

August 20, 2019
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

AUGUST 20, 2019

<u>PAGE</u>	<u>ITEM</u>	
9	2C-5	ADD-ON: Proclamation recognizing August 26th, 2019 as Women's Equality Day in Palm Beach County (Sponsored by Commissioner Berger)
34	3F-9	DELETED FOR FURTHER STAFF REVIEW (Airports)
77	5E-1*	DELETED FOR FURTHER STAFF REVIEW (FDO)
77	5E-2*	DELETED FOR FURTHER STAFF REVIEW (FDO)

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**

AUGUST 20, 2019

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 9)
 - D. Staff Comments (Page 10)
 - E. Commissioner Comments (Page 11)

- 3. CONSENT AGENDA (Pages 12-68)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 69-70)**

- 5. REGULAR AGENDA (Pages 71-77)**
TIME CERTAIN: 11:00AM (Village of Palm Springs CRA Request) (Page 71)

- 6. BOARD APPOINTMENTS (Page 78)**

- 7. ADJOURNMENT (Page 79)**

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- 2C-2 International Overdose Awareness Day
- 2C-3 LIHEAP Awareness Month
- 2C-4 55th Anniversary of Legislation Supporting the “War on Poverty” Day

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- 3A-6 Golf Tournament Agreement with Trump International Golf Club, L.C. and the Boys & Girls Clubs of Palm Beach County, Inc.
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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
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- 3B-6 Receive and file a list of Clerk & Comptroller Finance Department records that have been converted to an electronic format
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2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring August 2019 as Breastfeeding Month in Palm Beach County (Sponsored by Mayor Bernard)
2. Proclamation declaring August 31, 2019 as International Overdose Awareness Day in Palm Beach County (Sponsored by Commissioner McKinlay)
3. Proclamation declaring August 2019 as LIHEAP Awareness Month in Palm Beach County (Sponsored by Mayor Bernard)
4. Proclamation declaring August 20, 2019 as the 55th Anniversary of Legislation Supporting the “War on Poverty” Day in Palm Beach County (Sponsored by Commissioner McKinlay)
5. **ADD-ON:** Proclamation recognizing August 26th, 2019 as Women’s Equality Day in Palm Beach County (Sponsored by Commissioner Berger)

* * * * *

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

AUGUST 20, 2019

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER, VICE MAYOR

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARY LOU BERGER

Request for off-site Proclamation declaring September 2019 as the 50th Anniversary of the Palm Beach County Library System in Palm Beach County

District 6 - COMMISSIONER MELISSA MCKINLAY

Request for off-site Proclamation declaring September 28, 2019 as Caribbean-American for Community Involvement Day in Palm Beach County

District 7 – COMMISSIONER MACK BERNARD, MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the appointment of two individuals to the Health Council of Southeast Florida, Inc. for a two year term beginning August 20, 2019 and ending August 19, 2021:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Brandon Williams	5	Health Care Consumer	Mayor Bernard Comm. McKinlay
Elisabeth Franklin	6	Health Care Consumer	Comm. McKinlay Comm. Weinroth Mayor Bernard

SUMMARY: The Health Council of Southeast Florida, Inc. (Council) is a not-for-profit corporation established pursuant to Section 408.033, Florida Statutes, for the purpose of providing and coordinating health planning activities within Palm Beach, Martin, St. Lucie, Indian River and Okeechobee Counties. The Council consists of 12 members: six representatives for Palm Beach County; two members appointed by Martin County; two members appointed by St. Lucie County; one member appointed by Indian River County; and one member appointed by Okeechobee County. The appointees must be representatives of health care providers, health care purchasers, and non-governmental health care consumers, not to exclude elected government officials. Memos dated June 6, 2019 and July 3, 2019, were circulated to the Board of County Commissioners requesting support of Mr. Williams' and Ms. Franklin's appointment or requesting additional nominations. No additional nominations were received. With these appointments, the diversity of the Palm Beach County representatives (6) include three Caucasian females and three African-American males. Countywide (HH)

2. Staff recommends a motion to approve:

A) an expenditure of \$21,300 for the installation of seven speed humps in the San Castle Countywide Community Revitalization Team (CCRT) area;

B) an expenditure of \$63,000 for the installation of 15 speed humps in the Plantation CCRT area;

C) an expenditure of \$16,800 for the installation of four speed humps in the City of Pahokee; and

D) a transfer within the 3900 Capital Outlay Fund for the following projects:

1. San Castle Speed Humps Installation Project for \$21,300
2. Plantation Speed Humps Installation Project for \$63,000
3. Pahokee Speed Humps Installation Project for \$16,800

SUMMARY: The installation of speed humps was requested by neighborhood residents from the Plantation and San Castle CCRT areas and by the City of Pahokee to address the need to slow down traffic and improve safety along County roadways. Approval of the requested funds and the associated budget transfer will fund the construction of a total of 26 speed humps. County policy requires that 60 percent of affected property owners for each street, sign a petition in support of the project. The necessary supporting petitions for the three projects have been received, reviewed and approved by Traffic Engineering, and staff is recommending approval of the projects. Districts 2, 6 & 7 (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. Staff recommends motion to approve:

A) an interlocal agreement with Broward County for the cost share support of services for a Southeast Florida Regional Climate Change Compact Business Case for Resilience in Southeast Florida report; and

B) a budget transfer of \$33,000 from the General Government to the Office of Resilience to fund the report.

SUMMARY: The economics of sea level rise, flooding, and resilience are essential to encourage continued action to address Southeast Florida's climate impact challenges. The Southeast Florida Regional Climate Change Compact (Compact) would like to establish the business case for resilience by hiring the non-profit Urban Land Institute (ULI) to produce a Business Case for Resilience in Southeast Florida Report (Report) that will analyze economic risks from flooding, economic benefits from resilience actions, and economic opportunities for resilience investments. The Report will also provide strategies to encourage and improve community resilience. The Compact expects the Report to cost \$225,000. To streamline procurement, the Compact is splitting the ULI Report payment. Broward County will pay ULI \$158,000, of which Palm Beach County will fund \$33,000, Broward County will fund \$50,000, and a Florida Department of Environmental Protection grant will fund \$75,000. The Beacon Council will pay ULI for the remaining portion, which includes a \$50,000 Miami-Dade County contribution. Pursuant to the Contract Development and Control PPM, contracts similar to this interlocal agreement should include language indicating that activity contemplated by the agreement is subject to Inspector General review. Broward County refuses to enter into this agreement unless this language is omitted. Omitting this language from the agreement does not affect the Inspector General's authority established by County Ordinance. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

4. Staff recommends motion to approve: the reappointment of three current members and the appointment of one new member to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seats and terms indicated below.

<u>Reappointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
George T. Elmore	4	8/20/19-8/19/22	Private Sector	Business Development Board of Palm Beach County, Inc.
Margaret Pearson	5	8/20/19-8/19/22	Private Sector	Business Development Board of Palm Beach County, Inc.
R. Penny Rodgers	20	8/20/19-8/19/22	Private Sector	Business Development Board of Palm Beach County, Inc.

<u>Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Christopher Cothran	7	8/20/19-8/19/22	Private Sector	Business Development Board of Palm Beach County, Inc.

SUMMARY: On November 18, 2014, the Board of County Commissioners (BCC) approved the third amendment to Interlocal Agreement (R2014-1650) creating the Palm Beach Workforce Development Consortium (R2007-1220) which establishes the current Board composition. The Agreement states that 14 private sector members are appointed by the BCC. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 3 to this agenda item. The Board has a maximum of 33 seats with 22 currently filled and a diversity count of Caucasian: 16 (73%), African-American: 5 (23%) and Hispanic: 1 (5%). The gender ratio (female:male) is: 9:13. The nominees are two Caucasian males and two Caucasian females. Countywide (HH)

5. Staff recommends motion to approve: the reappointment of the following individual to the South Florida Regional Transportation Authority (SFRTA) for a term of four years beginning August 20, 2019 and ending July 31, 2023:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
F. Martin Perry	4	Palm Beach County Resident with Business or Civic Interest	Comm. Weinroth Comm. Valeche

SUMMARY: The SFRTA was created pursuant to Section 343.53, Florida Statutes. The SFRTA is comprised on ten voting members: one county commissioner each from Miami-Dade, Broward and Palm Beach counties; one citizen member (business/civic interest) from each of the three counties, the secretary of the Department of Transportation; and three citizens of the three counties selected by the Governor. On July 30, 2019, staff distributed a memo to the Board of County Commissioners requesting support for the reappointment of Mr. Perry or requesting additional nominees for consideration. No other nominations were received. The SFRTA has ten members with a diversity count of nine Caucasian males and one Hispanic male. Mr. Perry is a Caucasian male. Countywide (DR)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

6. **Staff recommends motion to approve:** a Golf Tournament Agreement between Palm Beach County, Trump International Golf Club, L.C. and the Boys & Girls Clubs of Palm Beach County, Inc. for a one day charitable golf tournament to be held on November 11, 2019. **SUMMARY:** The Development Site Lease Agreement with the Trump International Golf Club, L.C. (TIGC), approved on September 3, 1996 (R96-1277D), allows the use of the golf course during the months of May through October for the County to host either a single two-day, or two one-day charitable golf tournament(s). The Golf Tournament Agreement provides for the Trump International Golf Club to be available exclusively for the tournament to be held on November 11, 2019. Proceeds from the tournament will benefit the Boys and Girls Clubs of Palm Beach County, Inc. Pursuant to the County's policy pertaining to the rotation schedule for selecting an organization to participate in the charity golf tournament, District 5 has chosen the Boys and Girls Clubs of Palm Beach County, Inc. for this year. Countywide (AH)

7. **Staff recommends motion to receive and file:** a resolution from the Palm Beach Transportation Planning Agency (TPA) providing notification of its election to extend the term of its agreement with Palm Beach County (County) from September 30, 2019 to September 30, 2020. **SUMMARY:** Staff recommends the Board of County Commissioners receive and file the TPA Resolution (R2019-10). On March 12, 2013, the County and the TPA entered into an agreement for staff and services to describe the parties' roles and obligations regarding their duties and the scope of services each is to provide to the other. The original term of this agreement began on April 1, 2013 and continued up to and including September 30, 2018. On April 10, 2018, the County and the TPA executed the first amendment to the agreement. Section 3.1 of the Amended Agreement extended the term to September 30, 2019 and granted the TPA the option to extend the term of the agreement for up to two additional one year periods upon written notification to the County, at least 90 days prior to the expiration of the then current term of the agreement. Countywide (DR)

8. **Staff recommends motion to ratify:** the following Palm Beach County League of Cities (League) representative to the Treasure Coast Regional Planning Council (TCRPC) for the term ending November 30, 2019:

<u>Nominee</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Alternate appointment:</u>		
Joseph Peduzzi, Commissioner	4A	City of West Palm Beach

SUMMARY: In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed six Commissioners (three members and three alternates) to serve on the TCRPC. In addition, as required by the TCRPC bylaws, the BCC ratified the League's representatives. Staff has been notified that the League has made a change in the municipal representation. Commissioner Joseph Peduzzi has been appointed by the League to fill an alternate seat, which was left vacant by former elected official Commissioner Paula Ryan. The TCRPC Rules of Order also require the BCC ratify the League's members. The League appointed the above municipal representative at their July 24, 2019 meeting. Countywide (RPB)

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
Joint Workshop	January 17, 2019
Workshop	April 30, 2019
Regular	June 4, 2019
Budget	June 10, 2019
Regular	June 18, 2019

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** 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 October 2017. Countywide
5. **Staff recommends motion to receive and file:** two of Palm Beach County’s annual financial reports for fiscal year ended September 30, 2018.

A) The Units of Local Government – Annual Financial Report (AFR); and

B) Annual Financial Audit Report (AFAR), including the Single Audit Report.

SUMMARY: The Units of Local Government Report is an Annual Financial Report which serves to generate input to the state. The Annual Financial Audit Report is a special annual financial report defined in Chapter 10.550 of the rules of the Auditor General. This report is required to be filed annually with the Auditor General in compliance with Section 11.45, Florida Statutes, and includes the Single Audit Report. Countywide (DB)

6. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller Finance Department records which have been converted to an electronic format. **SUMMARY:** These records have been converted from paper to an electronic format. The electronic records will be maintained according to their required retention schedule under the State of Florida’s General Records Schedule GSI-SL for State and Local Government Agencies. (Ch. 119, Ch. 257) Countywide
7. **Staff recommends motion to receive and file:** a list of Clerk & Comptroller (Clerk) Finance Department records which have met the revised required State retention schedule and are scheduled for destruction. **SUMMARY:** These records have met the required retention schedule of the Florida Division of Library and Information Services (§28.30, §28.31, §257.36 (6))
8. **Staff recommends motion to approve:** list of errors, insolvencies, double assessments, discounts & value adjustment board reductions on the 2018 assessment roll. **SUMMARY:** Section 197.492, Florida Statutes, requires that on or before the 60th day after the tax certificate sale, the Tax Collector shall make out a report to the Board of County Commissioners, separately showing the discounts, errors and double assessments and insolvencies for which credit is to be given, including in every case except discounts, the names of the parties on whose account the credit is to be allowed. Countywide (DB)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to receive and file:

A) Amendment Number Four to the County Incentive Grant Program (CIGP) agreement, R2013-1291, with the Florida Department of Transportation (FDOT) extending the expiration date of the CIGP agreement for the design of the Congress Avenue extension from Northlake Boulevard to Alt A-1-A to December 30, 2019; and

B) Amendment Number One to the CIGP agreement, R2017-0025, with the FDOT extending the expiration date of the CIGP agreement for the construction of intersection improvements at SR809/Military Trail and Northlake Boulevard to December 31, 2019; and

C) Amendment Number Two to the CIGP agreement, R2016-0609 with the FDOT extending the expiration date of the CIGP agreement for right-of-way acquisition along Congress Avenue Extension from Northlake Boulevard to Alt A-1-A to June 30, 2020.

SUMMARY: In accordance with Countywide 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 Deputy County Engineer approved the amendments, as authorized by Resolution R2012-0035, and delegation from the County Administrator. Final execution by FDOT was on December 4, 2018 for Amendment Number Four, May 2, 2019 for Amendment Number One and March 20, 2019 for Amendment Number Two. District 1 (YBH)

2. Staff recommends motion to adopt: a resolution declaring the acquisition of properties designated as parcel 101, a fee simple road right-of-way, and parcel 301, a temporary construction easement, as necessary for the construction of a northbound right turn lane on South Military Trail at West Linton 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 parcels 101 and 301 having a total appraised value of \$195,194. Although the property owner has cooperated with Palm Beach County and agreed to a negotiated settlement in lieu of contesting the condemnation of the parcels, eminent domain proceedings are necessary to clear existing encumbrances on parcels 101 and 301. This action is necessary to expedite construction of the Project, which is funded in the current Five Year Road Program. The Project includes resurfacing the intersection, installing drainage, sidewalks, and updating a traffic signal at the intersection of West Linton Boulevard and South Military Trail. District 4 (MAB)

3. Staff recommends motion to approve: a task order to the Intersection Improvements Annual Contract R2017-0779 with HSQ Group, Inc., (HSQ) in the amount of \$158,707.15 for professional services for the Okeechobee Boulevard and Haverhill Road Intersection Improvements (Project). **SUMMARY:** Approval of this task order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. Project improvements will include adding a northbound right turn lane and extending the existing northbound left turn lane, including drainage, curb and gutter, sidewalk, and signing and pavement markings. The Goal Setting Committee set a 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative on February 6, 2019. HSQ proposes 100% SBE participation for this task order. HSQ is a Palm Beach County based company and a certified SBE company. Districts 2 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to adopt: three resolutions to declare the acquisition of properties designated as parcel 101 as fee simple road right-of-way and parcels 301, 303A and 303B as temporary construction easements as necessary for the construction of the intersection improvement project at Congress Avenue and Palm Beach Lakes Boulevard (Project). **SUMMARY:** Adoption of these resolutions will initiate eminent domain proceedings pursuant to Florida Statutes, Chapters 73, 74, 127, and 337.27, as amended, against four parcels having a total appraised value of \$258,400. The parcels are necessary for the construction of intersection improvements at Congress Avenue and Palm Beach Lakes Boulevard. The property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases 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 7 (MAB)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve:

A) the third amendment to the annual construction materials testing, geotechnical engineering & inspection contract R2017-1659 dated November 7, 2017 with RADISE International, L.C. (RADISE), to extend the contract expiration date from November 6, 2019 to November 6, 2020, modify the fee schedule, and allow for other amendments to the contract;

B) the third amendment to the annual construction materials testing, geotechnical engineering & inspection contract R2017-1660 dated November 7, 2017 with Terracon Consultants, Inc. (TCI), to extend the contract expiration date from November 6, 2019 to November 6, 2020, and allow for other amendments to the contract;

C) the third amendment to the annual construction materials testing, geotechnical engineering & inspection contract R2017-1661 dated November 7, 2017 with Tierra South Florida, Inc. (TSF), to extend the contract expiration date from November 6, 2019 to November 6, 2020, and allow for other amendments to the contract; and

D) the second amendment to the annual construction materials testing, geotechnical engineering & inspection contract R2017-1722 dated November 21, 2017 with Wood Environment & Infrastructure Solutions, Inc. (Wood), to extend the contract expiration date from November 20, 2019 to November 20, 2020, modify the fee schedule, and allow for other amendments to the contract.

SUMMARY: Approval of these amendments will extend the expiration dates of the contracts with RADISE, TCI and TSF from November 6, 2019 to November 6, 2020, and the contract with Wood from November 20, 2019 to November 20, 2020. These approvals will also amend Section 7.1 – Termination, Section 7.13 – Access and Audits, Section 9 – Criminal History Records Check, Section 12 – Non-Discrimination, and Section 20 – Scrutinized Companies, and add Section 23 – VSS Registration Required. Approval of the third amendment with RADISE and the second amendment with Wood will also adjust their hourly rates as allowed in these original contracts. All the contracts were presented to the Office of Equal Business Opportunity (OEBO), and it was determined by OEBO that they did not need to appear before the Goal Setting Committee. The OEBO approved the renewal of the contract under its current terms because the current S/M/WBE utilization of the SBE vendors on the contract were satisfactory based upon the availability of S/M/WBEs certified to perform the work. The contracts are scheduled for resolicitation at the end of this year pursuant to the new Equal Business Opportunity (EBO) Ordinance. The solicitation for design professionals was advertised prior to the effective date of the EBO Ordinance and pursuant to the Ordinance requirements at that time. The SBE goal for all contracts is 15%. To date, tasks in the amount of \$122,500 have been authorized for RADISE with 100% SBE participation. RADISE is a certified SBE company. Tasks in the amount of \$160,657.65 have been authorized for TCI with 52.78% SBE participation. Tasks in the amount of \$268,312.50 have been authorized for TSF with 0% SBE participation. Tasks in the amount of \$30,500 have been authorized for Wood with 25% SBE participation. RADISE and TSF are Palm Beach County (County) based companies. TCI has a corporate office located in Olathe, Kansas. Wood has a corporate office located in Alpharetta, Georgia. TCI and Wood have offices located in the County. This is the second of two allowable renewals under these contracts. After the second renewal, the contracts will need to be resolicited. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve: a task order to the Intersection Improvements Annual Contract R2017-0778 with Bolton Perez & Associates, Inc., (BPA) in the amount of \$144,729.93 for professional services for the Woolbright Road and Seacrest Boulevard Intersection Improvements (Project). **SUMMARY:** Approval of this task order will provide the professional services necessary for the preparation of design plans and construction bid documents for the Project. Project improvements will include adding an eastbound right turn lane on Woolbright Road at Seacrest Boulevard including drainage, curb and gutter, sidewalk, and signing and pavement markings. The Goal Setting Committee set a 20% mandatory Small Business Enterprise (SBE) subcontracting goal for this task as the Affirmative Procurement Initiative on February 6, 2019. BPA proposes 22.28% SBE participation for this task order. BPA has a corporate office in Miami and offices located in Palm Beach County (County). District 7 (YBH)
7. Staff recommends motion to receive and file: a proportionate share agreement for \$434,116, Project Control Number 2018-1515, with Mattamy Palm Beach LLC dated May 14, 2019, for their proposed project located at the southwest corner of Polo Road and Lake Worth Road. **SUMMARY:** In accordance with Countywide PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. This agreement was executed by the County Administrator on May 14, 2019, per Resolution R2016-0125. District 6 (LB)
8. Staff recommends motion to approve:
 - A) the first amendment to the Congress Avenue from north of Northlake Boulevard to Alternate A-1-A (Project) contract (R2013-1537) with Kimley-Horn and Associates, Inc. (KHA), to update language in sections 5.2, 7.1, 7.13, 9, 12, and 20; and add section 21; and
 - B) Supplement Number 1 (Supplement) to the contract with KHA in the amount of \$463,485.86 for professional services for the preparation of design plans and construction bid documents.

SUMMARY: Approving the first amendment will update the language of the payment section, termination section, access and audits section, criminal history records check section, non-discrimination section, scrutinized companies section and add the vendor self-service registration required section to be compliant with current Palm Beach County standards. Approval of the Supplement will compensate the consultant for additional professional engineering services that were necessary to address alignment changes to both the north and south segments of the Project. The Florida Department of Transportation will provide matching funds (not to exceed \$3,130,000) for design and right-of-way for the Project in accordance with the County Incentive Grant Program Agreements dated October 24, 2013 (R2013-1291), and May 31, 2016 (R2016-0609). The solicitation for design professionals was advertised on June 3, 2012 and June 10, 2012, according to the Small Business Enterprise (SBE) Ordinance in place at the time, with final selection taking place on September 6, 2012. The SBE goal for all contracts is 15%. KHA committed to 20.70% SBE participation, and their overall SBE participation to date is 18.38%, with 17.74% SBE participation proposed for this Supplement. KHA has its corporate office located in Raleigh, North Carolina and has offices based in Palm Beach County. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Staff recommends motion to approve: Work Order 2018051-44 in the amount of \$590,000 to mill and resurface Summit Boulevard from Jog Road to Military Trail utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** 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). Approval of this work order will allow the contractual services necessary to construct the improvement. Prior to this work order, approximately \$9 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. District 2 (YBH)

10. Staff recommends motion to:

A) adopt a resolution to approve a highway maintenance memorandum of agreement (HMMOA) with the Florida Department of Transportation (FDOT) for the design and construction of fiber optic cables planned for sections of Seminole Pratt Whitney Road, Lyons Road, Lawrence Road, and Military Trail (Project); and

B) approve the HMMOA with the FDOT for the Project.

SUMMARY: Adoption of this resolution and approval of the HMMOA will allow the FDOT to design, furnish, and install fiber optic cables along Seminole Pratt Whitney Road (Southern Boulevard to Northlake Boulevard), Lyons Road (Boynton Beach Boulevard to Lantana Road), Lawrence Road (Boynton Beach Boulevard to Hypoluxo Road), and Military Trail (Butts Road to Champion Boulevard). The HMMOA is required since the Project impacts Palm Beach County (County) road rights-of-way (ROW) and will provide authority for the FDOT to construct the Project within the County's ROW. The Project will enable the County to add more traffic signals to the fiber optic cable communication network and improve the network's redundancy. Construction will be funded by FDOT at an estimated cost of \$2,901,918. Upon completion of the Project, FDOT will transfer maintenance and operation to the County. Districts 3, 4, 5 & 6 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

11. Staff recommends motion to:

A) adopt a resolution to approve a highway maintenance memorandum of agreement (HMMOA) with the Florida Department of Transportation (FDOT) for the portion of Palm Beach County (County) right-of-way (ROW) within the FDOT's project to design and construct an 8-foot wide asphalt sidewalk on the south side of Clint Moore Road from El Rio Trail to NW 2nd Avenue (Project); and

B) approve the HMMOA with the FDOT for the Project.

SUMMARY: Adoption of this resolution to approve the HMMOA will allow the FDOT to design and construct the Project. The County's ROW extends from El Rio Trail east to the bridge approach to I-95, Bridge Number 930202. The HMMOA is required since the Project impacts a County ROW and will provide authority for FDOT to construct the Project within County ROW. Construction will be funded by FDOT at an estimated cost of \$665,152. After completion of the Project, the County will retain ownership, operation, and maintenance responsibility for the portion of the Project within the County's ROW. District 4 (YBH)

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: the Interlocal Agreement (ILA) between the Solid Waste Authority (Authority) and Palm Beach County for the provision of Inspector General (IG) services at the Authority. **SUMMARY:** Under this ILA, the IG will exercise the authority, functions and powers granted by the Inspector General Ordinance for the Authority. The ILA will take effect October 1, 2019, and shall continue until September 30, 2022. The Authority will pay the County \$250,000 per year. Countywide (LB)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the appointment of one new member to the Community Action Advisory Board, effective August 20, 2019:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
9	Carol Jones-Gilbert	Private Sector Rep.	09/30/21

SUMMARY: The total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, per Resolution No. R2018-0372, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. Ms. Jones-Gilbert meets all applicable guidelines and requirements outlined in the resolution adopted by the Board of County Commissioners on May 6, 2014. Ms. Jones-Gilbert will complete the term of Ms. Paula Yastremski, which ends on September 30, 2019 and will serve an additional two-year term. The diversity count for the ten seats that are currently filled is African-American: 9 (90%) and Hispanic-American: 1 (10%). The gender ratio (female: male) is 8:2. Ms. Jones-Gilbert is African-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

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

<u>Seat No.</u>	<u>Reappointment</u>	<u>Term Expires</u>
2	Kristen L Harrington	10/06/20
<u>Seat No.</u>	<u>Appointment</u>	<u>Term Expires</u>
7	Hector A. Bernardino	08/19/22
9	Paul H. Lisker	12/04/20

SUMMARY: The Palm Beach County HIV CARE Council (HIV CARE Council) nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. All members have successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends the appointments. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. 2011-1560. Mr. Lisker will complete the term for Mr. Robert Scott, who resigned from the HIV CARE Council. Ms. Harrington is completing her unexpired term and has also disclosed that she is employed with AIDS Healthcare Foundation, Inc. (AHF). AHF contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The diversity count for the 21 seats that are currently filled is: African-American: 9 (42%), Caucasian: 8 (38%), Hispanic-American: 3 (15%) and Asian-American: 1 (5%). The gender ratio (female: male) is 13:8. Mr. Bernardino is Hispanic-American, Mr. Lisker and Ms. Harrington are Caucasian. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the Board. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to ratify:

A) the signature of the Mayor on Modification No. 2 to the Florida Department of Economic Opportunity Federal Fiscal Year (FFY) 2017 Community Services Block Grant (CSBG) Program Federally Funded Subgrant Agreement No. 17SB-0D-10-60-01-121 (R2017-0625), for the period of October 1, 2016 through September 30, 2020, increasing the original grant agreement amount by \$512,000.93 for a new total amount not to exceed \$3,549,891.93, to provide self-sufficiency services to low-income individuals residing in Palm Beach County; and

B) the signature of the Mayor on Modification No. 5 to the Florida Department of Economic Opportunity FFY 2019 Low-Income Home Energy Assistance Program (LIHEAP) Federally Funded Subgrant Agreement No 17EA-0F-10-60-01-023 (R2017-0996), for the period of April 1, 2017 through September 30, 2020, increasing the original grant agreement amount by \$4,747,029 for a new total amount not to exceed \$12,390,978, to provide energy payment assistance to approximately 7,000 low-income clients residing in Palm Beach County.

SUMMARY: Modification No. 2 to the FFY 2019 CSBG Federally Funded Subgrant Agreement No. 17SB-0D-10-60-01-021 will increase the number of clients served with employment skills training, job placement services, resume training, financial management training, rental assistance, utility assistance and case management services. In FFY 2016, 127 program participants completed vocational training that lead to employment. In FFY 2017, 83 program participants completed vocational training that lead to employment. The difference in outcomes between both years is due to a reduction in program funding. Modification No. 5 to the FFY 2019 LIHEAP Federally Funded Subgrant Agreement No. 17EA-0F-10-60-01-023 funds will enable the Community Action Program to provide assistance to low-income households with energy bills and crisis assistance to prevent service disconnection and to restore utility services. In FFY 2017, energy services were prevented from disconnection or restored, through LIHEAP, to a total of 6,646 households; in FFY 2018, energy services were prevented from disconnection or restored to a total of 7,879 households. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular BCC agenda process. **No County funds are required.** (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

A) ratify the signature of the Mayor on the U.S. Department of Justice (USDOJ), Office of Juvenile Justice Delinquency Prevention (OJJDP) Fiscal Year (FY) 2019 Opioid Affected Youth Initiative Grant Application, for the three (3) year grant period October 1, 2019 through September 30, 2022, for a total amount of \$1,000,000, with a total County contribution amount of \$150,000, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC) for the term of the grant, for the development of a data-driven coordinated response that will identify and address challenges resulting from substance use disorder impacting children, youth, families and community safety; and

B) delegate the County Administrator or designee signatory authority on additional forms and any other necessary documents related to the USDOJ, OJJDP FY 2019 Opioid Affected Youth Initiative Grant Application.

SUMMARY: Palm Beach County is eligible for federal funding and has applied for this new grant. The funding will be used in developing a data-driven coordinated response to identify and address challenges resulting from substance use disorder that are impacting children, youth, families and community safety. The project will operate through a subaward to the Palm Beach County Substance Awareness Coalition (SAC) for the duration of the funding period. The SAC will be responsible for achieving grant goals, objectives, and mitigate the adverse impact experienced by children, youth, families and community safety related to the opioid epidemic in Palm Beach County. The SAC will bring together stakeholders, as well as parents, teens, educators, and business owners to work together in educating youth and adults about the dangers of harmful substances. The SAC will deploy numerous strategies and knowledge-based practices, including community education on the danger of abuse of prescription medication and other opioids; educating doctors regarding the importance of utilizing the State prescription monitoring network/surveillance system, creating a network of prescription drop off boxes to safely dispose of unused medicines and encouraging families to get locked medicine boxes. The SAC will work collaboratively with the Community Services Department Substance Abuse Senior Program Manager who will oversee the project and monitor the grant activities. The required County contribution of \$150,000 would be supported by the opioid response funds contingent upon the Board's approval of the budget appropriation for each fiscal year during the grant period. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular BCC agenda process. (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to receive and file: Amendment No. 1 to the Intergovernmental Agreement for Ryan White Part A HIV Health Support Services (R2018-0830) with the Florida Department of Health in Palm Beach County (FDOH), for the period March 1, 2018 through February 28, 2021, to increase funding by \$52,319 for a new amount of \$122,502 in the non-medical case management/eligibility category, to improve health outcome services for persons living with HIV Spectrum Disease. **SUMMARY:** The purpose of Amendment No. 1 is to increase funding for the non-medical case management/eligibility category. The FDOH will provide support services to clients who meet eligibility. The FDOH will facilitate patient access, confirm Ryan White eligibility for all clients receiving Ryan White funded services, enter and scan all required documents, make appropriate referrals, confirm insurance coverage dates, follow up with clients regarding changes to financial status and provide education and explanation of eligible services as indicated on the Notice of Eligibility Statement. FDOH will serve an additional 367 clients for a total of 797 clients served under this category. On May 7, 2013, the Board of County Commissioners authorized the County Administrator or designee to execute agreements for this purpose through Resolution No. R2013-0519. 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. **No County funds are required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to:

A) ratify the signature of the Mayor on the Department of Children and Families 2019 Unified Homeless Grant Contract No. IP004, for the period July 1, 2019 through June 30, 2022, for a contract amount not to exceed \$693,428.55, to provide homeless prevention services to at-risk families;

B) approve one full-time equivalent (FTE) grant funded position for a GIS Analyst (Pay Grade 35), for the Human Services Division; and

C) approve a budget amendment of \$693,429 in the Human Services Fund to align the budget with the grant award.

SUMMARY: In 2013, the Florida Legislature created the Homeless Prevention Grant program to provide emergency financial assistance to families facing the loss of their housing due to a financial crisis. The 2019 Unified Homeless Grant Contract No. IP004 provides funding for the coordination of services related to homeless prevention for at-risk families and planning and evaluation of the Palm Beach County Homeless and Housing Alliance. The County will subcontract with Catholic Charities of the Dioceses of Palm Beach, Inc. (Catholic Charities), for a total amount of \$372,000. Catholic Charities will provide homeless prevention services through case management, and financial assistance with rent/mortgage and utility payments. These services will prevent at-risk families from becoming homeless and assist them in remaining stably housed. During FY 2016-2018, financial assistance was provided to 307 households, which remain stably housed, by assisting with rent, mortgage and utility payments. Under the new grant contract IP004, approximately 72 households will be served annually with financial assistance to pay their rent/mortgage and/or utilities that is past due. All funds must be expended no later than June 30th of each state fiscal year. In-kind match funds will be provided by Catholic Charities in an amount of \$124,000 annually. Since 2006, the Division of Human and Veteran Services has served as the lead agency for the Palm Beach County Homeless Continuum of Care (CoC) Program. The Housing and Urban Development Agency has expanded CoC evaluation requirements for system and project performance monitoring for local, state and federal funding outcomes to ensure accurate reporting and compliance. As a result, this grant will fund one FTE position for a GIS Analyst. The grant-funded position will be approved for the length of the grant and will be eliminated if funding is discontinued. The emergency signature process was utilized because there was insufficient time to submit this grant contract through the regular agenda process. **No County funds are required.** (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: amendments to contracts for Provision of Ryan White Part A HIV Health Support Services with the below listed agencies, for the three year period, March 1, 2018 through February 28, 2021, in the amount totaling \$12,775,815, of which \$4,173,499 is budgeted in Grant Year (GY) 2019 with an anticipated annual allocation of \$4,173,499 in each subsequent grant year, contingent upon a budgetary appropriation by the Board of County Commissioners (BCC), subject to funding approval by the Health Resources Services Administration:

A) Amendment No. 2 with FoundCare, Inc. (R2018-0224), for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$10,816,832, of which \$3,531,545 is budgeted in GY 2019 with an anticipated annual allocation of \$3,531,545 in each subsequent grant year for the term of this contract; and

B) Amendment No. 2 with the Florida Department of Health in Palm Beach County (R2018-0830), for the provision of improving health outcomes for persons living with HIV Spectrum Disease, in an amount not to exceed \$1,958,983, of which \$641,954 is budgeted in GY 2019 with an anticipated annual allocation of \$641,954 in each subsequent grant year for the term of this contract.

SUMMARY: On January 23, 2018, the BCC approved funding allocations for the Ryan White Program. These agencies were selected and recommended for contracting through the Request for Proposal process. These contracts cover services for HIV affected clients, which include medical case management, medical care, pharmacy, oral health care and substance use disorder treatment. In GY 2018, FoundCare, Inc. served 7,899 clients and will serve approximately 7,459 clients in GY 2019. In GY 2018, the Florida Department of Health in Palm Beach County served 1,626 clients and will serve approximately 1,541 clients in GY 2019. Lilia Perez and Quinton Dames, employees of FoundCare, Inc. are members of the Palm Beach County HIV CARE Council (HIV CARE Council). The HIV CARE Council provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. **No County funds are required.** (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to:

A) ratify the signature of the Mayor on the Department of Housing and Urban Development (HUD) FY 2018 Youth Homelessness Demonstration Grant Application in the amount of \$247,962, for preventing and ending youth homelessness, for a grant period of two years upon receipt of funding;

B) delegate to the County Administrator or designee signatory authority on additional forms and any other necessary documents related to the FY 2018 Youth Homelessness Demonstration Grant Application; and

C) approve two full-time equivalent grant funded positions including a Program Coordinator (Pay Grade 30) and Information Management System Specialist (Pay Grade 30) for the Division of Human and Veteran Services, to be established upon receipt of grant award.

SUMMARY: Palm Beach County is eligible for federal funding and has applied for this new grant, which was first released by HUD in FY 2018, and funds are still available for eligible communities. The funding will be used in developing and executing a coordinated community approach for preventing and ending youth homelessness over a two-year period. The Division of Human and Veteran Services (DHVS), serving as the Lead Agency, must apply for the funds. The grant application has two phases for submission and award. For Phase I, DHVS is requesting \$247,962 in federal funding to support the development of a Community Youth Plan and two grant funded positions. These positions are contingent upon receipt of the actual grant award and will be eliminated if the grant is discontinued. DHVS is supporting the match requirement with in-kind services totaling \$224,364, which is available in both the current budget and the proposed 2020 budget, and is represented by existing Palm Beach County Continuum of Care services already being provided. Phase II funding is contingent upon the approval of Phase I. If Palm Beach County is awarded Phase I funding, an application for Phase II funding will be submitted to HUD to request the fully designated funding allocation as determined by HUD. The start date of Phase I funding will be contingent upon receipt of funding by HUD. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular Board of County Commissioner's agenda process. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

9. Staff recommends motion to:

A) ratify the signature of the Mayor on the 2019 U.S. Department of Justice (USDOJ) Comprehensive Opioid Abuse Site-Based Program Grant Application, for the period January 1, 2020 through December 31, 2022, in the amount of \$1,200,000, to support the development of a comprehensive, locally driven response to the opioid epidemic; and

B) delegate the County Administrator or designee signatory authority on additional forms and any other necessary documents related to the 2019 USDOJ Comprehensive Opioid Abuse Site-Based Program Grant Application.

SUMMARY: Palm Beach County is eligible for federal funding and has applied for this new grant. The grant proposes to utilize the Sequential Intercept Model (SIM) and its goal of minimizing unnecessary involvement of individuals with substance use disorder in the justice system by diverting them from the jail to pre-trial and swiftly back into the community with access to medication assisted treatment and peer/professional support. A special emphasis will be placed on assisting with the provision of transitional/recovery housing options for targeted individuals with a substance use disorder. The transitional/recovery housing component supports the recovery process and is successful in diversion referral programming. The project will operate through a subaward to the Southeast Florida Behavioral Health Network, Inc. (SEFBHN) in collaboration with the Palm Beach County Sheriff's Office for the duration of the funding period. SEFBHN will be responsible for achieving the grant's goals and objectives. SEFBHN will also work closely, cooperatively and collaboratively with the Senior Program Manager, Substance Abuse, within the Community Services Department, who will oversee the project and monitor the grant activities. The emergency signature process was utilized because there was not sufficient time to submit the application through the regular BCC agenda process. **No County funding is required.** (Community Services) Countywide (HH)

10. Staff recommends motion to approve: one appointment to the Citizens Advisory Committee on Health and Human Services (CAC/HHS), effective August 20, 2019:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>	<u>Nominated By</u>
11	Alan Bottorff	A Component of the Health & Human Services System of Care	09/30/22	Mayor Bernard Comm. Valeche CAC/HHS

SUMMARY: The CAC/HHS consists of 11 at-large members with at least one member being a resident west of the 20 Mile Bend and at least one member being a representative of the Palm Beach County League of Cities, per Resolution R2013-1563. The resolution requires that the Executive Committee of the Citizens Advisory Committee solicit and recommend member nominations for transmittal to the Board of County Commissioners (BCC). The BCC was notified by memo dated April 12, 2019 and requested to provide nominations for appointment. The CAC/HHS recommended Mr. Bottorff at their Regular Committee meeting on April 11, 2019. Mr. Bottorff meets all applicable guidelines and requirements outlined in the resolution. The diversity count for the nine seats that are currently filled is Caucasian: 6 (67%), Hispanic-American: 2 (22%), and African-American: 1 (11%). The gender ratio (female:male) is 6:3. Mr. Bottorff is African American. Ex-officio membership consists of one African-American male (25%), one African-American female, (25%), one Caucasian female (25%) and one Caucasian male (25%). Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the CAC/HHS. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to receive and file:** a Federal Aviation Administration (FAA) Agreement for Transfer of Entitlements from Palm Beach County Glades Airport (PHK) to North Palm Beach County General Aviation Airport (F45) in the amount of \$150,000. **SUMMARY:** The Department of Airports has requested the use of unused entitlement funds at PHK to be utilized for the completion of the Environmental Assessment (EA) for the proposed expansion of Runway 14-32 at F45. Delegation of authority for execution of the above FAA Agreement for Transfer of Entitlements was approved by the Board on October 3, 2006 (R2006-2086). Countywide (AH)

2. **Staff recommends motion to receive and file:** a third amendment to Signatory Airline Agreement with JetBlue Airways Corporation (JetBlue) (R2014-1719, as amended), adding 457 square feet of space to JetBlue's leasehold at the Palm Beach International Airport (PBI) terminal. **SUMMARY:** JetBlue added 226 square feet of passenger check-in space effective May 23, 2019, and 231 square feet of ticket counter space effective June 27, 2019. This third amendment adds a total of 457 square feet to JetBlue's leasehold. Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2014-1033. Countywide (AH)

3. **Staff recommends motion to receive and file:** an extension of time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):
 - A)** Security Improvements at Palm Beach County Park Airport, Financial Project Number 425723-1-94-01 approved by the Board on December 17, 2013 (R2013-1788 and R2013-1789), is hereby extended until October 31, 2019; and

 - B)** Construct Hangars at Palm Beach County Park Airport, Financial Project Number 434600-1-94-01 approved by the Board on December 2, 2014 (R2014-1813 and R2014-1814), is hereby extended until October 31, 2019.

SUMMARY: The Extension of Time agreements extend the availability of grant funding to allow for the completion of on-going construction activities. Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11). Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to approve: the Construction Manager (CM) at Risk Contract with Turner Construction Company (Turner) for a term of two years with three, one-year renewal options for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports. **SUMMARY:** In order to complete certain capital improvement projects at the County's four Airports, the Department of Airports requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. Turner was one of two firms selected to provide these services. Projects to be assigned under this contract may include the Terminal Federal Inspection Service (FIS) Facility Expansion at Palm Beach International Airport (PBI), Concourse Expansion (PBI), Escalator and Elevator Replacement (PBI), Third Level Flooring Phase 2 (PBI), 400Hz and Electrical Switchgear Replacement (PBI), Aircraft Rescue and Fire Fighting (ARFF) Facility Improvements (PBI), Hangar and Infrastructure at the General Aviation Airports, along with Miscellaneous Airport Apron, Taxiway or Roadway Improvements at any of the four airport facilities. The services under this contract are task/work order based. The specific projects that will be assigned under this contract will be determined at a later date and approved in accordance with PPM CW-F-050 with the appropriate bonds and insurance documents. Turner is based in New York City, New York; however, the work will be directly managed by its southeast regional office in Miami-Dade County. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this contract. Turner will be required to demonstrate its good faith efforts to achieve the established DBE goal for each of the tasks/work orders assigned under this contract. Countywide (AH)

5. Staff recommends motion to approve: Change Order No. 5 to Amendment No. 15 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-36: Parcel I Site Access Roadway & Utilities Project at Palm Beach International Airport (PBI) in the amount of \$95,368.20 and a time of extension of 138 calendar days. **SUMMARY:** Amendment No. 15 (Task M-36) in the amount of \$4,951,000 and 330 calendar days was approved by the Board on April 20, 2018 (R2018-0380). Change Order No. 1 (R2018-0987) and No. 3 (R2018-1763) in the amount of \$541,998.93 and 158 calendar days were approved by the Board; Change Orders No. 2 and No. 4 in the amount of \$138,713.32 were approved in accordance with the authority designated in PPM CW-F-050. During the permit process, it was determined by County Engineering that due to the proposed roadway improvements impacting the intersection at Florida Mango/Perimeter Road the signalization must be upgraded to a mast arm design as required by current standards. The permit application from Land Development/Traffic Engineering was still under review at the time the Guaranteed Maximum Price was submitted. Change Order No. 3 included a budgetary proposal and estimated time extension to start the procurement of the new mast arms that was one of the conditions of the permit. Once the permit was approved, it included a requirement to install four Vehicle Detection System (VDS) for the Belvedere/Florida Mango Intersection. The delivery date of the mast arms has been confirmed to be on July 19, 2019 and a condition of acceptance requires the signalization to be operational for a period of three months. Approval of Change Order No. 5 in the amount of \$95,368.20 and 138 calendar days includes the additional costs for the VDS and the time for the delivery, installation and final acceptance of the signalization by County Engineering. It also includes additional compensation to the CM for staffing due to the time extension related to the delivery of the mast arms. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. The total to date DBE participation for this contract is 16%. DBE participation for this change order is 0%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. Staff recommends motion to approve: a donation agreement with the Palm Beach County Sheriff's Office (PBSO) whereby security camera equipment at Palm Beach International Airport (PBI) will be transferred to the County. **SUMMARY:** The proposed donation would transfer security cameras and various supporting components to the County for use at PBI. The cameras and components were purchased by the PBSO in 2014 pursuant to a grant available to law enforcement agencies for airport applications; all equipment was installed at PBI. The Department of Airports agreed to maintain the system at the date of the original installation in 2014 and will continue that role after the transfer. The Department of Airports has verified the location and condition of all assets included in the transfer. The terms of the grant agreement have expired therefore the County has no grant obligations by taking on these assets. Countywide (AH)

7. Staff recommends motion to approve:

A) Change Order No. 13 to the contract with West Construction, Inc. in the amount of \$87,068.46 for the Southside Redevelopment Phase 1 & 2 at Palm Beach County Park Airport (LNA); and

B) a budget transfer of \$87,068 in the Airport's Improvement and Development Fund including a transfer from Reserves in the amount of \$87,068.

SUMMARY: The contract with West Construction, Inc. for the Southside Redevelopment Program Phase 1 and 2 at LNA in the amount of \$6,353,448.52 and 420 calendar days was approved by the Board on July 11, 2017 (R2017-0935). Change Orders 1-6 and 10-11 in the amount of \$111,894.84 and 131 calendar days were approved under the delegated authorities detailed in PPM No. CW-F-050. Change Orders No. 7 (R2018-0988), No. 8 (R2018-1765), No. 9 (R2019-0036) and No. 12 (R2019-0806) in the amount of \$727,896.28 and 243 calendar days were approved by the Board. Change Order No. 13 in the amount of \$87,068.46 primarily includes omissions that were noted by Palm Beach County during inspections and are required to meet current code electrical requirements and to address unforeseen site conditions. The Disadvantaged Business Enterprise (DBE) Goal for this project was established at 11%. West Construction, Inc. committed to 11.85% participation. The DBE to date participation for this contract is 11.57%. DBE participation for this change order is 0%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

8. Staff recommends motion to:

A) adopt a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$1,000,000 for the Public Address (PA) System Replacement at Palm Beach International Airport (PBI). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2021;

B) approve a budget amendment of \$926,239 in the Airport's Improvement and Development Fund to recognize the receipt of a \$1,000,000 grant from the FDOT and realign the overall project budget to provide for the total project cost of \$5,133,298, including a transfer from reserves in the amount of \$1,159,537; and

C) approve a budget transfer of \$1,926,239 in the Airport's PFC Fund to transfer PFC Funds from the Airport's Improvement and Development Fund; including a transfer to Reserves in the amount of \$1,926,239.

SUMMARY: The existing PA system at PBI was installed in 1988 and upgraded in 1999; however, the system has exceeded its useful life and has become difficult to maintain due to the lack of available compatible parts. The PA system is essential to operations at the airport, as it provides airline paging and emergency notifications. The Department of Airports has requested partial funding from FDOT and the FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$1,000,000 or 50% of the eligible project costs, whichever is less. Countywide (AH)

9. ~~**DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve:**~~ Amendment No. 3 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$5,133,298 and 360 calendar days for Work Order MC 04: Public Address (PA) System Replacement at Palm Beach International Airport (PBI). ~~**SUMMARY:**~~ The CM at Risk Contract with MGI was approved by the Board on January 15, 2019 (R2019-0042). The Contract is for two years with three one-year renewal options for CM at Risk Services for Airport Improvements for the Department. In order to complete certain capital improvement projects at the County's four Airports, the Department requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. MGI was one of two firms selected to provide these services. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Approval of Amendment No. 3 in the amount of \$5,133,298 and 360 calendar days will enable MGI to complete Work Order MC 04: PA System Replacement at PBI. The existing public address system was installed in the terminal in 1988. It was upgraded in 1999, but the speakers and the cabling were not replaced. The system can no longer be maintained due to the lack of available compatible parts. This project includes demolition of the existing system and the installation of new conduit, wiring, software, speakers, and amplifiers. It also includes repairs to the existing soffits and ceilings required as a result of the work. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this contract. DBE participation for this project is 16%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

10. Staff recommends motion to:

A) approve an agreement for purchase and sale for the following property at a purchase price of \$245,000 by a supermajority vote. Said property is located West of Runway 10L at Palm Beach International Airport (PBI):

Stembridge Real Estate Co., Inc.	
Sonia Stembridge, President	
Post Road, West Palm Beach, Florida	Parcel W-192
Purchase Price:	\$245,000
Replacement Housing:	N/A

B) accept a Memorandum of Agreement to be recorded in the public records to provide notice of this agreement.

SUMMARY: The subject property is a vacant site covered with native scrub and trees. The lot contains 19,166 square feet. It is on a lightly traveled two-lane street that runs between Southern Boulevard and Wallis Road, located West of Runway 10L at PBI. In May 2019, the property was appraised by Anderson & Carr, Inc. for \$245,000; and in May 2019 a review appraisal was completed by Edward E. Wilson, which supported the Anderson & Carr, Inc. determination of value. An offer to purchase was presented to the seller on June 12, 2019 and accepted at the appraised fair market value of \$245,000. Airport Revenue is available for the purchase of this property. **Pursuant to the PREM Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

11. Staff recommends motion to approve: the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. (Morganti) for a term of two years with three, one-year renewal options for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports. **SUMMARY:** In order to complete certain capital improvement projects at the County's four Airports, the Department of Airports (Department) requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. Morganti was one of two firms selected to provide these services. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. Morganti is on notice that all Guaranteed Maximum Price issued pursuant to this contract will be subject to the requirements of the Equal Business Opportunity Ordinance, including requesting Affirmative Procurement Initiatives be set prior to bidding the subcontracts. Morganti has proposed teaming with Cooper Construction Management and Consulting, Inc., as its S/MBE partner, to provide S/MWBE outreach for assigned tasks/work orders, project management and construction supervision services in an amount not less than 15% of the fees paid by the County for such services in connection with this contract. Projects to be assigned under this contract may include the Air Handler Improvements Phase 2 (PBI), Maintenance Compound (PBI), Terminal Condensation Remediation (PBI), Replacement of Sound Baffles (PBI), Miscellaneous Interior Improvements (PBI), along with Miscellaneous Airport Apron, Taxiway or Roadway Improvements at any of the four airport facilities. The services under this contract are task/work order based. The specific projects that will be assigned under this contract will be determined at a later date and approved in accordance with PPM CW-F-050 with the appropriate bonds and insurance documents. Morganti is based in Danbury, Connecticut; however, the work will be directly managed by its southeast regional office in Palm Beach County. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

12. Staff recommends motion to approve: the Construction Manager (CM) at Risk Contract with Lebolo Construction Management, Inc. (Lebolo) for a term of two years with three one-year renewal options for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports. **SUMMARY:** In order to complete certain capital improvement projects at the County's four Airports, the Department of Airports (Department) requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. Lebolo was one of two firms selected to provide these services. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. Lebolo is on notice that all Guaranteed Maximum Price (GMP) issued pursuant to this contract will be subject to the requirements of the Equal Business Opportunity Ordinance including requesting Affirmative Procurement Initiatives be set prior to bidding the subcontracts. Lebolo has proposed teaming with Hatcher Construction as its S/MBE partner, to provide project management and construction supervision services in an amount not less than 15% of the fees paid by the County for such services in connection with this contract. Projects to be assigned under this contract may include the Air Handler Improvements Phase 2 (PBI), Maintenance Compound (PBI), Terminal Condensation Remediation (PBI), Replacement of Sound Baffles (PBI), Miscellaneous Interior Improvements (PBI), along with Miscellaneous Airport Apron, Taxiway or Roadway Improvements at any of the four airport facilities. The services under this contract are task/work order based. The specific projects that will be assigned under this contract will be determined at a later date and approved in accordance with PPM CW-F-050 with the appropriate bonds and insurance documents. Lebolo is based in Boynton Beach, Florida. Countywide (AH)

13. Staff recommends motion to adopt: a resolution adopting a new standard form Signatory Cargo Carrier Operating and Lease Agreement; authorizing the County Administrator or designee to execute standard form Signatory Cargo Carrier Operating and Lease Agreements on behalf of the Board of County Commissioners; authorizing the County Administrator or designee to enter into certain amendments to standard form Signatory Cargo Carrier Operating and Lease Agreements; repealing Resolution 2014-1290 and Resolution 2018-0844; providing for severability; and providing for an effective date. **SUMMARY:** The current agreements with signatory cargo air carriers at the Palm Beach International Airport (PBI) are scheduled to expire on September 30, 2019. The resolution adopts a new standard form Signatory Cargo Carrier Operating and Lease Agreement (Agreement), which updates terms to the prior agreement and provides for the use of certain facilities at PBI by cargo air carriers, including the air cargo building #1475, for a term of up to five years with one 2-year renewal option. The resolution also authorizes the County Administrator or designee to execute the approved standard form Agreement on behalf of the Board; to agree to modifications to a cargo air carrier's leasehold premises; and to agree to non-material changes to the standard form Agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

14. Staff recommends motion to adopt: a resolution adopting a new standard form Signatory Airline Agreement; authorizing the County Administrator or designee to execute standard form Signatory Airline Agreements on behalf of the Board of County Commissioners; authorizing the County Administrator or designee to enter into certain amendments to standard form Signatory Airline Agreements; repealing Resolution 2014-1033 and Resolution 2018-0845; providing for severability; and providing for an effective date. **SUMMARY:** The current agreements with signatory airlines at the Palm Beach International Airport (PBI) are scheduled to expire on September 30, 2019. The resolution adopts a new standard form Signatory Airline Agreement (Agreement), which updates terms and conditions to the prior agreement and provides for the use of certain facilities at PBI by commercial airlines for a term of up to five years with one two-year renewal option. The Agreement streamlines the Department of Airports' administrative process and provides flexibility to airlines by allowing them to request use of certain facilities, such as ticket counters and gates, on a short-term or seasonal basis, without formally amending the Agreement. The resolution also authorizes the County Administrator or designee to execute the approved standard form Agreement on behalf of the Board; to agree to modifications to an airline's leasehold premises; and to agree to non-material changes to the standard form Agreement. Countywide (AH)

15. Staff recommends motion to adopt: a resolution adopting a new standard form Non-signatory Airline Agreement; authorizing the County Administrator or designee to execute standard form Non-signatory Airline Agreements on behalf of the Board of County Commissioners; authorizing the County Administrator or designee to enter into certain amendments to standard form Non-signatory Airline Agreements; repealing Resolution 2014-1575 and Resolution 2016-0976; providing for severability; and providing for an effective date. **SUMMARY:** The resolution adopts a new standard form Non-signatory Airline Agreement (Agreement), which updates terms and conditions of the prior standard form agreement and provides for the use of certain facilities at the Palm Beach International Airport (PBI) by airlines on a short-term or seasonal basis. The term of the Agreement will renew annually each October 1. The resolution also authorizes the County Administrator or designee to execute the approved standard form Agreement on behalf of the Board; to agree to modifications to an airline's leasehold premises; and to agree to non-material changes to the standard form Agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

16. Staff recommends motion to approve: the Professional Services Agreement with HDR Engineering, Inc. (HDR) for a term of two years, with two one-year renewal options in the amount of \$960,107 for the performance of Airport Civil Consulting Services related to the approved Palm Beach County Airports' Capital Improvement Program. **SUMMARY:** In order to carry out the approved Capital Improvement Program for the County, the Department of Airports requires airport consulting services related to the airside and landside pavement projects at the County's airports. In accordance with Florida Statutes 287.055 and the Federal Aviation Administration's Advisory Circular 150/5100-14 (current edition), HDR was competitively selected to provide these services. The initial agreement of a potential multi-year contract in the amount of \$960,107 will provide the Department of Airports with the necessary continuing professional services to implement the following services: Level 1 Tasks – North Palm Beach County General Aviation Airport (F45) Rehabilitation of Runway 9R-27L; F45 Ramp Area Expansion Study; Palm Beach County Park Airport (LNA) Rehabilitation of Runway 4-22; Palm Beach International Airport (PBI) Cargo Access Study; and Level 3 Tasks – Miscellaneous Engineering and Planning Consulting Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM CW-F-050, by way of a separate proposal or task authorization. Tasks authorized under this agreement may be eligible for Federal and/or State funding in the future. HDR is an Omaha, Nebraska based firm; however, the majority of the work will be managed through their West Palm Beach, Florida office in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 20% was set for this agreement. The initial tasks to be awarded under the agreement contain DBE participation of 12.7%. HDR has committed to an overall 20% DBE participation for this agreement. Countywide (AH)

17. Staff recommends motion to approve: Change Order No. 5 to the contract with ARINC Incorporated (ARINC) in the amount of \$109,310 for the installation of the Common Use Passenger Processing System (CUPPS) at Palm Beach International Airport (PBI). **SUMMARY:** The contract with ARINC for the installation of the CUPPS at PBI was approved by the Board on October 18, 2016 (R2016-1480). Change Order No. 2 (R2017-0794) and No. 3 (R2018-0893) in the amount of \$292,659 and 460 calendar days were approved by the Board; Change Orders No. 1 and 4 in the amount of \$55,600 and 90 calendar days were approved under the delegated authority detailed in PPM CW-F-050. The proprietary common use system contracted with ARINC included the installation of hardware and licensed software along with a five-year license, support and maintenance agreement. The commencement of the monthly support and maintenance agreement became effective on February 1, 2018 when the system became operational. Approval of Change Order No. 5 in the amount of \$109,310 will provide additional spare parts and include installation of additional equipment to provide flexibility to the airlines and facilitate the phasing of current and future projects within the terminal and concourses. There is no extension in time. The contract will expire upon the completion of the maintenance agreement on February 1, 2023. ARINC is an Annapolis, Maryland based company. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. ARINC has committed to 18% DBE in their proposal. The total DBE participation to date is 49%. DBE participation for this change order is 0%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

18. **Staff recommends motion to approve:** Amendment No. 1 to the Professional Services Agreement with RS&H, Inc. (RS&H) in the amount of \$3,314,337 for the continued performance of professional services related to construction-phase services for the Northeast Airfield Improvements Project (NEAIP) at Palm Beach International Airport (PBI). **SUMMARY:** The Professional Services Agreement with RS&H for professional airfield design and engineering services was approved by the Board on September 27, 2016 (R2016-1336) in the amount of \$1,339,272.39. Consultant Services Authorizations (CSA) Nos. 1 through 3 in the amount of \$158,101.78 were approved under the delegated authority detailed in PPM CW-F-050. CSA No. 1 in the amount of \$98,699.71 was approved by the Contract Review Committee, and CSA Nos. 2 and 3 in the amount of \$59,402.07 were approved by the Director of Airports, bringing the cumulative contract value to \$1,497,374.17. Approval of Amendment No. 1 in the amount of \$3,314,337 will provide funds necessary for the construction-phase services associated with the NEAIP and will bring the total cumulative contract value to \$4,811,711.17. RS&H is a Jacksonville, Florida based firm; however, the work will be completed from their Fort Lauderdale office, in conjunction with several Palm Beach County subconsultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 16% was set for this contract. RS&H committed to 17% DBE in its proposal. The anticipated DBE participation based upon the approved tasks is approximately 19%, which will increase as the County assigns additional tasks. The current paid to date DBE participation is approximately 17.6%. The DBE participation for this amendment is approximately 17.6%. Countywide (AH)
19. **Staff recommends motion to approve:** Amendment No. 1 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/Professional Services in the amount of \$1,032,651.29 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The consulting agreement with AECOM for general airport planning and design was approved by the Board on March 12, 2019 (R2019-0301) in the amount of \$828,984.74 in order to carry out the approved Capital Improvement Programs for the County's Airports. Approval of Amendment No. 1 will provide an additional \$1,032,651.29 to complete the following tasks: Task I Services – Palm Beach County Park Airport (LNA) Fence and Security Improvements; Palm Beach International Airport (PBI) 2018 Noise Report; PBI Concourse C Hold Room & Lobby Seating - Construction Administration (CA) Services; PBI Replacement of Current Public Address System – Construction Administration (CA) Services; Department of Airports (DOA) Miscellaneous Planning & Engineering Services; LNA Southside Redevelopment Program Phase 1 and 2 Supplemental Construction Management and Administration Services; PBI Domestic Water Valve Design Services; DOA Environmental Compliance Services - 2019 Stormwater Pollution Prevention Plan (SWPPP) Update; and Task III Services - Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. AECOM is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. AECOM committed to 18% DBE in its proposal. The anticipated DBE participation based upon the approved tasks is approximately 18.65%, which will increase as the County assigns additional tasks. The current paid to date DBE participation is approximately 10.25%. The DBE participation for this amendment is approximately 26.85%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) approve the request by Palm Beach County Tax Collector, Anne M. Gannon, for Board of County Commissioners to order the 2019 tax roll to be extended prior to completion of the Value Adjustment Board (VAB) hearings; and

B) direct the VAB to certify the assessment roll pursuant to F.S. § 193.122 and as otherwise required by applicable law.

SUMMARY: Approval of this request will avoid a delay in the issuance of tax notices beyond November 1, 2019, and will permit the collection of property taxes prior to completion of the VAB hearings. Countywide (DB)

2. Staff recommends motion to receive and file: the Fiscal Year 2019/2020 Proposed Budget for Children's Services Council of Palm Beach County. **SUMMARY:** The Children's Services Council have submitted their Fiscal Year 2019/2020 Proposed Budget. Countywide (DB)

3. Staff recommends motion to receive and file: the Annual Report for the Fiscal Year ending September 30, 2018 from the West Palm Beach CRA. **SUMMARY:** The West Palm Beach CRA has submitted its Annual Report for the Fiscal Year ending September 30, 2018 as per Florida Statute 163.356(3)(c). Countywide (DB)

4. Staff recommends motion to approve:

A) a budget transfer from School Impact Fee Zone 1 reserve account to School Impact Fee Zone 1 appropriation account for \$983,020;

B) a budget transfer from School Impact Fee Zone 2 reserve account to School Impact Fee Zone 2 appropriation account for \$2,897,426;

C) a budget transfer from School Impact Fee Zone 3 reserve account to School Impact Fee Zone 3 appropriation account for \$1,227,867; and

D) a budget transfer from School Impact Fee Zone 4 reserve account to School Impact Fee Zone 4 appropriation account for \$1,339,034.

SUMMARY: Impact fees budgeted in reserve accounts cannot be appropriated until funds have been collected. These budget transfers recognize school impact fee revenues as of August 7, 2019 and allow for their appropriation so that the County may remit funds to the School District in accordance with Article 13 of the Unified Land Development Code. Countywide (LB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: the nomination of Gary Eliopoulos as Chairperson of the Housing Finance Authority of Palm Beach County, Florida (Authority), for the term of June 2019 through May 2020. **SUMMARY:** Staff recommends Board of County Commissioners' (BCC) approval of the nomination of Gary Eliopoulos as Chairperson of the Authority. At their regular meeting of June 14, 2019, the Authority Board nominated Mr. Eliopoulos as its Chairperson to serve an initial term of one year in accordance with Ordinance No. 2002-022, as amended. This Ordinance requires the nomination of the Chairperson to be submitted to the BCC for approval. Countywide (HJF)

2. Staff recommends motion to receive and file: Amendment No. 1 to the Economic Development Incentive Agreement (Agreement) with Gulfstream Product Support Corporation (Company). **SUMMARY:** Staff recommends the Board of County Commissioners (BCC) receive and file Amendment No. 1 to the Agreement (R2019-0465) with the Company. On April 2, 2019, the BCC approved the Agreement with the Company to provide a cash grant in an amount not to exceed \$40,000 over a four-year period. At that time, the BCC also delegated authority to the County Administrator to execute future amendments to the Agreement in anticipation of the BCC's April 16, 2019, action on Economic Development Incentive (EDI) Program policy recommendations. Amendment No. 1, executed by the County Administrator on June 27, 2019, incorporates the BCC-approved EDI Program policies into the Agreement. 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 16, 2019, the BCC approved modifications to the Agreement audit requirements and retained the existing performance security requirement. The modifications eliminated the County's existing audit requirement and replaced it with that of the State to demonstrate a company's compliance with required information (number of new jobs created, existing and new jobs retained for a three-year job maintenance period, and average annual wage of new jobs) on a payment request basis. The retained performance security requirement obligates a company to provide an irrevocable Letter of Credit or Cash Bond in the full amount of the maximum Economic Development Incentive awarded. **These funds are from the general fund contingency reserve.** District 2 (DB)

3. Staff recommends motion to approve:
 - A) a budget amendment of \$625,753 in the Housing and Community Development Fund, and

 - B) a budget amendment of \$713,049 in the Home Investment Partnership Act (HOME) Fund.

SUMMARY: Staff recommends the Board of County Commissioners' (BCC) approval of budget amendments to adjust the current budget amounts to the authorized funding levels. On July 10, 2018, the BCC adopted Resolution R2018-1061 that approved the Fiscal Year 2018-2019 Action Plan. The U.S. Department of Housing and Urban Development approved the Action Plan that included the FY2018-2019 allocation of Federal Funds totaling \$9,307,278 for the Community Development Block Grant (\$6,442,365), the Emergency Solutions Grant (\$524,079) and the HOME Investment Partnership Grant (\$2,340,834). These budget amendments are necessary to adjust the current budget amounts to the authorized funding levels. **No local match is required to implement the CDBG program; however, the ESG and HOME programs have matching requirements. The ESG Program matching requirement is met through a cash or in-kind contribution by each agency receiving funding and the HOME matching requirement is met from State funds allocated from the State Housing Initiatives Partnership Program.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. **Staff recommends motion to receive and file:** Certification of Consistency with the Consolidated Plan for the Pahokee Development Corporation in connection with its funding application to the Federal Home Loan Bank of Cincinnati. **SUMMARY:** Staff recommends the Board of County Commissioners (BCC) receive and file the Certification of Consistency with the Consolidated Plan for the Pahokee Development Corporation. This document is a re-issuance of the previously approved certification for the Isles of Pahokee II project and is needed for an additional project funding source. The attached document to this agenda item was executed on behalf of the BCC by the Director of the Department of Housing and Economic Sustainability (DHES) under authority delegated by R2018-2003 on December 18, 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. District 6 (HJF)

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** the reappointment 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>
Justin McIntosh	11	Alternate Citizen-At-Large	08/20/19 – 08/20/22	Comm. Weiss

SUMMARY: Justin McIntosh has been nominated by Commissioner Gregg Weiss to serve a second three-year term as Alternate Citizen-At-Large on the Construction Board of Adjustment and Appeals (Board). A memorandum for an at-large reappointment was sent to the BCC on June 4, 2019. 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 (88%) and Hispanic: 1 (12%). The gender ratio (female: male) is 2:6. The nominee is a Caucasian male. 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)

2. Staff recommends motion to approve: the appointment of two new members to the Building Code Advisory Board (BCAB) and the reappointment of two current members of the BCAB.

Appoint two new members:

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
John Cosmo	5	Building Official	Building Officials Association of Palm Beach County	08/20/19 – 08/20/22
Peter Ringle	7	Building Official	Building Officials Association of Palm Beach County	08/20/19 – 08/20/22

Reappoint two members:

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Wayne Cameron	3	Building Official	Building Officials Association of Palm Beach County	08/20/19 – 08/20/22
Jacek Tomasik	6	Building Official	Building Officials Association of Palm Beach County	08/20/19 – 08/20/22

SUMMARY: The BCAB was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members: one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society; seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). BOAPBC has nominated John P. Cosmo to be appointed as Building Official for District 5 and Peter Ringle to be appointed as Building Official for District 7. BOAPBC has nominated Wayne Cameron to be reappointed as Building Official for District 3 and Jacek Tomasik to be reappointed as Building Official for District 6. The BCAB has 16 seats, 14 currently filled and 2 vacancies, and a diversity count of Caucasian: 12 (85%), African-American: 1 (7%) and Asian-American: 1 (7%). The gender ratio (male: female) is 13:1. The nominees are three Caucasian males and one Asian-American. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board's diversity. Countywide (AH)

3. CONSENT AGENDA APPROVAL

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

3. **Staff recommends motion to approve:** an Interlocal Agreement (ILA) with the Town of Jupiter providing for the annexation of an enclave located west of North Central Boulevard and a right-of-way buffer located on the south side of Indiantown Road at the entrance to the Florida Turnpike. **SUMMARY:** The Town of Jupiter (the Town) has identified the enclave as eligible for annexation pursuant to Section 171.046, Florida Statutes (F.S.). By Resolution No. 60-19 adopted on June 18, 2019, the Town has petitioned the County to enter into an Interlocal Agreement for the annexation of one parcel totaling 0.30 acre, accessible only through the Town, and one right-of-way buffer totaling 1.25 acres, as identified in Exhibits A and B, respectively. The right-of-way buffer is not County-owned or maintained, is enclosed within and bounded by the Town and was a remnant excluded from the original annexation of the surrounded area. The annexation was processed through the County's reviewing departments: Fire Rescue; Engineering; Planning, Zoning & Building; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The Town has provided written notice to all owners of real property located within the enclave. The proposed annexation meets the requirements of Chapter 171, F.S., and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 1 (RPB)

4. **Staff recommends motion to approve:**
 - A)** an Interlocal Agreement with the City of Greenacres providing for the annexation of an enclave, known as the Scott Road Enclave, generally located on the north side of Lake Worth Road, east of Jog Road; and

 - B)** an Interlocal Agreement with the City of Greenacres providing for the annexation of an enclave, known as the Lago Palma MHC Enclave, generally located on the south side of Lake Worth Road, between South Jog Road and South Haverhill Road.

SUMMARY: The City of Greenacres (City) has identified the enclaves as eligible for annexation pursuant to Section 171.046, Florida Statutes (F.S.). By City Resolutions No. 2019-15 and 2019-16 adopted on July 1, 2019 as shown in Attachment 1 to this agenda item, the City has petitioned the County to enter into interlocal agreements for the annexation of the enclaves. The Scott Road Enclave consists of four unincorporated parcels totaling 7.79 acres, as identified in Attachment 2 Exhibit A of the Interlocal Agreement. The Lago Palma MHC Enclave is a mobile home park consisting of one unincorporated parcel and totaling 46.73 acres, as identified in Attachment 3 Exhibit A of the Interlocal Agreement. Vehicular access to both enclaves is only through the municipality. Rights-of-way within the enclaves are not county-owned or maintained; therefore, no transfer of operation and maintenance is necessary. The proposed annexations were processed through the County's reviewing departments: Fire Rescue; Engineering; Planning, Zoning & Building; Environmental Resources Management; Parks and Recreation; Water Utilities; County Attorney; Property and Real Estate Management; Sheriff's Office; and the Office of Financial Management and Budget. The City provided written notice to all owners of real property located within the enclaves. The proposed annexations meet the requirements of Chapter 171, F.S., and are consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. District 2 (RPB)

3. CONSENT AGENDA APPROVAL

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

5. Staff recommends motion to receive and file: a second amendment to extend the contract agreement period with the University of Florida's Bureau of Economic and Business Research (Consultant) to provide small-area population estimates and projections for Palm Beach County for year 2020 through 2045. **SUMMARY:** This is the second amendment to an existing contract for professional and consultation services to prepare population estimates and projection model development for Palm Beach County. As authorized by the Purchasing Code, the Director of Purchasing approved and executed the original contract on behalf of the Board of County Commissioners (BCC) on September 1, 2017 and presented to the BCC at the October 3, 2017 hearing. The Scope of Services of the contract states that the Consultant will begin work after receiving the County's build-out submodel data. Due to increase workload and lack of staffing, the County was not able to provide the data for the consulting services to start within the original contract period. Therefore, the County and Consultant entered into the first amendment to contract commencing on July 10, 2018 and ending October 10, 2018. The County furnished the data to the Consultant in October 2018. As a result, the required services were performed from October 10, 2018 through January 31, 2019, thus requiring another amendment to the contract retroactively allowing a second extension that reflects the timeframe during which the Consultant performed the services. This contract does not require additional funding. The County's Director of Purchasing executed the amended contract, dated March 8, 2019. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: three executed Standard Potable Water and Wastewater Development Agreements and six executed Standard Reclaimed Water Development Agreements received during the month of April 2019.

A) Standard Potable Water and Wastewater Development Agreement with RPB One, LLC, SDA #13-01030-000 (District 6), Recorded in OR BK 30539 PG 0606;

B) Standard Potable Water and Wastewater Development Agreement with CT BTS LLC, SDA # 01-01255-000 (District 2), Recorded OR BK 30557 PG 1573;

C) Standard Potable Water and Wastewater Development Agreement with Southwind Homes II, LLC, SDA #02-01155-000 (District 2), Recorded OR BK 30626 PG 0217;

D) Standard Reclaimed Water Development Agreement with Boynton Beach Associates XXVI, LLLP, SDA #03-90012-000 (District 5), Recorded in OR BK 30539 PG 0616;

E) Standard Reclaimed Water Service Agreement Lake Discharge Irrigation System with Boynton Beach Associates XXVI, LLLP, Reference to SDA #03-90012-000 (District 5), Recorded in OR BK 30539 PG 0625;

F) Standard Reclaimed Water Development Agreement with SFD Lyons LLC, SDA #09-90013-000 (District 5), Recorded in OR BK 30539 PG 0632;

G) Standard Reclaimed Water Service Agreement Lake Discharge Irrigation System with SFD Lyons LLC, Reference to SDA #09-90013-000 (District 5), Recorded in OR BK 30539 PG 0640;

H) Standard Reclaimed Water Development Agreement with Boca Raton Associates VIII, LLLP, SDA #09-90014-000 (District 5), Recorded in OR BK 30557 PG 1554; and

I) Standard Reclaimed Water Service Agreement Lake Discharge Irrigation System with Boca Raton Associates VIII, LLLP, Reference to SDA #09-90014-000 (District 5), Recorded in OR BK 30557 PG 1566.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. Districts 2, 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Change Order (CO) No. 3 for the Southern Region Water Reclamation Facility (SRWRF) Headworks Screenings and Effluent Pumping Improvements (Project) with Kirlin Florida, LLC, (Contractor) in the amount of \$56,532.07. **SUMMARY:** On September 26, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) contract for the SRWRF Headworks Screenings and Effluent Pumping Improvements (R2017-1357) (Contract). The Contract provides for the construction of improvements to the screenings and grit systems at the Pretreatment Building and at the Effluent Pump Station. CO No. 3 provides for reconfiguration of odor control covers to avoid conflicts, relocation of equipment panels and electrical conduits to increase accessibility for maintenance and operations and a material change from high-density polyethylene (HDPE) to rigid stainless steel on the water flush lines in the truck loading bay. CO No. 3 will increase the Contract amount by \$56,532.07 and add 60 calendar days to the substantial and final completion dates. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 26% SBE participation. CO No. 3 includes 70.67% SBE participation. The cumulative SBE participation including CO No. 3 is 26.26%. Contractor is headquartered in Fort Lauderdale. The Project is included in the WUD FY19 budget. (WUD Project No. 15-095) District 5 (MJ)

3. **Staff recommends motion to approve:** Work Authorization (WA) No. 5 to the contract for Optimization and Improvements Design-Build (Contract) with Cardinal Contractors Inc., (Cardinal) for the Water Treatment Plant (WTP) No. 8 Fluoride System Improvements (Project) in the amount of \$797,646. **SUMMARY:** On January 15, 2019, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract (R2019-0100) with Cardinal. WA No. 5 provides for replacement of the fluoride injection system including storage tanks, pumps, primary and secondary piping and safety improvements at WTP No. 8. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 31% SBE participation which includes 21% M/WBE participation, 16% MBE (H) and 5% MBE (O). WA No. 5 includes 37.19% SBE, 9.38% MBE (B) and 4.31% MBE (O) participation. The cumulative SBE and M/WBE participation including WA No. 5 is 28.02% SBE, 5.58% MBE (B) and 5.17% MBE (O). Cardinal is headquartered in Sunrise, Florida but maintains an office in Palm Beach County from which the majority of the work under WA No. 5 will be undertaken. The Project is included in the WUD FY19 budget. (WUD Project No. 19-055) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 13396, Page 0092. **SUMMARY:** Water Utilities Department (WUD) is seeking the release of the County's interest in a utility easement adjacent to Water Treatment Plant No. 9. The Property Owner is requesting release of the portion of easement that is no longer associated with any public potable water, reclaimed water and wastewater facilities. As a result of site redevelopment for Residents at Boca Dunes, the existing utility easement is no longer required. WUD has determined that the release of easement will not affect existing or new public potable water, reclaimed water and wastewater facilities and therefore recommends approval of the release. District 5 (MJ)

5. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 14 to the Utility Distribution & Collection System Engineering Services Contract (Contract) with Mock, Roos & Associates, Inc., (Consultant) for the Palm Beach National Golf and Country Club Water Main Replacement (Project) for a fixed price of \$103,873.80. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (WUD) Contract (R2017-0818) with Consultant. CSA No. 14 provides for professional engineering services relating to design and permitting of the Project. These services include construction plans, technical specifications, permitting, and bid support services for the replacement of approximately 21,680 linear feet of 4-inch and 6-inch asbestos cement water mains, including the affected water services within Palm Beach National Golf and Country Club. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 97% SBE participation. CSA No. 14 includes 100% SBE participation. The cumulative SBE participation is 75.95%. Consultant is a Palm Beach County Company. The Project is included in the WUD FY19 Budget. (WUD Project No.19-048) District 2 (MJ)

6. **Staff recommends motion to approve:** Work Authorization (WA) No. 17 to the Pipeline Continuing Construction Contract (Contract) with Hinterland Group Inc., (Contractor) for the Water Main Replacement within Sandpiper Avenue, Meadowlark Drive, and Oriole Court (Project) in the amount of \$1,754,414.58. **SUMMARY:** On January 10, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract (R2017-0072) with Contractor. WA No. 17 provides for the replacement of approximately 7,600 linear feet of existing 6-inch and 8-inch water main along Sandpiper Avenue, Meadowlark Drive, and Oriole Court in the Village of Royal Palm Beach. The Project also includes installation of new fire hydrants and replacement of approximately 169 water services. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 15% SBE participation. WA No. 17 includes 100% SBE participation. The cumulative SBE participation including WA No. 17 is 100%. Contractor is a Palm Beach County Company. This Project is included in the WUD FY19 Budget. (WUD Project No.18-070) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. **Staff recommends motion to approve:** a Bill of Sale and Assignment (BOS) between Palm Beach County (County), East Central Regional (ECR) Wastewater Treatment Facilities Operation Board (ECR Board), and Globaltech, Inc. (Globaltech). **SUMMARY:** On March 22, 2016, the Board of County Commissioners (BCC) approved an Interlocal Agreement for the Enhancement of the Reclaimed Water Facility (Enhancements Agreement) (R2016-0374) between the County, ECR Board and the City of West Palm Beach (City) in which the ECR Board and the City granted the County the authority to perform enhancements to the Reclaimed Water Facility located at the East Central Regional Water Reclamation Facility (ECRWRF). The BCC approved Work Authorization (WA) No. 8 (R2016-1173) and WA No. 10 (R2017-0078) with Globaltech to design and perform construction of the enhancements to the ECRWRF. Globaltech has completed construction of the enhancements scoped under WA Nos. 8 and 10. The BOS is required to transfer title of the work completed and related warranties to the ECR Board and for the County to seek reimbursement for these enhancements in the amount of \$3,212,671.99 (WUD Project Nos. 16-056 and 17-011) District 7 (MJ)

8. **Staff recommends motion to approve:** Work Authorization (WA) No. 4 to the contract for Optimization and Improvements Design-Build (Contract) with Globaltech, Inc., (Globaltech) for the Water Treatment Plant (WTP) Nos. 3 and 9 Chlorination System Improvements (Project) in the amount of \$1,345,724.41. **SUMMARY:** On January 15, 2019, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract (R2019-0099) with Globaltech. WA No. 4 provides for replacement of chlorination systems including all piping, pumps and dilution systems at WTP Nos. 3 and 9. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 58% SBE participation which includes 12% M/WBE participation, 10% MBE (H), 1% MBE (B) and 1% MBE (O). WA No. 4 includes 99.65% SBE, 4.63% MBE (H), 0.39% MBE (B) and 7.61% MBE (O) participation. The cumulative SBE and M/WBE participation including WA No. 4 is 99.33% SBE, 4.50% MBE (H), 0.37% MBE (B) and 4.16% MBE (O) participation. Globaltech is a Palm Beach County company. The Project is included in the WUD FY19 budget. (WUD Project No. 19-025) District 5 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to approve:** one appointment to the Groundwater and Natural Resources Protection Board (GNRPB), for a three-year term beginning August 20, 2019 through August 19, 2022.

<u>Seat No.</u>	<u>Appoint</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated by</u>
4	Kirt Rusenko	Biologist or Chemist	08/19/2022	Treasure Coast Chapter of the Florida Assoc. of Env. Prof.

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

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to receive and file: Task Assignment No. GC896-04 to the State of Florida, Department of Environmental Protection (FDEP) Contract No. GC896 (R2016-0787) providing for ongoing site management activities for cleanup of petroleum contamination sites for an amount not to exceed \$497,333. The task performance period is from July 1, 2019 through June 30, 2020. **SUMMARY:** On June 21, 2016, the Board of County Commissioners approved FDEP Contract No. GC896 (R2016-0787) to administer the Petroleum Restoration Program through the Department of Environmental Resources Management. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this contract was approved at that time. Task Assignment No. GC896-01 (R2016-1603) was approved November 1, 2016, Task Assignment No. GC896-02 (R2017-1592) was approved October 17, 2017, and Task Assignment No. GC896-03 (R2018-1208) was approved August 14, 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 (SS)

3. Staff recommends motion to receive and file:
 - A) Task Assignment Change Order No. 1 to Task Assignment No. IP7, Contract No. FWC11357 (R2012-0573) with Florida Fish and Wildlife Conservation Commission (FWC) decreases the Task Assignment No. IP7 by \$40,000 bringing the total for the State FY2018/2019 to \$37,781, and the \$40,000 is carried forward to Task Assignment No. IP8 for the State FY2019/2020; and

 - B) Task Assignment No. IP8 to Contract No. FWC11357 (R2012-0573) with FWC to provide aquatic vegetation control services for water bodies within the County and a cost reimbursement of \$65,852, for a term beginning upon execution to June 30, 2020.

SUMMARY: On April 17, 2012, the Board of County Commissioners approved FWC Contract No. FWC11357 (R2012-0573) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. This contract allows/obligates the County to treat and control aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this contract was approved at that time. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. Countywide (SS)

4. Staff recommends motion to approve: an updated Management Plan (Plan) for Limestone Creek Natural Area. **SUMMARY:** The initial Plan was approved by the Board of County Commissioners on September 12, 2006. The Plan identifies natural resources present on the natural area and provides for the preservation, restoration, management and passive recreational use of those resources. After review of the Plan by the Natural Areas Management Advisory Committee (NAMAC), they unanimously recommended the Plan for approval at its June 21, 2019 meeting. Initial invasive/nonnative vegetation removal, fence and regulatory sign installation, and public use facilities have been completed. Annual management and operating costs, including prescribed burns/mechanical vegetation reduction, ongoing invasive/nonnative animal and plant control, repair and replacement of facilities, and biological monitoring and reporting are estimated to be \$268,823. Funds for capital improvements and annual management and operation of the site are expected to come from the Natural Areas Fund, Natural Areas Stewardship Endowment Fund, Pollution Recovery Trust Fund, Ag Reserve Land Management Fund, and/or ad valorem funding sources. The second update to the Plan will be due in 2029. District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) approve a Project Partnership Agreement (PPA) with the Department of the Army, United States Army Corps of Engineers (ACOE) for a Lake Worth Lagoon Continuing Authorities Program Section 1135 Project (Project); and

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

SUMMARY: On April 2, 2019, the Board of County Commissioners approved a PPA with the ACOE (R2019-0449) to implement a Project to utilize dredge spoil from Peanut Island to create an approximately 50 acre eco-island chain in the Lake Worth Lagoon. The PPA was never executed by the ACOE, as the estimated project costs did not account for projected future construction cost increases and increased credit for real property interests. The ACOE prepared a new PPA to reflect the changes that increased overall Project costs from \$11,815,000 to \$12,179,000. Upon execution of the PPA, the Federal Government is responsible for \$9,134,250 or 75% of the total Project costs. The County, as Non-Federal Sponsor, is responsible for reimbursing the ACOE \$3,044,750, or 25% of the total Project cost. The new PPA reflects an increase of \$27,000 in the County's share, which is covered by the Manatee Protection Program funds. Districts 1, 3 & 7 (SF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

6. Staff recommends motion to:

A) approve a State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 19PB15 with the FDEP to provide up to \$454,358 for Coral Cove Park Hurricane Irma Recovery Project expenses for a term beginning on September 12, 2017 and expiring October 15, 2021;

B) approve a FDEP Standard Grant Agreement No. 19PB16 with the FDEP to provide up to \$60,545 for South Jupiter Hurricane Irma Recovery Project permitting expenses for a term beginning on September 12, 2017 and expiring November 15, 2020;

C) approve a FDEP Standard Grant Agreement No. 19PB17 with the FDEP to provide up to \$221,346 for Singer Island Dune Hurricane Irma Recovery Project permitting expenses for a term beginning on September 12, 2017 and expiring December 5, 2020;

D) approve a FDEP Standard Grant Agreement No. 19PB18 with the FDEP to provide up to \$49,839 for Lantana Dune Hurricane Irma Recovery Project permitting expenses for a term beginning on September 12, 2017 and expiring January 15, 2021;

E) approve a budget amendment of \$786,088 in the Beach Improvement Fund to recognize the revenue for No. 19PB15 Coral Cove Park (\$454,358), No. 19PB16 South Jupiter (\$60,545), No. 19PB17 Singer Island (\$221,346), and No. 19PB18 Lantana (\$49,839); and

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

SUMMARY: These agreements are provided by the FDEP as supplemental beach funding for recovery of damages sustained to four County Dune Restoration Projects during the passage of Hurricane Irma. Agreement Nos. 19PB15, 19PB16, 19PB17 and 19PB18 provide reimbursement for funds expended by the County on restoration of the Coral Cove, South Jupiter, Singer Island and Lantana Dune Projects, respectively. Under the terms of Agreement No. 19PB15, 50% of dune construction costs are eligible for reimbursement by the State. The County will provide a 50% cost share for Coral Cove, up to \$454,358, using available funds in the Beach Improvement Fund from tourist development taxes. The remaining grants do not require local cost share. The agreements terminate on October 15, 2021, November 15, 2020, December 5, 2020 and January 15, 2021, respectively. Districts 1 & 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

7. Staff recommends motion to:

A) approve a State of Florida Fish and Wildlife Conservation Commission (FWC) Agreement No. 19003 to provide funds in an amount not to exceed \$100,000 for the Tarpon Cove Estuarine Habitat Restoration Project (Project) for a term beginning July 1, 2019 and expiring September 30, 2022;

B) approve a budget amendment of \$100,000 in the Manatee Protection Fund (1232) to recognize the revenue award from FWC's State Wildlife Grants Program (SWG); and

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

SUMMARY: The State of Florida FWC Agreement No. 19003 will pay the County on a cost reimbursement basis in an amount not to exceed \$100,000 for supplying limestone rock to construct rock breakwaters to protect mangrove islands and create oyster reef habitat as part of the County's Project. The total agreement cost is \$153,846.15. The SWG is federally funded through the Federal Marine and Estuarine Project Grant, and requires a match of \$53,846.15 that will come from Florida Department of Environmental Protection (FDEP) Agreement No. LP50202 (R2017-0082). The costs are shared between FWC 65% and FDEP 35%. Districts 2 & 7 (SS)

8. Staff recommends motion to receive and file: Task Assignment No. 3 to the State of Florida, Department of Environmental Protection (FDEP) Contract No. GC913 (R2017-0838) providing for routine compliance inspections at 803 petroleum storage tank facilities within Palm Beach, Martin and St. Lucie Counties, and funding in the amount of \$486,147, with a performance period of July 1, 2019 through June 30, 2020. **SUMMARY:** Petroleum storage tank compliance services, under a series of contracts with FDEP, have been in effect since 1988. On June 20, 2017, the Board of County Commissioners approved Contract No. GC913 (R2017-0838) with FDEP. 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 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

9. Staff recommends motion to:

A) approve a Law Enforcement Service Agreement for Conservation Lands and Natural Areas of Palm Beach County (Agreement) with the Palm Beach County Sheriff's Office (PBSO), at an annual cost of \$518,248, for a five year term beginning October 1, 2019 and ending September 30, 2024; and

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

SUMMARY: This agreement is a continuation of 18 years of work completed through a PBSO Agreement, previously approved by the Board of County Commissioners (R2001-2048, R2005-1361, R2007-1634, R2010-1287, R2013-1342, and R2016-1182). This agreement provides for four full-time PBSO deputies to patrol the County's conservation lands and natural areas, and is funded by the Agricultural Reserve Land Management Fund, a non-ad valorem source. As a result of the efforts covered in this agreement, violations of the Natural Areas Ordinance have been prevented or enforced, and have improved public safety and education at the natural areas. Annual increases will not exceed 5% per year. Countywide (SS)

M. PARKS & RECREATION

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

A) Peter Sarfati, Solid Brass, Sunset Cove Amphitheater, on May 29, 2019;

B) Light F/X Pros, LLC, 12th Annual 4th of July Celebration, Sunset Cove Amphitheater, on July 4, 2019;

C) Drumdaddy Entertainment LLC, Havoc 305, Sunset Cove Amphitheater, on July 4, 2019; and

D) The Palm Beach Shakespeare Festival, Inc, Shakespeare by the Sea Festival, Seabreeze Amphitheater, for the period June 29, 2019 through July 23, 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: the following executed Sound and Light Production Service Contractor Agreements between Palm Beach County and:

A) Blackwood Productions, LLC, Solid Brass, Sunset Cove Amphitheater, for the period May 29, 2019 through May 30, 2019; and

B) Blackwood Productions, LLC, 12th Annual 4th of July Celebration, Sunset Cove Amphitheater, for the period July 4, 2019 through July 5, 2019.

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

3. Staff recommends motion to receive and file: the following executed Independent Contractor Agreement between Palm Beach County and Janet Troy Labanara, Water Fitness Classes, CMAA Therapeutic Recreation Complex, for the period June 3, 2019, through September 30, 2019. **SUMMARY:** This Independent 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 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. 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 3 (AH)

4. Staff recommends motion to receive and file: a Resident Caretaker Lease Agreement with Dane C. Rypma, a full time County employee at Riverbend Park, executed on May 24, 2019. **SUMMARY:** This Resident Caretaker Lease 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 2016-1606. 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 as a receive and file agenda item. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

5. Staff recommends motion to receive and file:

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

B) a budget transfer of \$1,700,000 within the IST Fund to transfer \$156,750 from IST Program Reserves to Playground Replacement Countywide FY17, \$1,589,750 from IST Program Reserves to Playground Replacement Countywide FY18, and re-allocate \$46,500 from Playground Replacement Countywide FY19 to Playground Replacement Countywide FY18.

SUMMARY: The purpose of this transfer is to increase the Playground Replacement-Countywide project budgets by a total of \$1,700,000 to cover anticipated shortfalls in funding based on an inability to replace like for like models (some playground structures are 15-20 years old and it is impossible to find an exact replacement), cost of new product line, and current construction pricing. For safety reasons, all playground replacement projects were prioritized for completion for the first several years of the IST program and the \$1.7M will allow us to complete all replacement projects in a timely manner. Funds are available in the IST Program Reserves to make up the \$1,700,000 difference. The Sales Tax Oversight Committee reviewed this request at their June 20, 2019 meeting and approved it unanimously. **This project is funded through the infrastructure sales tax.** Countywide (AH)

6. Staff recommends motion to approve: the first amendment to the Interlocal Agreement between Palm Beach County and City of Lake Worth Beach to convert 10 of the 20 required boat trailer parking spaces located on North Golfview Road to 12 regular parking spaces to serve visitors at the Snook Island Natural Area. **SUMMARY:** In 2007, the City leased the County (R2007-1539) approximately 100 acres for the County's long-term management and maintenance of the Snook Island Natural Area. The agreement required the City to demolish the western portion of the old Lake Worth Road Bridge. The City was unable to provide the funds necessary to demolish the bridge and in 2008, the County and the City entered into an Interlocal Agreement (R2008-1114) requiring the City to construct 20 boat trailer parking spaces on North Golfview Road in exchange for the County demolishing the west side of the old Lake Worth Road Bridge. Since that time, use of the boat trailer parking has been limited; however, car parking associated with the Snook Island Natural Area has increased and additional car parking is needed to accommodate demand. This first amendment to the Interlocal Agreement enables the City to convert 10 of the 20 required boat trailer parking spaces to 12 regular parking spaces. This first amendment has been executed on behalf of the City of Lake Worth Beach, and now needs to be approved by the Board of County Commissioners to be effective. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

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

A) approve a Vending Service Agreement with the State of Florida Department of Education Division of Blind Services for the period of August 20, 2019 through August 19, 2020, to provide vending machine services at Palm Beach County Parks and Recreation facilities; and

B) authorize the County Administrator or designee to sign amendments to the Vending Service Agreement which add, subtract, or change the number or location of vending machines, but do not change the terms or conditions of the Vending Service Agreement.

SUMMARY: On December 4, 2012, the Parks and Recreation Department entered into a Vending Service Agreement (R2012-1854) with the State of Florida Department of Education Division of Blind Services (Division) which expired on December 5, 2017. The Department has 19 locations within its operated and/or controlled facilities that would continue to benefit the public by having vending machine services available. This agreement requires the Division to provide a selection of healthy snacks and drinks equal to 50% of the total of its product line in accordance with Palm Beach County Health Department protocols. The Division will pay the County a 10% commission on gross profit for all Parks public vending machine sales. The Parks and Recreation Department will routinely review the locations of vending machines. During this process, staff will determine whether it is necessary to add, subtract or change vending machine locations. In order to streamline this process, staff is requesting the Board delegate authority to the County Administrator or designee to sign amendments to the Vending Service Agreement, which will add, subtract or change the location of vending machines. The initial term of this agreement is one year with four renewal options, each for one year. Countywide (AH)

N. LIBRARY

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

A) the Library Director to submit a Public Library Construction Grant application for \$500,000 to the Florida Department of State, Division of Library and Information Services for the Canyon Branch Library; and

B) the County Administrator or designee to execute the grant agreements and any other necessary forms and certifications.

SUMMARY: This grant is being submitted for the States FY 2021 budget. This grant application is for \$500,000 with local matching funds of \$500,000. If awarded, grant funds will be used towards the cost of construction, thus freeing up other funds for furnishing and equipping this library. The estimated cost for construction for the branch library is \$18 million. Construction on this building is scheduled to start in the fall of 2020 and slated for completion in early 2022. The operational costs will be funded through the Library's operating budget. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file: the first amendment to Interlocal Agreement (R2018-1223) with Florida Atlantic University Board of Trustees (FAU), to adjust the scope of work, payment schedule, and extend the contract from August 13, 2020 to November 13, 2020 to complete a process and outcome evaluation and cost-benefit analysis of the Palm Beach County Frequent Users Systems Engagement (PalmFUSE) program. **SUMMARY:** The first amendment extends the term of the agreement and adjusts the scope of work and payment schedule with no adjustment to the agreement price. The original agreement was approved by the Board of County Commissioners (the Board) pursuant to R2018-1223 in the amount of \$128,257 and is funded through revenue from the County's Crime Prevention Trust Fund. This amendment was executed by the CJC Executive Director on May 29, 2019 pursuant to R2018-1223 on behalf of the Board. Countywide (LDC)

2. Staff recommends motion to:
 - A) receive and file** a grant award 2019-JAGC-PALM-1-N2-143 from the Florida Department of Law Enforcement (FDLE), Edward Byrne Memorial Justice Assistance Formula Federal FY17 (County FY18) Grant (JAG), in the amount of \$322,513 to fund the Palm Beach County Reentry Program for the period October 1, 2017 through September 30, 2019;

 - B) approve** a downward budget amendment of \$10,887 in the Criminal Justice Grant Fund to adjust the budget to the actual grant award;

 - C) approve** a budget amendment of \$89,113 in the Justice Service Grant Fund to recognize the transfer from the Criminal Justice Grant Fund; and

 - D) approve** a downward budget amendment of \$100,000 in the General Fund to reallocate funding from the Criminal Justice Commission (CJC) to the Public Safety Department Reentry Program.

SUMMARY: Palm Beach County was allocated \$322,513 in Federal FY17 (County FY18) FDLE, Edward Byrne Memorial Justice Assistance Formula Grant (JAG) funds (CFDA#16.738) for expenditure for the period retroactive to October 1, 2017 through September 30, 2019. The grant was budgeted at \$333,400 based on prior year FDLE funding. The budget amendments correct the amounts based on the actual allocation. This award will retroactively compensate the County for the program expenditures during County FY18. On April 3, 2019, the CJC was notified of the County FY19 allocation in the amount of \$322,532 with grant applications due by July 31, 2019. The JAG funds were held nationwide until June 26, 2018 due to a federal lawsuit. The Board of County Commissioners (the Board) at their March 13, 2018 meeting, in item 5E-1, approved continuation of the Reentry Program pending resolution of federal litigation and subsequent release of JAG allocations. On June 20, 2019, the CJC was notified by FDLE that the pending application, previously approved by the Board on January 15, 2019 (R2019-0125), was awarded. The funds will be used to support the Adult and Juvenile Reentry Programs created by the CJC and now operated under the County's Public Safety Department. This award was fully executed on July 1, 2019 on behalf of the Board by the Executive Director of the CJC, in accordance with R2019-0125. **No local match is required for this grant.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida, adopting the FY 2019/2020 budget for the Air Pollution Control Program. **SUMMARY:** This resolution is required by the August 21, 1984, agreement between the Board of County Commissioners and the Department of Health Palm Beach County (DOHPBC) to establish the annual budget for the expenditure of fees deposited into the Air Pollution Control Trust Fund. This Program is solely supported by motor vehicle license registration fees. **The proposed FY 2019/2020 budget for the Air Pollution Control Program from this funding source is \$979,359, which is a 2.29% decrease from the current year budget.** This budget can be accommodated by future revenues and a surplus in the Air Pollution Control Trust Fund. Countywide (HH)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: the fully executed Task Order #2 to Contract R2017-0763 with BAE Systems Information & Electronic Systems Integration, Inc. in the amount of \$73,629 to locate and provide additional Global Positioning System coordinates within Zone 4 of the water distribution and wastewater collection system. **SUMMARY:** BAE Systems Information & Electronic Systems Integration, Inc. provides geospatial services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS Survey in support of the County's Geographic Information System. Task Order #2 initiates a project funded by the Palm Beach County Water Utilities Department for the consultant to locate and provide Global Positioning System coordinates of 8,100 features within Zone 4 of the water distribution and wastewater collection system. Countywide (DB)
2. Staff recommends motion to receive and file: the fully executed Task Order #4 to Contract R2017-0764 with Woolpert, Inc. in the amount of \$82,500 for the 2019 Palm Beach Coastal Orthophotography Program. **SUMMARY:** Woolpert, Inc. provides geospatial services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS survey in support of the County's Geographic Information System. Task Order #4 initiates a project funded by the Palm Beach County Environmental Resources Management Department for the consultant to provide Palm Beach coastal orthophotography. Countywide (DB)
3. Staff recommends motion to:
 - A) **approve** the AT&T IP Flexible Reach and AT&T IP Toll-Free Pricing Schedule 7332921 to allow for a 36 month extension of AT&T telecommunications services at current rates; and
 - B) **authorize** the County Administrator or designee to execute future extensions to the AT&T Pricing Schedule as needed.

SUMMARY: The extension of this pricing schedule allows the County to maintain AT&T telecommunications services at current rates for services associated with the Unified Communications VoIP system. This extension does not obligate the County to any particular level of expenditure, but will establish a procurement vehicle to obtain services at a set rate as needed. Countywide (DB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES (Cont'd)

4. Staff recommends motion to:

A) rescind Interlocal Agreement R2014-1068, as amended;

B) approve the replacement Interlocal Agreement providing updated contract terms for network services with the East Central Regional Wastewater Treatment Facilities Operations Board; and

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

SUMMARY: The East Central Regional Wastewater Treatment Facilities Operations Board (ECR) has an existing Interlocal Agreement with Palm Beach County (R2014-1068, as amended) for network services. The County recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide network services to the ECR. The Florida LambdaRail, LLC has approved connection of the ECR to the Florida LambdaRail network. District 7 (DB)

W. PUBLIC AFFAIRS

1. Staff recommends motion to approve: the Trademark License Agreement with the U.S. Census Bureau, U.S. Department of Commerce, for the use of the 2020 Census logo® for promotional materials on behalf of Palm Beach County. **SUMMARY:** The U.S. Census Bureau provides this Trademark License Agreement to use its 2020 Census logo® on promotional materials. The census logo will be placed on the county's web pages, added to newsletters, brochures, informational materials, and other similar promotional items. Countywide (AH)

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: an amendment to Gulfstream Goodwill Industries, Inc. contract for Ex-Offender Juvenile Reentry Services, Contract #R2018-1654. **SUMMARY:** Palm Beach County Division of Justice Services subcontracts with reentry providers to coordinate adult and juvenile reentry services to those returning to Palm Beach County from incarceration. On October 16, 2018, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with these contracts. This amendment with Gulfstream Goodwill Industries, Inc. increases the unit cost rate from \$10.35 to \$15.01 per quarter hour for pre and post-release case management, reallocates funding between budget line items, adds additional allowable expenses to the compensation chart, and includes Tri Rail passes and Uber gift cards for transportation services as allowable expenses under Support Services. The increase in the unit rate is based on a misunderstanding of billable hours. The initial unit rate was calculated based on all hours worked instead of direct service hours. The decrease in billable hours results in an increase to the unit rate in order to recover full budgeted allocation. All adjustments are revenue neutral and adjust the budgets within approved line items. The amendment is retroactively effective as of November 1, 2018. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to receive and file: the following executed amendments with the Fifteenth Judicial Circuit Court (Court) which will extend the contract period from June 30, 2019 through December 31, 2019:

1) amendment to agreement for Expert Psychological or Professional Services in Adult and/or Juvenile Criminal Matters, Agreement # R2017-1383; and

2) amendment to agreement for Expert Psychological or Professional Services in Guardianship/Examining Committee Matters, Agreement # R2017-1384.

SUMMARY: The Court has contracted with the Division of Justice Services to provide court ordered forensic evaluations and testimony through Justice Services Court Psychology Office. These agreements compensate the County's Court Psychology Office for the contractual services provided to the Court. The State of Florida is in the process of revising/updating the language of all their contracts. It has been determined by the Court that it is in the State's best interest to extend this contract to allow time for the contract revisions. R2005-0792 authorizes the County Administrator or designee to sign agreements to provide psychological services to the Fifteenth Judicial Circuit Court. Countywide (SF)

3. Staff recommends motion to receive and file: the following amendments to Contracts/Interlocal Agreement for reentry services for the period of May 1, 2018 through September 30, 2020 funded by the Second Chance Act Grant SMART Reentry:

1) amendment to The Lord's Place, Inc. (TLP) Contract #R2018-0935;

2) amendment to Gulfstream Goodwill Industries, Inc. (GGI) Contract #R2018-0936; and

3) amendment to City of Riviera Beach Interlocal Agreement #R2018-0937.

SUMMARY: Palm Beach County was awarded a SMART Reentry grant on September 19, 2017, from the Department of Justice for \$850,000 (Award # 2017-CZ-BX-0003) from October 1, 2017 through September 30, 2020. On May 16, 2017, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with these contracts on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. This amendment corrects a clerical error in the First Project Budget Adjustment, which was dated February 26, 2018, instead of February 26, 2019, and includes newly approved standard professional service contract language. This amendment is effective retroactively as of May 1, 2018. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to approve: a contract for Consulting/Professional Services with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Public Guardianship and Domestic Violence Victim Representation in the amount not to exceed \$1,129,571 from October 1, 2019 through September 30, 2020. **SUMMARY:** The Legal Aid Society of Palm Beach County, Inc. has historically provided these services. This contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. The contract with the Legal Aid Society of Palm Beach County, Inc. consists of the State required program (\$862,228), the Public Guardianship program (\$154,530), and the Domestic Violence Representation program (\$112,813). The \$65 Court Fee generates \$257,000 for the State Required program and partially offsets the costs of these programs. Two staff members of the Legal Aid Society of Palm Beach County, Inc. serve on a County Advisory Board. Kristina Rowe and Kimberly Rommel-Enright serve on the HIV Care Council. This Board provides no regulation, oversight, management, or policy-setting recommendations regarding the Legal Aid Society of Palm Beach County, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (SF)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: a contract for Consulting/Professional Services for Occupational Health Physician/Medical Director Services with Island Medical Care, LLC, Earl J. Campazzi, M.D. to provide full-time on-site physician services for the County's occupational health clinic for the period of September 1, 2019 through August 31, 2022 (with two annual options to renew at the County's sole discretion) in a not-to-exceed all-inclusive amount of \$995,854.16, of which \$27,117.67 is budgeted in FY 2019, with an anticipated allocation of \$325,942.33 in FY2020, \$332,461.18 in FY 2021, and \$310,333.98 in FY 2022, contingent upon a budgetary appropriation by the Board of County Commissioners. **SUMMARY:** Staff issued a Request for Proposal (RFP) for the expiring Occupational Health Physician contract, which expires August 31, 2019. This new contract calls for physician services to increase from a part-time status of three days per week to a full-time status of five days per week, eight hours per day. This change will allow the clinic to better serve county departments and employees and to facilitate more physician participation in county occupational health related issues. The RFP Selection Committee chose the services of Earl J. Campazzi, M.D. of Island Medical Care, LLC who has been the contracted physician for approximately 13 years. The contract with Dr. Campazzi provides for on-site physician services, at 2080 hours per year, for a not-to-exceed amount of \$995,854.16 (\$325,400 in year one, with a 2% escalator each year), and allows for two consecutive one year renewals at the County's sole discretion. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. [Staff recommends motion to receive and file:](#) a first amendment to a contract for Professional Services with Rachelle Sosu (R2019-0236), a Postdoctoral Psychology Fellow (Fellow), extending the contract to September 30, 2020, at no additional cost to the County. **SUMMARY:** On February 5, 2019, the Board of County Commissioners received and filed a contract for Professional Services with Rachelle Sosu, to provide professional services in the area of clinical psychology, for the period August 5, 2019, through July 31, 2020. Postdoctoral programs require 2,000 hours of supervised services in order to meet state licensing requirements. This first amendment allows the Fellow additional time to complete the required 2,000 hours of supervised services. On October 3, 2006, Agenda Item 3X-2 authorized the County Administrator or designee to execute future postdoctoral psychology resident (n/k/a Fellow) contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (HH)

CC. INTERNAL AUDIT

1. [Staff recommends motion to receive and file:](#)
 - A) Audit reports reviewed by the Audit Committee at its June 12, 2019 meeting as follows:
 1. 19-04 Water Utilities – *Customer Service Operations*
 2. 19-05 Housing and Economic Sustainability – *Contract Management*
 - B) Audit recommendation status follow-up report as of May 15, 2019.

SUMMARY: County Code Section 2-260.16 requires the Internal Audit Committee to review audit reports prior to issuance. County Code Section 2-463 requires the County Internal Auditor to send those reports to the Board of County Commissioners. At its meeting on June 12, 2019, the Committee reviewed and authorized distribution of the attached audit reports. The Committee also reviewed and authorized distribution of the Audit Recommendation Status Follow-up Report as of May 15, 2019. Countywide (DB)

DD. SHERIFF

1. [Staff recommends motion to:](#)
 - A) **accept** on behalf of the Palm Beach County Sheriff's Office, a donation from the Rotary Club of Wellington Foundation, Inc., in the amount of \$20,000 for PBSO's Canine Unit; and
 - B) **approve** a budget amendment of \$20,000 in the Sheriff's Grant Fund.

SUMMARY: On June 21, 2019, the Palm Beach County Sheriff's Office (PBSO) received a donation from the Rotary Club of Wellington Foundation, Inc., to provide funding for protective Kevlar vests for PBSO's K-9s. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

2. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office an Amendment 1 between the Florida Council Against Sexual Violence (FCASV) and the Palm Beach County Sheriff's Office for a Trauma Informed Sexual Assault Investigations supplemental grant award in the amount of \$100,000 for the period July 1, 2019 through June 30, 2020; and

B) approve a budget amendment of \$100,000 in the Sheriff's Grants Fund.

SUMMARY: On September 18, 2018, the Palm Beach County Board of County Commissioners accepted a grant award from the FCASV on behalf of the Palm Beach County Sheriff's Office in the amount of \$100,000 (R2018-1464). The funds were used to hire one full time detective who was assigned to the Special Investigations Division (SID) to investigate sex crimes against victims ages 11 years of age and older. The grant also provided Trauma Informed Training to SID detectives responsible for responding to crimes of sexual assault. This Amendment 1 provides an additional \$100,000 for personnel expenses to support continued funding of this position. The PBSO will provide the 25% required match in the amount of \$33,334 through its approved operating budget. An increase in funding from the County may be requested through our annual budget process once the grant ends. Countywide (LDC)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a donation from The Howard E. Hill Foundation, Inc., in the amount, of \$50,000 for the FY2019-20 Gunfire Detection and Location Project; and

B) approve a budget amendment of \$50,000 in the Sheriff's Grant Fund.

SUMMARY: On July 1, 2019, the Palm Beach County Sheriff's Office (PBSO) accepted a donation from The Howard E. Hill Foundation, Inc., to offset the contractual services cost of the Gunfire Detection and Location Project. **PBSO is providing a \$60,250 match requirement through our FY19 general fund budget.** Countywide (LDC)

4. Staff recommends motion to:

A) receive and file Grant Modification #4 with the Office of National Drug Control Policy to provide an additional \$50,789 in grant funds for the Palm Beach County Narcotics Task Force; and

B) approve a budget amendment of \$50,789 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners (BCC) accepted this grant award for \$47,639 on April 10, 2018 (R2018-0593). The BCC accepted grant modification #1 award on July 10, 2018 (R2018-1051) which provided \$88,473 in additional grant funding. The BCC accepted Grant Modification #2 award on November 20, 2018 (R2018-1823) which provided \$18,704 in additional grant funding. The BCC accepted Grant Modification #3 award on March 12, 2019 (R2019-0367) which provided \$24,392 in additional grant funding. This Grant Modification #4 will provide an additional \$50,789 in grant funding to support the Palm Beach County Narcotics Task Force operations. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

5. **Staff recommends motion to approve:** a budget transfer of \$403,450 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2019 donation requirement is \$177,018. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,156,330. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$1,194,633. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$791,183. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. The table in this agenda item indicates the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. **No new positions are needed and no additional County funds are required.** Countywide (DC)

ORGANIZATION	AMOUNT
Alzheimer's Community Care, Inc.	\$10,000
Area Agency on Aging Palm Beach, Treasure Coast, Inc.	\$10,000
Center for Child Counseling, Inc.	\$10,000
Clinics Can Help, Inc.	\$10,000
Crime Stoppers of Palm Beach County, Inc.	\$25,000
Fiesta De Pueblo, Inc.	\$25,000
Florida Crime Prevention Association, Inc.	\$7,000
Girl Scouts of Southeast Florida, Inc.	\$10,000
Heroes Foundation of America, Inc.	\$25,000
Homeless Coalition of Palm Beach County, Inc.	\$25,000
The Children's Place at Home Safe, Inc.	\$5,000
Josh's Benches for Awareness, Inc.	\$3,950
Leadership Palm Beach County, Inc.	\$10,000
Mental Health Association of Palm Beach County, Inc.	\$17,500
Palm Beach County PAL, Inc. (Basketball Program)	\$25,000
Palm Beach County PAL, Inc. (Tutoring Program)	\$25,000
Palm Beach County Sheriff's Foundation, Inc. (Explorers Program)	\$25,000
Palm Beach County Sheriff's Foundation, Inc. (School Supply Program)	\$25,000
Speak up for Kids of Palm Beach County, Inc.	\$100,000
Vita Nova, Inc.	\$10,000
Total Amount	\$403,450

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve:

A) an amendment of Solicitation/Modification of Contract (Contract No. 45310018C0053P00001) with the U. S. Equal Employment Opportunity Commission (EEOC) in the total amount of \$76,100 as payment for processing and resolving employment discrimination complaints; and

B) a net upward budget amendment of \$2,100 in the General Fund to adjust the budget to the actual contract.

SUMMARY: Execution of the documents are required so that Office of Equal Opportunity (OEO) can receive payment for processing and resolving complaints of employment discrimination pursuant to the Worksharing Agreement with the EEOC. Contract No. 45310018C0053P00001 is for FY 2018-2019 and is in the amount of \$76,100 (\$70,400 for charge processing; \$2,800 for intake services; \$1,900 for attendance at EEOC sponsored annual training and \$1,000 for Fair Employment Practices Agencies engagement funding). **No County funds are required.** Countywide (DO)

2. Staff recommends motion to receive and file: the FY 2019 Worksharing Agreement with the U.S. Equal Employment Opportunity Commission (EEOC). **SUMMARY:** The Worksharing Agreement is designed to provide individuals with an efficient procedure for obtaining redress for their grievances under Palm Beach County's Equal Employment Ordinance and Federal laws. The Worksharing Agreement is a prerequisite to the receipt of a Charge Resolution Contract with the EEOC. On November 26, 1996, the Board of County Commissioners approved staff's recommendation that future Worksharing Agreements be executed by the County Administrator, or designee, because of the recurring time constraints involved in this process. Pursuant to Countywide PPM-CW-O-051, the attached document is now being submitted to the BCC to receive and file. Countywide (DO)

3. CONSENT AGENDA APPROVAL

FF. OFFICE OF EQUAL BUSINESS OPPORTUNITY

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

<u>REAPPOINTMENT</u>	<u>SEAT #</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Aida Vidal	2	Certified Hispanic Business Owner	09/26/19-09/21/22	Mayor Bernard Vice Mayor Kerner Comm. McKinlay Comm. Valeche Comm. Weinroth
Javin Walker	10	Minority Contractor	09/26/19-09/21/22	Mayor Bernard Vice Mayor Kerner Comm. McKinlay
Scott Johnson	11	Associated General Contractors	09/26/19-09/21/22	Mayor Bernard Vice Mayor Kerner Comm. McKinlay Comm. Valeche 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 July 8, 2019 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%), African American: 6 (40%), and Hispanic: 3 (20%). The gender ratio (female:male) is: 9:6. The nominees for reappointment are: Ms. Aida Vidal, Hispanic-American female; Mr. Javin Walker, African-American male; and Mr. Scott Johnson, Caucasian male. Countywide (DB)

3. CONSENT AGENDA APPROVAL

GG. COMMISSION ON ETHICS

1. Staff recommends motion to approve: a Memorandum of Understanding (MOU) with the Delray Beach Downtown Development Authority and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics retroactive and in effect from July 14, 2019 through September 30, 2022. **SUMMARY:** The Delray Beach Downtown Development Authority (Delray Beach DDA) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU identifies the roles and responsibilities of the Commission on Ethics and the Delray Beach DDA in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Agency to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this agreement must be used to fund Commission on Ethics operations. The MOU is subject to final approval of the Board of County Commissioners. District 4 & 7 (LB)

2. Staff recommends motion to approve: a Memorandum of Understanding (MOU) with the Delray Beach Housing Authority and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics retroactive and in effect from February 5, 2019 through September 30, 2022. **SUMMARY:** The Delray Beach Housing Authority (DBHA) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU identifies the roles and responsibilities of the Commission on Ethics and the DBHA in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Agency to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this MOU must be used to fund the Commission on Ethics' operations. The MOU is subject to final approval of the Board of County Commissioners. Districts 4 & 7 (LB)

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

A. ENGINEERING & PUBLIC WORKS

Continued from the June 18, 2019 BCC meeting.

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners (BCC) of Palm Beach County (County), Florida, repealing and replacing Palm Beach County Code Chapter 23, Article VII, Ordinance No. 2000-009, Palm Beach County Telecommunications Right-of-Way Ordinance, governing registration for use of right-of-way; providing for title; definitions; registration required; registration term and renewal; registration revocation and termination; insurance; abandonment; severability; inclusion in the code of laws and ordinances; enforcement; savings clause; captions; and for an effective date. **SUMMARY:** This ordinance repeals and replaces the existing ordinance that governs the requirements for telecommunication companies to register with the County prior to applying for approval to install facilities within the County’s Right-of-Way as provided in Florida Statutes. This ordinance will expand the registration requirements to all types of communication companies and incorporates changes pursuant to the “Advanced Wireless Infrastructure Deployment Act,” which relates to 5G wireless technology deployment. Also this Ordinance complies with the 2019 amendments to Section 337.401, Florida Statutes. These revisions are consistent with revisions proposed concurrently to the County’s Right-of-Way Permitting Ordinance. Countywide (YBH)

2. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners (BCC) of Palm Beach County (County), Florida, repealing and replacing Palm Beach County Code Chapter 23, Article III, Ordinance No. 2008-006, governing right-of-way permitting; providing for title; definitions; permit required; permit application; provider and pass-through provider permit applications; provider and pass-through provider permit review; obligations of permittee; construction surety; enforcement remedies; permit revocation; abandonment of a facility; appeals; insurance; indemnification; force majeure; reservation of rights and remedies; severability; inclusion in the code of laws and ordinances; savings clause; captions; and for an effective date. **SUMMARY:** This ordinance repeals and replaces the existing ordinance that governs permitting of facilities placed in the County’s Right-of-Way. This ordinance will also govern placement of Communication Facilities as provided in the recent amendments to Section 337.401, Florida Statutes, and placement of Small Wireless Facilities as provided in the “Advanced Wireless Infrastructure Deployment Act,” which relates to 5G wireless deployment. Additional clarifications are proposed to assist staff in their review of permit applications for all types of facilities. Countywide (YBH)

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

B. FIRE RESCUE

1. Staff recommends motion to adopt:

A) a resolution establishing the rate for the non-ad valorem special assessment levied against parcels within the Palm Beach County Municipal Service Benefit Unit for Fire Hydrant Maintenance and Rental-Riviera Beach (MSBU-Riviera Beach) for Fiscal Year 2020 and all subsequent fiscal years; providing for repeal of Resolution 98-1023 and Resolution 2018-1056; and providing for a savings clause; and

B) a resolution adopting the non-ad valorem assessment roll for the MSBU-Riviera Beach for Fiscal Year 2020 and all subsequent fiscal years; providing for repeal of Resolution 98-1024 and Resolution 2018-1057; providing for sunset of Section 26-110 of the Palm Beach County Code; and providing for savings clauses.

SUMMARY: The Board adopted Ordinance 2018-020 to amend, update and restate the boundaries of the MSBU-Riviera Beach, including the addition of 141 previously missing properties, which were separately assessed for Fiscal Year 2019 pursuant to Section 26-110 of the Palm Beach County Code. On November 20, 2018, the Board adopted Resolution 2018-1825 declaring its intent and election to use the uniform method for levy, collection and enforcement of non-ad valorem special assessments within the MSBU-Riviera Beach as amended, updated and restated. There are now 782 parcels within the MSBU-Riviera Beach subject to the current non-ad valorem assessment rate of \$52.86 per parcel. This public hearing is being held to adopt the assessment rate and the non-ad valorem assessment roll, in accordance with Section 197.3632(4), Florida Statutes, and Section 26-109 of the Palm Beach County Code. District 7 (SB)

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5. REGULAR AGENDA

A. PLANNING, ZONING & BUILDING – TIME CERTAIN: 11:00AM

1. Staff recommends a motion to adopt: a resolution denying the request to delegate to the Village Council of the Village of Palm Springs the exercise of all powers and responsibilities conferred on Palm Beach County by the Community Redevelopment Act for the purpose of establishing and operating the Village of Palm Springs Community Redevelopment Agency (CRA). **SUMMARY:** The item before the Board of County Commissioners (BCC) is to consider the creation of a new CRA with two sub-areas located on Lake Worth Road and Congress Avenue at the request of the Village of Palm Springs within its municipal limits. The Village concluded in the Finding of Necessity report that the sub-areas meet the criteria of blight as defined in Florida Statutes. In addition, the County and the Village followed the statutory process to bring this item to the BCC for consideration. A complete analysis can be found within the County's Staff Report in Attachment 3 to this agenda item. As the governing body of a charter county, the BCC has full discretion to approve or deny a request to create a CRA within a municipality. The Village is seeking a delegation of all powers and responsibilities conferred in the Community Redevelopment Act including creation of a Redevelopment Trust Fund that utilizes increases in property tax revenues that would otherwise go to the County. Therefore, due to the fiscal impact, staff recommends denial for the creation of a new CRA. Based on the County's current millage rate and the Village's projection of property value growth of 2.5%, the fiscal impact to the County would be approximately \$18.5 million over a 30-year period. At 4% growth, the fiscal impact would be \$35 million. If the growth exceeds this amount, the fiscal impact will be greater. In Fiscal Year 2019, \$42.8 million in property tax revenue was redirected from the County to the 12 existing CRAs. District 2 & 3 (RPB)

B. PARKS & RECREATION

1. Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 8, 2019 at 9:30 a.m.: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be designated as the Vapor Free Public Park Playground Ordinance; providing for a title; providing for applicability; providing for definitions; providing for the prohibition of the use of vapor generating electronic devices at public park playgrounds; providing for civil citations for violations; 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:** This ordinance, to be known as the Vapor Free Public Park Playground Ordinance, will provide a prohibition of the use of vapor generating electronic devices including e-cigarettes at County-operated public park playgrounds. The Centers for Disease Control and Prevention has stated that the use of e-cigarettes is unsafe for kids, teens and young adults. E-cigarettes typically contain nicotine which is highly addictive and can harm adolescent brain development, which continues into the early to mid-20s. E-cigarettes can contain other harmful substances besides nicotine including ultrafine particles that can be inhaled deep into the lungs, flavorings such as diacetyl, a chemical linked to a serious lung disease, volatile organic compounds, cancer-causing chemicals, and heavy metals such as nickel, tin and lead. Youth who use e-cigarettes, a practice also known as vaping, may be more likely to smoke cigarettes in the future. Vaping in proximity of children engaging in or watching outdoor recreational activities is detrimental to their health. If an individual is found to have violated the ordinance, a civil citation will be issued with a first occurrence of \$50 civil fine plus court costs. Countywide (AH)

5. REGULAR AGENDA

C. PUBLIC SAFETY

1. Staff recommends motion to receive and file: an update on Human Trafficking Training. **SUMMARY:** On August 16, 2016, the Board of County Commissioners (BCC) directed staff to develop an expansion of training to County staff and community partners in an effort to combat human trafficking. On April 4, 2017, the County's Public Safety Department, Division of Victim Services (PBCVS) presented a proposal to the BCC on human trafficking training for County staff and community partners utilizing existing County staff and resources. Since then, PBCVS has accomplished the following milestones utilizing existing resources: 1) training materials have been developed in collaboration with the Human Trafficking Coalition of the Palm Beaches in various formats, customized to the target audience; 2) in-person training was developed and has been provided to over 500 front-line County employees by PBCVS staff and members of the Human Trafficking Coalition of the Palm Beaches; 3) a Human Trafficking website to educate the citizens of Palm Beach County, was developed and announced via a press release on April 11, 2018; 4) a training video, was produced and will be viewed by all new county employees within two months of hire and all existing county employees within six months of rollout; and 5) the National Association of Counties presented Palm Beach County with a 2018 Achievement Award for the Human Trafficking Awareness Program. Additionally, the PBCVS will collaborate with the League of Cities to encourage training with municipalities located within Palm Beach County. Through these efforts, Palm Beach County will continue to work towards the prevention and elimination of trafficking of persons. Countywide (SF)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) adopt a resolution by the Board of County Commissioners of Palm Beach County, Florida, recommending approval of Project Signal, a domestic business corporation that will be required to register and be authorized to do business in the State of Florida, as a Qualified Target Industry (QTI) business pursuant to s.288.106, Florida Statutes; providing for local financial support for the Qualified Target Industry Tax Refund Program not to exceed \$19,200 over a six-year period; providing for severability; providing for an effective date; and

B) conceptually approve an Economic Development Incentive for Project Signal in the form of a cash grant not to exceed \$19,200 over six years.

SUMMARY: Staff recommends the Board of County Commissioners' (BCC) adopt a resolution recommending approval of Project Signal and conceptually approving an Economic Development Incentive for Project Signal. Project Signal is contemplating relocating its international headquarters to Palm Beach County. The project will invest \$1,220,000 to lease, make renovations to, and equip a 7,500 square-foot facility. The project will create 32 new jobs over a three-year period at an annualized average wage of \$71,663 and an annualized median wage of \$57,293. The estimated five-year local economic impact is \$59.6 million. Project Signal qualifies for the Qualified Target Industry (QTI) Tax Refund program, which continues to be funded by the Florida Legislature. The company is being offered an incentive not to exceed \$192,000. Of this amount, \$153,600 is from the State of Florida, and \$38,400 is a required match from local government entities. Palm Beach County and the City of Boca Raton will equally share the required local match. Palm Beach County will provide its portion of the local match as a cash grant in an amount not to exceed \$19,200. The cash grant will be: 1) paid over a period of six years, provided it meets the State of Florida requirements; 2) paid according to the State's QTI Refund schedule; and 3) secured by a letter of credit or cash bond. The company will be required to enter into a formal agreement memorializing their commitments and establishing terms under which the incentive will be disbursed. The company name will be disclosed at such time. District 4 (DB)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

A) approve a Loan Agreement with Amelia Gardens, LLC (Borrower), that restructures \$598,448 in State Housing Initiatives Partnership (SHIP) funds owed by the Borrower in connection with a previous loan made to the Borrower under a May 6, 2003, Loan Agreement (R2003-0627);

B) approve the forgiveness of \$109,050 in deferred and accrued interest owed by the Borrower, under a Promissory Note as recorded in Official Records Book 15438, on Page 838, of the Public Records of Palm Beach County, Florida; and

C) delegate authority to the County Administrator or designee to execute future amendments to the Loan Agreement and all other documents necessary for implementation of the project.

SUMMARY: On May 6, 2003, the County entered into a Loan Agreement (R2003-0627) with the Borrower to provide \$489,398 in SHIP funds to assist in the construction of 22 affordable rental housing units located on SW 14th Street in Belle Glade. On May 30, 2003, a loan closing was held and the County's funds were secured by a mortgage and promissory note. The loan terms were set at a rate of 3% for 15 years. Annual payments of interest only were to be made subject to cash flow from the property with all deferred and accrued interest together with the principal amount payable on December 31, 2018 (the Maturity Date). No payments were received by the County from the Borrower over the life of the loan. A total of \$707,498 (consisting of the \$489,398 principal amount plus \$218,100 in interest) was due on the Maturity Date. Staff is recommending the restructuring of the loan to be repaid over a new 15-year period during which the affordability of the rental units will be extended. The restructured loan would forgive one half of the interest (\$109,050) and make the new principal amount of \$598,448, comprising the other one half of the interest (\$109,050) plus the original principal (\$489,398), payable (with no interest) on a monthly basis over 15 years. This would require a monthly payment of \$3,324.71 over the life of the new loan. As a precondition to the closing on the new loan, the Borrower will be required to fund a replacement reserve account for repairs and maintenance of the units and obtain subordinations to the County's new loan from the lender of two other loans secured by mortgages on the property. **These are SHIP grant funds which require no local match.** District 6 (HJF)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. **Staff recommends motion to approve:** allocation of \$575,000 of program income from the State Housing Initiatives Partnership (SHIP) Program to be offered as the required local government contribution for projects seeking funding under the Florida Housing Finance Corporation's (FHFC) Housing Credits (HC) Program and State Apartment Incentive Loan (SAIL) Program. **SUMMARY:** Staff recommends Board of County Commissioners' (BCC) approval to make available \$575,000 of SHIP program income for the local government contribution required by affordable housing developers seeking funding through FHFC's HC and SAIL Programs. Palm Beach County's Department of Housing and Economic Sustainability (DHES) has historically provided the required local government contribution in the form of low-interest loans to affordable housing developers who apply to the HC and SAIL Programs for tax credit equity and low interest loans to develop affordable multi-family rental housing. DHES will issue a Notice of Funding Availability offering up to \$575,000 in loan commitments, which would provide the \$115,000 required local contribution for up to five HC and SAIL funding applications. Should FHFC ultimately not award HC or SAIL to a selected developer, the County's loan commitment to the developer is nullified. County Loan Agreements with developers who are awarded HC or SAIL funding by FHFC will be submitted to the Board of County Commissioners (BCC) for final approval. The County's funding of \$115,000 per project will be provided in the form of a 1% interest only loan which balloons in 30 years. These funds will remain available for use by the developer for 24 months from the date upon which FHFC approves the project. The County's loan documents will impose a 30-year affordability period and require the developer to pay an annual \$1,000 monitoring fee. Any funding not obligated to successful HC and SAIL projects will be reallocated by DHES to other eligible affordable housing activities approved by the BCC in the Local Housing Assistance Plan (LHAP). **These funds are SHIP program income which requires no local match.** Countywide (HJF)

4. **Staff recommends motion to approve:** the proposed Fiscal Year 2019-2020 State Housing Initiatives Partnership (SHIP) Program budget allocations for affordable housing strategies as follows:

• Purchase Assistance	\$500,000
• Owner Occupied Housing Rehabilitation	\$500,000
• Emergency Repairs	\$151,022
• Foreclosure Prevention	\$ 45,000
• Project Delivery	\$149,400
• Administrative Costs	\$149,400

SUMMARY: Staff recommends the Board of County Commissioners' (BCC) approve the proposed SHIP budget allocations. Palm Beach County receives an annual allocation from the State of Florida Housing Finance Corporation (FHFC) through the SHIP Program to implement various affordable housing programs and other related activities. On April 16, 2019, the BCC approved the SHIP Local Housing Assistance Plan (LHAP) for Fiscal Years 2019-2020, 2020-2021 and 2021–2022 (R2019-0546). For Fiscal Year 2019-2020, Palm Beach County is to receive \$1,494,822. If Palm Beach County was fully funded, the allocation would have been approximately \$13 million. At the Commission on Affordable Housing's July 15, 2019, public meeting, they unanimously supported staff's proposed budget recommendation. SHIP regulations require that a minimum of 65% of a local jurisdiction's SHIP funding be allocated to homeownership activities, and 20% of the fiscal year's funding allocation be expended on special needs households. The special needs households will be assisted through the Purchase Assistance, Owner Occupied Housing Rehabilitation, Emergency Repair and Foreclosure Prevention strategies. In accordance with the SHIP regulations, the funds are required to be encumbered within two years and expended within three years of the allocation. **These are State SHIP funds which require no local match.** Countywide (HJF)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

5. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the conveyance of certain residential real property to the Riviera Beach Community Development Corporation, Inc. (RBCDC), 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

B) approve a County Deed in favor of the RBCDC conveying a residential property at 928 W. 7th Street in the City of Riviera Beach.

SUMMARY: Staff recommends Board of County Commissioners' (BCC) approval of the donation of a property to the RBCDC, a Florida not-for-profit corporation. This is a 0.1263-acre residential property with a single-family home located at 928 W. 7th Street in Riviera Beach (PCN: 56-43-42-32-01-034-0280). The property escheated to the County in July 2017. The appraised value of the property is \$56,000. The Property Review Committee was not required to review the conveyance since the appraised value is less than \$250,000. The RBCDC has successfully implemented single-family housing projects and has an established track record in the affordable housing arena in Palm Beach County. The RBCDC proposes to fully rehabilitate this three bedroom, one bathroom, single family structure up to code, including upgraded electrical, plumbing, new flooring, energy efficient: HVAC appliances, low VOC paint in/out, porcelain tile, impact windows and doors, new roof if needed, xeriscape landscaping, and irrigation system. The home will be sold to a family earning no more than 80% of Area Median Income at an anticipated sales price not to exceed \$245,000. The income restriction will be in effect until December 31, 2049. **The Board should be cognizant that as a result of the County's affordability restrictions on the property, it 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 RBCDC 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 7 (HJF)

5. REGULAR AGENDA

E. FACILITIES DEVELOPMENT AND OPERATIONS

1. **DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve on preliminary reading and advertise for public hearing on September 10, 2019 at 9:30 a.m.:** ~~an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, Amending the Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance, repealing and replacing Chapter 22, Article VI of the Palm Beach County Code (Ordinance No. 2009-052 the Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance); providing for a title; providing for amending definitions; providing for dissolution of the Property Review Committee; prohibiting use of hypothetical conditions or extraordinary assumptions in establishing valuation of real property; providing for determination of value; increasing valuation thresholds; expanding the types of standard form agreements which the Department Director has delegated authority to execute; providing for standards and procedures for sale or lease of real property; providing for delegation of authority; providing for supermajority vote; providing for repeal of laws in conflict; providing for severability; providing captions; providing for inclusion in the code of laws and ordinances; and providing for an effective date. **SUMMARY:** The Palm Beach County Acquisition, Disposition and Leasing Ordinance (“PREM Ordinance”) was amended in 2009 to implement recommendations of the Palm Beach County Grand Jury, including requiring a supermajority vote to approve all purchases, sales and exchanges and establishing a Property Review Committee (“PRC”) to review real estate transactions which: i) are based upon appraisals utilizing hypothetical conditions, extraordinary assumptions, or assume a change in land use, comprehensive plan amendment or concurrency other than currently exists; ii) the price varies from the appraisal value by more than 10%; or iii) are an exchange of real properties in which the value of the property to be conveyed or received by the County exceeds \$250,000. Resolution R2013-1421 establishing the PRC contemplated that the Board review the effectiveness of the PRC to determine whether a public need exists for the continuation of the PRC. The PRC has not met to review a qualifying real estate transaction in 3 years. By prohibiting use of extraordinary assumptions and hypothetical conditions in appraisals, and by requiring extraordinary votes to approve real estate transactions, staff believes that adequate protections will be in place to allow for the PRC to be dissolved. The Office of Inspector General also provides an additional layer of oversight which was not in place at the time when the PRC was established. This repealed and replaced amendment to the PREM Ordinance also expands the delegation of authority to the County Administrator or designee Director of Facilities Development & Operations to execute standard agreements, where the County Attorney’s Office has reviewed and approved the form for legal liability and which do not obligate the County to expend more than \$50,000. This will enable staff to timely process requests for use of County property and County use of private property such as meeting rooms and room block agreements for reservation of convention center hotel rooms for County sponsored events. The PREM Ordinance is being repealed and replaced rather than being amended for clarity and readability. (Property & Real Estate Management) Countywide (HJF)~~

2. **DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to adopt:** ~~a resolution of the Board of County Commissioners of Palm Beach County, Florida repealing Resolution No. 2013-1421; dissolving the Palm Beach County Property Review Committee (PRC); and providing for an effective date. **SUMMARY:** The PRC is an advisory board that is charged with reviewing, evaluating and advising the Board regarding real estate transactions involving the purchase, (including eminent domain, sale or exchange) of real property upon certain triggers being met or value thresholds exceeded. The PRC was created by Resolution No. 2010-0292, which was repealed and replaced by Resolution No. 2013-1421. Both resolutions required Board review of the effectiveness of the PRC to determine whether a public need exists for the continuation of such committee. Since its inception in 2010, the PRC has only met eight times to review four transactions. The last meeting was in June of 2016. Staff believes that with proposed changes to the Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance (PREM Ordinance), submitted as a companion item, there is no longer a public need for the PRC. (Property & Real Estate Management) Countywide (HJF)~~

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AUGUST 20, 2019

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

7. ADJOURNMENT

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