

BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA

ADDITIONS, DELETIONS, & SUBSTITUTIONS

MAY 7, 2019

<u>PAGE</u>	<u>ITEM</u>	
9	2C-16	ADD-ON: Proclamation declaring May 2019 as Haitian Heritage Month in Palm Beach County (Sponsored by Mayor Bernard)
13	3C-2	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to: A) adopt a resolution approving District Four Amendment Number One to the State of Florida Department of Transportation (FDOT) Landscape Memorandum of Agreement (Amended LMOA) to extend the limits for landscaping improvements (Improvements) on State Road 7/US 441 (SR7) from Mile Post 6.624 to Mile Post 8.531; – (Eng)
25	3H-3*	WAITING FOR BACKUP: REVISED MOTION AND SUMMARY: Staff recommends motion to approve: Work Order No. 19-038 <u>to the contract</u> with Anzco, Inc. (R2015-0158) in the amount of \$377,667 for the replacement of the existing boardwalk at Daggerwing Nature Center with a duration of 240 days from permit issuance. SUMMARY: The prime contractor is an SBE. The annual contract was presented to the Goal Setting Committee on January 2, 2019 and an API of Sheltered Market was applied to all bids under this annual contract for 12 months. <u>An API of sheltered market was applied to all work orders under \$100,000 under this contract. There is no API applicable to this work order.</u> The bidder on this work order achieved 100% SBE participation and has no subcontractors. The overall participation on the Annual Minor Construction contract is 56.96%. (FDO)
38	3M-1*	REVISED MOTION: D) authorize the Director of the Parks and Recreation Department to serve as <u>Liaison Agent with FFWCC for this project</u> <u>Project Manager</u> .
39	3M-6*	REVISED MOTION: D) authorize the Director of the Parks and Recreation Department to serve as <u>Liaison Agent with FIND for this project</u> <u>the Project Director; and E) authorize</u> the Director of Parks and Recreation Department or <u>designee to serve as Project Liaison.</u>
40	3M-7*	REVISED MOTION: D) authorize the Director of the Parks and Recreation Department to serve as <u>Liaison Agent with FIND for this project</u> <u>the Project Director; and E) authorize</u> the Director of Parks and Recreation Department or <u>designee to serve as Project Liaison.</u>

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**

MAY 7, 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 9)
 - D. Staff Comments (Page 10)
 - E. Commissioner Comments (Page 11)

- 3. CONSENT AGENDA (Pages 12-49)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 50-53)**

- 5. REGULAR AGENDA (Pages 54-59)**
TIME CERTAIN: 11:00AM (Comprehensive Annual Financial Report (Page 54)

- 6. BOARD APPOINTMENTS (Page 60)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 61)**

- 8. ADJOURNMENT (Page 62)**

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- 2C-3 National Peace Officers Day
- 2C-4 National Association of Letter Carriers' Stamp Out Hunger Food Drive Day
- 2C-5 Teen Pregnancy Prevention Month
- 2C-6 Certification of Appreciation by Office of Equal Opportunity
- 2C-7 Mental Health Awareness and Trauma-Informed Care Month
- 2C-8 Seneca L. Wilson Month
- 2C-9 National Nurses Week
- 2C-10 Water Reuse Week
- 2C-11 Older Americans Month
- 2C-12 National Travel and Tourism Week
- 2C-13 Arts and Culture Month
- 2C-14 Emergency Medical Services Week
- 2C-15 Foster Care Awareness Month
- 2C-16 **ADD-ON:** Haitian Heritage Month

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 61)

ADJOURNMENT (Page 62)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring May 7, 2019 as National Teacher Day in Palm Beach County (Sponsored by Vice Mayor Kerner)
2. Proclamation declaring May 2019 as Ethics Awareness Month in Palm Beach County (Sponsored by Commissioner Weinroth)
3. Proclamation declaring May 15, 2019 as National Peace Officers Day in Palm Beach County (Sponsored by Vice Mayor Kerner)
4. Proclamation declaring May 11, 2019 as National Association of Letter Carriers' Stamp Out Hunger Food Drive Day in Palm Beach County (Sponsored by Commissioner Weinroth)
5. Proclamation declaring May 2019 as Teen Pregnancy Prevention Month in Palm Beach County (Sponsored by Commissioner McKinlay)
6. Certificates of Appreciation presented by Office of Equal Opportunity (Sponsored by Mayor Bernard)
7. Proclamation declaring May 2019 as Mental Health Awareness and Trauma-Informed Care Month in Palm Beach County (Sponsored by Commissioner McKinlay)
8. Proclamation declaring May 2019 as Seneca L. Wilson Month in Palm Beach County (Sponsored by Mayor Bernard)
9. Proclamation declaring May 6-12, 2019 as National Nurses Week in Palm Beach County (Sponsored by Commissioner Valeche)
10. Proclamation declaring May 19-25, 2019 as Water Reuse Week in Palm Beach County (Sponsored by Commissioner Weiss)
11. Proclamation declaring May 2019 as Older Americans Month in Palm Beach County (Sponsored by Commissioner Valeche)
12. Proclamation declaring May 6-10, 2019 as National Travel and Tourism Week in Palm Beach County (Sponsored by Commissioner Berger)
13. Proclamation declaring May 2019 as Arts and Culture Month in Palm Beach County (Sponsored by Commissioner Weiss)
14. Proclamation declaring the week of May 19-25, 2019 as Emergency Medical Services Week in Palm Beach County (Sponsored by Commissioner Berger)
15. Proclamation declaring May 2019 as Foster Care Awareness Month in Palm Beach County (Sponsored by Commissioner Valeche)
16. **ADD-ON:** Proclamation declaring May 2019 as Haitian Heritage Month in Palm Beach County (Sponsored by Mayor Bernard)

* * * * *

MAY 7, 2019

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 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

MAY 7, 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 approval for off-site Proclamation recognizing the 10th Year of the Kidsafe Foundation

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD, MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** a resolution urging the United States Congress to enact the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED). **SUMMARY:** On April 16, 2019, the Board of County Commissioners directed staff to write a resolution urging the United States Congress to enact the TRACED Act (Act). The purpose of the Act is to enable the telecom industry, federal regulators, and the Attorney General’s office to take meaningful steps to abate the rapid proliferation of illegal and unwanted robocalls. The Act is designed to reduce the number of illegal robocalls and fight spoofing, which is the practice of using technology to disguise the caller’s phone number. This legislation will require implementation of authentication framework, affirm the authority of a voice provider to block a call, and create a safe harbor for the inadvertent blocking of legitimate calls. Countywide (AH)

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	January 29, 2019
Regular	February 5, 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 been converted to an electronic format. **SUMMARY:** These records have been converted from paper to an electronic format. The electronic records will be maintained according to their required retention schedule under the State of Florida’s General Records Schedule GSI-SL for State and Local Government Agencies. (Ch. 119, Ch. 257)
5. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during June 2017.

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** the second renewal to the right-of-way acquisition appraisal services agreements with Anderson & Carr, Inc. (A&C) (R2015-0602), Appraisal and Acquisition Consultants, Inc. (AAC) (R2015-0603), Callaway and Price, Inc. (C&P) (R2015-0604), M.R. Ford & Associates, Inc. (MRFA) (R2015-0606), Parrish and Edwards, Inc. (P&E) (R2015-0607), Real Estate Analysts, LLC (REA) (R2015-0608), S.F. Holden, Inc. (SFH) (R2015-0609), and The Spivey Group, Inc. (SGI) (R2015-0610) (Firms) to extend their expiration dates to May 18, 2020. **SUMMARY:** Approval of these second renewals with the Firms will allow them to remain on Palm Beach County's (County) pre-qualified appraiser list and extend their agreements to May 18, 2020. All the Firms have at least one principal of the firm certified as a state certified general appraiser; meet a minimum of eight years appraisal experience; have the required expert witness experience; and have not been removed from the County list in the past three years. A&C, C&P, MRFA, and P&E are all currently Small Business Enterprise (SBE) certified firms. All the Firms have offices located in the County. The solicitation for real estate appraisal services was advertised in March 2015 according to the SBE Ordinance in place at the time, with final selection taking place on May 19, 2015. All of the Firms committed to 15% SBE participation. The Office of Equal Business Opportunity approved the current SBE utilization as satisfactory. This is the second of two allowable renewals under these agreements. After this renewal, the agreements will need to be re-solicited. The Firms have indicated a preference to remain on the County's pre-qualified list through May 18, 2020. Countywide (YBH)

2. **~~DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to:~~**
 - ~~**A) adopt** a resolution approving District Four Amendment Number One to the State of Florida Department of Transportation (FDOT) Landscape Memorandum of Agreement (Amended LMOA) to extend the limits for landscaping improvements (Improvements) on State Road 7/US 441 (SR7) from Mile Post 6.624 to Mile Post 8.531;~~

 - ~~**B) approve** an agreement with 441 Acquisition, LLC (Developer) regarding landscaping and irrigation within FDOT right-of-way on SR7 requiring the Developer to install and maintain Improvements from Mile Post 8.140 to Mile Post 8.531, and install Improvements from Mile Post 7.525 to Mile Post 8.140, as stipulated by the resolution and Amended LMOA; and~~

 - ~~**C) approve** an agreement with Saturnia Isles Homeowners Association (HOA) regarding landscaping and irrigation within FDOT right-of-way on SR7 that requires the HOA to maintain the Improvements from Mile Post 7.525 to Mile Post 8.140, as stipulated by the resolution and Amended LMOA.~~

~~**SUMMARY:** Adoption of the resolution approving the Amended LMOA will obligate Palm Beach County (County) to continue maintaining the existing Improvements and grassy areas of the FDOT Landscape Memorandum of Agreement (LMOA) R2017-1666 dated December 1, 2017, and to include the additional limits from Mile Post 7.525 to Mile Post 8.531. Approval of the agreements with the Developer and with the HOA will delegate all of the County's obligations between Mile Post 7.525 to Mile Post 8.531 to the Developer and the HOA, respectively. The improvements are located along SR7 just south of Atlantic Avenue. District 5 (YBH)~~

3. **Staff recommends motion to approve:** a Sovereignty Submerged Lands Easement Renewal (Easement Renewal) from the Trustees of the Internal Improvement Trust Fund (TIITF) of the State of Florida to Palm Beach County for submerged lands under the six lane bridge over Lake Osborne on Lantana Road. **SUMMARY:** Approval of this Easement Renewal from TIITF will extend the use of the 0.68 acres of sovereign submerged lands, under the bridge where Lantana Road crosses over Lake Osborne, for a period of 50 years. District 3 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve: the first amendment to the contract R2018-0969 with Engecon Construction, Inc. (ECI), dated July 10, 2018, for the construction of Palmetto Park Road from SW 7th Avenue to SW 5th Avenue. **SUMMARY:** Approval of this first amendment to the contract will correct an error on page C-1 of the contract to amend the contract time from 400 to 450 days. This bid was solicited on February 11, 2018, prior to the effective date of the EBO Ordinance and pursuant to the SBE Ordinance requirements at the time. ECI committed to 16.4% SBE participation. District 4 (YBH)
5. Staff recommends motion to approve: Delivery Order 17058A-60 in the amount of \$605,000 for the storm drainage improvements on Central Boulevard from Jupiter Park Drive to 100 feet south of Toney Penna Drive utilizing Palm Beach County's annual "Crews with Equipment, Rental of" term contract 17-058A (Contract) with Hinterland Group, Inc. (Hinterland). **SUMMARY:** Approval of this delivery order will allow the contractual services necessary to construct the project. The proposed work consists of the placement of cured-in-place pipe lining for storm drainage pipe repairs and rehabilitation of inlets. This delivery order utilizes an existing purchasing contract. The Contract was solicited on June 1, 2017, prior to the effective date of the Equal Business Opportunity (EBO) Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The Contract is scheduled for renewal/rebid by September 1, 2019 and will have the new EBO Ordinance added at that time. On August 15, 2017, the Board of County Commissioners (BCC) approved the term contract with Hinterland to provide crews with equipment and materials for countywide drainage projects. Hinterland proposed 15% SBE participation for the Contract and 100% SBE participation for this delivery order. Hinterland has achieved an SBE participation of 100% for all their delivery orders performed to date under this Contract. Hinterland is a Palm Beach County based company and an SBE company. District 1 (YBH)
6. Staff recommends motion to adopt: a resolution abandoning any public interest in a portion of the 15 foot utility easement as platted on the plat of The Gables of West Palm Beach (Abandonment Site), as recorded in Plat Book 71, Pages 63 and 64, of the Public Records of Palm Beach County, lying in Section 24, Township 43 South, Range 42 East, Palm Beach County. **SUMMARY:** Adoption of this resolution will eliminate the public dedication that is in conflict with future development plans by ACH of West Palm Beach, LLC (Petitioner). The Abandonment Site is located on the east side of Haverhill Road, ½ mile north of Okeechobee Boulevard. All reviewing agencies and utility service providers have approved this abandonment, and the abandonment site serves no present or future public purpose. District 7 (YBH)
7. Staff recommends motion to approve:
 - A) an Interlocal Agreement with the City of West Palm Beach (City) in the amount of \$18,777.90 for the design of certain modifications to the widening of Roebuck Road from Jog Road to Haverhill Road (Project) to accommodate access for the City's future fire station; and
 - B) a budget amendment of \$18,778 in the Road Impact Fee Fund – Zone 2 to recognize reimbursement funding from the City and appropriate it to the Project.

SUMMARY: Approval of this agreement will allow the City to reimburse Palm Beach County (County) \$18,777.90 for the Project's design modifications necessary to accommodate the City's future fire station. This budget amendment is necessary to reflect the funding from the City for the design modification to be incorporated into the County's Project. Districts 2 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to adopt: a resolution abandoning any public interest in a portion of the ten-foot wide utility easement lying within Tract C and all of a ten-foot wide by 30-foot long mass transit easement lying within Tract C (Abandonment Site), as recorded in West Palm Beach Auto Auction, M.U.P.D. Replat No. 1, Plat Book 113, Page 193, Public Records of Palm Beach County. **SUMMARY:** Adoption of this resolution will eliminate the public dedication that is in conflict with future development plans by Manheim Remarketing, Inc. (Petitioner). The Abandonment Site is located on the east side of Sansbury's Way, north of Southern Boulevard. All reviewing agencies and utility service providers have approved this abandonment, and the abandonment site serves no present or future public purpose. District 2 (YBH)

9. Staff recommends motion to:

A) adopt a resolution authorizing the conveyance of Palm Beach County's (County) interest in a parcel of surplus right-of-way, within the property located at 2288 Edward Road (Parcel), to Edward Road Associates, LLC.

B) approve a County deed in favor of Edward Road Associates, LLC.

SUMMARY: Adoption of the resolution will authorize the approval of a county deed to convey by private sale, a parcel of surplus right-of-way of approximately 1,897 square feet to Edward Road Associates, LLC for no cost. The County deed will reserve an interest in phosphates, minerals, metals, and petroleum rights per Florida Statutes section 270.11, but without rights of entry and exploration. Edward Associates, LLC has requested the County convey the Parcel since the County has never used it and has no future plans to. The Parcel is being conveyed pursuant to Florida Statutes Section 125.35 (2). The Parcel is of insufficient size and shape to be issued a building permit for any type of development and, due to its location, is of use only to Edward Road Associates, LLC. Per the Statute and aforementioned criteria, the County can affect a private sale. This conveyance will relieve the County of potential liability and the cost of maintenance of this Parcel. **All purchases, sales and exchanges of real estate must be approved by a super majority vote (5 Commissioners) pursuant to County Ordinance 2009-052.** District 1 (YBH)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: contract for Provision of Financial Assistance with Palm Beach County Food Bank, Inc., for the period June 1, 2019 through May 31, 2020, in an amount not to exceed \$50,000, to provide funding assistance for the relocation to a new facility. **SUMMARY:** The Palm Beach County Food Bank, Inc. (PBCFB) currently operates from three separate buildings located in Lantana, Florida and serves the entire County. The landlord of the primary building which houses both the freezer/cooler and administrative offices has told PBCFB that they must either purchase the building or vacate. The existing facilities served the initial needs of PBCFB since its founding in 2012, but due to lack of fundamental components essential to effective food procurement and distribution, including an up-to-date freezer/cooler and docks, the current facilities are no longer able to sustain current operations, nor support expected growth. The PBCFB anticipates its relocation will be complete within the next 12 months. The balance of the contract not used at the end of FY 2019 will be carried over to FY 2020. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: the reappointment of one current member and five new appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Term Expires</u>
13	Mark White	05/16/22
<u>Seat No.</u>	<u>Appointment</u>	<u>Term Expires</u>
8	Eileen Marie Perry	05/06/22
12	Lysette Perez	07/09/21
15	Whitney Davis	05/06/22
26	Latonia Cox	05/06/22
27	David Shamer	05/06/22

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. All members have successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends the reappointment and new appointments. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. 2011-1560. Ms. Perez will complete the term for Mr. Alejandro Rodriguez, who resigned from the HIV CARE Council. Ms. Davis has disclosed that she is employed by The Lord's Place, Inc., and Ms. Perez has disclosed that she is employed by Compass, Inc., and Ms. Perry has disclosed that she is employed with the Health Care District of Palm Beach County, these agencies contract with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The diversity count for the 18 seats that are currently filled is, African-American: 8 (45%), Caucasian: 7 (39%), Hispanic-American: 2 (11%) and Asian-American: 1 (5%). The gender ratio (female: male) is 10:8. Mr. White, Mr. Shamer and Ms. Perry are Caucasian. Ms. Perez is Hispanic-American. Ms. Davis and Ms. Cox are 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)

3. Staff recommends motion to approve: the reappointment of one member to the Community Action Advisory Board, effective May 7, 2019:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
7	Martina Walker	Private Sector Representative	09/30/21

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 (CSBG) program to serve low-income communities. Ms. Walker meets all applicable guidelines and requirements outlined in the resolution adopted by the Board of County Commissioners (BCC) on May 6, 2014. The diversity count for the 14 seats that are currently filled is African-American: 11 (80%), Caucasian: 2 (12%) and Hispanic-American: 1 (8%). The gender ratio (female: male) is 10:4. Ms. Walker 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)

4. [Staff recommends motion to approve:](#) the appointments of two new members to the Homeless Advisory Board, effective May 7, 2019:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term Expires</u>
4	Elisa Cramer	Florida Department of Children and Families	Florida Department of Children and Families	09/30/22
9	Tenna Wiles	Business Community Representative	Economic Council of Palm Beach County	09/30/22

SUMMARY: On May 1, 2007, the Board of County Commissioners established the Homeless Advisory Board (HAB) to monitor the Ten-Year Plan to End Homelessness in Palm Beach County (Ten-Year Plan). The total membership for the HAB shall be no more than 14 at-large members, per Resolution No. R2016-0038, comprised of members representing government, business providers, law enforcement, advocates, education, faith-based and the formerly homeless. Members representing the Palm Beach County Continuum of Care and the homeless community are essential to the work of this board. The diversity count for the 11 seats that are currently filled is Caucasian: 5 (45%), African-American: 5 (45%) and Native-American: 1 (10%). The gender ratio (female:male) is 7:4. Ms. Wiles is Caucasian and Ms. Cramer 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)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve: amendments for Provision of Ryan White Part A HIV Health Support Services with the below listed agencies, for the three year period, March 1, 2018 through February 28, 2021, in the amount totaling \$5,505,660, of which \$1,787,406 is budgeted in Grant Year (GY) 2019 with an anticipated annual allocation of \$1,787,406 in each subsequent grant year, contingent upon a budgetary appropriation by the Board of County Commissioners, subject to funding approval by the Health Resources Services Administration:

A) Amendment No. 2 with Legal Aid Society of Palm Beach County, Inc. (R2018-0221), for the provision of legal support services for persons living with HIV Spectrum Disease, in an amount not to exceed \$980,490, of which \$326,052 is budgeted in GY 2019 with an anticipated annual allocation of \$326,052 in each subsequent grant year for the term of this contract;

B) Amendment No. 3 with Treasure Coast Health Council, Inc. d/b/a Health Council of Southeast Florida (R2018-0222), for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$2,160,531, of which \$680,833 is budgeted in GY 2019 with an anticipated annual allocation of \$680,833 in each subsequent grant year for the term of this contract; and

C) Amendment No. 2 with Compass, Inc. (R2018-0223), for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$2,364,639, of which \$780,521 is budgeted in GY 2019 with an anticipated annual allocation of \$780,521 in each subsequent grant year for the term of this contract.

SUMMARY: On January 23, 2018, the Board of County Commissioners (BCC) approved funding allocations for the Ryan White Program. These agencies were selected and recommended for contracting through the Request for Proposal (RFP) process. These contracts cover services for HIV affected clients which include medical case management, medical care, pharmacy, oral health care, and legal support services. Kimberly Rommel-Enright and Kristina Rowe, employees of Legal Aid Society of Palm Beach County, Inc., Lilia Perez and Quinton Dames, employees of FoundCare, Inc., and Lysette Perez, employee of Compass, Inc., are members of the HIV CARE Council. Marcia Hayden, employee of Treasure Coast Health Council, Inc. is a member of the Planning Commission. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section. 2-443, of the Palm Beach County Code of Ethics. **No County match is required.** (Ryan White Program) Countywide (HH)

6. Staff recommends motion to approve: U.S. Department of Housing and Urban Development (HUD) FY 2018 Continuum of Care (CoC) Program Grant Agreement No. FL0756L4D051800, for the period October 1, 2019 through September 30, 2020, for a total amount not to exceed \$164,403, for the coordination of planning activities related to ending homelessness. **SUMMARY:** On November 20, 2018, the Board of County Commissioners ratified the Mayor's signature on the 2018 HUD CoC Planning Grant Application (R2018-1745). The Palm Beach County CoC Planning Project Grant provides funding for the coordination and evaluation of activities related to ending homelessness. These activities involve coordination of monthly CoC meetings and sub-committee meetings, administration of the Homeless Management Information System, annual preparation of HUD CoC grant application, and technical assistance and monitoring of local grant recipients. A 25% cash match of \$41,101 is required and included in the FY 2020 budget cycle. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: Memorandum of Understanding with Gulfstream Goodwill Industries, Inc. (Gulfstream Goodwill), for the period of March 1, 2019 through February 28, 2020, for a collaborative partnership to identify and coordinate resources that address the workforce development needs of Palm Beach County residents. **SUMMARY:** This Memorandum of Understanding (MOU) establishes the general conditions and joint processes that will enable Community Services and Gulfstream Goodwill to effectively integrate a collaborative partnership for On the Job Training (OJT) that strives to address the needs of Palm Beach County residents and provides support to aid residents in reaching their goals. The MOU identifies and coordinates resources to create a seamless and comprehensive array of OJT and other workforce development services. The collaboration will provide a customer-friendly system that addresses the workforce development needs of individuals residing in Palm Beach County while providing a holistic approach with a goal of self-sufficiency. **No County funds are required.** (Community Services) Countywide (HH)

F. AIRPORTS

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

1. Consent for Atlantic and Lear 60 Aviation, effective 1/1/2019.
2. Consent for Atlantic and United Technologies Corp, effective 2/1/2019.
3. Consent for Atlantic and H.O.S. Holdings, LLC, effective 12/1/2018.

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

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file: 14 Consent to Sublease (Consent) documents for Signature Flight Support Corporation (Signature) for Palm Beach International Airport (PBI).

1. Consent for Signature and TRT Leasing, Inc., effective 3/1/2018.
2. Consent for Signature and Jet Access Aviation LLC, effective 8/1/2018.
3. Consent for Signature and Cherokee Air, Ltd, effective 6/1/2018.
4. Consent for Signature and Custom Jet Charters LLC, effective 2/1/2018.
5. Consent for Signature and Exclusive Charter Service Inc., effective 3/1/2018.
6. Consent for Signature and Jet Access Aviation LLC, effective 3/1/2018.
7. Consent for Signature and Jet Access Aviation LLC, effective 12/1/2018.
8. Consent for Signature and Jet Access Aviation LLC, effective 11/1/2018.
9. Consent for Signature and Jet Access Aviation LLC, effective 12/1/2018.
10. Consent for Signature and AS Aviation Holdings LLC, effective 5/1/2018.
11. Consent for Signature and Gulfstream Product Support Corporation, effective 4/1/2018.
12. Consent for Signature and Custom Jet Charters LLC, effective 4/1/2018.
13. Consent for Signature and Private Consulting Partners, effective 3/15/2018.
14. Consent for Signature and Million Air San Juan, effective 8/1/2018.

SUMMARY: Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a lease agreement dated September 30, 2004 (R2004-1990), as amended. The lease agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R94-1453. Countywide (AH)

3. Staff recommends motion to:

A) receive and file an Award Modification (Modification P00009) of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) in the amount of \$220,000 for law enforcement services at Palm Beach International Airport 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 \$220,000 of funding from the TSA; and an increase to Airport's Reserve in the amount of \$220,000.

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

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to receive and file: Change Order No. 11 to the contract with West Construction, Inc. in the amount of \$7,413.98 and 30 calendar days for the Southside Redevelopment Phase 1 & 2 at Palm Beach County Park Airport (LNA). **SUMMARY:** The contract with West Construction, Inc. for the Southside Redevelopment Program Phase 1 and 2 at LNA in the amount of \$6,353,448.52 and 420 calendar days was approved by the Board on July 11, 2017 (R2017-0935). Change Orders 1-10 in the amount of \$391,334.74 and 209 Calendar Days were approved under the delegated authorities detailed in PPM No. CW-F-050. Change Order No. 11 was approved by the Contract Review Committee on April 3, 2019; however, Change Order No. 11 is being brought to the Board as a receive and file item due to the cumulative time extensions exceeding the 120 day limit per PPM No. CW-F-050. The PPM states that the item that causes the limitation to be reached shall be presented to the Board as a receive and file item by the lead department. The cumulative time extensions are then set to begin again. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 11%. West Construction, Inc. committed to 11.85% participation. The DBE to date participation for this contract is 11%. DBE participation for this change order is 0%. Countywide (AH)

5. Staff recommends motion to approve:

A) Change Order No. 4 to Amendment No. 13 (Task M-28) to the Construction Manager (CM) at Risk contract with The Morganti Group, Inc. (MGI) for the third level improvements at Palm Beach International Airport (PBI) in the amount of \$74,537.75; and

B) a budget transfer of \$74,538 in the Airport's Improvement and Development Fund, including a transfer from Reserves in the amount of \$74,538.

SUMMARY: The contract with MGI for CM at Risk Services for terminal improvements at PBI was approved by the Board on June 4, 2013 (R2013-0663). The contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBI. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Amendment No. 13 (Task M-28) for the Guaranteed Maximum Price in the amount of \$7,637,600 and 420 calendar days was approved by the Board on April 10, 2018 (R2018-0378). Change Orders No. 1-3 in the amount of \$475,936.01 were approved in accordance with the authority designated in PPM No. CW-F-050. Change Order No. 4 in the amount of \$74,537.75 includes modifications to the layout and height of the light fixtures. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. DBE participation for this change order is 0%. The total to date DBE participation for this contract is 17%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to approve:** a contract with Intron Technologies, Inc. in the amount of \$203,073.10 and 120 calendar days for the Joint Sealant Replacement at Parking Garage No. 3 (7th Level) at Palm Beach International Airport (PBI). **SUMMARY:** This project was advertised utilizing the County's competitive bid process. On November 15, 2018, three bids were opened for the Joint Sealant Replacement at Parking Garage No. 3 (7th Level) at PBI. Innovative Masonry Restoration, LLC, submitted the lowest bid in the amount of \$142,141; however, they are considered non-responsive as they failed to return the executed contracts within the required time specified in the bid documents. Of the three bids, the second low bidder, Intron Technologies, Inc., a Duval County, Florida company has been identified as the lowest responsible/responsive bidder in the amount of \$203,073.10. This project involves the rehabilitation of structural and architectural elements on the 7th level of Parking Garage Structure No. 3 at PBI that was completed in 2008. The work includes removal, cleaning and resealing of all joints along with miscellaneous spall repairs intended to extend the life of the structure. This bid was solicited on September 16, 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 Small Business Enterprise (SBE) Goal for this project was established at 15%. Intron Technologies, Inc. has committed to a 15% SBE goal. Countywide (AH)

7. **Staff recommends motion to approve:** Amendment No. 5 to the General Consulting Agreement with CH2M Hill, Inc. for Consulting/Professional Services in the amount of \$715,828.32, and to exercise the second one year renewal option for the continued performance of professional planning and design services related to the approved Palm Beach County Airports' Capital Improvement Program. **SUMMARY:** The Consulting Agreement (R2016-0700) with CH2M Hill, Inc. for general airport planning and design was approved on June 7, 2016 in the amount of \$1,877,401.43 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on June 20, 2017 (R2017-0795) increasing the amount of the contract by \$2,308,452.97. Amendment No. 2 was approved by the Board on April 10, 2018 (R2018-0381) for \$2,065,542.89 and exercising the first one (1) year renewal option, bringing the total contract value to \$6,251,397.29. Amendment No. 3 was approved by the Board on June 19, 2018 (R2018-0898) for \$633,859.76, bringing the total contract value to \$6,885,257.05. Amendment No. 4 was approved by the Board on December 4, 2018 for \$255,351.01, bringing the total contract value to \$7,140,608.06. Approval of Amendment No. 5 will provide an additional \$715,828.32 to complete the following tasks: Task I Services – North Palm Beach County General Aviation Airport (F45) Air Traffic Control Tower Siting Study and Project Justification; Palm Beach County Park Airport (LNA) Fuel Farm & Wash Rack and West Apron Reconstruction Construction Administration, Quality Assurance Materials Testing, and Full-Time Construction Engineering Inspection Services; LNA West Apron Reconstruction Construction Administration, Quality Assurance Materials Testing, and Part-Time Construction Engineering Inspection Services; LNA Southside Redevelopment Program Phase 1 and 2 Supplemental Construction Administration and Re-Design Services; Palm Beach International Airport Parcel I Site Access Roadway and Utilities Supplemental Construction Administration Services; and Task III Services - Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. CH2M Hill, Inc. is an Englewood, Colorado based firm; however, the majority of the work will be completed and/or managed through their West Palm Beach, Florida office in conjunction with Palm Beach County-based sub-consultant firms. A Disadvantaged Business Enterprise (DBE) goal of 15% was set for this agreement. CH2M Hill, Inc. committed to 21% in their proposal. The anticipated DBE participation based upon the approved tasks is approximately 18%, which will increase as the County assigns additional tasks. The current paid to date DBE participation is approximately 12%. The DBE participation for this Amendment is approximately 15.7%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. **Staff recommends motion to approve:** the Professional Services Agreement with RS&H, Inc. for a term of two years, with two one year renewal options in the amount of \$2,004,570.58 for the performance of Airport Facilities and Systems 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 consulting services related to the various facilities and systems at the County's airports. In accordance with Florida Statutes 287.055 and the Federal Aviation Administration's Advisory Circular 150/5100-14 (current edition), RS&H, Inc. was competitively selected to provide these services. The initial agreement of a potential multi-year contract in the amount of \$2,004,570.58 will provide the Department of Airports with the necessary continuing professional services to implement the following services: Level 1 Tasks – Palm Beach International Airport (PBI) Terminal Escalator Replacement; PBI 400Hz & Switchgear Replacement; PBI New Parking Revenue Center; PBI Aircraft Rescue and Fire Fighting Improvements; PBI Federal Inspection Services Facility Improvements; PBI Airline Ticket Counter Replacement; PBI Concourse B Expansion Planning & Programming; North Palm Beach County General Aviation Airport (F45) Hangar Design; Palm Beach County Glades Airport Hangar Design; 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. RS&H, Inc. is a Jacksonville, Florida based firm; however, the majority of the work will be managed through their Fort Lauderdale, Florida office in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this agreement. The initial tasks to be awarded under the agreement contain DBE participation of 22.3%. RS&H has committed to 23% DBE participation for this agreement. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$22,436 for the full satisfaction of a code enforcement lien that was entered against Linda & Michael Mignone on May 4, 2011. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on October 6, 2010 for property owned by Linda & Michael Mignone giving them until January 4, 2011 to bring their property located at 15828 92nd Way N in Jupiter into full code compliance. The property had been cited for: 1) installing/erecting a trailer/office, sheds, structures, barn, paver bricked driveway without required building permits, 2) utilizing the property for open storage, and 3) parking on a vacant property in a residential district. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Linda & Michael Mignone on May 4, 2011. The Code Enforcement Division issued an affidavit of compliance for the property on June 13, 2012 stating that as of June 13, 2012 the cited code violations had been fully corrected. The total accrued lien amount on July 20, 2018, the date on which settlement discussions began, totaled \$44,871.56. Linda & Michael Mignone have agreed to pay Palm Beach County \$22,436 for full settlement of their outstanding code enforcement lien. District 1 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** Supplement No. 3 to Consultant Services Authorization (CSA) No. 22 with Omnicom Consulting Group, Inc. (OCG Inc.) (R2014-1462) to provide design for the Glades Road Tower Replacement project in the amount of \$163,298. **SUMMARY:** This CSA authorizes engineering and design services for the construction of a 400-ft. self-supporting radio communications tower, and equipment shelter. The scope of services for OCG Inc. includes, but is not limited to, preparation of a design intent report; tower, shelter and emergency powers systems design, construction drawings and specifications; permitting, cost estimating; bid support, and construction administration inclusive of shop drawing and submittal review and approvals; and construction observation, inspections and closeout. OCG Inc. is located in Tallahassee, Florida. The solicitation for design services was advertised on April 27, 2014 according to the Small Business Enterprise ordinance in place at the time, with final selection taking place on July 7, 2014. The prime consultant is not a certified Small Business Enterprise/Minority/Woman Business Enterprise (SBE/M/WBE). They are utilizing one subconsultant that is SBE/M/WBE. OCG Inc. proposed and agreed to provide 15% SBE participation and 0% M/WBE participation. Overall participation under this CSA is 24.27%. Overall SBE participation on this contract is 12.7%. Funding for this work is from the R&R 800Mhz Fund. (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 3 with four annual flooring contracts extending the term through June 1, 2020 for services on a continuing contract basis.

<u>Contractor</u>	<u>Status</u>	<u>Total dollars in Work Orders to-date</u>	<u>Total SBE Participation To-date</u>
A) Andrea Construction, Inc. (R2017-0804)	Local / SBE	\$127,435	53.3%
B) Brian's Carpet & Commercial Flooring, Inc. (R2017-0805)	Local / SBE	\$199,347	98.8%
C) Joe Schmidt Construction, Inc. (R2017-0806)	Local / SBE	\$34,383	64.1%
D) One Call Florida, Inc. (R2017-0807)	Local / SBE	\$0	0.0%

SUMMARY: Amendment No. 3 extends the term of the contracts for flooring services for one year through June 1, 2020. The original contracts which were approved under the Facilities Development & Operations Director's authority, provided for an initial term of two years with three renewal options each for a period of one year. On June 20, 2017, the Board approved increasing the capacity to a cumulative value of \$1,199,999. During the first three years of the contracts, the County awarded \$361,166 in work orders. The Goal Setting Committee set an Affirmative Procurement Initiative (API) as a SBE Sheltered Market for work orders under \$100,000 and a SBE preference. The cumulative SBE participation for all work orders to-date is 79.4%. Projects are bid among the pre-qualified participants. Firms may become pre-qualified and join the bidding pool at any time during the original term or renewals. All four contractors are SBE certified and Palm Beach County businesses. Each of these pre-qualified contractors received a letter on January 3, 2019 advising that the EBO Ordinance became effective on January 1, 2019 and all quotes/bids solicited after that date must comply with its requirement and the bidding/quote forms have been modified accordingly. (Capital Improvements) Countywide (LDC)

3. Staff recommends motion to approve: Work Order No. 19-038 to the contract with Anzco, Inc. (R2015-0158) in the amount of \$377,667 for the replacement of the existing boardwalk at Daggerwing Nature Center with a duration of 240 days from permit issuance. **SUMMARY:** The work consists of the replacement of the existing boardwalk decking, railing, rail posts and associated hardware at the Daggerwing Nature Center. The existing boardwalk is more than 20 years old, requires replacement of the railing sections of the deck and realignment of support pilings to ensure many years of continued use. This work order under the Annual Minor Construction Contract was solicited pursuant to the requirements of the Office of Equal Business Opportunity ordinance. The prime contractor is an SBE. The annual contract was presented to the Goal Setting Committee on January 2, 2019 ~~and an API of Sheltered Market was applied to all bids under this annual contract for 12 months.~~ An API of sheltered market was applied to all work orders under \$100,000 under this contract. There is no API applicable to this work order. The bidder on this work order achieved 100% SBE participation and has no subcontractors. The overall participation on the Annual Minor Construction contract is 56.96%. **The funding source for this work is a combination of FY 18 Infrastructure Sales Tax, 2002 \$50Million General Obligation Recreation and Cultural Facilities Bond and Park Improvement Fund.** The total construction duration is 240 days from permit issuance. (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve:

A) a first amendment to Restated Lease Agreement (R2015-0567) with Lutheran Services Florida, Inc., a Florida not-for-profit corporation, for the continued use of the Jupiter Head Start facility located at 6415 Indiantown Road for the period of May 20, 2019 through May 19, 2024 at an annual rental of \$1.00;

B) a first amendment to Restated Lease Agreement (R2015-0569) with Lutheran Services Florida, Inc., a Florida not-for-profit corporation, for the continued use of the Riviera Beach Head Start facility located at 1440 W. Martin Luther King Blvd. for the period of May 20, 2019 through May 19, 2024 at an annual rental of \$1.00; and

C) a first amendment to Restated Lease Agreement (R2015-0571) with Lutheran Services Florida, Inc. (LSF), a Florida not-for-profit corporation, for the continued use of the Westgate Head Start facility located at 3691 Oswego Avenue, West Palm Beach for the period of May 20, 2019 through May 19, 2024 at an annual rental of \$1.00.

SUMMARY: In 2015, the Board approved restated lease agreements with LSF for the County's Jupiter, Riviera Beach, and Westgate Head Start facilities. The terms of the restated leases run through May 19, 2019, with two five-year extension options. These first amendments will exercise the first option extending the term of each lease for five years from May 20, 2019 through May 19, 2024. The restated leases require LSF to pay a pro rata share of the County's annual maintenance expenses. The annual rent for each lease shall remain at \$1.00. The first amendments also update various standard County required provisions. In addition, the termination provisions are amended to provide the County the right to terminate the leases; 1) immediately if LSF's grant application is not approved or funded on or before June 30 for the upcoming budget period, which runs between October 1 to September 30, or 2) with a 180 days' notice prior to the end of the grant year. LSF may terminate the leases with 90 days' notice prior to the end of a grant year. All other terms of the leases will remain unchanged. After approval of these first amendments, LSF will have one remaining option to extend for five years. PREM will continue to have administrative responsibility for this agreement. (PREM) Districts 1 & 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve:

A) a first amendment to Lease Agreement (R2014-0711) with Lutheran Services Florida, Inc., a Florida not-for-profit corporation, for the continued use of the South Bay Head Start facility located at 990 US Highway 27 North for the period of May 20, 2019 through May 19, 2024 at an annual rental of \$1.00; and

B) a first amendment to Lease Agreement (R2014-0713) with Lutheran Services Florida, Inc. (LSF), a Florida not-for-profit corporation, for the continued use of the West Palm Beach Head Start facility located at 100 Chillingworth Drive for the period of May 20, 2019 through May 19, 2024 at an annual rental of \$1.00.

SUMMARY: On May 20, 2014, the Board approved lease agreements with LSF for the County's Head Start facilities in South Bay and West Palm Beach to enable LSF to assume responsibility for the provision of Head Start program services. The initial term of the leases were for five years expiring on May 19, 2019, with two five year extension options. LSF has provided notice of its exercise of its first extension option. These first amendments will extend the term of each lease for five years from May 20, 2019 through May 19, 2024. LSF will have one remaining five-year extension option. The annual rent for each Lease will remain at \$1.00. The first amendments also updates various standard County required provisions. The County may terminate the leases; 1) immediately if LSF's grant application is not approved or funded on or before June 30 for the upcoming budget period, which runs between October 1 to September 30, and 2) with a 180 days' notice prior to the end of the grant year. LSF may terminate the leases with 90 days' notice but will remain obligated to fund 50% of the R/R Projects that have been undertaken by the County in that year. All other terms of the leases will remain unchanged. PREM will continue to manage these leases. (PREM) Districts 6 & 7 (HJF)

6. Staff recommends motion to approve: a contract with REG Architects, Inc. to provide architectural services on a continuing contract basis for federally funded projects specific to Palm Beach County's need to provide affordable and workforce housing units for moderate, low and extremely low income populations. **SUMMARY:** The purpose of this contract is to have a consultant pre-selected and under contract to provide architectural services for capital improvement or renovation projects, which may include modification, expansion, or addition of residential housing units throughout the County, with a construction value less than \$2,000,000. The work assigned under the continuing contract may be funded in whole or in part with federal funds. Projects under this continuing contract may be funded in whole or in part by grants from the US Department of Transportation, Federal Transit Administration or by grants from HUD's Community Development Block Grant Program, Neighborhood Stabilization Program, or HOME Investment Partnerships Program; grants or reimbursements from FEMA; or other federal grants. Consultant fees will be negotiated on an individual basis for the identified projects. This contract will be for two years with three one-year renewal options. This contract includes a Disadvantage Business Enterprise (DBE) requirement and each project assigned will identify the specific DBE requirement. REG Architects is a local business. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) an Interlocal Agreement with the Boynton Beach Community Redevelopment Agency (CRA) to provide assistance related, but not limited, to economic development impact analyses for a period of five years and renewals; and

B) delegation of authority to the County Administrator or designee to execute future amendments or modifications to said agreement.

SUMMARY: This agreement with the CRA is intended to provide services based on a written scope of services requested and provided by the CRA on an as needed basis. Based on the CRA's requested scope of services, the County will provide a good faith estimate of the cost to perform the scope of services. The written scope of work, combined with the good faith estimate, shall be approved by the County Administrator or designee and the CRA's Executive Director. District 7 (JB)

2. Staff recommends motion to execute: a "Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan" for the Pahokee Housing Authority in connection with their Fiscal Year 2019 Annual Public Housing Authority (PHA) Plan. **SUMMARY:** The Pahokee Housing Authority has prepared its Annual PHA Plan for the Fiscal Year beginning July 1, 2019. The Department of Housing and Urban Development requires the County to confirm that the plans and programs outlined in their Annual PHA Plan are consistent with those set forth in the County's Consolidated Plan. Confirmation of this consistency is documented through a "Certification by State or Local Official of PHA Plans Consistency with the Consolidated Plan or State Consolidated Plan." The Department of Housing and Economic Sustainability has reviewed the Pahokee Housing Authority's draft Annual PHA Plan and determined that the goals, objectives and plans outlined therein are consistent with those outlined in the Palm Beach County FY 2015-2020 Consolidated Plan. The overall goal of the Pahokee Housing Authority is to serve the housing needs of low-income, very low-income and extremely low-income families by expanding and upgrading the supply and quality of its assisted units. Specifically, the Annual PHA Plan will: target available assistance to the elderly; continue to prioritize the homeless/chronically homeless for public housing assistance; award available Section 8 Vouchers to victims of domestic violence, working families, residents who live or work in the jurisdiction, single persons who are elderly, homeless, displaced, or have a disability over other single persons; implement improved safety measures in its properties; adopt a deconcentration and income targeting policy; implement a Section 8 Project-Based Voucher Program in its new development activities; improve the quality and choice of assisted housing; ensure equal opportunity and affirmatively furthering fair housing; and promote youth programs and self-sufficiency. The County's Fiscal Year 2015-2020 Consolidated Plan identified the City of Pahokee as an area which lacks adequate and suitable housing and prioritizes the need for affordable rental housing, economic development and job training, and public services for residents of this area. District 6 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to approve:

A) a budget transfer of \$700,000 in the Housing and Community Development Fund, and

B) a budget amendment of \$700,000 in the Public Building Fund to recognize the transfer.

SUMMARY: On July 10, 2018, the Board of County Commissioners approved the Fiscal Year 2018-2019 Action Plan (R2018-1061). The Action Plan included an allocation of Federal Community Development Block Grant (CDBG) funds for the basketball court expansion and related improvements at Limestone Creek Park for \$150,000 and San Castle Park for \$150,000. Also included was an allocation for the Bridgeman Park Project of \$75,000 and via the Thirteenth Amendment to the Action Plan for Fiscal Year 2016-2017 approved on July 10, 2018, an allocation of \$325,000 for a total of \$400,000 for basketball, playground and related amenities. A Memorandum of Understanding between the Facilities Development and Operations Department (FDO) and the Department of Housing and Economic Sustainability requires that an interdepartmental budget transfer be established to reimburse FDO for eligible project costs. This budget transfer and amendment is necessary to appropriate the required budget. **These are CDBG grant funds which require no local match.** Districts 1, 2 & 7 (JB)

4. Staff recommends motion to approve:

A) a budget transfer of \$254,000 in the Housing and Community Development Fund, and

B) a budget amendment of \$254,000 in the Public Building Fund to recognize the transfer.

SUMMARY: On July 11, 2017, the Board of County Commissioners (BCC) approved the Fiscal Year 2017-2018 Action Plan (R2017-0940). The Action Plan included an allocation of Federal Community Development Block Grant (CDBG) funds for the Senator Philip D. Lewis Center located at 1000 45th Street in West Palm Beach. The funding will be used for interior renovations to accommodate a Navigation Unit that will deliver services for homeless and housing needs. A Memorandum of Understanding between the Facilities Development and Operations Department (FDO) and the Department of Housing and Economic Sustainability requires that an interdepartmental budget transfer be established to reimburse FDO for eligible project costs. This budget transfer and amendment is necessary to appropriate the required budget. **These are CDBG grant funds which require no local match.** District 7 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to approve:

A) a budget transfer of \$750,855 in the Housing and Community Development Fund, and

B) a budget amendment of \$750,855 in the Public Building Fund to recognize the transfer.

SUMMARY: On July 10, 2018, the Board of County Commissioners approved the Fiscal Year 2018-2019 Action Plan (R2018-1061). The Action Plan included an allocation of Federal Community Development Block Grant (CDBG) funds for the renovation of the Pahokee Gymnasium Project. A Memorandum of Understanding between the Facilities Development and Operations Department (FDO) and the Department of Housing and Economic Sustainability requires that an interdepartmental budget transfer be established to reimburse FDO for eligible project costs. This budget transfer and amendment is necessary to appropriate the required budget. **These are CDBG grant funds which require no local match.** District 6 (JB)

6. Staff recommends motion to approve: payments totaling \$40,000 related to the Job Growth Incentive (JGI) Agreement with TBC Parent Holding Corporation, TBC Retail Group, Inc. and TBC Shared Services, Inc. (TBC). **SUMMARY:** Staff is requesting the Board of County Commissioners (BCC) to consider approval of payments in the amount of \$40,000 related to the JGI Agreement with TBC. On June 2, 2009, the BCC entered into a Job Growth Incentive Agreement (R2009-0949) with TBC to provide up to \$40,000 in local matching support under the State's QTI program. TBC was required to create 50 new jobs with an average annual salary of \$65,200 and to retain 345 jobs. Pursuant to the agreement, TBC was required to provide an independent audit verifying the schedule of new jobs and average annualized salary of the new jobs. On January 15, 2019, the BCC approved to receive and file the Notice of Termination letter, terminating the agreement due to non-compliance of the audit requirement. It was determined that TBC had met all other requirements of the agreement. In connection with the BCC's discussion regarding the termination of the agreement, staff was directed to revisit the County's audit and performance security requirements. On April 16, 2019, the BCC gave approval to retain the County's performance security requirement and accept the State's audit requirement. With the modification to the County's audit requirement, staff has determined that TBC is in full compliance with all requirements of the agreement. Staff is recommending BCC approval to provide payments totaling \$40,000 relating to the agreement. District 1 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

7. Staff recommends a motion to:

A) ratify the approval of one County employee who received assistance through the State Housing Initiatives Partnership (SHIP) Foreclosure Prevention Program and seven County employees who received assistance through the Workforce Housing Program (WHP); and

B) approve one employee scheduled to close in August 2019 through the WHP.

SUMMARY: Staff is requesting the Board of County Commissioners (BCC) to ratify the approval of eight County employees who received assistance through the County's SHIP Foreclosure Prevention and the WHP Purchase Assistance Programs, and to approve one County employee scheduled to receive assistance through the WHP. Due to the nature of the SHIP Foreclosure Prevention Program, applications are accepted year round. In addition to the one County employee, DHES has also provided 20 non-County employees with foreclosure prevention assistance. Similarly, the WHP applications are also accepted throughout the year due to the timing constraints associated with selling the obligated units. In addition to the eight County employees, DHES has also provided 13 non-County employees with WHP assistance. Both programs provide a deferred, forgivable loan for the assistance received. If the homeowner rents, sell, or otherwise conveys the home during the affordability period, the entire principal amount will become due and payable. The funding provided for the referenced files helped achieve the Department's mission of providing affordable housing to the applicants. These are State SHIP and WHP trust funds, which require no local match. Countywide (JB)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file: a Termination of Removal Agreement (Agreement) received during the month of December 2018 with:

BW Southern and Benoist LLC, owners of a property formerly known as 8033 Southern Blvd, West Palm Beach, Florida, 33411, located at PCN 00-42-43-32-20-001-0020, recorded in Official Record Book 30366, Page 0595 on January 16, 2019.

SUMMARY: The listed property owner entered into the Agreement for future right-of-way or other easement within the County and has decided to terminate it. The Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Planning, Zoning & Building Department in accordance with Resolution 2015-1863, and is now being submitted to the Board to receive and file. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (AH)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 234 Pershing Way, West Palm Beach;

B) approve a tax exemption covenant for 234 Pershing Way, West Palm Beach, requiring the qualifying improvements be maintained during the ten-year 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 the historic rehabilitation of the property located at 229 Belmonte Road, West Palm Beach;

D) approve a tax exemption covenant for 229 Belmonte Road, West Palm Beach, requiring the qualifying improvements be maintained during the ten-year 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 the historic rehabilitation of the property located at 443 33rd Street, West Palm Beach; and

F) approve a tax exemption covenant for 443 33rd Street, West Palm Beach, requiring the qualifying improvements be maintained during the ten-year 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 West Palm Beach: 234 Pershing Way, (property is privately owned for residential use); 229 Belmonte Road, (property is privately owned for residential use) and 443 33rd 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 10 years ending December 31, 2028, is \$35,314. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$3,531 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 3 exemptions totaling \$11,162 for the City of West Palm Beach. Districts 2 & 7 (RPB)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to approve: the reappointment of two members to the Construction Board of Adjustments and Appeals (CBAA).

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Bart A. Rasper	1	Plumbing Contractor	5/7/19 – 5/6/22	Plumbing Air Conditioning Contractors Industry Fund
Rex B. Kirby	8	Division I Contractor	5/7/19 – 5/6/22	AGC Florida East Coast Chapter

SUMMARY: Bart A. Rasper has been nominated by the Plumbing Air Conditioning Contractors Industry Fund (PACCIF) to serve a second three-year term as the plumbing contractor on the Construction Board of Adjustment and Appeals (Board). Rex B. Kirby has been nominated by the AGC Florida East Coast Chapter to serve a second three-year term as a Division I contractor on the Board. The term of office for Board members is three years, with a limit of three consecutive three-year terms. The Board has 11 seats with eight currently filled and a diversity count of Caucasian: 7 (87%) and Hispanic: 1 (13%). The gender ratio (female: male) is 1:7. The nominees are both Caucasian males. Staff will continue to address the need to increase diversity on our boards. Countywide (SF)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: an executed Standard Potable Water and Wastewater Development Agreement (SDA) with Sunrise of Boynton Beach PropCo, LLC, SDA #05-01125-000, received during the month of January 2019. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The SDA has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. The SDA authorizes Sunrise of Boynton Beach PropCo, LLC, to reserve 32.8 Equivalent Residential Connections (ERC's) for both potable water and wastewater for a period of five years for property located at Jog Road and Indian Wells Boulevard. The SDA has been recorded in OR BK 30387 PG 0450. District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** a contract with Hinterland Group Inc., (HGI) for the Palm Beach County Sanitary Sewer Collection System Rehabilitation Project Phase 2 (Project) in the amount of \$3,113,950. **SUMMARY:** On December 12, 2018, four bids were received for the Project, which will rehabilitate wastewater gravity pipelines, manholes and associated service laterals throughout the Water Utilities Department (WUD) service area. The lowest bidder, National Water Main Cleaning Co. (NWMCC), did not meet the minimum experience requirements specified in the bid documents. As a result, NWMCC's bid was determined to be non-responsive. The second lowest bidder, HGI, was determined to be the lowest responsible and responsive bidder. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2004-0064) prior to the adoption of the amended Equal Business Ordinance on October 16, 2018. The SBE participation goal established by the 2002 SBE Ordinance is 15% overall participation. The contract with HGI provides for 10.13% overall SBE participation. Both the low bidder and the second low bidder, NWMCC and HGI, failed to meet the SBE goal. The third low bidder, T.V. Diversified, LLC, met the SBE goal but is outside the limit for ranking of responsive bidder's consideration. HGI is a Palm Beach County Company. The Project is in the FY19 WUD budget. (WUD Project No. 15-098B) District 5 (MJ)

3. **Staff recommends motion to approve:** Work Authorization (WA) No. 1 for the Water Treatment Plant No. 11 (WTP 11) Chemical Improvements Design-Build (Project) with Globaltech, Inc., in the amount of \$1,951,520.40. **SUMMARY:** On January 15, 2019, the Board of County Commissioners approved the Water Utilities Department (WUD) Contract for Optimization and Improvements Design-Build with Globaltech, Inc. (R2019-0099) (Contract). WTP 11 provides potable water for the Glades cities of Belle Glade, Pahokee and South Bay. WA No. 1 provides for chemical improvements for both the raw water pretreatment and membrane permeate post treatment to reduce turbidity in the finished water. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance prior to the adoption of the amended Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 58% SBE participation which includes 12% M/WBE participation, 10% M/WBE (H), 1% MBE (B) and 1% MBE (O). WA No. 1 includes 99.81% SBE, 5.608% MBE (H), 0.602% MBE (B) and 4.123% MBE (O) participation. Globaltech, Inc., is a local company and was a Certified SBE Company on the date of the Selection Committee. Globaltech, Inc., is headquartered in Boca Raton and maintains an office in the Glades. The Project is included in WUD's FY19 budget. (WUD Project No. 19-017) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Work Authorization (WA) No. 1 for the Water Treatment Plant (WTP) No. 3 and 9 Valve and Process Improvements Design-Build (Project) with Cardinal Contractors, Inc., in the amount of \$1,809,089.84. **SUMMARY:** On January 15, 2019, the Board of County Commissioners approved the Water Utilities Department (WUD) Contract for Optimization and Improvements Design-Build with Cardinal Contractors, Inc. (R2019-0100) (Contract). WA No. 1 provides for valve improvements for the WTP 3 and WTP 9 distribution pumps to eliminate water pressure surges, aquifer storage and recovery well piping improvements at WTP 3. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance prior to the adoption of the amended Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 31% SBE participation which includes 21% M/WBE participation, 16% M/WBE (H) and 5% M/WBE (O). WA No. 1 includes 10.93% overall SBE participation, and 3.59% M/WBE (O). Cardinal Contractors, Inc., is utilizing a sub-contractor that is currently in the process of being certified as an SBE by the Office of Equal Business Opportunity, but whose work is not included in the participation percentages for WA No. 1. The sub-contractor will be included in future work attributed to SBEs once certified. Cardinal Contractors, Inc., is headquartered in Sunrise, Florida but maintains an office in Palm Beach County from which the majority of the work under WA No. 1 will be undertaken. The Project is in the FY 19 WUD budget. (WUD Project No. 19-021) Districts 2 & 5 (MJ)

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 7 to the Contract for Engineering and Construction Services Owner's Advisor with Stantec Consulting Services Inc., for a fixed price of \$2,395,349.48. **SUMMARY:** On August 19, 2014, the Board of County Commissioners approved the Water Utilities Department (WUD) Contract for Engineering and Construction Services Owner's Advisor (Contract) with MWH Americas, Inc., (R2014-1188), who thereafter assigned it to Stantec Consulting Services Inc., which the Board consented to. The Contract provides for program management services to support the delivery of WUD's Capital Improvement Program (CIP). The goal of the CIP is the implementation of approximately \$400 million worth of projects. CSA No. 7 provides for the resources and personnel needed to support the successful delivery of CIP projects, utilizing tools and methods developed under previous CSAs. Additionally, CSA No. 7 will allow WUD to reduce replacement and refurbishment work caused by continued deterioration of existing infrastructure. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance prior to the adoption of the amended Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 23.7% SBE participation. CSA No. 7 includes 28.60% overall SBE participation which includes 26.73% MBE (B) and 1.87% WBE. The cumulative SBE participation including CSA No. 7 is 23.55%. The entirety of the SBE participation is being undertaken by M/WBE certified firms. Stantec Consulting Services Inc., is a New York registered US company whose parent company is domiciled in Canada. The Stantec Consulting Services Inc., project team is co-located with Palm Beach County Water Utilities Department staff at the Central Region Operations Center from which the majority of the work required by CSA No. 7 will be undertaken. (WUD Project No. 14-054) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. **Staff recommends motion to approve:** Amendment No. 2 to the Water Utilities Department (WUD) Consulting/Professional Services Surveying and Mapping Services (Contract) with Dennis J. Leavy & Associates, Inc., renewing the Contract for an additional one year period. **SUMMARY:** On June 6, 2017, the Board of County Commissioners (BCC) approved the WUD Consulting/Professional Services Surveying and Mapping Services (Contract) with Dennis J. Leavy & Associates, Inc., (R2017-0732). The Contract provides Surveying and Mapping Services for utility related projects and will be available for utilization by other County Departments. The Contract included a 12-month term with the option of two 12-month renewal at the discretion of the County. Amendment No. 1 to the Contract renewed the Contract for one year, through June 5, 2019, with no cost increase to the Contract. Amendment No. 2 to the Contract constitutes one year Contract renewal through June 4, 2020, with no cost increase to the Contract and is to provide additional professional consultation/surveying and mapping services throughout WUD service area. 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. WUD staff coordinated with the Office of Equal Business Opportunity to confirm that the proposed renewal was consistent with the principles of the Equal Business Opportunity Ordinance. The Contract with Dennis J Leavy & Associates, Inc., provides for 100% overall SBE participation. Dennis J. Leavy & Associates, Inc., is a Palm Beach County company. (WUD Project No. 16-082) Countywide (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to receive and file:** Task Assignment Change Order No. 2 to the State of Florida, Department of Environmental Protection (FDEP) Amended and Restated Contract No. GC913 (R2018-1206). Task Assignment No. GC913-2, provides an increase of state funding for variable inspections of petroleum storage tanks in the amount of \$23,000. **SUMMARY:** Petroleum storage tank compliance services under a series of contracts with FDEP have been in effect since 1988. Task Assignment Change Order No. 2 provides an increase of the contract total by \$23,000 from \$487,435 to \$510,435, for variable inspections due to FDEP estimates of variable inspections being low. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Contract was approved June 12, 2018. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating department as a receive and file agenda item. Countywide (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to approve: Amendment No. 1 to Interlocal Agreement (R2016-0999) (Agreement) with the Town of Palm Beach (Town) which clarifies each party's funding responsibilities and obligations in the operation, repair, and maintenance of the Lake Worth Inlet Sand Transfer Plant (LWISTP) and adds language to deduct the County's expenses associated with the Agreement from County's share of the Midtown Beach Nourishment Project (Midtown Project). **SUMMARY:** On May 3, 2011, the Board of County Commissioners (BCC) approved an annual reallocation of \$300,000 from the Midtown Project to fund LWISTP operations and maintenance in response to a funding request made by the Town. On August 16, 2016, the BCC approved the Agreement to formalize the partnership which stipulates that the County would operate and maintain the LWISTP and intended for costs incurred by the County to be deducted from the County's share of the Midtown Project. However, the original contract language made coordination between the County and the Town difficult as it relates to maintenance and repairs of the LWISTP and did not recognize the proportional reduction of County costs from the Midtown Project. Amendment No. 1 clarifies the maintenance and repair responsibilities and adds necessary language which stipulates that the County shall deduct all its expenses associated with the operation, administration, repair, and maintenance of the LWISTP from the County's funding share of the Midtown Project. Specifically, Amendment No. 1 requires the County to perform any maintenance or unanticipated repairs up to an annual cost of \$20,000. All maintenance and unanticipated repair costs in excess of the County's \$20,000 annual cap are the responsibility of the Town. District 1 (AH)

3. Staff recommends motion to:

A) approve Sovereignty Submerged Lands Easement Renewal and Technical Modification to Reference New Modified Permit (Easement) No. 40902 with Board of Trustees of the Internal Improvement Trust Fund of the State of Florida, for a term beginning November 25, 2018, and expiring November 25, 2028; and

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

SUMMARY: This Easement authorizes the use of Sovereignty Submerged Lands as an offshore borrow area of beach compatible sand for the upcoming Jupiter/Carlin Flood Control and Coastal Emergencies Project and the North County Comprehensive Shoreline Protection Project. This action will authorize the County to dredge sand from within the Easement boundaries and deposit it on two separate beach nourishment projects. The projects are scheduled for construction during FY 2020 and FY 2021, respectively. District 1 (SF)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Boating Improvement Program (FBIP) grant application submitted to the Florida Fish and Wildlife Conservation Commission (FFWCC) on March 29, 2019. The application requests \$150,000 to fund a portion of the construction costs associated with improvements to the John Prince Memorial Park boating facilities;

B) adopt a resolution for assistance under the FFWCC FBIP for grant funding associated with the construction of improvement at John Prince Memorial Park in the amount of \$150,000;

C) authorize the County Administrator or designee to execute the Grant Project 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; and

D) authorize the Director of the Parks and Recreation Department to serve as ~~Liaison Agent with FFWCC for this project~~ Project Manager.

SUMMARY: The boating facilities servicing Lake Osborne at John Prince Memorial Park are over 30 years old and are in need of replacement. The project will replace and reconfigure the existing western boat ramps, replace the existing fixed staging docks with ADA accessible floating staging docks and expand the car/trailer parking lot with ADA accessible car/trailer parking spaces. For purposes of this grant and ease of accounting, the total cost of the project identified in the FFWCC FBIP grant application is \$300,000 with a grant request of \$150,000 or 50% of the project costs. **If awarded, this \$150,000 FFWCC grant will be matched with Infrastructure Sales Tax (IST) funding.** Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator or designee to approve grant documents and the Parks and Recreation Director to act as the Liaison Agent for this project, if this grant is approved by FFWCC. District 3 (AH)

2. Staff recommends motion to approve: a budget transfer of \$50,000 within Zone 2 Impact Fee Reserves to the Okeeheelee Park Pickleball Court Improvement project. **SUMMARY:** This funding will be used to assist in the repurposing of two tennis courts at Okeeheelee Park to six pickleball courts. Funding for this budget transfer is from Zone 2 Impact Fee reserves. Reserve funding was accumulated through new fees and residual balances from completed impact fee eligible projects. District 2 (AH)

3. Staff recommends motion to receive and file: the following executed Amphitheater Rental Agreement between Palm Beach County and Teach the Beach Foundation, Inc, Bands and Brews Craft Beer and Music Festival, Seabreeze Amphitheater, on March 16, 2019. **SUMMARY:** This Amphitheater Rental 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 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. This program is a part of a balanced schedule of events, which promotes 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 agreements to be submitted by the initiating Department to the Board as a receive and file agenda item. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to receive and file: the following executed Entertainment Contractor Agreement between Palm Beach County and Gary Frost, Sour Mash Trio, Canyon Amphitheater, on March 16, 2019. **SUMMARY:** This Entertainment Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements 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 receive and file: the following executed Independent Contractor Agreements between Palm Beach County and

A) Hawthorne Inc. d/b/a Officials of Florida, Adult Basketball League, West Jupiter Recreation Center, for the period March 6, 2019 through May 29, 2019; and

B) Sally Welsh-Chapela, Water Fitness Classes, CMAA Therapeutic Recreation Complex, for the period April 1, 2019 through September 30, 2019.

SUMMARY: These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 1 & 3 (AH)

6. Staff recommends motion to:

A) ratify the signature of the Mayor on a Waterways Assistance Program (WAP) grant application submitted to the Florida Inland Navigation District (FIND) on March 14, 2019, requesting \$125,000 to fund 50% of the planning, design and permitting cost associated with the redevelopment of the southern portion of Bert Winters Park;

B) adopt a resolution for assistance under the FIND WAP for grant funding for planning, design and permitting of Bert Winters Park Phase IB in the amount of \$125,000;

C) authorize the County Administrator or designee to execute the Grant Project 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; and

D) authorize the Director of the Parks and Recreation Department to serve as ~~Liaison Agent with FIND for this project~~ the Project Director; and

E) authorize the Director of Parks and Recreation Department or designee to serve as Project Liaison.

SUMMARY: The total cost of the project identified in the FIND WAP grant application is \$250,000. This grant application requests up to \$125,000 to fund up to (50%) of the planning, design and permitting costs associated with the redevelopment of the southern portion of Bert Winters Park. **If the FIND grant is awarded, the County will provide matching funds using Infrastructure Sales Tax (IST) funding.** Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator or designee to approve grant documents and the Parks and Recreation Director to act as the Liaison Agent for this project, if this grant is approved by FIND. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to:

A) ratify the signature of the Mayor on a Waterways Assistance Program (WAP) grant application submitted to the Florida Inland Navigation District (FIND) on March 14, 2019, requesting \$2,000,000 to fund 50% of construction costs associated with the redevelopment of the Ocean Inlet Park Marina;

B) adopt a resolution for assistance under the FIND WAP for grant funding for construction and renovation of Ocean Inlet Park Marina in the amount of \$2,000,000;

C) authorize the County Administrator or designee to execute the Grant Project 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; and

D) authorize the Director of the Parks and Recreation Department to serve as ~~Liaison Agent with FIND for this project~~ the Project Director; and

E) authorize the Director of Parks and Recreation Department or designee to serve as Project Liaison.

SUMMARY: The total cost of the project identified in the FIND WAP grant application is \$4,000,000. This grant application requests up to \$2,000,000 (50%) for construction costs associated with the renovation and redevelopment of the Ocean Inlet Park Marina. **If the FIND grant is awarded, the County will provide matching funds using Infrastructure Sales Tax (IST) funding.** Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator or designee to approve grant documents and the Parks and Recreation Director to act as the Liaison Agent for this project, if this grant is approved by FIND. District 4 (AH)

8. Staff recommends motion to approve: an agreement with Arts4All Florida for the use of Club Managers Association of America Therapeutic Recreation Complex for the implementation of visual and performing art programs for individuals with disabilities. The term of this agreement is for three years effective on the date of execution and shall be automatically renewed unless either party provides written notice of intent to terminate the Agreement. **SUMMARY:** Arts4All Florida, formerly VSA-Florida, has provided programs for over 36 years that make it possible for people with disabilities to contribute to the social, cultural, and economic life of Florida. A private not-for-profit organization, Arts4All Florida conducts art education programs in schools, Department of Juvenile Justice facilities, and community centers; promotes the accomplishments of artists with disabilities through an artist registry, exhibitions, and performances; and increases access to the arts through professional development workshops. Arts4All Florida and the Parks and Recreation Department have collaborated for 34 years. This agreement enables Arts4All Florida and the Parks and Recreation Department to utilize each other's resources for the provision of visual and performing arts programming for people with disabilities. The Parks and Recreation Department and Arts4All Florida recognize the benefits to be derived by utilizing each other's personnel, expertise and services thereby minimizing the duplication of services for people with disabilities. District 3 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. **Staff recommends motion to approve:** a downward budget amendment of \$222,493 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount. **SUMMARY:** The State Aid to Libraries Grant Agreement was approved by the Board of County Commissioners and executed on December 18, 2018 (R2018-2029). Notification by the State of the Grant Award in the amount of \$1,002,522 was issued to the County Library on February 11, 2019 to begin on that date and end when funds are fully expended, which is anticipated to be on or before June 30, 2019. The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. The downward budget amendment is necessary to reconcile the State Aid to Libraries Grant Budget to the actual award amount. **There are no matching funds for this grant.** Estimated State Aid revenue was included in the County Library’s FY 2019 budget. Countywide (AH)

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** A) appointments and B) reappointments of the following individuals to the Agricultural Enhancement Council for the term of May 7, 2019 to May 6, 2022.

A) Appointment

<u>Name</u>	<u>Category</u>	<u>Seat No.</u>	<u>Expire</u>
Krista Erickson	Financial	4	05/06/22
William Eric Hopkins	EAA Vegetable Grower	8	05/06/22

B) Reappointment

<u>Name</u>	<u>Category</u>	<u>Seat No.</u>	<u>Expire</u>
Wade Glenn Whitworth Jr.	Eastern PBC Vegetable Industry	1	05/06/22
Rick Roth	Farm Bureau	2	05/06/22
Antonio De Corral, Vice Chair	Sugarcane Industry	3	05/06/22
Dave Self	Nursery Industry	5	05/06/22
Stephen Basore	Agricultural Value-Added Industry	6	05/06/22
John Taylor	Agricultural Supplier	7	05/06/22
Richard Faver	Horse Industry	9	05/06/22

SUMMARY: Based on Resolution No. R2014-0303, nine agricultural related entities were requested to nominate one member each to the Agricultural Enhancement Council. Nine nominations are being submitted at this time. The Council consists of nine members, seven seats are currently filled with a diversity count of Caucasian: 6 (86%) and Hispanic-American: 1 (14%). The gender ratio (male:female) is 7:0. Krista Erickson is a Caucasian female and William Hopkins is a Caucasian male. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

A) receive and file an emergency contract with the Racial Equity Institute (REI) in the amount of \$107,000 for the period of contract execution to September 30, 2019 to conduct Implicit Bias and Systemic Racism training for criminal justice personnel and community members within the County; and

B) approve a waiver of conflict of interest for Barbara Cheives, President and CEO of Converge & Associates Consulting, Inc., a Criminal Justice Commission (CJC) member and a subcontracted trainer with REI.

SUMMARY: Providing training on implicit bias and systemic racism is one of five strategies of the John D. and Catherine T. MacArthur Foundation's Safety and Justice Challenge (SJC) Grant Program. Palm Beach County was awarded \$2,000,000 from MacArthur on October 2, 2017 to reduce the county's jail population of 2,273 by 16.7% by September 30, 2019, through five strategies identified by the MacArthur Core Team of stakeholders. In January 2019, the Foundation awarded the County a supplemental grant of \$75,000 for community engagement, which includes additional training funds for community implicit bias training. An emergency contract was required as there was insufficient time to conduct a bid process and conduct the trainings within the grant timeline. The Director of the County's Purchasing Department executed this agreement pursuant to Palm Beach County Purchasing Policy and Procedures CW-L-008. This contract will fund 20 three hour trainings for approximately 1,000 local criminal justice personnel including judges, prosecutors, private and public defense attorneys, Clerk of Court staff, County Pretrial Services Program staff, state and county probation officers and one session for the community. It will also fund three two-day sessions for selected personnel from these groups and the community. Ms. Barbara Cheives is a private sector CJC member nominated by the Economic Council and appointed by the Board pursuant to agenda item 3Q-1 from December 20, 2016. Ms. Cheives' consulting business provides training across the United States related to racial equity work. Due to REI's prior work with the Palm Beach County School District and others in the county, Ms. Cheives became a subcontracted trainer for REI prior to the contractual relationship between the CJC and REI. This contractual relationship prohibition may be waived by the Board of County Commissioners since the CJC is purely an advisory committee. A waiver of the conflict of interest at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. **A waiver of conflict of interest must be approved by an affirmative vote of a majority plus one of the total Board membership.** The MacArthur grant will fund this contract. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: fully executed standard agreements for swimming lessons for FY 2019 with the:

A) City of Boynton Beach;

B) City of Riviera Beach; and

C) Young Men's Christian Association of South Palm Beach County, Inc.

SUMMARY: On September 27, 2005, the Board adopted Resolution Number R2005-1906 authorizing the County Administrator or designee (the Fire Rescue Administrator) to execute standard agreements with municipalities and independent contractors to provide swimming lessons to members of the public through the Palm Beach County Drowning Prevention Coalition's Learn to Swim Program. These standard agreements have been fully executed by the Fire Rescue Administrator, and are now being submitted to the Board as a receive and file agenda item in accordance with County PPM CW-O-051. Countywide (SB)

2. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance, Automatic Aid, and Dispatch Services with the City of Greenacres (City) effective May 5, 2019 through September 30, 2029. **SUMMARY:** In an effort to enhance the provision of fire-rescue services, the Board of County Commissioners authorized the Fire Rescue Department to provide countywide communications services effective June 1, 2005. The agreement provides for a contractual commitment for dispatch services to the City as part of the Countywide Common Dispatch program along with providing the mechanism for implementing mutual assistance/automatic aid (closest unit response). The agreement further authorizes the County Administrator or designee and the City's City Manager or designee to enter into Letter(s) of Understanding to develop automatic aid/closest unit response and Common Dispatch plans and procedures. The current Emergency Services Agreement for Mutual Assistance, Automatic Aid and Dispatch Services expired on May 5, 2019. The proposed Agreement is for a ten-year period through September 30, 2029. Countywide (SB)

3. Staff recommends motion to receive and file: a letter granting a time extension for the Florida Department of Health (DOH) Emergency Medical Services (EMS) Matching Grant, ID Code M6063, from June 30, 2019 to December 16, 2019. **SUMMARY:** On July 10, 2018, the Board accepted a \$137,730 DOH EMS grant award to fund Fire Rescue's Chronic Disease Management Project for the period May 23, 2018 through June 30, 2019. The Board also authorized the County Administrator to execute certifications, standard forms, reimbursement requests, amendments or documents relating to work activities and time frames that do not change the general scope or terms and conditions of the grant (R2018-1065). Due to the need for time to train and equip Fire Rescue paramedics, as well as hire a program coordinator, grant related patient contact did not begin until November 2018. Although the grant time extension process used by the DOH does not require the County Administrator to execute a time extension document, this approval letter is being submitted to the Board as a receive and file agenda item. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) rescind Agreement R2012-1430;

B) approve the replacement agreement for network services with CareerSource Palm Beach County, Inc. for an annual revenue of \$1,200; 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: CareerSource Palm Beach County, Inc., formerly doing business as Workforce Alliance, Inc. has an existing agreement with Palm Beach County (R2012-1430) for network and co-location services, and has requested termination of the co-location services effective May 2, 2019. 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 agreement includes updated contract terms to provide network services to CareerSource Palm Beach County, Inc. and will generate \$1,200 in annual revenues to the County, a net decrease of \$10,620. The Florida LambdaRail LLC has approved connection of CareerSource Palm Beach County, Inc. to the Florida LambdaRail network. District 2 (DB)

2. Staff recommends motion to receive and file: Amendment No. 4 to Agreement R2016-0278 between the South Florida Water Management District (SFWMD) and Palm Beach County to extend the delivery date by ten months to September 30, 2019 for base LIDAR map data through the USGS 3DEP Grant Program. **SUMMARY:** On March 1, 2016 the Board executed an agreement with SFWMD (R2016-0278) for cost sharing to obtain base LIDAR map data through the USGS 3DEP Grant program. The SFWMD agreed to contribute up to \$85,000 in funding to help pay for the LIDAR mapping project. The deliverable was due to SFWMD by the end of calendar year 2017; however, delivery of Palm Beach County's LIDAR data by USGS was delayed because of hurricanes and unanticipated data processing issues. Amendment No.1 extended the agreement to June 1, 2018. Amendment No. 2 extended the agreement to September 30, 2018, but the County was advised by USGS that the delivery was further delayed. Amendment No. 3 extended the agreement to November 30, 2018. Amendment No. 4 extends the delivery date and expiration date to September 30, 2019. All other terms and conditions of the agreement remain unchanged. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** an executed agreement with Florida State University (FSU) to collaborate as partners for the placement of student interns for a term of five years, unless earlier terminated, beginning March 1, 2019, with no financial obligation. **SUMMARY:** This agreement formalizes the cooperative arrangements between FSU and the County for the development and implementation of the practicum and internship program for social work students. It outlines the respective duties, responsibilities, policies, and procedures that will be undertaken by FSU and the County. FSU will only refer to the County students that have completed the required prerequisites for the internship. The County will provide a training program and training facilities, designate a supervisor, ensure students receive the required service hours, and evaluate performance by completing evaluations for each semester. The County and FSU will each be responsible for their own costs. On March 13, 2018, the Board of County Commissioners authorized the County Administrator or designee to execute future agreements relating to internship programs with universities on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations. Countywide (LDC)

2. **Staff recommends motion to receive and file:** the following First Project Budget Adjustments to Contracts/Interlocal Agreement for reentry services for the period of May 1, 2018 through September 30, 2020 funded by the Second Chance Act Grant SMART Reentry:
 1. Contract #R2018-0935, The Lord's Place, Inc. (TLP)
 2. Contract #R2018-0936, Gulfstream Goodwill Industries, Inc. (GGI)
 3. Interlocal Agreement #R2018-0937, City of Riviera Beach
 4. Contract #R2018-0938, Florida Atlantic University (FAU)

SUMMARY: Palm Beach County was awarded a SMART Reentry grant on September 19, 2017, from the Department of Justice for \$850,000 (Award # 2017-CZ-BX-0003) from October 1, 2017 through September 30, 2020. On May 16, 2017, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with these contracts on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. All four contracts were amended to include updated County required language related to the termination, criminal history records check and scrutinized companies articles and an exhibit "D" Policy and Procedure Guide was added to each. Additionally, the first adjustment with Gulfstream Goodwill Industries, Inc. decreases designated allowable "out of pocket" expenses from \$6,793 to \$4,494. The first adjustment with the City of Riviera Beach increases designated allowable "out of pocket" expenses from \$0 to \$2,247. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to receive and file:** an executed second amendment to Contract R2015-0805 for Consulting/Professional Services by and between Palm Beach County and Concept EFL Imaging Center, LLC, to increase the not-to-exceed annual cost by \$3,250 for a total of \$13,250 for the current term ending April 27, 2019. **SUMMARY:** This amendment to the contract for professional medical services has been fully executed on behalf of the Board of County Commissioners by the Director of Purchasing under the authority of Chapter 2, Article III, Division 2, Part A, Sections 2-51 through 2-58, Palm Beach County Code, to increase the not-to-exceed annual cost by \$3,250 for a total of \$13,250 for the current term ending April 27, 2019. The contract is for chest x-ray examination and evaluation services for prospective and current County and Fire Rescue personnel as part of the County's occupational health and workers' compensation program. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (HH)

AA. PALM TRAN

1. **Staff recommends motion to approve:** an eight month agreement between the Board of County Commissioners of Palm Beach County, Florida (BCC) and CareerSource Palm Beach County, Inc., in the amount of \$30,000, to establish a pilot Route 44 deviation service on Palm Tran's Fixed Route, with an effective date of May 13, 2019. **SUMMARY:** Palm Beach County is entering into an agreement with CareerSource Palm Beach County, Inc. to pilot a service deviation on Route 44. Service to CareerSource, located at 3400 Belvedere Road, was eliminated as a part of the Route Performance Maximization (RPM) Project approved by the BCC on August 14, 2018 and implemented by Palm Tran on September 30, 2018. On December 11, 2018, leadership from Palm Tran and CareerSource, as well as residents from the community, met to discuss the impact of the service change on CareerSource's daily operations. The parties agreed to implement a pilot service for eight months and established baseline ridership metrics that must be met in order to consider continuation of service beyond the pilot period. The \$30,000 contract amount covers Palm Tran's operational costs to pilot the service for the eight month term. The pilot service will commence on May 13, 2019 and terminate on January 3, 2020. Countywide (DR)
2. **Staff recommends motion to:**
 - A) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5311 Formula grant application for \$353,187 to partially offset the operational costs for Routes 40 and 47 in the Glades Region, as administered by the Florida Department of Transportation (FDOT); and
 - B) authorize** the Mayor of the Board of County Commissioners to execute the grant application, supporting documents, and assurances.

SUMMARY: FDOT has notified Palm Tran of an allocation of Section 5311 grant funds for mass transit operating assistance in non-urbanized areas. If awarded, the grant will partially offset the operating costs of Palm Tran's fixed route service in the Glades Region of Palm Beach County. The application is for \$353,187 in grant funds, which require a local match of \$353,187 (50% of project) for a total project cost of \$706,374. The grant match is included in the proposed FY 2020 budget. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

3. Staff recommends motion to approve: the Federal Transit Administration (FTA) Master Agreement FTA MA (25) dated October 1, 2018. **SUMMARY:** The FTA has released its official Master Agreement (FTA MA (25)) which contains the standard terms and conditions that apply to projects financed with federal funds awarded in FY2019. Approval of FTA MA (25) represents the County's legal affirmation to abide by the applicable terms and conditions identified in FTA MA (25). This agreement supersedes the previous FTA MA (24) dated October 1, 2017, approved by the Board on April 10, 2018 (agenda item 3AA1). This document does not allocate any funding or pledge any county funds. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

A) a Community Based Agency Contract with Digital VibeZ, Inc., for the period June 3, 2019 through September 30, 2019, in an amount not to exceed \$60,000 for the Wellness Workshop Program; and

B) a budget transfer of \$60,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this contract.

SUMMARY: The Wellness Workshop Program is designed to combat childhood obesity by fostering a love of fitness and teaching children at an early age how to incorporate physical activity, healthy behaviors, and good nutrition into their everyday lives. Over an eight-week period, the Wellness Workshop Program will serve 480 children ages 5 – 12 at a number of out-of-school and summer camp programs in high-need communities throughout Palm Beach County. The Wellness Workshop Program will cover: dance, health education; nutrition; music; and physical education. The Wellness Workshop Program will culminate with the KidsFit Jamathon, a three-hour fitness event where close to 3,000 children celebrate their accomplishment and gain additional resources to help sustain healthy lifestyles. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) a Community Based Agency Contract with Youth Speak Out International Inc., for the period June 1, 2019 through September 30, 2019, in an amount not to exceed \$35,770, for the Today's Technology and Communication Program; and

B) a budget transfer of \$35,770 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this contract.

SUMMARY: Youth Speak Out International Inc. promotes media literacy as a key means of countering media stereotyping. This approach encourages openness with objectivity and fosters tolerance, understanding and respect in today's society. The Today's Technology and Communication Program (TTC) is an eight-week hands-on summer program that will provide 140 elementary and 40 middle school youth with opportunities to build their cultural media literacy, media production and interpersonal communication skills so they become critical thinkers of cultural media messages and become more capable of self-regulating the time they spend communicating through mobile technology. TTC is open to any student in Palm Beach County. The programs will be held at Acts of Kindness Summer Camps in Riviera Beach, Coleman Park Community Center, and Faith's Place Center in West Palm Beach. Participants will also produce a Public Service Announcement to educate the community on how the overuse of on-screen technology is affecting bullying and face-to-face communication, and will have an opportunity to showcase their media productions at the end of the Program. District 2 (HH)

3. Staff recommends motion to approve:

A) a contract for Provision of Services with Prime Time Palm Beach County, Inc. for the period May 20, 2019 through September 30, 2019, in an amount not to exceed \$170,000 for connecting summer camps for low income children to expanded learning opportunities; and

B) a budget transfer of \$170,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this contract.

SUMMARY: Prime Time Palm Beach County, Inc. (Prime Time) was founded to address the need for higher quality out-of-school time programs for Palm Beach County youth, with an emphasis on programs that service low-income families. The funding provided under this contract will allow Prime Time to make connections with summer camps to offer expanded learning opportunities to youth attending summer camps. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a SubRecipient Agreement for Federal Grant Funding Assistance between the Florida Department of Law Enforcement and the Palm Beach County Sheriff's Office through a FY18 Paul Coverdell Forensic Sciences Improvement Act Formula Grant in the amount of \$81,500, for the period of January 1, 2019 through December 31, 2019; and

B) approve a budget amendment of \$81,500 in the Sheriff's Grant Fund.

SUMMARY: The National Institute of Justice awarded these funds to the Florida Department of Law Enforcement under the FY18 Paul Coverdell National Forensic Sciences Improvement Grant. On March 19, 2019, the Palm Beach County Sheriff's Office was awarded funds to improve the quality of forensic services. Funds provided will be used for overtime, travel, and training costs. **There is no match requirement associated with this award.** Countywide (LDC)

DD. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. Staff recommends motion to approve: payment in an amount not to

exceed \$9,000 for participation in the 13th Annual Palm Beach Partners Business Matchmaker Conference & Expo, which will be held on September 20, 2019.

SUMMARY: The Palm Beach County Office of Equal Business Opportunity, Department of Airports, and Palm Tran are participating with the City of Riviera Beach, the School District of Palm Beach County, the City of West Palm Beach, the Center for Technology, Enterprise & Development, Inc. (TED Center), Paragon Florida, Inc., and the Solid Waste Authority (SWA) to present the 2019 Business Matchmaker Conference & Expo (a statewide conference). This is the 13th Annual Matchmaker Conference & Expo held in Palm Beach County, and Palm Beach County will contribute a total of \$9,000 with the County's contribution broken down as follows: the Office of Equal Business Opportunity – \$3,000, Department of Airports – \$3,000, and Palm Tran – \$3,000. Payment will be made on or before April 30, 2019, to the TED Center, the fiscal agent for the conference. The conference and expo will provide Small Business Enterprise owners an opportunity to collaborate with larger businesses in an effort to increase business opportunities and knowledge of programs offered by the above listed governmental and non-profit partners. Countywide (DB)

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

A. WATER UTILITIES

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners Confirming the Special Assessment Roll for the Pine Ridge Lane Water Main Extension (Project); and

B) approve a Work Authorization (WA) No. 27 to Johnson-Davis Incorporated (JDI) under the Water Utilities Department (WUD) Pipeline Continuing Construction Contract (Contract) (R2016-0902) in the amount of \$84,958.78. The total assessable cost including WA No. 27 for this Project is \$126,063.60.

SUMMARY: The Project will provide potable water service to five residential properties currently on private wells. Petitions in favor of the installation of a potable water main were provided to WUD with a 60% favorability rate (3 in favor, 1 not in favor and 1 no response). Individual assessments of \$242.43 per foot (see Exhibit A to this agenda item) will be assessed based on 90% of the total estimated cost of the Project. Each individual assessment was determined by using front footage method to divide the assessable cost per parcel. The assessment is payable over a 20-year time period in equal annual payments of principal and 5.5% interest. The total assessable cost of the Project is \$126,063.60 and includes the costs of surveying, design, drafting, permitting, construction, inspection, administration and construction contingency. WA No. 27 will provide for the construction of the Project. 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 contract with JDI provides for 3.28% SBE participation. WA No. 27 includes 4.23% SBE participation. The cumulative participation is 11.45% overall SBE participation. JDI is a Palm Beach County Company. (WUD Project No. 18-020) District 7 (MJ)

B. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a resolution abandoning any and all public interest in all of those certain tracts and easements created by and lying within all of the plat of St. Joseph's School, according to the plat thereof, as recorded in Plat Book 101, Page 89, less and except Tracts C, D, and E thereof, (Abandonment Site) and to vacate all of the plat of St. Joseph's School, as recorded in Plat Book 101, Page 89, Public Records of Palm Beach County (County), less and except Tracts C, D, and E thereof. **SUMMARY:** Adoption of this resolution will eliminate all platted tracts and easements created by the plat of St. Joseph's School, which will allow Boynton Beach Associates XXV, LLLP (Petitioner) to record a conservation easement in favor of Palm Beach County over the Abandonment Site. The Abandonment Site is located north of Boynton Beach Boulevard and west of Acme Dairy Road. District 5 (YBH)
2. Staff recommends motion to adopt: a resolution abandoning any public interest in a portion of the unimproved right-of-way of Tract RW, also known as a portion of Flavor Pict Road; a portion of a utility easement lying within a portion of Tracts CV1, CV2 and P2; a roadway construction easement lying within a portion of Tracts R and R1; a mass transit easement lying within a portion of Tract CV2; and a mass transit easement lying within a portion of Tract P2 (Abandonment Sites), all as shown on the plat of Delray Holdings 282, recorded in Plat Book 111, Page 136, Public Records of Palm Beach County (County). **SUMMARY:** Adoption of this resolution will eliminate the public dedications that are in conflict with future redevelopment plans by Boynton Beach Associates XXVI, LLLP (Petitioner). The Abandonment Sites are located east of State Road 7 and a short distance north of 130th Street South. District 5 (YBH)

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

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing an exemption from certain ad valorem taxation to encourage economic development in the County for Carrier Corporation, an existing business; providing for a finding that requirements have been met; providing for the amount of revenue available from ad valorem tax sources for the current fiscal year; providing for the amount of revenue lost by virtue of the economic development ad valorem tax exemptions currently in effect; providing for the estimated revenue lost attributable to the exemption granted to Carrier Corporation; providing for the period of time for which the exemption will remain in effect and the expiration date of the exemption; providing for annual reporting requirement; providing for applicability; providing for inclusion in the Code of Laws and Ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** This item seeks Board of County Commissioners (BCC) approval of an ad valorem tax exemption ordinance. A preliminary reading of this ordinance and permission to advertise for this public hearing was approved by the BCC on April 16, 2019. On April 2, 2019, the BCC approved an Economic Development Incentive Agreement (Agreement) (R2019-0466) with Carrier Corporation (Company) for Project Knight providing a cash grant in an amount not to exceed \$70,000 over a six year period and an Ad Valorem Tax Exemption in an amount not to exceed \$650,000 over a six year period. The Company, which is owned by United Technologies Corporation, serves customers in the commercial aerospace, defense, and building industries. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$700,000. Of this amount, \$560,000 is from the State of Florida and \$140,000 is a required match from local government entities, split equally between Palm Beach County (\$70,000) and the City of Palm Beach Gardens (\$70,000). The BCC approved an additional incentive in the form of an Ad Valorem Tax Exemption in an amount not to exceed \$650,000 based on the high average and median wages of the jobs to be created as well as the significant economic impact of this project and the Company's key role in the County's economic success and competitiveness. The Agreement requires the Company to make a minimum \$25 Million capital investment, create 100 new jobs over a three-year period at an annualized average wage of \$91,124 excluding benefits and a median wage of \$64,000 excluding benefits. The Company is required to maintain the new jobs for five years from the date the Agreement becomes effective. This project is estimated to have a \$248 Million economic impact over a five-year period. As required under Palm Beach County's Economic Development Ad Valorem Tax Exemption Program implemented by the BCC through adoption of Ordinance 2013-022, the Company has filed an application with the Property Appraiser's (PA) office, and the PA has issued a determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption (attached as Exhibit B to the proposed ordinance). This ordinance is being presented to the BCC as required by Florida Statute. The Ad Valorem Tax Exemption is for real property and tangible personal property improvements undertaken as the Company renovates and equips an existing facility in Palm Beach Gardens. Additionally, in Agenda Item 4C-2, the BCC is being requested to approve a similar ordinance for \$3 Million for Project Diamond, which is also being undertaken by the Company. Project Knight and Project Diamond are separate projects of the Company and there will be no duplication in the jobs created or maintained for each. District 1 (JB)

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

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing an exemption from certain ad valorem taxation to encourage economic development in the County for Carrier Corporation; providing for a finding that requirements have been met; providing for the amount of revenue available from ad valorem tax sources for the current fiscal year; providing for the amount of revenue lost by virtue of the economic development ad valorem tax exemptions currently in effect; providing for the estimated revenue lost attributable to the exemption granted to Carrier Corporation; providing for the period of time for which the exemption will remain in effect and the expiration date of the exemption; providing for annual reporting requirement; providing for applicability; providing for inclusion in the Code of Laws and Ordinances; providing for severability; providing for repeal of laws in conflict; and providing for an effective date. **SUMMARY:** This item seeks Board of County Commissioners (BCC) approval of an ad valorem tax exemption ordinance. A preliminary reading of this ordinance and permission to advertise for this public hearing was approved by the BCC on April 16, 2019. On October 20, 2015, the BCC approved an Economic Development Incentive Agreement (R2015-1521) with Carrier Corporation and Otis Elevators Company for Project Diamond providing an Ad Valorem Tax Exemption in an amount not to exceed \$3 Million over a ten-year period. Carrier Corporation (Company) which is owned by United Technologies Corporation serves customers in the commercial aerospace, defense, and building industries. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$2.66 Million. Of this amount, \$2,128,000 is from the State of Florida and \$532,000 is a required local match from Palm Beach County. The City of Palm Beach Gardens approved a cash incentive totaling \$630,000 and a 100% Ad Valorem Tax Exemption for up to five years and a 50% exemption for year six through ten. The BCC approved an additional incentive in the form of an Ad Valorem Tax Exemption in an amount not to exceed \$3 Million based on the high average and median wages of the jobs to be created as well as the significant economic impact of this project and the Company's key role in the County's economic success and competitiveness. The agreement requires the Company to make a minimum \$115 Million capital investment, create 380 new jobs over a six year period at an annualized average wage of \$85,000 excluding benefits and retain these jobs for a period of five years. Additionally, 70 existing full-time jobs are required to be retained for a period of five years. The Company is required to maintain the new jobs for five years from the date the agreement becomes effective. This project is estimated to have a \$662 Million economic impact over a five year period. As required under Palm Beach County's Economic Development Ad Valorem Tax Exemption Program implemented by the BCC through adoption of Ordinance 2013-022, the Company has filed an application with the Property Appraiser's (PA) office, and the PA has issued a determination that the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption (attached as Exhibit B to the proposed ordinance). This Ordinance is being presented to the BCC as required by State Statute. The Ad Valorem Tax Exemption is for real property and tangible personal property improvements undertaken as the company renovates and equips an existing facility in Palm Beach Gardens. District 1 (JB)

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

C. HOUSING AND ECONOMIC SUSTAINABILITY

3. Staff recommends motion to:

A) approve the application of the Provident Group – PBAU Properties LLC (the Borrower) for the issuance of the County's Industrial Development Revenue Bond (the Provident Group – PBAU Properties, LLC Palm Beach Atlantic University Housing Project), Series 2019 in a principal amount not to exceed \$45,000,000 (the Bond);

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

C) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida authorizing the issuance of Revenue Bonds (Provident Group – PBAU Properties, LLC Palm Beach Atlantic University Housing Project), Series 2019A and Revenue Bonds (Provident Group – PBAU Properties, LLC Palm Beach Atlantic University Housing Project), Series 2019B (taxable), in an aggregate principal amount not exceeding \$45,000,000 for the purpose of making a loan of funds to Provident Group – PBAU Properties, LLC in order to finance all or a portion of the design, development, construction and equipping of a student housing facility and for other purposes described herein; approving and authorizing the execution and delivery of a Loan Agreement, a Trust Indenture, and a Bond Purchase Agreement; awarding the sale of the bonds by a negotiated sale to Bank of America Merrill Lynch; approving the form and distribution of preliminary and final official statements; providing that such revenue bonds shall not constitute a debt, liability or obligation of Palm Beach County, Florida or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; authorizing the execution and delivery of certain other documents required in connection with the foregoing; and providing certain other details in connection therewith.

SUMMARY: The Borrower has requested the issuance of the Bond to be used to finance the design, construction, equipping, and furnishing of an eight-story student housing dormitory at Palm Beach Atlantic University (PBAU). Proceeds also will be used to fund capitalized interest and pre-development costs and reimburse the Borrower. PBAU is an interdenominational Christian university founded in 1968. The project has a five-year estimated economic impact of \$108.18 million and will create 752 direct and indirect jobs. The PBAU main campus, in West Palm Beach, currently enrolls more than 3,700 students and employs 180 full-time teaching faculty. The Bond shall not be deemed to constitute a debt, liability, or obligation of the County or the State of Florida, or any political subdivision thereof. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bond.** District 7 (DB)

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5. REGULAR AGENDA

A. CLERK AND COMPTROLLER

TIME CERTAIN: 11:00AM

1. [Staff recommends motion to receive and file:](#) the presentation of the Palm Beach County Comprehensive Annual Financial Report for fiscal year ending September 30, 2018. **SUMMARY:** The Clerk & Comptroller's office will provide a year-end financial review based on the Palm Beach County Comprehensive Annual Financial Report for FY 2018. (Time: 30 min.) Countywide (DN)

B. OFFICE OF EQUAL OPPORTUNITY

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on July 2, 2019, at 9:30 a.m.:](#) an ordinance of the Board of the County Commissioners of Palm Beach County, Florida, amending Chapter 15, Article III of the Palm Beach County Code (Ordinance No. 2014-019, amended by Ordinance No. 2015-035), for Housing and Places of Public Accommodation; amending the definition of sexual orientation; amending the definition of place of public accommodation; amending the definition of an aggrieved person; amending the objectives of the Fair Housing and Public Accommodation Board; amending the administrative remedies and other relief; providing for repeal of laws in conflict; providing for savings clause; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Housing and Places of Public Accommodation Ordinance was established in 1990, to protect the interest of its citizens regarding fair treatment and equal opportunity and access in housing and places of public accommodation. The ordinance was last amended in 2015. This amendment to the Housing and Places of Public Accommodation Ordinance is necessary to add and update definitions and to provide consistency regarding the time limit for complainants to request administrative hearings. This amendment also provides for the Office of Equal Opportunity Director's input regarding the filing of a Civil Action. Additionally, this amendment will include a provision for the Fair Housing Board to review proposals made by non-profit agencies for funding to improve accessibility and increase the public awareness for persons with disabilities and make recommendations to the Board of County Commissioners. Countywide (DO)
2. [Staff recommends motion to adopt:](#) a resolution of the Board of County Commissioners of Palm Beach County, Florida, repealing Resolution No. R92-1890 and providing an effective date. **SUMMARY:** The Board of County Commissioners (BCC) adopted Resolution R92-1890 in December 1992, establishing the duties of the Office of Equal Opportunity Handicap Accessibility and Awareness Grant Review Committee (Grant Review Committee). The Grant Review Committee's duties include reviewing non-profit agencies' proposals for funding to improve accessibility and public awareness for physically disabled persons in the County, and making recommendations to the BCC on the proposals. However, because the Housing and Places of Public Accommodation Board (Fair Housing Board) currently performs similar functions, some of which overlap, staff believes it will be a more effective and efficient use of County resources to have the Fair Housing Board perform this function. Countywide (DO)

5. REGULAR AGENDA

C. LIBRARY

1. Staff recommends motion to:

A) approve an overdue fine forgiveness program for the Library Department for the month of June 2019; and

B) authorize the County Administrator or designee to waive library overdue fines in accordance with the parameters of the program.

SUMMARY: As part of the 50th Anniversary celebrations, the Library Department is requesting approval to run an overdue fine forgiveness program. If approved, during the month of June 2019, library cardholders may request forgiveness on outstanding overdue fines that have been assessed to their account. This program is intended to restore borrowing privileges to blocked members and to show appreciation to our residents for their ongoing support of the Library System. To receive forgiveness for an overdue fine, the library cardholder may visit a library location in person, contact us by phone, or use a special online form. Replacement cards will be issued free of charge upon request. Forgiveness will not extend to fees for lost or damaged library materials and other fees or charges. A complete listing of the exact fines and fees subject to forgiveness is outlined in the overdue fine forgiveness program document attached to this agenda item. In Fiscal Year 2018, the library generated \$407,686 in overdue fines. With the introduction of automatic renewals of borrowed items at the start of Fiscal Year 2019, the current six-month revenue from overdue fines is \$105,289, which reflects a 49% reduction in revenue from overdue fines from the prior year. The only time the Library Department held a fine forgiveness program was in October 2003. Countywide (AH)

5. REGULAR AGENDA

D. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on June 18, 2019 at 9:30 a.m.:](#) an ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program (Program); providing for title; purpose; adoption of the revised Five Year Road Program and revised list of projects contained in Exhibit “A”; implementation of the program; modification of program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date. **SUMMARY:** A mid-year modification of the Palm Beach County Five Year Road Program is required to be considered each year by the Five Year Road Program Ordinance. Exhibit “A” to the ordinance is a list of proposed projects for the next five years and contains certain changes and modifications to the road program that was adopted in December 2018. This list is submitted for the Board of County Commissioners’ (BCC) consideration on preliminary reading today with the final list to be approved with the Ordinance at public hearing on June 18, 2019. Countywide (YBH)

2. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on June 18, 2019 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County (County), Florida, repealing and replacing Palm Beach County Code Chapter 23, Article III, Ordinance No. 2008-006, governing right-of-way permitting; providing for title; definitions; permit required; permit application; provider and pass-through provider permit applications; provider and pass-through provider permit review; obligations of permittee; construction surety; enforcement remedies; permit revocation; abandonment of a facility; appeals; insurance; indemnification; force majeure; reservation of rights and remedies; severability; inclusion in the code of laws and ordinances; savings clause; captions; and for an effective date. **SUMMARY:** This ordinance repeals and replaces the existing ordinance that governs permitting of facilities placed in the County’s right-of-way. This ordinance will also govern placement of Small and Micro Wireless Facilities to be consistent with the “Advanced Wireless Infrastructure Deployment Act,” which relates to 5G wireless deployment. Additional clarifications are proposed to assist staff in their review of permit applications for all types of facilities. Countywide (YBH)

3. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on June 18, 2019 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County (County), Florida, repealing and replacing Palm Beach County Code Chapter 23, Article VII, Ordinance No. 2000-009, Palm Beach County Telecommunications Right-of-Way Ordinance, governing registration for use of right-of-way; providing for title; definitions; registration required; registration term and renewal; registration revocation and termination; insurance; abandonment; severability; inclusion in the code of laws and ordinances; enforcement; savings clause; captions; and for an effective date. **SUMMARY:** This ordinance repeals and replaces the existing ordinance that governs the requirements for telecommunication companies to register with the County prior to applying for approval to install facilities within the County’s right-of-way. This ordinance will expand the registration requirements to all types of communication companies and pursuant to the “Advanced Wireless Infrastructure Deployment Act,” which relates to 5G wireless technology deployment. These revisions are consistent with revisions proposed concurrently to the County’s Right-of-Way Permitting Ordinance. Countywide (YBH)

5. REGULAR AGENDA

E. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida, solely for the limited purposes of section 147(f) of the Internal Revenue Code and Section 163.01, Florida Statutes, authorizing the issuance by the Capital Trust Agency of its Educational Facilities Revenue Bonds (Renaissance Charter School, Inc. Projects), Series 2019, in one or more series pursuant to a plan of finance, in an aggregate principal amount not to exceed \$92,500,000 for the purpose of financing the educational facilities herein described; and providing an effective date. **SUMMARY:** Renaissance Charter School, Inc., a Florida not-for-profit corporation (Borrower) requested the Capital Trust Agency (CTA) issue Bonds pursuant to a TEFRA public hearing held on April 9, 2019. The bonds will be issued by CTA for the purpose of providing funds to the Borrower to finance or refinance, including through reimbursement: (i) the acquisition and development of the Facilities (as hereinafter described), including fixtures, furnishings and equipment; (ii) the funding of a debt service reserve fund for the Bonds, as needed; (iii) the funding of capitalized interest for the bonds, as needed; and (iv) the payment of certain costs of issuing the Bonds (collectively, the Project). The Facilities consist of four charter school sites located throughout the State of Florida, one located in the City of Lake Worth, and one located in the City of Wellington (collectively, the Palm Beach County Facilities). The remaining two sites are located in the City of Orlando, Orange County and in unincorporated Osceola County (together with the Palm Beach County Facilities, the Facilities). The Palm Beach County Facilities consist of (A) an approximately 63,102 square-foot charter school facility for students in grades K-8, located on approximately 7.31 acres of land at 6696 South Military Trail, Lake Worth, FL 33463, known as Renaissance Charter School at Central Palm, and (B) an approximately 63,102 square-foot charter school facility for students in grades K-8, located on approximately 5.543 acres of land at 3200 South State Road 7, Wellington, FL 33449, known as Renaissance Charter School at Wellington, each to be financed or refinanced from a portion of the proceeds of the Bonds in an amount not exceeding \$43,000,000. Approval by an elected body is required by the Internal Revenue Code. **Adoption of this resolution does not in any way obligate the County. Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the bonds.** Districts 3 & 6 (DB)

5. REGULAR AGENDA

E. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) adopt a resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Captain Jack, a company authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund Program not to exceed \$35,000 over a seven year period; providing for severability; and providing for an effective date; and

B) conceptually approve an Economic Development Incentive for Project Captain Jack in the form of a cash grant not to exceed \$35,000 over a seven year period.

SUMMARY: Project Captain Jack is contemplating expanding in Palm Beach County. The project will invest \$1,850,000 to lease, make renovations to, and equip a 20,000 square foot facility. The project will create 50 new jobs over a four year period at an annualized average wage of \$105,490 and an annualized median wage of \$120,000. The project will also retain 77 existing jobs. The estimated five year local economic impact is \$43.4 Million. Project Captain Jack qualifies for the QTI Tax Refund program, which continues to be funded by the Florida Legislature. The company is being offered an incentive not to exceed \$350,000. Of this amount, \$280,000 is from the State of Florida; and \$70,000 is a required match from local government entities. Palm Beach County and the City of West Palm Beach will equally share the required local match. Palm Beach County will provide its portion of the local match as a cash grant in an amount not to exceed \$35,000. The cash grant will be: paid over a period of seven years, provided it meets the State of Florida requirements; paid according to the State's QTI Refund schedule; and secured by a letter of credit or bond. The company will be required to enter into a formal agreement memorializing their commitments and establishing terms under which the cash incentive will be disbursed. The company name will be disclosed at such time. District 7 (JB)

3. Staff recommends motion to adopt: an Inducement Resolution of the Board of County Commissioners of Palm Beach County, Florida, declaring its official intent to allow E-Z Weld Group LLC (Company), reimbursement of capital expenditures from industrial development revenue bond proceeds, which shall not constitute a debt, liability, or obligation of Palm Beach County, Florida, or the State of Florida, or any political subdivision thereof. **SUMMARY:** Staff is requesting approval from the Board of County Commissioners for an Inducement Resolution to allow the Company to use bond proceeds to reimburse itself for out-of-pocket down payments made on machinery and equipment necessary for their product expansion. The Company is applying for the issuance of tax-exempt Private Activity Bonds, a form of industrial development revenue bonds, by Palm Beach County (the Issuer) in an amount not to exceed \$3,500,000. Bond proceeds will be used to finance the acquisition of machinery and equipment to support the manufacturing of five-gallon commercial buckets. The bucket manufacturing process will occur at the Company's existing, 45,000 s.f. facility located at 1661 President Barack Obama Highway, Riviera Beach, FL 33404. The Company will expand its existing joining materials manufacturing line (i.e., cements and glues used in commercial plumbing pipes) to include the manufacturing of five-gallon buckets. With this expansion, the company will add 24 new jobs to its current base of 38 full time employees. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the Bonds.** District 7 (DB)

5. REGULAR AGENDA

F. FACILITIES DEVELOPMENT AND OPERATIONS

1. **Staff recommends motion to accept:** the recommendation of the Special Master denying the protest of Collage Design & Construction Group, Inc. concerning the solicitation for Construction Manager at Risk (CM) Services for the Canyon District Park Project Number 17204. **SUMMARY:** On April 18, 2019, proposals were received to a Request for Proposals (RFP) for CM Services on the Canyon District Park Project (Project). On May 17, 2018, the Shortlist Committee identified three firms as finalists for the Selection Committee Meeting held on June 15, 2018. Collage Design & Construction d/b/a The Collage Companies (Collage) was selected as the highest ranked proposer. Staff commenced negotiations, and at the conclusion of those negotiations, prepared a Board item recommending approval of those items at the September 18, 2018 BCC meeting. In the week before the BCC meeting, Staff discovered that the Final Selection Committee had not scored the criteria category titled Small Business Utilization Plan (SBE Plan) according to the requirements of the RFP. As such, on September 13, 2018 FDO staff recommended that the item be deleted from the agenda for further staff review. The Final Selection Committee met again on October 9, 2018 to re-score only the criteria where the error occurred. The rescoring resulted in Kaufman Lynn Construction as the highest ranked proposer and Collage the second ranked proposer. On October 16, 2018, Collage submitted a bid protest to the Director of Purchasing and subsequently the Director of Purchasing denied the protest. Collage then requested that the protest be heard by a Special Master who also denied the protest on January 14, 2019. Collage also filed a public records lawsuit alleging failure to comply with public records requests and later requested a temporary injunction as expedited relief and also filed an emergency motion to preserve the status quo to prevent negotiations with Kaufman Lynn. Both requests for injunctive relief were denied on April 2, 2019. Collage has made allegations regarding ethical violations but has not filed an ethics complaint to date. (FDO/Capital Improvements) Countywide/District 5 (MJ)

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

A) a utility easement in favor of the City of West Palm Beach for an underground sewer line installed at the Ballpark of the Palm Beaches property (Ballpark) for the benefit of the City's adjacent Lincoln Park; and

B) a drainage easement in favor of the City of West Palm Beach (City) for storm water outfall from Lincoln Park into the storm water management lake system located within the adjacent Ballpark property.

SUMMARY: Lincoln Park is located adjacent to the Ballpark. During development of Lincoln Park, an underground sewer line was installed within the western limits of the Ballpark property to service Lincoln Park. Drainage pipes were also installed on the Ballpark property to allow storm water outfall from Lincoln Park into the Ballpark property's storm water management lake system. The easement area for the wastewater improvements is approximately 10' wide by 788.52' long, containing approximately 7,885 square feet (0.18 acres). The easement area for the drainage improvements is approximately 10' wide by 144.83' long, containing approximately 1,448 square feet (0.03 acres). This utility easement and drainage easement are being granted to the City at no charge in satisfaction of the requirements of the Interlocal Agreement (R2015-1070) between the County and City dated August 18, 2015. These easements will be recorded in the public records of Palm Beach County to document their existence and locations. (PREM) District 7 (HJF)

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6. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING

- 1. 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>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Susan Kennedy	12	Environmental Org.	Sierra Club, Loxahatchee Group

Or

Reinaldo Diaz	12	Environmental Org.	Audubon Florida
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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 County contract(s). Disclosure of any contractual relationship with the County shall be made 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. Ms. Kennedy is Caucasian female. Mr. Diaz is Hispanic-American male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (LB)

B. COMMISSION DISTRICT APPOINTMENTS

MAY 7, 2019

7. MATTERS BY THE PUBLIC – 2:00 P.M.

MAY 7, 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."