agreement was presented and approved by the City of Riviera Beach at their September 19, 2018 board meeting. Due to the time lapse in receiving the original agreement back, the agreement is now going before the Board of County Commissioners on this date retroactive to October 1, 2018. Countywide (LDC)

2. Staff recommends motion to receive and file: the following Project Budget Adjustments for ex-offender reentry services:

A) Fourth Project Budget Adjustment, Contract #R2017-1387 (Gulfstream Goodwill Industries, Inc.- Adult Reentry);

B) Fifth Project Budget Adjustment, Contract #R2017-1389 (Gulfstream Goodwill Industries Inc. - Juvenile Reentry);

SUMMARY: Palm Beach County Division of Justice Services subcontracts with reentry providers to coordinate adult and juvenile reentry services to those returning to Palm Beach County from incarceration. Reentry services are customized to each individual's unique needs. On September 12, 2017, the Board of County Commissioners authorized the County Administrator, or designee, to execute amendments and administrative documents associated with contracts R2017-1387 (Gulfstream Goodwill-Adult) and R2017-1389 (Gulfstream Goodwill-Juvenile) on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Project Budget Adjustments were executed by the County Administrator on September 19, 2018. The fourth adjustment to the adult contract with Gulfstream Goodwill Industries, Inc. reallocates funding from travel, communications and supplies to client support services and adds updated County required language related to the termination, criminal history records checks and scrutinized companies articles. The fifth adjustment to the Juvenile contract with Gulfstream Goodwill Industries, Inc. reduces the contract amount by \$13,644 from \$374,745 to \$361,101 based on the reduction in Department of Justice, Justice Assistance Grant Funding, adjusts the unit cost rate for follow-up services and adds updated County required language related to the termination, criminal history records checks and scrutinized companies articles. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) receive and file executed State-Funded Grant Agreement for Hazardous Materials Planning and Prevention Program (19-CP-11-10-60-01-154) with the State of Florida, Division of Emergency Management (FDEM) for the period of July 1, 2018 through June 30, 2019, in the amount of \$21,827; and

B) approve budget amendment of \$4,310 in the Emergency Management Grant Fund to adjust the budget to the actual grant award.

SUMMARY: This is an annual grant (CSFA # 31.067) from FDEM to conduct on-site visits and hazardous materials analyses at facilities within Palm Beach County known to have extremely hazardous substances designated by the U.S. Environmental Protection Agency. These assessments are required for compliance with the Emergency Planning and Community Right-To-Know Act, also known as the Superfund Amendments and Reauthorization Act. R2012-1731 authorized the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **No matching funds are required.** Countywide (LDC)

4. Staff recommends motion to receive and file: the following executed second amendments to Contracts for Professional Services for drug treatment for individuals referred by the Adult Drug Court:

1) Center for Family Services of Palm Beach County, Inc. (R2015-1662) increasing the contract by \$15,000 for a new total not-to-exceed contract amount of \$164,390; and

2) South County Mental Health Center, Inc. (R2015-1664) increasing the contract by \$12,000 for a new total not-to-exceed contract amount of \$89,500 and extending the project period to May 31, 2019.

SUMMARY: These amendments will allow for a change in the budget schedule in areas of the Drug Court program that are in need of additional drug treatment. Treatment services have been utilized more at the Center for Family Services of Palm Beach County, Inc. in the last two months of the 2018 fiscal year. Psychological services for dual diagnosed individuals enrolled at South County Mental Health Center, Inc. by the Adult drug court program during this fiscal year are needed throughout May 2019, to ensure continuity of treatment services for these individuals while services are transitioned to another vendor. In order to meet these needs, amendments to increase the South County Mental Health Center, Inc. contract by \$12,000 and the Center for Family Services of Palm Beach County, Inc. contract by \$15,000 are needed. Funds are available from the drug court program. These amendments were executed by the Director of Purchasing after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations because there was not sufficient time to submit through the regular agenda item process. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

A) receive and file executed subcontract (#18SAS26) with the Florida Council Against Sexual Violence (FCASV) for the period of August 1, 2018 through July 30, 2021 in the amount of \$152,345 for the first year to provide sexual assault services;

B) approve addition of two full-time Victim Advocates to the Victim Services complement; and

C) approve budget amendment of \$152,345 in the Public Safety Grants Fund to recognize the grant award.

SUMMARY: Palm Beach County Victim Services was awarded a Sexual Assault Services Program (SASP) Formula Grant (CFDA#16.017) from the FCASV in the amount of \$152,345 for the first year of a three-year funding cycle ending in July of 2021. The grant year started August 1, 2018, however the contract could not be executed until October 12, 2018, due to a delay by the funder in the approval of the deliverables. This funding defines tasks and deliverables such as client eligibility, services including a 24-hour helpline, information and referral, crisis intervention, advocacy and accompaniment, community awareness, system coordination, support groups, therapy, and documentation thereof. This grant will expand advocacy services to include collateral victims, and increase awareness and accessibility of victim services within the lesbian, gay, bisexual, and transgender communities, psychoeducational groups, and community awareness. The two Victim Advocate positions (pay grade 25) will be approved for the length of the grant funding and will be eliminated when the funding is discontinued. R2006-0095 authorizes the County Administrator, or designee, to execute FCASV grant contracts on behalf of the County. **No County matching funds are required for this grant.** Countywide (LDC)

6. Staff recommends motion to receive and file: Victim of Crime Act (VOCA) FY2018/2019 grant agreement o-00269 with the State of Florida, Department of Legal Affairs, Office of the Attorney General for the period October 1, 2018 through September 30, 2019, to receive grant funding in the amount of \$405,863 to provide victim advocacy and therapy services. **SUMMARY:** The VOCA FY2018/2019 grant (CFDA 16.575) agreement provides funding to retain five full-time Victim Advocate positions (pay grade 25) who assist Palm Beach County victims of crime with advocacy services such as crisis counseling, personal advocacy, court accompaniment, assistance with applying for Victims Compensation, information and referral, emergency legal advocacy, and safety planning. If VOCA grant funding ceases, the positions will be deleted from the Victim Services complement. The grant also includes \$62,000 for operating expenses including contractual therapy services and training. R2006-0099 authorized the County Administrator, or designee, to execute operational agreements with the State of Florida, Office of the Attorney General, Bureau of Advocacy and Grant Management on behalf of the Palm Beach County Board of County Commissioners. **County cash or in-kind matching funds of \$101,466 (20%) are required and included in the FY 2019 budget.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

7. Staff recommends motion to receive and file: following amendment to the City of Boynton Beach's Interlocal Agreement to provide temporary medical staff at disaster shelters located in their municipal boundaries for the duration of the shelters activation. **SUMMARY:** Currently, there are 15 emergency shelters. Eight of the emergency shelters are located in the unincorporated areas of the County. The remaining seven are located within municipal jurisdictions. On May 1, 2018 and September 18, 2018, seven executed Interlocal Agreements to provide temporary medical staff at disaster shelters were received and filed with the County. The original Interlocal Agreements, under paragraph 2 of Article 4 titled, "Shelter Staff Requirements" initially did not express the cooperation between the shelter staff and the Emergency Medical Services (EMS) staff. Therefore, this amendment is necessary to outline the cooperation and clearly identify a medical treatment area to support EMS operations. The City of Boynton Beach is currently the second of seven municipal EMS agencies (City of Delray Beach being the other) to include this revised language in the Interlocal Agreement. On September 12, 2017, the Board of County Commissioners approved the County Administrator, or designee, to execute these standard Interlocal Agreements and make minor administrative changes when needed between the County and the various governmental agencies on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office. Countywide (LDC)

8. Staff recommends motion to:

A) approve contract for consulting/professional services with Drug Abuse Foundation of Palm Beach County, Inc. for a total not-to-exceed amount of \$528,396 to provide drug abuse and psychiatric treatment for the Adult Drug Court for the period retroactive to October 1, 2018 through September 30, 2021;

B) approve contract for consulting/professional services with Counseling Services of Lake Worth, Inc. for a total not-to-exceed amount of \$300,084 to provide substance abuse treatment for individuals referred by the Adult Court 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 services to co-occurring individuals referred by the Adult Drug Court. These contracts will provide substance abuse treatment to the participants in the Adult Drug Court. There is funding available from the Drug Abuse Trust Fund, Crime Prevention Trust Fund, user fees, and ad valorem funds to fund the drug testing and drug treatment contracts. These contracts will be funded by the Drug Abuse Trust Fund and ad valorem funds. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

9. Staff recommends motion to:

A) approve grant agreement with Florida Power & Light Company (FPL) to receive \$250,000 for the Radiological Emergency Preparedness (REP) Program of the Division of Emergency Management for the period retroactive to October 1, 2018 through September 30, 2020;

B) approve budget amendment of \$25,000 in the Radiological Emergency Preparedness Grant Fund to increase the budget to reflect funding for FY 2019; and

C) authorize the County Administrator, or designee, to execute future grant agreements with FPL.

SUMMARY: Florida Power & Light Company will provide Palm Beach County \$250,000 over two years, for the Palm Beach County Division of Emergency Management REP Program, in accordance with U.S. Nuclear Regulatory Commission Provision 10 CFR Parts 50 and 70, NRC guidance documents NUREG 0654 and Florida Statutes 252. The FPL Grant will continue to fund an Emergency Management Specialist II position (pay grade 38) that oversees the REP program which includes planning, training, and exercise drills. The agreement is eligible for renegotiation every two years. **No County match is required.** Countywide (LDC)

10. Staff recommends motion to:

A) accept Urban Area Security Initiative GY 2017 – Award Letter;

B) receive and file Memorandum of Agreement Urban Area Security Initiative (UASI) FY 2017 agreement number 18-DS-X3-11-23-02-376 with the City of Miami to receive \$126,117.26 in reimbursable grant funding for the period September 12, 2018 through June 30, 2019; and

C) approve budget amendment of \$93,067 in the Urban Areas Security Initiative Grant Fund to increase the budget to the actual grant award.

SUMMARY: This agreement (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. The UASI awarded \$126,117.26 to the County, which will be used to fund jurisdictional fire, health, emergency management and other approved anti-terrorism activities. R2013-0622 gave the authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commission. **No County matching funds are required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

11. Staff recommends motion to approve: one “At Large” appointment to the Emergency Medical Services Advisory Council (EMS Council) for the term from November 20, 2018 through September 30, 2021.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Collette Cattafi	2	ER Nurses Forum	PBC ER Nurses Forum

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. The previous nominee for this seat has resigned and a letter was sent to the Palm Beach County ER Nurses Forum for a new nominee. The one nominee is a Caucasian female. With the appointment to this seat, the EMS Council will have 18 seats filled. The EMS Council will have a diversity count as follows: African American: 3 (16%) and Caucasian: 15 (83%). The gender ratio (male: female) will be 11:7. Countywide (LDC)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Afterschool Arts Outreach 2018/2020 Agreement with Norton Museum of Art, Inc. (Agreement) for the period beginning October 1, 2018 through September 30, 2020, to continue providing afterschool arts community education to economically and academically challenged youth attending the Highridge Family Center (Highridge) at no additional cost to the County. **SUMMARY:** The Highridge Family Center has been selected again by the Norton Museum of Art, Inc. (Norton) to participate in Norton’s Afterschool Arts Outreach Program (Program). The Program provides significant year-round exposure to art with free weekly art classes to youth by a local professional artist fostering creativity and critical thinking skills for underserved youth in a supportive environment. Additionally, the Program includes a biennial multi-site expanded summer collaborative, next offered in 2019. There are no additional costs associated with this Agreement. On March 12, 2013, Agenda Item No. 3X-1 authorized the County Administrator, or designee, to execute future agreements/amendments with Norton for the educational art classes/programs at Highridge on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney’s Office. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to receive and file: Grant Modification to a Letter of Donation from the Palm Beach County Police Athletic League (PAL), Inc. to extend the grant period from September 30, 2018 to October 31, 2018. **SUMMARY:** On March 14, 2017, the Palm Beach County Board of County Commissioners (BOCC) accepted this donation for \$44,000 (R-2017-MB/SA 6-0). The donation provides funding for the first year salary of a Recreation Specialist who will be assigned to the Westgate Community Center where PAL will be collaborating with Palm Beach County Parks and Recreation to provide recreational and educational programming at the Westgate Gymnasium. On August 15, 2017, the BOCC approved an extension through September 30, 2018 (R-2017-1090). This agenda item will provide a (1) month extension through October 31, 2018 to fully expend the funds. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) receive and file Grant Modification 2, dated August 29, 2018, with the Office of National Drug Control Policy to provide an additional \$18,704 in grant funds for the Palm Beach County Narcotics Task Force; and

B) approve budget amendment of \$18,704 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners (BOCC) accepted this grant award for \$47,639 on April 10, 2018 (R2018-0593). The BOCC accepted grant modification #1 award on July 10, 2018 (R2018-1051) which provided \$88,473 in additional grant funding. This Grant Modification #2 will provide an additional \$18,704 in reimbursable funding. There is **no match requirement** associated with this award. Countywide (LDC)

DD. INSPECTOR GENERAL

1. Staff recommends motion to approve: Interagency Agreement (IA) between the Palm Beach County Sheriff Office (PBSO) and The Inspector General Office (OIG) for access to the Florida Crime Information Center (FCIC) and state/national criminal justice information for the administration of criminal justice. **SUMMARY:** Under this IA the PBSO will provide access to the FCIC to the OIG. In exchange for access to the FCIC, the OIG has agreed to comply with the U.S Department of Justice, FBI Criminal Justice Information Services (CJIS) Security Policy. The Investigations unit uses this information for additional information when needed as cases are investigated. It may sometimes be used to get additional information to protect the investigators during field work when working on an investigation. Countywide (DB)

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

A. FIRE RESCUE

1. Staff recommends motion to adopt: resolution of the Board of County Commissioners of Palm Beach County, Florida, declaring its intent and election to use the uniform method for the levy, collection and enforcement of non-ad valorem assessments for the special assessment authorized within the amended, updated and restated boundaries of the County Municipal Service Benefit Unit (MSBU) for Fire Hydrant Maintenance and Rental - Riviera Beach, commencing with tax year 2019 and for each year thereafter; stating the need for the levy; providing the legal description of the area subject to the levy; providing for no effect on the MSBU - Boca Raton; providing for copies of the resolution to be mailed to the Property Appraiser, the Tax Collector and the Department of Revenue; providing for an effective date. **SUMMARY:** On October 16, 2018, the Board adopted Ordinance 2018-020 which amended the boundaries of the Municipal Service Benefit Unit for Fire Hydrant Maintenance and Rental – Riviera Beach to add 141 parcels that had inadvertently been omitted, and updated and restated the boundaries of the entire MSBU-Riviera Beach. Due to the amended, updated and restated boundaries, this resolution is necessary for the Board to continue to use the uniform method to levy and collect on the tax bill the non-ad valorem assessment within the Municipal Service Benefit Unit for Fire Hydrant Maintenance and Rental – Riviera Beach (MSBU-Riviera Beach). This public hearing and the Board’s intent to use the uniform method to collect this non-ad valorem assessment on the tax bill within the amended, updated and restated boundaries of the MSBU-Riviera Beach, was advertised weekly in the Palm Beach Post for four consecutive weeks preceding this public hearing, as required by Section 197.3632, Florida Statutes. District 7 (SB)

B. PALM TRAN

1. Staff recommends motion to:
 - A) **approve** filing of the Federal Transit Administration (FTA) Grant Application 1098-2018-5 for capital funds allocated to Palm Beach County in the amount of \$600,000. This is a cost reimbursable agreement and has an anticipated start date of April 30, 2019 and an anticipated end date of April 10, 2023;
 - B) **approve** filing of Standard Form LLL - Disclosure of Lobbying Activities; and
 - C) **authorize** the County Administrator, or designee, to electronically submit and execute on behalf of the BCC, and to transmit electronically the BCC’s approval of the Grant Applications, awards, and the resulting grant agreements.

SUMMARY: On July 20, 2017, the Palm Beach Transportation Planning Agency adopted the Fiscal Years 2019-2023 Transportation Improvement Program, which identifies transportation priorities for the County. Included in these priorities are \$600,000 for Palm Tran Bus Shelter Replacement/Expansion Project. Those funds are now available to be awarded through the Federal Transit Administration (FTA). This application has a match requirement of \$150,000 or 20% of the total award. The source of the matching funds are Toll Revenue Credits provided by the Florida Department of Transportation. Execution of the FTA award represents the County’s legal affirmation to adhere to FTA and other federal requirements as described in the Master Agreement FTA MA (24) dated October 1, 2017, approved by the Board on April 10, 2018 under item 3-AA1. **No County funds are required.** Countywide (DR)

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

B. PALM TRAN (Cont'd)

2. Staff recommends motion to:

A) approve filing of the Federal Transit Administration (FTA) Grant Application 1098-2017-1 for capital funds allocated to Palm Beach County in the amount of \$1,500,000 with an anticipated start date of January 2, 2019 and an anticipated end date of April 10, 2022;

B) approve filing of Standard Form LLL - Disclosure of Lobbying Activities; and

C) authorize the County Administrator, or designee, to electronically submit and execute on behalf of the BCC, and to transmit electronically the BCC's approval of the Grant Application, award, and the resulting grant agreement.

SUMMARY: On June 15, 2017, the Palm Beach Transportation Planning Agency (TPA) adopted the Fiscal Years 2018-2022 Transportation Improvement Program which identifies transportation priorities for the County. Included in these priorities is the expansion of Palm Tran's South County Facility. In support of this initiative, the TPA approved the flexing of \$1,500,000 from the Federal Highway Administration for the construction cost of the expansion and those funds are now available for grants to be awarded through the Federal Transit Administration (FTA). This application has a match requirement of \$375,000 or twenty-percent (20%) of the total award. The source of the matching funds are Toll Revenue Credits provided by the Florida Department of Transportation. Execution of the FTA award represents the County's legal affirmation to adhere to FTA and other federal requirements as described in the Master Agreement FTA MA (24) dated October 1, 2017, approved by the Board on April 10, 2018 under item 3-AA1. **No County funds are required.** Countywide (DR)

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

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) approve application of The Raymond F. Kravis Center for the Performing Arts, Inc. (the Borrower) for the issuance of the County's Industrial Development Revenue Bond (The Raymond F. Kravis Center for the Performing Arts, Inc. Project), Series 2018 in a principal amount not to exceed \$21,000,000 (the Bond);

B) conduct Tax Equity and Fiscal Responsibilities Act (TEFRA) public hearing pursuant to Section 147(f) of the Internal Revenue Code, as amended concerning the proposed issuance of the Bond; and

C) adopt resolution of the Board of County Commissioners of Palm Beach County, Florida (Issuer): (I) authorizing the issuance of the Industrial Development Revenue Bond (The Raymond F. Kravis Center for the Performing Arts, Inc. Project), Series 2018, in a principal amount not exceeding \$21,000,000 for the purpose of making a loan of funds to The Raymond F. Kravis Center for the Performing Arts, Inc. (Borrower) in order to finance all or a portion of the acquisition, construction and equipping of certain facilities of the Borrower and for other purposes described herein; (II) providing that such Bond shall not constitute a debt, liability or obligation of Palm Beach County, Florida or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; (III) approving and authorizing the execution and delivery of a financing agreement among the Issuer, the Borrower and The Northern Trust Company; (IV) approving and authorizing the execution and delivery of certain other documents required in connection with the foregoing; and (V) providing certain other details in connection therewith.

SUMMARY: The Borrower has requested the issuance of the Bond to be used to finance all or a portion of the cost of the acquisition, construction, renovation and equipping of various capital improvements to the facilities of the Borrower, including, without limitation, to the performing arts center and new valet parking garage, to capitalize a portion of the interest on the Bond, and to fund certain costs of issuance related to the Bond. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 7 (DB)

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5. REGULAR AGENDA

A. FIRE RESCUE

1. Staff recommends motion to approve: first amendment to Interlocal Agreement for Fire Vehicle Maintenance with the City of West Palm Beach to retroactively extend the term of the Agreement from September 9, 2018 through September 8, 2020. **SUMMARY:** This Agreement (R2008-1567) provides for the maintenance and emergency repair of the City of West Palm Beach's Fire-Rescue emergency response apparatus by Palm Beach County Fire Rescue Support Services personnel. This Agreement, as amended, is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City's fire vehicles. During this extension period, the County shall provide for maintenance and repair services for the following emergency response apparatus: Engines/Pumpers/Squads/Aerials/Platforms and Ladders. Countywide (SB)

5. REGULAR AGENDA

B. PUBLIC SAFETY

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on December 4, 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 (BCC). 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. Special Secondary Service Provider COPCN experience does not meet the criteria to establish the necessary ALS or Basic Life Support experience for a Primary or Secondary Provider as they are not providing the full continuum of patient care since patient care is transferred to the Primary Provider, no transportation is provided, and Special Secondary Service Provider's do not provide patient care during transport. This proposed amendment to the EMS Ordinance was presented to the League of Cities on October 24, 2018, and was unanimously approved. The EMS Council has reviewed and recommends the BCC approval of the ordinance revisions at the November 14, 2018 EMS Council meeting. Countywide (LDC)

5. REGULAR AGENDA

C. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, December 18, 2018 at 9:30 a.m.:](#) ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program (Program); providing for title; purpose; adoption of revised Five Year Road Program and revised list of projects contained in Exhibit "A"; 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:** This is the Annual Update of Palm Beach County's Five Year Road Program which is required to be considered each year by the Five Year Road Program Ordinance. Exhibit "A" to the ordinance is a list of proposed projects for the next five years and contains certain changes and modifications. This list is submitted for the Board of County Commissioners' (BCC) consideration on preliminary reading today with the final list to be approved with the ordinance at public hearing on Tuesday, December 18, 2018. Countywide (LBH)

D. ADMINISTRATION

1. [Staff recommends motion to approve:](#) presentation of the proposed Palm Beach County 2019 State Legislative Agenda. **SUMMARY:** A presentation of proposed Palm Beach County 2019 Legislative Agenda, which include legislative issues, appropriations requests, and general issues that reflect county priorities to support and monitor. The State Legislative Agenda outlines issues that the County's Legislative Affairs Office, in conjunction with the County's state contract lobbyists, will be working on for the upcoming 2019 legislative session. Countywide (DW)

E. COMMISSION ON ETHICS

1. [Staff recommends motion to approve:](#) Memorandum of Understanding (MOU) with the Lake Worth Community Redevelopment Agency and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics for a three year term effective October 4, 2018. **SUMMARY:** The Lake Worth Community Redevelopment Agency (Lake Worth CRA) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU identifies the roles and responsibilities of the Commission on Ethics and the Lake Worth CRA in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Agency to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this agreement must be used to fund Commission on Ethics operations. The MOU is subject to final approval of the Board of County Commissioners. District 3 (LB)

5. REGULAR AGENDA

F. HOUSING AND ECONOMIC SUSTAINABILITY

1. **DELETED: Staff recommends motion to approve:** ~~Amendment No. 2 to the Agreement (R2016-1422) with the Business Development Board of Palm Beach County, Inc. (BDB) to amend the Scope of Services. **SUMMARY:** On September 27, 2016, the Board of County Commissioners (BCC) entered into an Agreement (R2016-1422), as amended (R2017-1707) on November 7, 2017, with the BDB to provide business recruitment, expansion, and retention services and general marketing for Palm Beach County. The Agreement period is from October 1, 2016 through September 20, 2021 and is in the third year of its five year term. The public/private partnership between the County and the BDB works towards creating a stable and diverse economic climate throughout Palm Beach County. The Agreement's Scope of Services is reviewed annually and revised as appropriate to capitalize on changes within the Palm Beach County economy and business community. In consultation with the BDB, the revisions to the Agreement include designation of the Palm Beach County Administrator, or designee, as an ex-officio member of the BDB Board of Directors and a new reporting format to facilitate monitoring and contract compliance. In addition, an annual report pursuant to Section 125.045, Florida Statutes and a requirement to advise HES of meetings with Glades-focused business recruitment, expansion, and retention efforts have been added. The revised Scope of Services is provided as an attachment to this Agenda Item. **These are County Ad Valorem funds. Countywide** (JB)~~

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NOVEMBER 20, 2018

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE ENVIRONMENTAL CONTROL BOARD

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

A. HEALTH DEPARTMENT
(Environmental Control Hearing Board)

1. **Staff recommends motion to approve:** reappointment of one member to the Environmental Control Hearing Board to fill the position of Medical Doctor.

<u>NOMINEE:</u>	<u>SEAT #:</u>	<u>REQUIREMENT:</u>	<u>NOMINATED BY:</u>
David Shulan, M.D.	2	Medical Doctor	PBC Medical Society

SUMMARY: The Board is composed of five members. Membership must consist of one lawyer recommended by the Palm Beach County Bar Association, one medical doctor recommended by the Palm Beach County Medical Society, one engineer recommended by the Palm Beach County Chapter of the Florida Engineering Society, and two citizens-at-large not holding elective office. The Board currently consists of 4 members. The current diversity count is: Caucasian: 3 (75%); African-American: 1 (25%); and Hispanic: 0. The current gender ratio (female: male) is 1:3. The nominee for appointment to Seat #2 is a Caucasian male. The applicant for appointment to Seat # 2, David Shulan, M.D. is a medical doctor recommended by the Palm Beach County Medical Society. With this approval, the Board will consist of five members: one African-American and four Caucasian. The gender ratio (female: male) is 1:4. Countywide (HH)

ADJOURN AS THE ENVIRONMENTAL CONTROL BOARD

RECONVENE AS THE BOARD OF COUNTY COMMISSIONERS

NOVEMBER 20, 2018

8. MATTERS BY THE PUBLIC – 2:00 P.M.

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NOVEMBER 20, 2018

9. ADJOURNMENT

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