

June 4, 2019  
9:30am

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JUNE 4, 2019**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
6	2C-8*	<b>ADD-ON:</b> Presentation by Mayor Keith James, City of West Palm Beach (Sponsored by Mayor Bernard)
43	5A-1	<b>DELETED FOR FURTHER STAFF REVIEW</b>

**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**

**JUNE 4, 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 6)
  - D. Staff Comments (Page 7)
  - E. Commissioner Comments (Page 8)
  
- 3. CONSENT AGENDA (Pages 9-34)**
  
- 4. REGULAR AGENDA (Pages 35-42)**
  
- 5. BOARD APPOINTMENTS (Page 43)**
  
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- 2C-3 Summer Reading Month
- 2C-4 Suits for Seniors Month
- 2C-5 Certificate of Appreciation
- 2C-6 104<sup>th</sup> Anniversary of the 1915 Armenian Genocide
- 2C-7 National HIV Testing Day

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**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 44)

**ADJOURNMENT** (Page 45)

**2C. SPECIAL PRESENTATIONS – 9:30 A.M.**

1. Presentation by the Florida Green Building Coalition recognizing Palm Beach County for attaining Silver Level Certification as a Green Local Government (Office of Resilience)
2. Proclamation declaring June 2019 as Green Dot Action Month in Palm Beach County (Sponsored by Mayor Bernard)
3. Proclamation declaring June 2019 as Summer Reading Month in Palm Beach County (Sponsored by Commissioner Berger)
4. Proclamation declaring June 2019 as Suits for Seniors Month in Palm Beach County (Sponsored by Mayor Bernard)
5. Certificate of Appreciation Presented to Joseph Lipsky (Sponsored by Commissioner Berger)
6. Proclamation recognizing the 104<sup>th</sup> Anniversary of the 1915 Armenian Genocide (Sponsored by Commissioner Weinroth)
7. Proclamation declaring June 27, 2019 as National HIV Testing Day in Palm Beach County (Sponsored by Commissioner McKinlay)
8. **ADD-ON:** Presentation by Mayor Keith James, City of West Palm Beach (Sponsored by Mayor Bernard)

\* \* \* \* \*

JUNE 4, 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 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**



**JUNE 4, 2019**

**2E. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER HAL R. VALECHE**

**District 2 – COMMISSIONER GREGG K. WEISS**

**District 3 – COMMISSIONER DAVE KERNER, VICE MAYOR**

**District 4 – COMMISSIONER ROBERT S. WEINROTH**

Request for off-site Proclamation declaring June 23, 2019 as Maccabi Fun Run Day in Palm Beach County

**District 5 - COMMISSIONER MARY LOU BERGER**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD, MAYOR**

Request for off-site Proclamation declaring June 20, 2019 as World Refugee Day in Palm Beach County

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: a contract with Christopher Briceno in an amount not to exceed \$10,000 to implement the Office of Community Revitalization's (OCR) Abundant Community Initiative Pilot Project (Project) in the Plantation Countywide Community Revitalization Team (CCRT) area. **SUMMARY:** Staff is requesting the BCC approve a contract with Mr. Christopher Briceno, the newly selected Neighborhood Connector, to continue the implementation of the Project. The BCC previously approved two contracts with a resident to serve as a Neighborhood Connector for the Plantation CCRT area to implement the Project: one on March 22, 2016 in an amount not to exceed \$5,000 and one on September 12, 2017 for \$6,000. The purpose of the Project is to further engage and help empower residents for civic leadership. The Project will test the viability and potential of the Asset Based Community Development initiative for neighborhood development in Palm Beach County by utilizing actual neighborhoods, their existing leadership structures and residents. The terms of the two previous contracts have been fulfilled. The contract with Mr. Briceno will commence on June 4, 2019 and expire on May 1, 2020. The new contract amount of \$10,000 reflects added tasks and deliverables. Funding for this Project is available from the Abundant Community Initiative account. District 2 (HH)

2. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2019-2020 budget in the amount of \$16,873,439 for its programs under Public Law 113-128, enacted by Congress effective July 1, 2015 which Act is known as the Workforce Innovation and Opportunity Act (WIOA) of 2014; and

**B) approve** a waiver from the Statutory Individual Training Account (ITA) requirement.

**SUMMARY:** On December 16, 2014, the Board of County Commissioners (BCC) approved a contract to administer grant funds (R2014-1894) with CareerSource Palm Beach County (CSPBC) which services include the design, coordination, and implementation of the local workforce development system for Palm Beach County. CSPBC receives Federal funding through the State Department of Economic Opportunity (DEO). Funds are received by the DEO from the US Department of Labor, US Department of Health & Human Services, and the US Department of Agriculture. These are formula funds, which are based on the federal budget and the local population statistics. The Fiscal Year 2019-2020 budget, in the amount of \$16,873,439, includes the following revenue sources: \$13,858,347 from the US Department of Labor; \$2,325,092 from the US Department of Health and Human Services for Temporary Assistance for Needy Families; \$490,000 from the US Department of Agriculture for the Supplemental Nutrition Assistance Program; and \$200,000 from private grants and local government. CSPBC is requesting a waiver of the statutory Individual Training Account requirement from CareerSource Florida. Approval for a waiver is necessary to ensure that overall services to participants are not reduced. The DEO requires at least 50% of the Adult and Dislocated WIOA funds to be spent on individual training activities. Due to continued decrease in funding, CSPBC is concerned that the 50% criteria may not be met and as a result is requesting a waiver from the requirement. Although a waiver will be sought, CSPBC will strive to meet the 50% requirement. Staff is recommending approval of the amendment of the Contract to Administer Grant Funds for the Fiscal Year 2019-2020. Countywide (HH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners’ meetings:

Meeting Type	Meeting Date
February 26, 2019	Workshop
February 28, 2019	Zoning
March 12, 2019	Regular
March 25, 2019	Zoning
April 2, 2019	Regular
April 25, 2019	Zoning
April 29, 2019	Comprehensive Plan

3. **Staff recommends motion to approve:** contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during July 2017. Countywide

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a contract with K-F Group, Inc. (KFG), in the amount of \$1,059,441.02 for professional engineering services for the Royal Palm Beach Boulevard from north of Persimmon Boulevard to north of M Canal project (Project). **SUMMARY:** Approval of this contract will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. The scope of work includes widening of an existing two-lane roadway to a five-lane roadway, with curb and gutter, bike lanes, sidewalks on both sides, and improved drainage to accommodate the road expansion. Improvements will also include the widening of the existing bridge over the M Canal. The Project also includes approximately 0.8 miles of various side street improvements. The solicitation for design professionals was advertised on January 14, 2018 and January 21, 2018, prior to the effective date of the EBO Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance requirements in effect at that time, with final selection taking place on April 18, 2018. The SBE goal for all contracts is 15%. The SBE participation committed for the Project by KFG is 58% overall. KFG is a Palm Beach County based company. District 6 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: a third amendment to the annual pathway and minor construction contract R2018-0012, Project No. 2017055, dated January 23, 2018, with Wynn & Sons Environmental Construction Co., Inc. (Wynn & Sons) to extend the expiration date from July 22, 2019 to January 22, 2021, increase the contract by \$3,265,000 and add the new Equal Business Opportunity Ordinance (EBO) language to the contract. **SUMMARY:** Approval of this third amendment will increase Wynn & Sons contract from \$9,500,000 to \$12,765,000 and extend the expiration date from July 22, 2019 to January 22, 2021. The increased contract amount is based on updated estimates that exceed the current contract amounts to be expended throughout Palm Beach County (County) by the user departments. To date, tasks in the amount of \$5,429,036 have been authorized for Wynn & Sons. This third amendment will also add the new EBO Ordinance language to the contract. The contract was presented to the Goal Setting Committee on February 6, 2019 and a waiver of Affirmative Procurement Initiative was approved based upon insufficient qualified Small/Minority/Women Business Enterprises to provide the goods or services required by the contract available in the County despite every reasonable attempt to locate them. This bid was solicited on October 10, 2017, prior to the effective date of the EBO Ordinance and pursuant to the SBE Ordinance requirements. This is the last allowable extension, as the contract provides that it may not exceed 36 months total contract time. After this 18-month extension, the contract will be resolicited. Countywide (YBH)
  
3. Staff recommends motion to adopt: a resolution to declare the acquisition of properties designated as parcel 101 as fee simple road right-of-way and parcel 201 as a permanent easement as necessary for the construction of a southbound right turn lane on North Military Trail at PGA Boulevard (Project). **SUMMARY:** Adoption of this resolution will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes, as amended, against two parcels having a total appraised value of \$333,700. The parcels are necessary for the construction of a southbound right turn lane on North Military Trail at PGA Boulevard. The property owner has not accepted the offer to purchase made by Palm Beach County and attempts to negotiate the purchase have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the project, which is funded in the current Five Year Road Program. District 1 (MAB)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to approve:

**A)** the third amendment to the annual intersection improvements contract (Contract) R2017-0778 dated June 20, 2017 with Bolton Perez & Associates, Inc. (BPA), to extend the Contract expiration date from June 19, 2019 to June 19, 2020, modify the fee schedule, and allow for other amendments to the Contract; and

**B)** the third amendment to the annual intersection improvements contract R2017-0779 dated June 20, 2017 with HSQ Group, Inc. (HSQ), to extend the Contract expiration date from June 19, 2019 to June 19, 2020, modify the fee schedule, and allow for other amendments to the Contract.

**SUMMARY:** Approval of these third amendments will extend the expiration dates of the Contracts with BPA and HSQ from June 19, 2019 to June 19, 2020; adjust their hourly rates as allowed in these original Contracts; and add the new Equal Business Opportunity (EBO) Ordinance language. These Contracts were presented to the Goal Setting Committee on February 6, 2019, and a 20% mandatory SBE subcontracting goal for the Affirmative Procurement Initiative was recommended. To date, tasks in the amount of \$425,690.33 have been authorized for BPA with 24.62% SBE participation. To date, tasks in the amount of \$707,936.76 have been authorized for HSQ with 79.14% SBE participation. BPA is a Miami based company but has an office located in Palm Beach County (County). HSQ is a County based company and is a certified SBE company. This is the second of two allowable renewals under these Contracts. After the second renewal, the Contracts will need to be re-solicited. Countywide (YBH)

5. Staff recommends motion to approve: a budget amendment in the amount of \$137,000 in the Capital Outlay Fund to recognize reimbursement funding from the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) and appropriate it to the Belvedere Heights Phase I project (Project). **SUMMARY:** Approval of this budget amendment will allocate the funding necessary to design the Project. The Westgate CRA received a Local Agency Program (LAP) federally funded grant through the Florida Department of Transportation (FDOT) for the construction of the Project, which will provide sidewalk and streetlights on five residential streets within the Westgate CRA. A work task order to prepare design plans was assigned to Mock, Roos and Associates, Inc., under the existing annual civil engineering contract and was approved by the Contract Review Committee on January 30, 2019. The Westgate CRA is responsible for all costs above the grant amount, which includes design. District 2 (YBH)

6. Staff recommends motion to approve: Work Order 2018051-29 in the amount of \$1,456,000 to mill and resurface Jog Road from Boynton Beach Boulevard to Hypoluxo Road utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). **SUMMARY:** Approval of this work order will allow the contractual services necessary to construct the project. Prior to this work order, approximately \$6 million of Ranger's \$16 million Contract has been spent or encumbered. This annual construction bid was solicited on July 8, 2018, prior to the effective date of the Equal Business Opportunity (EBO) Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The annual contract is scheduled for renewal by October 15, 2019, when the new EBO Ordinance will be added. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. Ranger proposed 15% SBE participation for the Contract and for this work order. Approval of this work order will result in a cumulative SBE participation of 15% for all the work orders issued under the Contract. Districts 3 & 5 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve:

**A)** an Annual Civil Engineering Services contract with Baxter & Woodman, Inc. d/b/a Mathews Consulting, Inc. (MCI);

**B)** an Annual Civil Engineering Services contract with Civil Design, Inc. (CDI);

**C)** an Annual Civil Engineering Services contract with Keshavarz & Associates, Inc. (KAI); and

**D)** an Annual Civil Engineering Services contract with Mock, Roos & Associates, Inc. (MRA).

**SUMMARY:** Approval of these contracts will provide the necessary professional civil engineering services on a task order basis, for Palm Beach County (County) projects, as required for all user departments. At the option of the County, these contracts may be renewed annually for a period of one year, with a maximum of two renewals. The solicitation for design professionals was advertised on August 19, 2018, August 26, 2018 and August 31, 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, with final selection taking place on January 24, 2019. The SBE goal for all contracts is 15%. MCI committed to 43% SBE participation, CDI committed to 90%, KAI committed to 97%, and MRA committed to 82%. MCI, CDI, KAI, and MRA are all County based companies. CDI, KAI and MRA are certified SBE companies. Countywide (YBH)

8. Staff recommends motion to:

**A) adopt** a resolution to approve 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 (Project);

**B) approve** the Amended LMOA with the FDOT for the Project;

**C) 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

**D) approve** an agreement with Saturnia Isles Homeowners Association, Inc. (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 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. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to:

**A) approve** the list of pre-qualified nonprofit agencies to provide various training services for the Community Action Program (CAP) on an as-needed basis selected in accordance with the Request for Proposals (RFP) completed on April 2, 2019; and

**B) delegate** signature authority to the County Administrator, or designee, to sign contracts, amendments or other required documents for employment and self-sufficiency training services provided by the pre-qualified nonprofit agencies for amounts not to exceed \$100,000.

**SUMMARY:** The CAP issued an RFP for the categories of skill set building and vocational/employment training on March 18, 2019. Several proposals were submitted and a selection committee reviewed and scored each one. The skill set building and vocational/employment training funds are provided by the Community Service Block Grant (CSBG), and are allocated according to the amount of funding received every grant year. The agencies selected will provide skill set building and vocational/employment training to low-income individuals who reside within Palm Beach County. The skill set building category will include various training services in computer training, life skills, work readiness, and financial budgeting. The vocational/employment training category will include training services in the fields of plumbing, welding, security, childcare and various other vocational trades. In Grant Year (GY) 2016, 234 clients were enrolled in the Family Self Sufficiency Program (FSSP) with 88 clients completing vocational training. In GY 2017, 275 clients were enrolled in the FSSP with 127 completing the training. In GY 2018, 193 clients were enrolled in the FSSP with 83 completing the training. The annual job success rate percentage was 38.4% in GY 2016, 51.2% in GY 2017 and 46.6% in GY 2018. Job success rates are determined by the percentage of clients who enrolled in the FSSP and obtained a job/better job (increased wages) and kept it for 90 days. These clients also received skill set building training such as resume writing, soft skills training, and financial management training, that would enable them to not only gain employment, but also maintain employment. Clients enrolled in the FSSP also obtain support services such as utility assistance, rental assistance, bus passes, and referrals to support them during their stay in the program. The CSBG total budget for GY 2019 is \$998,000 and will serve approximately 125 clients in all programs, which represents a reduction over GY 2018 due to reduction of funding and changes in the demand of vocational training categories. The number of clients served is based on the grant allocation, cost of training and the need of clients. **No County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve:

**A)** Amendment 007 to Standard Agreement No. IA016-9500 (R2016-0321) for the Older Americans Act (OAA) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period January 1, 2018 through December 31, 2018, to increase the overall total funding for the period by \$160,000 and to revise, amend, and replace portions of the standard agreement to provide in-home and community-based services to seniors; and

**B)** budget amendment of \$160,000 in the Division of Senior Services Administration Fund to align the budget to the actual grant award.

**SUMMARY:** Grant adjustments are made during the contract year to align services with need. This amendment is necessary to incorporate changes made to the standard agreement. Services are provided to eligible Palm Beach County individuals age 60 and older and their caregivers. The various services preserve the independence of seniors and defer the need for more costly institutions. Under the OAA contract, there are several programs which serve seniors. The congregate meals program served 1,557 seniors. The home-delivered meals program served 432 seniors. The in-home services program served 151 seniors and the in-home services for clients with caregivers served 26 seniors/caregivers. The number of seniors served is based on the amount of the grant and the need of clients. The Division of Senior Services is responsible for providing services north of Hypoluxo Rd. The areas of service include all districts, excluding portions of Districts 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. No additional funds are required for this amendment. (Division of Senior Services) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road. (HH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Quarter Ending 03-31-2019 information for Children's Services Council of Palm Beach County. **SUMMARY:** The Children's Services Council have submitted their Quarter Ending 03-31-2019 information as per Section 125.901, Florida Statutes. Countywide (DB)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file:

**A)** Standard License Agreement for Use of County-Owned Property for the period of March 5, 2019 through March 19, 2020 with Nancy Hober (North County Senior Center) for art classes;

**B)** Standard License Agreement for Use of County-Owned Property for the period of February 1, 2019 through February 28, 2020 with Gloria Raya (Mid County Senior Center) for Yoga, Tai Chi and Chair Yoga classes;

**C)** Standard License Agreement for Use of County-Owned Property for the period of February 25, 2019 through February 7, 2020 with AARP, Inc. (Mid and North County Senior Centers) for driver safety classes;

**D)** Standard License Agreement for Use of County-Owned Property for the period of March 5, 2019 to March 5, 2020 with TDM Technologies International LLC. (Mid and North County Senior Centers) for mobile device use classes;

**E)** Standard License Agreement for Use of County-Owned Property for the period of May 2 through May 5, 2019 with SunFest of Palm Beach County, Inc. (Judicial Center Parking Garage and surface lot, Governmental Center parking garage and 4<sup>th</sup> Street parking lot) for parking;

**F)** Standard License Agreement for Use of County-Owned Property for the period of March 19, 2019 to March 19, 2020 with Elizabeth L. Dennis (North County Senior Center) for bridge classes;

**G)** Standard License Agreement for Use of County-Owned Property for the period of April 10 through April 15, 2019 with South Florida Fair and Palm Beach County Expositions, Inc. (Weisman Way Wheel Lot) for parking;

**H)** Standard License Agreement for Use of County-Owned Property for the period of June 7 through June 16, 2019 with USNSCC Region 6-5, Inc. (Eagle Academy) for Cadet training;

**I)** Standard License Agreement for Use of County-Owned Property for the period of May 17, 2019 through May 17, 2020 with Wanda Serbia (North County Senior Center) for fitness classes; and

**J)** Standard License Agreement for Use of County-Owned Property for the period of April 29, 2019 through April 28, 2020 with Eileen B. Sousa (Mid County Senior Center) for Wellness classes.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Standard License Agreements were approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to receive and file:

**A)** an Entry Agreement with Florida Department of Environmental Protection (FDEP) for 3228 Gun Club Rd, West Palm Beach, FL, FDEP Facility ID: 508841291, for as long as is necessary to assess, remove, monitor and remediate the contamination to the Property; and

**B)** an Entry Agreement with Florida Department of Environmental Protection (FDEP) for 1040 Royal Palm Beach Blvd, Royal Palm Beach, FL, FDEP Facility ID: 508623112, for as long as is necessary to assess, remove, monitor and remediate the contamination to the Property.

**SUMMARY:** Resolution (R2015-1613) established a new standard form agreement for use with the Florida Department of Environmental Protection (FDEP) and its contractors to assess, remove, monitor and remediate contamination on County-owned property. The Site Access Agreement is FDEP's standard form, and is required for FDEP to solicit a contractor, who will actually complete the remediation activities. The County enters into a separate Entry Agreement with each contractor before the contractor commences work. Both agreements are provided without cost to FDEP or its contractors, and the remediation work would be completed at no cost to the County. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. The attached standard Site Access Agreement was fully executed on August 1, 2017 on behalf of the Board of County Commissioners. (FDO Admin) Countywide (LDC)

3. Staff recommends motion to receive and file:

**A)** Standard Equipment Use Agreement with Ric L. Bradshaw, Sheriff of Palm Beach County, Florida for a period of April 5, 2019 through April 18, 2019, for the use of three Signal Message Boards and three light towers to support POTUS visit; and

**B)** Standard Equipment Use Agreement with Palm Beach State College for a period of April 4, 2019 through April 6, 2019, for the use of 25 cots for an EMS challenge of local and regional EMT and Paramedic teams.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached standard agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Equipment Use Agreement was approved by the Board on October 1, 2013, Agenda 3H-2. These executed documents are now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Work Order No. 19-013 to the contract with Precision Air Systems, Inc. (Precision Air) (R2015-0049) in the amount of \$219,040 for the replacement of air handler unit #5N at the Government Center Complex (GCC) for the period of 120 days from permit issuance or until project is complete. **SUMMARY:** The work consists of the replacement of one air handler unit and electronic controls at the Palm Beach County Governmental Center Complex. The existing equipment is more than 20 years old, requires frequent repairs and is increasingly difficult to ensure continued operation. The new equipment will be of the latest technology, will increase the overall building energy efficiency and will reduce long term operational and maintenance cost. This work order, under the Heating, Ventilation, and Air Conditioning (HVAC) Annual Contract, was solicited pursuant to the requirements of the Office of Equal Business Opportunity (OEBO). This work was competitively bid among all contractors holding annual contracts with Precision Air Systems Inc. submitting the lowest responsive bid. Precision Air Systems, Inc. is not an S/W/MBE but is a Palm Beach County business. The annual contract was presented to the Goal Setting Committee on January 2, 2019 and a SBE Price Preference API was applied to all bids. The bidder achieved 0% SBE participation and there are no subcontractors. The second low bidder also had 0% SBE participation, and the only other bidder submitted a bid that was greater than 10% of the low bid. The funding source for this work is from the Public Building Improvement Fund. The total construction duration is 120 days. (Capital Improvements Division) District 7 (LDC)

5. Staff recommends motion to approve:

**A)** a budget transfer in the amount of \$17,130,000 in the Library Expansion Program Fund from the Reserves to the Canyon Project;

**B)** a budget transfer in the amount of \$3,500,000 in the Library Impact Fees Fund from the Reserves to the Canyon Project; and

**C)** a contract with Colome & Associates Inc. to provide professional architectural/engineering design, site plan approval, permitting, and construction administration services for a new Library Complex at Canyon Town Center in the amount of \$859,354 for a period of two years and six months or until the construction achieves final completion.

**SUMMARY:** The Library Department has recognized a need to build a new branch location in the West Boynton area, as the current West Boynton Library branch does not have room to expand the building or increase parking capacity. The new library will relieve demand on the existing branch and will serve the residents of the Canyon region of Western Boynton Beach. The new ±6.5 acre civic Library site is on the south side of Canyon Town Center at the corner of Lyons Road and Boynton Beach Boulevard and will include a new one-story library consisting of approximately 30,000 square feet with a community meeting space and surface parking, a plaza, monument sign, dumpster and chiller yard enclosures. The estimated construction cost of the project is \$12M. Colome & Associates Inc. is a business with a Palm Beach County office and will be using all Palm Beach County sub-consultants for the work. The solicitation for design professionals was advertised on January 28, 2018 according to the SBE Ordinance in place at the time, with final selection taking place on April 26, 2018. Colome & Associates is a SBE and agreed to provide 37.5% SBE participation and 61% M/WBE participation for a total of 98.5% S/W/MBE participation. **Funding for this project is with Library Expansion Program and Library Impact Fees funds.** (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. **Staff recommends motion to approve:** a first amendment to Interlocal Agreement (R2013-1796) with the U.S. Fish & Wildlife Service - Arthur R. Marshall Loxahatchee National Wildlife Refuge (Participant) to retroactively extend the term of the agreement allowing for direct access to the County's Public Safety Radio System (System) through December 15, 2022. **SUMMARY:** The agreement, which provides the terms and conditions under which the Participant can directly access the System, expired on December 16, 2018. The Agreement provides for two renewal options, each for a period of four years. The Participant has approved a renewal to retroactively extend the term of the agreement through December 15, 2022 and the renewal now requires the Board approval. The terms of this agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies where connection through an established municipal hub is not technically feasible. The Participant has been interoperable with the County's System since 2002. The annual fees are consistent with those being charged to the County Departments. In addition, the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. The agreement may be terminated by either party, with or without cause on October 1<sup>st</sup> of any year, with a minimum of six months' notice. The first amendment renews the term, updates the number of transmit & receive sites, modifies the indemnification and liability language, adds standard County nondiscrimination, assignment, severability, counterparts and effective date provisions and replaces Attachment I within this document. (ESS) Countywide (LDC)
  
7. **Staff recommends motion to approve:** an Amended and Restated Interlocal Agreement (Agreement) with the City of Coral Springs (City), allowing for interoperable communications through the countywide and EMS common talk groups of the County's Public Safety Radio System (County's System) to the City for a period of five years upon execution of this Agreement. **SUMMARY:** This Agreement provides the terms and conditions under which the City can program into its radios and utilize the countywide and EMS common talk groups for certain types of inter-agency communications. This Agreement terminates and replaces the Interlocal Agreement (R2003-1964) between County and City, that was twice amended (First Amendment R2008-0966 and Second Amendment R2013-1417), adds interoperability of EMS common talk groups, and adds the procedure to be followed to obtain a Federal Shared Encryption Key for direct radio interoperability with federal agencies. The County's System will not be utilized for routine operational communications by the City. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The City is required to pay all costs associated with the City's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve:

A) annual contract for Low Voltage with 1<sup>st</sup> Fire & Security, Inc. through September 12, 2019; and

B) annual contract for Low Voltage with Peerson Audio, Inc. through September 12, 2019.

**SUMMARY:** On September 13, 2016, the Board initially approved the annual Low Voltage contract for an initial term of two years, with three renewal options each for a period of one year, at the sole option of the County. The two above noted contractors now join the list of 18 already prequalified contractors for a total of 20. Firms may become pre-qualified and join the bidding pool at any time during the term or at time of renewal. These are indefinite-quantity contracts with a cumulative maximum value of \$2,600,000 across all pre-qualified contractors. The work consists of low voltage services related to refurbishment, renewal, renovations and equipment replacement of fire alarms, intrusion alarms, access control, CCTV, etc. to County properties. Work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of 20 pre-qualified contractors. Since the beginning of this annual contract, the County awarded \$1,089,891 in work orders. This annual contract was presented to the Goal Setting Committee on January 2, 2019 and a SBE Price Preference API was applied to all bids. 1<sup>st</sup> Fire & Security, Inc. is a non-local business. Peerson Audio, Inc. is an SBE, as well as a Palm Beach County business. SBE actual participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative SBE participation for all work orders to-date is 47.1%. (Capital Improvements) Countywide (LDC)

9. Staff recommends motion to approve: a second amendment to Interlocal Agreement R2009-0420 as amended by R2014-0755 (Agreement) with the Village of Wellington (Village) to lease and maintain a fuel control reader at the Village's public works facility. **SUMMARY:** The Agreement, which provides the terms and conditions under which the County leases and maintains the fuel control reader at the Village's public works facility expired on May 19, 2019. The Agreement provides for two renewals for five years each. The Village has approved a retroactive renewal to extend the term of the Agreement to May 18, 2024 and the renewal now requires Board approval. Under the terms of the Agreement, the County provides and maintains the fuel control reader, provides fuel access cards and monthly fuel accounting to the Village. This Amendment renews the term and adds standard County non-discrimination, insurance, applicable law, filing, entire agreement, delegation of duty, assignment and severability provisions. The Agreement may be terminated by either party, with or without cause, with a minimum of six months' notice. (FDO Admin) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve:

**A)** a budget transfer in the amount of \$301,139 in the Housing and Community Development Fund;

**B)** a budget amendment of \$301,139 in the Park Improvement Fund, to recognize the transfer; and

**C)** Amendment No. 1 to the contract with Lebolo Construction Management, Inc. (R2018-1161) in the amount of \$840,339 for improvements to South Bay, Kenwood and Glades Pioneer Parks located respectively in the Cities of South Bay, Lake Worth and Belle Glade, establishing a Guaranteed Maximum Price (GMP) for construction management services for a period of 126 calendar days from the notice to proceed.

**SUMMARY:** On July 11, 2017, the Board of County Commissioners (BCC) approved the County's Fiscal Year 2017-2018 Action Plan (R2017-0940) which included an allocation in Federal Community Development Block Grant (CDBG) funds for the Glades Pioneer Park, Kenwood Estates Park and Crossroads Depot RV Park renovations in the amount of \$546,000. The seventh amendment to the FY 2017-2018 Action Plan included additional funding for the park projects in the amount of \$301,139. The Parks and Recreation Department (Parks) and Facilities Development and Operations Department (FDO) are the implementing agencies for these public facility projects. The Memorandums of Understanding between the Department of Housing and Economic Sustainability (DHES), Parks and FDO require that an interdepartmental budget transfer be established to fund Parks for eligible projects costs for the Glades Pioneer Park for \$74,502, Kenwood Estates Park for \$87,876 and the Crossroads Depot RV project for \$138,761 (total \$301,139). This budget transfer and amendment is necessary to appropriate budget to process the interdepartmental transfers. These are CDBG Grant funds which require no local match. Amendment No. 1 authorizes construction management services for the improvements to the South Bay, Kenwood and Glades Pioneer Parks located in the Cities of South Bay, Lake Worth and Belle Glade. The improvements to the three parks involve the replacement of aging playground equipment, installation of family picnic shelters and grills, the addition of support facilities including new sidewalks, curbing, benches, bike racks, shade structures and landscaping. The site improvements will additionally provide for ADA compliance as the existing sand surface in place does not comply with ADA requirements. Funding for this project has been provided by DHES under a grant from HUD to the County through the Community Development Block Grant (CDBG) Program. The work was competitively solicited by Lebolo Construction Management, Inc. utilizing the Federal Requirements provided by DHES/ Parks and Recreation Department. The budget transfer will fund construction costs for the improvements to the three parks projects. The total project construction duration is 126 days from the notice to proceed. The Federal Disadvantaged Business Enterprise (DBE) participation goal established for the project is 22.4% minority and 6.9% female participation. Lebolo Construction Management Inc. participation for this amendment is 65% minority and 7% female participation. Lebolo Construction Management, Inc. is a Palm Beach County Business. (Capital Improvements Division) Districts 2 & 6 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: an Easement Agreement (Easement) in favor of Comcast Cable Communications Management, LLC (Comcast), for underground communication improvements installed at Veteran's Memorial Park (Park) in unincorporated Palm Beach County. **SUMMARY:** The Veterans of Foreign Wars of the United States Inc. (VFW) leases an 1,800 square foot building (Facility) within the Park, which has no cable service. VFW requested that underground communication improvements be installed by Comcast to provide cable service to their Facility. The County will grant Comcast a non-exclusive easement at no charge. VFW will pay for any cable charges. The easement area contains approximately 5,534 square feet (0.13 acres). The Easement will be recorded in the public records of Palm Beach County to document its existence and location. (PREM) District 5 (HJF)
  
12. Staff recommends motion to receive and file: a Guaranteed Maximum Price Amendment No. 3 to the annual construction manager contract (R2016-0763) with the Weitz Company, for the purchase of replacement carpet material at the Convention Center as well as pre-construction services related to the carpet installation, in the amount of \$696,954. **SUMMARY:** 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. On April 2, 2019, with Agenda Item 3H-4, the Board approved the Guaranteed Maximum Price Amendment No. 3 in an amount not to exceed \$800,000, to be completed within 45 days upon receipt of the carpet in July. The attached Guaranteed Maximum Price Amendment No 3 was fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. This executed document is now being submitted to the Board to receive and file. (FDO Admin) District 7/Countywide (LDC)

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: the following documents:
  - A) Amendment 001 to the Loan Agreement (R2018-0276) with HTG Heron Estates Senior, LLC, under the State Housing Initiatives Partnership (SHIP) Program;
  - B) Amendment 001 to the Agreement (R2018-1998) with the City of Greenacres under the Community Development Block Grant (CDBG) Program; and
  - C) Amendment 001 to the Agreement (R2018-0271) with the Pahokee Housing Authority under the CDBG Program.

**SUMMARY:** Amendment 001 with HTG Heron Estates Senior, LLC, extends the loan drawdown deadline for the Heron Estates Senior Apartments project, a 101-unit affordable rental project in Riviera Beach. Amendment 001 with the City of Greenacres revises the Monthly Performance Requirements for project implementation. Amendment 001 with the Pahokee Housing Authority allocates an additional \$340,000 in CDBG funding for additional sewer improvements at two of its properties and extended the project completion date by 30 days. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 3I-6, 5C-5, and 3I-1, as approved by the BCC on March 13, 2018 and July 10, 2018. 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. **Federal CDBG and State SHIP funds do not require a local match.** Districts 2, 6 & 7 (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve: an Agreement to Terminate Amendment No. 1 to Special Economic Development Agreement for Major Investments with Office Depot, Inc. (Company), which required the Company to create an additional 378 jobs and provided an additional \$500,000. **SUMMARY:** Staff recommends Board of County Commissioners' (BCC) termination of Amendment No. 1, and supports the request from the Company to terminate. On August 18, 2009, the BCC approved a Special Economic Development Agreement for Major Investments (R2009-1343) (the Agreement) with the Company to provide up to \$650,000 in annual reimbursements of Ad Valorem taxes over a ten-year period. The Company was required to invest \$210,000,000 for construction of their world headquarters, retain 1,750 full time jobs through 2019, and create 200 new full time jobs by August 2014 at an average annual wage of \$76,792. The Company met all requirements of the Agreement. On August 19, 2014, the County entered into Amendment No. 1 to a Special Economic Development Agreement for Major Investments (R2014-1222) (the Amendment) with the Company to provide an additional 378 jobs and receive an additional \$500,000 over a five-year period. The Company has requested that the Amendment be terminated. No incentive funds provided in the Amendment have been disbursed to the Company. District 4 (DB)
  
3. Staff recommends motion to approve: Community Development Block Grant (CDBG) funding of \$34,661.60 for a water and sewer service connection fee for the Palm Beach Habilitation Center's (PBHC) JB's Ranch Group Home. **SUMMARY:** Staff recommends the Board of County Commissioners' approval of \$34,661.60 in CDBG funds for the payment of a water and sewer service connection fee for PBHC's JB's Ranch Group Home located at 5203 Colbright Road in unincorporated Palm Beach County. This licensed group home houses 14 adult men with developmental disabilities. The connection fee is due to Palm Beach County Water Utilities Department in order to connect to recently completed public water and sewer improvements on Colbright Road. The improvements were funded by a special appropriation from the State of Florida and PBHC fund raising efforts. As a condition of CDBG funding, the property will be restricted to a continued CDBG-eligible use for no less than five years. **These are Federal CDBG funds which require no local match.** District 3 (HF)



3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. [Staff recommends motion to approve](#): the appointment of one alternate member to the Land Development Regulation Advisory Board (LDRAB), for the term from June 4, 2019 to February 8, 2022.

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Tommy Strowd	17	At-Large	Commissioner Weinroth

**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 Board consists of 18 members, with 17 seats currently filled and a diversity count of Caucasian: 15 (88%), African-American: 1 (6%), Hispanic-American: 1 (6%). The gender ratio (male:female) is 13:4. Mr. Strowd is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (LB)

2. [Staff recommends motion to approve](#): the appointment of one member to the Construction Board of Adjustments and Appeals (CBAA).

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Jessica Dornblaser	4	Architect	6/18/19-4/03/20	American Institute of Architects (AIA) Palm Beach Chapter

**SUMMARY:** Jessica Dornblaser has been nominated by the American Institute of Architects (AIA) Palm Beach Chapter to complete the term of the recently deceased, Marc Wiener, as the Architect on the Construction Board of Adjustment and Appeals (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 nominee is a Caucasian female. Staff will continue to address the need to increase diversity on our boards. Countywide (SF)

3. CONSENT AGENDA APPROVAL

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

3. [Staff recommends motion to approve:](#) the reappointment of two current members and the appointment of one new member to the Historic Resources Review Board (HRRB).

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Friederike Mittner	4	Historic Preservation Planner	6/04/19–6/10/22	Commissioner Weiss Commissioner Valeche
Arlene Fradkin	6	Archaeologist	6/04/19–6/10/22	Commissioner Weiss Commissioner Valeche
<u>Appointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Aimee Sunny	1	Interested in History	6/04/19–6/10/22	Vice Mayor Kerner Commissioner Weinroth Commissioner Weiss Commissioner McKinlay Commissioner Valeche

**SUMMARY:** The Unified Land Development Code (ULDC) Article 2.G.3.H provides for the membership of the Historic Resources Review Board (Board). The term of office of each member is for three years. The Board seats are at-large positions to be appointed by the Board of County Commissioners (BCC). On March 20<sup>th</sup> and April 4<sup>th</sup>, 2019, the Planning Division forwarded memos and forms to the BCC notifying them of the vacancies, and requesting nominations. The Board has a membership of nine seats with seven currently filled, and a diversity count of Caucasian: 6 (90%) and Hispanic: 1 (10%). The gender ratio (male:female) is 3:4. Ms. Mittner, Ms. Fradkin and Ms. Sunny are all Caucasian females. Staff will continue to address the need to increase diversity on our boards. Unincorporated (RPB)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file:

**A)** a Sponsorship Agreement with the West Palm Beach Fishing Club, Inc. providing a platinum level sponsorship in the amount of \$3,680 in services or goods for the Lake Worth Lagoon Fishing Challenge (LWLFC) on May 24 – July 7, 2019, beginning upon execution and terminating July 24, 2019;

**B)** a Sponsorship Agreement with the Angler Action Foundation, Inc. providing a platinum level sponsorship in the amount of \$5,000 in services or goods for the LWLFC on May 24 – July 7, 2019, beginning upon execution and terminating July 24, 2019;

**C)** a Sponsorship Agreement with Go Fish! Publications LLC providing a silver level sponsorship in the amount of \$714 in services or goods for the LWLFC on May 24 – July 7, 2019, beginning upon execution and terminating September 1, 2019; and

**D)** a Sponsorship Agreement with MANG, LLC providing a gold level sponsorship in the amount of \$1,093 in services or goods for the LWLFC on May 24 – July 7, 2019, beginning upon execution and terminating July 24, 2019.

**SUMMARY:** The LWLFC was designed as a citizen-science fishing event for the public to participate in the collection of valuable fisheries information while working alongside partners in the LWL Initiative and other community partners. The sponsors contribute additional advertising, prizes and venue for award ceremony, and the digital platform to run the tournament (cell phone app). On December 18, 2012, the Board of County Commissioners approved Resolution R2012-1905 authorizing the County Administrator or designee to execute a Standard Sponsorship Agreement. The Standard Sponsorship Agreement allows the sponsor access to commercial and/or marketing potential associated with specific environmental programs or special events hosted by the Department of Environmental Resources Management (ERM). 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. **There is no cost to the County.** Countywide (SF)

2. Staff recommends motion to approve: a first amendment to Annual Coastal and Marine Engineering Contract No. R2017-0755 with Coastal Systems International, Inc. (CSI) to extend the contract for one year from June 5, 2019 to June 5, 2020. All other provisions remain in full force and effect. **SUMMARY:** CSI, a Palm Beach County company, was awarded a Consultants' Competitive Negotiation Act (CCNA) continuing contract on June 6, 2017. The County is amending this contract to extend it for one year from June 5, 2019 to June 5, 2020. The initial contract term was for two years, with a one-year renewal option. This amendment extends the contract for the identified third year term. CSI's contract requires 25% Small Business Enterprise (SBE) and/or Minority and Women Business Enterprise (M/WBE) participation; it has achieved 0% participation due to only one task order being awarded to-date that did not have any SBE sub-consulting opportunities. The contract was solicited on April 10, 2016, according to the SBE Ordinance in place at the time. The Office of Equal Business Opportunity has approved the renewal of the contract under its current terms and S/M/WBE participation goal. Countywide (DC)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. **Staff recommends motion to approve:** Task Order No. 1377-14 to a continuing Contract (R2016-1377) with Olsen Associates, Inc. (Olsen) in the amount of \$160,645.50 to provide professional engineering, environmental surveys, reporting, and documentation to be used in permit required monitoring. **SUMMARY:** The Board of County Commissioners approved the contract with Olsen, a Jacksonville company, on September 27, 2016. Task Order No. 1377-14 authorizes Olsen to conduct yearly topographic and hydrographic surveying required by project permits. The task order also contains optional tasks for post-hurricane surveys and damage assessment reports to aid in securing disaster assistance funding. Costs will be paid from the Beach Improvement Fund. At the time the contract was awarded, the Small Business Enterprise (SBE) Ordinance (R2002-0064) was in effect. Olsen committed to an overall 38.0% SBE and/or Minority and Women Business Enterprise (M/WBE) participation in the Contract. This task order has 78% SBE participation. Olsen has achieved a 48.7% cumulative SBE-M/WBE participation on the Contract including this task order. Districts 1 & 4 (DC)
  
4. **Staff recommends motion to receive and file:** Task Assignment Change Order No. 3 to the State of Florida, Department of Environmental Protection (FDEP) Amended and Restated Contract No. GC913 (R2018-1206), Task Assignment No. GC913-2, provides for the elimination of a \$400 rate per staff member, by revising sentence from "Inspection staff to attend annual meeting Spring 2019 at a rate of \$400 per staff member" to "Inspection staff to attend annual meeting Spring 2019". **SUMMARY:** This revision is due to FDEP's reimbursement rates being lower than the County's per diem rates identified in PPM CW-F-009. FDEP will reimburse the County for the actual cost of expenses. 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)

M. PARKS & RECREATION

1. **Staff recommends motion to receive and file:** the following executed Entertainment Contractor Agreements between Palm Beach County and
  - A) The Petty Hearts, LLC, Petty Hearts Concert, Seabreeze Amphitheater, on April 13, 2019 and
  - B) Robert Mirabelle, Pee Wee Lewis & The Hues Concert, Canyon Amphitheater, on April 20, 2019.**SUMMARY:** These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the Board as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: executed Sound and Light Production Service Contractor Agreement between Palm Beach County and Blackwood Productions, LLC, Petty Hearts Concert, Seabreeze Amphitheater, for the period April 13, 2019 through April 14, 2019. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the Board as a receive and file agenda item. District 1 (AH)
  
3. Staff recommends motion to approve: a second addendum to Authorized Provider Agreement, R2016-1888 dated December 20, 2016, with the American National Red Cross (Red Cross) to allow the County to participate as one of 50 communities nationwide in the Red Cross Aquatic Centennial Initiative program to provide swimming lessons to underserved populations. **SUMMARY:** The Red Cross is celebrating 100 years of Water Safety. Palm Beach County was identified by the Red Cross in 2014 as a target market for the Aquatic Centennial Initiative to reduce the number of drownings in America. This program is designed to promote awareness of and access to the Red Cross Water Safety education and training in identified communities where the drowning rate is above the national average. Over the past couple of reporting cycles, there has been a slight, but steady decrease in reported drownings countywide per 100,000 residents even with a growing population. Although we are unable to determine the exact percentage this program has contributed to the decline in drownings, we do know this agreement with the Red Cross has allowed us to conduct approximately 200 additional lessons annually and people who learn to swim are much less likely to drown. This second addendum allows Palm Beach County to continue to participate in the final year of the three-year Red Cross Aquatics Centennial Initiative. Participation in this initiative will help generate and retain enrollment in our swimming lessons, provide hands-on CPR and rescue skills to parents and caregivers, and ultimately help reduce the number of drownings in our community. The Red Cross Program not only teaches how to swim, but also teaches safe ways to help others who may be in trouble in the water. As a participant in the initiative, the County will receive support for program fees for participants in swimming lessons as well as lifeguard training and water safety instructor programs. The Red Cross will also provide the teaching and marketing materials at no cost to the County. Countywide (AH)
  
4. Staff recommends motion to receive and file: an Aquatic Examiner Agreement with the American National Red Cross (Red Cross) to provide facility and staff audits at County facilities for the period of March 12, 2019, through December 20, 2021. **SUMMARY:** The Red Cross will provide the aquatic facilities a comprehensive, objective evaluation of its safety and lifeguarding operations, with specific recommendations for improvement. This includes unannounced on-site visits to evaluate on-the-job lifeguard performance, including surveillance and rescue skills. In addition, the Red Cross will provide three in-service trainings at the year-round facilities. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to approve:

**A)** a budget transfer of \$4,429 in the Criminal Justice Grant Fund to reduce funding to Justice Services Grant Fund for the Public Safety Reentry Program and establish funding to the Palm Beach County Sheriff's Office (PBSO) pursuant to special condition 59 in the grant agreement to be used for PBSO to become NIBRS (National Incident-Based Reporting System) compliant;

**B)** a budget amendment of \$4,429 in the Justice Services Grant Fund to reduce the transfer from the Criminal Justice Grant Fund and reduce the appropriation budget; and

**C)** a budget amendment of \$4,429 in the Sheriff's Grant Fund.

**SUMMARY:** On October 1, 2018, Palm Beach County was awarded a Federal FY18 (County FY19) Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$147,611 for the period October 1, 2018 through September 30, 2019. This grant (2018-DJ-BX-0606) was accepted on October 10, 2018 by the Executive Director of the CJC, in accordance with approval granted on August 14, 2018 in Board Agenda Item 3Q-3 later received and filed by the Board pursuant to R2018-1805. Special condition 59 of the JAG grant agreement requires that at least three percent of the total amount of this award be dedicated to achieving full compliance with the Federal Bureau of Investigation's (FBI) NIBRS. PBSO will utilize these funds to support the implementation of a new records management system that will be NIBRS compliant. The Reentry Program was created by the CJC and now operates under the County's Public Safety Department. This program provides transitional services to juveniles and adults reentering society from jail and prison. The reduction in funding to the Reentry Program will be offset by other funding sources resulting in no impact to level of service. In 2016, the FBI formally announced its intention to sunset the Uniform Crime Reporting (UCR) Program's traditional Summary Reporting System and replace it with the UCR Program's NIBRS by January 1, 2021. The FBI intends for NIBRS to be the law enforcement crime data reporting standard for the nation. Currently all municipalities and PBSO report crime under the FBI's UCR Program to the Florida Department of Law Enforcement (FDLE) which is designated by the FBI as Florida's Statistical Analysis Center (SAC). FDLE is currently working on NIBRS compliance requirements to be promulgated to municipal police departments and sheriff's offices in Florida. **No local match is required for this grant.** Countywide (DC)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to approve: Amendment #1 to Contract R2017-0763 with BAE Systems, Inc. to correctly identify the party to the Contract as BAE Systems Information & Electronic Systems Integration, Inc., and to exercise the first of three one-year renewal options, extending the expiration date to May 15, 2020. **SUMMARY:** This contract has a term of two years with the option to extend for up to three additional one-year renewals to provide GeoSpatial Services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS Survey in support of the County's Geographic Information System. Amendment #1 will extend the term of the Contract to May 15, 2020, and correct a scrivener's error in the name of the contracted firm. The contract with BAE Systems Information & Electronic Systems Integration, Inc. provides for SBE participation of 15% overall. Countywide (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

2. Staff recommends motion to approve: Amendment #1 to Contract R2017-0762 with Surdex Corporation to exercise the first of three one-year renewal options, extending the expiration date to May 15, 2020. **SUMMARY:** Contract R2017-0762 with Surdex Corporation has a term of two years with the option to extend for up to three additional one-year renewals to provide GeoSpatial Services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS Survey in support of the County's Geographic Information System. Amendment #1 will extend the term of the Contract to May 15, 2020. Countywide (DB)
3. Staff recommends motion to approve: Amendment #1 to Contract R2017-0764 with Woolpert, Inc. to exercise the first of three one-year renewal options, extending the expiration date to May 15, 2020. **SUMMARY:** Contract R2017-0764 with Woolpert, Inc. has a term of two years with the option to extend for up to three additional one-year renewals to provide GeoSpatial Services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS Survey in support of the County's Geographic Information System. Amendment #1 will extend the term of the Contract to May 15, 2020. Countywide (DB)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: five Grant Adjustment Notices (GAN) #023 Anti-Stalking Toolkit; #024 Travel To International Conference on Sexual Assault, Intimate Partner Violence; #025 Gender-Bias Strategic Plan; #026 Sexual Assault Response Team (SART) Designation Training for Law Enforcement Officers; and #027 Educational Poster with the US Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Improve Criminal Justice Response Program (ICJR) (2017-WE-AX-0034). **SUMMARY:** As per grant guidelines, certain expenditures and work products require approval from the OVW ICJR grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. GAN #023 approved the Anti-Stalking Toolkit. GAN #024 approved agency partner Destiny by Choice, Inc. to attend the International Conference on Sexual Assault, Intimate Partner Violence. GAN #025 approved the Gender-Bias Strategic Plan. GAN #026 approved the SART Designation Training for Law Enforcement. GAN #027 approved a poster that will serve as supplemental material to be used by clergy to ensure congregation members have access to victim services should they become a victim of sexual assault or domestic violence. Resolution R2014-1633 authorized the County Administrator or designee to execute future awards, contracts, sub-recipient agreements and sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: four contracts for Professional Services with the following Doctoral Psychology Interns to complete a required 2,000-hour internship that will provide the interns training and experience in family and youth counseling for the period August 5, 2019 through July 30, 2020:

- A) Drema Carpenter in the amount of \$25,660;
- B) Ariana Mitchell in the amount of \$25,660;
- C) Courtney Molina in the amount of \$25,660; and
- D) Marie Yoldine Valsaint in the amount of \$25,660.

**SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, etc. Doctoral programs require internships in order to meet degree and licensing requirements. The Division is offering its program as a location to obtain this training. The interns provide the equivalent of four full-time equivalents (FTEs) at a cost of less than two FTEs. Each intern, at a minimum, is assigned and completes the workload equivalent of a Family Therapist. The hourly rate of a Family Therapist is \$22.44 versus the hourly intern rate of \$12.58. Additionally, each intern shall receive a \$500 stipend for health insurance. On September 11, 2012, Agenda Item 3X-3 authorized the County Administrator or designee to execute future doctoral psychology intern contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The contracts span two fiscal years, and sufficient funding is included in the current budget and in the proposed FY 2020 budget to meet the County obligations. Countywide (HH)

CC. SHERIFF

1. Staff recommends motion to:
  - A) **accept** on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area (HIDTA) Program grant in the amount of \$158,606 for the Palm Beach Narcotics Task Force, for the period of January 1, 2019 through December 31, 2020; and

- B) **approve** a budget amendment of \$158,606 in the Sheriff's Grant Fund.

**SUMMARY:** On April 22, 2019, the Palm Beach County Sheriff's Office (PBSO) received a grant award in the amount of \$158,606 from the Office of National Drug Control Policy (ONDPC). The funds will be used for investigative overtime and other expenses associated with the Palm Beach Narcotics Task Force. **There is no match requirement associated with this award.** Countywide (LDC)



3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Memorandum of Agreement with the City of Miami for a FY16 Program to Prepare Communities for Complex Coordinated Terror Attacks (CCTA) Grant Award in the amount of \$31,200, for the period of April 1, 2019 through September 30, 2019, and

**B) approve** a budget amendment of \$31,200 in the Sheriff's Grant Fund.

**SUMMARY:** The FY 2016 CCTA grant program supports overtime costs for training and exercises within the County and the South Florida Region 7, to improve the region's ability to prepare for, prevent, and respond to complex coordinated terrorist attacks in collaboration with the whole community. The CCTA is a federally funded homeland security grant program, pass-through the City of Miami. **There is no match requirement associated with this award.** Countywide (LDC)

3. Staff recommends motion to:

**A) accept** on behalf of the Palm Beach County Sheriff's Office a Memorandum of Agreement with the City of Miami for a FY18 Urban Area Security Initiative (UASI) Grant in the amount of \$870,542 for the period of April 24, 2019 through June 30, 2020, and

**B) approve** a budget amendment of \$870,542 in the Sheriff's Grant Fund.

**SUMMARY:** On May 7, 2019, the Palm Beach County Sheriff's Office (PBSO) received a grant award in the amount of \$870,542 for the FY18 Urban Area Security Initiative (UASI) Grant Program. The UASI is a federally-funded homeland security grant program, pass-through the State of Florida to the City of Miami, as the UASI's fiscal agent. The funds will be used for various domestic security initiatives within the County and the Southeast Florida Region 7, including intelligence operations, training and exercises, and equipment for our specialty teams. **There is no match requirement associated with this award.** Countywide (LDC)

DD. MEDICAL EXAMINER

1. Staff recommends motion to:

**A) receive and file** a subrecipient agreement for federal grant funding assistance through Florida's administering agency: The Florida Department of Law Enforcement (FDLE) in the amount of \$2,375 for genetic testing for the period of March 28, 2019 through December 31, 2019; and

**B) approve** a downward budget amendment of \$625 in the general fund to adjust the budget to reflect the actual grant award of \$2,375.

**SUMMARY:** The United States Department of Justice, Office of Justice Programs, National Institute of Justice has awarded the FY2018 Paul Coverdell Forensic Sciences Improvement Act Formula Grant Program, CFDA No. 16.742: Federal grant award number 2018-CD-BX-0017, to the Palm Beach County Medical Examiner's Office, through the FDLE. The grant funding will be used for genetic testing on five Medical Examiner cases at \$475 each. On June 4, 2013 (R2013-0704), the County Administrator or designee was authorized to execute future grant agreements, amendments, and modifications with the FDLE. **No County match is required for this grant.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. Staff recommends motion to approve: reappointment of the following individuals to the Equal Business Opportunity Advisory Committee (EBOAC) for the seats and terms indicated below.

<u>REAPPOINT</u>	<u>SEAT</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Bonnie Horner	3	Business Incubator Program	06/17/19-06/15/22	Comm. Valeche Comm. Weinroth
Juan Pagan	7	Hispanic Business Organization	06/04/19-06/15/22	Mayor Bernard Comm. Weiss Comm. McKinlay Comm. Weinroth
Seabron Smith	13	Financial Institution that assists Small Business	06/17/19-06/15/22	Mayor Bernard Comm. Weiss Comm. McKinlay Comm. Weinroth

**SUMMARY:** The EBOAC is established pursuant to Section 2-80.28(f) of the Palm Beach County Code. The Committee consists of 15 members representing one African American business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women’s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. The Committee supports the nominations and a memo was sent to the Board of County Commissioners on April 22, 2019 and April 23, 2019, respectively, requesting approval of the recommendation. No other nominations were received. The Committee seat terms are for three years, and the Committee reviews and evaluates the effectiveness of equal business opportunity programs within County Government. Of the 15 members, the current diversity count is: Caucasian: 6 (40.0%), African American: 6 (40.0%), and Hispanic: 3 (20.0%). The gender ratio (female: male) is 9:6. The nominees for reappointment are: Ms. Bonnie Horner, Caucasian female; Mr. Juan Pagan, Hispanic-American male; and Mr. Seabron Smith, African-American male. Countywide (DB)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL

- 1. [Staff recommends motion to approve:](#) the appointment of an “At-Large” member to the Tourist Development Council Board to complete the remainder of the term left vacant by West Palm Beach Mayor Keith James.

<u>Appointment</u>	<u>Seat #</u>	<u>Term</u>	<u>Nominated by</u>
Commissioner Kelly Shoaf	At-Large	6/4/19-9/30/22	City of WPB

**SUMMARY:** The Tourist Development Council (TDC) was established by Resolution No. R81-275, adopted March 3, 1981; Chapter 125.0104 F.S. “The Levy of a Tourist Development Tax pursuant to the “LOCAL OPTION TOURIST DEVELOPMENT ACT,’ Palm Beach County Code 117-111. This Code sets up the nine member Tourist Development Council. One member shall be the Chair of the BCC or designee who shall serve as the Chair of the Council. Of the remaining eight members appointed by the BCC; two members shall be elected municipal officials, one of whom shall be from the most populous municipality in Palm Beach County. Keith James is current Mayor of the City of West Palm Beach, the most populous municipality in Palm Beach County. Commissioner Kelly Shoaf represents District 1 in West Palm Beach and has been selected to serve on the Tourist Development Council and represent the City of West Palm Beach to complete Keith James term expiring on 9/30/2022. The TDC has eight member seats currently filled and a diversity count of Caucasian: 6 (75%) and African-American: 2 (25%). The gender ratio (male:female) is 5:3. (TDC) Countywide (DN)

\* \* \* \* \*

4. REGULAR AGENDA

A. COUNTY ATTORNEY

1. [Staff recommends a 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, Florida, amending the Tourist Development Ordinance of Palm Beach County, Ordinance 95-30, as amended, amending Article III, Chapter 17 of the Palm Beach County Code; amending Section 17-117 entitled Vacation Rentals; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions and providing for an effective date. **SUMMARY:** The purpose of this ordinance is to clarify the County's regulation of short-term rental units, as defined in Palm Beach County Ordinance No. 95-30, as amended. This amendment is recommended due to current litigation involving Hosting Platform/Booking Service companies, the County and Tax Collector. The League of Cities concurred with adoption of this ordinance at its April 24, 2019 meeting. Countywide (JB)

B. FACILITIES DEVELOPMENT AND OPERATIONS

1. [Staff recommends motion to:](#)
  - A) **adopt** a resolution authorizing the conveyance of a 303 square foot parcel of land located on the south side of Blue Heron Boulevard, east of Phil Foster Park, in Riviera Beach, to Singer Island Gateway, LLC (Gateway) for \$9,000 with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 270.11; and
  - B) **approve** a County Deed in favor of Gateway.

**SUMMARY:** The subject 303 square foot parcel is approximately 3' wide and 100' long and is located on the south side of Blue Heron Boulevard, east of Phil Foster Park in Riviera Beach. The County and Florida Department of Transportation (FDOT) jointly filed an Order of Taking for this 3-foot strip in November 1972 and in 1986 received a Stipulated Final Judgement (Judgement) against Gateway's predecessors in interest. The 3' strip was required for State Road A-1-A (Blue Heron Boulevard) Right-of-Way and is no longer required by FDOT or the County. Gateway is in the process of developing its property and has requested that the County and FDOT convey the 3' strip back to them since it is not required for the right-of-way. The assessed value of the property is \$11,185. Staff was not able to obtain any documentation to support that the County funded any of the expense associated with condemnation of this 3' strip and believes FDOT paid all costs of acquiring this strip as part of the Blue Heron Boulevard right-of-way project. FDOT has already released their interest in this 3' strip for the appraised value of \$9,000. Gateway has agreed to pay the County \$9,000 for release of the County's interest. In total, Gateway will have paid \$18,000, which far exceeds the \$11,185 assessed value and the FDOT's 2018 \$9,000 appraised value. Gateway and FDOT are the only property owners that have property which abuts this 3' strip and could use it. The County will sell its interest in this 3' strip pursuant to Florida Statutes Section 125.35 (2). The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, but will not retain rights of entry and exploration. The County's Roadway Production Division has reviewed the request and have no objection to the conveyance. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (PREM) District 1 (HJF)

4. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to:

**A) adopt** a resolution authorizing a second amendment to Concessionaire Service Agreement dated June 19, 2012 (R2012-0892), as amended, with Kayak-King Watersports, Inc. (KKW), for the continued operation of a water sports and recreational rental concession at Okeeheelee Park on a month to month basis commencing July 1, 2019, until terminated at an annual rate of \$7,320.06 (\$610.01/monthly);

**B) approve** a second amendment to Concessionaire Service Agreement (R2012-0892) with Kayak-King Watersports, Inc.(KKW); and

**C) delegate** authority to terminate the Concessionaire Service Agreement to the County Administrator or designee.

**SUMMARY:** Kayak-King Watersports, Inc. (KKW) has operated its concession at Okeeheelee Park under this existing Concessionaire Service Agreement (R2012-0892) since July 2012. On May 2, 2017, the Board approved the first amendment (R2017-0550) exercising the second and final two year option, which expires on June 30, 2019. Pending implementation of the County's new Equal Business Opportunity (EBO) Ordinance, the issuance of a new Request for Proposals (RFP) has been delayed. Rather than close the concession building until a new concessionaire agreement is awarded, KKW has agreed to continue to provide concession services until such time the RFP process is completed and a new agreement is awarded. Staff believes it to be in the County's best interest to extend the agreement with KKW. This second amendment extends the term of the agreement on a month-to-month basis commencing July 1, 2019 until terminated. The annual rent will remain at \$7,320.06 (\$610.01/monthly). This second amendment also updates the non-discrimination and insurance provisions. The County may terminate the agreement at any time upon 15 days' notice to KKW. All other terms and conditions of the agreement shall remain in full force and effect. Parks will continue to have administrative responsibility for this agreement. (PREM) District 2 (HJF)

3. Staff requests board direction: regarding the lease agreement with LJL Food Management, Inc., d/b/a Tina's Cafe (R2002-0829). **SUMMARY:** On January 15, 2019, the Board approved a sixth amendment (R2019-0155) which would extend the term for one year through January 31, 2020 rather than conduct a new Request for Proposals (RFP). Tina's Café is unwilling to accept a simple one-year extension. While Tina's has indicated they plan to do \$50,000 in renovations and a one year extension does not provide sufficient time for Tina's to recoup their investment, it has not provided staff with any documentation as to the improvements to be made or the length of extension desired. If the Board desires to further extend the term of the lease, Board direction will be required on the following terms: **i)** length of extension; **ii)** minimum required level of investment in improvements; **iii)** a deadline for completing said improvements; and **iv)** the rental rate. (PREM) Countywide (HJF)

4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

**A)** a Data Sharing Agreement with the Florida Department of Economic Opportunity; and

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

**SUMMARY:** Under this three-year agreement, the County will be able to obtain detailed census information on employment and wages at no cost. The Department of Housing and Economic Sustainability (DHES) uses this information to perform economic impact analyses for proposed projects in terms of job creation and gross domestic product. Since this information is not publicly available, the agreement is needed to establish guidelines for receiving confidential Quarterly Census of Employment and Wages (QCEW) data including confidential Reemployment Assistance Program data. The QCEW provides data such as: the number of employers or reporting units, monthly employment, average employment, total wages, and average wages by the North American Industry Classification System. Countywide (JB)

2. Staff recommends motion to approve: a tri-party agreement with the Mary Alice Fortin Child Care Foundation, Inc. (MAFCCF) and the Palm Beach County Housing Authority (PBCHA), related to the continued operation of the childcare center at New South Bay Villas. **SUMMARY:** Staff recommends Board of County Commissioners' approval of the agreement, which will consent to MAFCCF's continued operation of a childcare center on the site of the PBCHA's New South Bay Villas property. PBCHA owns the property, located at 110 Harrelle Drive in South Bay, where in 2013 they received assistance from the County through the Neighborhood Stabilization Program (NSP) and the Community Development Block Grant (CDBG) Program for acquisition and housing rehabilitation. The tri-party agreement is a Non-Disturbance and Attornment Agreement, which means that the County will not interfere with the PBCHA/MAFCCF lease, and provides that if the County acquires the property through foreclosure, it will honor the existing lease. Additionally, the agreement provides the County's formal consent to the lease between PBCHA and MAFCCF, and the use of the portion of the property for the purposes of the childcare center. The County holds three Declarations of Restrictions (DORs) recorded against the property which were taken to secure the funding assistance and which require the provision of affordable housing for low and moderate-income persons. Since PBCHA's acquisition of the property, MAFCCF has informally operated a childcare center in a non-residential section of the property providing free services to approximately 50 local children. PBCHA and MAFCCF have executed a lease to memorialize the terms for continued operation of the childcare center. Staff has no objections to the lease between MAFCCF and PBCHA, and recommends approval and execution of the tri-party agreement. District 6 (HF)

4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the conveyance of certain real residential property to the Community Land Trust of Palm Beach County, Inc., pursuant to Florida Statutes Section 125.38, without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and providing for an effective date; and

**B) approve** a County Deed in favor of the Community Land Trust of Palm Beach County, Inc. (CLT) conveying a residential property at 4462 Davis Road in unincorporated Palm Beach County.

**SUMMARY:** Staff recommends Board of County Commissioners' approval of the donation of land to the CLT, a Florida not-for-profit corporation. The property is a 1.0033-acre vacant residential property located at 4462 Davis Road in unincorporated Palm Beach County (PCN: 00-43-44-30-01-057-0040). The property escheated to the County in November 1999 pursuant to Section 197.502(8), Florida Statutes. The appraised value of the property is \$220,000. The Property Review Committee was not required to review the conveyance in accordance with PPM CW-L-23 since the appraised value is less than \$250,000. The CLT has successfully implemented both single-family and multi-family housing projects and has an established track record in the affordable housing arena in Palm Beach County using the community land trust model for homeownership projects. The CLT is proposing to develop at least four affordable attached single-family homes each with three bedrooms, two bathrooms and a one car garage. The homes will be offered for sale using the CLT model whereby the homebuyer enters into a 99-year land lease and purchases the improvements to the property while the CLT holds title to the land in perpetuity for purposes of affordable housing. The homes will be sold to families earning no more than 120% of Area Median Income and the anticipated sales price for buyers will not exceed \$245,000. **The Board should be cognizant that as a result of the County's affordability restrictions on the property, the units cannot be used to meet a Workforce Housing Program (WHP) obligation.** Mineral and petroleum rights on the property will be retained by the County in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. Approval of this item will convey County-owned property to the CLT and result in an increase in the County's affordable housing stock. **Pursuant to the PREM Ordinance, a Supermajority Vote of five Commissioners is required to approve the conveyance.** District 3 (HJF)

4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to approve:

**A)** an Economic Development Incentive Agreement (Agreement) with ORBCOMM, LLC (Company), to provide a cash grant in an amount not to exceed \$19,200 over a five year period;

**B)** a budget transfer of \$19,200 from the General Fund Contingency Reserves to the Economic Development Fund; and

**C)** a budget amendment of \$19,200 in the Economic Development Fund to recognize the funds from the General Fund.

**SUMMARY:** Staff is recommending approval of an Economic Development Incentive Agreement with ORBCOMM, LLC. On October 16, 2018, the Board of County Commissioners (BCC) conceptually approved (R2018-1679) an Economic Development Incentive (Incentive) for the Company totaling \$19,200. This Agreement discloses the name of the Company, ORBCOMM, LLC, previously referred to as Project Saturn. The Company is a single source provider of multi-network connectivity, devices, and applications for a variety of industries including transportation and distribution, oil and gas, and heavy equipment. The Agreement requires the Company to make a minimum capital investment of \$580,000 to lease, renovate, and equip an 11,500 square foot facility. The Company shall create 32 new jobs over a two-year period. These new jobs must have an annualized average wage of \$76,647 excluding benefits and a median wage of \$65,000 excluding benefits. The Company is required to maintain the new jobs for three years from the date this Agreement becomes effective. The five-year economic impact is estimated to be \$51.7 Million. The Agreement incorporates Economic Development Incentive program policy changes approved by the BCC on April 16, 2019. These changes include reducing the maintenance period for new and retained jobs from five to three years and eliminating the County's audit requirement; and accepting the State's audit requirement. The Agreement requires a performance security in the form of either a clean, irrevocable Letter of Credit or Cash Bond equal to the full amount of the maximum Incentive to be awarded to the Company. In addition, the Agreement states that in the event the Company fails to satisfy job creation requirements but fulfills all other applicable requirements, the Company shall forfeit a pro-rata share of the Incentive amount due for the number of jobs created. If the Company's fulfillment of the job creation requirement falls below 80%, the County has the right, in its sole discretion to terminate the Agreement. The State of Florida approved a Qualified Target Industry (QTI) tax refund for the Company in the amount of \$192,000. Of this amount, \$153,600 is from the State of Florida and \$38,400 is a required match from local government entities. The Company and the State are entering into an agreement for the QTI tax refund. The required \$38,400 match to the QTI tax refund will be split equally between Palm Beach County (\$19,200) and the City of Boca Raton (\$19,200). The Palm Beach County match will be provided in the form of a cash grant in an amount not to exceed \$19,200 over a five year period provided the project meets the requirements under Florida Statute 196.012. District 4 (DB)



4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to:

**A) approve** the application of Grandview Preparatory School, Inc. (Borrower) for the issuance of the County's Revenue Bonds (Grandview Preparatory School, Inc. Project) Series 2019 in an aggregate principal amount not to exceed \$5,000,000 (Bonds);

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

**C) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida: (I) authorizing the issuance of the County's Revenue Bonds (Grandview Preparatory School, Inc. Project), Series 2019 (the Bonds) for the purpose of providing funds to make a loan to Grandview Preparatory School, Inc. (the Borrower) to provide funds to finance certain costs incurred by the Borrower in connection with the private school facilities operated by the Borrower and to pay the costs of issuing the Bonds; (II) authorizing the execution of a Financing Agreement; (III) awarding the sale of the Bonds by a negotiated sale; (IV) authorizing officials of the County to take certain action in connection with the issuance of the Bonds; (V) making certain other covenants and agreements in connection with the issuance of the Bonds; and (VI) providing an effective date.

**SUMMARY:** The Borrower has applied for the issuance of industrial development revenue bonds by the County in an amount not to exceed \$5,000,000. Bond proceeds will be used to finance the acquisition of real and personal property currently leased by the Borrower. Grandview Preparatory School, located on a 7.46 acre campus at 336 Spanish River Blvd., NW, in Boca Raton, serves 250 students in grades pre-K through 12. **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 4 (DB)

4. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

6. Staff recommends motion to:

**A) approve** the acquisition of four parcels of land (Parcels) in the Brooks Subdivision site, located in Riviera Beach;

**B) conceptually approve** an Interlocal Agreement (Agreement) with the City of Riviera Beach (City);

**C) delegate** authority to the County Administrator or designee to execute the Agreement with the City of Riviera Beach and any amendments to the Agreement, along with any documents necessary to complete the acquisition; and

**D) authorize** the expenditure of up to \$130,000 to be used for the acquisition of the Parcels.

**SUMMARY:** Staff recommends Board of County Commissioners' (BCC) approval to expend up to \$130,000 to acquire the Parcels and execute the Agreement with the City to complete the County's ownership of the entire subdivision. Brooks Subdivision is a single-family, mixed-income affordable housing development that was not completed, and remains vacant. It is comprised of 22 parcels, including 18 parcels currently owned by the County and the Parcels currently owned by Prodigy Capital (Prodigy). On April 10, 2018, the BCC authorized the expenditure of up to \$120,000 (Agenda Item 5C-1) to acquire the Parcels through the tax deed process with the maximum amount of the bid not to exceed the appraised value totaling \$98,000. The County was not successful in the bid for \$98,000 and the Parcels were acquired by Prodigy for \$108,500 via a Tax Deed Sale on July 18, 2018. The Parcels are encumbered by multiple code enforcement liens and a mortgage in favor of the City in the amount of \$500,000 (the Mortgage), both of which remained in place after the tax deed sale process. The City and County have reached a proposed settlement with Prodigy to acquire the Parcels for \$130,000. The purchase price of \$130,000 exceeds the \$98,000 appraisal value by \$32,000 or 33%. If the settlement offer is accepted, the County would contribute \$120,000 toward the purchase and the remaining \$10,000 would be contributed by the City. The City would also process the satisfaction of Mortgage which was conceptually approved by the Riviera Beach City Council on May 15, 2019. At that meeting, as part of the project, the Council requested the County consider establishing an outreach and first-time homebuyer initiative focused on income-eligible teachers, City residents and employees. Contingent on Board approval, staff will finalize the Agreement to define the terms and conditions for the contributions toward the purchase of the Parcels, satisfaction of the Mortgage along with the outreach initiative. After the Agreement is executed, staff will then proceed with the purchase of the Parcels from Prodigy and utilize the remaining \$10,000 from the County for updated title searches, title insurance policies, updated appraisals, and recording costs. The funding for the acquisitions and all expenses related thereto is from the State Housing Initiatives Partnership (SHIP) Program. **This transaction requires a supermajority (5 votes) for approval. These are State grant funds which require no local match.** District 7 (HJF)

4. REGULAR AGENDA

D. PLANNING, ZONING & BUILDING

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida repealing and replacing Resolution R74-183 and amended by Resolution R91-1145, providing for the creation of the Uniform Addressing System. **SUMMARY:** In 1974, the BCC adopted a resolution establishing a set of policies and procedures for house numbering and street naming in Palm Beach County. In 1991, the resolution was amended to include Vanity Street Name changes. The proposed resolution will eliminate duplication and similarity of street names and improve and enhance the response time for medical services. The Planning, Zoning and Building Department (PZB) maintains an Addressing Section which has the responsibility of assigning addresses to buildings at the time of platting, submittal of a building permit application, and to fix discrepancies. Addresses are created based on a grid system specific to Palm Beach County where the number increases from east to west and north and south of Southern Boulevard. PZB Addressing also assigns street names based on standards established in the proposed resolution. Countywide (RPB)

E. ADMINISTRATION

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, June 18, 2019, at 9:30 a.m.: an ordinance repealing and replacing Palm Beach County Code, Section 25-1, and Ordinance No. 96-9, as amended, establishing a new Garbage and Yard Waste Collection Ordinance in Palm Beach County, Florida; providing for title; applicability; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date. **SUMMARY:** The repeal and replacement of Palm Beach County Code, Section 25-1, and Ordinance No. 96-9 is necessary due to the increase in population and development in Palm Beach County that has resulted in the need for new and improved methods of collection through automation and a need for better efficiency in collection while maintaining a high level of service throughout the County. New, larger garbage carts will be provided to the public that will also assist the haulers in maintaining an orderly, timely and consistent schedule for the collection of garbage and yard waste. The new ordinance will also limit the time that garbage and yard waste will remain at the collection point and in public view. Countywide (HJF)
2. Staff recommends motion to authorize: the Mayor to sign the following letters addressed to the US Army Corps of Engineers/South Florida Water Management District and the Everglades Caucus. **SUMMARY:** On May 7, 2019, Commissioners from Palm Beach, Martin, Hendry, Glades and Okeechobee Counties held a public meeting to discuss local government interests as stakeholders in the management of Lake Okeechobee. The letter to the US Army Corps of Engineers/South Florida Water Management District highlights what the five counties agree on which are the fundamental principles for future management of Lake Okeechobee. All of the counties are vested in completing CERP as its projects will bring about significant improvements in water quality, quantity and timing that will result in substantial progress towards resolving the current challenges in water management. More specifically, management that occasionally allows for aquatic vegetation growth which contributes the highest value water quality treatment in the Lake at frequencies supported by science must be a high consideration. The Counties are supportive of the development of the new Lake Okeechobee System Operating Manual (LOSOM). The Counties agree that LOSOM should take into account the concerns from both coastal communities as well as the concerns from the communities surrounding Lake Okeechobee. The second letter is an invitation to the co-chairs of the Everglades Caucus to meet with the County Commissioners, visit the communities and economies that are affected by Lake Okeechobee operations, and share items of mutual concern. Countywide (HJF)

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5. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING

- 1. ~~Staff recommends motion to approve: appointment of one of the following individuals to the Planning Commission for the term June 4, 2019 to June 7, 2022.~~

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Reinaldo Diaz	16	At-Large	Commissioner Weiss

**OR**

Alan Goodman	16	At-Large	Commissioner Berger
			Commissioner McKinlay
			Commissioner Weinroth

**SUMMARY:** ~~The Planning Commission was created by Ordinance 2008-003, which replaced the Land Use Advisory Board established by Resolution No. R90-1987. The Unified Land Development Code (ULDC) Article 2.G.3.J. provides for the membership of the Planning Commission (PLC) to have 16 members, consisting of 15 members appointed by the Board of County Commissioners (BCC) and one non-voting representative of the School District. Each District Commissioner appoints two members and one member is appointed at-large by a majority vote of the BCC. This at-large position is to fill an existing vacancy. The term of office of each member is for three years. The board has 15 voting members with 13 seats currently filled and a diversity count of Caucasian: 8 (61%), African-American: 3 (23%), Hispanic-American: 1 (8%), Native American: 1 (8%). The gender ratio (male:female) is 6:7. Mr. Goodman is a Caucasian male and Mr. Diaz is a Hispanic-American male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (RPB)~~

B. COMMISSION DISTRICT APPOINTMENTS

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**JUNE 4, 2019**

**6. MATTERS BY THE PUBLIC – 2:00 P.M.**

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**JUNE 4, 2019**

**7. ADJOURNMENT**

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