

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MARCH 12, 2019

<u>PAGE</u>	<u>ITEM</u>	
8	2C-3	REVISED SPONSOR: Proclamation declaring March 25-31, 2019 as National Farmworker Awareness Week in Palm Beach County (Sponsored by Commissioner Weinroth <u>Weiss</u>)
8	2C-5	DELETED: MOVED TO OFF-SITE: Proclamation declaring March 18, 2019 as Grohn's and Colitis Awareness Day in Palm Beach County (Sponsored by Commissioner Weinroth)
27	3H-1	REVISED MOTION AND SUMMARY: Staff recommends motion to approve: A) budget transfer of \$2,900,000 within the Law Enforcement Impact Fee Fund; and B) contract with Song + Associates, Inc., in the amount of \$677,280 to provide professional engineering and architectural consultation as well as services necessary to complete the required scope of work for the Palm Beach County Sheriff's Office (PBSO) headquarters (<u>HQ</u>) annex facility project for a period of two years or until the construction is complete, whichever is longer. SUMMARY: This <u>The PBSO HQ Annex Facility is an identified component of the Law Enforcement Facilities Master Plan and Phase I timing critical to the timely execution of the PBSO HQ Renewal/Replacement/Renovation project funded from Infrastructure Sales Tax... The prime consultant is a certified M/WBE utilizing three sub-consultants that are SBE and no sub-consultants that are M/WBE. <u>The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. This consultant proposed and agreed to provide 77.4% SBE participation. Song +Associates is a local firm and will be using local sub-consultants for 77.4% of the work. Funding for this contract is from Law Enforcement Impact Fees. <u>These funds are reflected in the adopted Capital Improvement Program for allocation to the project in FY 20, but are being advanced through this budget transfer due to their immediate availability and to fully cover the actual contract amount. The balance of the funds will remain available for use toward construction.</u> The total Phase I project budget is \$6,200,000. (FDO)</u></u>
28	3H-2	REVISED SUMMARY: Funding for this project is from Fire Rescue Impact Fees. <u>A re-use is the equivalent of a sole source not requiring a separate Consultant Competitive Negotiations Act (CCNA) solicitation. Sole source procurements are exempt from the Equal Business Opportunity Ordinance. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance for this contract is 15%. The consultant has <u>agreed offered</u> to provide 78.45% SBE participation <u>and has provided Schedule 1 and 2's supporting that participation. Staff will track and report actual participation achieved.</u> Stephen L. Boruff, AIA Architects & Planners, Inc. is a <u>local business</u>, certified SBE and is utilizing four sub-consultants that are SBE and one subconsultant that is Minority/Woman Business Enterprise. (FDO)</u>
35	3L-2	REVISED MOTION: Staff recommends motion to: A) approve the Waterways Assistance Program (WAP) grant application to the Florida Inland Navigation District (FIND) to fund up to \$740,022 or 50% of construction costs for the Sawfish Island Restoration Project (Project); C) authorize the Director of Environmental Resources Management <u>delegation of authority</u> to serve as Liaison Agent with FIND for the Project and submit the WAP grant application; and (ERM)

- 41 3S-5 **REVISED SUMMARY:** On August 15, 2017, the Board approved an Interlocal Agreement (R2017-1072) with the School Board of Palm Beach County authorizing the Fire Rescue Administrator or designee to execute standard lease agreements for use of Wellington Community High School for recruiting, testing, training and graduation/promotion ceremonial purposes. Lease ID: LID-2019-2191-1021 was entered into to secure a location for the Fire Rescue Captain's promotional exam on December 15, 2018. Pursuant to the term of the Interlocal Agreement, paragraphs 1, 3, 5(m), 5(n), 9, 14, 15 and 16, and the last sentence of Paragraph 11 of the terms and conditions of the School Board's standard lease agreement do not apply. (Fire Rescue)
- 60 5E-2 **REVISED SUMMARY:** As a result, that specific scope was removed and issued as a concurrent Amendment No. 2 funded through ad valorem funds. Amendment No. 1 has 11.21% DBE participation ~~and Amendment No. 2 has 0% SBE participation.~~ If the County had not separated Amendment No. 2, Morganti would have achieved 10.43% DBE participation. Regardless of the County's ultimate decision to split the project into two separate amendments, The Morganti Group, Inc., has conducted good faith efforts to meet the federal and contract requirements and hence staff's recommendation to award. (FDO)
- 61 5E-3 **DELETED FOR FURTHER STAFF REVIEW: ~~Staff recommends motion to conceptually approve:~~** ~~a request by the Town of Lake Park (Town) to provide a one year extension of the timeframe for performance of certain Town obligations under the existing Lake Park Marina Redevelopment Interlocal Agreement with the County (R2010-1943) to allow for the issuance of a Request for Proposals (RFP) for redevelopment of the Town's Marina property. (FDO)~~
- 62 5G-1 **REVISED SUMMARY:** The BCC continued this item to March 12, 2019 as it relates to the Home Caregiver Ordinance item that was also continued. ~~and directed staff to research funding opportunities to help offset licensing costs to the home caregivers.~~ The Home Caregiver Ordinance provides that the Board of County Commissioners shall establish by resolution certain licensing, renewal, and replacement fees. (Public Safety)

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**

MARCH 12, 2019

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 11-50)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 51-56)**

- 5. REGULAR AGENDA (Pages 57-62)**

- 6. BOARD APPOINTMENTS (Page 63)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 64)**

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- 2C-3 National Farmworker Awareness Week
- 2C-4 Ninety Years of Library Services in the Tri-Cities
- 2C-5 Crohn's and Colitis Awareness Day

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PUBLIC HEARINGS – 9:30 A.M.

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BOARD APPOINTMENTS (Page 63)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 64)

ADJOURNMENT (Page 65)

MARCH 12, 2019

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring March 2019 as Women’s History Month in Palm Beach County (Sponsored by Commissioner McKinlay)
2. Proclamation declaring March 2019 as Florida Bicycle Month in Palm Beach County (Sponsored by Commissioner Valeche)
3. Proclamation declaring March 25-31, 2019 as National Farmworker Awareness Week in Palm Beach County (Sponsored by Commissioner ~~Weinroth~~ Weiss)
4. Proclamation Recognizing Ninety Years of Library Services in the Tri-Cities (Sponsored by Commissioner McKinlay)
- ~~5. Proclamation declaring March 18, 2019 as Crohn’s and Colitis Awareness Day in Palm Beach County (Sponsored by Commissioner Weinroth)~~

* * * * *

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 Commission 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

MARCH 12, 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

Request for off-site Proclamation declaring March 18, 2019 as Crohn’s and Colitis Awareness Day in Palm Beach County

District 5 - COMMISSIONER MARY LOU BERGER

Request for off-site Proclamation declaring March 22, 2019 as All People’s Day in Palm Beach County

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD, MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the reappointment of three individuals to the Health Facilities Authority for the term of May 1, 2019 to April 30, 2023:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Joan Roude	3	Resident of PBC	Mayor Bernard Commissioner Valeche Commissioner McKinlay
James Howell	4	Resident of PBC	Mayor Bernard Commissioner Valeche Commissioner McKinlay
Tenna Wiles	5	Resident of PBC	Mayor Bernard Commissioner Valeche Commissioner McKinlay

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 January 29, 2019 was circulated to the BCC notifying the Board of these three reappointments and requesting their support or asking for additional nominations. No additional nominations have been received. The HFA’s current diversity is four Caucasian (80%) and one African-American (20%). The gender ratio (male:female) is 2:3. Staff is continuously working towards increased diversity. Countywide (HH)

2. Staff recommends motion to approve: Golf Tournament Agreement between Palm Beach County, Trump International Golf Club, L.C. and the South Florida Fair and Palm Beach County Expositions, Inc. for a one day charitable golf tournament to be held on May 10, 2019. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (TIGC), approved on September 3, 1996 (R96-1277D), allows the use of the golf course during the months of May through October for the County to host either a single two-day, or two one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on May 10, 2019. Proceeds from the tournament will benefit the John Picano, Jr. Memorial Fund. Pursuant to the County’s policy pertaining to the rotation schedule for selecting an organization to participate in the charity golf tournament, District 6 has chosen the South Florida Fair and Palm Beach County Expositions, Inc. for this year. District 5 is also in the rotation to select a charity for a tournament in 2019. Countywide (AH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve: the Mayor's signature on a letter supporting House Bill 797, related to Public Utility Storm Protection Plans. **SUMMARY:** For more than a decade, utilities have been investing to harden the electric grid, and it is indisputable that these investments have been effective. In Palm Beach County, we have seen significant improvements in restoring power to our residents during the most recent storm events. Currently, the state's investor-owned utilities are each required to have some sort of incremental hardening plan that is updated and reviewed every three years, but the Public Service Commission (PSC) and utilities do not have the authority to pursue a long-term, wide-ranging plan that would benefit all Floridians. HB 797 would allow them to do that. Long-range planning will allow utilities to more efficiently and effectively implement infrastructure investments. The bill mandates that the long-range plan prioritize projects based on considerations such as historical reliability performance and the number of customers being served. To ensure consistent enforcement of these plans and keep overall electric rates down for consumers, the bill will move the costs of hardening, vegetation management and undergrounding neighborhood lines out of utility base rates and into a new cost-recovery clause that the PSC will review every year. Palm Beach County has been working with our community partners to ensure that our infrastructure is hardened and that we are prepared to respond during both pre and post storm to any natural disasters in our local community. This legislation will provide additional tools to assist community partners in ensuring they are ready to meet the needs of our residents during storm events. Countywide (AH)

4. Staff recommends motion to approve: a resolution stating Palm Beach County's opposition to the oil drilling application that Kanter Real Estate LLC (Kanter) has submitted to the Florida Department of Environmental Protection, seeking oil drilling rights on property located in the Florida Everglades, and any future oil drilling in the Florida Everglades. **SUMMARY:** The County recently learned that Kanter has submitted an application for an oil drilling permit to the Florida Department of Environmental Protection seeking authorization to conduct exploratory oil well drilling operations on property in the Florida Everglades owned by Kanter. If the permit is granted, it is anticipated that the oil drilling will exceed 11,000 feet in depth, which is well below the area known as the Biscayne Aquifer. Palm Beach County and other local agencies have expressed concerns about the potentially harmful effects to the Everglades fragile ecosystem and injury to the surrounding wildlife. An oil spill or leak would have substantial impacts on the water supply for wildlife as well as drinking water. This would also ultimately affect the state's fishing industry. Countywide (AH)

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
Workshop	October 23, 2018
Zoning	November 26, 2018
Workshop	November 27, 2018
Regular	December 4, 2018
Regular	December 18, 2018
Zoning	January 8, 2019
Regular	January 15, 2019
Zoning	January 24, 2019

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services (§28.30, §28.31, §257.36 (6))

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:**
 - A)** the third amendment to the Civil Engineering Annual Contract R2016-0308 (Contract) with Civil Design, Inc., (CDI) to update language in sections 7.1, 9, 12, and 20; and
 - B)** a task order to the Contract with CDI in the amount of \$117,876.70 for professional services for Church Street from Limestone Creek Road to west of Central Boulevard (Project).

SUMMARY: Approval of the third amendment will update the language of the termination section, criminal history records check section, commercial non-discrimination section, and scrutinized companies section to be compliant with new standards. 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 a two-lane roadway with bike lanes and drainage improvements. The Small Business Enterprise (SBE) goal for all contracts is 15%. CDI committed to 95% SBE participation for the Contract, and proposes 100% SBE participation for this task order. Their overall SBE participation to date for this contract is 91.38%. This solicitation for annual design professionals was advertised on August 9, 2015 and August 16, 2015 according to the SBE Ordinance in place at the time, with final selection taking place on December 9, 2015. CDI is a certified SBE utilizing seven subconsultants that are certified SBE firms and four that are also M/WBE certified. This Contract is scheduled for resolicitation by March 21, 2019 pursuant to the new Equal Business Opportunity ordinance. CDI is a Palm Beach County based company. District 1 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: a contract with Propel Engineering, Inc. (PEI), in the amount of \$351,833.23 for professional engineering services for Gun Club Road from Forest Estates Drive to Lake Worth Drainage District E-3 Canal (Project). **SUMMARY:** Approval of this contract will provide professional engineering and surveying services necessary for the preparation of complete design plans and construction bid documents for the Project. The scope of work consists of widening the existing two-lane roadway to a three-lane roadway, with bike lanes in each direction. The proposed typical section will consist of one 11-foot lane in each direction, an 11-foot two-way center left turn lane, five-foot bike lanes in each direction, with curb and gutter and sidewalk. The scope of work also includes an exclusive westbound right turn lane with a signalized intersection at the entrance to the Melaleuca Elementary School. The Small Business Enterprise (SBE) goal for all contracts is 15%. This solicitation for design professionals was advertised on February 11, 2018 and February 18, 2018 according to the SBE Ordinance in place at the time with Final Selection taking place on May 23, 2018. The prime consultant is a certified SBE/MWBE utilizing four subconsultants that are SBE/MWBE. This consultant agreed to provide 100% SBE participation. The SBE participation committed for the Project by PEI is 100% overall. PEI is a Palm Beach County based company. District 2 (LBH)

3. Staff recommends motion to approve:

A) an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, to increase the budget for the Lawrence Road from Boynton Beach Boulevard to Lantana Road resurfacing project (Project) from \$1,600,000 to \$1,850,000; and

B) a budget transfer of \$250,000 within the Infrastructure Sales Tax Fund from reserves to increase the budget for the Project.

SUMMARY: Approval of the amendment and budget transfer will increase the funding for the Project from \$1,600,000 to \$1,850,000. The increase in funding is needed to address drainage repair and roadway restoration issues that were encountered at the inception of the Project. The \$250,000 increase will be transferred from the Engineering Department's IST Reserve account. The Sales Tax Oversight Committee reviewed this request at their February 21, 2019 meeting and approved it unanimously. **This project is funded through the infrastructure sales tax. Districts 3 & 4** (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve:

A) Work Order 2018051-16 in the amount of \$525,000 to mill and resurface the residential streets within the Wynnewood Acres subdivision utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger); and

B) Work Order 2018051-17 in the amount of \$440,000 to mill and resurface the residential streets within the Whitehorse Estates subdivision utilizing the County's Contract with Ranger.

SUMMARY: Approval of these work orders will allow the contractual services necessary to construct the improvement for each project. Per County PPM CW-F-050, these work orders exceed the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Prior to this work order, approximately \$4 million of Ranger's \$16 million Contract has been spent or encumbered. This annual construction bid was solicited on July 8, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. Ranger proposed 15% SBE participation for the Contract and for these two work orders. Ranger's three subcontractors are not M/WBE. Approval of these work orders will result in a cumulative SBE participation of 15% for all the work orders issued under the Contract. Districts 2 & 6 (LBH)

5. Staff recommends motion to approve: a second amendment to the annual guardrail contract R2017-0233, Project No. 2017052, dated March 14, 2017, with Southeast Highway Guardrail and Attenuators, LLC (Southeast) to increase the amount of the contract by \$768,500, extend the expiration date from March 13, 2019 to March 13, 2020, and add the new Equal Business Opportunity (EBO) Ordinance language to the contract. **SUMMARY:** Approval of this second amendment will increase Southeast's contract from \$800,000 to \$1,568,500. This increase is based on the estimated additional amount to be expended for guardrail maintenance and replacement throughout Palm Beach County by the user departments. To date, tasks in the amount of \$743,782.68 have been authorized for Southeast. This second amendment will also add the new EBO Ordinance language to the contract. This contract was presented to the Goal Setting Committee on February 6, 2019 and a waiver of Affirmative Procurement Initiative was approved based upon sufficient qualified Small/Minority/Women Business Enterprises (S/M/WBEs) providing the goods or services required by the contract are unavailable in Palm Beach County despite every reasonable attempt to locate them. This is the second of two allowable renewals under this contract. After this renewal, this contract will be resolicited. Countywide (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve: a second amendment to the annual traffic loops contract R2017-0232, Project No. 2017050, dated March 14, 2017, with AUM Construction, Inc. (AUM), to increase the amount of the contract by \$450,000, extend the expiration date from March 13, 2019 to March 13, 2020 and add the new Equal Business Opportunity (EBO) Ordinance language to the contract. **SUMMARY:** Approval of this second amendment will increase AUM's contract from \$1,350,000 to \$1,800,000 and extend the expiration date from March 13, 2019 to March 13, 2020. The increased contract amount is based on updated estimates of the current contract amounts to be expended throughout Palm Beach County. This second amendment will also add the new EBO Ordinance language to the contract. To date, AUM has performed \$788,000 in task orders. This contract was presented to the Goal Setting Committee on February 6, 2019 and a waiver of Affirmative Procurement Initiative was approved based upon sufficient qualified Small/Minority/Women Business Enterprises (S/M/WBEs) providing the goods or services required by the contract are unavailable in Palm Beach County despite every reasonable attempt to locate them. This is the second of two allowable renewals under this contract. After this renewal, this contract will be resolicited. Countywide (LBH)

7. Staff recommends motion to approve:

A) a second amendment to the annual traffic signal contract R2017-0234, Project No. 2017051, dated March 14, 2017, with Gerelco Traffic Controls, Inc. (Gerelco), to extend the expiration date from March 13, 2019 to September 13, 2019, and add the new Equal Business Opportunity (EBO) Ordinance language to the contract;

B) an Assignment Assumption and Consent Agreement (Agreement) assigning the annual traffic signal contract R2017-0235, dated March 14, 2017, from Valiant Power South, LLC (Valiant) to Ferreira Construction Southern Division Co., Inc. (Ferreira); and

C) a second amendment to the annual traffic signal contract R2017-0235 with Ferreira, to extend the expiration date from March 13, 2019 to September 13, 2019, and add the new EBO Ordinance language to the contract.

SUMMARY: On February 8, 2019, Ferreira acquired the assets of Valiant. Approval of the Agreement will allow the assignment of the traffic signal contract with Valiant to Ferreira. Approval of these second amendments will extend each contract's expiration date from March 13, 2019 to September 13, 2019 and add the new EBO Ordinance language to the contracts. To date, tasks in the amount of \$1,111,859.63 have been authorized for Gerelco. Tasks in the amount of \$333,583.55 have been authorized for Ferreira. These contracts were presented to the Goal Setting Committee on February 6, 2019 and a waiver of Affirmative Procurement Initiative was approved based upon sufficient qualified Small/Minority/Women Business Enterprises (S/M/WBEs) providing the goods or services required by the contract are unavailable in Palm Beach County despite every reasonable attempt to locate them. This is the second of two allowable renewals under this contract. This is the second allowable renewal allowed under these contracts. After these renewals, each contract will be resolicited. Countywide (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to approve: Change Order No. 4 with Hardrives of Delray Inc. (Hardrives) in the amount of \$19,362.75, including a time extension of 110 days, for the construction of the shoulder barrier wall on Roebuck Road from Jog Road to Haverhill Road and Roebuck Road/Jog Road Intersection Project R2017-1196. Per PPM CW-F-050, this change order exceeds the time threshold relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners' approval. **SUMMARY:** Approval of Change Order No. 4 will allow Hardrives to construct the shoulder barrier wall that was redesigned to address a conflict found in the field, and will include a time extension of 110 days (completion date June 29, 2019) for Palm Beach County to prepare a plan revision and to process the change order. The Small Business Enterprise (SBE) goal for all contracts is 15%. Hardrives proposed 16% SBE participation. Their SBE participation for this change order is 0% and their cumulative SBE participation to date for this contract including this change order is 3.5%. However, Hardrives expects to meet the 15% goal by completion of the project. Districts 2 & 7 (LBH)
9. Staff recommends motion to adopt: a resolution authorizing approval of the Florida Department of Transportation (FDOT) County Incentive Grant Program (CIGP) agreement and the three party escrow agreement for the right-of-way acquisition of SR-809/Military Trail and Forest Hill Boulevard Intersection Improvements (Project). **SUMMARY:** Adoption of this resolution will authorize approval of the CIGP and three party escrow agreements for the Project that were signed by the Board of County Commissioners on January 15, 2019. The CIGP agreement allows Palm Beach County (County) to participate in right-of-way funding for the Project with FDOT. FDOT will acquire the right-of-way. The estimated total cost for the Project is \$10,915,794, and the County agreed to pay its share of \$5,457,897 to FDOT. Districts 2 & 3 (LBH)
10. Staff recommends motion to approve: a contract with J.W. Cheatham, LLC (Cheatham) in the amount of \$885,066.94 for the construction of Mack Dairy Road from Indiantown Road to 200' north of Old Indiantown Road (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County (County) to issue a notice to proceed to Cheatham, a Palm Beach County based company, to begin construction of the Project. Mack Dairy Road will be reconstructed to meet current design standards. The existing two-lane roadway has substandard lane and shoulder widths, and insufficient clear zone widths. Per an Interlocal Agreement with Martin County (R2018-1323) dated September 18, 2018, the County will provide one-third and Martin County will provide two-thirds of the total funding necessary to construct the Project. The County will have full responsibility for maintenance after completion of construction. Martin County has already provided its share of the funding to the County. This bid was solicited on November 11, 2018 prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements in effect at that time. The SBE goal for all projects is 15%. The lowest responsive, responsible bidder, Cheatham, committed to 15.1%. Of the seven subcontractors to perform on this contract, four are certified SBE's with participation that equates to 15.1% of the overall SBE participation. Construction completion is expected in late 2019. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to receive and file: the official transcript for the closing of the \$20,000,000 Industrial Development Revenue Bonds (Raymond F. Kravis Center for the Performing Arts, Inc., Project) Series 2018 (Bonds). **SUMMARY:** The official transcript for the Bonds has been provided. This transcript should now be received and filed in the Minutes Department. Countywide (DB)
2. Staff recommends motion to approve: a settlement agreement, inclusive of attorney's fees and costs, in the amount of \$80,000 payable by Palm Beach County in the lawsuit styled Richard Rosales v. Palm Beach County Board of County Commissioners, Case No. 502015CA010103XXXMB (Pending Lawsuit). **SUMMARY:** This case stems from disciplinary action issued to Plaintiff, Mr. Rosales, who claimed that the discipline issued to him was the result of retaliation under the Florida Whistleblower's Act, section 112.3187, Florida Statute. After conducting a jury trial, the Court entered a judgment for lost wages in favor of Plaintiff and against Palm Beach County. In addition to that, Plaintiff is entitled to his attorney's fees as the prevailing party pursuant to Florida Statute section 112.3187(9), as well as taxable costs. Palm Beach County has entered into a tentative settlement agreement with Mr. Rosales in the total amount of \$80,000, inclusive of attorney's fees and costs, to settle not only the Pending Lawsuit and all rights to appeal, but also any other claims Mr. Rosales may have against Palm Beach County for any type of alleged civil rights violations. Staff recommends that the Board approve the settlement agreement. Countywide (AP)
3. Staff recommends motion to approve: a settlement agreement with C&D Construction, Inc. (C&D) in the amount of \$560,000 to settle a breach of contract lawsuit against Palm Beach County (County) for damages and a declaratory judgment arising out of a rim canal fender system replacement project. **SUMMARY:** In June 2015, C&D and the County entered into a written construction contract regarding the Point Chosen Swing Bridge over Rim Canal Fender System Replacement, Palm Beach County Project No. 2010906 (the Project) in Belle Glade, Florida for \$1,287,822.96. The Project was originally scheduled to be completed in January 2016. Due to delays, it was not completed until April 5, 2018. C&D sued the County asserting that the delay was a result of inadequate information provided by the County to C&D prior to construction, and to recover the liquidated damages withheld by the County. C&D alleged damages of approximately \$1.635 million in addition to attorney's fees. The parties conditionally settled the lawsuit at mediation on February 6, 2019, for \$560,000, subject to the approval of the Palm Beach County Board of County Commissioners. Countywide (AP)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the appointments of two members to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council, effective March 12, 2019:

<u>Seat No.</u>	<u>Appointment</u>	<u>Term Expires</u>
16	Matthew Tochtenhagen	11/06/2020
25	Felisha Douglas Bowman	3/11/2022

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. Mr. Tochtenhagen and Ms. Bowman have successfully completed the HIV CARE Council’s nomination process and the HIV CARE Council recommends these appointments. Mr. Tochtenhagen will complete the term of Mr. McCoy, who resigned from the HIV CARE Council. The total membership shall be no more than 33 at-large members, per Resolution No. R2018-0015. The diversity count for the 20 seats that are currently filled is African-American: 9 (45%), Caucasian: 8 (40%), and Hispanic-American: 3 (15%). The gender ratio (female:male) is 12:8. Mr. Tochtenhagen is Caucasian and Ms. Bowman is African-American. Staff conducted targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Ryan White Program) Countywide (HH)

2. Staff recommends motion to approve: the appointment of one member to the Community Action Advisory Board, effective March 12, 2019:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>
6	Norman Cushon	Private Sector Representative	09/30/2019

SUMMARY: The total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, per Resolution No. R2018-0372, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. Mr. Cushon meets all applicable guidelines and requirements outlined in the Resolution adopted by the Board of County Commissioners on May 6, 2014. Mr. Cushon will complete the term of Ms. Hill, who resigned from the CAAB. Mr. Cushon has disclosed that he is employed by CareerSource of Palm Beach County, Inc., which contracts with the County for services. The CAAB provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. The diversity count for the 13 seats that are currently filled is African-American: 10 (77%), Caucasian: 2 (15%), and Hispanic-American: 1 (8%). The gender ratio (female:male) is 10:3. Mr. Cushon is African-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. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve:

A) Standard Agreement No. IA019-9500 for Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2019 through December 31, 2019, to provide services in accordance with the terms and conditions specified in this agreement including all attachments, forms and exhibits, which constitute the agreement document, in an amount not-to-exceed \$2,335,334.19, for in-home and community based services to seniors; and

B) budget amendment of \$753,871 in the Division of Senior Services (DOSS) Administration Fund to align the budget to the actual grant award.

SUMMARY: The Standard Agreement will allow DOSS to provide in-home and community based services to seniors. OAA is funded with \$2,335,334 in federal funds, \$23,823 in program income and \$1,686,403 in county funds. Services are provided to eligible Palm Beach County individuals age 60 and older and their caregivers. The various services preserve the independence of seniors and defers the need for more costly institutions. OAA has several programs which serve seniors. The congregate meals program served 1,832 seniors in Grant Year (GY) 2017 and 2,049 seniors in GY 2018. The home-delivered meals program served 596 seniors in GY 2017 and 471 seniors in GY 2018. The in-home services program served 204 seniors/caregivers in GY 2017 and 190 seniors/caregivers in GY 2018. The number of seniors served is based on the amount of the grant and the need of clients. The budget amendment is necessary to align the county budget with the actual grant award. DOSS is responsible for providing services north of Hypoluxo Road. The areas of service include the entire County, excluding portions of Districts 3, 4, 5 & 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet county obligations. (Division of Senior Services) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road. (HH)

4. Staff recommends motion to approve: Amendment No. 1 for Consulting/ Professional Services with CareerSource Palm Beach County, Inc. (CareerSource) (R2018-1748), to extend the end date from March 31, 2019 to September 30, 2019, and to provide a variety of training services to low-income participants. **SUMMARY:** CareerSource is qualified to provide trades industry training and work readiness skills training for the Community Action Program (CAP). Funding for the contract is provided by the Community Services Block Grant (CSBG) through the Department of Economic Opportunity (DEO). The end date is being extended to allow CAP to serve additional clients, with no changes to the original contract amount of \$100,000. Qualified clients must be residents of Palm Beach County and meet the federal poverty guidelines. CareerSource, in partnership with Palm Beach State College is providing construction trades training, which includes core classes and welding, electrician, plumbing or heating, ventilation and air conditioning programs. The contract in its entirety will serve 25 participants, 16 are currently enrolled in class. Charles Duval, an employee of CareerSource is a member of the Farmworker Program Advisory Board (FPAB). The FPAB provides no regulation, oversight, management, or policy-setting recommendations regarding the agency listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. **No new County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. **Staff recommends motion to approve:** Amendment No. 1 to contract for Provision of Financial Assistance with Southeast Florida Behavioral Health Network, Inc. (R2018-1678) (SEFBHN), to extend the end date from March 30, 2019 to May 31, 2019, for the continuation of expanded bed capacity, treatment of substance use disorders, care coordination and prevention programs to educate the community about the dangers of opioid abuse. **SUMMARY:** On October 16, 2018, the Board of County Commissioners (BCC) authorized staff to continue a previous six month contract with SEFBHN to expand treatment options in the county. A contract was successfully executed for the period October 1, 2018 through March 30, 2019. During this period of time, 227 Palm Beach County residents received treatment and care coordination services and 163 Palm Beach County residents received overdose prevention/education and life-skills training. SEFBHN will continue to subcontract with agencies for the provision of additional treatment beds, including scholarships from private treatment of substance use disorder and detox facilities, and coordinate care for those needing housing and employment support. Amendment No. 1 will also continue to provide for the engagement of families with children at risk of addiction through targeted prevention efforts. The services provided by SEFBHN will continue to assist in leveraging existing and future federal, state, and local funding to ensure a seamless continuum of care for residents with substance use disorders, including co-occurring and poly substances, expand recovery support capacity and expand the existing network of providers to best meet the needs of the community and individuals. Linda Kane, employee of SEFBHN, is a member of the Palm Beach County 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. (Financially Assisted Agencies) Countywide (HH)

F. AIRPORTS

1. **Staff recommends motion to receive and file:** an extension of time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):
- A)** Upgrade Access Roadway Signage and Landscaping at Palm Beach International Airport, Financial Project Number 430992-1-94-01 approved by the Board on March 22, 2016 (R2016-0330 and R2016-0331), is hereby extended until March 31, 2020;
- B)** Security Improvements at Palm Beach County Park Airport, Financial Project Number 425723-1-94-01 approved by the Board on December 17, 2013 (R2013-1788 and R2013-1789), is hereby extended until June 30, 2019; and
- C)** Construct Hangars at Palm Beach County Park Airport, Financial Project Number 434600-1-94-01 approved by the Board on December 2, 2014 (R2014-1813 and R2014-1814), is hereby extended until June 30, 2019.
- SUMMARY:** Delegation of authority for execution of the above extensions of time to the JPAs with the FDOT was approved by the BCC on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to:

A) receive and file an Award Modification (Modification P00008) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) in the amount of \$72,000 for law enforcement services at Palm Beach International Airport (PBI) in support of the passenger screening operations at the security checkpoints in the terminal; and

B) approve a budget amendment in the Airport's Operating Fund, for the receipt of \$72,000 of funding from the TSA; and an increase to Airport's Reserve in the amount of \$72,000.

SUMMARY: Delegation of authority for execution of the LEO Agreements was approved by the BCC on August 14, 2012 (R2012-1093). Countywide (AH)

3. Staff recommends motion to approve: a second amendment (Amendment) to Development Site Lease Agreement with Palm Auto Plaza, LLC d/b/a Palm Beach Toyota (Palm Auto) (R2014-0037, as amended) (Lease), extending the initial term from 10 to 15 years, adding one additional five-year renewal term, and providing for additional rental adjustments based on appraisal. **SUMMARY:** Palm Auto leases approximately 666,825 square feet of ground at 200 South Congress Avenue, south of the Palm Beach International Airport, for the development and operation of a retail automotive sales and service facility. The Lease provides for an initial term of ten years, plus four five-year renewal options for a total term of 30 years. The Amendment extends the initial term to 15 years and adds one additional five-year renewal option for a total term of 40 years, if all renewal options are exercised. The Lease required Palm Auto to expend at least \$5 million in the design, construction, and installation of the initial leasehold improvements. Palm Auto expended more than \$14.5 million and has requested an extension to the term of the Lease in order to fully amortize its investment. The Lease provides for adjustment of rental every three years, commencing October 1, 2019, by the Consumer Price Index (CPI) in addition to one appraisal-only adjustment. The Amendment adds two appraisal-only rental adjustments and provides that the first appraisal adjustment will occur three years earlier than currently provided in the Lease. The extension of the initial term guarantees a minimum of five additional years of rental revenue to the County. The Amendment also updates the insurance and scrutinized companies' provisions. Countywide (HJF)

4. Staff recommends motion to approve: a Declaration of Sidewalk Easement (Declaration) by Palm Beach County and Drive Shack Palm Beach LLC (Drive Shack), for the construction and maintenance of sidewalk improvements on a portion of property under lease to Drive Shack on Belvedere Road at the Palm Beach International Airport (PBI). **SUMMARY:** Drive Shack is constructing a new golf-related entertainment venue on County-owned property near the northeast corner of PBI at the intersection of Belvedere Road and Australian Avenue pursuant to a Development Site Lease Agreement (R2017-0939, as amended). The City of West Palm Beach requires Drive Shack to construct a meandering sidewalk and install landscaping adjacent to the sidewalk. The sidewalk improvements will be placed outside of and adjacent to the Belvedere Road right-of-way on County-owned property under lease to Drive Shack. The Declaration is required by the County's Engineering Department to enable public ingress and egress on the sidewalk and to allow the County to perform maintenance and repairs, if necessary. The Declaration does not constitute a dedication to the public. Drive Shack will maintain and repair the sidewalk improvements and is a party to the Declaration for the purpose of consenting and agreeing to the obligations imposed upon Drive Shack. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: a License Agreement (Agreement) with the United States of America, acting by and through the Secretary of the Navy, Naval Facilities Engineering Command Southeast (Navy), for overflow vehicle parking on unimproved property north of the Palm Beach International Airport (PBI), commencing upon Board approval and expiring on September 30, 2022, without charge. **SUMMARY:** The Agreement provides for vehicle parking by Navy reserve personnel. The Navy conducts drills at their facility on Marine Drive, located north of PBI, and has requested the right to use either of two unimproved properties, located adjacent to their facility, from time to time for overflow parking. The Navy will submit requests when parking is needed, for approval by the Department of Airports (DOA). Based on availability, DOA will authorize the Navy to use the property at the northwest corner of Belvedere Road at Clubhouse Drive (Clubhouse Drive Property) or at the northeast corner of Belvedere Road at Marine Drive (TreeTown Property). The Agreement will expire September 30, 2022. The Agreement is being granted to the Navy without charge and can be terminated for convenience by the Navy or revoked by the County at any time. Countywide (AH)

6. Staff recommends motion to receive and file: an Access Agreement with Nutting Environmental of Florida, Inc., and Nutting Engineers of Florida, Inc. (collectively, Nutting), authorizing Nutting to perform due diligence inspections on a 63.43 acre parcel of land identified as Parcel RF-1, west of the Palm Beach International Airport (PBI), effective January 2, 2019, and expiring April 30, 2019, at no cost. **SUMMARY:** Nutting will be performing environmental audits, soil testing and surveys as a contractor to Airport Logistics Park, LLC, Florida limited liability company (ALP), with whom a Development Site Lease Agreement (Lease) is being negotiated by the Department of Airports for a ±39.484 acre portion of Parcel RF-1, north of Wallis Road, between Military Trail and Haverhill Road, west of PBI. The inspections are being performed on behalf of ALP as part of ALP's due diligence under the Lease, and are paid for by ALP at no cost to the County. Countywide (AH)

7. Staff recommends motion to approve: an easement agreement with Comcast Cable Communications Management, LLC (Comcast) for the purposes of providing a tie point for cable services at the Palm Beach International Airport (PBI). **SUMMARY:** The easement agreement will allow Comcast to install underground coax cable and fiber-optic cabling at PBI that will serve as a tie-point for existing services, connecting service lines that run along Belvedere Road and Southern Boulevard. Comcast has requested this easement agreement for the continuity of cable service provided to both existing and future tenants at PBI. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida; establishing a standard form Into-Plane Fueling Services Permit (Permit); authorizing the County Administrator or designee to execute the Permit; providing for adjustment of fees and charges; providing for severability; and providing for an effective date. **SUMMARY:** The resolution establishes a new standard form Permit for use with aeronautical support services providers who provide into-plane fueling services to air carriers at the Palm Beach International Airport (PBI) and authorizes the County Administrator or designee to execute the standard form Permit on behalf of the Board. Aircraft Service International, Inc. d/b/a Menzies Aviation (Menzies) is currently the only provider of into-plane fueling services to the commercial air carriers at PBI. Menzies operates and maintains the commercial aviation fuel farm and provides into-plane fueling services to the air carriers at PBI pursuant to a Fuel Farm Facilities Lease Agreement with Menzies (R99-2004D, as amended). The air carriers at PBI have expressed interest in using the services of additional into-plane fueling service providers. The Permit will allow the Department to authorize additional providers selected by the air carriers to provide into-plane fueling services. The Permit requires payment of an initial application fee of \$250, an annual Permit fee of \$250, and service fees equal to 7% of gross revenues for services to non-signatory airlines. The resolution also provides for an increase in fees and charges in an amount not to exceed 5% per year, which may be rounded up to the nearest whole dollar or tenth of a percentage point. Countywide (AH)

9. Staff recommends motion to receive and file: a Registration for Distribution of Literature or Picketing (Registration) at Palm Beach International Airport (PBI) issued to Vince Herrera (Applicant), authorizing members of the National Air Traffic Controllers Association (NATCA) to distribute literature at PBI, effective January 14, 2019, and expiring January 28, 2019, at no cost. **SUMMARY:** The Registration authorizes designated members of NATCA to distribute literature at PBI, in locations designated by the Department of Airports, in accordance with the Airport Rules and Regulations (R98-220 as amended). A copy of the literature to be distributed is attached to the Registration. The standard form Registration was approved by the BCC on October 3, 1995 (R95-1410). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

10. Staff recommends motion to:

A) approve a Development Site Lease Agreement (Lease) with Airport Logistics Park, LLC (ALP), a Florida limited liability company, for the lease of approximately 1,723,753 square feet (\pm 39.57 acres) of unimproved ground located north of Wallis Road, west of the Palm Beach International Airport (PBI), for the development of industrial warehouse and distribution facilities in two phases, effective upon Board approval and expiring 50 years from the date of beneficial occupancy, with an initial annual rental of \$464,616.35 for the first phase and \$483,447.80 for the second phase.

B) authorize the Director of the Department of Airports or designee to execute, on behalf of County, the Owner's Affidavit, Memorandum of Lease and Ground Lessor's Estoppel in the form attached to the Lease; all applications and similar instruments required to obtain necessary governmental approvals for the development of the property; and an amendment to the Lease to reflect the final legal description based on site plan approval.

SUMMARY: The Lease provides for the development of an approximately 540,000 square feet of industrial warehouse and distribution facilities in two phases. ALP will pay an initial annual rental of \$464,616.35 for the first phase and \$483,447.80 for the second phase. Rental will be adjusted every three years, commencing October 1, 2022, subject to a consumer price index (CPI) cap. In 2034 and 2049, rental will be adjusted based only on appraised value with no CPI cap. The total anticipated investment to be made by ALP is \$32,000,000. The Lease is contingent on receipt of all necessary governmental approvals. Construction of the first phase must be completed within 24 months of the effective date of the Lease. The second phase must be completed within an additional 12 months. Wallis Road does not meet current County standards and must be improved to support the development of the adjacent County-owned properties. ALP will reimburse the County 15% of the cost of the Wallis Road improvements in an amount not to exceed \$150,000 and construct a stormwater drainage culvert, at ALP's sole cost, to accommodate the stormwater runoff requirements of Wallis Road. The estimated cost of the culvert is approximately \$150,000. The Lease requires the County to deliver an Owner's Affidavit, Memorandum of Lease and Ground Lessor's Estoppel for title and financing purposes. The Department is requesting a delegation of authority to the Department Director or designee to sign the documents required by the Lease, applications for development approvals when the signature of the property owner is required, and an amendment to the Lease to reflect the final legal description based on site plan approval. ALP has committed to 15% SBE participation in the construction of its leasehold improvements. Countywide (HJF)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

11. **Staff recommends motion to approve:** a General Consulting Agreement with AECOM Technical Services, Inc. for a term of two years, with two one-year renewal options in the amount of \$828,984.74 for the performance of Airport General Consulting Services related to the approved Palm Beach County Airports' Capital Improvement Program. **SUMMARY:** In order to carry out the approved Capital Improvement Program for the County, the Department of Airports requires airport general consulting services. In accordance with Florida Statutes 287.055 and the Federal Aviation Administration's Advisory Circular 150/5100-14 (current edition), AECOM Technical Services, Inc. was competitively selected to provide these services. The initial agreement of a potential multi-year contract in the amount of \$828,984.74 will provide the Department of Airports with the necessary continuing professional services to implement the following services: Level 1 Tasks – Palm Beach County Department of Airports (PBCDOA) Airfield Pavement Management System; PBCDOA Miscellaneous Planning and Engineering Services; PBCDOA Disadvantaged Business Enterprise (DBE) Program Outreach Services; Palm Beach International Airport (PBI) Preliminary Scope Definition for the Interior Tenant Development Guidelines, Design Standards and Design Review Process; PBI Airline Agreement Development and Negotiations – Phase 3; Palm Beach County Park Airport (LNA) Southside Redevelopment Program Phases 1 & 2 Supplemental Construction Management and Administration Services; and Level 3 Tasks – Miscellaneous Engineering and Planning Consulting Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM CW-F-050, by way of a separate proposal or task authorization. AECOM Technical Services, Inc. is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. The initial tasks to be awarded under the agreement contain DBE participation of 8.44%. AECOM has committed to 18% DBE participation for this agreement. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated settlement agreement for an initial payment of \$5,000 and an additional 10% of the sales price of the property if sold within five years for the full satisfaction of a code enforcement lien that was entered against Marc Scarfone on October 5, 2011. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on May 4, 2011 for property owned by Marc Scarfone giving him until June 3, 2011 to bring his property located on Hamlin Boulevard in Loxahatchee into full code compliance. The property had been cited for uncultivated vegetation. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Marc Scarfone on October 5, 2011. The Code Enforcement Division issued an affidavit of compliance for the property on May 8, 2018 stating that as of May 7, 2018 the cited code violation had been fully corrected. The total accrued lien amount through May 31, 2018, the date on which settlement discussions began, totaled \$357,627.14. Marc Scarfone has agreed to pay Palm Beach County an initial payment of \$5,000 and an additional 10% of the sales price of the property if sold within five years for the full satisfaction of his outstanding code enforcement lien. District 6 (SF)
2. **Staff recommends motion to receive and file:** Financial Statements and Management Letter from the Boynton Beach CRA. **SUMMARY:** The Boynton Beach CRA has submitted its financial statements and management letter as per Florida Statute 163.387(8). Countywide (DB)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to:

A) approve Tax Deed Surplus Distribution Agreement between County and Clerk and Comptroller for tax certificate number 5234-2010.

B) authorize the County Administrator or designee to approve and execute future disbursement agreements involving Tax Deed sale surplus funds to be received by the County from the Clerk and Comptroller's Office (Clerk) up to a maximum total revenue of \$50,000 per agreement.

SUMMARY: This disbursement agreement will allow the Clerk to disburse the Tax Deed surplus funds being held and avoid having to file an Interpleader action when there are competing governmental and private entities making claims on the surplus funds. Pursuant to Chapter 197.582 Florida Statutes, all governmental liens of record attached to a property must be paid in full first before any non-governmental liens or judgments can participate in the distribution. For the subject certificate number, there are four other municipalities in the County that will be submitting the same distribution agreement for their respective cities to have the surplus funds distributed equally. The former owner has several properties in both unincorporated and incorporated Palm Beach County; which it is likely that more properties will be sold through Tax Deeds. Any future surplus funds generated from Tax Deed sales will be distributed equally to the County and participating municipalities. Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) budget transfer of \$2,900,000 within the Law Enforcement Impact Fee Fund; and

B) contract with Song + Associates, Inc., in the amount of \$677,280 to provide professional engineering and architectural consultation as well as services necessary to complete the required scope of work for the Palm Beach County Sheriff's Office (PBSO) headquarters (HQ) annex facility project for a period of two years or until the construction is complete, whichever is longer.

SUMMARY: ~~This~~ The PBSO HQ Annex Facility is an identified component of the Law Enforcement Facilities Master Plan and Phase I timing critical to the timely execution of the PBSO HQ Renewal/Replacement/Renovation project funded from Infrastructure Sales Tax. Phase I of the project consists of an approximate 12,400 sf substation including the infrastructure and support/shared areas for a 9,200 sf expansion for the Homeland Security/Special Operations Division in the future. Song + Associates, Inc.'s contract provides for the design permitting and construction administration of Phase I only on a six acre site on Jog Road, south of Belvedere Road in West Palm Beach (Terracina civic site). A separate authorization for the Phase II work will be presented to the Board for consideration in FY 2023. The solicitation for design professionals was advertised on March 18, 2018 according to the SBE Ordinance in place at the time, with final selection taking place on June 22, 2018. The prime consultant is a certified M/WBE utilizing three sub-consultants that are SBE and no sub-consultants that are M/WBE. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. This consultant proposed and agreed to provide 77.4% SBE participation. Song +Associates is a local firm and will be using local sub-consultants for 77.4% of the work. Funding for this contract is from Law Enforcement Impact Fees. These funds are reflected in the adopted Capital Improvement Program for allocation to the project in FY 20, but are being advanced through this budget transfer due to their immediate availability and to fully cover the actual contract amount. The balance of the funds will remain available for use toward construction. The total Phase I project budget is \$6,200,000. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: a contract with Stephen L. Boruff, AIA Architects & Planners, Inc. to provide Architectural/Engineering Design Services associated with Fire Rescue Station No. 40 in the amount of \$281,590 for a period of two years or until the contractor or project achieves final completion. **SUMMARY:** This contract provides for the design, permitting and construction administration services for a two bay single story prototypical fire station, approximately 5,500 square feet in size located on the south side of White Feather Trail in Boynton Beach. The re-use of the prototypical design includes adaptations needed to accommodate the new site and interior modifications to meet current best practices for fire fighter safety and accommodations. Funding for this project is from Fire Rescue Impact Fees. A re-use is the equivalent of a sole source not requiring a separate Consultant Competitive Negotiations Act (CCNA) solicitation. Sole source procurements are exempt from the Equal Business Opportunity Ordinance. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance for this contract is 15%. The consultant has agreed offered to provide 78.45% SBE participation and has provided Schedule 1 and 2's supporting that participation. Staff will track and report actual participation achieved. Stephen L. Boruff, AIA Architects & Planners, Inc. is a local business, certified SBE and is utilizing four sub-consultants that are SBE and one subconsultant that is Minority/Woman Business Enterprise. (Capital Improvements Division) District 3 (LDC)

3. Staff recommends motion to:

A) adopt a resolution authorizing a fifth amendment to Agreement of Lease with Loggerhead MarineLife Center, Inc., a Florida not-for-profit corporation (Center) to grant the Center additional easements and to extend the deadline for commencement of construction from November 2, 2018 to November 2, 2019, and extend the deadline for completion of construction from November 2, 2020 to November 2, 2021;

B) approve a fifth amendment to Agreement of Lease (Amendment); and

C) approve a Temporary Construction Easement (TCE) for the temporary staging area for materials and equipment and a temporary construction office trailer.

SUMMARY: On August 19, 2003 (R2003-1246), the Board approved a 30 year Agreement of Lease with the Center to create a scientific research and rehabilitation center for sea turtles on 1.28 acres within Loggerhead Park in Juno Beach. On May 3, 2011 (R2011-0695), the Board approved an expansion of the leased premises to 2.39 acres to facilitate development of new classrooms and offices, exhibit areas, new holding and touch tanks, additional courtyard seating, a small outdoor amphitheater and an expanded gift shop (Expansion Project) and added milestones for fund raising and deadlines for construction. In September of 2016 (R2016-1356), the Board extended the fund raising milestones and the project construction commencement date to November 2, 2017 and the completion deadline date to November 2, 2019. The Center has met the fund raising milestones; however, a one-year extension of the construction commencement date and completion deadline date was requested. On January 23, 2018 (R2018-0052), the Board approved a one-year extension of the project construction commencement date to November 2, 2018, and completion deadline date to November 2, 2020. On October 3, 2018, the Center advised staff that they are ready to proceed on their ground breaking which they anticipate will commence in May of 2019; therefore, they are requesting additional deadline extensions of the construction commencement and completion dates. The Center is also requesting the approval of temporary and permanent easements that will be required for this project. This Amendment extends the construction commencement date to November 2, 2019 and the completion deadline date to November 2, 2021, and grants the Center the right to install various easements across portions of the Loggerhead Park property. The Amendment also deletes the TCE attached as Exhibit "C" to the second amendment of Agreement of Lease (R2011-0695) and replaces it with the TCE attached as Attachment 4 to this item. This TCE allows for temporary staging areas for materials and equipment, and a temporary construction office trailer. Parks supports this Amendment and TCE and will continue to have administrative responsibility for the Agreement of Lease. All other terms and conditions of the Agreement of Lease remain unchanged. (PREM) District 1 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: a Purchase Agreement for State Tax Credits with The Bank of Tampa for the sale of Voluntary Cleanup Tax Credits (VCTC). **SUMMARY:** The attached document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Resolution R2015-1793 and Agenda Item 3I-3 as approved by the BCC on December 15, 2015, and April 10, 2018, respectively. Under the Purchase Agreement for State Tax Credits, The Bank of Tampa purchased a tax credit certificate worth \$52,637.26 under the VCTC Program. The purchase price of the certificates was \$47,899.91. After payment of the brokerage commission, the County will net \$44,741.67 that will replenish the County's Brownfields Revolving Loan Fund. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **The VCTC Program does not require a local match.** Countywide (JB)

2. Staff recommends motion to approve: Amendment No. 002 to an Agreement (R2015-0425) with Gulfstream Goodwill Industries, Inc. to allow for the purchase of the customized vehicle it currently leases and to extend the Agreement date until May 31, 2019. **SUMMARY:** On April 7, 2015, the County entered into an Agreement (R2015-0425), as amended by Amendment 001 (R2017-0311) on March 14, 2017, with Gulfstream Goodwill Industries, Inc. (GGI) to provide \$70,000 in Community Development Block Grant (CDBG) funds. The funds were provided for the lease of a customized vehicle to provide delivery services to the Senator Philip D. Lewis Center (Center). GGI has \$31,792 remaining from their initial \$70,000 allocation and has requested the use of these funds to exercise the option within the lease to purchase the customized vehicle at the completion of the lease period which is March 23, 2019. Approval of this agenda item would allow for GGI to receive a reimbursement for the purchase of the customized vehicle for continued use as a service provider at the Center and extend the Agreement by 60 days to complete the transaction. **These are Federal CDBG funds which require no local match.** Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to receive and file: the following documents:

A) Amendment 001 to the Agreement (R2018-1589) with Seagull Industries for the Disabled, Inc., under the Community Development Block Grant (CDBG) Program;

B) Amendment 002 to the Agreement (R2018-0071) with the City of Riviera Beach, under the CDBG Program;

C) Amendment 002 to the Agreement (R2018-0168) with the Village of Palm Springs, under the CDBG Program;

D) Amendment 001 to the Agreement (R2018-1579) with the City of South Bay under the CDBG Program; and

E) Amendment 002 to the Loan Agreement (R2017-1809) with Neighborhood Renaissance, Inc., under the HOME Investment Partnerships (HOME) Program.

SUMMARY: Amendment 001 with Seagull Industries for the Disabled, Inc. increased the number of monthly beneficiaries eligible for reimbursement. Amendment 002 with the City of Riviera Beach revised the project completion date and monthly performance benchmarks. Amendment 002 with the Village of Palm Springs revised certain administrative procedures and the monthly performance benchmarks. Amendment 001 with the City of South Bay provided for surplus funds from their Fiscal Year 2017-2018 grant allocation to be rolled over to their Fiscal Year 2018-2019 CDBG allocation. Amendment 002 with Neighborhood Renaissance, Inc. revised the units assisted by the HOME funds. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Items 5C-5, 3I-3, 3I-3, 5D-1, and 5C-5, as approved by the BCC on July 10, 2018, January 23, 2018, February 6, 2018, July 11, 2017 and July 10, 2018, respectively. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **The Federal CDBG funds require no local match and the HOME grant funds are Federal funds which require a local match provided by State SHIP funds.** Districts 3, 6, 7 & Countywide (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for 49 Palm Square, Delray Beach;

B) approve a restrictive covenant for 49 Palm Square, Delray Beach, requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

C) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for 109 N. Dixie Blvd, Delray Beach;

D) approve a restrictive covenant for 109 N. Dixie Blvd, Delray Beach, requiring the qualifying improvements be maintained during the period that the tax exemption is granted;

E) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for 702 SE 1st Street, Delray Beach; and

F) approve a restrictive covenant for 702 SE 1st Street, Delray Beach, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: The resolution will authorize a county tax exemption for the following historic properties located within the City of Delray Beach: 49 Palm Square, (property is privately owned for residential use); 109 N. Dixie Blvd, (property is privately owned for residential use) and 702 SE 1st Street, (property is privately owned for residential use). If granted, the tax exemption shall take effect January 1, 2019, and shall remain in effect for ten years, or until December 31, 2028. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the ten years ending December 31, 2028, is \$125,647. Actual exemption amounts will be based upon the Countywide Millage Rate on a yearly basis. It is estimated that approximately \$12,564 tax dollars will be exempted annually based on the 2019 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. For fiscal year 2018-2019, the BCC has approved a total of four exemptions totaling \$17,273. District 7 (RPB)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: appointment of one member 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>
Jaime Plana	11	Landscape Architect	The American Institute of Architects

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. 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 16 seats currently filled and a diversity count of Caucasian: 14 (88%), African-American: 1 (6%), Hispanic-American 1 (6%). The gender ratio (male:female) is 13:3. Mr. Jaime Plana is a Hispanic-American male. 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: an executed Standard Potable Water and Wastewater Development Agreement (SDA) with Bedner Farm, Inc., SDA #14-01004-000 (District 6), Recorded in OR BK 30212 PG 1875, received during the month of October 2018. **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. The Standard Potable Water and Wastewater Development Agreement with Bedner Farm, Inc., SDA #14-01004-000, authorizes the Property Owner located at Unincorporated Palm Beach County, Southeast of Duda Road along East Lake Road, 43.70 Equivalent Residential Connections (ERC's) for both potable water and wastewater for five years. 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. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** a contract with V Engineering & Consulting Corp., for the CD03 Water Distribution System Improvements Phase 2 Lake Belvedere Estates Project (Project) in the amount of \$1,950,000. **SUMMARY:** On September 12, 2018, the Water Utilities Department received 11 bids seeking to undertake the Project. V Engineering & Consulting Corp., was the lowest responsive responsible bidder in the amount of \$1,950,000. The Project provides for the replacement of approximately 13,600 linear feet of asbestos cement water main varying in sizes, two aerial crossings, fire protection improvement and approximately 130 water service conversions from the rear lot of the residential properties to the front located within Lake Belvedere Estates in West Palm Beach. 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 Small Business Enterprise (SBE) participation goal established by the 2002 SBE Ordinance under which this Project was solicited is 15% overall. The contract with V Engineering & Consulting Corp provides for 0% overall SBE participation. The second lowest bidder, Southern Underground Industries, Inc., met the 15% SBE goal established by the 2002 SBE Ordinance. However, the second lowest bid was in the amount of \$2,382,240.80, which was \$432,240.80 higher than the lowest responsive and responsible bid. The price difference is 22%, which falls outside the 10% range established for award under the 2002 SBE Ordinance. V Engineering & Consulting Corp, is not a Palm Beach County Company. V Engineering & Consulting Corp's headquarters are located in Miami, Florida. This project is included in the WUD FY19 Budget (WUD Project No.15-102) District 2 (MJ)

3. **Staff recommends motion to approve:** Work Task Order No. 1 for the Southern Region Water Reclamation Facility (SRWRF) Headworks Screenings and Effluent Pumping Improvements Project (Project) with Hazen and Sawyer, P.C., (R2016-0905) in the amount of \$152,282.61. **SUMMARY:** On July 12, 2016, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract for Professional Consulting/Engineering Services with Hazen and Sawyer, P.C., to provide engineering services during design, permitting, bidding and construction phase services for the Project. Work Task Order No. 1 includes additional construction phase services necessary to support WUD in successfully completing the construction of the Project. The additional construction phase services include additional progress meetings, submittal reviews and responses to requests for information (RFIs). 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. The contract with Hazen and Sawyer, P.C., provided for a 20% SBE participation, which includes 20% overall M/WBE participation consisting of 10% MBE (H), 1% MBE (B), 1% MBE (O) and 8% MWBE. Work Task Order No.1 includes an overall SBE participation of 0%. The cumulative participation, including Work Task Order No. 1, is 38.15% SBE overall participation. Hazen and Sawyer, P.C., is headquartered in New York, New York, but maintains an office in Palm Beach County from which the majority of the work under Work Task Order No.1 will be undertaken. The Project is included the WUD FY19 budget. (WUD Project No. 15-095) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve: a Tower Site License Agreement (Telemetry Agreement) with Crown Castle South LLC for the location of telemetry equipment for a period of five years with four additional automatic renewals, in the amount of \$5,000. **SUMMARY:** In an effort to ensure greater accuracy and efficiency in metering and the operation and maintenance of Water Utilities Department (WUD) facilities, WUD has undertaken the expansion of the utilization of Advanced Metering Infrastructure (AMI) in several areas throughout the WUD service area. WUD staff identified existing transmission facilities within the Village of Royal Palm Beach (Village) as a potential area for siting additional telemetry equipment. On May 15, 2018, the Board of County Commissioners (BCC) executed an interlocal agreement (ILA) between the County and the Village for the co-location of the telemetry facilities (R2018-0768). The ILA recognizes the County as the water and wastewater service provider to the Village and provides for the County's utilization of the Village's rent free area on an existing communications tower owned by Crown Castle South LLC (Crown Castle). The proposed Telemetry Agreement provides for the co-location of WUD telemetry equipment on the Crown Castle communications tower. The Telemetry Agreement is for an initial five year term and provides for four automatic term renewals. Although the County will not be assessed annual fees, the County is responsible for an initial Structural Analysis Fee, Application Fee, and Inspection Fee in the sum of \$5,000. District 6 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:
 - A) approve** a contract for Consulting/Professional Services (Contract) with the Florida Fish & Wildlife Conservation Commission (FWC) to provide oyster monitoring in an amount not to exceed \$72,000, commencing upon execution and expiring December 30, 2020; and
 - B) authorize** the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with this contract, and any necessary minor amendments that do not significantly change the scope of work, terms, or conditions of this Contract.

SUMMARY: The contract authorizes FWC to provide oyster monitoring in the Lake Worth Lagoon (LWL) and compares oyster abundance, recruitment, and health between three natural reefs and three man-made reefs at County restoration sites as part of monitoring efforts described in the LWL Management Plan. The monitoring project is funded by Vessel Registration Fees and the Manatee Protection Fund. District 3 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve the Waterways Assistance Program (WAP) grant application to the Florida Inland Navigation District (FIND) to fund up to \$740,022 or 50% of construction costs for the Sawfish Island Restoration Project (Project);

B) adopt a resolution for assistance through FIND WAP requesting \$740,022 to cover a portion of the construction of the Project;

C) authorize the Director of Environmental Resources Management delegation of authority to serve as Liaison Agent with FIND for the Project and submit the WAP grant application; and

D) authorize the County Administrator or designee to execute the Grant Project Agreement (Agreement), as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work, or terms and conditions of the Agreement, if the grant is approved.

SUMMARY: The County is submitting a grant application, which will reimburse the County up to \$740,022 for the \$1,480,045 Project. If successful in receiving funding, the deadline for spending the grant will be September 2021. The County's share for the grant request is anticipated from a combination of State grants, Vessel Registration Funds, and Manatee Protection Funds. District 1 (SF)

3. Staff recommends motion to:

A) approve the Waterways Assistance Program (WAP) grant application to Florida Inland Navigation District (FIND) to fund up to \$140,000 or 50% of the design, planning and permitting for the Lake Worth Inlet Flood Shoal Dredging project (Project);

B) adopt a resolution for assistance through FIND WAP requesting \$140,000 to cover a portion of the design, planning and permitting of the Project;

C) authorize the Director of Environmental Resources Management delegation of authority to serve as Liaison Agent with FIND for the Project and submit the WAP grant application; and

D) authorize the County Administrator or designee to execute the Grant Project Agreement (Agreement), as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not change the scope of work, or terms and conditions of the Agreement if the grant is approved.

SUMMARY: The County is submitting a grant application, which will reimburse the County up to \$140,000 for the \$280,000 Project. If successful in receiving funding, the deadline for spending the grant will be September 2021. The remaining 50% of design, planning and permitting for the Project is intended to be equally cost-shared between the County and the Marine Industries Association if the Board of County Commissioners approves the Memorandum of Understanding at the April 2, 2019 meeting. The County's share for the grant request is anticipated from a combination of State grants, Vessel Registration Funds, and Manatee Protection Funds. District 1 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve: two appointments to the Groundwater and Natural Resources Protection Board (GNRPB), for three-year terms beginning March 12, 2019 to March 11, 2022.

<u>Seat No.</u>	<u>Appoint</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated by</u>
2	Julia G. Lomonico	Attorney	03/11/2022	Palm Beach County Bar Association
5	Beth A. Rappaport	Citizen of Palm Beach County	03/11/2022	Mayor Bernard Comm. McKinlay Comm. Valeche Comm. Weinroth

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. 2 be filled by an attorney and Seat No. 5 be filled by a citizen of Palm Beach County. The GNRPB has seven seats, six seats currently filled with a diversity count of Caucasian: 5 (85.7%), African-American: 1 (14.3%). The gender ratio (female:male) is 2:4. Both nominees are Caucasian females. Staff will continue to address the need to increase diversity on our boards. Countywide (SF)

5. Staff recommends motion to authorize: Work Supplement No. 0649-5B to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R2015-0649) with The Vance Construction Co. (Vance) at a cost not to exceed \$315,000, for a term of 270 days. **SUMMARY:** On May 19, 2015, the Board of County Commissioners (BCC) approved the contract (R2015-0649) with Vance, a Palm Beach County Small Business Enterprise (SBE). Work Supplement No. 0649-5B will authorize the construction of mangrove island revetments at Tarpon Cove Islands (Project). At the time of contracting, the SBE participation goal established by the SBE Ordinance (R2002-0064) was 15% overall. The SBE participation for this Work Supplement is 100%. Vance committed to an overall 54.94% SBE participation, but will achieve 91.85% SBE participation including this work supplement. The Project costs are shared by the Florida Department of Environmental Protection (FDEP) 49% and the County 51%. Funds will come from the Manatee Protection Fund and FDEP Agreement No. LP50202 (R2017-0082). Districts 2 & 7 (DC)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

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

A) Simply Tina LLC, Simply Tina Concert, Seabreeze Amphitheater, on December 8, 2018;

B) William John Gruitza, Fern Street Concert, Canyon Amphitheater, on December 15, 2018; and

C) Blackwood Productions LLC, Fabulous Fleetwoods Concert, Canyon Amphitheater, on January 19, 2019.

SUMMARY: These Entertainment 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 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. 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)

2. **Staff recommends motion to receive and file:** the following executed Sound and Light Production Services Contractor Agreement between Palm Beach County and Blackwood Productions, LLC, Simply Tina Concert, Seabreeze Amphitheater, for the period December 8, 2018, through December 9, 2018. **SUMMARY:** The Sound and Light Production Services 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 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. 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 1 (AH)

3. **Staff recommends motion to receive and file:** executed Sponsorship Agreement with Nostalgic America, Inc, cash sponsorship of a series of nine Legends of the Lawn events, Canyon Amphitheater, for the period January 1, 2019 through December 31, 2019. **SUMMARY:** This Sponsorship Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department and the County Administrator in accordance with Resolution 2008-0442, amended by Resolution 2017-0102. Sponsorship events help offer a balanced schedule of events which promote the quality of life in the communities we serve. 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)

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

A) Christopher Moreno, Knock and Roll Wheelchair Rugby Tournament Official, CMAA Therapeutic Recreation Complex, for the period January 18, 2019 through January 20, 2019;

B) Kristin Little, Knock and Roll Wheelchair Rugby Tournament Official, CMAA Therapeutic Recreation Complex, for the period January 18, 2019 through January 20, 2019; and

C) Robert Lopez, Knock and Roll Wheelchair Rugby Tournament Official, CMAA Therapeutic Recreation Complex, for the period January 18, 2019 through January 20, 2019.

SUMMARY: These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant 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. District 5 (AH)

5. Staff recommends motion to approve: a Memorandum of Interlocal Agreement (MOIA) between Palm Beach County (County) and the Port of Palm Beach (Port) for the general oversight and maintenance of the Peanut Island Coast Guard Facility grounds. **SUMMARY:** In November 1992, the Port leased the Kennedy Bunker, located on Peanut Island, to the Palm Beach Maritime Museum, a non-profit organization. The lease was later expanded to include the former Coast Guard Station, boathouse and dock. The Museum programmed, operated and maintained the property until their lease expired in 2017. In 1994, the Port leased 36 acres of land on Peanut Island to the County for development of a park, and in 1999, the park opened to the public. Following the termination of the lease with the Maritime Museum in 2017, the Port initiated discussions with the County Parks and Recreation Department for a possible long term lease on the former Coast Guard buildings and Kennedy Bunker. In January of 2018, the Port and the County jointly commissioned a general condition assessment of the buildings and premises. The assessment revealed a cost estimate of between \$2.5 and \$4 million to bring the facilities up to code and in a general good state of repair. The Port formed a task force to determine the best future use of the former Coast Guard property and a plan of action to finance the required building repairs. While these planning discussions are ongoing, the Port requested the County enter into a MOIA for general oversight of the property and grounds maintenance including mowing and trash removal. The Port will remain responsible for site security, and maintenance of the structures and dock. The Port has agreed to pay the County \$5,500 annually with a 3% annual increase to cover the costs of landscape maintenance. This MOIA shall remain in full force and effect until a determination is made regarding the long term future use of the property or until terminated by either party. This agreement will assure that the property's landscape is maintained in similar fashion to the park grounds currently maintained by the County's Parks and Recreation Department. Districts 1 & 7 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

A) approve submittal of an Application to the Florida Department of State, Division of Library and Information Services, for a Library Services and Technology Act Grant for an estimated amount of \$106,600 with local matching funds of \$35,500 for FY 2019; and

B) authorize the County Administrator or designee to submit the grant application electronically to the Florida Department of State, Division of Library and Information Services.

SUMMARY: The Palm Beach County Library System is planning to use the grant funds to purchase technology and supporting equipment to create 13 mobile media labs. The mobile media labs are inspired by the existing media lab at the Main Library called Creation Station. Mobile media labs will allow residents to do photo editing, sound mixing, video production, scanning, and other related functions. The sets will also include the Oculus Virtual Reality machine. Mobile media labs will be housed in library branches and used for activities and events for residents of all ages. If the grant is awarded, the Library Department will come back to the Board to present an agreement with The Florida Department of State, Division of Library and Information Services laying out all of the terms and conditions. Countywide (AH)

S. FIRE RESCUE

1. Staff recommends motion to approve: an appointment to the Fire Code Board of Appeals and Adjustments to complete the unexpired term of David Woodside beginning March 12, 2019 through September 30, 2019, and an appointment for a new three-year term from October 1, 2019 through September 30, 2022.

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Kathy Cline	Municipal Fire Rep	2	Vice Mayor Kerner Commissioner Valeche Commissioner Weiss Commissioner Weinroth Commissioner McKinlay

SUMMARY: The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Ordinance 2017-043). On January 8, 2019, a memo was distributed to the Commissioners requesting nominations to this eight member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three consecutive three year terms. No other nominations were received. The board consists of eight members, with four seats currently filled and a diversity count of Caucasian: 4 (100%). The nominated candidate is a Hispanic-American female. The current gender ratio (male:female) is 4:0. Staff will continue to address the need to increase diversity on our boards. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve and select:

A) John Sluth for appointment by the Town of Lantana, as Trustee, on the Lantana Firefighters' Pension Fund Board for a term to expire on September 28, 2020; and

B) Michael McCurdy for appointment by the Town of Lantana, as Trustee, on the Lantana Firefighters' Pension Fund Board for a term to expire on September 28, 2020.

SUMMARY: Pursuant to the Interlocal Agreement (R97-1252D) Renewing Pension Agreement Relating to Firefighters' Pension Plan (R2010-0215) with the Town of Lantana (Town), the Town is requesting the County's approval of its selection to appoint John Sluth and Michael McCurdy, Town residents, to the Lantana Firefighters' Pension Fund Board, as Trustees, for a term expiring on September 28, 2020. Under the Interlocal Agreement, the Town retained the power and responsibility to make appointments to the Fund's Board of Trustees for its Chapter 175 plan. Any Trustee to be appointed by the Town first must be approved by the County. Mr. Sluth and Mr. McCurdy's current positions expired on September 28, 2018. District 7 (SB)

3. Staff recommends motion to receive and file: a copy of two municipal ordinances extending participation in the Fire/Rescue Municipal Services Taxing Unit (MSTU) for the following:

A) Town of Lantana Ordinance No. O-15-2017, extending the Town's participation through December 31, 2027; and

B) Village of Palm Springs Ordinance No. 2018-20, extending the Village's participation through December 31, 2028.

SUMMARY: The Fire/Rescue MSTU encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within municipalities that have opted to join the MSTU. The County has provided fire rescue services to the Town of Lantana as a part of the Fire/Rescue MSTU since October 1, 2008. On November 27, 2017, the Town of Lantana adopted Ordinance No. O-15-2017 to extend their participation in the MSTU through December 31, 2027, for County fire rescue services through FY 2028. On January 10, 2019, the Village of Palm Springs adopted Ordinance No. 2018-20 to extend their participation in the MSTU through December 31, 2028, for County fire rescue services through FY 2029. A copy of each of these ordinances is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

4. Staff recommends motion to approve: a resolution, pursuant to Section 125.38, Florida Statutes, conveying and transferring one hundred fifty (150) fire rescue self-contained breathing apparatus (SCBA) masks to Palm Beach State College, contingent upon receipt of \$10 consideration, which is the nominal price established by the Board pursuant to Section 125.38, and a duly executed Acceptance of Fire Rescue Vehicle(s) and/or Equipment form; providing for an effective date. **SUMMARY:** Palm Beach State College (PBSC), has requested the County convey and transfer 150 SCBA masks for use in the fire academy programs at Palm Beach Lakes High School and Wellington High School. The equipment requested by PBSC has minimal useful value to the Fire/Rescue MSTU and would provide a valuable air source to PBSC used at the high schools as part of their firefighter skills training. This equipment is currently part of Fire Rescue's reserve inventory and would otherwise be scheduled for transfer to surplus. The total estimated value of this equipment is \$15,000. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

5. Staff recommends motion to receive and file: fully executed Lease Agreement for the Use of School Facilities (Lease ID: LID-2019-2191-1021) for use of Wellington Community High School on December 15, 2018. **SUMMARY:** On August 15, 2017, the Board approved an Interlocal Agreement (R2017-1072) with the School Board of Palm Beach County authorizing the Fire Rescue Administrator or designee to execute standard lease agreements for use of Wellington Community High School for recruiting, testing, training and graduation/promotion ceremonial purposes. Lease ID: LID-2019-2191-1021 was entered into to secure a location for the Fire Rescue Captain's promotional exam on December 15, 2018. Pursuant to the term of the Interlocal Agreement, paragraphs 1, 3, 5(m), 5(n), 9, 14, 15 and 16, and the last sentence of Paragraph 11 of the terms and conditions of the School Board's standard lease agreement do not apply. This lease agreement is now being submitted to the Board as a receive and file agenda item in accordance with Countywide PPM CW-O-051 for the Clerk and Comptroller's Office to receive and file. District 6 (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) approve updated standard rate schedule for IT services provided by Information Systems Services (ISS) to external agencies effective April 1, 2019; and

B) authorize the County Administrator or designee to provide written notification regarding the updated standard rate structure to all existing customers whose services are effected by decreased rates.

SUMMARY: ISS is requesting Board approval of an updated rate schedule for IT services provided to external customers. The rate schedule for IT services offered by ISS was developed based upon an analysis of market pricing for similar services and will be applicable to all current and future agreements for such services provided to external agencies. Board approval is also requested to authorize the County Administrator or designee to provide written notification of the new rates structure to all applicable external customers who are effected by decreased rates. Copies of the notification letters will be presented to the Board as a receive and file item. Countywide (DB)

2. Staff recommends motion to:

A) approve replacement Interlocal Agreement for application hosting services with the City of Jacksonville effective September 1, 2018 for an annual revenue total of \$4,145; and

B) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: The City of Jacksonville's Interlocal Agreement with Palm Beach County (R2015-1154) to lease a version of the County's Inspector General Information Management System (IGIMS) hosted on Palm Beach County servers expired on August 31, 2018. The County recommends approving a new agreement for three years effective September 1, 2018, which includes updated contract terms to provide application hosting services to the City of Jacksonville. It will generate \$4,145 in annual revenues to the County. Countywide (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

3. Staff recommends motion to:

A) rescind the Interlocal Agreement R2014-0638;

B approve the replacement Interlocal Agreement for network and basic telephone services with the Town of Juno Beach for an annual revenue of \$5,160; and

C) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: The Town of Juno Beach has an existing Interlocal Agreement with Palm Beach County (R2014-0638) for network services and has requested the addition of basic telephone service. Accordingly, the County recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide the increased level of network services, internet access and basic telephone services to the Town of Juno Beach and will generate \$5,160 in annual revenues to the County, a net increase of \$3,960 annually. The Florida LambdaRail LLC has approved connection of the Town of Juno Beach to the Florida LambdaRail network. District 1 (DB)

4. Staff recommends motion to approve:

A) the first amendment to Interlocal Agreement R2018-1028 with the Town of Lake Park for additional network services for an annual revenue of \$3,600; and

B) a budget amendment of \$19,747 in the General Fund to allocate funds and recognize revenue related to one-time installation costs.

SUMMARY: The Town of Lake Park has an existing network services Interlocal Agreement with Palm Beach County (R2018-1028) for network services. The agreement is for an initial term of one year with automatic one-year renewals unless notice is given by either party. The first amendment adds two new locations, Art on the Park and Palm Beach County Sheriff's Office substation to the agreement, will generate an additional \$3,600 in annual revenue to the County and will fully reimburse the County for the one-time installation costs at the additional sites estimated at \$19,747. The Florida LambdaRail LLC has approved connection of the Town of Lake Park to the Florida LambdaRail network. District 7 (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

5. Staff recommends motion to:

A) rescind Interlocal Agreement R2014-1509 as amended;

B) approve the replacement Interlocal Agreement for network services with the City of Greenacres for an annual revenue of \$5,400;

C) approve a budget amendment of \$134,268 in the General Fund to allocate funds and recognize revenue related to one-time installation costs; and

D) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: The City of Greenacres has an existing Interlocal Agreement, as amended, with Palm Beach County (R2014-1509) for network services and has requested connectivity for five additional locations. The County recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide the increased level of network services to the City of Greenacres and will generate \$5,400 in annual revenues to the County, a net increase of \$3,000 and fully reimburse the County for one-time installation costs estimated at \$134,268 to connect the park locations. The Florida LambdaRail LLC has approved connection of the City of Greenacres to the Florida LambdaRail network. District 2 (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file the Emergency Medical Services (EMS) County Grant ID Code C7050 Award Letter from the State of Florida Department of Health, Bureau of EMS to improve and expand the EMS system for the period December 21, 2018 through December 31, 2019 in the amount of \$160,789; and

B) approve a downward budget amendment of \$40,899 in the EMS Grant Fund to adjust the budget to reflect the actual grant award of \$160,789.

SUMMARY: The EMS County Grant (CSFA #64.005) is an annual grant provided to Palm Beach County from the Florida Bureau of EMS, to improve and expand the EMS system. The funds are used to purchase EMS equipment which is distributed to EMS providers and other agencies that are eligible for EMS grant funding. On December 4, 2018, R2018-1928 authorized the County Administrator to sign the FY2018-2019 annual EMS county grant application. **No county matching funds are required for this grant.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) receive and file the executed Modification #1 to Subgrant Agreement 18-DS-X1-10-60-01-246 (R2018-0318) with the State of Florida, Division of Emergency Management (FDEM) to decrease the amount of funds by \$15,359; and

B) approve a downward budget amendment of \$15,359 in the Emergency Management Fund to adjust the budget to the actual grant award.

SUMMARY: On March 13, 2018, the Board of County Commissioners received and filed an executed Agreement (CFDA 97.067) with FDEM to receive grant funding of \$113,495 from the FY 2017 Homeland Security Grant Program (HSGP) for the period December 11, 2017 through August 31, 2019 to conduct WebEOC administration and training activities for the region. This is an annual federal grant from FDEM for which \$98,136 will be used to conduct WebEOC administration and \$15,359 was scheduled to be used for regional training. This year Miami Dade held the regional training and the State of Florida inadvertently gave the training money (\$15,359) to Palm Beach County. Palm Beach County is now sending \$15,359 back to the State of Florida for distribution to Miami Dade for the training they conducted. R2012-1731 gave the authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (LDC)

3. Staff recommends motion to receive and file: six Grant Adjustment Notices (GAN) #017: personnel changes; #018: publication/signage; #019 consultant rate; #020 ICJR new grantee required webinars; #021: Practitioner Designation Training; and #022 budget revisions with the US Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Improve Criminal Justice Response Program (ICJR) (2017-WE-AX-0034), which facilitated administrative filing and approvals through January 31, 2019. **SUMMARY:** As per grant guidelines, certain expenditures and work product require approval from the OVW ICJR grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. GAN #017 approved the selected candidates for the vacant Therapist and Victim Advocate positions. GAN #018 approved signage to show offices are ADA compliant in order to increase access to services. GAN #019 approved to pay the maximum per day consultant rate of \$650 for Gender Bias Focused training. GAN #020 showed proof that grant coordinator completed required webinars. GAN #21 approved travel for the OVW Victim Advocate to attend the required Practitioner Designation Training. GAN #22 approved requested budget revisions. R2014-1633 authorized the County Administrator or designee to execute future awards, contracts, sub-recipient agreements and sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to:

A) approve a contract for Consulting/Professional Services with Linda Gregard, DVM, for relief veterinary services at the main shelter in an amount not to exceed \$24,000 for the period March 12, 2019 through March 12, 2020; 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 and within budget allocations.

SUMMARY: The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. The relief veterinarian will enable staff to maintain an acceptable number of veterinarians to handle the volume of animals processed, especially during periods of high influx. Countywide (SF)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: renewal of the County's excess property, excess liability, and excess workers' compensation insurance programs for the period April 1, 2019 through March 31, 2020 purchased under Contract No. 15-050/LJ through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc., at a total cost not-to-exceed \$10,185,333. **SUMMARY:** The projected 2019-2020 excess insurance program renewal premiums reflect a total not-to-exceed cost of \$10,185,333, which is a 3.84% increase over the expiring premium. The overall County program remains stable; however, overall market rates are up significantly due to numerous natural disasters recorded in the last two years. While the largest impact is on property premiums, workers compensation, boiler and machinery and flood all incurred minor increases. In addition, cyber liability will be purchased as a stand-alone policy. In previous years it was included as part of our package policy. This change allows us to increase our policy limits from \$2 million to \$5 million and gives us much broader coverage than in years past. The current premiums represent a worst-case scenario and the contracted broker will continue to negotiate with excess carriers until the April 1st renewal date. The County's total insurable property value currently stands at \$2.55 billion. Coverage limits contemplate probable maximum loss estimates using various modeling scenarios and include a \$1 million self-insured retention (SIR) with a 4% windstorm deductible per insured location. The program also includes \$5 million of excess liability insurance and excess workers' compensation insurance covering all costs in excess of \$2 million per occurrence. All state mandated surcharges and assessments are included within the estimated cost. Sufficient funds are budgeted for this coverage. Countywide (HH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, authorizing the submittal of an application for financial assistance pursuant to the Palm Beach Transportation Planning Agency (TPA) 2019 Local Initiatives Program for funding for a proposed transportation project to acquire three electric buses and three charging stations; agreeing to fund the ongoing maintenance and operations expenses associated with the project; and

B) ratify the Mayor's signature on a letter of support for the TPA Local Initiatives grant.

SUMMARY: Palm Tran is submitting a grant application requesting funds needed to acquire three electric buses and three charging stations. If approved, the grant funds will be available in Fiscal Year 2024 for Palm Tran to replace three diesel buses that have reached their useful life with three electric buses and provide the stations to charge the buses. The current cost of an electric bus is \$1,144,929 and the cost of a charging station is \$112,500. Palm Beach County is requesting \$3,772,287 to fund this project. If awarded, there is a 20% match, which will be met with transportation development credits granted by Florida Department of Transportation. **No County funds are required.** Palm Tran, on behalf of Palm Beach County, will submit the application electronically to the TPA. Countywide (DR)

2. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM no. 444672-1-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$893,338, to provide operating assistance for the implementation of Route Performance Maximization (RPM) for fixed route services in Palm Beach County;

B) approve a FY19 budget transfer of \$893,338 in Palm Tran's Operating Fund 1340 to recognize the grant award and the decreased transfer from the General Fund 0001; and

C) approve a FY19 budget transfer of \$1,786,676 in Palm Tran's Operating Fund 1340 to recognize the grant award; and

D) approve a FY19 budget transfer of \$893,338 in the General Fund 0001 to decrease the transfer to Palm Tran's Operating Fund 1340 increase the Contingency Reserve.

SUMMARY: On June 25, 2018, Palm Tran submitted a proposal to FDOT, under the Public Transit Service Development Program, to request funding for projects that will improve system efficiencies and operations. FDOT approved a grant for \$893,338 and issued PTGA 444672-1-84-01 to support service increases included in the RPM program. The service increases are currently being funded with the existing Palm Tran budget by efficiencies implemented with the RPM. The agreement has a match requirement of 50% (\$893,338), which is included in Palm Tran's 2019 budget. The agreement becomes effective upon execution. The PTGA expires December 31, 2020, unless extended. Acceptance of this grant does not increase the BCC transfer to Palm Tran. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. **Staff recommends motion to receive and file:** a contract for Professional Services with Morgan Corbitt, a Postdoctoral Psychology Fellow (Fellow), to complete a requirement of 2,000 hours of clinical work that will provide training and experience in family and youth counseling, in the amount of \$36,020, for the period August 5, 2019 through September 30, 2020. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, and other related fields. Postdoctoral programs require 2,000 hours of supervised services in order to meet state licensing requirements. The Division is offering its program as a location to obtain this training. The cost savings involved with this fellowship program is financially beneficial to the County. The Fellow, at a minimum, is assigned and completes the workload equivalent to a Licensed Family Therapist. The base hourly rate of a Licensed Family Therapist is \$25.26 versus the hourly fellowship contract rate of \$17.76. Additionally, the Fellow will receive a \$500 stipend for health insurance. On October 3, 2006, Agenda Item 3X-2 authorized the County Administrator or designee to execute future postdoctoral psychology resident (n/k/a Fellow) contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The contract spans two fiscal years, and sufficient funding is included in the current budget and in the proposed FY 2020 budget to meet county obligations. The contract was executed early to allow the selected Fellow to make necessary plans following graduation. Countywide (HH)

2. **Staff recommends motion to approve:**
 - A)** a contract for Provision of Services with Friends of Youth Services and Palm Beach County, Inc. (Friends), f/k/a Friends of Community Services, Inc. (Contract), for the period October 1, 2018, through September 30, 2019, pertaining to the funding and administrative support of the Summer Camp Scholarship Program, terminating all prior contracts, providing for four automatic annual renewals at the County's sole discretion, providing for \$443,326 in scholarship funding and \$15,000 in administrative expenses and providing for office space at Youth Services Department (YSD) for use by Friends as needed for file storage and meetings; and

 - B)** a budget transfer of \$4,000 in the Department's general fund budget to the Summer Camp Scholarship Program to fund the additional cost associated with this Contract.**SUMMARY:** This Contract outlines the working partnership between the County and Friends for the annual funding administration service responsibilities of the YSD's Summer Camp Scholarship Program (SCSP). The SCSP pays full tuition and associated fees for eligible children to attend day camp during the summer months. Friends receives advance payments from other funding sources prior to the SCSP start date. As an exception to Palm Beach County Administrative Code Rule 305.02 and County policy, approval of this Contract will allow the County to also provide annual advance payments to Friends, establishing the necessary funding source for Friends to pay County approved SCSP provider claims from County funds. Without this advance payment, Friends must make payments on the County's behalf using other funding sources whose eligibility criteria differs from the County. No SCSP provider claims are paid from this advance payment without prior approval of the County and any unspent funds at the end of each program year must be returned to the County by Friends. The effective date of service for the above Contract submitted for approval is prior to this meeting date. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to receive and file:** Grant Modification 6, dated January 23, 2019 with the Office of National Drug Control Policy to extend the current grant period from January 1, 2017 through December 31, 2018 to January 1, 2017 through March 31, 2019. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant award for \$90,354 on March 14, 2017 (R2017-0355). On August 15, 2017, the BCC accepted Grant Modification #1, which provided an additional \$67,331 in reimbursable funding to support additional overtime expenses and equipment costs (R2017-1089). On October 17, 2017, the BCC accepted Grant Modifications #2 and Grant Modification #3 which combined provided an additional \$50,000 in reimbursable funding to support operating expenses. On April 10, 2018, the BCC accepted Grant Modification #4 which provided an additional \$36,619 in reimbursable funding (R2018-0592), On August 14, 2018, the BCC accepted Grant Modification #5 which provided an additional \$38,620 in reimbursable funding for equipment costs (R2018-1240). This Modification will extend the current grant from December 31, 2018 to March 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 Bureau of Justice Assistance (BJA) State Criminal Alien Assistance Program FY 2017 Grant in the amount of \$62,398 for the period of December 20, 2018, through the date all funds have been spent; and

 - B) approve** a budget amendment of \$62,398 increasing the Sheriff's Grants Fund.

SUMMARY: The Bureau of Justice Assistance (BJA) has made funds available to be used for correctional purposes. These funds will be used in accordance with the Department of Justice Reauthorization Act of 2005. **There is no match requirement associated with this award.** Countywide (LDC)

3. **Staff recommends motion to:**
 - A) accept** on behalf of the Palm Beach County Sheriff's Office a Grant Award for the FY 2019 Statewide Criminal Analysis Laboratory System Project between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office for the period of October 1, 2018 through September 30, 2019; and

 - B) receive and file** the first and second quarterly payments.

SUMMARY: The Florida Department of Law Enforcement (FDLE) provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. This grant award provides funding for personnel, equipment, training, and expenses to operate the Crime Lab. The funding is provided in four quarterly payments. We received the first and second quarterly payments totaling \$177,844.74. Since the total award amount is not known in advance, \$400,000 was budgeted in the Sheriff's Grant fund. We will amend the budget after the final quarterly payment is received in August to reconcile the revenue. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a Florida Division of Emergency Management Federally Funded Subgrant Agreement for a FY 2018 State Homeland Security Grant Program award for Operation Stonegarden, in the amount of \$300,000 for the period of January 15, 2019 through August, 31, 2020; and

B) approve a budget amendment of \$300,000 in the Sheriff's Grants fund.

SUMMARY: On January 15, 2019, the Palm Beach County Sheriff's Office (PBSO) received a FY 2018 Homeland Security Grant Program award for Operation Stonegarden. Funds provided will be used to enhance the United States Border Patrol's (U.S.B.P) mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. **There is no match requirement associated with this award.** Countywide (LDC)

5. Staff recommends motion to:

A) receive and file Grant Modification 3, dated November 27, 2018 with the Office of National Drug Control Policy to provide an additional \$24,392 in grant funds for the Palm Beach County Narcotics Task Force; and

B) approve a budget amendment of \$24,392 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners (BCC) accepted this grant award for \$47,639 on April 10, 2018 (R2018-0593). The BCC accepted grant modification #1 award on July 10, 2018 (R2018-1051) which provided \$88,473 in additional grant funding. The BCC accepted grant modification #2 award on November 20, 2018 (R2018-1823) which provided \$18,704 in additional grant funding. This grant modification will provide an additional \$24,392 in grant funding. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

6. **Staff recommends motion to approve:** a budget transfer of \$135,000 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 \$519,000. 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 \$1,563,513. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,428,513. 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
Anti-Defamation League	\$25,000
Best Foot Forward Foundation, Inc.	\$5,000
Child Protection Team of Palm Beach, Inc.	\$10,000
Children's Case Management Organization, Inc.	\$5,000
FAU Center for Autism and Related Disabilities	\$15,000
GBDC Entrepreneurship Institute, Inc.	\$10,000
Jerome Golden Center for Behavioral Health, Inc.	\$25,000
KidSafe Foundation, Inc.	\$5,000
Palm Beach County PAL, Inc.	\$10,000
College for Kids, Inc. d/b/a Take Stock in Children Palm Beach County	\$25,000
Total Amount	135,000

DD. TOURIST DEVELOPMENT COUNCIL

1. **Staff recommends motion to approve:** an agreement with the Cultural Council of Palm Beach County, Inc., in the amount of \$250,000 to authorize the Cultural Council to award grants for Category C – Level 1 (Small and Emerging Organizations, Children's and Multicultural projects) grants and be reimbursed for administration costs of the grants for the period beginning on October 1, 2018 and continuing through September 30, 2019. **SUMMARY:** The County shall provide an amount of \$212,500 to fund Category C-Level I (Small and Emerging Organizations, Children's and Multicultural projects) of non-profit organizations pursuant to a process approved by County and administered by the Cultural Council of Palm Beach County, Inc. (Council). The amount of \$37,500 is allocated to the Council to administer the grant program. Countywide (DN)

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

A. FIRE RESCUE

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida; amending Section 12-57 of the Palm Beach County Code, Table 1.3.8 Schedule of Fire Inspections of the Palm Beach County Local Amendments to the Florida Fire Prevention Code; revising the inspection schedule for certain apartments; providing for legislative findings; providing for applicability; providing for repeal of laws in conflict; providing for severability; providing for enforcement; providing for inclusion in the Code; and providing for an effective date. **SUMMARY:** Pursuant to Chapter 633, Florida Statutes, the State Fire Marshal has adopted Rule Chapter 69A-60, Florida Administrative Code, an updated statewide minimum firesafety code known as the Florida Fire Prevention Code, which incorporates Florida editions of NFPA 1 Fire Code and NFPA 101 Life Safety Code. On December 19, 2017, the Board of County Commissioners adopted the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Local Amendments), which are set forth in Chapter 12, Article IV, Sections 12-56 and 12-57 of the Palm Beach County Code (codifying Ordinance 2017-043). Palm Beach County Fire Rescue desires to revise the Local Amendments to modify the inspection schedule for certain apartments to provide annual inspections which will enhance public safety, improve our ISO PPC rating, and improve homeowners' insurance rates in the future for residents within Palm Beach County Fire Rescue's jurisdiction. Countywide (SB)

B. OFFICE OF FINANCIAL MANAGEMENT AND BUDGET

1. Staff recommends motion to approve: budget amendments and transfers in various funds reflecting adjustments for balances brought forward, other revenues, reserves and operating expenses. The total of the adjustments is an increase of \$154,527,764 in 172 funds. **SUMMARY:** These budget amendments and transfers are necessary to adjust FY 2019 budgets to reflect differences between actual and estimated revenues and expenditures of FY 2018. These amendments adjust the balances brought forward, various revenue, expenditure, and reserve accounts to their audited balances. The proposed adjustments include \$37,774,731 additional reserves in the General Fund. The adjustment is a result of:
 - \$12,411,725 net increase in revenues, excess fees and commission refunds from Constitutional Officers and Judicial: Sheriff's Office \$3,707,465, Clerk and Comptroller \$1,847,385, Supervisor of Elections \$2,224,233, Tax Collector \$2,693,289, Property Appraiser \$1,544,147, Judicial \$395,206;
 - \$11,896,257 BCC department expenditures less than and revenues greater than originally estimated;
 - \$662,805 in other agencies i.e. Commission on Ethics, Health Department, General Government, etc. expenditures and revenues greater than originally estimated;
 - \$1,363,735 in major and other revenues greater than estimated;
 - \$6,203,873 returned to the General Fund as a result of lower health insurance costs; and
 - \$4,388,151 less in debt service costs from the General Fund due to the expiration of a debt service reserve requirement.

FY 2020 budget projections currently assume these additional reserves will be carried forward to balance the annual budget. Countywide (DB)

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

C. PALM TRAN

1. Staff recommends motion to:

A) approve the amendment of the FY 2016 Program of Projects for Flex Funds to be used for Fare Technology Interoperability;

B) approve the filing of a multi-source funding (Super-Grant) electronic grant application # 1098-2017-2 for Fare Technology Interoperability, with the Federal Transit Administration (FTA), for FY 2017, 2018 Section 5307 and Flex Funds (CFDA 20.507). The Super-Grant is for capital funds allocated to Palm Beach County Board of County Commissioners (BCC) in the amount of \$6,502,681. This is a cost reimbursable agreement that will become effective upon FTA Award and has an anticipated end date of April 10, 2024;

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

D) 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 in the process of planning the implementation of its Fare Technology Interoperability (FTI) Project, with the ability to allow regional interoperability. FTA has authorized Palm Beach County to submit a Super-Grant application to consolidate a portion of the funds from two pending Section 5307 allocations for FY2017, FY2018; and Flex funds for the implementation of the FTI project. The FTA option to submit a Super-Grant application provides recipients with the flexibility to include funding from multiple program sources when the funds are being used for the same capital improvement project. The grant application has a match requirement of \$1,625,670 or 20% of the total project cost. The source of the matching funds are Toll Revenue Credits provided by the Florida Department of Transportation (FDOT). The grant also requires execution of the Disclosure of Lobbying Activities, Form LLL. **No County funds are required.** Countywide (DR)

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

C. PALM TRAN (Cont'd)

2. Staff recommends motion to:

A) approve the Program of Projects (POP) for the FY 2018 Section 5339 Grant allocation, in the amount of \$2,188,031, from the Federal Transit Administration (FTA);

B) approve an upward budget amendment of \$571,173 in Palm Tran's Grant Fund 1341 to recognize the actual FY 2018 Section 5339 grant allocation;

C) approve the filing of a multi-source funding (Super-Grant) electronic grant application # 1098-2018-3 for the South County Facility Expansion, with the Federal Transit Administration (FTA), for FY2017, 2018 Section 5339; FY2017, 2018 Section 5307 and Flex Funds (CFDA 20.507). The Super-Grant is for capital funds allocated to Palm Beach County Board of County Commissioners (BCC) in the amount of \$12,866,555. This is a cost reimbursable agreement that will become effective upon FTA Award and has an anticipated end date of April 10, 2024;

D) approve an upward budget amendment of \$1,500,000 in Palm Tran's Grant Fund 1341 to recognize the Flex Funds grant allocation and increase the budget for building construction;

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

F) 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: The FTA distributes Section 5339 funds to provide public transportation capital grants to assist financing capital projects for bus and bus facilities that will benefit the nation's transit systems. The grant will fund a portion of the construction for the expansion of Palm Tran's South County administrative and maintenance facility, which is currently at full capacity. FTA has authorized Palm Beach County to submit a Super-Grant application to consolidate a portion of the funds from two pending Section 5339 allocations for FY2017, FY2018; Section 5307 FY 2017, FY 2018 and Flex funds for the expansion. The FTA option to submit a Super-Grant application provides recipients with the flexibility to include funding from multiple program sources when the funds are being used for the same capital improvement project. The FY 2018 5339 allocation has a match requirement of \$547,008 or 20% of the total project cost. The source of the matching funds are Toll Revenue Credits provided by the Florida Department of Transportation (FDOT). The grant also requires execution of the Disclosure of Lobbying Activities, Form LLL. **No County funds are required.**
Countywide (DR)

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

C. PALM TRAN (Cont'd)

3. Staff recommends motion to:

A) approve the filing of a multi-source funding (Super-Grant) electronic grant application # 1098-2018-2, with the Federal Transit Administration (FTA), for FY 2016, 2017, 2018 Section 5307 and Flex Funds (CFDA 20.507). The Super-Grant is for capital funds allocated to Palm Beach County Board of County Commissioners (BCC) in the amount of \$39,014,729. This is a cost reimbursable agreement that will become effective upon FTA Award and has an anticipated end date of April 10, 2024;

B) approve the Program of Projects (POP) for the FY 2018 Section 5307 Grant allocation, in the amount of \$16,568,016, from the Federal Transit Administration (FTA);

C) approve an upward budget amendment of \$399,431, in Palm Tran's Grant Fund 1341, to recognize the actual FY18 Section 5307 grant award;

D) approve the amendment of the FY 2016 and FY 2017 Section 5307 Program of Projects;

E) approve a budget transfer of \$2,300,000, in Palm Tran's Operating Fund 1340, to increase the transfer from Palm Tran's Grant Fund 1341 for Preventative Maintenance and reduce the transfer from the General Fund 0001;

F) approve a budget transfer of \$2,300,000, in the General Fund 0001, reducing the transfer to Palm Tran Operating Fund 1340 and increasing the transfer to Palm Tran Capital Fund 1341 to establish revenue budget for non-grant funded expenditures;

G) approve an upward budget amendment of \$2,300,000, in Palm Tran's Grant Fund 1341, to establish budget for non-grant funded expenditures related to the South County Expansion;

H) approve a budget transfer of \$2,300,000, in Palm Tran's Grant Fund 1341, to reduce the capital expenditures and increase the transfer to Palm Tran's Operating Fund 1340 for preventative maintenance;

I) 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; and

J) approve the filing of Standard Form LLL - Disclosure of Lobbying Activities.

SUMMARY: The FTA distributes Section 5307 funds to provide public transportation capital and operating assistance for public transportation-related projects. The FY 2018 5307 allocation will fund items necessary for the continued operations of the Palm Tran system including: \$1,328,567 to replace buses that have reached their useful life; \$165,680 for the one-percent project security requirement; \$4,573,769 for facility rehabilitation and South County Expansion; \$2,000,000 for Fare Collection Equipment; and \$8,500,000 for preventive maintenance. FTA has authorized Palm Beach County the submittal of a Super-Grant application to consolidate the three pending Section 5307 allocations for FY 2016, FY 2017, FY 2018 and Flex funds for Fixed Route capital projects. The FY2018 allocation has a match requirement of \$4,142,004 or 20% of the total project cost. The source of the matching funds are Toll Revenue Credits provided by the Florida Department of Transportation (FDOT). The grant also requires execution of the Disclosure of Lobbying Activities, Form LLL. **No County funds are required.** Countywide (DR)

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

C. PALM TRAN (Cont'd)

4. Staff recommends motion to adopt: a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving the signing and submission of the FY 2016 Section 5310 grant application, supporting documents and assurances, for a total project cost of \$484,916 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). **SUMMARY:** Palm Tran is submitting an application for the acquisition of six replacement paratransit vehicles at a cost of \$484,916. 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 \$436,425 (90%) of the project cost and the grant requires a local match of \$48,492 (10%). The local match requirement is available in Palm Tran's approved budget for FY 2019. The grant has an anticipated start date of April 2019, and is expected to be completed by September 2019. Countywide (DR)

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

D. PUBLIC SAFETY

1. Staff recommends motion to adopt: 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:** This item was continued from the February 5, 2019 Board of County Commissioners (BCC) meeting. Back in November 2018, an industry meeting was held with the home caregiver businesses to discuss proposed revisions to the Home Caregiver Ordinance. The proposed revisions were also presented to the League of Cities on November 28, 2018 and the Criminal Justice Commission on December 17, 2018 with no objection. A preliminary reading of the proposed ordinance revisions was presented to the BCC on January 15, 2019 and on February 5, 2019 a public hearing was held. The BCC continued the item to March 12, 2019 and directed staff to address concerns expressed by the industry. In follow up to the BCC’s direction at the February 5, 2019 meeting, staff held a second industry meeting on February 22, 2019. At that meeting, there were representatives from three different home caregiver businesses as well as members from the County Attorney’s Office, State Attorney’s Office, and Palm Beach County Sheriff’s Office. Agreement was reached at the meeting on the three items of concern which include: 1) allowing home caregivers to work up to ten days of first assignment providing required documents are submitted to Consumer Affairs within 72 hours; 2) deferring monetary fines or penalties for 18 months while home caregiver businesses transition home caregivers to Consumer Affairs for direct monitoring with AHCA and 3) removing the requirement for home caregiver agencies to advise Consumer Affairs that an employee or independent contractor has taken a leave of absence of more than 90 days. The three additional changes were not presented to the League of Cities or the Criminal Justice Commission since the working group was involved in the follow up meeting with the home caregiver businesses. Staff believes that with these three additional changes, all industry concerns have been addressed and recommend the BCC adopt the Ordinance as revised. As a recap, the other key revisions to the Ordinance include the following: 1) prohibiting the advertisement of caregiver services without a valid Home Caregiver ID badge, 2) defining the term 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 a specified Florida Agency for Health Care Administration (AHCA) licensed facility, 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 a 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 or discontinuance from employment or placement, 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. Agenda item 5G1 is a companion item to this agenda item. Countywide (LDC)

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5. REGULAR AGENDA

A. PALM TRAN

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM no. 444668-1-94-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$831,945, to provide capital assistance for the acquisition of vehicles for paratransit service in Palm Beach County;

B) approve an upward FY19 budget amendment of \$1,725,283 in Palm Tran's Grant Fund 1341 to recognize the grant award and match amount; and

C) approve a FY19 budget transfer of \$893,338 in the General Fund 0001 to increase the transfer to Palm Tran's Grant Fund 1341 and decrease Contingency Reserves to meet the required match.

SUMMARY: On June 25, 2018, Palm Tran submitted proposals to FDOT, under the Public Transit Service Development Program, to request funding for projects that will improve system efficiencies and operations. FDOT approved a grant for \$831,945 and issued PTGA 444668-1-94-01 for the purchase of paratransit vehicles. This grant will allow Palm Tran to reach its contractually required spare ratio of fifteen-percent (15%) and increase on time performance. The agreement has a match requirement of fifty-percent (50%) (\$831,945), and overmatch of \$61,393, which will be funded by the general fund contingency reserves. The agreement becomes effective upon execution. The PTGA expires January 31, 2020 unless extended. Countywide (DR)

B. PLANNING, ZONING & BUILDING

1. Staff requests motion to approve: seven positions for the Building Division to be utilized in the Code Enforcement Division (CED) as follows: five Code Enforcement Officers (CEOs), one Senior Code Enforcement Officer (SCEO), and one Special Magistrate Secretary. The Building Division will be funding all seven positions.

SUMMARY: The CED enforces violations of the Florida Building Code (e.g., construction work without required permits), Unified Land Development Code (ULDC), Property Maintenance Code, Florida Fire Prevention Code, and other County ordinances. A caseload analysis reflects that five years ago, Florida Building Code violations, and specifically construction work without permits, comprised 15-18% of CED's total caseload, as opposed to nearly 50% of all violations during FY 2017-18. In-depth analysis reflects that in FY 2013-14, Code issued 1,435 Florida Building Code violations; and in FY 2017-18, that number increased to 4,430. That is a 208% increase in Florida Building Code violations. The proposed positions will reside within the CED to support the Building Division in the continued issuance of violation notices and adjudications (through the Special Magistrate Hearing process) for Florida Building Code violations and construction activity without required permits. Countywide (AH)

5. REGULAR AGENDA

C. YOUTH SERVICES

1. **Staff recommends motion to approve:** a letter supporting The Children's Movement of Florida's efforts to prioritize state funding for early childhood development. **SUMMARY:** The Children's Movement of Florida has gathered over 100 letters of support from Mayor's across Florida (#100Mayors For Early Childhood), requesting the Governor prioritize funding for early childhood. The goal of The Children's Movement of Florida is to connect local voices to one another, amplify the call for greater state support and bridge the local concerns to statewide conversations. Their 2019 Agenda is titled A Strong Start #ForFloridaChildren. The letter shows Palm Beach County's support, and urges the Governor of Florida to make investment in early childhood a priority in the State. Countywide (HH)

D. HOUSING AND ECONOMIC SUSTAINABILITY

1. **Staff recommends motion to:**
 - A) approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$281,660 to the Delray Beach Housing Authority (DBHA) for the Island Cove 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 \$261,444 in Impact Fee Assistance Program - Roads Zone 5 to appropriate funds for DBHA;
 - D) approve** a budget transfer of \$16,990 in Impact Fee Assistance Program - Parks Zone 3 to appropriate funds for DBHA; and
 - E) approve** a budget transfer of \$3,226 in Impact Fee Assistance Program - Public Building to appropriate funds for DBHA.

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. DBHA submitted a request for assistance in response to the NOFA on January 18, 2019. Staff recommends that up to \$281,660 be provided as a credit for impact fees associated with the Island Cove project. DBHA will be given credits for Roads Zone 5 Impact Fees (\$261,444), Parks Zone 3 Impact Fees (\$16,990) and Public Building Impact Fees (\$3,226) for the construction of the Island Cove project. DBHA will pay impact fees above the allocated \$281,660. The project is located on land lying between SW 8th Street and SW 10th Street, and between SW 12th Avenue and SW 13th Avenue in Delray Beach, and will have 54 for-sale workforce townhomes. According to IFAHAP requirements, all townhomes 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 7 (JB)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

A) adopt a resolution authorizing a lease agreement with Loggerhead MarineLife Center, Inc., a Florida not for profit corporation (Loggerhead), for the continued management and operation of the Juno Beach Pier and concession building for the period of April 1, 2019 through March 31, 2024 at an annual rental rate of \$48,198.17; and

B) approve a lease agreement with Loggerhead.

SUMMARY: Loggerhead currently manages and operates the Juno Beach Pier and concession building pursuant to a Concessionaire Service Agreement (R2014-0359) dated March 11, 2014, which expires on March 31, 2019. Loggerhead desires to continue managing and operating the Juno Beach Pier by way of a long term lease. Pursuant to PREM's PPM CW-L-023, the County may directly enter into leases with not for profit organizations as an alternative to conducting a Request for Proposals (RFP). Agreements with not for profit agencies are also exempt from the requirements of the Equal Business Opportunity Ordinance. Parks is satisfied with Loggerhead's performance and supports entering into this lease agreement with Loggerhead. This lease agreement is for five years from April 1, 2019 through March 31, 2024, with two options to extend, each for a period of five years. The Guaranteed Annual Rent will be increased by three percent to \$48,198.17 (\$4,016.51/month), and is subject to a three percent increase on April 1 of each year. Loggerhead has proposed making approximately \$88,000 in renovations to the bait house in order to maximize the use of the space and organize the concession area to better serve the Pier user's demands. Based on the proposed renovations, rent will be abated for 18 months, totaling approximately \$72,298, provided Loggerhead obtains a building permit within 20 months of the Commencement Date and completes the renovations within 12 months of receipt of the permit. In the event a building permit is not obtained within the allotted time, or if the project is not completed within 12 months after the permit is issued, Loggerhead will be required to pay back all abated rent. Parks will continue to have management responsibility for this lease agreement. (PREM) District 1 (HJF)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) Amendment No. 1 to the contract with The Morganti Group, Inc. (R2017-0419) in the amount of \$22,527,000 for the Palm Tran South Expansion project establishing a Guaranteed Maximum Price (GMP) for construction management services for the period of 628 days from notice to proceed unless amended by change order; and

B) Amendment No. 2 to the contract with The Morganti Group, Inc. (R2017-0419) in the amount of \$1,683,000 for the Palm Tran South Expansion project establishing a Guaranteed Maximum Price (GMP) for construction management services for the period of 386 days from notice to proceed unless amended by change order. The 386 days from the notice to proceed will run concurrent with the 628 days defined in Amendment No. 1 above.

SUMMARY: Amendment No. 1 authorizes the work for the expansion and renovation of the Palm Tran South Facility which includes the addition of approximately 28,000 sq. ft. of building space consisting of offices, locker rooms, training center for bus operators and ancillary support space. Additional work will consist of a new 135 vehicle parking lot for employees, and a new bus lift at the existing maintenance building. Amendment No. 2 authorizes the scope of work associated with the installation of Closed-Circuit Television (CCTV), Access Control, Fire Alarm, Audio/Video (A/V) System, Intercom System, Tele-Data and Cable Television (CATV) system for the expansion and renovation of the Palm Tran South Facility. The entire project was intended to be funded from federal funds and included a requirement for Morganti to make a good faith effort to subcontract at least 10% of the dollar value of the total amount of this contract to certified DBE subcontractors. After Morganti completed the subcontractor bidding, the County determined that specific electronic equipment and infrastructure required to meet County standards did not comply with the Federal Transportation Administration's (FTA) Buy America provision. As a result, that specific scope was removed and issued as a concurrent Amendment No. 2 funded through ad valorem funds. Amendment No. 1 has 11.21% DBE participation and ~~Amendment No. 2 has 0% SBE participation.~~ If the County had not separated Amendment No. 2, Morganti would have achieved 10.43% DBE participation. Regardless of the County's ultimate decision to split the project into two separate amendments, The Morganti Group, Inc., has conducted good faith efforts to meet the federal and contract requirements and hence staff's recommendation to award. Palm Tran staff made that determination after considering the quality, quantity and intensity of the various efforts made by The Morganti Group, Inc. The Morganti Group, Inc. is a local business. (Capital Improvements Division) District 7 (LDC)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

3. ~~DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to conceptually approve:~~ a request by the Town of Lake Park (Town) to provide a one year extension of the timeframe for performance of certain Town obligations under the existing Lake Park Marina Redevelopment Interlocal Agreement with the County (R2010-1943) to allow for the issuance of a Request for Proposals (RFP) for redevelopment of the Town's Marina property. **SUMMARY:** On November 16, 2010, the County and Town entered into an Interlocal Agreement, which provided the Town with \$2.4 Million for acquisition of .8 acres of land adjacent to the Marina for expansion of boat trailer parking. The Town closed on the acquisition in December of 2010 using the County's grant funding. The Interlocal Agreement required the Town to complete the boat trailer parking lot expansion, which the Town did. The Interlocal also required the Town to reconfigure the trailer parking lot and develop a pedestrian promenade, which the Town has not pursued pending adoption of changes to its Comp Plan and zoning regulations designed to encourage high intensity mixed use redevelopment. The Town has recently adopted the contemplated changes to its Comp Plan and zoning regulations and is seeking approval to issue an RFP for redevelopment of the Town's Marina property, including the property purchased with County grant funding and other adjacent privately owned property. The Town's concept is that the existing boat trailer parking areas will remain on the ground floor, with passenger vehicle parking, retail and residential development built over the top of the trailer parking. The redevelopment would also include restaurants, the promenade and other uses, which would provide increased public access to and use of the waterfront and Marina. Staff supports the Town's concept for redevelopment and issuance of the RFP to determine whether the concept is feasible. While the Town is well behind the timeframes for completing improvements required by the Interlocal Agreement, this is a large and complicated project for the Town which if ultimately completed will fulfill the objectives of the Waterfront Bond Issue to increase public access to the water and will also assist the Town in accomplishing its economic redevelopment objectives. The Town has prepared a presentation to the Board providing more detailed information on its proposal. If this request is approved by the Board, staff will prepare an amendment to the Interlocal Agreement for subsequent approval by the Board. (PREM) District 1 (HJF)

F. ADMINISTRATION

1. Staff recommends motion to adopt: a resolution related to the re-evaluation of Lake Okeechobee operations by the U.S. Army Corps of Engineers (Corps). **SUMMARY:** In January 2019, the Corps initiated the development of a new Lake Okeechobee System Operating Manual (LOSOM), which will include a re-evaluation of Lake Okeechobee operations and is expected to result in revised water level and discharge operations. On February 26, 2019, the Palm Beach County Board of County Commissioners directed staff to develop a resolution outlining concerns regarding the potential impacts of drastically lowering Lake Okeechobee, communicating priorities and providing recommendations on how Lake Okeechobee operations should be implemented and evaluated by the U.S. Army Corps of Engineers. Countywide (MJ)

5. REGULAR AGENDA

G. PUBLIC SAFETY

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County (BCC), Florida repealing and replacing Resolution R2016-098, and establishing fees and fines for the Home Caregiver Ordinance. **SUMMARY:** The BCC continued this item to March 12, 2019 as it relates to the Home Caregiver Ordinance item that was also continued. ~~and directed staff to research funding opportunities to help offset licensing costs to the home caregivers.~~ The Home Caregiver Ordinance provides that the Board of County Commissioners shall establish by resolution certain licensing, renewal, and replacement fees. This proposed amendment to the resolution increases licensing fees of the five-year license from \$70 to \$100 for applicants requiring fingerprint checks and from \$20 to \$30 for applicants submitting an agency affidavit. When the initial fee structure was established, the fiscal and operational impact was indeterminable, as the volume was unknown. The current fees set forth in 2015 have not generated sufficient revenue to offset the cost to administer the program. The operating and personnel cost is approximately \$216,000. FDLE fees for submitting and monitoring fingerprints is \$66 (94% of the current fee). In addition, the resolution updates the fine schedule by specifying violations by type instead of applying a fixed fine amount for all violations types. Currently, fines for violations to section 17-464 are set at \$500. The new fine schedule ranges from \$150 to \$500 depending on the violation type. Since licensing began in April of 2016, nearly 11,000 applications have been processed. Currently, the general fund is subsidizing this program by \$97,000. The recommended increase in licensing fees will continue to require the general fund to subsidize the program by \$70,000, but keep the fees affordable for home caregivers. A potential grant opportunity has been identified through the Palm Beach County Sheriff's Office Law Enforcement Trust Fund (LETF). Staff will submit an application once it becomes available at the end of June 2019. The next available funding period is from Jan 1 to December 31 and typically award amounts range from \$2,500 to \$100,000. Staff recommends approval of the increased fees. However, as another option, the BCC could elect to not increase the licensing fees knowing there will be a larger general fund subsidization of this program. If LETF grant funds are awarded in the future, depending on the amount, the additional grant revenue could help offset the shortfall not collected in licensing fees. Countywide (LDC)

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MARCH 12, 2019

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

MARCH 12, 2019

7. MATTERS BY THE PUBLIC – 2:00 P.M.

MARCH 12, 2019

8. ADJOURNMENT

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