

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JANUARY 15, 2019

<u>PAGE</u>	<u>ITEM</u>	
14	3C-6	REVISED SUMMARY: Approving the second amendment will update the language of the termination section, criminal history records check section, commercial non-discrimination section, and scrutinized companies section. <u>This solicitation for annual design professionals was advertised on November 13, 2016 and November 20, 2016, according to the SBE Ordinance in place at the time, with final selection taking place on February 16, 2017. The prime consultant is a certified MWBE utilizing two subconsultants that are SBE/MWBE. This consultant agreed to provide 16% SBE participation and 0% M/WBE participation. This Annual Intersection Improvements contract is scheduled for renewal by June 19, 2019, and will have the new EBO Ordinance added at that time. to be compliant with current county requirements. Approval of this task order will provide the professional engineering services necessary for the preparation of design plans and construction bid documents for the Project. The Project will provide an additional westbound and eastbound through lane on the west side of the intersection in addition to milling and resurfacing. The Small Business Enterprise (SBE) goal for all contracts is 15%. BPA committed to 16% SBE participation for the Contract. BPA proposes 21.65% SBE participation for this task order, and the overall SBE participation for this Contract is 29.45% <u>and 78.34% MWBE (H).</u> BPA is a Miami based company with an office located in Palm Beach County. (Eng)</u>
32	3L-1	DELETED FOR FURTHER STAFF REVIEW (ERM)
51	4C-1	REVISED MOTION: Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the signing and submission of the Section 5310 grant application, supporting documents and assurances, total project cost of \$1,218,851 for capital assistance under grants for the enhanced mobility of seniors and individuals with disabilities CFDA 20.513, as administered by the Florida Department of Transportation (FDOT); <u>establishing an effective date.</u> and designating and authorizing Palm Tran's Executive Director to sign the application, accept a grant award, purchase vehicles/equipment and/or expend grant funds pursuant to a grant award, unless specifically rescinded. (Palm Tran)

ADD-ON: Staff recommends motion to approve: A) the creation of two temporary positions within the Department of Housing and Economic Sustainability (DHES) to intake, process, underwrite and close homebuyer files through the Workforce Housing Program (WHP), **B)** a budget transfer of \$100,000 from the General Fund Contingency Reserves; and **C)** a budget amendment of \$100,000 to the Economic Development Fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserves. **SUMMARY:** County Administration is requesting the approval of contingency funding in an amount not to exceed \$100,000 to retain dedicated staff in DHES to work on the WHP initiative, which is very labor intensive. DHES undertook implementation of the WHP for-sale component with its existing staff in August 2017. As this was a new initiative, the first major tasks included developing the WHP operating procedures, marketing tools, program guidelines, application intake regulations and closing processes. DHES developed the operating infrastructure in collaboration with Planning and County Attorney staff, the then two participating WHP developers and their preferred lenders. In March of 2018, DHES kicked off its mandatory WHP orientation sessions for potential buyers and, to date, have conducted 18 such sessions at various locations. Approximately 389 prospective buyers have gone through the orientation sessions and been certified to move through the developer-lender qualifying processes. Thirty-seven of the certified applicants have been subsequently income certified to purchase a WHP unit. Of which, 14 of those individuals have closed on homes. DHES is now in the process of holding its first WHP housing tour, which is scheduled for Saturday, January 26th at Silverwood Estates Townhomes. Given the intensity of the WHP program and the defined time frames by which the units must be sold at the WHP price points, DHES existing staff has been strained with balancing its implementation with their regular workload of administering state and federal program initiatives. Therefore, there is a pressing need to hire dedicated staff to perform WHP functions and to relieve the existing staff to return to performing their regular assignments. Staff envisions hiring two employees on either a part time or full time basis as needed. The ongoing need for the positions will be evaluated and addressed for further consideration in the proposed FY2019-2020 budget process. Staff is requesting the Board’s approval. Countywide (JB) (Admin)

~~**DELETED FOR FURTHER STAFF REVIEW/ADD-ON: Staff recommends motion to approve:** the appointment of one individual to the Florida Atlantic Research & Development Authority (Authority) to complete an unexpired term ending June 7, 2019:~~

Reappoint	Seat No.	Seat Requirement	Nominated By
Frederick Yentz	1	PBC Resident/Employed In the Private Sector	Comm. Weinroth

~~**Summary:** On October 3, 1985, the Board of County Commissioners (BCC) adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised of seven members: three Palm Beach County representatives, three Broward County representatives and the President of Florida Atlantic University or designee. Representatives must be employed in the private sector and reside in the County in which they represent. Even though this is an at-large appointment, historically, staff has requested nominations for the Authority from the District 4 Commissioner, and Commissioner Weinroth has nominated Frederick Yentz. The current diversity of the two Palm Beach County representatives is: two Caucasian males. Mr. Yentz is a Caucasian male. Countywide (HH) (Admin)~~

REVISED MOTION: Staff recommends motion to approve: the reappointment of one individual to the Health Facilities Authority for the term of January 15, 2019 to April 30, 2023 and appointment of one individual for the term January 15, 2019 to April 30, 2021: (Admin)

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Gerald Robinson	1	Resident of PBC	Mayor Bernard Vice-Mayor Kerner Comm. Valeche Comm. Weiss Comm. McKinlay Comm. Weinroth

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
James Carroll	2	Resident of PBC	Comm. Valeche

OR

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Yollette Bonnet	2	Resident of PBC	Mayor Bernard Vice-Mayor Kerner Comm. Weiss Comm. McKinlay Comm. Weinroth

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**

JANUARY 15, 2019

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 8)
 - D. Staff Comments (Page 9)
 - E. Commissioner Comments (Page 10)

- 3. CONSENT AGENDA (Pages 11-48)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 49-51)**

- 5. REGULAR AGENDA (Pages 52-59)**

- 6. BOARD APPOINTMENTS (Page 60)**

- 7. ADJOURNMENT (Page 61)**

TABLE OF CONTENTS

SPECIAL PRESENTATIONS - 9:30 A.M.

Page 8

- 2C-1 Mentoring Awareness Month
- 2C-2 Human Trafficking Awareness Month
- 2C-3 Susan G. Komen Race for the Cure Day
- 2C-4 Census Day
- 2C-5 Dr. Martin Luther King Jr. Coordinating Committee Month
- 2C-6 Recognizing Volunteers Who Helped Pass Florida Amendment 4

STAFF COMMENTS

Page 9

- 2D-1 Board Directives Update

COMMISSIONER COMMENTS (Page 10)

CONSENT AGENDA

A. ADMINISTRATION

Page 11

- 3A-1 Appointment to the Water Resources Task Force
- 3A-2 Appointment to the Health Council of Southeast Florida, Inc.

B. CLERK & COMPTROLLER

Page 12

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Report of County Officials Bonds
- 3B-5 Annual Financial Reports for Fiscal Year 2017-2018

C. ENGINEERING & PUBLIC WORKS

Page 12

- 3C-1 Amendment to contract with Wynn & Sons Environmental Construction Co., Inc. extending the expiration date

Page 13

- 3C-2 Tri-party Interlocal agreement with the East Central Regional Wastewater Treatment Facilities Operation Board and the City of West Palm Beach to construct a new access road on ECR property
- 3C-3 Work order with Ranger Construction Industries, Inc. to mill and resurface Pinehurst Drive from Lake Worth Road to Forest Hill Boulevard
- 3C-4 Resolution to approve recordation and filing of maintenance map certifying three streets have been maintained
- 3C-5 Interlocal agreement with the City of West Palm Beach for future payment for utility relocation associated with the development of Fire Station No. 8 on Northlake Boulevard

Page 14

- 3C-6 Amendment and task order with Network Engineering Services, Inc. to update certain language
- 3C-7 Incentive Grant Program with the State of Florida Department of Transportation for the right-of-way acquisition of Military Trail at Forest Hill Boulevard

D. COUNTY ATTORNEY

Page 15

- 3D-1 Settlement agreement with Karen Williams
- 3D-2 Settlement agreement with Travon Mitchell

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

E. COMMUNITY SERVICES

- Page 15
3E-1 Receive and file U.S. Department of Housing and Urban Development FY 2018 Continuum of Care Program Grant Agreement
- Page 16
3E-2 Appointment to the Community Action Advisory Board
3E-3 Contract with Gulfstream Goodwill Industries, Inc. for vocational training services
- Page 17
3E-4 Ratify the Mayor's signature on Modification No. 4 to the Florida Department of Economic Opportunity Federal Fiscal Year 2017 Low-Income Home Energy Assistance Program Federally Funded Subgrant Agreement with the State of Florida Department of Economic Opportunity

F. AIRPORTS

- Page 18
3F-1 Receive and file license agreement with Avis Budget Car Rental, LLC for rental car parking
3F-2 Receive and file five consent to sublease documents for Aviation West Palm Beach LLC
3F-3 Change order with West Construction, Inc. for the Southside Redevelopment Program at the Lantana Airport
- Page 19
3F-4 Receive and file extension of time to the Joint Participation Agreement with the Florida Department of Transportation for construction of hangars at the Glades Airport
3F-5 Resolution approving Supplemental Joint Participation Agreement with the Florida Department of Transportation for hangars and infrastructure at the Glades Airport
3F-6 Resolution approving Supplemental Joint Participation Agreement with the Florida Department of Transportation for additional tie-down/transient apron at the North Palm Beach County Airport
- Page 20
3F-7 Construction manager at risk contract with The Morganti Group, Inc. for airport improvement at four airports
3F-8 Amendment to Airport Ground Transportation Concession Agreement with SE Florida Transportation, LLC
- Page 21
3F-9 Receive and file two consent to sublease documents for Jet Aviation Associates, Ltd.
3F-10 Resolution approving a Public Transportation Grant Agreement with the Florida Department of Transportation for perimeter fence improvements at the Lantana Airport
3F-11 Amendment to agreement with Piedmont Hawthorne Aviation, LLC

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

- Page 22
3G-1 Receive and file financial statements from the Florida Development Finance Corporation
3G-2 Appointment to the Contract Review Committee

H. FACILITIES DEVELOPMENT & OPERATIONS

- Page 22
3H-1 State of Florida – Hazard Mitigation Grant Program Application for FEMA funding to replace skylights in the Judge Robert T.K. Hurley Courthouse with a hardened roof
- Page 23
3H-2 License agreement with the School Board of Palm Beach County for use of courthouse facilities for Youth Court programming
3H-3 Mortgagee's Joinder and Consent of the Kravis Center replat in favor of the City of West Palm Beach and the County
3H-4 Easement agreement in favor of the Florida Inland Navigation District at the Jupiter Beach Park and Carlin Park
- Page 24
3H-5 Amendment with Cedars Electro-Mechanical, Inc. extending the term for one year
3H-6 Amendments to five contracts extending the term for one year
- Page 25
3H-7 Amendments to 17 contracts extending the term for one year

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

I. HOUSING AND ECONOMIC SUSTAINABILITY

- Page 26
3I-1 Receive and file Notice of Termination letter terminating the Job Growth Incentive Grant Agreement with TBC Parent Holding Corporation, TBC Retail Group, Inc. and TBS Shared Services, Inc.
- Page 27
3I-2 Receive and file executed documents in connection with a loan made to Shellco Construction Corp., Simplified, Inc., and Simplified Fabricators, Inc.
- Page 28
3I-3 Receive and file executed documents in connection with a loan made to Prestige Commercial Kitchen, Inc.

J. PLANNING, ZONING & BUILDING

- Page 29
3J-1 Reappointments to the Land Development Regulation Advisory Board

K. WATER UTILITIES

- Page 29
3K-1 Receive and file executed agreements received during the months of September and October 2018
- Page 30
3K-2 Contracts with Globaltech, Inc. and Cardinal Contractors, Inc. for Optimization and Improvements Design-Build Services
3K-3 Non-standard Utility Easement granted by Congress Avenue Properties, LTD on properties located within Blackbird Subdivision
3K-4 Subordination of Utility Interest to the State of Florida Department of Transportation
- Page 31
3K-5 Change order with Gilmore Electric Company, Inc. for generator lug boxes at various water treatment plants
3K-6 Work authorization to contract with Hinterland Group, Inc. for Sanitary Sewer Lining Project Lift Station Basin 4101 project
3K-7 Reappointment to the Water Utilities Advisory Board

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 32
3L-1 ~~Contract with Coston Marine Services, Inc. and McCulley Marine Services, Inc. for construction of artificial reefs in the Atlantic Ocean~~
3L-2 State of Florida Department of Environmental Protection Standard Grant Agreement for Juno Beach Nourishment
- Page 33
3L-3 Agreement and License for Property Access to trim vegetation with Seaview at Juno Beach Property Owner's Association, Inc. to trim vegetation of county owned beachfront property in Juno Beach
3L-4 Work order with Wynn and Sons Environmental Construction Company, Inc. for construction of public use facilities at Loxahatchee Slough Natural Area
- Page 34
3L-5 Appointment to the Groundwater and Natural Resources Protection Board

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

M. PARKS & RECREATION

Page 34

3M-1 Budget transfers for the Park Ski Lake Dock Replacement project at Okeeheelee Park

Page 35

3M-2 Amendment to the Infrastructure Surtax Project Plan related to the West Boynton Parking Lot Light Replacement Project

3M-3 Non-standard Special Event Area Rental Agreement with Delray Beach Arts, Inc. for Garlic Fest 2019

3M-4 Receive and file Amphitheater Rental Agreements

Page 36

3M-5 Receive and file Sound and Light Production Services Contractor Agreements

3M-6 Receive and file Entertainment Contractor Agreement

Page 37

3M-7 Receive and file Independent Contractor Agreements

Q. CRIMINAL JUSTICE COMMISSION

Page 38

3Q-1 Ratify the Mayor's signature on grant application to the Florida Department of Law Enforcement to fund the Palm Beach County Reentry Program

3Q-2 Receive and file Grant Adjustment Notice 3 from the Federal Fiscal Year 2016 Florida Department of Law Enforcement Edward Byrne Memorial Justice Assistance Grant Program

Page 39

3Q-3 Receive and file contract with Uptrust, Inc. for a court date reminder system for criminal court defendants

X. PUBLIC SAFETY

Page 40

3X-1 Receive and file Project Budget Adjustment Amendments for ex-offender reentry services

Page 41

3X-2 Mutual Aid Agreement with the United Way of Palm Beach County, Inc. to coordinate the Volunteer and Donation Unit, Emergency Support Function

3X-3 Receive and file executed Special Service Arrangement to purchase and install E911 equipment

Page 42

3X-4 Contract with Florida Commission on Community Service for Citizen Corps program initiatives

3X-5 Receive and file amendment to contract with Phamatech, Inc. to provide drug-testing services

AA. PALM TRAN

Page 43

3AA-1 Resolution approving a Public Transportation Grant Agreement with the State of Florida Department of Transportation for fixed route services in the Lake Region area

3AA-2 Resolution approving a Public Transportation Grant Agreement with the State of Florida Department of Transportation for fixed route services in the Lake Region area

Page 44

3AA-3 Resolution approving a Public Transportation Grant Agreement with the State of Florida Department of Transportation for flex service in the Lake Region area

3AA-4 Filing of FY2017 electronic Grant Application with the Federal Transit Administration for Emergency Relief funds

Page 45

3AA-5 Agreement with Lakes of Delray, Inc. for transportation services on all Palm Tran fixed routes 70, 81 and 88

BB. YOUTH SERVICES

Page 45

3BB-1 Contract with Digital Vibez, Inc. for Fitness Jamz Program Family Night events

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

CC. INTERNAL AUDIT

- Page 45
3CC-1 Receive and file Audit recommendation status follow-up report as of November 15, 2018
- Page 46
3CC-2 Appointment to the Internal Audit Committee

DD. SHERIFF

- Page 46
3DD-1 Receive and file amendment to the Memorandum of Agreement with the Early Learning Coalition of Palm Beach County
- 3DD-2 Accept a Federally-Funded Subgrant Agreement for a FY19 State Homeland Security Grant
- Page 47
3DD-3 Budget transfer from the Law Enforcement Trust Fund to various agencies to help support drug education
- Page 48
3DD-4 Budget transfer from the Law Enforcement Trust Fund for the FY2019 match for the 2017 COPS Hiring Program grant

PUBLIC HEARINGS – 9:30 A.M.

A. ENGINEERING & PUBLIC WORKS

- Page 49
4A-1 Reserve a drainage easement over property on Linton Boulevard

B. PARKS & RECREATION

- Page 50
4B-1 Ordinance amending the Palm Beach County Code pertaining to parks and recreation

C. PALM TRAN

- Page 51
4C-1 Resolution approving the signing and submission of the Section 5310 grant application related to mobility of seniors and individuals with disabilities

D. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

- Page 51
4D-1 Ordinance amending the Palm Beach County Unified Land Development Code concerning countywide impact fee amount and certain benefit zones

REGULAR AGENDA

A. ADMINISTRATION

- Page 52
5A-1 Pre-registration of the County in the “SolarTogether” program offered by Florida Power and Light
- Page 53
5A-2 Establishment of the 2020 Census Complete Count Committee
- 5A-3 Interlocal Agreement with the Health Care District of Palm Beach County relating to the Addiction Stabilization Center

B. FACILITIES DEVELOPMENT AND OPERATIONS

- Page 54
5B-1 Resolution authorizing extension of lease agreement with LJL Food Management, Inc.
- Page 55
5B-2 Concessionaire Lease Agreement with Rick Macci Academy, Inc. for the operation of a tennis, racquetball and pro shop at Burt Aaronson South County Regional Park

TABLE OF CONTENTS

REGULAR AGENDA CONTINUED

C. PUBLIC SAFETY

Page 55

5C-1 Resolution repealing and replacing Resolution 2014-1097 to expand the use of the Victims of Crime Emergency Support Fund

Page 56

5C-2 Ordinance amending the Palm Beach County Code related to the Palm Beach County Home Caregiver Ordinance

D. HOUSING AND ECONOMIC SUSTAINABILITY

Page 57

5D-1 Economic Development Incentive Grant Agreement with MobileHelp, LLC

Page 58

5D-2 Impact Fee Affordable Housing Assistance Program funding to the Community Land Trust of Palm Beach County, Inc. for the Kirk Road Homes project

Page 59

5D-3 HOME Investment Partnerships Program funding award to Isles of Pahoee II, LLC

BOARD APPOINTMENTS

Page 60

6A-1 Reappointment and appointment to the Health Facilities Authority

ADJOURNMENT (Page 61)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring January 2019 as Mentoring Awareness Month in Palm Beach County (Sponsored by Mayor Bernard)
2. Proclamation declaring January 2019 as Human Trafficking Awareness Month in Palm Beach County (Sponsored by Commissioner McKinlay)
3. Proclamation declaring January 26, 2019 as Susan G. Komen Race for the Cure Day in Palm Beach County (Sponsored by Mayor Bernard)
4. Proclamation declaring April 1, 2020 as Census Day in Palm Beach County (Sponsored by Vice-Mayor Kerner)
5. Proclamation declaring January 2019 as Dr. Martin Luther King Jr. Coordinating Committee Month in Palm Beach County (Sponsored by Commissioner Weiss)
6. Proclamation Recognizing Volunteers Who Helped Pass Florida Amendment 4 (Sponsored by Mayor Bernard)

* * * * *

2D. 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

JANUARY 15, 2019

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER, VICE MAYOR

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

Request for off-site presentation of Certificate of Congratulations to Telica Abrams-Cunningham

District 7 – COMMISSIONER MACK BERNARD, MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: an Indian Trail Improvement District (ITID) appointment to the Water Resources Task Force for the remainder of a full three year term commencing January 15, 2019 and ending September 30, 2019.

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term Ending</u>
14	Michael Johnson	Member	ITID	09/30/19

SUMMARY: The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner (or their appointee); one water and/or wastewater provider or utility official; one Lake Worth Drainage District representative; one drainage/water control district elected official; one South Florida Water Management District Governing Board member; one environmental representative; one land owner in Palm Beach County actively farming that land to represent agricultural interests; and one Indian Trail Improvement District (ITID) representative. Designated alternates are also required for each seat. The diversity of the current 13 Task Force members and seven alternatives is as follows: 19 Caucasian (95%) and one African-American (5%). The gender ratio (female:male) is 6:14. The ITID appointee is a Caucasian male. Six alternate seats and the water and/or wastewater provider or utility official member seat remain vacant at this time. Staff is actively seeking to increase diversity on this board. Countywide (MJ)

2. Staff recommends motion to approve: the appointment of one individual to the Health Council of Southeast Florida, Inc. for a two year term beginning January 15, 2019 and ending September 30, 2021:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Mario Dickerson	10	Health Care Purchaser	Mayor Bernard Comm. Valeche Comm. Weiss Comm. Weinroth Comm. McKinlay Vice-Mayor Kemer

SUMMARY: The Health Council of Southeast Florida, Inc. (Council) is a not-for-profit corporation established pursuant to Section 408.033, Florida Statutes, for the purpose of providing and coordinating health planning activities within Palm Beach, Martin, St. Lucie, Indian River and Okeechobee Counties. The Council consists of 12 members: six representatives for Palm Beach County; two members appointed by Martin County; two members appointed by St. Lucie County; one member appointed by Indian River County; and one member appointed by Okeechobee County. The appointees must be representatives of health care providers, health care purchasers, and non-governmental health care consumers, not to exclude elected government officials. A memo dated December 17, 2018 was circulated to the Board of County Commissioners requesting support of Mr. Dickerson's appointment or requesting additional nominations. No additional nominations were received. With this appointment, the diversity of the Palm Beach County representatives (6) include two Caucasian females, two African-American males, and two vacant positions (two health care consumers). Countywide (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
Child Care Facilities Board	October 2, 2018
Comprehensive Plan	October 31, 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:**

A) review for sufficiency Report of County Officials Bonds dated January 2019; and

B) receive and file Report of County Officials Bonds dated January 2019.

SUMMARY: Ordinance No. 98-51 sets the various bond amounts for specified county officers and provides for examination of the sufficiency of all the bonds at the regular meeting of the Board of County Commissioners in January and June of each year. Countywide (DB)

5. **Staff recommends motion to receive and file:** annual financial reports, excess fees and unexpended budget for Fiscal Year 2017-2018, for the Clerk & Comptroller, Tax Collector, and Property Appraiser. **SUMMARY:** The financial reports of these Constitutional Officers were submitted to the Office of the Clerk & Comptroller on or before October 31, 2018, in accordance with F.S. 218.36. The amounts shown for the Tax Collector and the Property Appraiser represent the total payment to the County. A portion of these revenues are budgeted in the Library, Fire-Rescue, and various other special revenue funds. The amounts shown as additional/decrease in excess fees will be included in the adjustment for additional balances brought forward, which will be brought to the Board of County Commissioners in March 2019. Countywide (DB)

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a second amendment to the annual pathway contract R2018-0012, Project No. 2017055, dated January 23, 2018, with Wynn & Sons Environmental Construction Co., Inc. (Wynn & Sons), to extend the expiration date from January 22, 2019 to July 22, 2019. **SUMMARY:** Approval of this second amendment will extend the expiration date from January 22, 2019 to July 22, 2019. The Palm Beach County Small Business Enterprise (SBE) goal for all contracts is 15%. Wynn & Sons’ overall contract SBE goal is 80%. To date, tasks in the amount of \$3,708,663 have been authorized. As an SBE, the majority of Wynn & Sons’ work is self-performed. This is the first six month extension of an allowable 24 month extension under this contract. After the 24 months extension, the contract will need to be resolicited. This six month contract extension, from January 22, 2019 to July 22, 2019, is less than the one year extension which is normally approved for annual contracts, but will provide staff with sufficient time to amend the contract to incorporate the requirements of the new Equal Business Opportunity Ordinance. Countywide (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: a tri-party interlocal agreement and temporary construction easement (TCE) with the East Central Regional Wastewater Treatment Facilities Operation Board (ECR) and its agent, the City of West Palm Beach, to allow Palm Beach County (County) to construct a new access road within the East Central Regional Wastewater Treatment Facility (ECRF) property. **SUMMARY:** Approval of this interlocal agreement and TCE will allow the County to construct the new ECR access road within the ECRF property. The County is constructing roadway and drainage improvements to widen Roebuck Road from east of Jog Road to east of Haverhill Road from its existing 2-lanes to a 4-lane divided roadway (Project). The Project requires the removal and relocation of the existing access road to the ECRF. Upon completion of the Project, ECR will own and maintain the access road within the ECRF. Districts 2 & 7 (LBH)
3. Staff recommends motion to approve: Work Order 2018051-1 in the amount of \$425,000 to mill and resurface Pinehurst Drive from Lake Worth Road to Forest Hill Boulevard utilizing Palm Beach County's annual asphalt milling and resurfacing contract R2018-1533 with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Approval of this work order will allow the contractual services necessary to construct the improvements. On October 16, 2018, the Board of County Commissioners (BCC) approved the contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the BCC. This will be the first work order issued under this Ranger contract. The Small Business Enterprise (SBE) goal for all contracts is 15%. The SBE participation proposed by Ranger for this work order is 15%. Approval of this work order will result in a cumulative SBE participation of 15% for all the work orders issued under the contract. **This project is funded through the infrastructure sales tax.** District 2 (LBH)
4. Staff recommends motion to adopt: a resolution to approve recordation and filing of a maintenance map for Palm Beach County (County) certifying that the County streets designated as Aladdin Avenue, Barkis Avenue and Coelebs Avenue (Streets) have been maintained or repaired continuously and uninterrupted by the County for more than four years and that the drainage infrastructure associated with these Streets, lying in Section 19, Township 45 South, Range 43 East, (Drainage Easement) has vested in the County. **SUMMARY:** Adoption of this resolution will confirm that in accordance with Section 95.361(1), Florida Statutes, which provides that upon four years of continuous and uninterrupted maintenance or repair of the Streets, the Drainage Easement for the appurtenant drainage has vested in the County as shown in a maintenance map being filed with the Clerk of the Circuit Court. The Road and Bridge Division director has certified the limits of maintenance on the maintenance map. District 3 (LBH)
5. Staff recommends motion to approve: an interlocal agreement (Agreement) with the City of West Palm Beach (City) for future payment for utility relocation associated with the development of Fire Station No. 8 located at 10965 Northlake Boulevard. **SUMMARY:** Approval of this Agreement will allow the City to convey right-of-way (ROW) for Northlake Boulevard to Palm Beach County (County) which is required to be free and clear of all encumbrances. However, AT&T Corp. (AT&T) currently has underground fiber optic utility lines located within the ROW. The City, with this agreement, commits to pay the County up to \$78,000 if, and when, the County requires AT&T to relocate the existing lines on or before June 30, 2038. Districts 1 & 6 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

A) the second amendment to the Intersection Improvements Annual Contract (Contract) R2017-0778 with Network Engineering Services, Inc. d/b/a Bolton Perez & Associates, Inc. (BPA), to update language in sections 7.1, 9, 12, and 20; and

B) a task order to the Contract with BPA in the amount of \$150,228.06 for professional services for the Hypoluxo Road and Jog Road intersection improvements (Project).

SUMMARY: Approving the second amendment will update the language of the termination section, criminal history records check section, commercial non-discrimination section, and scrutinized companies section. This solicitation for annual design professionals was advertised on November 13, 2016 and November 20, 2016, according to the SBE Ordinance in place at the time, with final selection taking place on February 16, 2017. The prime consultant is a certified MWBE utilizing two subconsultants that are SBE/MWBE. This consultant agreed to provide 16% SBE participation and 0% M/WBE participation. This Annual Intersection Improvements contract is scheduled for renewal by June 19, 2019, and will have the new EBO Ordinance added at that time. ~~to be compliant with current county requirements.~~ Approval of this task order will provide the professional engineering services necessary for the preparation of design plans and construction bid documents for the Project. The Project will provide an additional westbound and eastbound through lane on the west side of the intersection in addition to milling and resurfacing. The Small Business Enterprise (SBE) goal for all contracts is 15%. BPA committed to 16% SBE participation for the Contract. BPA proposes 21.65% SBE participation for this task order, and the overall SBE participation for this Contract is 29.45% and 78.34% MWBE (H). BPA is a Miami based company with an office located in Palm Beach County, District 3 (LBH)

7. Staff recommends motion to approve:

A) a County Incentive Grant Program (CIGP) locally funded agreement in the amount of \$5,457,897 with the State of Florida Department of Transportation (FDOT) for the right-of-way acquisition of SR-809/Military Trail at Forest Hill Boulevard (Project); and

B) a three party escrow agreement with FDOT and the State of Florida Department of Financial Services, Division of Treasury, to establish an escrow account for the right-of-way acquisition for the Project.

SUMMARY: Approval of this CIGP agreement will authorize a total payment of \$5,457,897 to FDOT to be held in escrow and distributed as follows: the first payment of \$1,137,120 is to be paid within 30 days of execution of this CIGP agreement, the second payment of \$330,086 will be made no later than October 31, 2019 and the third payment of \$3,990,691 will be made no later than October 31, 2020. The payments are for Palm Beach County's (County) 50% share of the right-of-way acquisition for the Project, which has an estimated total cost of \$10,915,794. If total costs exceed this amount, the excess amount will be paid equally by FDOT and the County. The Project's right-of-way acquisition will be performed by FDOT. The FDOT will acquire all right-of-way parcels necessary for the construction of turn lane improvements on all approaches of the intersection of SR-809/Military Trail and Forest Hill Boulevard. The Board of County Commissioners approved a locally funded agreement and three party escrow agreement for the design phase of the Project on March 14, 2017 as R2017-0244 and R2017-0245. Approval of the escrow agreement will allow County funds to be deposited into an escrow account that has been established by FDOT for the Project. Districts 2 & 3 (LBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a settlement agreement, inclusive of attorney's fees and costs, in the total amount of \$137,500 in the personal injury action styled Karen Williams vs. Palm Beach County, Case No. 502017CA003587XXXMB AK. **SUMMARY:** On September 3, 2015, while traveling on NW 1st Avenue near the intersection of West Palm Beach Road in the City of South Bay, Palm Beach County, a Palm Beach County Water Utilities driver caused the truck he was driving to collide with Plaintiff Karen Williams' vehicle, resulting in vehicular damage and bodily injury. Countywide (RMF)
2. Staff recommends motion to approve: a settlement agreement, inclusive of attorney's fees and costs, in the total amount of \$105,000 in the personal injury action styled Travon Mitchell vs. Palm Beach County Board of County Commissioners, Case No. 502018CA002189XXXMB AF. **SUMMARY:** On July 11, 2017, on Gun Club Road, a Palm Tran bus rear-ended a vehicle that had stopped at the red light at Congress Avenue. As a result of the accident, Plaintiff Travon Mitchell suffered bodily injury and incurred medical expenses. Countywide (RMF)

E. COMMUNITY SERVICES

1. Staff recommends motion to:
 - A) receive and file** a U.S. Department of Housing and Urban Development (HUD) FY 2017 Continuum of Care (CoC) Program Grant Agreement No. FL0710L4D051700, for the period of October 1, 2018 through September 30, 2019, in the amount of \$153,758 to provide funding for the coordination of activities related to ending homelessness; and
 - B) ratify** the signature of the Mayor on the Phase 36 Emergency Food and Shelter Program (EFSP) Grant Application in the amount of \$300,000 for rental assistance for a grant period to be determined upon receipt of the funding.

SUMMARY: The Palm Beach County CoC Planning Project grant provides funding for the coordination and evaluation of activities related to ending homelessness. These activities involve coordination of monthly CoC and Sub-Committee meetings, homeless service system performance evaluation, technical assistance and training, and annual monitoring of all CoC and emergency shelter grant funded projects to ensure performance outcomes and fiscal accountability. A 25% cash match of \$38,440 is required and is included in the FY 2019 budget. On October 17, 2017, the BCC authorized the County Administrator, or designee, to execute agreements for this purpose. The Emergency Food and Shelter National Board Program is a restricted federal grant that provides EFSP funds. The award is administered locally by the United Way of Palm Beach County, Inc. (United Way). On November 26, 2018, United Way released the Phase 36 EFSP Application. The Division of Human and Veteran Services (DHVS) has received EFSP funds for the past 24 years. The DHVS has applied for funds in the amount of \$300,000 to provide rental assistance to families in need. During the last EFSP funding cycle 394 households were served, a 6% increase from the previous funding cycle. **The EFSP funds are non-recurring funds and no County match is required.** The emergency signature process was utilized because there was not sufficient time to submit the application through the regular BCC agenda process. 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. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: the appointment of one member to the Community Action Advisory Board, to complete a three year term effective January 15, 2019 through September 30, 2019:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Christina Lambert	Public Sector Representative	09/30/19	Mayor Bernard Vice Mayor Kerner Comm. Valeche Comm. Weiss Comm. Weinroth

SUMMARY: The total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, per Resolution No. R-2018-0372, 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 will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. The resolution requires that CAAB members solicit and recommend Public Sector member nominations for transmittal to the Board of County Commissioners (BCC). The BCC was notified by a memo dated November 26, 2018, seeking nominations for the above at-large seat. Ms. Lambert meets all applicable guidelines and requirements outlined in the resolution adopted by the BCC on May 6, 2014. Ms. Lambert is the West Palm Beach City Commissioner for District 5. Ms. Lambert will complete the term of Mr. Neering, who resigned from the CAAB. The diversity count for the 12 seats that are currently filled is African-American: 10 (83%), and Caucasian: 2 (17%). The gender ratio (female: male) is 9:3. Ms. Lambert is Hispanic-American. Staff conducted targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Community Action Program) Countywide (HH)

3. Staff recommends motion to approve: a contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc., for the period October 1, 2018 through March 30, 2019, in an amount not to exceed \$50,000, for a variety of vocational training services. **SUMMARY:** These funds are provided by the Community Services Block Grant (CSBG). Qualified clients must be residents of Palm Beach County and meet the Federal Poverty Guidelines. A portion of CSBG funds will be used to provide training for eligible participants. Gulfstream Goodwill Industries, Inc. (Gulfstream Goodwill) will provide training and employment services to eligible participants. Gulfstream Goodwill will assess each participant to develop an employment and training Personal Development Plan (PDP). Job readiness, skills training programs and support services will be available to all participants. Since 2016, 210 clients completed vocational training certifications and 231 clients obtained employment. Joshua Butler, an employee of Gulfstream Goodwill is a member of the Homeless Advisory Board (HAB). The HAB 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)

4. Staff recommends motion to:

A) ratify the signature of the Mayor on Modification No. 4 to the Florida Department of Economic Opportunity Federal Fiscal Year (FFY) 2017 Low-Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No. 17EA-0F-10-60-01-023 (R2017-0996) with the State of Florida Department of Economic Opportunity, for the period April 1, 2017 through September 30, 2020, to increase the funding by \$1,298,143 for a new total amount not to exceed \$7,643,949, to provide energy payment assistance to approximately 13,000 unduplicated low-income households residing in Palm Beach County; and

B) approve a budget amendment of \$1,298,143 in the LIHEAP fund to align the budget to the actual grant award.

SUMMARY: Modification No. 4 to the FFY 2017 LIHEAP Federally Funded Subgrant Agreement No. 17EA-0F-10-60-01-023 enables the Community Action Program (CAP) to provide assistance to approximately 13,000 unduplicated low-income households over the grant period with energy bills and crisis assistance to prevent service disconnection and to restore utility services. The emergency signature process was utilized because there was not sufficient time to submit the subgrant agreement through the regular BCC agenda process. **No County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** a license agreement with Avis Budget Car Rental, LLC (Avis), commencing December 1, 2018, terminating December 31, 2018 (Initial Term), and automatically renewing on a month-to-month basis thereafter but not beyond November 30, 2019, providing for the use of 149,257 square feet of paved parking at 2401 Turnage Boulevard for the parking of vehicles in connection with Avis' car rental operations at the Palm Beach International Airport and the payment of license fees in the amount of \$8,706.66 for the Initial Term. **SUMMARY:** Avis operates at PBI under an Agreement for Rental Car Lease and Concession and requires a paved area for overflow parking of their rental cars. The license agreement allows Avis 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)

2. **Staff recommends motion to receive and file:** five Consent to Sublease (Consent) documents for Atlantic Aviation West Palm Beach LLC d/b/a Atlantic Aviation PBI (Atlantic) for Palm Beach International Airport (PBI).

1. Consent for Atlantic and Moorland Promontory LLC, effective 11/15/2018.
2. Consent for Atlantic and Intrepid Production Holdings LLC c/o Airmax, effective 12/1/2018.
3. Consent for Atlantic and Lone Mountain Aircraft Management, LLC, effective 10/1/2018.
4. Consent for Atlantic and Joseph H. Howley, effective 10/1/2018.
5. Consent for Atlantic and Rory McIlroy Enterprises, Inc. c/o Zenflight, effective 8/1/18.

SUMMARY: Atlantic provides fixed based operator services for general aviation aircraft at the PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067), as amended. The lease agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R94-1453. Countywide (AH)

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

A) Change Order No. 9 to the contract with West Construction, Inc. in the amount of \$176,192.09 for the Southside Redevelopment Program Phase 1 and 2 project at Palm Beach County Park (Lantana) Airport; and

B) a budget transfer of \$176,192 in the Airport's Improvement and Development Fund to provide budget for West Construction, Inc. Change Order No. 9; including a transfer from reserves of \$176,192.

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 1-8 in the amount of \$200,682.30 and 209 calendar days were approved under the delegated authorities detailed in PPM CW-F-050. Approval of Change Order No. 9 in the amount of \$176,192.09 will increase the contract to \$6,730,322.91. Scope of work included in this change order is primarily to install a 1,000-gallon oil water separator and trench drain modifications required during agency review comments. The contract time may be addressed if needed in a future change order once the impacts are determined following approval of the change order. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 11%. West Construction, Inc. committed to 11.85% participation. The DBE to date participation for this contract is 2.83%. The DBE participation is primarily in later phases of this contract. DBE participation for this change order is 2.57%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: an extension of time to the Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) to construct hangars at Palm Beach County Glades Airport (PHK), Financial Project Number 431031-1-94-01 approved by the Board on December 20, 2016 (R2016-1868 and R2016-1869), until June 30, 2020. **SUMMARY:** Delegation of authority for execution of the above extension of time to the JPA with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

5. Staff recommends motion to:

A) adopt a resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) increasing the original FDOT funding share by an additional \$1,100,000 and revising the total cost of the project for hangars and infrastructure at Palm Beach County Glades Airport (PHK). The grant expiration date is December 31, 2020; and

B) approve a budget amendment of \$1,100,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and increase the project cost by \$1,375,000; which includes a transfer from reserves of \$275,000.

SUMMARY: On December 5, 2017 the BCC adopted a resolution (R2017-1786 and R2017-1787) approving a Joint Participation Agreement (JPA) with the FDOT in the amount of \$500,000 or 80% of the eligible project costs, whichever is less, for hangars and infrastructure at PHK under a multi-year funding plan. The FDOT has issued SJPA Number 1 as part of the second year funding, increasing the original funding share by an additional \$1,100,000 for a revised FDOT participation of \$1,600,000 bringing the revised total cost of the project to \$2,000,000. **The County's current local share for this project is \$275,000 to provide the mandatory match.** Countywide (AH)

6. Staff recommends motion to:

A) adopt a resolution approving Supplemental Joint Participation Agreement (SJPA) Number 1 with the Florida Department of Transportation (FDOT) increasing the original FDOT funding share by an additional \$1,620,000 and revising the total cost of the project to Construct Additional Tie-Down/Transient Apron at North Palm Beach County General Aviation Airport (F45). The grant expiration date is December 31, 2020; and

B) approve a budget amendment of \$1,620,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and increase the project cost by \$2,025,000; which includes a transfer from reserves of \$405,000.

SUMMARY: On February 6, 2018, the BCC adopted a resolution (R2018-0153 and R2018-0154) approving a Joint Participation Agreement (JPA) with the FDOT in the amount of \$1,500,000 or 80% of the eligible project costs, whichever is less, to Construct Additional Tie-Down/Transient Apron at F45 under a multi-year funding plan. The FDOT has issued SJPA Number 1 as part of the second year funding, increasing the original funding share by an additional \$1,620,000 for a revised FDOT participation of \$3,120,000 bringing the revised total cost of the project to \$3,900,000. **The County's current local share for this project is \$405,000 to provide the mandatory match.** Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

7. **Staff recommends motion to approve:** the Construction Manager (CM) at Risk contract with The Morganti Group, Inc. (Morganti) for a term of two years with three one-year renewal options for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports. **SUMMARY:** In order to complete certain capital improvement projects at the County's four airports, the Department of Airports (Department) requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. Morganti was one of two firms selected to provide these services. Morganti has proposed teaming with Cooper Construction Management and Consulting, Inc. (Cooper), as its Disadvantaged Business Enterprise (DBE) partner, to provide DBE outreach for assigned tasks/work orders, project management and construction supervision services in an amount not less than 12% of the fees paid by the County for such services in connection with this contract. Projects to be assigned under this contract may include the Terminal Federal Inspection Service (FIS) Facility Expansion at Palm Beach International Airport (PBI), Concourse Expansion (PBI), Escalator and Elevator Replacement (PBI), Third Level Flooring Phase 2 (PBI), 400Hz and Electrical Switchgear Replacement (PBI), Aircraft Rescue and Fire Fighting (ARFF) Facility Improvements (PBI), Hangar and Infrastructure at the General Aviation Airports, along with Miscellaneous Airport Apron, Taxiway or Roadway Improvements at any of the four airport facilities. The services under this contract are task/work order based. The specific projects that will be assigned under this contract will be determined at a later date and approved in accordance with PPM CW-F-050 with the appropriate bonds and insurance documents. Morganti is based in Danbury, Connecticut; however, the work will be directly managed by its southeast regional office in Palm Beach County. A DBE goal of 12% was established for this contract. Morganti will be required to demonstrate its good faith efforts to achieve the established DBE goal for each of the tasks/work orders assigned under this contract, in addition to the services provided by Cooper. Countywide (AH)

8. **Staff recommends motion to approve:** the third amendment (Amendment) to Airport Ground Transportation Concession Agreement (Agreement) (R2015-0776) with SE Florida Transportation, LLC (SEFT), a Florida limited liability company, providing for reduction in concession fees to the greater of a minimum annual guarantee (MAG) of \$210,000 or a per capita charge of \$0.065 per deplaned/arriving passenger. **SUMMARY:** SEFT provides on-demand taxi, sedan and shared-ride services to passengers at the Palm Beach International Airport (PBI). The number of deplaned passengers at PBI has increased, but the number of ground transportation trips continues to decline due in large part to the increased use of transportation network company (TNC) services. Due to the declining number of non-TNC trips at PBI, drivers for both SEFT, and its Airport Concession Disadvantaged Business Enterprise partner, Imperial Transportation, P.B.C., Inc. (Imperial), have requested reductions in the weekly fees the drivers pay to the companies for use of vehicles, dispatch services, equipment and other related costs. The Amendment provides for a reduction in the per capita charge from \$0.08 to \$0.065. The MAG is reduced to \$210,000 from \$240,000; however, it is anticipated that the per capita charge will exceed the MAG. Based on an estimated 3.3 million deplanements, the reduction in per capita charge is anticipated to be approximately \$50,000 per year to the County, which SEFT and Imperial have agreed to pass-thru directly to the drivers in the form of reduced fees. SEFT has also agreed to a permanent reduction in driver fees from July through September of each year at a cost to SEFT of approximately \$60,000 per year in order to further mitigate the reduced number of ground transportation trips during the slower summer months. Drivers for SEFT will receive an average reduction of approximately \$1,300 per year, and drivers for Imperial will receive an average reduction of \$520 per year. Actual reductions will vary based on the mode of transportation provided and the number of weeks services are provided by individual drivers. Increased TNC trip volume is anticipated to mitigate revenue declines caused by this Amendment. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

9. Staff recommends motion to receive and file: two Consent to Sublease (Consent) documents for Jet Aviation Associates, Ltd. (Jet Aviation), for Palm Beach International Airport (PBI).

1. Consent for Jet Aviation and Clay Lacy Aviation, effective 10/1/2018.
2. Consent for Jet Aviation and Jet Genius Holdings, Inc., effective 11/12/2018.

SUMMARY: Jet Aviation provides fixed based operator services at PBI pursuant to a lease agreement (R99-2239) with the County. The lease agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R94-1453. Countywide (AH)

10. Staff recommends motion to:

A) adopt a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$600,000 for Perimeter Fence Improvements at Palm Beach County Park Airport (Lantana Airport). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2020; and

B) approve a budget amendment of \$600,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget additional project costs of \$600,000 for a total project cost of \$750,000. There is \$150,000 in the current FY 2019 budget.

SUMMARY: The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$600,000 or 80% of the eligible project costs, whichever is less. Airport local funding in the amount of \$150,000 is also available for a total project cost of \$750,000. Countywide (AH)

11. Staff recommends motion to approve: third amendment (Amendment) to Fixed Base Operator Lease Agreement (Agreement) with Piedmont Hawthorne Aviation, LLC, d/b/a Signature Flight Support (Signature), a Delaware limited liability company, exercising the option to extend the Agreement for five years, deleting Exhibit "E", authorizing the use of a standard form sublease, and updating the construction requirement procedures and Notice provisions. **SUMMARY:** Under the Agreement (R2010-1109), Signature leases facilities at the North County General Aviation Airport (F45) and the Palm Beach County Glades Airport (PHK). The Amendment exercises the Agreement's option to extend the term for an additional five years, commencing September 1, 2020, and terminating August 31, 2025. The Amendment also deletes Exhibit "E" as the required improvements have been completed, authorizes Signature to use a standard form sublease, updates the construction requirements procedures and Notice provisions and includes the new standard County provision for scrutinized companies. Countywide (HF)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: financial statements from the Florida Development Finance Corporation. **SUMMARY:** The Florida Development Finance Corporation has submitted their financial statements as per Section 288.9610, Florida Statutes. Countywide (DB)
2. Staff recommends motion to approve: the appointment of Paul F. King, Esq. to the Contract Review Committee (CRC).

<u>Nominee</u>	<u>Seat No.</u>	<u>Nominated By</u>
Paul F. King	4	Commissioner McKinlay Vice Mayor Kerner

SUMMARY: On December 6, 2011, the Board of County Commissioners voted to add an At-Large appointee to the CRC. The Board directed that the new member be a representative from the community with general contracting experience, or an attorney experienced in construction law. The Honorable Robert S. Kleinberg formerly held this seat and elected not to be re-appointed. Staff previously notified the Board as to the vacancy and we have attempted to fill the seat for more than a year. Retired Assistant County Attorney Paul F. King, Esq. has come forward and has shown interest in serving in this capacity. Mr. King was an Assistant County Attorney for 26 years, and has experience with the CRC. The term of this seat expires on September 20, 2021. Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:
 - A) approve** a State of Florida – Hazard Mitigation Grant Program (HMGP) Application for Federal Emergency Management Agency (FEMA Region IV) funding in the amount of \$776,754 for removal of skylights and replacement with a permanent hardened roof at the Judge Robert T.K. Hurley Courthouse; and
 - B) authorize** the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, any/all other forms associated with this grant, and any necessary minor amendments that do not change the scope of work, terms or conditions of this grant.
- SUMMARY:** The Palm Beach County Local Mitigation Strategy (LMS) Working Group approved and prioritized this hazard mitigation project funding. The total estimated project cost is \$1,136,265, with \$1,035,672 being eligible for inclusion in the HMGP application. Of that eligible amount, \$776,754 (75%) would come from the HMGP award and the remaining \$258,918 (25%) would be required as a County match. The purpose of the project is to replace skylights that were installed at the time of original construction in 1995, and that failed to prevent water intrusion during Hurricane Irma in 2017, with a permanent hardened roof solution to preclude a repeat occurrence, protect the facility against damage, and preserve continuity of operations. **The County's share will come from existing funds within the Public Building Improvement Fund (Ad Valorem).** (FDO Admin) District 7 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** a license agreement (Agreement) with the School Board of Palm Beach County (School Board) for use of the County's courthouse facilities for Youth Court programming from January 15, 2019 through January 14, 2024. **SUMMARY:** This Agreement will allow the School Board to continue to utilize the County's courthouse facilities for Youth Court. The specific dates of each use, the courthouse and the courtroom to be used will be scheduled by the School Board on a Youth Court Calendar and delivered to the Court Services Division of the Palm Beach County Sheriff's Office (PBSO) and the County Facilities Development & Operations Department (FDO) up to three months in advance. Each use will occur between 5:00PM and 9:00PM and is subject to the General Conditions of Use attached to the Agreement as well as PBSO approval of the Youth Court calendar, which approval may include special conditions such as additional security, time and/or duration modifications, courtroom changes or payment for out of pocket expenses. There is no fee for the use of the Courthouse facilities; however, the School Board is responsible for compensating the County for any repairs, cleaning or services required to restore the facility to its pre-use condition. The term of the Agreement is for five years with two renewal options, each for a period of five years; and the County reserves the right to revoke the Agreement for any reason whatsoever upon 15 days notice. Additionally, the County reserves the right to cancel a Youth Court event with as much advance notice as reasonably practicable if: 1) the County determines that a weather related situation requires cancellation, 2) a state of emergency has been declared in Palm Beach County, 3) the Courthouse facility is damaged, requires repair or is required for other uses as determined by County, or 4) for other good cause as determined in the County's sole discretion. The School Board is solely responsible for providing supervision, security and oversight of all participants, invitees and guests for each use of the facilities. (FDO) Countywide (LDC)
3. **Staff recommends motion to approve:** Mortgagee's Joinder and Consent of the Kravis Center replat pursuant to the mortgage by The Raymond F. Kravis Center for the Performing Arts, Inc. (Center) dated December 6, 1989 (R89-1537-D) in favor of the City of West Palm Beach (City) and the County. **SUMMARY:** The proposed redevelopment of the Kravis Center requires the Kravis Center property be replatted and a portion of the property be dedicated as road right-of-way. The County contributed \$10,000,000 to the development and construction of the Kravis Center and has a security interest in the property pursuant to the mortgage, as affected by a Partial Release of Mortgage. The Center has requested that the County execute the Mortgagee's Joinder and Consent as co-mortgagee to allow for the approval of the replat and to provide for the subordination and consent of two 10' to 15' (approximate) wide strips of land located along Okeechobee Boulevard (.26 acres) and South Sapodilla Avenue (.15 acres), totaling .41 acres, as right-of-way dedications. The consent is being approved in support of the proposed redevelopment of the performing arts facility. (PREM) District 7 (HJF)
4. **Staff recommends motion to approve:** an Easement Agreement (Easement) in favor of the Florida Inland Navigation District (FIND) at the County's Jupiter Beach Park and Carlin Park in Jupiter. **SUMMARY:** This perpetual easement is for the pumping, transmission and placement of beach compatible sand in connection with FIND's inlet dredging and the beach renourishment project within the County's Jupiter Beach Park and Carlin Park. This Easement allows the dredged material from the inlet to be deposited along an approximately .86 mile stretch of beach within the undeveloped beach front portion of the Jupiter Beach and Carlin Park. The County will have the right to terminate the Easement upon 12 months written notice to FIND. The Easement is being granted to FIND at no charge, as it will provide beach renourishment to the Parks. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment No. 1 with Cedars Electro-Mechanical, Inc. (R2018-1776) to extend the term from January 13, 2019 through January 12, 2020 for the annual contract for heating, ventilation and air conditioning (HVAC) services on a continuing contract basis. **SUMMARY:** Amendment No. 1 extends the term of Cedars contract for HVAC services for one year through January 12, 2020. The Board approved the annual contract on January 13, 2015, and the original contract provided for an initial term of one year with four renewal options each for a period of one year. This is the last renewal for this contract. 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. During the first four years of these contracts, the County awarded \$4,964,534 in work orders. The annual HVAC contract is for indefinite-quantity contracts with a maximum cumulative value of \$8,500,000 for the term. Current cumulative SBE participation for all work orders to-date and among all six contractors is 72.46%. Cedars Electro-Mechanical, Inc. is a SBE, Palm Beach County business. Cedars has received a letter advising that the EBO Ordinance became effective on January 1, 2019 and all quotes/bids solicited after January 1, 2019 must comply with its requirements. This HVAC annual contract was scheduled for the Goal Setting Committee on January 2, 2019. (Capital Improvements) Countywide (LDC)

6. Staff recommends motion to approve: Amendment No. 2 to five annual contracts extending the term for one year for the period of January 19, 2019 through January 18, 2020 for asbestos consulting services on a continuing contract basis.

A) Airquest Environmental, Inc. (R2017-0412), Non-SBE/Local, 0% SBE participation to date;

B) ECO Advisors, LLC. (R2017-0413), SBE/Local, 88.4% SBE participation to date;

C) Gaudet Associates, Inc. (R2017-0414), SBE/Local 71.2% SBE participation to date;

D) GLE Associates, Inc. (R2017-0415), Non-SBE/Non-Local, 0% SBE participation to date; and

E) Professional Service Industries, Inc. (R2017-0417), Non-SBE/Local, 0% SBE participation to date.

SUMMARY: In January, 2016, the School District of Palm Beach County performed selection in accordance with the Consultants Competitive Negotiation Act, to provide asbestos consulting services. The County piggybacked on the School District's contracts, as it was more efficient than the County performing its own selection. The School District's contracts provided an initial term of two years, with three renewals options each for a period of one year. Amendment No. 2 extends the term of the contract services during the second renewal period for one year from January 19, 2019 through January 18, 2020 based on the past limited need for consultants with this expertise. Since 2016, the County has awarded \$350,037 in work among all consultants. Due to the projected ongoing need for these services and the availability of SBE owned firms, staff is going to proceed with a County solicitation pursuant to the EBO Ordinance. When the new contracts are awarded these will be terminated. The cumulative SBE participation for all work orders to date is 32.8%. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: amendments to 17 annual Minor Construction contracts extending the term for one year from February 3, 2019 through February 2, 2020 for minor construction services on a continuing contract basis.

<u>Contractor</u>	<u>Original Contract Resolution</u>	<u>Status</u>	<u>Total dollars in Work Orders to-date</u>	<u>Total SBE Participation To-date</u>
A) All-Site Construction Inc.	R2015-0155	Local/MBE	\$1,038,493	61%
B) Andrea Construction, Inc.	R2015-0157	Local/SBE	\$2,089,343	44%
C) ANZCO, Inc.	R2015-0158	Local/SBE	\$1,362,691	41%
D) Carrick Contracting Corporation	R2017-0297	Local/Non-SBE	\$23,993	0%
E) Cooper Construction Management & Consulting, Inc.	R2017-0298	Local/MBE	\$167,460	32%
F) DCOTA Contracting, Inc.	R2015-0161	Local/MBE	\$54,975	61%
G) Green Building Construction Corp	R2017-0299	Local/MBE	\$0	0%
H) J. Rawn Enterprises, Inc.	R2015-0165	Local/SBE	\$42,972	35%
I) Joe Schmidt Construction, Inc.	R2015-0164	Local/SBE	\$1,643,716	58%
J) McTeague Construction Co., Inc.	R2017-0301	Non-Local/Non-SBE	\$55,200	0%
K) Newbold Construction, Inc.	R2017-0809	Local/MBE	\$0	0%
L) One Call Property Services, Inc.	R2017-0302	Local/SBE	\$0	0%
M) Ralph Della-Pietra Inc.	R2015-0167	Local/SBE	\$422,680	22%
N) Randolph Construction Group, Inc.	R2017-1040	Local/MBE	\$14,670	100%
O) RJS Construction Group, Inc	R2017-0304	Local/Non-SBE	\$244,572	28%
P) Robling Architecture Construction, Inc.	R2015-0168	Local/SBE	\$173,302	85%
Q) Thermal Concepts, Inc.	R2017-0305	Non-Local/Non-SBE	\$0	0%

SUMMARY: The amendment extends the term of the contract for minor construction services for one year through February 2, 2020. The Board approved the annual contract on February 3, 2015, and the original contract provided for an initial term of one year with four renewal options each for a period of one year. During the first four years of the contract, the County awarded \$7,381,612 in work orders. The cumulative SBE participation for all work orders to-date is 53%. The annual Minor Construction contract is for indefinite-quantity contracts with a maximum cumulative value of \$9,000,000 for the term. Projects are bid among the pre-qualified participants and additional firms may become prequalified at any time. Fifteen of the 17 contractors are Palm Beach County businesses. Of the two remaining contractors, one is based in Broward County and the other is based in Martin County. The amendment includes 17 prequalified contractors with seven of the contractors being SBE certified and six being MBE certified. Each of these pre-qualified contractors have received a letter advising that the EBO Ordinance became effective on January 1, 2019 and all quotes/bids solicited after January 1, 2019 must comply with its requirements. These contracts were scheduled for Goal Setting Committee on January 2, 2019. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: the Notice of Termination letter terminating the Job Growth Incentive Grant Agreement (R2009-0949) with TBC Parent Holding Corporation, TBC Retail Group, Inc. and TBC Shared Services, Inc. (collectively TBC). **SUMMARY:** On June 2, 2009, the County entered into a Job Growth Incentive Grant Agreement (R2009-0949) with TBC to provide up to \$40,000 in local matching support under the State of Florida Qualified Target Industry Tax Refund program. To date, the County disbursed \$30,800 in local matching support funds based on invoices submitted by TBC. These disbursements were contingent on full compliance with all stipulations and reporting requirements specified in the Agreement. TBC has agreed to the termination of the Agreement due to non-compliance and allowed the County to recover the \$30,800 in grant funds from TBC's security deposit with the remaining balance of the security deposit returned to TBC. The effective date of the termination was May 11, 2018. District 1 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to receive and file: documents executed in connection with a loan made to Shellco Construction Corp., Simplified Inc., and Simplified Fabricators Inc. under the Housing and Urban Development (HUD) Section 108 Loan Program as follows:

A) Palm Beach County Section 108 Loan Commitment Letter, dated October 1, 2018, for \$600,000;

B) Palm Beach County Section 108 Promissory Note, dated October 31, 2018, for \$600,000;

C) Palm Beach County Section 108 Loan Agreement, dated October 31, 2018, for \$600,000;

D) Palm Beach County Section 108 Loan Program Agreement, dated October 31, 2018, for \$600,000;

E) Palm Beach County Section 108 Security Agreement, dated October 31, 2018;

F) Palm Beach County Section 108 Guaranty Agreement, dated October 31, 2018;

G) Palm Beach County Section 108 Further Assurances and Errors and Omissions Statement;

H) Collateral Security Mortgage Agreement, dated October 31, 2018;

I) Intercreditor Agreement, dated October 31, 2018;

J) UCC-1 Financing Statement (Florida Secured Transaction Registry)

K) Borrower's Certificate (Incumbency and Resolutions) – Shellco Construction Corp.

L) Borrower's Certificate (Incumbency and Resolutions) – Simplified Inc.

M) Borrower's Certificate (Incumbency and Resolutions) – Simplified Fabricators Inc.

N) Corporate Guarantor's Certificate (Incumbency and Resolutions) – Simplified Holdings, LLC

O) Opinion of Borrower Counsel for Section 108 Loan.

SUMMARY: The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolution R2009-0725. The \$600,000 working capital loan will be used to support the business operations as a manufacturer of specialized truck beds, including organization/storage equipment and accessories, for commercial vehicles used in industries such as construction and landscaping. The project will create 22 full time equivalent jobs over five years. The HUD Section 108 Loan Program offers state and local governments the availability of funding to support businesses by providing gap financing for projects that promote business growth and create and retain jobs. To meet a HUD National Objective, at least 51 percent of the jobs created are made available to, or held by, Low-Moderate income persons. In 2002, the BCC approved the development and administration of the Palm Beach County Section 108 Loan Program as well as the incorporation of the County 108 Program into the Palm Beach County Five-Year Consolidated Plan (R2002-0989 and R2002-0990). The County's loan-supported projects have generated more than \$98M in capital investments and created almost 2,000 new jobs. Each dollar loaned by the County has been leveraged by \$3.66 in private investments. 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. **These are Federal funds which require no local match.** District 6 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to receive and file: documents executed in connection with a loan made to Prestige Commercial Kitchen, Inc., under the Housing and Urban Development (HUD) Section 108 Loan Program as follows:

A) Palm Beach County Section 108 Loan Commitment Letter, dated, October 31, 2018, for \$373,000;

B) Palm Beach County Section 108 Promissory Note, dated, October 31, 2018, for \$373,000;

C) Palm Beach County Section 108 Loan Agreement, dated, October 31, 2018, for \$373,000;

D) Palm Beach County Section 108 Loan Program Agreement, dated, October 31, 2018, for \$373,000;

E) Palm Beach County Section 108 Security Agreement, dated, October 31, 2018;

F) Palm Beach County Section 108 Guaranty Agreement, dated, October 31, 2018;

G) Palm Beach County Section 108 Further Assurances and Errors and Omissions Statement;

H) UCC-1 Financing Statement (Florida Secured Transaction Registry);

I) Borrower's Certificate (Incumbency and Resolutions);

J) Corporate Guarantor's Certificate (Incumbency and Resolutions); and

K) Opinion of Borrower Counsel for Section 108 Loan.

SUMMARY: The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator, or designee, in accordance with Resolution R2009-0725. Prestige Commercial Kitchen is a rapidly growing installer and wholesale supplier of commercial kitchens. Founded in 2013 by Victor Ortiz and Adrian Silva, the company builds walk-in coolers/freezers and installs commercial kitchens for customers including hotels, casinos, restaurants, country clubs, and schools. Prestige Commercial Kitchen's total project cost is \$1,719,190, consisting of a \$373,000 Section 108 loan. The company expansion plans include purchasing a building and new equipment. The project will create 19 full time equivalent jobs over five years. The HUD Section 108 Loan Program offers state and local governments the availability of funding to support businesses by providing gap financing for projects that promote business growth and create and retain jobs. To meet a HUD National Objective, at least 51 percent of the jobs created are made available to, or held by, Low-Moderate income persons. In 2002, the BCC approved the development and administration of the Palm Beach County Section 108 Loan Program as well as the incorporation of the County 108 Program into the Palm Beach County Five-Year Consolidated Plan (R2002-0989 and R2002-0990). The County's loan-supported projects have generated more than \$98M in capital investments and created almost 2,000 new jobs. Each dollar loaned by the County has been leveraged by \$3.66 in private investments. 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. **These are Federal funds which require no local match.** District 2 (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** the reappointment of three members to the Land Development Regulation Advisory Board (LDRAB), for the term from February 6, 2019, to February 8, 2022.

<u>Reappoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Terrence Bailey	10	Public Works Director	Florida Engineering Society
Derek Zeman	14	Land Surveyor	Florida Surveying & Mapping Society
Charles Duane Drawdy	15	Commercial Builder	AGC Florida East Coast Chapter

SUMMARY: The LDRAB is comprised of 18 members. The term of office for Board members is three years, with a limit of three consecutive three-year terms. Nine of the members shall be appointed by a majority of the Board of County Commissioners (BCC) upon a recommendation by the following organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Associated General Contractors of America and The Palm Beach County Planning Congress. Seven members will be appointed by the BCC; one from each commissioner as a district appointment, with consideration of expertise stated in Article 2. G.3. A.3.b. The BCC shall also appoint two at-large alternate members, by a majority vote of the BCC with consideration of the expertise noted above. Derek Zeman has disclosed that he is an officer of DPRM, Inc. that contracts with the County. Charles Duane Drawdy has disclosed that he has an ownership position in Drawdy Construction Company, Inc. that contracts with the County. The LDRAB provides **no** regulation, oversight, management, or policy-setting recommendations regarding the subject contract(s). 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. The Board consists of 18 members, with 17 seats currently filled and a diversity count of Caucasian: 15 (88%), African-American: 1 (6%), Hispanic-American 1 (6%). The gender ratio (male: female) is 13:4. Mr. Terrence Bailey is an African-American male, and Mr. Zeman and Mr. Drawdy are Caucasian males. Staff will continue to address the need to increase diversity on our boards. Unincorporated (LB)

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** executed agreements received during the months of September and October 2018.

A) Standard Potable Water and Wastewater Development Agreement with Lynx Zuckerman at Fort Myers, LLC, SDA # 03-01041-000 (District 3), Recorded in OR BK 30182 PG 1229.

B) Standard Potable Water and Wastewater Development Agreement with Divosta Homes, L.P., SDA # 02-01146-002 (District 6), Recorded in OR BK 30182 PG 1238.

C) Standard Potable Water and Wastewater Development Agreement with Polo Trace Associates, LLLP, SDA #03-01042-000 (District 5), Recorded in OR BK 30182 PG 1248.

SUMMARY: The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department (WUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to approve:

A) a contract for Optimization and Improvements Design-Build Services with Globaltech, Inc.; and

B) a contract for Optimization and Improvements Design-Build Services with Cardinal Contractors, Inc.

SUMMARY: These two contracts will improve the County's water, wastewater, and reclaimed water treatment and other County facilities by providing Design-Build services for optimization, energy efficiency, continuing compliance with regulatory requirements, safety, security, sustainability, alternative water supply and replacement or repair of critical components. The Design-Build services will be for projects less than \$2,000,000 of construction value. Work Authorizations will be negotiated and issued in accordance with the standard County procedures outlined in Countywide PPM CW-F-050. Each contract has a term of three years. This contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the amended Equal Business Ordinance on October 16, 2018. The SBE participation goal established by the 2002 SBE Ordinance was 15% overall participation. Globaltech, Inc., has agreed to meet a 58% SBE goal which includes 12% MWBE participation, 10% MWBE (H) , 1% MWBE (B) and 1% MWBE (O). Globaltech, Inc., is a local company and was a Certified SBE Company on the date of the selection committee meeting. Cardinal Contractors, Inc., has agreed to meet or exceed a 31% SBE goal which includes 21% MWBE participation, 16% MWBE (H) and 5% MWBE (O). Cardinal Contractors, Inc. is a local company. (WUD Project No. 18-031) Countywide (MJ)

3. Staff recommends motion to accept: a non-standard Utility Easement (Easement) granted by Congress Avenue Properties, LTD., to the County on properties located within Blackbird Subdivision, Parcel 4 and Innovation Subdivision, Parcel 1. **SUMMARY:** The proposed Easement is required at five separate locations over lands where the Water Utilities Department (WUD) owned utilities are proposed to be installed. The Easement will provide WUD staff access to the property for operation and maintenance purposes. Congress Avenue Properties, LTD., has requested modifications to the standard utility easement language that require approval by the Board of County Commissioners. The changes include the insertion of two additional paragraphs that state: (1) Grantor reserves the right to use the easement areas for purposes that do not necessarily interfere with Grantee's use of the premises; and (2) Grantor reserves the right to require the Grantee to relocate the easements at Grantor's expense. The process and responsibilities of each of the parties in relocating any portion of easement and the underlying utilities are also detailed within the Easement. (WUD Project 16-544) District 1 (MJ)

4. Staff recommends motion to approve: a Subordination of Utility Interests to the State of Florida Department of Transportation (FDOT). **SUMMARY:** On April 11, 2006, a utility easement for public utility facilities associated with the extension of the wastewater force main along Atlantic Avenue was granted to the County by the then Property Owner. The utility easement was recorded in the Official Records of Palm Beach County, ORB 20294, Page 438. The FDOT has an interest in a portion of this utility easement that has been determined to be necessary for highway purposes. The proposed use of these lands for highway purposes will require subordination of the interest claimed in such lands by the County to FDOT. FDOT has committed to pay to have the County's facilities relocated in the future if necessary. The Water Utilities Department has determined that the subordination of utility interests will not affect any existing public utility facilities and therefore recommends the subordination. District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **Staff recommends motion to approve:** Change Order No. 2 with Gilmore Electric Company, Inc., for the Generator Lug Boxes at Water Treatment Plants (WTPs) 2, 3, 8, 9 & Southern Region Operations Center (SROC) (Project) in the amount of \$127,363 with a 55-day time extension. **SUMMARY:** On March 13, 2018, the Board of County Commissioners (BCC) approved the contract for the Project (R2018-0290) with Gilmore Electric Company, Inc. Change Order No. 2 provides for revisions to the generator lug box locations, an increase of \$127,363 and 55 calendar days for final completion of the Project. The installation of exterior lug boxes for connection of temporary generators for electrical backup will improve safety and increase reliability of emergency power. The generator lug boxes will be used during scheduled maintenance and/or failure of the existing emergency generators. This contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance prior to the adoption of the amended Equal Business Ordinance on October 16, 2018. The contract provides for 100% SBE participation. Change Order No. 2 provide 100% SBE participation. The cumulative SBE participation including Change Order No. 2 is 100%. Gilmore Electric Company, Inc., is headquartered in Palm Beach County. This Project is included in the WUD FY 19 Budget. (WUD Project No. 17-023) Districts 2 & 5 (MJ)

6. **Staff recommends motion to approve:** Work Authorization No. 4 to the Continuing Construction Contract for Wastewater Gravity Lines and Manhole Rehabilitation with Hinterland Group, Inc., for Sanitary Sewer Lining Project Lift Station Basin 4101 (Project) in the amount of \$1,062,018.68. **SUMMARY:** On December 5, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Continuing Contract for Wastewater Gravity Lines and Manhole Rehabilitation (R2017-1819) to Hinterland Group, Inc. Work Authorization No. 4 provides for the rehabilitation of approximately 17,000 linear feet of existing wastewater gravity pipelines and 110 manholes within Lift Station Basin 4101 located in Royal Palm Beach. The work will include cleaning of the gravity sewer pipelines and manholes, video inspection and rehabilitation of the pipelines and manholes where necessary. This contract was procured under the requirements of the 2002 SBE Ordinance prior to the adoption of the amended Equal Business Ordinance on October 16, 2018. The contract with Hinterland Group, Inc., provides for 94.9% SBE participation. Work Authorization No. 4 includes 100% SBE participation. The cumulative SBE participation to date, including Work Authorization No. 4 is 100%. Hinterland Group, Inc., is a Palm Beach County company. The Project is included in the FY 19 Capital Improvement Plan adopted by the BCC. (WUD Project 18-071) District 6 (MJ)

7. **Staff recommends motion to approve:** the reappointment of an At-Large member to the Water Utilities Advisory Board for a third term of three years effective January 15, 2019 through September 30, 2021.

<u>Nominee:</u>	<u>Requirements:</u>	<u>Seat No.</u>	<u>Nominated by:</u>
Beverly Scott	Current WUD Customer Resides in Glades of PBC	10	Mayor Bernard Comm. Weinroth Comm. McKinlay Vice-Mayor Kerner

SUMMARY: Resolution No. R2014-0457 provides for an 11 member Water Utilities Department Advisory Board (WUDAB). The membership consists of seven district members, two Countywide At-Large members, one Lake Region member and one Royal Palm Beach At-Large member. On September 30, 2018, Beverly Scott's term as a member of the WUDAB expired. Mrs. Scott has served on the WUDAB since October 16, 2012. Mrs. Scott has indicated a desire to continue as a WUDAB member and has demonstrated her commitment by maintaining good attendance, and fellow support from the other members of the Board. Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. ~~Staff recommends motion to approve: annual contracts with the below listed construction vendors, for Palm Beach County Artificial Reef and Breakwater Annual Contract, Project No. 2018ERM03 for a period of two years:~~

~~A) Coston Marine Services, Inc. (Contractor A) not to exceed \$1,500,795; and~~

~~B) McCulley Marine Services, Inc. (Contractor B) not to exceed \$1,478,743.~~

~~**SUMMARY:** These construction contracts are being established to construct artificial reefs in the Atlantic Ocean and inshore marine restoration projects. The County will authorize projects by contract work orders, when needed and adequately funded. Two bids were received. The Department of Environmental Resources Management recommends awarding the work to two contractors. This will provide redundancy and capacity for multiple, concurrent projects. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Contractor A, a Palm Beach County SBE, was the higher responsive, responsible bidder. Since it had 20% SBE participation and fell inside the range for the ranking of responsive bidder consideration, Contractor A was ranked lowest responsive bidder. Contractor B, a St. Lucie County company, was the next lowest responsive, responsible bidder with no SBE participation. The initial contract term is two years, which may be extended for an additional one year upon approval by the Board of County Commissioners. Countywide (DC)~~

2. Staff recommends motion to:

A) approve State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 18PB8 (Agreement) with the FDEP to provide up to \$129,237.76 for Juno Beach Nourishment (Project) permitting expenses for a term beginning on January 26, 2016 and expiring December 31, 2019;

B) approve a budget amendment of \$129,238 in the Environmental Resources Management Capital Projects Fund to recognize the revenue award from the FDEP; and

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

SUMMARY: The FDEP Agreement No. 18PB8 Juno Beach Nourishment will reimburse the County up to \$129,237.76 for permitting expenses related to the third nourishment of the Project. A 100% match is required. **The total Project permitting cost of \$258,475.53 will be shared by the FDEP 50% and the County 50%.** District 1 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve an Agreement and License for Property Access to Trim Vegetation (Agreement) between Palm Beach County (County) and Seaview at Juno Beach Property Owner's Association, Inc. (Association) for permit approved trimming of vegetation on County owned beach front property in Juno Beach, for a term of five years beginning upon execution of this Agreement and ending January 15, 2024; and

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

SUMMARY: The Association is located on the west side of Highway A1A in Juno Beach immediately south of the Juno Beach Pier. The Agreement allows the Association to trim approximately 200 linear feet of native vegetation on County property along the east side of Highway A1A. The Agreement replaces and terminates an existing trimming Agreement (R2015-0204), set to expire on February 3, 2020. The new Agreement allows the Association to trim approximately 60 additional linear feet and establishes a consistent trim height with neighboring properties. The Association will be responsible for obtaining all local and state permits, and for damages to County property due to trimming. The Agreement provides for monitoring to ensure that trimming will not adversely impact sea turtle nesting activities on the beach nor threaten the viability of the vegetation which helps to stabilize the dune. **No County funds required.** District 1 (AH)

4. Staff recommends motion to approve: Work Order No. ERM 18C-05 to the Palm Beach County Annual Pathway and Minor Construction Contract Federalized Project No. 2015056 (Contract), as amended, with Wynn and Sons Environmental Construction Company, Inc. (Wynn and Sons), for an amount not to exceed \$790,615.96, providing for the construction of public use facilities at Loxahatchee Slough Natural Area upon execution until September 30, 2019. **SUMMARY:** On March 1, 2016, the Board of County Commissioners (BCC) approved the Contract with Wynn and Sons (R2016-0231). The Contract was amended on January 10, 2017 (R2017-0022) and February 6, 2018 (R2018-0136) to extend its expiration date and increase the amount of work authorized under the Contract. Tasks issued under Work Order No. ERM 18C-05 will be partially or fully funded by a Federal Land and Water Conservation Fund pass-through grant from the State of Florida Department of Environmental Protection (FDEP). Therefore, Small Business Enterprise participation and geographic preferences are not applicable. The FDEP grant will fund up to \$200,000 of the cost of the public use facilities. **The grant requires a 50% County match, which is included in the Department of Environmental Resources Management's Capital Project Fund (3654).** District 1 (DC)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to approve: the appointment of one member to the Groundwater and Natural Resources Protection Board (GNRPB), Seat No. 3, to complete a three-year term beginning January 15, 2019 through May 5, 2020.

<u>Seat No.</u>	<u>Appoint</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated by</u>
3	Winifred P. Said	Member of an Environmental Chapter of the Florida Organization Native Plant Society	05/05/20	Palm Beach County

SUMMARY: The GNRPB is comprised of seven members as specified in Article 2.G.3.F.3 of the Unified Land Development Code (ULDC). The membership consists of one professional engineer, one attorney, one hydrologist or hydrogeologist, one citizen possessing expertise and experience in managing a business, one biologist or chemist, one concerned citizen, and one member of an environmental organization. Ordinance 92-20 and Article 2.G.3.F.3 of the ULDC requires that Seat No. 3 be filled by a member of an environmental organization. The GNRPB has seven seats, six seats currently filled and diversity count of Caucasian: 5 (85.7%), and African-American: 1 (14.3%). The gender ratio (female:male) is 2:4. The nominee is a Caucasian female. Staff will continue to address the need to increase diversity on our boards. Countywide (AH)

M. PARKS & RECREATION

1. Staff recommends motion to:

A) approve a budget transfer of \$15,952 within the \$50 Million GO Waterfront Access Bond from the Burt Reynolds Park West Side Expansion project to the Okeeheelee Park Ski Lake Dock Replacement project; and

B) approve a budget transfer of \$165,135 within the \$50 Million GO Waterfront Access Bond from Reserves to the Okeeheelee Park Ski Lake Dock Replacement project.

SUMMARY: Five competition ski lakes and associated service structures were constructed within Okeeheelee Park by the Department in the early 1980's. The existing dock structures are utilized primarily by the public and the members of the Ski Club of the Palm Beaches for activities associated with water skiing. Heavy use over the years coupled with a marine environment has caused the structures to deteriorate to a point where replacement of the entire dock system is necessary. On May 1, 2018, (Budget Transfer 18-0601), \$350,000 was transferred from the Park Improvement Fund to establish budget for the Okeeheelee Park Ski Lake Dock Replacement project to replace the wood/composite docks with new aluminum floating docks. The estimate to complete this project is \$398,713 and this transfer will be adequate to fully fund the project and any unanticipated change orders or project modifications. Funding for this budget transfer is from the \$50 Million GO Waterfront Access Bond fund and will exhaust the Bond reserves. District 2 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to approve:

A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017; and

B) a budget transfer of \$285,000 within the IST Fund to transfer \$269,044 within the IST Fund and \$15,956 from IST Department Reserves to fund the West Boynton Parking Lot Light Replacement Project.

SUMMARY: The purpose of this transfer is to address an immediate maintenance need for an IST project that was identified for funding in a future year. The replacement of parking lot lighting at West Boynton Park and Community Center is scheduled to be funded in FY 2022 in the amount of \$285,000 through IST proceeds. These lights are failing more rapidly than anticipated and, if they become non-functional, would potentially pose a safety hazard to those utilizing the parking area given the reduction in illumination. The Parks and Recreation Department wishes to advance this project to FY 2019 so these potential safety issues can be addressed before additional failures. Conversely, the need to replace the racquetball courts at Haverhill Park has been diminished as a result of temporary repairs completed by the Parks and Recreation Department and can be delayed until FY 2022. This project was originally funded for \$270,000 (\$269,044) in FY 2018. Funds are available in the Parks Department IST Reserve to make up the \$15,956 difference. The Sales Tax Oversight Committee reviewed this request at their November 15, 2018 meeting and approved it unanimously. **This project is funded through the infrastructure sales tax.** Countywide (AH)

3. Staff recommends motion to approve: a non-standard Special Event Area Rental Agreement with Delray Beach Arts, Inc., for Garlic Fest 2019 from February 5, 2019, through February 12, 2019, at John Prince Park. **SUMMARY:** The South Florida Garlic Fest is a premier food and entertainment event in South Florida. The event is dedicated to exploring the numerous health and culinary possibilities of garlic. Garlic Fest serves as a gathering festival focal point for musicians, artists of every genre, and culinary artists. Now in its 20th year, the South Florida Garlic Fest is affectionately known as "The Best Stinkin' Party in Florida". This is the third year that this event will be held at John Prince Park. In previous years, the event required a permit by the special events section. However, due to the success and increased scope of the event, a Special Event Area Rental Agreement is required. District 3 (AH)

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

A) Grand Slam Events, LLC, Beachtoberfest, Seabreeze Amphitheater, for the period October 25, 2018 through October 29, 2018; and

B) JMF Corporation, LLC, Griot Festival, Sunset Cove Amphitheater, for the period November 17, 2018 through November 18, 2018.

SUMMARY: These Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. These programs are part of a balanced schedule of events, which promote the quality of life in the communities we serve. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. 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, Nostalgia Swing Band concert, Canyon Amphitheater, for the period November 17, 2018 through November 18, 2018; and

B) Blackwood Productions, LLC, Griot Festival, Sunset Cove Amphitheater, for the period November 17, 2018 through November 18, 2018.

SUMMARY: These Sound and Light Production Services Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. District 5 (AH)

6. Staff recommends motion to receive and file: the following executed Entertainment Contractor Agreement between Palm Beach County and Robert Haft, Nostalgia Swing Band, Canyon Amphitheater, on November 17, 2018. **SUMMARY:** The Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this Agreement in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) first amendment with the Gold Coast Gymnastics, Inc, Tiny Tot Tumbling Instructor, West Boynton Recreation Center, for the period December 12, 2017 through September 30, 2018; and

B) Modern Bujutsu Karate, Inc, Martial Arts Instructor, West Boynton Recreation Center, for the period October 3, 2018 through September 30, 2019; and

C) M. Regina Rodrigues, Gentle Yoga TRIP and Community Programs Instructor, CMAA Therapeutic Recreation Complex for the period October 1, 2018 through September 30, 2019; and

D) M. Regina Rodrigues, Gentle Yoga Adults/Seniors Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2018 through September 30, 2019; and

E) Gold Coast Gymnastics, Inc, Tiny Tot Gymnastics Instructor, West Boynton Recreation Center, for the period of October 4, 2018 through September 30, 2019; and

F) Shelly M. Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period of August 18, 2018 through September 29, 2018; and

G) Shelly M. Janssen, Youth Dance Instructor, West Boynton Recreation Center for the period of October 2, 2018 through September 28, 2019; and

H) Palm Beach County Officials Association, Fall 2018 Youth Basketball Officials, Westgate Recreation Center, for the period September 22, 2018 through September 29, 2018; and

I) Palm Beach County Officials Association, Fall 2018 Youth Basketball Officials, West Boynton Recreation Center, for the period of October 2, 2018 through December 31, 2018; and

J) Palm Beach County Officials Association, Fall 2018 Youth Basketball Officials, Westgate Recreation Center, for the period October 6, 2018 through November 10, 2018; and

K) Palm Beach County Officials Association, Fall 2018 Junior Volleyball Officials, West Boynton Recreation Center for the period November 6, 2018 through December 31, 2018.

SUMMARY: These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated contracts/agreements/grants to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 3 & 7 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) ratify the Mayor's signature on a grant application to the Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Formula Federal FY2017 (County FY2018) Grant (JAGC) in the amount of \$322,513 beginning October 1, 2017 through March 31, 2019 to fund the Palm Beach County Reentry Program; and

B) authorize the County Administrator, or designee, to execute the grant award, amendments, documents, and electronic grant reporting forms, related to this grant, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations.

SUMMARY: Palm Beach County was allocated \$322,513 in Federal FY2017 (County FY2018) funds as part of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (CFDA#16.738) for expenditure for the period retroactive to October 1, 2017 through March 31, 2019. The Criminal Justice Commission (CJC) approved recommendations made by the CJC's Finance Committee to allocate these funds to the existing Palm Beach County Reentry Program. The JAG funds were held nationwide until June 26, 2018 due to a federal lawsuit. This award will retroactively compensate the County for the program expenditures during County FY18 and continue into FY19 until the funds are expended. The program provides transitional services to juveniles and adults reentering society from jail and prison. A competitive Request for Applications (RFA) was distributed and multiple agencies responded. Gulfstream Goodwill Industries, Inc., the City of Riviera Beach and The Lord's Place, Inc., were selected as providers based on contracting, eligibility, project scope, budget, experience, administration/ organizational capacity and references. 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 local match is required for this grant.** Countywide (DC)

2. Staff recommends motion to receive and file: Grant Adjustment Notice (GAN) three from the Federal Fiscal Year 2016 (County FY17) Florida Department of Law Enforcement (FDLE) Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2017-JAGC-PALM-1-F9-015 for the term of October 1, 2016 through September 30, 2017 to reinstate the grant for vendor clarification of expenditures, provide an extension of the grant period, change the project director, and relinquish an unexpended balance of \$16,453.28. **SUMMARY:** Grant 2017-JAGC-PALM-1-F9-015 was awarded to Palm Beach County in the amount of \$233,395 for the Adult Reentry Program. GAN three provides for an extension from December 31, 2017 to September 30, 2018 to clarify vendor expenditures, a budget modification to reflect changes in contractual services, a change in the project director due to personnel changes of CJC staff, and a relinquishment of the unexpended balance of funds in the amount of \$16,453.28 to the Florida Department of Law Enforcement. This GAN has been fully executed on behalf of the Board of County Commissioners by the Executive Director of the Criminal Justice Commission (CJC), in accordance with R2016-1029. **No County matching funds are required for this grant.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION (Cont'd)

3. Staff recommends motion to:

A) receive and file a no cost contract for consulting/professional services with Uprust, Inc., for the period November 8, 2018 through November 18, 2019 to implement a court date reminder system for criminal court defendants in the Fifteenth Judicial Circuit, Palm Beach County, Florida, with services to be paid by Robert F. Kennedy Human Rights directly to Uprust, Inc.; and

B) authorize the County Administrator, or designee, to execute 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 (the 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. This agreement will address the strategy to reduce the number of defendants admitted to the Palm Beach County jail for a failure to appear (FTA) for court. In 2016, 14% (3,528 defendants) of jail admissions were for FTA. Court reminder systems have proven very successful in other jurisdictions across the nation in reducing FTA's by as much as 50%. This reminder system will be in addition to the existing Clerk's Office paper notification process and will be done through text messages upon the defendant's enrollment by signing a consent form required by the Federal Communications Commission. Funding for the consultant's work will be provided by Robert F. Kennedy Human Rights as a one-year pilot project. The Director of the County Purchasing Department executed this agreement pursuant to Palm Beach County Purchasing Policy and Procedures CW-L-008. **No County matching funds are required.** Countywide (DC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the following Project Budget Adjustment Amendments for ex-offender reentry services:

A) Third Project Budget Adjustment Amendment, Contract #R2017-1388 (City of Riviera Beach - Adult Reentry);

B) Fourth Project Budget Adjustment Amendment, Contract #R2017-1386 (The Lord's Place, Inc. - Adult Reentry);

C) Fifth Project Budget Adjustment Amendment, Contract #R2017-1387 (Gulfstream Goodwill Industries Inc. - Adult Reentry); and

D) Sixth Project Budget Adjustment Amendment, 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. On September 12, 2017, the Board of County Commissioners authorized the County Administrator, or designee, to execute amendments and administrative documents associated with these contracts. Project budget adjustments were executed by the Public Safety Director on October 25, 2018 to adjust the budgets within approved line items in order for the contracted providers to be reimbursed their full budgeted allocations. The third adjustment to the contract with the City of Riviera Beach reduced designated allowable "out of pocket" expenses from \$4,100 to \$2,800, reallocated funds within operational expenses, and added updated County required language related to the termination, criminal history records checks and scrutinized companies articles. The fourth adjustment to the Lord's Place, Inc. reallocated funds within operational expenses and added updated County required language related to the termination, criminal history records checks and scrutinized companies articles. The fifth adjustment to the contract with Gulfstream Goodwill Industries, Inc. (adult reentry) reduced designated allowable "out of pocket" expenses from \$13,295 to \$9,108.43 and reallocated funds within operational expenses. The sixth adjustment to the contract with Gulfstream Goodwill Industries, Inc. (juvenile reentry) reduced the contract amount from \$361,101 to \$334,023 and the excess funding was used to fund other shortages in the reentry program due to Department of Corrections funding restrictions. All four contract adjustments are effective retroactively as of September 1, 2018. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) approve a Mutual Aid Agreement with the United Way of Palm Beach County, Inc. (UWPBC) to be the lead agency to coordinate the Volunteer and Donation Unit, Emergency Support Function (ESF #15) during times of disasters for a five year period upon execution of the contract; and

B) authorize the County Administrator, or designee, to sign all future renewals, task assignments, and necessary minor amendments that do not change the scope of work or terms and conditions of the contract after approval of legal sufficiency by the County Attorney's Office.

SUMMARY: The UWPBC will provide the resources, training and lead coordination efforts needed with other non-profits organizations during disasters to coordinate donations from the public and spontaneous volunteers who want to help in response and recovery operations. The County is responsible for reimbursing the UWPBC for all unreimbursed costs and expenses incurred over and above the cost of conducting its normal business operations in emergencies/disasters within the County as they relate to the fulfillment of the Volunteer and Donations Unit. In the event a disaster is declared, the County would submit its claims for reimbursement through the Federal Emergency Management Agency (FEMA) Public Assistance (PA) Program. The County will bear the risk that FEMA does not approve full reimbursement of documented expenses or that a disaster is not declared. Countywide (LDC)

3. Staff recommends motion to receive and file: the executed Special Service Arrangement Agreement (FL16-2311-05) for the purchase and installation of E911 equipment, software, and maintenance with AT&T for the period July 31, 2017 through July 30, 2022. **SUMMARY:** This agreement was necessary to upgrade Next Generation 911 (NG911) call taking equipment at PBSO and to allow future integration into the County's 911 network. The equipment is now compatible with Text-to-911 services that allows 911 call takers to receive text messages along with phones calls. This agreement will also allow for additional NG911 call taking workstations to be added and equipment for future growth as the situation may dictate due to increased call volume in an increasing population in the County. There were provisions added to this agreement so that equipment and software upgrades can be purchased as new technologies become available. The fiscal impact will depend on actual purchases of equipment and software and monthly maintenance based on the established rates and charges. The County's Purchasing Department Director executed this agreement pursuant to Palm Beach County Purchasing Policy and Procedures CW-L-008. Due to a staff oversight, the receive and file item was not submitted within the proper time limit. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

A) approve a contract agreement with Florida Commission on Community Service dba Volunteer Florida serving as the administrative agency for the FY 2018-19 Federal Emergency Management Performance Grant Program (EMPG) for the period retroactive to October 1, 2018 through May 31, 2019, in the amount of \$5,000 for Citizen Corps program initiatives to include Community Response Emergency Response Team (CERT) training and associated supplies; and

B) approve a downward budget amendment of \$250 in the Emergency Management Fund to adjust the budget to the actual grant award.

SUMMARY: This is an annual grant (CFDA # 97.042) from Volunteer Florida that will be used for Citizen Corps program activities which includes CERT training and related supplies. This contract was received on October 19, 2018 hence the delay in requesting approval to fund this program. **In-kind donation of volunteer hours will be used to fulfill the matching requirement of \$5,000 for the Citizen Corps grant.** Countywide (LDC)

5. Staff recommends motion to receive and file: the first amendment to the contract for Consulting/Professional Services with Phamatech, Inc. (R2018-1520) for the period of October 1, 2018 through September 30, 2021, for a total not-to-exceed amount of \$666,525 to provide drug-testing services to all participants referred by the Adult, Delinquency, and Family Drug Courts. **SUMMARY:** This amendment will allow for the expansion of the types of confirmation testing that can be requested. The confirmation testing shows qualitative results of drugs and/or drug metabolites present in a test. These confirmations are needed to help identify and access the treatment needs of the participants. This amendment outlines the respective responsibilities, policies, and procedures that will be undertaken by Phamatech, Inc. and the County with the use of and restrictions regarding Room 3.1003 in the building located at 205 N. Dixie Highway, West Palm Beach, Florida 33401 (Main Courthouse). This amendment was executed in accordance with R2018-1519 and R2018-1520, which authorized 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. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM No. 407184-2-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$647,014 to provide funding assistance for FY2019 to offset the operating costs of providing fixed route services to the public in the non-urbanized (Lake Region) areas of Palm Beach County;

B) approve a downward budget amendment of \$313,379 in Palm Tran Capital Fund 1341; and

C) approve an upward budget amendment of \$10,128 in Palm Tran Operating Fund.

SUMMARY: Palm Tran will utilize this grant to offset the operational expenses of fixed route service on Routes 40 and 47 in the Lake Region. This PTGA in the amount of \$647,014 for FY2019 will provide funding in the amount of \$323,507 which requires a match of \$323,507. The PTGA will become effective upon FDOT execution and has an expiration date of June 30, 2020. **The match is included in Palm Tran's FY2019 budget.** Countywide (DR)

2. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM No. 407188-2-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$10,324,040 to provide funding assistance for FY2019 to offset the operating costs of providing fixed route services to the public in Palm Beach County;

B) approve a downward budget amendment of \$5,337,955 in Palm Tran Grants Fund 1341; and

C) approve a downward budget amendment of \$175,935 in Palm Tran Operating Fund 1340 to reconcile the budget to the actual grant award.

SUMMARY: Palm Tran will utilize the grant funds to offset the operating costs of providing fixed route service on all routes in the County. This PTGA in the amount of \$10,324,040 for FY2019 will provide operating funding in the amount of \$5,162,020, which requires a match of \$5,162,020. The PTGA will become effective upon FDOT execution and has an expiration date of June 30, 2020. **The match is included in Palm Tran's FY2019 budget.** Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM no. 445194-1-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$1,200,000 to provide operating assistance to offset the operating costs of providing the flex service in the non-urbanized (Lake Region) areas of Palm Beach County;

B) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM no. 444671-1-94-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$840,000 to provide capital assistance to offset costs of acquiring vehicles for the flex service in the non-urbanized (Lake Region) areas of Palm Beach County;

C) approve a FY19 budget amendment of \$840,000 in Palm Tran's Grant Fund 1341 to recognize the grant awards; and

D) approve a FY19 budget amendment of \$1,200,000 in Palm Tran Operating Fund 1340 to recognize the grant awards.

SUMMARY: On June 25, 2018, Palm Tran submitted to the Florida Department of Transportation (FDOT) a proposal under the Public Transit Service Development Program that provides funding for projects that will improve system efficiencies and operations. FDOT has approved two projects for a total of \$2,040,000 in grant funds. PTGA 445194-1-84-01 (Go Glades Pilot) and PTGA 444671-1-94-01 (Go Glades Vehicles) have no match requirement. The agreements become effective upon execution. PTGA 444671-1-94-01 (Go Glades Vehicles) expires January 31, 2020 and PTGA 445194-1-84-01 (Go Glades Pilot) expires June 30, 2020, unless extended. Countywide (DR)

4. Staff recommends motion to:

A) approve the filing of the FY2017 Section 5324 (CFDA 20.527) electronic Grant Application 1098-2019-1 with the Federal Transit Administration (FTA) for Emergency Relief funds up to the amount of \$1,297,034. This is a cost reimbursable agreement that will become effective upon FTA Award and has an anticipated end date of September 30, 2019;

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

C) authorize the County Administrator, or designee, to execute on behalf of the BCC, and to transmit electronically the BCC's approval of the Grant Application award and the resulting grant agreement, in addition to authorize any future modifications/amendments for the above named award after approval of legal sufficiency by the County Attorney's Office.

SUMMARY: Palm Tran is seeking reimbursement under FTA's Emergency Relief Program for emergency operating expenses for evacuations, temporary emergency service, disaster preparation, emergency (temporary) repairs and protective measures related to Hurricane Irma. Palm Tran must seek reimbursement for these expenses from the FTA prior to seeking reimbursement from the Federal Emergency Management Administration. Any amount received will be to reimburse costs incurred in prior fiscal years. No match is required. 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)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

5. Staff recommends motion to approve: a two year Agreement with Lakes of Delray, Inc. for the provision of transportation services on all Palm Tran fixed routes 70, 81 and 88 effective February 1, 2019, in the amount of \$231,458.30. **SUMMARY:** Lakes of Delray, Inc. has contracted with Palm Tran for bus service for its residents since the inception of the development in 1982. This agreement allows Lakes of Delray residents to ride Palm Tran Routes 70, 81 and 88 fare-free. Palm Tran fixed routes 81 and 88 serve Delray Beach on major arterials as they traverse east and west. Since the implementation of the Route Performance Maximization (RPM) Project, Palm Tran Route 70 no longer directly services the Lakes of Delray community but connects with Routes 81 and 88. This agreement includes a 3% rate increase pursuant to the agreement. District 5 (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

A) a contract for Provision of Services with Digital Vibez, Inc. (Digital Vibez), for the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$27,000, for the Fitness Jamz Program Family Night events; and

B) a budget transfer of \$27,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this Contract.

SUMMARY: Digital Vibez's Fitness Jamz Program (Program) is designed to combat childhood obesity. This Program aims to serve 850 youths, ages five through 12, at 18 locations in high-need communities throughout Palm Beach County. Over the course of each eight week workshop, seven weeks are dedicated to fitness and nutrition education, and ends with a culminating event (Family Night) focused on parental engagement. This contract will provide funding for 15 of the 18 Family Night events. Family Night provides an opportunity for Program participants to showcase their accomplishments and hard work to their families and caregivers through an educational and physical engagement event. This Program also receives funding from Prime Time Palm Beach County to assist with funding other portions of this Program's expense, including the other three Family Night events. The effective date of service for the above contract submitted for approval is prior to this meeting date. Countywide (HH)

CC. INTERNAL AUDIT

1. Staff recommends motion to receive and file: audit recommendation status follow-up report as of November 15, 2018. **SUMMARY:** County Code Section 2-260.16 requires the Internal Audit Committee to review audit reports prior to issuance. County Code Section 2-463 requires the County Internal Auditor to send those reports to the Board of County Commissioners. At its meeting on December 12, 2018, the Committee reviewed and authorized distribution of the Audit Recommendation Status Follow-up Report as of November 15, 2018. We are submitting this report to the Board of County Commissioners as required by the County Code. Countywide (DB)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDIT (Cont'd)

2. [Staff recommends motion to appoint:](#) the following individual to the Internal Audit Committee:

Seat #	Nominee	Seat Requirement	Term
3	Adair Barton	Not seat specific	Expires 9/30/21

All members of the Internal Audit Committee are required to be citizens of the County, independent of County operations and officials, with experience in business or finance; government accounting, auditing, operations or financial management; or other relevant experience. **SUMMARY:** At its December 12, 2018 meeting, the Committee unanimously recommended the appointment of Mr. Barton to fill the vacancy in Seat 3. If appointed, Mr. Barton will serve the balance of the current three-year term for Seat 3 ending September 30, 2021. Mr. Barton is currently serving as the Alternate Member on the Committee. The audit committee has five full member seats and one alternate member seat. Following Mr. Barton’s appointment, the five full member seats will be filled and the alternate member seat will be vacant. Diversity count after this appointment will be: Caucasian: 3 (60%), Asian American: 1 (20%), African American: 0 (0%), and Hispanic: 1 (20%). The gender ratio (male: female) will be 4:1. Mr. Barton is a Caucasian male. Countywide (DB)

DD. SHERIFF

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

A) receive and file on behalf of the Palm Beach County Sheriff’s Office, a third amendment to the Memorandum of Agreement between the Palm Beach County Sheriff’s Office and the Early Learning Coalition of Palm Beach County in the amount of \$129,856, for the period of January 1, 2019 through December 31, 2019; and

B) approve a budget amendment of \$3,170 in the Sheriff’s Grant Fund.

SUMMARY: The Board of County Commissioners (BCC) accepted this award for \$81,609 on April 19, 2016 (R2016-0523). The BCC received and filed an amendment to the Memorandum of Agreement on January 10, 2017 which increased the award amount by \$124,814 and extended the award period from December 31, 2016 through December 31, 2017 (R2017-0112) The BCC received and filed an amendment to the Memorandum of Agreement on December 19, 2017 which increased the award amount by \$127,310 and extended the award period from December 31, 2017 through December 31, 2018 (R2017-1938). The budget amendment will align the current grant budget with the actual grant award value and extend the award period from December 31, 2018 through December 31, 2019. **There is no match requirement associated with this award.** Countywide (LDC)

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

A) accept on behalf of the Palm Beach County Sheriff’s Office, a Federally-Funded Subgrant Agreement for a FY19 State Homeland Security Grant in the amount of \$475,634, for the period of November 5, 2018 through August 31, 2020; and

B) approve a budget amendment in the amount of \$475,634 in the Sheriff’s Grant Fund.

SUMMARY: On November 5, 2018, the Palm Beach County Sheriff’s Office (PBSO) received a FY19 State Homeland Security Grant award from the State of Florida, Division of Emergency Management. These funds will be used for specialty team equipment and intelligence and information sharing initiatives. **There is no match associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

3. **Staff recommends motion to approve:** a budget transfer of \$395,774 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2019 donation requirement is \$177,018. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$384,000. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,344,056. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$948,282. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (DC)

ORGANIZATION	AMOUNT
Faith, Hope, Love, Charity, Inc.	\$25,000
Florida Sheriffs Youth Ranches, Inc. - Harmony in the Streets	\$130,000
Grandma's Place, Inc.	\$20,000
Gulf Stream Council of the Boy Scouts of America, Inc.	\$10,000
National Campaign to Stop Violence, Inc.	\$20,000
Palm Beach County PAL, Inc. - Tennis Program	\$25,000
Palm Beach County Substance Abuse Coalition, Inc.	\$3,000
Palm Beach Recovery Coalition, Inc.	\$25,000
Safety Council of Palm Beach County, Inc. - Baby in Back Program	\$3,500
Safety Council of Palm Beach County, Inc. - Mobile Eyes Program	\$2,500
Sunset House, Inc.	\$15,000
The ARC of Palm Beach County, Inc.	\$25,000
Urban League of Palm Beach County, Inc.	\$50,000
Wounded Veterans Relief Fund, Inc.	\$25,000
Young Women's Christian Association of Palm Beach County, Inc.	\$5,000
PBSO - Radio Services - Fuel Trailer	\$11,774
Total Amount	\$395,774

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

4. Staff recommends motion to approve: a budget transfer of \$775,000 from the Law Enforcement Trust Fund (LETF) to the Palm Beach County Sheriff's Office (PBSO) to be used for the FY2019 match for the 2017 COPS Hiring Program grant. **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. The funds requested will be used for the FY2019 match for the U.S. Department of Justice Office of Community Oriented Policing Services 2017 COPS Hiring Program grant. Use of LETF requires approval by the Board, upon request of the Sheriff. The current State LETF balance is \$948,282. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$173,282. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. **No new positions are needed and no additional County funds are required.** Countywide (DC)

* * * * *

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

A. ENGINEERING & PUBLIC WORKS

4A-1 Continued from 12/18/18 BCC meeting

1. Staff recommends motion to:

A) reserve a drainage easement over an approximately 4,500 foot long portion of the unimproved southern right-of-way (ROW) for Linton Boulevard that varies in width from 16.2 feet to 40 feet and lies between the Lake Worth Drainage District (LWDD) E-2½ Canal and the LWDD E-2-E Canal (Abandonment Site) as shown on the plat of Addison Reserve Plat Two, recorded in Plat Book 77, Pages 3-8, and the plat of Addison Reserve Plat Three, recorded in Plat Book 78, Pages 5-8, Public Records, Palm Beach County (County);

B) approve a utility easement for Florida Power & Light Company (FPL) over the Abandonment Site;

C) approve a utility easement for AT&T, Florida (AT&T) over the Abandonment Site; and

D) adopt a resolution abandoning any public interest in the Abandonment Site.

SUMMARY: Approval of the utility easements, reservation of the drainage easement and adoption of this resolution will eliminate the public dedication that is in conflict with the future plans of Addison Reserve Country Club, Incorporated (Petitioner). The Abandonment Site is located north of Clint Moore Road and approximately 790 feet east of Florida's Turnpike District 5 (LBH)

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

B. PARKS & RECREATION

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 21 of the Palm Beach County Code (Ordinance 2011-003) pertaining to parks and recreation; amending Section 21-18 of the Palm Beach County Code (Definitions); Section 21-19 of the Palm Beach County Code (Regulation of Vehicles within Parks); Section 21-20 of the Palm Beach County Code (Buildings and Other Properties); Section 21-22 of the Palm Beach County Code (Plant and Wildlife Protection and Preservation); Section 21-24 of the Palm Beach County Code (Swimming and Wading); Section 21-25 of the Palm Beach County Code (Boating); Section 21-27 of the Palm Beach County Code (Fishing); Section 21-29 of the Palm Beach County Code (Picnic Areas and Use); Section 21-30 of the Palm Beach County Code (Camping); Section 21-32 of the Palm Beach County Code (Animals); Section 21-33 of the Palm Beach County Code (Alcoholic Beverages); Section 21-35 of the Palm Beach County Code (Park Usage); Section 21-36 of the Palm Beach County Code (Commercial Activities); Section 21-37 of the Palm Beach County Code (Reserved Park/Facility Areas); Section 21-38 of the Palm Beach County Code (Permits); Section 21-41 of the Palm Beach County Code (Pollution of Waters); Section 21-43 of the Palm Beach County Code (Public Utilities); Section 21-45 of the Palm Beach County Code (Enforcement); Section 21-46 of the Palm Beach County Code (Penalties); providing for savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** At the December 4, 2018 meeting, the Board approved on preliminary reading and advertisement for public hearing on January 15, 2019, an ordinance to amend Chapter 21, Article 2 of the Palm Beach County Code (Parks and Recreation) to conform to state law and provide better management of park property. In addition to several administrative modifications, the proposed Code changes will:

- Clarify persons must be covered with clothing or bathing suits as to prevent indecent exposure in all park areas;
- Specify the latitude and longitude of previously identified Vessel-exclusion Zones as required by FWC;
- More clearly define when a lost or abandoned boat or floating structure is blocking public use of park facilities;
- Address the tampering with and damage of public park utility fixtures;
- Include language pertaining to shark fishing and chumming in areas with designated guarded swim areas for public safety;
- Update the types of park facilities available for reservation; and
- Update language on time, place and manner of park amenity use. Countywide - (AH)

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

C. PALM TRAN

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the signing and submission of the Section 5310 grant application, supporting documents and assurances, total project cost of \$1,218,851 for capital assistance under grants for the enhanced mobility of seniors and individuals with disabilities CFDA 20.513, as administered by the Florida Department of Transportation (FDOT); ~~establishing an effective date, and designating and authorizing Palm Tran’s Executive Director to sign the application, accept a grant award, purchase vehicles/equipment and/or expend grant funds pursuant to a grant award, unless specifically rescinded.~~ **SUMMARY:** Palm Tran is submitting an application for the acquisition of 16 replacement paratransit vehicles at a cost of \$1,218,851. The vehicles being replaced were purchased in 2015 with Public Improvement Revenue Bond funds and have reached their end of life. The grant will provide \$1,096,966 (90%) of the project cost and the grant requires a local match of \$121,885 (10%). **The local match requirement is available in Palm Tran’s approved budget for FY2019.** The grant has an anticipated start date of March 2019, and is expected to be completed by September 2019. Countywide (DR)

D. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to:

A) adopt an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Unified Land Development Code, Ordinance 2003-70, as amended, by amending Article 13, concerning countywide impact fee amount and certain benefit zones, as follows: Chapter B – County District, Regional, and Beach Parks Impact Fee; Chapter C – Fire-Rescue Impact Fee; Chapter D – Library Impact Fee; Chapter E – Law Enforcement Impact Fee; Chapter F – Public Buildings Impact Fee; Chapter G – School Impact Fee; Chapter H – Road Impact Fee; providing for repeal of laws in conflict; providing for inclusion in the Unified Land Development Code; providing for an effective date; and

B) receive and file an Impact Fee Review Committee Report to the Board of County Commissioners.

SUMMARY: At the Commission meeting on December 4, 2018, the BCC approved a motion to advertise a public hearing on proposed impact fee increases and adjustments. The approval provided for advertisement of proposed increases and adjustments to all of the fees to the full amount allowed under the ordinance with the exception of school impact fees and road impact fees for general office. Increases for these two components would be phased in over a two-year period beginning April 1, 2019 and April 1, 2020. The BCC also directed staff to meet with various construction and development industry representatives to discuss and consider a counterproposal to phase in all fees over a two-year period. Staff met with industry representatives December 19, 2018 and agreed to the counterproposal. For fees with increases, the compromise provides for half of the fee increase to take effect in 2019 and the remaining half to take effect one year later in 2020. The impact fee update also includes proposed revisions and adjustments to the roads, schools and park impact fee benefit zones. Fees were last increased June 14, 2014. Countywide (LB)

* * * * *

5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to authorize: the County Administrator to pre-register Palm Beach County in the “SolarTogether” program offered by Florida Power & Light Company (FPL), no later than January 25, 2019, providing for the County’s intent to subscribe for the maximum allocation deemed appropriate by the County Administrator to secure solar-generated electric power via universal solar capacity built by FPL specifically for this program. **SUMMARY:** FPL recently announced its "SolarTogether" shared solar program. Large energy users are invited to subscribe to FPL's program and share in the benefits of off-site solar energy production. This program will further establish Palm Beach County’s commitment to sustainability and climate resilience by helping the County reduce its annual greenhouse gas emissions while lowering its energy costs. Participants will receive solar energy credits at a rate that increases annually in exchange for a fixed-rate subscription fee based on the participant’s subscription share. The greater the subscription share, the greater the subscription credit. Program steps are as follows:

- 1) Interested customers pre-register by January 25, 2019, with their desired subscription level (up to 100% of the customer’s FPL electricity demand).
- 2) FPL enrolls pre-registered participants on a first-come, first-served basis up to the designed solar capacity.
- 3) FPL builds the SolarTogether off-site systems, expected to be complete in 2020.
- 4) Once the solar system is complete, participants receive a monthly solar credit that increases annually in exchange for a monthly subscription fee.
- 5) Eventually, the subscription credit exceeds the subscription cost, expected to be between Year 3 and Year 5 of program participation.

The cost to participate is based on a monthly subscription charge of \$6.76 per kW. The monthly subscription credit is \$.0308 per kWh attributed to the customer, which is based on subscription share and solar energy produced. The credit will increase each year by 1.45%. FPL estimates participants will get a net bill reduction between three to five years and a simple payback of five to seven years. Program demand will likely exceed capacity, as other South Florida counties have already signed up to participate. The Office of Resilience is helping to facilitate participation of FPL’s SolarTogether program across County departments to catalyze sustainability efforts. PBCWUD would like to subscribe to an annual minimum of 1,000 kW (or 1 MW) of solar-generated electric power through FPL’s SolarTogether program, which is a 83.3 kW monthly subscription share. Funding is available in PBCWUD’s anticipated FY2020 and ongoing budget to support the additional \$6,760 annual cost. Other County departments with FPL electricity accounts might ask to join the program as well. Countywide (RPB)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

- 2. **Staff recommends motion to approve:** the establishment of the 2020 Census Complete Count Committee. **SUMMARY:** The 2020 Census Complete Count Committee (CCC) will be comprised of governmental and community leaders and organizations to increase awareness and motivate residents to respond to the 2020 Census. CCCs serve as “census ambassador” groups that play an integral part in ensuring a complete and accurate count of the community in the 2020 Census. Countywide (DW)

Proposed committee representatives are:

- County
- League of Cities
- Education (School District, all colleges and universities)
- Faith-Based organizations
- Media (particularly non-English)
- Community-Based organizations (League of Women Voters, HOAs, United Way, non-profit organizations)
- Businesses (Economic Council and Chambers)
- CareerSource

- 3. **Staff recommends motion to approve:** an Interlocal Agreement with the Health Care District of Palm Beach County and the Palm Beach County Board of County Commissioners, relating to the Addiction Stabilization Center (ASC), for the period January 15, 2019 through January 14, 2020, in an amount not to exceed \$1,000,000, for the purpose of providing a revenue guarantee for the establishment of the ASC facility. **SUMMARY:** On February 6, 2018, the Board approved the concept of an ASC with an Emergency Room component, and authorized staff to work with the Healthcare District and other community partners in order to find an appropriate location for the facility and ensure its establishment in the County. This followed an unsuccessful attempt to locate the ASC at the County’s “Stockade” facility, due to licensing regulations in accordance with Florida’s Agency for Health Care Administration (ACHA) and non-practical renovations that would have been required. The ASC will provide an exemplary model that will help address the critical and immediate need for the care of individuals affected by opioids or other addictive substances. It will provide a central location with an emergency room component that will allow for lifesaving overdose intervention and a behavioral health component, which will include immediate psychiatric identification of the best treatment to assist patients in addressing their addiction moving forward. The Health Care District will also open an additional Medication Assisted Treatment outpatient clinic, which will be co-located on the property. Countywide (HH)

- 4. **Staff recommends motion to approve: A)** the creation of two temporary positions within the Department of Housing and Economic Sustainability (DHES) to intake, process, underwrite and close homebuyer files through the Workforce Housing Program (WHP), **B)** a budget transfer of \$100,000 from the General Fund Contingency Reserves; and **C)** a budget amendment of \$100,000 to the Economic Development Fund to recognize and appropriate the transfer of funds from the General Fund Contingency Reserves. **SUMMARY:** County Administration is requesting the approval of contingency funding in an amount not to exceed \$100,000 to retain dedicated staff in DHES to work on the WHP initiative, which is very labor intensive. DHES undertook implementation of the WHP for-sale component with its existing staff in August 2017. As this was a new initiative, the first major tasks included developing the WHP operating procedures, marketing tools, program guidelines, application intake regulations and closing processes. DHES developed the operating infrastructure in collaboration with Planning and County Attorney staff, the then two participating WHP developers and their preferred lenders. In March of 2018, DHES kicked off its mandatory WHP orientation sessions for potential buyers and, to date, have conducted 18 such sessions at various locations. Approximately 389 prospective buyers have gone through the orientation sessions and been certified to move through the developer-lender qualifying processes. Thirty-seven of the certified applicants have been subsequently income certified to purchase a WHP unit. Of which, 14 of those individuals have closed on homes. DHES is now in the process of holding its first WHP housing tour, which is scheduled for Saturday, January 26th at Silverwood Estates Townhomes. Given the intensity of the WHP program and the defined time frames by which the units must be sold at the WHP price points, DHES existing staff has been strained with balancing its implementation with their regular workload of administering state and federal program initiatives. Therefore, there is a pressing need to hire dedicated staff to perform WHP functions and to relieve the existing staff to return to performing their regular assignments. Staff envisions hiring two employees on either a part time or full time basis as needed. The ongoing need for the positions will be evaluated and addressed for further consideration in the proposed FY2019-2020 budget process. Staff is requesting the Board’s approval. Countywide (JB)

- 5. **Staff recommends motion to approve:** the appointment of one individual to the Florida Atlantic Research & Development Authority (Authority) to complete an unexpired term ending June 7, 2019:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Frederick Yentz	1	PBC Resident/Employed In the Private Sector	Commissioner Weinroth

Summary: On October 3, 1985, the Board of County Commissioners (BCC) adopted Ordinance No. 85-32, which created the Florida Atlantic Research & Development Authority. The Authority is comprised of seven members: three Palm Beach County representatives, three Broward County representatives and the President of Florida Atlantic University or designee. Representatives must be employed in the private sector and reside in the County in which they represent. Even though this is an at-large appointment, historically, staff has requested nominations for the Authority from the District 4 Commissioner, and Commissioner Weinroth has nominated Frederick Yentz. The current diversity of the two Palm Beach County representatives is: two Caucasian males. Mr. Yentz is a Caucasian male. Countywide (HH)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

A) adopt a resolution authorizing a nine month extension of the term of the Governmental Center Lease Agreement with LJL Food Management, Inc., a Florida Corporation, d/b/a Tina's Café;

B) approve a sixth amendment to the Governmental Center Lease Agreement with Tina's Café's (R2002-0829); and

C) direct staff to conduct a new Request for Proposal (RFP) for food service operations at the Robert Weisman Palm Beach County Governmental Center.

SUMMARY: LJL Food Management, Inc., d/b/a Tina's Café, has been the food service provider operating in the Governmental Center Parking Garage since 2005. The current Lease Agreement with Tina's Café will expire on January 31, 2019. On October 16, 2018, (Agenda Item 5D-4) the Board did not support staff's recommendation to allow the lease to expire and convert the space for use by County Departments. The Board indicated that a full service restaurant is an important amenity for the Governmental Center. The Board requested that Tina's provide more detailed information on its capital expenditures to assist the Board in deciding whether to extend the Lease with Tina's or issue a new RFP. On November 13, 2018, Tina's responded with the letter attached to this agenda item as Attachment 2 which included a petition of support for extending the Lease with Tina's and identified expenses of approximately \$20,000 to bring a Fire Suppression system up to code, and cited various other maintenance expenses of \$10,000 without providing any supporting documentation. Staff reviewed Tina's claimed expenses against our records. On January 6, 2012 and again on February 25, 2015 Tina's was cited by West Palm Beach Fire Department for continued code violations associated with its fire suppression system. According to building permits, the cost to cure these violations was \$4,849. Annual financial statements which Tina's is required to provide identify annual repairs and maintenance expenditures of \$7,187 in 2017, \$6,432 in 2016, \$12,140, in 2015 and \$6,835 in 2014. Staff recommends that the County conduct an open and competitive RFP process for selection of a food service vendor. Typically the County promotes periodic rebidding of County service contracts to provide opportunities to new vendors to compete for County contracts. This vendor has been in place for 13 years. Additionally, there is a long history of Tina's defaulting on payment of rent (even after rental reductions) and otherwise failing to comply with its obligations under the lease. Currently, Tina's is late paying rent for December and is required to pay \$6,917 of deferred rent on January 1, 2019. Conducting a new competitive RFP will identify whether other vendors could provide better meal selection, service and pricing, and would also ensure that the rental rate is competitive. (PREM) Countywide (HJF)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to approve: a Concessionaire Lease Agreement with Rick Macci Academy, Inc. d/b/a Rick Macci Tennis Academy, a Florida corporation, for the operation of a tennis, racquetball and pro shop concession at Burt Aaronson South County Regional Park for \$18,000/year (\$1,500/month) for the period of January 15, 2019 through January 14, 2039. **SUMMARY:** The Parks and Recreation Department desires to continue to provide tennis and racquetball services at Burt Aaronson South County Regional Park through a concession operation. The current Concessionaire Service Agreement (R2014-1635) expired on October 31, 2018, but has been extended on a month to month basis until this new Concessionaire Lease Agreement is finalized (R2018-1684). A Request For Proposals (RFP) was issued in May 2018. Proposals were received from Rick Macci Academy, Inc., Rodriguez & Partners, LLC and W Boca Raton Tennis Academy, LLC. A Selection Committee reviewed the proposals and ranked Rick Macci Academy, Inc. the highest. The guaranteed annual rent is \$18,000/year (\$1,500/month), with annual 2% increases. Rick Macci Academy, Inc. has proposed making \$2,581,000 in capital improvements which includes clear span structures, additional courts, landscaping, improvements to the existing pro shop, and a 4,300 sf building for a fitness center, tennis museum, snack/juice bar lounge, and pro shop. The term of the Concessionaire Lease Agreement is for 20 years, with no options to extend. Rick Macci Academy, Inc. has posted a \$2,500 security deposit. The Parks and Recreation Department will manage and administer the Concessionaire Lease Agreement. Pursuant to the extension to the term of the Concessionaire Service Agreement, dated October 16, 2018 (R2018-1684), with Tennis Insights, Inc., a 15 day notice to terminate the existing Concessionaire Service Agreement, effective January 15, 2019, was sent by the Parks and Recreation Department. (PREM) District 5 (HJF)

C. PUBLIC SAFETY

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners, Palm Beach County, Florida repealing and replacing Resolution No. R2014-1097; Expanding the uses of Victims of Crime Emergency Support Fund. **SUMMARY:** Palm Beach County Victims of Crime Emergency Support Fund (the Victim Fund), is funded by private donations, lawfully mandated fines and penalties and revenue received from a DUI Diversion Program operated by the Office of the State Attorney. The purpose of the fund is for providing emergency financial assistance to victims of crime, surviving family members and their families, staff training and development and awareness/recognition events. The fund currently has a balance of \$543,866 and increases by approximately \$100,000 each year. Additionally, the average amount expended per fiscal year is \$25,000 due to limitations set forth in the current resolution. It is being requested to expand the use of the Victim Fund per fiscal year as follows: 1) Increase funds from \$0 to \$40,000 to support a Violent Crimes Rape Crisis Helpline that is answered by trained counselors on a 24-hour basis to provide active listening and supportive counseling to victims of violent crime who are in crisis. A grant previously funded a portion of the Helpline; however that grant no longer allocates funding for the Helpline; 2) Increase funds from \$5,000 to \$40,000 for professional development to allow additional staff to attend conferences and trainings to maintain certifications that are a requirement of their job and to purchase educational and training equipment/materials and to purchase equipment and supplies for use at the sexual assault forensic exam site(s); and 3) Increase funds from \$5,000 to \$15,000, for events/awareness to allow for advertising through bus shelters, billboards, radio spots and public service announcements to promote services for victims of violent crime. Countywide (LDC)

5. REGULAR AGENDA

C. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve on preliminary reading and advertise for public hearing on February 5, 2019 at 9:30 a.m.: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 17, Article XV of the Palm Beach County Code, the "Palm Beach County Home Caregiver Ordinance" (R2015-038); amending Section 17-463 (Definitions); amending Section 17-464 (Home Caregiver ID Badge); amending Section 17-465 (Disqualifications); amending Section 17-466 (Administrative Appeal); amending Section 17-468 (Penalties); providing for repeal of laws in conflict; providing for a savings clause; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; and providing for an effective date. **SUMMARY:** On October 20, 2015, the Board of County Commissioners enacted the Home Caregiver Ordinance as a way to curtail abuse, neglect, and exploitation of the elderly and disabled persons by Home Caregivers. Issuing of ID badges began in April of 2016, with nearly 11,000 applications processed. Over the course of administering the ordinance and with input from the Criminal Justice Commission Elder Abuse Prevention Task Force, several areas were identified that require revision to improve the efficacy of the ordinance. Highlighted revisions include the following: 1) prohibiting the advertisement of caregiver services without a valid Home Caregiver ID badge, 2) defining certain terms: Home Care Business, Partner, and Home Caregiver ID badge, 3) extending exemptions to court appointed guardians and persons working under the direction and control of specified Florida Agency for Health Care Administration (ACHA) licensed facilities, 4) including clerk/court staff, Florida Department of Children and Families, and Florida Department of Elder Affairs as personnel authorized to inspect the license, 5) adding language for processing civil citations, 6) creating a requirement for Home Care Businesses to require each Home Caregiver to provide proof of a valid Home Caregiver ID badge prior to assignment, 7) creating a violation for a Home Care Business to provide or make available the services of Home Caregiver without having a Home Caregiver ID badge, 8) creating a violation for the failure of the agency, registry or provider to notify the Division within 15 days of the caregiver's ineligibility, discontinuance from employment or placement, or leave of absence, 9) replacing the term "license" with "Home Caregiver ID badge", and 10) adding a verification option for level two background checks using the Agency for Health Care Administration licensing database. The proposed revisions to the Home Caregiver Ordinance were presented to the League of Cities on November 28, 2018 with no objections and supported by the Criminal Justice Commission on December 17, 2018. Countywide (LDC)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) an Economic Development Incentive Agreement with MobileHelp, LLC (Company), to provide a cash grant in an amount not to exceed \$45,000 over a six year period;

B) a budget transfer of \$45,000 from the General Fund Contingency Reserves to the Department of Housing and Economic Sustainability Fund Economic Incentive Growth Program; and

C) a budget amendment of \$45,000 in the Department of Housing and Economic Sustainability Fund to recognize the funds from the General Fund.

SUMMARY: On August 14, 2018, the Board of County Commissioners (BCC) conceptually approved (R2018-1253) an economic development incentive for the Company totaling \$45,000. This agreement discloses the name of the Company, MobileHelp, LLC, previously referred to as Project Mercury. The Company provides medical personal emergency response services. The Agreement requires the Company to make a minimum capital investment of \$3,600,000 to lease, renovate, and equip a 41,000 square foot facility. The Company shall create 150 new jobs over a three year period and retain 198 existing full time jobs. These new jobs must have an annualized average wage of \$53,298 excluding benefits and a median annual wage of \$53,298 excluding benefits. The Company is required to maintain the new jobs for five years from the date of creation and will maintain the existing retained jobs for five years from the effective date of the Agreement. The five year economic impact is estimated to be \$295 Million. The Agreement requires a performance security in the form of either a clean, irrevocable Letter of Credit or Cash Bond equal to the full amount of the maximum incentive to be awarded to the Company. In addition, the Agreement states that in the event the Company fails to satisfy job creation requirements but fulfills all other applicable requirements, the Company shall forfeit a pro-rata share of the incentive amount due for the number of jobs created. If the Company's fulfillment of the job creation requirement falls below 80%, the County has the right, in its sole discretion to terminate the Agreement. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$450,000. Of this amount, \$360,000 is from the State of Florida and \$90,000 is a required match from local government entities. The Company and the State entered into an agreement for the QTI tax refund. The required \$90,000 match to the QTI tax refund will be split equally between Palm Beach County (\$45,000) and the City of Boca Raton (\$45,000). The Palm Beach County match will be provided in the form of a cash grant in an amount not to exceed \$45,000 over a six year period provided the project meets the requirements under Florida Statute 196.012. District 4 (JB)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) approve an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$16,422 to the Community Land Trust of Palm Beach County, Inc. (CLT) for the Kirk Road Homes project;

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

C) approve a budget transfer of \$14,561 in Impact Fee Assistance Program – Roads Zone 2 to appropriate funds for CLT;

D) approve a budget transfer of \$1,472 in Impact Fee Assistance Program – Parks Zone 1 to appropriate funds for CLT; and

E) approve a budget transfer of \$389 in Impact Fee Assistance Program – Public Building to appropriate funds for CLT.

SUMMARY: Since 2009, the County has authorized the use of impact fee investment earnings from roads, parks, and public buildings to be used for affordable housing projects. On May 14, 2018, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$1,305,932 in IFAHAP funding available from Palm Beach County's Fiscal Year 2017 funding cycle. CLT submitted a request for assistance in response to the NOFA on May 21, 2018. Staff recommends that up to \$16,422 be provided as a credit for impact fees associated with the Kirk Road Homes project. CLT will be given credits for Roads Zone 2 Impact Fees (\$14,561), Parks Zone 1 Impact Fees (\$1,472) and Public Building Impact Fees (\$389) for the construction of the Kirk Road Homes project. CLT will pay impact fees above the allocated \$16,422. The project is located at 2634 Kirk Road, Palm Springs, and will have two single-family units for homeownership. According to IFAHAP requirements, both units will be sold to households with incomes no greater than 140% of Area Median Income (AMI). The assisted units will be deed-restricted to remain affordable for 15 years. **These funds are from interest earned by the Impact Fee Fund.** District 3 (JB)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) approve a HOME Investment Partnerships (HOME) Program funding award of \$802,121 to Isles of Pahoee II, LLC (IOP);

B) approve a HOME Program funding award of \$343,765 to Adopt-A-Family of the Palm Beaches, Inc. (Adopt-A-Family);

C) direct staff to negotiate the funding agreements; and

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

SUMMARY: Staff is requesting the Board of County Commissioners' (BCC) consideration of an alternate recommendation to the Selection Committee's recommendation related to the subject HOME Request for Proposals. On July 8, 2018, the Department of Housing and Economic Sustainability issued Request for Proposals HES.2018.1 (RFP) making \$1,145,886 in HOME Program funds available for the creation of affordable rental housing through new construction or rehabilitation, with or without acquisition. A selection committee consisting of five voting members met at a public meeting held on September 26, 2018, and recommended that: **a)** IOP be awarded \$572,943 (50%) of the funds for the rehabilitation of six of 129 units known as the Isles of Pahoee Phase II in Pahoee; **b)** Adopt-A-Family be awarded \$343,765 (30%) of the funds for the new construction of four of 14 housing units known as Third Avenue Homes in Lake Worth; and **c)** Neighborhood Renaissance Inc. be awarded \$229,178 (20%) of the funds for the construction of four of a 36 unit multi-family rental complex known as Mango Cove in unincorporated Palm Beach County. Staff is recommending the BCC awards the \$1,145,886 among two of the projects as follows: \$802,121 (70%) for IOP, as it was the highest ranked project by the selection committee and is located in the Glades region where there is a critical need for senior housing, and \$343,765 (30%) to Adopt-A-Family. No funding is recommended for Mango Cove as in 2016, the project was fully funded in part with the use of program income from the sale of foreclosed homes NRI purchased and rehabilitated with a \$12M Neighborhood Stabilization Program 2 allocation approved by the BCC in 2011. The BCC has the sole authority to modify, reject, or approve funding recommendations under the RFP. Agencies approved for the HOME allocations by the BCC would be provided the funds in the form of a repayable loan. The HOME funded units will be rented to households with incomes no greater than 80% of Area Median Income (AMI). To facilitate project implementation, staff requests authorization for the County Administrator, or designee, to execute the funding agreements and related documents. BCC approval of the staff recommendation is requested. **These are Federal HOME Program grant funds which require a 25% local match provided by State SHIP funds.** Districts 2,3 & 6 (JB)

* * * * *

6. BOARD APPOINTMENTS

A. ADMINISTRATION

1. **Staff recommends motion to approve:** the reappointment of one individual to the Health Facilities Authority for the term of January 15, 2019 to April 30, 2023 and appointment of one individual for the term January 15, 2019 to April 30, 2021:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Gerald Robinson	1	Resident of PBC	Mayor Bernard Vice-Mayor Kerner Comm. Valeche Comm. Weiss Comm. McKinlay Comm. Weinroth

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
James Carroll	2	Resident of PBC	Comm. Valeche

OR

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Yolette Bonnet	2	Resident of PBC	Mayor Bernard Vice-Mayor Kerner Comm. Weiss Comm. McKinlay Comm. Weinroth

SUMMARY: Per Section 154.207, Florida Statutes and Resolution Nos. R77-379, R77-398 and R92-563, the Health Facilities Authority (HFA) is composed of five members appointed at-large by the Board of County Commissioners (BCC). A memo dated December 6, 2018 was circulated to the BCC notifying the Board that Dr. Robinson's term with the HFA expired on April 30, 2018, and requesting support of Dr. Robinson's reappointment or asking for additional nominations. The memo additionally asked the BCC to support either Mr. Carroll's appointment, Ms. Bonnet's appointment or to submit additional nominations. No additional nominations have been received for either of the candidates. The HFA's current diversity is three Caucasian (100%): two females and one male. Mr. Robinson and Mr. Carroll are Caucasian male and Ms. Bonnet is an African-American female. Staff is continuously working towards increased diversity. Countywide (HH)

B. COMMISSION DISTRICT APPOINTMENTS

7. 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."