

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 15, 2015

<u>PAGE</u>	<u>ITEM</u>	
8	3B-3	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. (Clerk)
9	3C-2	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: Modification Number One to the Subgrant Agreement (Modification) with the State of Florida, Division of Emergency Management (DEM) to change the expiration date to March 24, 2016 and modify the scope to reflect the new expiration date. Contract R2015-0594 for the canal improvements at the Lake Worth Drainage District (LWDD) L-2 Canal (Project) was approved by the Board of County Commissioners (Board) on May 5, 2015. (Engineering)
9	3C-4	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: the Second Amendment (Amendment) to the current annual traffic signal contract R2012-0951 (Contract), Project No. 2012056, dated July 10, 2012, with Gerelco Traffic Controls, Inc. (Contractor) to extend the Contract to July 1, 2016 or until the new annual traffic signal contract is executed. (Engineering)
10	3D-1	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of Two Hundred and Fifty Thousand dollars (\$250,000.00) in the wrongful death claim styled <u>ETHEL FAYE HOLLIS, as Personal Representative of the Estate of Fiddie Mae Hollis, Decedent, Claimant, v. PALM BEACH COUNTY FIRE RESCUE, Respondent.</u> (County Attorney)
12	3E-3	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: Amendments to Contract for Provision of Ryan White Part A HIV Health Support Services with below listed agencies, for the period March 1, 2015, through February 29, 2016 in an amount totaling \$132,506: (Community Services)
19	3H-6	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: annual contracts for roofing contracting services on an as-needed basis for projects typically under \$100,000 each....(FDO)
20	3H-7	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: Contract with West Construction, Inc. in the amount of \$5,168,000 to construct Waterway Park, located off Indiantown Road and Jonathan Drive in Jupiter. (FDO)
20	3H-8	<u>WAITING FOR BACKUP:</u> Staff recommends motion to approve: a Vehicle and Equipment Parts Management and Supply Agreement (Agreement) with Genuine Parts Company d/b/a NAPA (NAPA), a Georgia corporation, qualified to do business in Florida, for onsite integrated inventory management services for the Fleet Management Division at an estimated annual cost of \$2,739,000. (FDO)

- 21 3H-9 **WAITING FOR BACKUP: Staff recommends motion to approve:** Rider to Hunt Construction Group, Inc.'s Public Construction Bond for construction of the Ballpark of the Palm Beaches. (FDO)
- 21 3H-10 **WAITING FOR BACKUP: Staff recommends motion to approve:** a Second Restated Use Agreement (Agreement) with Ric L. Bradshaw, Sheriff, in his official capacity as the Sheriff of Palm Beach County (PBSO), for the continued operation of the Cabana Colony Youth Center. (FDO)
- 21 3I-1 **WAITING FOR BACKUP: Staff recommends motion to approve:** an Agreement with the City of Lake Worth in the amount of \$60,000 for the period of December 15, 2015, through October 31, 2016. (DES)
- 21 3I-2 **WAITING FOR BACKUP: Staff recommends motion to approve:** Amendment No. 001 to an Agreement (R2015-0354) with the Westgate/Belvedere Homes Community Redevelopment Agency (WCRA). (DES)
- 22 3I-3 **WAITING FOR BACKUP: Staff recommends motion to adopt:** a Resolution authorizing the Department of Economic Sustainability (DES) to utilize the State of Florida's Voluntary Cleanup Tax Credit (VCTC) Program to actively support the cleanup and redevelopment of designated Brownfield sites within the County for business growth and expansion opportunities. (DES)
- 23 3K-1 **WAITING FOR BACKUP: Staff recommends motion to approve:** Contract with Johnson-Davis, Inc. for the Aerial Crossing Replacements in Belle Glade in the amount of \$721,542. (WUD)
- 24 3K-2 **WAITING FOR BACKUP: Staff recommends motion to approve:** Change Order No. 3 to the Contract for the Water Treatment Plant (WTP) No. 2 Filter Replacement with MWH Constructors, Inc. (R2014-0150) in the amount of \$77,120.12 with a 45 calendar day time extension. (WUD)
- 24 3K-3 **WAITING FOR BACKUP: Staff recommends motion to approve:** A) First Amendment to Interlocal Agreement between Palm Beach County and the Town of Lake Clarke Shores related to Potable Water, Wastewater, and Reclaimed Water Service Areas; and...(WUD)
- 25 3K-4 **WAITING FOR BACKUP: Staff recommends motion to approve:** Work Authorization No. 10 for 24" Reclaimed Water Main Extension at Valencia Cove South (Project) with Centerline Utilities, Inc. in the amount of \$832,384.14. (WUD)
- 25 3K-5 **WAITING FOR BACKUP: Staff recommends motion to approve:** Change Order No. 2 for the Water Treatment Plant No. 3 Permeate Pipeline Replacement Contract with D.B. Construction Services, Inc. (R2012-0337) in the amount of \$122,043.61, with a 516 day time extension. (WUD)
- 26 3K-7 **WAITING FOR BACKUP: Staff recommends motion to approve:** Amendment No. 1 to the Contract for Engineering/Professional Services for the Western Region Operations Center (WROC) with Mathews Consulting, Inc. (R2014-1764) to increase the contract in the amount of \$26,633.45 (WUD)
- 27 3L-3 **WAITING FOR BACKUP: Staff recommends motion to approve:** Amendment No. 3 to the Palm Beach County Dune and Wetland Restoration Annual Contract, Project No. 2013ERM01 (R2013-1825) with Eastman Aggregate Enterprises, LLC (Eastman) to extend the Construction Contract for one year to December 16, 2016 for a not-to-exceed amount of \$4,450,665.23 for year three. (ERM)
- 28 3L-4 **WAITING FOR BACKUP: Staff recommends motion to:** A) approve Grant Agreement FWC-15098 with the Florida Fish and Wildlife Conservation Commission (FWC) to provide up to \$40,000 pass-through Federal funding (CFDA 15.605) and \$20,000 of State funding (CSFA 77.007) for the construction of the Jupiter Inlet artificial reef, expiring August 31, 2016;...(ERM)

- 30 3M-5 **WAITING FOR BACKUP: Staff recommends motion to approve:** First Amendment to Contract No. 800014/LS with Chet's, Inc., located in Boynton Beach, Florida, providing professional water ski instruction at Burt Aaronson South County Regional Park renewing the contract for one year to begin October 1, 2015 and to expire September 30, 2016. (Parks)
- 34 3T-1 **WAITING FOR BACKUP: Staff recommends motion to approve: A)** a Contract with the Department of Health (DOH) in the amount of \$2,114,162 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2015, through September 30, 2016; and...(Health Dept)
- 35 3U-1 **WAITING FOR BACKUP: Staff recommends motion to approve:** the First Amendment to Interlocal Agreement R2015-1402 for network services with Seacoast Utility Authority (SUA) to transfer a portion of SUA fiber to Palm Beach County (County), effective retroactively to October 1, 2015, through September 30, 2016 with automatic one-year renewals unless notice is given by either party. (ISS)
- 35 3U-2 **WAITING FOR BACKUP: Staff recommends motion to approve:** the Fifth Amendment to Interlocal Agreement R2010-0650, as amended, for network services with Palm Beach State College, effective retroactively to October 1, 2015, through September 30, 2016 with automatic one-year renewals unless notice is given by either party. (ISS)
- 35 3U-3 **WAITING FOR BACKUP: Staff recommends motion to approve:** a Second Amendment to Agreement R2014-0852, as amended, for network services with Lutheran Services Florida, Inc., effective retroactively to October 1, 2015, through September 30, 2016 with automatic one-year renewals unless notice is given by either party. (ISS)
- 36 3X-1 **WAITING FOR BACKUP: Staff recommends motion to receive and file:** Second Amendment to Interlocal Agreement for the RESTORE Initiative with the Office of the Public Defender, 15th Judicial Circuit extending the expiration date from September 30, 2015 to December 31, 2015. (Public Safety)
- 36 3X-2 **WAITING FOR BACKUP: Staff recommends motion to: A) receive and file** an award from the U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program, for \$144,219 beginning October 1, 2014, through September 30, 2018 to fund ex-offender community reentry services;...(Public Safety)
- 38 3Z-2 **WAITING FOR BACKUP: Staff recommends motion to approve: A)** Additional one year extension of the Administrative Services Only (ASO) Agreement (R2011-1667); dated October 31, 2011 with CIGNA Health and Life Insurance Company (CHLIC) for claims administration services for the County's self-funded HMO and POS health insurance plans for the period January 1, 2017, through December 31, 2017; and...(Risk Management)
- 39 3AA-2 **WAITING FOR BACKUP: Staff recommends motion to: A) adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Supplemental Joint Participation Agreement (JPA) Number 1 (FM NO. 407184-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$615,070 for FY 2016 for the provision of fixed route services to the public in the non-urbanized (Glades Region) area of Palm Beach County; establishing an effective date;...(Palm Tran)
- 39 3AA-3 **WAITING FOR BACKUP: Staff recommends motion to: A) adopt** a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Supplemental Joint Participation Agreement (JPA) Number 1 (FM No. 407188-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$10,054,968 for FY 2016 for the provision of fixed route services to the public in Palm Beach County; establishing an effective date;...(Palm Tran)

- 40 3AA-4 **WAITING FOR BACKUP: Staff recommends motion to receive and file:** the electronically executed Federal Transit Administration (FTA) Application FL-90-X881-00 for \$10,439,303 (R2015-1069). (Palm Tran)
- 40 3AA-5 **WAITING FOR BACKUP: Staff recommends motion to approve:** Memorandum of Understanding (MOU) with the Florida Department of Health in Palm Beach County (DOH) for Support Services for Emergency Dispensing of Strategic National Stockpile. (Palm Tran)
- 42 4B **WAITING FOR BACKUP: Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, updating the Five-year Capital Improvement Tables 1-17 of the Comprehensive Plan; providing for repeal of laws in conflict; providing for severability; and providing for an effective date. (PZB)
- 43 4D **WAITING FOR BACKUP: Staff recommends motion to: 1) determine** that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan (Plan) and that fewer than 20% of the FY 2014 construction projects are more than 12 months behind schedule as defined in Attachment "1" to the Agenda Item;...(Engineering)
- 44 4E **WAITING FOR BACKUP: Staff recommends motion to: 1) approve** the filing of the FY 2013 (\$1,598,755), FY 2014 (\$1,686,583) and FY 2015 (\$1,719,480) Section 5339 Federal Transit Administration (FTA) Grant Application FL-34-0020 for \$5,004,818 in capital funds allocated to Palm Beach County;...(Palm Tran)
- 45 5A-1 **WAITING FOR BACKUP: Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida in support of Senate Bill 746 (Negrón) and House Bill 427 (Magar) to increase boater safety. (Admin/Legislative Affairs)
- 45 5A-2 **WAITING FOR BACKUP: Staff recommends motion to: A) approve** the following Convention Center Hotel documents:... (Admin/CCH)
- 46 5A-3 **WAITING FOR BACKUP: Staff requests Board direction:** concerning a Consent to Use (Consent) which would permit the construction of a healthcare and assisted living facility for patients with dementia and Alzheimer's (the Project) on 100 restricted acres within the Alton Development (formerly known as Briger). The other beneficiaries including Scripps, Kolter (KH Alton), the City of Palm Beach Gardens, and the State of Florida have executed the Consent. (Admin)
- 46 5B-1 **WAITING FOR BACKUP: Staff recommends motion to approve: A)** an Economic Development Incentive Agreement with Biomet 3i, LLC (Company), a subsidiary of Zimmer Inc., in the amount of \$250,000 over a four year period; (DES)
- 48 5E-1 **WAITING FOR BACKUP: Staff recommends motion to approve: A)** an acquisition from the South Florida Water Management District (SFWMD) of 39.7 acres of vacant land adjacent to the County's 20 Mile Bend property for \$405,000; and...(FDO)
- 49 5F-1 **WAITING FOR BACKUP: Staff requests Board direction on:** a Resolution supporting a request for legislative appropriation for engineering design and permitting costs of a navigational structure linking the C-51 Canal and the five lakes comprising the Chain of Lakes, with the Lake Worth Lagoon and the Atlantic Intracoastal Waterway. (ERM)

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the 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**

DECEMBER 15, 2015

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 7 - 41)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 42 - 44)**

- 5. REGULAR AGENDA (Pages 45 - 49)**

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3B-2 Minutes

3B-3 Contracts and claims settlements list

3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the appointment of Myra Koutzen to the Water Resources Task Force, effective December 15, 2015 and ending September 30, 2018:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term Ending</u>
5	Myra Koutzen	Alternate	League of Cities	September 30, 2018

SUMMARY: The Water Resources Task Force is comprised of 14 members: six City elected officials; one County Commissioner; one special independent district water and/or wastewater provider or utility water or wastewater provider representative; one Lake Worth Drainage District representative; one drainage/water control district representative; one South Florida Water Management District Governing Board member; one environmental representative; one land owner actively farming to represent agricultural interests; one Indian Trail Improvement District representative. The resolution also requires designated alternates for each seat. Due to the recent resignation of a League of Cities alternate member, one new alternate is being submitted to be approved by the Board of County Commissioners. The diversity of the current 12 Task Force members is as follows: one Caucasian female and eleven Caucasian males. Countywide (MJ)

2. Staff recommends motion to approve: a Contract with the Legal Aid Society of Palm Beach County, Inc. totaling \$128,750 for the period of January 1, 2016, through December 31, 2016 for the Wage Dispute Project. **SUMMARY:** On January 13, 2015, the County and the Legal Aid Society of Palm Beach County (Legal Aid Society) entered into a Contract (R2015-0012) for \$125,000 to cover the salary and benefits of the staff attorney assigned to the Wage Dispute Project together with the support, investigative, court processing services and other of the program's actual costs. The Legal Aid Society has requested to continue the program for another year. The increase in funding has been requested to expand the agency's outreach efforts with the goal of increasing awareness. Employees Kimberly Rommel-Enright and Vicki Tucci of Legal Aid Society of Palm Beach County, Inc., serve on a County Advisory Board, the PBC HIV CARE Council. The Care Council provides no regulation, oversight, management, or policy-setting recommendations regarding the contract listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (DO)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

3. **Staff recommends motion to ratify:** the corrected Palm Beach County League of Cities (League) representatives to the Treasure Coast Regional Planning Council (TCRPC), beginning December 1, 2015 to November 30, 2016:

<u>Nominees</u>	<u>Seat No.</u>	<u>Representing</u>
<u>Regular appointments:</u>		
Anne Gerwig, Councilwomen	4	Village of Wellington
Jeff Hmara, Councilman	5	Village of Royal Palm Beach
Bruce Guyton, Councilman	6	City of Riviera Beach
Marcie Tinsley, Councilmember	7	City of Palm Beach Gardens
James DuBois, Mayor	8	Town of Lake Park
<u>Alternate appointments:</u>		
Paula Ryan, Commissioner	4A	City of West Palm Beach
Allie Biggs, Commissioner	5A	City of Pahokee
Mitch Katz, Commissioner	6A	City of Delray Beach
Abby Brennan, Mayor	7A	Village of Tequesta
David Norris, Councilman	8A	Village of North Palm Beach

SUMMARY: In accordance with the TCRPC Rules of Order, the Board of County Commissioners (BCC) appointed its members and alternates for the coming year before the Council's annual meeting on December 11, 2015. The TCRPC Rules of Order also require the BCC ratify the League's members. The League appointed the above municipal representatives at their November 25, 2015 meeting and the BCC ratified the appointments at its December 1, 2015 Meeting; however, the list of appointments sent by the League to County staff was incorrect. The BCC needs to ratify the corrected League appointments. Countywide (RPB)

B. CLERK & COMPTROLLER

1. **Staff recommends motion to approve:** Warrant List.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners' meetings:

<u>Meeting Type</u>	<u>Meeting Date</u>
County Administrator Interviews - Special Meeting	May 12, 2015

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 Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during June 2015. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a Second Amendment (Amendment) to the annual pavement marking contract R2013-0810 (Contract), Project No. 2013055, dated July 2, 2013, with Southwide Industries, Inc. (Contractor). **SUMMARY:** Approval of this Amendment will extend the Contract's expiration date from January 1, 2016 to July 1, 2016. The Contract provides that its term may be extended for a defined period of time, with a total contract time span of 36 months. This is the second extension of this Contract and will bring the total authorized contract time to 36 months. The Contract consists of furnishing and installing pavement marking material, raised reflectorized pavement markers and traffic paint on roadways. Countywide (MRE)

2. **Staff recommends motion to approve:** Modification Number One to the Subgrant Agreement (Modification) with the State of Florida, Division of Emergency Management (DEM) to change the expiration date to March 24, 2016 and modify the scope to reflect the new expiration date. Contract R2015-0594 for the canal improvements at the Lake Worth Drainage District (LWDD) L-2 Canal (Project) was approved by the Board of County Commissioners (Board) on May 5, 2015. **SUMMARY:** Approval of the Modification will change the expiration date from December 25, 2015 to March 24, 2016 and modify the scope to reflect the new expiration date. The Subgrant Agreement with DEM for the Project was approved by the Board on May 5, 2015. The Project consists of drainage improvements at the LWDD L-2 Canal from east of Wabasso Drive to east of Osceola Drive. District 7 (MRE)

3. **Staff recommends motion to adopt:** a Resolution to abandon a 35 foot long portion of a 12 foot wide utility easement within Tract 1, Loggers Run Commercial Replat, according to the plat thereof as recorded in Plat Book 49, Page 56, of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the public dedication which is in conflict with future redevelopment plans for the site. The petition site is located east of Judge Winikoff Road, west of Ponderosa Drive, south of Cobblestone Way and north of Palmetto Park Road. District 5 (MRE)

4. **Staff recommends motion to approve:** the Second Amendment (Amendment) to the current annual traffic signal contract R2012-0951 (Contract), Project No. 2012056, dated July 10, 2012, with Gerelco Traffic Controls, Inc. (Contractor) to extend the Contract to July 1, 2016 or until the new annual traffic signal contract is executed. **SUMMARY:** Approval of this Amendment will extend the Contract's expiration date from January 10, 2016 to July 10, 2016 or until the recently bid annual traffic signal contract is executed by the Board of County Commissioners (Board), whichever comes first. The Contract provides that its term may be extended upon mutual written agreement through a Board approved contract amendment and will bring the total authorized contract time to up to 48 months. The Contract consists of furnishing and installing traffic signal items. This time extension is necessary due to a bid protest which delayed the execution of the new annual traffic signal contract. Countywide (MRE)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to approve:** a Settlement Agreement, inclusive of attorney's fees and costs, in the total amount of Two Hundred and Fifty Thousand dollars (\$250,000.00) in the wrongful death claim styled **ETHEL FAYE HOLLIS, as Personal Representative of the Estate of Fiddie Mae Hollis, Decedent, Claimant, v. PALM BEACH COUNTY FIRE RESCUE, Respondent.** **SUMMARY:** This is a wrongful death claim arising from an alleged failure to properly diagnose and timely transport a patient, Fiddie Mae Hollis, age 35, to the hospital on December 31, 2013. Ethel Faye Hollis, Ms. Hollis's mother, brought this claim against Palm Beach County on behalf of the Estate of Fiddie Hollis as well as her five surviving children, ranging in age from 16-23 years. The County and Claimant have conditionally settled this claim pre-suit subject to (1) Board approval; (2) Circuit Court approval regarding the minor; and (3) a release of all claims in favor of the County. Countywide (AP)

E. COMMUNITY SERVICES

1. **Staff recommends motion to:**
 - A) ratify** signature of the Mayor on the Ryan White Part A HIV Emergency Relief Grant Program Application with the United States Department of Health and Human Services, Health Resources Services Administration, for the period March 1, 2016, through February 28, 2017, in an amount of \$9,269,663; and
 - B) approve** one full-time equivalent (FTE) grant funded position for a Program Evaluator (Pay Grade 33), for the Ryan White Program.

SUMMARY: The Ryan White Part A HIV Emergency Relief Grant Program Application in the amount of \$9,269,663 was submitted to the United States Department of Health and Human Services, Health Resources Services Administration. The grant highlights the need for new programs and to maintain all existing programs, increasing funding for outpatient ambulatory care, laboratory services, health insurance continuation and eligibility determination. The grant will allow Community Services to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. The new position will provide program and health outcome evaluation services for the Ryan White Program. The grant 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 Application through the regular agenda process. No County match is required. (Ryan White) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to receive and file:

A) Grant Agreement Amendment No. 1 for the FY 2014 Continuum of Care Program Competition Agreement for Project No. FL0281L4D051407, Flagler Project, with the U.S. Department of Housing and Urban Development, for the period May 1, 2015, through April 30, 2016 in the amount of \$393,309 to change the recipient of the grant to The Jerome Golden Center Behavioral Health, Inc.; and

B) Grant Agreement Amendment No. 1 for the FY 2014 Continuum of Care Program Competition Agreement for Project No. FL0277L4D051402, Project Northside, with the U.S. Department of Housing and Urban Development, for the period July 1, 2015, through June 30, 2016 in the amount of \$84,491 to change the recipient of the grant to The Jerome Golden Center Behavioral Health, Inc.

SUMMARY: Since 2006, the Division of Human Services (DHS) has served as the lead agency for the local homeless Continuum of Care. Originally, the U.S. Department of Housing and Urban Development (HUD) restricted Shelter Plus Care applicant eligibility to government entities; therefore, the County served as the original grantee. With the reauthorization of the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009, eligibility is no longer restricted to a government agency. The Jerome Golden Center for Behavioral Health, Inc. is the sponsor that has carried out these activities funded by these projects. HUD has reviewed the projects and determined that The Jerome Golden Center for Behavioral Health, Inc. will offer the same level of services to the same number of homeless clients as set forth in the original application. The Jerome Golden Center Behavioral Health, Inc. will continue to provide apartments for single adults suffering from mental illness. These grant amendments were executed by the County Administrator in accordance with Board of County Commissioners' approval granting signature authority to the County Administrator, or her designee on September 1, 2015 (Agenda Item 3E-2). The grant amendments are being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk's office to note and receive these items. (Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: Amendments to Contract for Provision of Ryan White Part A HIV Health Support Services with below listed agencies, for the period March 1, 2015, through February 29, 2016 in an amount totaling \$132,506:

A) Amendment No. 1 with Legal Aid Society of Palm Beach County, Inc. (R2015-0468), to increase funding by \$11,615, for a new total contract amount not to exceed \$300,860; and

B) Amendment No. 1 with Compass, Inc. (R2015-0615), to increase funding by \$15,000, for a new total not to exceed \$698,309; and

C) Amendment No. 1 with AIDS Healthcare Foundation, Inc. (R2015-0811), to increase funding by \$13,891, for a new total not to exceed \$105,220; and

D) Amendment No. 2 with FoundCare, Inc. (R2015-0616), to increase funding by \$92,000, for a new total not to exceed \$3,761,024.

SUMMARY: Ryan White HIV Health Support service dollars are reviewed throughout the contract year and reallocated to best meet the needs of affected clients. These funds will allow our system of care to provide additional medical and support services to Palm Beach County residents living with HIV/AIDS. The funds in these amendments are being reallocated from a sweep in the amount of \$250,000 from the Health Care District contract. These amendments are for services for HIV affected clients, which include outpatient/ambulatory medical care, home and community based health care, oral health care, housing services, health insurance continuation and non medical case management-determining eligibility. (Ryan White) Countywide (HH)

4. Staff recommends motion to:

A) **ratify** signature of the Mayor on Modification No. 4 to Florida Department of Economic Opportunity Federally Funded Subgrant Agreement No. 15EA-0F-10-60-01-023 (R2015-0470), for the period April 1 2015, through March 31, 2016, increasing the grant amount by \$168,406 for a new total amount not to exceed \$3,360,459, for the Low Income Home Energy Assistance Program (LIHEAP); and

B) **approve** Budget Amendment of \$168,406 in the LIHEAP Fund to reconcile the budget with actual grant award.

SUMMARY: Additional LIHEAP funds of \$168,406 will enable Community Action Program to provide assistance to an additional 400 low-income households with energy bills and crisis assistance to prevent service disconnection or to restore utility services. The emergency signature process was utilized because there was insufficient time to submit this application through the regular agenda process. County funds are not required. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) ratify signature of the Mayor on the Federally Funded Subgrant (Community Services Block Grant) Agreement No. 16SB-0D-10-60-01-021 with the State of Florida, Department of Economic Opportunity, for the period October 1, 2015, through September 30, 2016, in an amount not to exceed \$1,018,052 to provide self sufficiency services to low income individuals and families; and

B) approve Budget Amendment of \$226,741 in the Community Action Program Fund to reconcile the budget with the grant award.

SUMMARY: The State of Florida Department of Economic Opportunity awarded the Palm Beach County Community Action Program (CAP) \$1,018,052 in Community Service Block Grant funds, with additional County funds of \$289,306 for a total budget not to exceed \$1,307,358. These funds will be used to provide employment skills training and job placement services, health education, rental assistance, utility assistance and case management services to more than 500 low income residents of Palm Beach County. The emergency signature process was utilized because there was insufficient time to submit this Agreement through the regular agenda process. (Community Action Program) Countywide (HH)

6. Staff recommends motion to approve: Contract for Provision of Financial Assistance with Gulfstream Goodwill Industries, Inc., for the period October 1, 2015, through September 30, 2016, in an amount not to exceed \$149,655 for supportive services for deaf individuals. **SUMMARY:** On July 22, 2015, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contract being recommended in this item reflects the dollar amount approved by the Board for FY 2016. This Contract represents \$149,655 of the total FAA funding allocation of \$11,653,770. Deaf Services, Inc. was approved for funding under the Special Needs Service Category; however, the agency was dissolved in August 2015. Gulfstream Goodwill Industries, Inc. is an agency in good standing and will provide the much needed services to Palm Beach County residents under the Special Needs Service Category. (FAA) Countywide (HH)

7. Staff recommends motion to approve: Memorandum of Understanding (MOU) with Indiantown Nonprofit Housing, Incorporated, with an expiration date of five years from date of last signature, to coordinate referrals for Emergency Home Energy Assistance Program (EHEAP) clients. **SUMMARY:** The purpose of this MOU is to make and accept referrals for the Weatherization Assistance Programs (WAP) in DOSS's service area. The MOU details cooperative efforts and describes the actions that will be taken by both parties to assure coordination and referrals for EHEAP clients. No County funds are required. (DOSS) Countywide except for portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

8. Staff recommends motion to approve: Division of Human Services Policy and Procedure Manual, Chapter 18, Human Services Program Payments. **SUMMARY:** The Division of Human Services (Division) Policy and Procedure for Program Payments establishes guidelines and requirements for the payment of services provided to individuals in assisting them with maintaining or obtaining housing and to provide case management in support of these services. These policies and procedures were last revised in 2004. As the services provided by Division staff expand in response to new service models, there is a need to expand the categories of service authorized for financial assistance. The Program Payments Chapter 18 provides for expanded payments related to housing residents as well as supporting immediate food and medical needs. Funds for these services are included in the Division budget. (Human Services) Countywide (HH)

F. AIRPORTS

1. Staff recommends motion to approve:

A) Amendment No. 8 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-18: Air Handler Replacement at Palm Beach International Airport (PBI) in the amount of \$8,250,000 and 680 calendar days;

B) a Budget Amendment of \$6,213,000 in the Airport Improvement and Development Fund to recognize a transfer from Airport Passenger Facility Charge (PFC) Fund of \$6,213,000; increase project cost by \$5,806,076 and increase reserves by \$406,924; and

C) a Budget Transfer of \$6,213,000 in the Airport PFC Fund to transfer PFC funds to the Airport Improvement and Development Fund, including a transfer from reserves in the amount of \$6,213,000.

SUMMARY: The Contract with The Morganti Group, Inc. for CM at Risk Services for Terminal Improvements at PBI was approved by the Board on June 4, 2013 (R2013-0663). The Contract is for two years with three one-year renewal options and is a task order based contract for CM at Risk Services at PBI. The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$7,835,882. Approval of Amendment No. 8 in the amount of \$8,250,000 and 680 calendar days is for Task M-18: Air Handler Replacement at PBI. The Disadvantaged Business Enterprise (DBE) goal for the contract is 13%. The total to date participation for the contract is 7.06%. PFC funds of \$6,213,000 and local funds of \$2,037,000 are being utilized to fund this project. Countywide (AH)

2. Staff recommends motion to receive and file: License Agreement with Glidepath, LLC, commencing December 15, 2014, with automatic monthly renewals until canceled, providing for the use of a portion of building 504 for storage and assembly of equipment associated with replacement of the baggage handling system at the Palm Beach International Airport and the payment of license fees in the amount of \$4,125 per month. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to approve: Second Amendment (Amendment) to Development Site Lease (R2013-0257) with West Palm Beach Plaza, LLC, a Florida limited liability company (WPB Plaza), providing for extension of construction and date of beneficial occupancy deadlines to May 1, 2016; removal of the requirement to provide compressed natural gas (CNG) facilities; the installation of electric vehicle charging station(s); the provision of free wireless internet access within the cell phone waiting lot area; the installation of an LCD for airport-related messages; and an increase in the minimum capital investment to \$4,500,000. **SUMMARY:** WPB Plaza has requested an extension of the deadline to construct the on-Airport travel plaza and date of beneficial occupancy from October 1, 2015 to May 1, 2016 and to remove the requirement that compressed natural gas (CNG) be provided at the site. The Amendment removes the requirement for installation of compressed natural gas pumps; requires the installation of one dual port or two single port electric vehicle charging stations; provides for the extension of free wireless internet access to the exterior cell phone waiting area in addition to the interior of the travel plaza; requires the installation of a LCD for the display of airport messages; and provides for an increase in the minimum capital investment from \$3,482,250 to \$4,500,000. WPB Plaza will be responsible for all installation, maintenance and utility costs of the electric charging stations, LCD and wireless internet facilities. In addition to having the option of viewing the flight information display screens inside the travel plaza, providing wireless internet access to the exterior cell phone waiting area will permit customers to check flight information on their electronic devices while remaining in their vehicles. Countywide (HF)

4. Staff recommends motion to:
 - A) adopt** a Resolution approving a Joint Participation Agreement (JPA) with the Florida Department of Transportation (FDOT) in the amount of \$1,367,450 for Taxiway C Drainage Improvements at Palm Beach International Airport (PBIA). The grant expiration date is January 31, 2018;

 - B) approve** a Budget Amendment of \$1,367,450 in the Airport Improvement and Development Fund to recognize the receipt of a grant from the FDOT, a transfer from Airport Passenger Facility Charge (PFC) Fund of \$10,693,672, and increase the project cost by \$12,061,122; and

 - C) approve** a Budget Transfer of \$10,693,672 in the Airport PFC Fund to transfer PFC Funds to the Airport Improvement and Development Fund, including a transfer from Reserves in the amount of \$10,693,672.

SUMMARY: The FDOT has issued a JPA reflecting their commitment of funding to the above referenced project in the amount of \$1,367,450 or 50% of the eligible project costs, whichever is less. Countywide (AH)

5. Staff recommends motion to receive and file: License Agreement with Galaxy Aviation of Lantana, Inc., commencing November 1, 2015, with automatic monthly renewals until canceled, providing for the use of Hangar 601 at Palm Beach County Park Airport in Lantana and the payment of license fees in the amount of \$1,344 per month. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to receive and file:** First Amendment to the Signatory Airline Agreement with American Airlines, Inc., and US Airways, Inc., (R2014-1717), replacing Exhibit "B" to move American Airlines' gate location to Concourse B at the Palm Beach International Airport, effective December 1, 2014. **SUMMARY:** Delegation of authority for execution of the standard County agreement above was approved by the Board of County Commissioners in R2014-1033. To accommodate the consolidation of American Airlines and US Airways, American Airlines was relocated to a gate location on Concourse B adjacent to US Airways. Execution of this Amendment was delayed due to the organization of the new corporate structure stemming from the merger between American Airlines and US Airways. Countywide (AH)

7. **Staff recommends motion to approve:** License Agreement with American Airlines, Inc., effective December 1, 2014, terminating and replacing an existing License Agreement with American (R2014-1713) providing for use of space in connection with American's operations at the Palm Beach International Airport (PBI) on a month-to-month basis until canceled and the payment of license fees based on the then-current terminal rental rate. **SUMMARY:** On October 1, 2014, American Airlines entered into a standard License Agreement (R2014-1713) providing for the use of ticket counter space and bag service, operations, ticket and curbside offices in connection with American's air carrier operations at PBI. This License Agreement terminates the previously approved License Agreement, providing for a reduction in space of 988 square feet of operations area. Countywide (AH)

8. **Staff recommends motion to approve:** Amendment No. 6 to the General Consulting Agreement with AECOM Technical Services, Inc. for consulting/professional services in the amount of \$512,474, to exercise the first one year renewal option for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program and to revise language in the Agreement. **SUMMARY:** The Consulting Agreement (R2014-0031) with AECOM Technical Services, Inc. for general airport planning and design was approved on January 14, 2014 in the amount of \$1,641,372 in order to carry out the approved Capital Improvement Programs for the County's Airports. Approval of Amendment No. 6 will exercise the first one year renewal option for the continuation of services provided under this Agreement, revises Article 7 – Subcontracting and Article 21 – Non-Discrimination, and will provide an additional \$512,474 to complete the following: Task I Services – Specific Projects: North Palm Beach County General Aviation Airport (F45) Wetland Wildlife Hazard Mitigation Phases 3A, 3B and 4; Palm Beach International Airport (PBI) U.S. Customs & Border Protection Feasibility Study; PBI Terminal Concessions Planning; and Task III Services – Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued per the level of authority contained in PPM CW-F-050, by way of a separate proposal or task authorization. AECOM Technical Services, Inc. is a Los Angeles, California based firm; however, the majority of the work to be completed in the 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. AECOM Technical Services, Inc. has committed to 21% Disadvantaged Business Enterprise (DBE) participation for the agreement. The total DBE participation to date is 13.43%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to approve:** the write-off of 89 uncollected non-sufficient funds checks with a total face value of \$7,873.24 plus County added service fees of \$2,480.45 for a cumulative total of \$10,353.69. **SUMMARY:** The Office of Financial Management and Budget's (OFMB) Collections Coordinator has reviewed the listings of uncollected non-sufficient funds checks (NSF) received by the Clerk & Comptroller's Finance Department during fiscal years 2013 and 2014 (18 months aged prior to October 1, 2015) and has concluded that they should be written off the County's active accounts receivable ledger. All collections efforts to recover these funds have been exhausted. The write-off of these receivables to an uncollectible receivables database is not a forgiveness of the debt and if the opportunity to collect on any of these checks should arise, the County will take appropriate action to collect the amount due. Approval of this item will allow the Clerk & Comptroller's Finance Department to remove these receivables from the active accounts receivable ledger and transfer them to an uncollectible debts database. Countywide (PM)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to approve:** an Agreement with the City of Greenacres setting forth the conditions for an early termination of: 1) the Interlocal Agreement (R2008-1301) providing direct access to the County's 800 MHz Radio System, and 2) the Interlocal Agreement (R2012-1249) providing radio equipment maintenance services. **SUMMARY:** On July, 22, 2008, the Board approved an Interlocal Agreement (R2008-1301), extended to July 21, 2017 by First Amendment (R2013-0873) (Direct Access Agreement) with the City of Greenacres (City) providing the City with direct access to the County's 800 MHz Radio System. On September 11, 2012, the Board approved an Interlocal Agreement (R2012-1249), extended to July 21, 2017 by First Amendment (R2015-0919) (Maintenance Agreement), providing the City with radio equipment maintenance services. The City recently voted to transition its police services from the City to the Palm Beach County Sheriff's Office (PBSO) which transition is intended to be effective on February 1, 2016. Consequently, the City requested the Direct Access Agreement and the Maintenance Agreement be terminated on February 1, 2016 and that the FY 2016 use fees, renewal/replacement fees and console maintenance fees be prorated through the date of termination. This Agreement sets forth the conditions for the early termination and authorizes pro rata payment (October 1, 2015 through January 31, 2016) of the annual fees. This is particularly important to the City as without it, the City would be required to pay the entire year's worth of use fees, renewal/replacement fees and console maintenance fees. In the event the transition to PBSO is not finalized by January 31, 2016, the City can request a modification of the termination date and the proration of annual fee payments due will be adjusted accordingly. The City also retains the right to cancel the Agreement up to February 1, 2016 in which case the City shall remit the balance due on the annual fee payments. The City is required to convey two radio consoles and radio console central electronic bank equipment to County on February 1, 2016 and pay all labor or parts costs associated with radio maintenance services to the termination of the Maintenance Agreement. (ESS) Countywide (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Contract with Therma Seal Roof Systems, LLC., in the amount of \$198,600 to replace the existing roof system at the North County Senior Center. **SUMMARY:** The work consists of the removal and replacement of the three vaulted asphalt shingle roofs which tie into a coal tar built up roof system on wood trusses with a plywood deck over the original building. The roof structural deck and waterproofing membrane system have affected the roof drainage and performance of the roofing system. In addition, the roof overflow drains require re-working and replacement to drain properly. The roof will be brought up to current County standards and is a scheduled maintenance replacement project. The funding for this project is from the five year Countywide Repair, Replace and Renovate account. This work was competitively bid with Therma Seal Roof Systems, LLC. submitting the lowest responsive, responsible bid. The Small Business Enterprise (SBE) participation in this Contract is 75.5%. The total construction duration is 90 days. Therma Seal Roof Systems, LLC is a certified SBE contractor and is a Palm Beach County company. (Capital Improvements Division) District 1 (ME)

3. Staff recommends motion to approve:
 - A) a Deposit Receipt and Contract For Sale and Purchase with Adonidia, LLC for the sale of a ±0.33 acre parcel of land located south of Lantana Road and west of 441 in unincorporated Lake Worth for \$10,005; and

 - B) a County Deed in favor of Adonidia, LLC, with reservation of mineral and petroleum rights, but without rights of entry and exploration pursuant to Florida Statutes Section 125.35(1.c).

SUMMARY: In May 1973, the County acquired a ±0.33 acre parcel of vacant land located south of Lantana Road and west of 441 in unincorporated Lake Worth by Tax Deed. The property has been deemed surplus as it serves no County purpose. An Invitation For Bid (IFB) was issued in September 2015 to sell the property. One responsive proposal was received from Adonidia, LLC in the amount of \$10,005. Staff recommends acceptance of the proposal from Adonidia, LLC. The Property Appraiser has assessed the parcel at \$17,600 for 2015. Adonidia, LLC will pay all costs of closing and any other costs associated with this sale including past due non-ad valorem assessments, if applicable. The County will retain mineral and petroleum rights in accordance with Florida Statutes Section 270.11, without rights of entry and exploration. Closing is to occur within sixty days of Board approval. **This sale must be approved by a supermajority vote (5 Commissioners).** (PREM) District 3 (HJF)

4. Staff recommends motion to approve: a 10' Utility Easement in favor of Florida Power and Light (FPL) for underground electrical services and an above ground pad mounted transformer. **SUMMARY:** The Palm Beach County Convention Center is located on the south side of Okeechobee Boulevard between Parker Avenue and South Dixie Highway in downtown West Palm Beach. The County is in the process of building a parking garage on the southern portion of the Convention Center site and requires an underground FPL line to support the parking garage electrical requirements. The easement runs east/west, is 10' wide, is approximately 600' long and covers an area +/- 6,000 square feet. This FPL easement will be granted at no charge since it provides electrical service to the parking garage and will be recorded to provide notice of the existence and location of the lines. (PREM) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to adopt:** a Resolution to designate a portion of County-owned land located east of Military Trail in unincorporated West Palm Beach as right-of-way. **SUMMARY:** On January 2003, the County acquired a 19.63 acre parcel of land at 4215 Cherry Road, located east of Military Trail in unincorporated West Palm Beach, from the Kings Academy (Cherry Road Complex). A Library Annex Facility (Facility) was recently constructed on a portion of the Cherry Road Complex. Development of the Facility required the expansion of the existing right-of-way. Adoption of this Resolution will designate a strip of land 5 feet in width and increasing to 10 feet in width at its east end comprising approximately 0.083 acres as right-of-way. (PREM) District 7 (HJF)

6. **Staff recommends motion to approve:** annual contracts for roofing contracting services on an as-needed basis for projects typically under \$100,000 each:
 - A) Advanced Roofing, Inc;
 - B) Empire Roofing Company Southeast, LLC;
 - C) Hi-Tech Roofing and Sheetmetal, Inc;
 - D) Roofing Concepts Unlimited/Florida, Inc;
 - E) Tecta America South Florida, Inc;
 - F) Triple M. Roofing Corp; and
 - G) Tri State Roofing & General Contractors, LLC. (SBE)

SUMMARY: These contracts are for one year and are indefinite-quantity contract with a cumulative maximum value of \$1,500,000 for the term. Work consists of general roofing repairs and replacements to County properties. The work is to be awarded as work orders on a lump-sum, competitively quoted basis among the pool of seven roofing contractors. These contracts provide for up to four one-year renewals, each for a not-to-exceed amount of \$1,500,000, at the sole option of the County. Staff will review the status of the contractor's certifications annually, prior to renewal, to ensure the firm remains qualified under the original pre-qualification criteria. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County. All contractors are Palm Beach County companies or have Palm Beach County offices with the exceptions of Empire Roofing Company Southeast, LLC., and Triple M Roofing Corp. (Broward). The goal for Small Business Enterprise (SBE) participation is 15%. When bids are received from the pre-qualified firms under these contracts, local (if applicable) and SBE preferences will be evaluated and applied at that time. (FD&O CID) Countywide (ME)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Contract with West Construction, Inc. in the amount of \$5,168,000 to construct Waterway Park, located off Indiantown Road and Jonathan Drive in Jupiter. **SUMMARY:** Park improvements for the 30 acre site include the construction of three boat ramps and launching basin, fishing pier/overlook, restroom building, and 52 boat and 20 car parking spaces. This work was competitively bid with West Construction submitting the lowest responsive, responsible bid. Funding for this Contract is from the 2002 \$50 Million General Obligation Recreation and Cultural Facilities Bond Referendum as well as Florida Inland Navigation District and Florida Boating Improvement Program/Florida Fish & Wildlife Conservation Commission grants. The total construction duration is 365 calendar days. The goal for Small Business Enterprises participation is 15% and West's participation for this Contract is 15.7%. West Construction is a local firm. (Capital Improvements Division) District 1 (ME)

8. Staff recommends motion to approve: a Vehicle and Equipment Parts Management and Supply Agreement (Agreement) with Genuine Parts Company d/b/a NAPA (NAPA), a Georgia corporation, qualified to do business in Florida, for onsite integrated inventory management services for the Fleet Management Division at an estimated annual cost of \$2,739,000. **SUMMARY:** This Agreement sets forth the terms and conditions under which NAPA will continue to provide comprehensive in-house store automotive parts functions for Facilities Development & Operations/Fleet Management (FDO/Fleet) to include all materials, equipment, parts and supplies required for the operation and maintenance of the County's fleet with no less than an eighty percent (80%) in-stock availability for all parts requested. NAPA has consistently met or exceeded this measurement since implementation of the full services phase of the 2012 agreement. County fill rate prior to NAPA assumption of services averaged 66%. The higher fill rate decreases equipment downtime and increases the productivity of the technicians. NAPA will provide on-going review and adjustment of inventory; access to automotive and heavy-duty replacement parts; and delivery of non-stocked parts. The Agreement provides that the County will pay NAPA: **(i)** 10% above both NAPA product costs and Non-NAPA product costs, and **(ii)** operational costs that are included within the annual budget approved by the County during its normal budget process. NAPA has been providing these services since implementation of the full services provision of the current Vehicle and Equipment Parts Management and Supply Agreement (R2012-1322) in 2012. This Agreement is substantially the same as the current agreement except for changes intended to clarify both intent and reflect the continuation of the original agreement which is effective through February 23, 2016. The term of this Agreement commences on February 24, 2016 and continues through July 21, 2019 with an automatic one year renewal, unless notice of intent to not renew is provided by either party at least 60 days prior to the expiration of the initial term. This Agreement is made in accordance with the Palm Beach County Purchasing Code, which authorizes the County to purchase supplies from a competitively bid proposal or contract secured by another governmental entity or government-related association, in this case the National Joint Powers Alliance Contract No. 061015-GPC. The Agreement contains local preference language for all Non-NAPA products purchased by FDO/Fleet and during the most recent year of the contract, NAPA achieved 59.2% local participation of which 5.3% was by Glades vendors. (FDO/Fleet) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: Rider to Hunt Construction Group, Inc.'s Public Construction Bond for construction of the Ballpark of the Palm Beaches. **SUMMARY:** The First Restated Developer Agreement (R2015-1522) with HW Spring Training Complex, LLC (HW) requires that the County be named as a co-obligee on all bonds. Hunt Construction Group, Inc. is HW's contractor for the project and has furnished HW with a Public Construction Bond as required by the First Restated Developer Agreement and Florida Statutes. The Sureties for the Public Construction Bond have issued a Rider Adding Additional Obligees which requires all of the additional obligees sign the Rider. (FDO Admin) Countywide/District 7 (MWJ)

10. Staff recommends motion to approve: a Second Restated Use Agreement (Agreement) with Ric L. Bradshaw, Sheriff, in his official capacity as the Sheriff of Palm Beach County (PBSO), for the continued operation of the Cabana Colony Youth Center. **SUMMARY:** On April 21, 2009, County entered into a First Restated Use Agreement (R2009-0640) (First Restated Agreement) with PBSO for the operation of the Cabana Colony Youth Center (Youth Center), located at 12180 Alternate AIA, Palm Beach Gardens, which expires on January 9, 2016. This Agreement allows PBSO to continue to operate and manage the Youth Center and to provide Police Athletic League programs, tutoring, the Congressional Awards Program and community based law enforcement programs at the Youth Center. PBSO is responsible for all costs associated with operating the Youth Center including costs for utilities, custodial services, grounds maintenance and the costs of supervision of the youth. County is responsible for all interior and exterior facility maintenance costs. The Agreement commences upon execution, replaces the First Restated Agreement and extends to January 10, 2026. There are two renewal options of five years each. (FDO) District 1 (MJ)

I. ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: an Agreement with the City of Lake Worth in the amount of \$60,000 for the period of December 15, 2015, through October 31, 2016. **SUMMARY:** This Agreement provides \$60,000 in Community Development Block Grant (CDBG) funding for the installation of a new pavilion with related site improvements and amenities in Osborne Park in Lake Worth. On July 21, 2015, the Board of County Commissioners approved the Fiscal Year 2015-2016 Action Plan (R2015-0939) which allocated \$60,000 for these park improvements. **This funding is projected to have a one year Economic Sustainability Impact of \$190,400. These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (JB)

2. Staff recommends motion to approve: Amendment No. 001 to an Agreement (R2015-0354) with the Westgate/Belvedere Homes Community Redevelopment Agency (WCRA). **SUMMARY:** On March 10, 2015, the County entered into an Agreement (R2015-0354) with the WCRA to provide \$167,000 in Community Development Block Grant (CDBG) funding to widen the L-2 Canal and improve storm water drainage in the Westgate area. This Amendment extends the project completion date from December 25, 2015 to December 31, 2016. The project has been delayed due to additional time required for the acquisition of land parcels needed for the project. **These are Federal CDBG funds which require no local match.** (DES Contract Development) District 7 (JB)

3. CONSENT AGENDA APPROVAL

I. ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to adopt: a Resolution authorizing the Department of Economic Sustainability (DES) to utilize the State of Florida's Voluntary Cleanup Tax Credit (VCTC) Program to actively support the cleanup and redevelopment of designated Brownfield sites within the County for business growth and expansion opportunities. **SUMMARY:** The VCTC Program was established in 1998 by the Florida Legislature to incentivize the cleanup of certain Brownfield or dry-cleaning-solvent-contaminated sites in designated Brownfield areas. A tax credit applicant can receive up to \$500,000 per year in tax credits or no more than 50% of eligible cleanup costs for a calendar year. Completed tax credit applications are submitted to the Florida Department of Environmental Protection (FDEP) which reviews the application and issues the tax credit. Applicants must meet program eligibility criteria and must enter into either a Voluntary Cleanup Agreement, or a Brownfield Site Rehabilitation Agreement with FDEP. Tax credit certificates are awarded by the FDEP from an annual \$5 Million authorization and are valid against Florida Corporate Income Tax. Local governments that apply for and receive tax credits to offset cleanup costs at eligible Brownfield sites typically sell their tax credits for between 80-85% of the face value of the tax credit. Funds received from the sale of these tax credits will replenish the County's Brownfields Revolving Loan Fund Program. The County is involved in a number of current and anticipated brownfield cleanup projects that could benefit from these tax credits to offset cleanup costs. This Program will serve as an additional economic development incentive program to redevelop brownfield sites throughout the County. **No County funds for implementation are required.** (DES Administration) Countywide (JB)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to: reappoint the following individuals to the Historic Resources Review Board (HRRB):

<u>Nominee</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Warren Adams	1	At-Large	Comm. Vana Comm. McKinlay Comm. Burdick	12/15/2015-12/14/2018
Helen Greene	2	At-Large	Comm. Vana Comm. McKinlay Comm. Burdick	12/15/2015-12/14/2018
Amy Alvarez	3	At-Large	Comm. Vana Comm. McKinlay Comm. Burdick	12/15/2015-12/14/2018
Clifford Brown	5	At-Large	Comm. Vana Comm. McKinlay Comm. Burdick	12/15/2015-12/14/2018
Jeffrey Weeks	8	At-Large	Comm. Vana Comm. McKinlay Comm. Burdick	12/15/2015-12/14/2018

SUMMARY: The Unified Land Development Code (ULDC) Article 2, Chapter G, Section 3-H provides for the membership of the HRRB. The term of office of each member is for three years HRRB seats are at-large positions to be appointed by the Board of County Commissioners (BCC). The HRRB has eight member seats currently filled, with a diversity count of White: 8 (100%). The gender ratio (male: female) is 4:4. On October 6, 2015, the Planning Division forwarded a memo and forms to the BCC notifying the Board of the vacancies, and requesting nominations. Three responses were received. Unincorporated (RPB)

K. WATER UTILITIES

1. Staff recommends motion to approve: Contract with Johnson-Davis, Inc. for the Aerial Crossing Replacements in Belle Glade in the amount of \$721,542. **SUMMARY:** On August 19, 2015, four bids were received for the Aerial Crossing Replacements in Belle Glade (Project). The Project provides for the replacement of six aerial canal crossings in four different locations within the City of Belle Glade. The Project also includes the interconnection of transmission and distribution water pipes and the extension of a wastewater main under State Road 715 (S.R. 715) and Hooker Highway (S.R. 80). These improvements are part of the continued restoration and repair of water infrastructure in the Glades Region. Johnson-Davis, Inc. was the lowest responsive responsible bidder in the amount of \$721,542. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Johnson-Davis, Inc. provides for SBE participation of 15.42% overall, as confirmed by the Office of Small Business Assistance. Johnson-Davis, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the Board of County Commissioners. (WUD Project No. 14-092) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Change Order No. 3 to the Contract for the Water Treatment Plant (WTP) No. 2 Filter Replacement with MWH Constructors, Inc. (R2014-0150) in the amount of \$77,120.12 with a 45 calendar day time extension. **SUMMARY:** On February 4, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department Construction Contract for the WTP No. 2 Filter Replacement (Contract) with MWH Constructors, Inc. (R2014-0150). Change Order No. 3 provides for the removal of subsurface lime sludge encountered during the construction of the backwash water recovery basin, additional materials, fittings and labor to resolve conflicts with existing and proposed improvements, cleaning of existing piping in order to make proposed pipe connections and coating of proposed manholes for added protection from deterioration. Change Order No. 3 also includes a 45-day time extension that is necessary to accomplish the additional work. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with MWH Constructors, Inc. provides for SBE participation of 17.83% overall. Change Order No. 3 has 2.52% overall SBE participation. The cumulative SBE participation, including Change Order No. 3 is 17.25% overall. MWH Constructors, Inc. is a Palm Beach County company. This project is included in the FY15-16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 12-066) District 2 (MJ)

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

A) First Amendment to Interlocal Agreement between Palm Beach County and the Town of Lake Clarke Shores related to Potable Water, Wastewater, and Reclaimed Water Service Areas; and

B) First Amendment to the Interlocal Agreement between Palm Beach County and the Town of Lake Clarke Shores for the Purchase and Sale of Bulk Potable Water.

SUMMARY: On July 7, 2009, the County and the Town of Lake Clarke Shores (Town) entered into an Interlocal Agreement related to Potable Water, Wastewater, and Reclaimed Water Service Areas (Service Area Agreement) (R2009-1123). Pursuant to the Service Area Agreement, potable water service to the Maralago Cay Service Area (MCSA) is to be provided by the County if the private utility currently providing said service ever discontinues said service. The First Amendment to the Service Area Agreement will substitute the Town as the successor potable water provider. Water Utilities Department (WUD) and the Town believe that it is in the best interest of both the Town's and County's customers for the Town to provide potable water to the MCSA. Per the Service Area Agreement, the Town is already designated as the wastewater and reclaimed water provider within the MCSA. As a result of the proposed Amendment, the Town will be the single service provider within the MCSA should the current private utility discontinue potable water service within the MCSA. In addition, on February 2, 2010, the County and the Town entered into an Interlocal Agreement for the Purchase and Sale of Bulk Potable Water (Bulk Agreement) (R2010-0206). In order for the Town to provide potable water service to the MCSA, it is necessary to amend the Bulk Agreement to increase the bulk amount sold by the County to the Town from 400,000 to 800,000 gallons per day. In addition, the First Amendment to the Bulk Agreement will remove the "take or pay" provision of the Bulk Agreement, as the Town has consistently met WUD's cost of service consideration, and will likely continue to do in the future, rendering the provision unnecessary. District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. **Staff recommends motion to approve:** Work Authorization No. 10 for 24" Reclaimed Water Main Extension at Valencia Cove South (Project) with Centerline Utilities, Inc. in the amount of \$832,384.14. **SUMMARY:** On May 7, 2013, the Board of County Commissioners (BCC) approved the Water Utilities Department Pipeline Continuing Construction Contract with Centerline Utilities, Inc. (R2013-0551). Work Authorization No. 10 provides for the construction of a 24" reclaimed water main along a 10-ft wide easement on the south side of Valencia Cove South (north side of L-30 Canal) from Lyons Road to the west side of the Florida's Turnpike. The Project is needed to complete the loop of the reclaimed water system to enhance system reliability in the surrounding areas. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. The contract with Centerline Utilities, Inc. provides for SBE participation of 16.56%. Work Authorization No. 10 includes 16% overall participation. The cumulative SBE participation including this Authorization is 13.07% overall. Centerline Utilities, Inc. is a Palm Beach County company. The Project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 15-078) District 5 (MJ)

5. **Staff recommends motion to approve:** Change Order No. 2 for the Water Treatment Plant No. 3 Permeate Pipeline Replacement Contract with D.B. Construction Services, Inc. (R2012-0337) in the amount of \$122,043.61, with a 516 day time extension. **SUMMARY:** On March 6, 2012, the Board of County Commissioners approved the Water Treatment Plant No. 3 Permeate Pipeline Replacement Contract (Contract) with D.B. Construction Services, Inc. (Contractor) (R2012-0337). Change Order No. 1 was approved by the Contract Review Committee on September 18, 2013 for \$93,090.79 and no additional days to provide for the completion of work not contained in the original contract scope. Change Order No. 2 provides for additional work and time extensions that were required due to piping material changes, underground piping and utility conflicts, demolition of previously unknown underground structures, additional work related to an emergency plant shutdown and additional paving requirements in the amount of \$122,043.61, as well as the related time extension of 516 days. All work is now complete and no additional change orders will be issued. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The original contract with D.B. Construction Services, Inc. provides for SBE participation of 15.17% overall. Change Order No. 2 provides for SBE participation of 20.83% and the cumulative SBE Participation is 14.69%. Due to a conflict regarding payment between the Contractor and one of its SBE subcontractors, final certification of SBE payment was not completed until June 23, 2015, more than a year after final completion of work on the project site. (WUD Project No. 11-074) District 3 (MJ)

6. **Staff recommends motion to approve:** the Partial Release of Utility Easement over property owned by LW Jog S.C., LTD. **SUMMARY:** This document will release the County's interest in a portion of a utility easement recorded in the official records of Palm Beach County, OR BK 3002, PG 1750 thru 1752, over property owned by LW Jog S.C., LTD. The Water Utilities Department has determined that this portion of easement is no longer needed and therefore recommends the release. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. Staff recommends motion to approve: Amendment No. 1 to the Contract for Engineering/Professional Services for the Western Region Operations Center (WROC) with Mathews Consulting, Inc. (R2014-1764) to increase the contract in the amount of \$26,633.45. **SUMMARY:** On November 18, 2014, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Engineering/Professional Services Contract (Contract) for design and bidding services required to construct the WROC with Mathews Consulting, Inc. Amendment No. 1 to the Contract provides for the modification of the design of the air conditioning at WROC, addition of a new diesel emergency generator and combination of the warehouse and shop buildings into a single building. The Small Business Enterprise (SBE) participation established by the SBE Ordinance (R2002-0064) is 15% overall. The Contract with Mathews Consulting, Inc. provides for SBE participation of 97% overall. Amendment No. 1 has 100% of SBE participation. The cumulative SBE participation, including Amendment No. 1, is 99.16% overall. Mathews Consulting, Inc. is a Palm Beach County company. This project is included in the FY15-16 Capital Improvement plan adopted by the BCC. (WUD Project No. 13-053) District 6 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to accept: a Statutory Warranty Deed for the donation of a parcel of vacant land containing approximately 1.3 acres, located north of Indiantown Road and northeast of the Bee Line Highway, from Lynn S. Hamilton, as Trustee of the Lynn S. Hamilton Trust Agreement dated June 16, 2003, Kenton J. Clymer and Marlee J. Clymer, as Trustees of the Kenton J. Clymer and Marlee J. Clymer Revocable Declaration of Trust dated April 18, 2006, and Scott R. Arrowsmith, provided that the County pays title insurance, closing and recording costs estimated to be less than \$500. **SUMMARY:** The subject parcel is located in an area known as Palm Beach Heights (part of the Pal-Mar ecosite). As is described in a White Paper prepared by the County in 2005 most of the lots in Palm Beach Heights, including the subject parcel cannot meet the current land development regulations and therefore are not buildable. The parcel owners have offered to donate it to the County for environmental and passive recreational uses; the County will pay title insurance, closing and recording costs. A title policy will be obtained for the parcel and a pre-acquisition environmental assessment will be performed by ERM. A boundary survey will not be obtained due to the remote location and low value of the land. ERM will be responsible for the administration of the property. All costs related to the title insurance, closing and recording will be paid from the Natural Areas Fund, a non-ad valorem source of funds. **This donation must be approved by a supermajority vote (5 Commissioners).** District 1 (HF)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to approve:

A) Work Order No. 1825-05 to the Palm Beach County Dune and Wetland Restoration Annual Contract (R2013-1825), Project No. 2013ERM01 with Eastman Aggregate Enterprises, LLC (Eastman) not-to-exceed \$375,964.66 to provide dune restoration services for the Singer Island Dune Restoration Project Zone 4;

B) Budget Amendment of \$75,193 in the Beach Improvement Fund to recognize the City of Riviera Beach's (City) cost share; and

C) Budget Transfer of \$150,000 in the Beach Improvement Fund from reserves to Shoreline Protection Program Activities to cover non-project specific monitoring.

SUMMARY: The Singer Island Shore Protection Project includes dune restoration in an area designated by the Florida Department of Environmental Protection (FDEP) as "critically eroded". Dune restoration reconstructs past dune profiles and stabilizes the sand with native dune vegetation. The Board of County Commissioners (BCC) approved an Annual Contract (R2013-1825, as amended by R2014-1322 and R2014-1936) with Eastman, a Palm Beach County Small Business Enterprise (SBE) Company, for Palm Beach County Dune and Wetland Restoration, Project No. 2013ERM01 on December 17, 2013. Work Order No. 1825-05 authorizes Eastman to truck haul sand to the beach for the Singer Island Dune Restoration Project Zone 4. Eastman committed to an overall 44.05% SBE participation in the Contract and will achieve 57% on the Contract, including this Work Order. An Interlocal Agreement with the City was approved by the BCC on October 16, 2012 (R2012-1597, as amended by R2013-0618 and R2014-1832) which established a 20% cost-share of eligible project costs, not to exceed \$500,000 in any fiscal year (\$75,193 total City share). FDEP funding is authorized under Grant Agreement 06PB2 (R2007-0046, as amended by R2008-2222, R2008-2223, R2009-2147, R2012-0729, and R2014-0293) for a 39.945% cost share (\$150,180 total state share) for this work; the remaining cost of \$150,592 is provided from the Beach Improvement Fund. District 1 (ME)

3. Staff recommends motion to approve: Amendment No. 3 to the Palm Beach County Dune and Wetland Restoration Annual Contract, Project No. 2013ERM01 (R2013-1825) with Eastman Aggregate Enterprises, LLC (Eastman) to extend the Construction Contract for one year to December 16, 2016 for a not-to-exceed amount of \$4,450,665.23 for year three. **SUMMARY:** On December 17, 2013, the Board of County Commissioners approved two annual construction contracts for Palm Beach County Dune and Wetland Restoration, Project No. 2013ERM01 with Eastman (R2013-1825), a Palm Beach County Small Business Enterprise Company, and Rio-Bak Corporation (R2013-1826). Eastman has been issued four work orders totaling \$10,611,171; Rio-Bak has not been issued any work orders and declined a contract renewal last year. Amendment No. 3 for the Eastman Contract will increase work by a not-to-exceed amount of \$4,450,665 for year three and extend the Contract for one year. Eastman committed to an overall 44.05% Small Business Enterprise participation in the Contract. Eastman has achieved 58.58% SBE participation to-date. Countywide (ME)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to:

A) approve Grant Agreement FWC-15098 with the Florida Fish and Wildlife Conservation Commission (FWC) to provide up to \$40,000 pass-through Federal funding (CFDA 15.605) and \$20,000 of State funding (CSFA 77.007) for the construction of the Jupiter Inlet artificial reef, expiring August 31, 2016;

B) approve Budget Amendment of \$60,000 in the Environmental Enhancement Saltwater Fund, including a transfer from Reserves of \$60,000 for a total of \$120,000 in project funding for the Jupiter Inlet artificial reef;

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

D) adopt Resolution authorizing the Clerk of the Board to disburse \$60,000 from the Vessel Registration Fee Trust Fund to provide matching funding for this artificial reef project.

SUMMARY: The FWC Grant Agreement will reimburse the County up to \$60,000 for placing a minimum of 250 tons of limestone boulders and at least 100 prefabricated artificial reef modules at Jupiter Inlet permitted site. Total project cost is \$120,000. The Resolution and Budget Transfer from County Vessel Registration Fees, a non-ad valorem source, will cover the County's \$60,000 cost which includes a 50% cost share for the FWC grant (\$60,000). District 1 (AH)

M. PARKS & RECREATION

1. Staff recommends motion to approve: Budget Transfer of \$1,000,000 within Park Impact Fees Zone 3 from Reserves to the John Prince Park Campground Improvements Phase III project. **SUMMARY:** This Budget Transfer will provide the funding necessary to upgrade the existing electrical distribution service at the John Prince Campground. During the construction process to add new and expand existing camping sites at the John Prince Park Campground, Lake Worth Utilities determined that the electrical service distribution line coming into the park from Congress Avenue must be upgraded from single phase to three phase service to safely accommodate the higher demand. This upgrade was also confirmed by the County's consulting engineer. Because the distribution line runs through park property serving various park amenities, the cost of the upgrade is the County's responsibility. The John Prince Park Campground generates significant revenue for the Department and is a popular camping destination for residents countywide and visitors from around the country. The new and expanded service to the campground is being accomplished in three phases and the first two have already been completed. To ensure safe and efficient electrical service to the first two construction phases of this project and to a future third phase, upgrading the electrical distribution line is now required. The cost of the upgrade is estimated at \$1 million which was unanticipated and not budgeted. However, there is sufficient funding for this Budget Transfer within the Park Impact Fees Zone 3 reserves. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to:

A) receive and file a fully executed Florida Inland Navigation District Project Agreement for construction costs associated with the redevelopment of the Bert Winters Park for the period October 21, 2015, through September 30, 2017;

B) approve Budget Amendment of \$1,000,000 within the Park Improvement Fund to establish budget for the approved grant; and

C) approve Budget Transfer of \$632,715 within the \$50 Million General Obligation Waterfront Access Bond Fund from Reserves to Bert Winters Park Boat Ramp Parking project.

SUMMARY: On May 19, 2015, the Board authorized submission of a Waterways Assistance Program (WAP) Grant Application, R2015-0662, to fund a portion of the construction costs associated with the redevelopment of Bert Winters Park. The Board also authorized the County Administrator or her designee to execute the Project Agreement, Florida Inland Navigation District (FIND) Project No. PB-15-188 and other grant forms related to this project if the grant was approved. The grant was approved, the Project Agreement has been fully executed in accordance with Board authorization, and is being submitted to the Board to receive and file and to establish budget for the grant. The estimated construction costs for this grant project are \$2,000,000. The \$1,000,000 FIND grant requires a \$1,000,000 (50%) match, which will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue. This grant project must be completed and all required reimbursement information submitted to FIND on or before September 30, 2017, unless FIND approves a one year time extension. District 1 (AH)

3. Staff recommends motion to:

A) receive and file a fully executed Florida Inland Navigation District Project Agreement for construction costs associated with the redevelopment of the west side of Burt Reynolds Park for the period October 21, 2015, through September 30, 2017; and

B) approve Budget Amendment of \$200,000 within the Park Improvement Fund to establish budget for the approved grant.

SUMMARY: On May 19, 2015, the Board authorized submission of a Waterways Assistance Program (WAP) Grant Application, R2015-0660, to fund a portion of the construction costs associated with the redevelopment of the west side of Burt Reynolds Park. The Board also authorized the County Administrator or her designee to execute the Project Agreement, Florida Inland Navigation District (FIND) Project No. PB-15-189, and other grant forms related to this project if the grant was approved. The grant was approved, the Project Agreement has been fully executed in accordance with Board authorization, and is being submitted to the Board to receive and file and to establish budget for the grant. The estimated construction costs for this grant project are \$1,900,000. The \$200,000 FIND grant requires a \$200,000 (50%) match, which will be funded from the 2004 \$50 Million Waterfront Access and Preservation General Obligation Bond Issue. In 2014, FIND awarded \$750,000 in grant funding for this project. This grant project must be completed and all required reimbursement information submitted to FIND on or before September 30, 2017, unless FIND approves a one year time extension. District 1 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Coastal Partnership Initiative (FCPI) Grant Application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 28, 2015, requesting \$30,000 for the Jupiter Beach – DuBois Park ADA Accessibility Project and Habitat Restoration Project;

B) authorize the County Administrator or her designee to execute the Grant Agreement and all future time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as Liaison Agent with FDEP for this Project.

SUMMARY: This grant application requests \$30,000 from FCPI for the Jupiter Beach – DuBois Park ADA Accessibility and Habitat Restoration Project. The grant elements include renovation of the pedestrian bridge which connects Jupiter Beach Park to DuBois Park, construction of new multi-purpose path for American's with Disabilities Act (ADA) access connecting the bridge to the parking area, Inlet fishing jetty and memorial benches, installation of picnic tables, removal of exotic vegetation, and replanting with native species. The total project cost identified in this Grant Application is \$60,000. The grant request is for \$30,000, and requires a \$30,000 (50%) match will be funded from the Department's ADA Compliance Measures project. If the grant is awarded, project construction is required to be completed between July 1, 2016 and June 30, 2017. District 1 (AH)

5. Staff recommends motion to approve: First Amendment to Contract No. 800014/LS with Chet's, Inc., located in Boynton Beach, Florida, providing professional water ski instruction at Burt Aaronson South County Regional Park renewing the contract for one year to begin October 1, 2015 and to expire September 30, 2016. **SUMMARY:** On September 30, 2014, Palm Beach County entered into a Contract for Consulting/Professional Services (R2014-1780) with Chet's, Inc., to provide a complete water skiing school program at Burt Aaronson South County Regional Park. The Contract provided an initial one year term, which expired on September 30, 2015, with four one-year renewal options. This First Amendment renews the Agreement for the first option period of October 1, 2015, through September 30, 2016. The total annual revenue for this First Amendment is \$12,420. Article 31-Nondiscrimination, is also amended to update it with the current required language. All other terms of the contract remain the same. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreements:

A) Caroline Ann Karolinko, US Synchronized Swimming Coach, Aqua Crest Pool, for the period of October 1, 2015, through September 30, 2016;

B) East Coast Aquatic Club, LLC, USA Swimming Coach, Aqua Crest Pool, for the period of October 1, 2015, through September 30, 2016;

C) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach, Aqua Crest Pool, for the period of October 1, 2015, through September 30, 2016;

D) Patricia Ann Fisher, Water Exercise Instructor, Aqua Crest Pool, for the period of October 1, 2015, through September 30, 2016;

E) Gordon Andrews, USA Swimming Coach, Lake Lytal Pool, for the period of October 1, 2015, through September 30, 2016;

F) Derek Jones, US Diving Coach, North County Aquatic Complex, for the period of October 1, 2015, through September 30, 2016;

G) Kiril Zahariev, USA Swimming Coach, North County Aquatic Complex, for the period of October 1, 2015, through September 30, 2016;

H) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach, North County Aquatic Complex, for the period of October 1, 2015, through September 30, 2016;

I) Mary Lou Putnam, Water Exercise Instructor, North County Aquatic Complex, for the period of October 1, 2015, through September 30, 2016;

J) Stephen VanCoppennolle, Water Exercise Instructor, North County Aquatic Complex, for the period of October 1, 2015, through September 30, 2016;

SUMMARY: 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. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted by the Board to receive and file. Districts 1, 2 & 4 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

7. Staff recommends motion to receive and file: the following original executed Independent Contractor Agreements:

A) Modern Bujutsu Karate Florida, Inc., Martial Arts Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2015, through September 30, 2016;

B) Anastasia Scruggs, Hip Hop Dance Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2015, through September 30, 2016;

C) Regina M. Rodrigues, Gentle Yoga Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2015, through September 30, 2016;

D) Regina M. Rodrigues, Gentle Yoga Instructor, CMAA Therapeutic Recreation Complex, for the period of October 1, 2015, through September 30, 2016;

E) Gold Coast Gymnastics, Inc., Tiny Tot Tumbling Instructor, West Boynton Recreation Center, for the period of October 1, 2015, through September 30, 2016;

F) Modern Bujutsu Karate Florida, Inc., Martial Arts Instructor, West Boynton Recreation Center, for the period of October 2, 2015, through September 30, 2016;

G) Palm Beach County Officials Association, Inc., Youth Basketball Officials, West Boynton Recreation Center, for the period of October 3, 2015, through October 10, 2015;

H) Shelly Janssen, Youth Dance Instructor, West Boynton Recreation Center, for the period of October 1, 2015, through May 26, 2016;

I) Caroline Andre, Fall 2015 Cheerleader Instructor, Westgate Recreation Center, for the period of October 3, 2015, through November 14, 2015;

J) Palm Beach County Officials Association, Inc., Fall 2015 Jr. Basketball Officials, Westgate Recreation Center, for the period of October 3, 2015, through November 14, 2015;

K) Palm Beach County Officials Association, Inc., Fall 2015 Youth & Teens Basketball Officials, Westgate Recreation Center, for the period of October 3, 2015, through November 14, 2015;

L) JKF Goju Kai Florida, Inc., Karate Instructor, West Jupiter Recreation Center, for the period of October 10, 2015, through September 30, 2016;

M) Kim Moser, Classical Fencing Instructor, West Jupiter Recreation Center, for the period of October 28, 2015, through September 30, 2016.

SUMMARY: 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. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and are now being submitted by the Board to receive and file. Districts 1, 3 & 7 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. [Staff recommends motion to approve:](#) appointment of the following at-large member of the Library Advisory Board to complete a term of three years, effective December 15, 2015 to September 30, 2016:

<u>Nominee</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated by</u>
Benjamin Hom	15	Resident of PBC At-Large Library District	Vice Mayor Valeche Commissioner Abrams Commissioner Burdick Commissioner McKinlay

SUMMARY: Chapter 2000-405, Laws of Florida establishes a requirement for a Library Advisory Board consisting of fifteen members; one at-large and fourteen district appointees. Mr. Hom is a member of Leadership Palm Beach County, Class of 2016. He is a member of several boards including Lydia Homes, a foster care association. Mr. Hom will add to the ethnic diversity of the Library Advisory Board. A memo was distributed to the Board of County Commissioners on November 5, 2015 requesting nominations. No other nominations were received. The Board currently has fourteen members and a diversity count of: seven Caucasian Females (50%), three Caucasian Males (21.4%), one African American Female (7.15%), one Hispanic Female (7.15%), one Hispanic Male, (7.15%) and one Asian American Male (7.15%). Countywide (AH)

P. COOPERATIVE EXTENSION SERVICE

1. [Staff recommends motion to approve:](#) appointment of the following individual to the Agricultural Enhancement Council for the term of December 15, 2015 to September 30, 2018:

<u>Name</u>	<u>Category, Seat Number</u>	<u>Expire</u>
John Brewer Taylor, Jr.	Agricultural Supplier, Seat 7	9/30/18

SUMMARY: Based on Resolution R2014-0303, nine agricultural related entities were requested to nominate one member each to the Agricultural Enhancement Council (AEC). One nomination is being submitted at this time. Staff is requesting appointment of one member. The Council currently consists of nine members with eight seats currently filled and a diversity count of eight Caucasians. The current gender ratio (male: female) is 6:2. The nominee is one Caucasian male. Countywide (AH)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve:

A) a Contract with the Department of Health (DOH) in the amount of \$2,114,162 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2015, through September 30, 2016; and

B) an Addendum to the Contract to clarify:

- 1) Paragraph 6.a. – as State employees/personnel, CHD employees are not “officers, agents, or employees of the County”;
- 2) Paragraph 7.c. – The County shall assure that insurance coverage for vehicles is available through either a self-insurance program or insurance purchased by the County except for insurance referenced in paragraph 7.e.;
- 3) Paragraph 7.d. – The County shall be named as additional insured on any agreement in which the CHD contracts or subcontracts any work to be performed on the premises to a third party; and
- 4) Paragraph 7.e. – As a State agency, the CHD agrees to be responsible for its own, its officers’, employees’, or agents’ negligent acts, or omissions, or tortuous acts, which result in claims or suits against the parties, and agrees to be liable for any damages proximately caused by said acts or omissions.

SUMMARY: This Contract sets forth the funding responsibilities of the DOH and the County for the operation of the Palm Beach County Health Department. The State and County share in the funding of the \$7,629,276 environmental health budget. The State’s share is \$2,968,336 (38.9%), primarily from State general revenue and fees. Funding from the County’s FY 2016 budget is \$2,114,162 (27.7%) that includes Childcare Enforcement & Control Funding of \$126,888 and is a 3% increase compared to FY 2015 funding. The remaining local share (33.4%) is comprised of County Authorized Fees of \$1,161,008 (15.2%), Federal funds of 341,770 (4.5%), Department of Environmental Protection (DEP) Funds of \$104,000 (1.4%), and the Air Pollution Tag Fees of \$940,000 (12.3%). County funding is used primarily for salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of child care and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control Funding provides for a full-time Attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Acting Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2016 budget. No additional funds are requested. County staff requested certain changes to the State’s standard contract in order to clarify the insurance and liability provisions. The State preferred including these in an Addendum instead of revising the standard contract. Countywide (HH)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. **Staff recommends motion to approve:** the First Amendment to Interlocal Agreement R2015-1402 for network services with Seacoast Utility Authority (SUA) to transfer a portion of SUA fiber to Palm Beach County (County), effective retroactively to October 1, 2015, through September 30, 2016 with automatic one-year renewals unless notice is given by either party. **SUMMARY:** This agreement provides Internet access via the Florida LambdaRail network through an interconnection to the County's network. This First Amendment has been revised to include additional language that transfers a portion of SUA's fiber to the County in order to assist SUA with an underground fiber connectivity plan to the County's North County Courthouse. There is no change to the County's annual revenue total of \$2,400 for network services provided. The Florida LambdaRail LLC waived their monthly fee on September 21, 2011, and has approved connection of SUA to the Florida LambdaRail. District 1 (PFK)

2. **Staff recommends motion to approve:** the Fifth Amendment to Interlocal Agreement R2010-0650, as amended, for network services with Palm Beach State College, effective retroactively to October 1, 2015, through September 30, 2016 with automatic one-year renewals unless notice is given by either party. **SUMMARY:** This agreement provides Internet access via the Florida LambdaRail network through an interconnection to the County's network and also provides secure network access to a 3rd party location via a virtual private network (VPN) tunnel. This Fifth Amendment will remove the network services VPN tunnel per PBSC's request and thereby decrease total annual service revenue by \$1,200 for a revised annual revenue amount of \$6,634.80. Although our existing agreement calls for 90 days written notice upon request to terminate for convenience, we are requesting that termination be approved based on 30 days written notice as our router for these services is installed at a 3rd party location. The County will continue to provide network services to four countywide PBSC campuses and PBSC's Institute of Excellence in Early Care and Education housed at the School of the Arts Dreyfoos campus. Countywide (PFK)

3. **Staff recommends motion to approve:** a Second Amendment to Agreement R2014-0852, as amended, for network services with Lutheran Services Florida, Inc., effective retroactively to October 1, 2015, through September 30, 2016 with automatic one-year renewals unless notice is given by either party. **SUMMARY:** This Second Amendment reduces network services telephone maintenance charges due to a decrease in the total number of telephone sets utilized in the Head Start program which is now administered by Lutheran Services of Florida, Inc. in various County-owned facilities. The revised total annual service revenue will be \$16,680 for FY 2016, a net decrease of \$1,680. The Florida LambdaRail LLC has approved connection of LSF to the Florida LambdaRail network. Countywide (PFK)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** Second Amendment to Interlocal Agreement for the RESTORE Initiative with the Office of the Public Defender, 15th Judicial Circuit extending the expiration date from September 30, 2015 to December 31, 2015. **SUMMARY:** Palm Beach County was awarded a \$2,250,000 grant from the Department of Justice (DOJ) from the Second Chance Act Grant to facilitate the successful reintegration of ex-offenders as they return to Palm Beach County through the Regional and State Transitional Offender Reentry (RESTORE) Initiative until September 2015. The original Interlocal Agreement with the Office of the Public Defender, 15th Judicial Circuit (R2014-0316) provided reentry services for the period October 1, 2013, through September 30, 2014 for a total amount not to exceed \$164,550. The First Amendment (R2015-0081) extended the period to September 30, 2015 and increased the total amount by \$164,550 for a new amount not to exceed \$329,100. This Second Amendment to the Interlocal Agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission in accordance with Resolution R2014-1836 and is now being submitted to the Board to receive and file. Countywide (JB)

2. **Staff recommends motion to:**

A) receive and file an award from the U.S. Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program, for \$144,219 beginning October 1, 2014, through September 30, 2018 to fund ex-offender community reentry services;

B) authorize the County Administrator or her designee to execute all applications, documents and contracts for all DOJ grants that do not require matching dollars. This include submitting applications electronically and executing all necessary sub recipient grant agreements and amendments associated with DOJ Programs;

C) approve a Contract for Ex-Offender Community Reentry Services with The Lord's Place, Inc. for \$98,174 for the period October 1, 2015, through September 30, 2016;

D) approve an Interlocal Agreement for Ex-Offender Community Reentry Services with the City of Riviera Beach for \$46,045 for the period October 1, 2015, through September 30, 2016; and

E) approve a Budget Amendment of \$144,219 in the Justice Services Grant Fund to recognize the actual grant award.

SUMMARY: Palm Beach County has been allocated \$144,219 in Federal FY 2015 funds as part of the Justice Assistance Grant (JAG) Program. The Criminal Justice Commission approved recommendations made by the Finance Committee for FY 2016 to allocate funds totaling \$144,219 to Countywide Reentry programs. These Contracts utilize grant funding to provide ex-offender community reentry services. No local match is required for the JAG program. Mr. Alan Bernstein of the Lord's Place Inc. serves on the Homeless Advisory Board. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding the disclosed contracts. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. The award document has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator/Executive Director of the Criminal Justice Commission in accordance with Resolution R2014-1836 and are now being submitted to the Board to receive and file. Countywide (JB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

A) approve a Budget Transfer of \$257,179 in the General Fund from the Youth Services Department to the Public Safety Department to continue the Juvenile Reentry Program through September 30, 2016; and

B) approve a Budget Amendment of \$257,179 in the Justice Services Grant Fund to recognize the transfer from the Youth Services Department; and

C) approve the following contracts for Juvenile Reentry Services with agencies for the period January 1, 2016, through September 30, 2016:

1. Contract with Gulfstream Goodwill Industries, Inc. for a total not to exceed \$155,179; and
2. Contract with Choice to Change, Inc. for a total not to exceed \$102,000; and

D) authorize the County Administrator or designee, to execute minor amendments and administrative documents associated with the above contracts, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: In October 2013, Palm Beach County was awarded \$750,000 from the Office of Juvenile Justice Delinquency and Prevention (OJJDP) to implement a juvenile reentry demonstration project ending on September 30, 2015. On June 25, 2015, the OJJDP granted the County a no cost extension of the grant award until September 30, 2016. Grant funds; however, are estimated to be fully expended by the end of December 2015. Funds (\$257,179) are being requested through a budget transfer from the Youth Services Department to continue the Juvenile Reentry Program through September 30, 2016. All Reentry services were transferred to the Public Safety Department on October 1, 2015. Public Safety will provide the Youth Services Department with a quarterly and end of year report outlining evidence-based project activities. The two contracts allow for the continuation of juvenile reentry services. Countywide (JB)

Z. RISK MANAGEMENT

1. Staff recommends motion to:

A) approve payment of the required Transitional Reinsurance Program Annual Enrollment Contribution Submission in the amount of \$317,819.92 due for the Affordable Care Act's (ACA) Transitional Reinsurance Program as established by Section 1341 of the ACA, and;

B) delegate the County Administrator or her designee as the Authorizing Official for Reporting Entity's Acknowledgment, as defined by the ACA, to verify and acknowledge the annual enrollment count, supporting data, and accompanying required contribution as stated above.

SUMMARY: The ACA established the Transitional Reinsurance Program to stabilize premiums in the individual health insurance market and ACA exchanges. Contributing Entities, as defined by 45 CFR 153.20, including the Board's self-insured group health plan, are required to pay annual contributions for the 2014, 2015, and 2016 benefit (calendar) years. The contribution is due by January 15, 2016 and represents \$44 per enrolled participant for the current benefit year. Countywide (HH)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT (Cont'd)

2. Staff recommends motion to approve:

A) Additional one year extension of the Administrative Services Only (ASO) Agreement (R2011-1667); dated October 31, 2011 with CIGNA Health and Life Insurance Company (CHLIC) for claims administration services for the County's self-funded HMO and POS health insurance plans for the period January 1, 2017, through December 31, 2017; and

B) CHLIC's proposed administrative, access, utilization, and disease management fees, which are extended at no increase for plan year 2017 and include a three month fee "holiday," estimated at \$1,293,318 based on current enrollment; and

C) Postponement of the previously scheduled Request for Proposal for a period of one year, to be released in the spring of 2017.

SUMMARY: Staff recommends a one year extension of the current ASO Agreement with CHLIC for the administration of the County's self-insured health plan which expires December 31, 2016. The recommendation to extend the ASO Agreement and postpone the scheduled RFP is in the best interest of the County because CHLIC has offered a three month fee "holiday" which would result in a financial benefit for the County in the estimated amount of \$431,106. Also, it would advance the new contract date to January 1, 2018, and provide staff with an additional year of plan development to allow for a more accurate picture of the impact the Affordable Care Act's excise tax, commonly known as the "Cadillac Tax," will have on the County's self-insured health plans. This recommendation encompasses CHLIC's fixed administrative fees only. Staff will return to the Board for approval of estimated claims and stop loss insurance costs for plan year 2017 prior to open enrollment in the fall of 2016. Countywide (HH)

AA. PALM TRAN

1. DELETED

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Supplemental Joint Participation Agreement (JPA) Number 1 (FM NO. 407184-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$615,070 for FY 2016 for the provision of fixed route services to the public in the non-urbanized (Glades Region) area of Palm Beach County; establishing an effective date;

B) approve a Budget Amendment of \$421 in Palm Tran's Grants Fund 1341 to reconcile the budget to the actual grant award; and

C) approve a Budget Amendment of \$421 in Palm Tran's Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

SUMMARY: On December 16, 2014, the BCC approved a five year JPA FM No. 407184-2 (R2014-1973) for fixed route services in the non-urbanized (Glades Region) area of Palm Beach County which totaled \$673,358 for FY 2015 (50% FDOT and 50% funded by Palm Beach County). FDOT has issued Supplemental JPA Number 1 FM No. 407184-2 to provide Palm Beach County its annual allocation of the Rural Grant Program. Palm Tran will be utilizing the funds exclusively for operational expenses of fixed route service in the Glades Region (Routes 40, 47 and 48). This JPA will provide operating funding in the amount of \$307,535 for year two of the Agreement and requires a 50% local match in the amount of \$307,535 which is included in Palm Tran's budget, funded from the local option gas tax. District 6 (DR)

3. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving Supplemental Joint Participation Agreement (JPA) Number 1 (FM No. 407188-2) with the State of Florida Department of Transportation (FDOT), in the amount of \$10,054,968 for FY 2016 for the provision of fixed route services to the public in Palm Beach County; establishing an effective date;

B) approve a Budget Amendment of \$82,787 in Palm Tran Grants Fund 1341 to reconcile the budget to the actual grant award; and

C) approve a Budget Amendment of \$82,787 in Palm Tran Operating Fund 1340 to reconcile to the transfer from the Palm Tran Grants Fund 1341.

SUMMARY: On December 16, 2014, the BCC approved a five year JPA FM No. 407188-2 (R2014-1975) for fixed route services in Palm Beach County which totaled \$9,889,394 for FY 2015 (50% FDOT and 50% funded by Palm Beach County). FDOT has issued Supplemental JPA Number 1 to FM No. 407188-2 to provide Palm Beach County its annual allocation of the Public Transit Block Grant Program. Palm Tran will be utilizing the funds exclusively to help offset the operating costs of providing fixed route service in Palm Beach County. This JPA will provide operating funding in the amount of \$5,027,484 for year two of the Agreement and requires a 50% local match in the amount of \$5,027,484 which is included in Palm Tran's budget, funded from the local option gas tax. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

4. **Staff recommends motion to receive and file:** the electronically executed Federal Transit Administration (FTA) Application FL-90-X881-00 for \$10,439,303 (R2015-1069). **SUMMARY:** 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. The document has been fully executed on behalf of the Board of County Commissioners (BCC) by the Palm Tran Assistant Director through the County Administrator in accordance with Resolution R2015-1069, which delegated authority to execute, on behalf of the BCC, and to transmit electronically the BCC's approval of the grant application, award and resulting grant agreement, and is now being submitted to the BCC to allow the Clerk's Office to note and receive and file the executed document. On August 19, 2015, the Application FL-90-X881-00 was submitted for funds to provide public transportation capital and operating assistance and for public transportation-related planning. Countywide (DR)

5. **Staff recommends motion to approve:** Memorandum of Understanding (MOU) with the Florida Department of Health in Palm Beach County (DOH) for Support Services for Emergency Dispensing of Strategic National Stockpile. **SUMMARY:** The Centers for Disease Control and Prevention (CDC) has established the Cities Readiness Initiative Program to assist certain Metropolitan Statistical Areas (MSA) in the event of a catastrophic biological incident. The CDC, through the DOH, will provide medications and medical supplies to be distributed in Palm Beach County. This proposed MOU establishes the collaborative framework between the DOH and Palm Beach County, through Palm Tran to enhance DOH's ability to respond to a catastrophic biological incident or other communicable threat of epidemic proportion. The term of this MOU will end on December 31, 2018. Countywide (DR)

BB. YOUTH SERVICES

1. **Staff recommends motion to approve:** Contract for Consulting/Professional Services with the Community Foundation for Palm Beach and Martin Counties, Inc., for the period October 1, 2015, through June 30, 2016, in an amount not to exceed \$10,000 for the Collective Impact for Education Initiative in Palm Beach County. **SUMMARY:** The Palm Beach County Collective Impact for Education Initiative involves a strategic visioning and planning project that will help to implement academic success and postsecondary education and career readiness. The Community Foundation, as fiscal agent for the Initiative, has hired Greenway Strategy Management to develop the strategic plan under the direction of a steering committee. The County will have a representative on the Steering Committee. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to approve:

A) Grant Award from the American Psychological Association (APA) in the amount of \$14,900 to fund the cost of accreditation fees and intern stipends for health insurance for the period October 1, 2015 to April 30, 2018; and

B) Budget Amendment of \$14,900 in the General Fund to establish revenue and appropriation budget for approved grant funding.

SUMMARY: The APA Grants for Internship Program is a competitive grant program designed to expand the number of accredited internship positions and promote quality training for professional practice. The Residential Treatment & Family Counseling Division of the Youth Services Department would like to have its internship programs APA accredited by the end of calendar year 2016. The cost of accreditation is an eligible expense under this grant program. Also eligible are stipends for intern health insurance costs and consultation services to aid in the successful navigation of the accreditation process. On July 21, 2015, the Board approved a grant application (R2015-0934) to the APA and was notified of the award on October 1, 2015. Youth Services will use the award to fund the following eligible costs: application fee for accreditation, annual accreditation fee, accreditation site visit fee, consultation services and stipends to existing interns for health insurance. No County local match is required. Countywide (HH)

3. Staff recommends motion to approve: Contract for Consulting/Professional Services with The Forum for Youth Investment (FYI), a not-for-profit corporation, for the period November 1, 2015, through June 30, 2016, in an amount not-to-exceed \$186,000 to provide professional/consultation services in the development of a Youth Master Plan for Palm Beach County. **SUMMARY:** As a result of the Youth Symposium work, a need for a Countywide Youth Master Plan has been identified. FYI is the leading national consultant in the development of such plans. The plan will identify priorities, consolidate existing information and identify strategies that are responsive to the geographic, economic, and cultural diversity of the youth in Palm Beach County. The Children's Services Council of Palm Beach County will reimburse Palm Beach County \$25,000 for the training component of this Contract. Countywide (HH)

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

CONTINUED FROM OCTOBER 20, 2015

- A. **Staff recommends motion to approve:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, establishing the “Civil Citation for Small Quantity Marijuana Possession Ordinance”; providing for a title; providing for applicability; providing for definitions; providing for civil infraction; providing for civil penalties and enforcement; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** The Board of County Commissioners directed staff to research whether Palm Beach County could enact an ordinance similar to those being considered by other local jurisdictions, including Miami-Dade County and West Palm Beach, which provide an alternative penalty for the possession of small amounts of marijuana and/or marijuana drug paraphernalia. This Ordinance makes possession of small amounts of marijuana and/or marijuana drug paraphernalia a civil infraction, and allows law enforcement the alternative of issuing a civil citation and imposing a civil fine of \$100 on any person, 18 years of age or older, who possesses 20 grams or less of marijuana and/or marijuana drug paraphernalia. This item is a continuation of the public hearing held on October 20, 2015. Countywide (HH)
- B. **Staff recommends motion to adopt:** an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, updating the Five-year Capital Improvement Tables 1-17 of the Comprehensive Plan; providing for repeal of laws in conflict; providing for severability; and providing for an effective date. **SUMMARY:** This Ordinance updates the Five-Year Capital Improvement Tables in the Capital Improvements Element of the County's Comprehensive Plan. In accordance with the requirements of Section 163.3177(3), Florida Statutes, the Comprehensive Plan shall contain the projected schedule of improvements for five fiscal years that reflect the need to reduce existing deficiencies, remain abreast of needed replacements, and meet future demand. Countywide (RB)
- C. **Staff recommends motion to adopt:** a Resolution to abandon a strip of unimproved road right-of-way, 15 feet in width, from the north right-of-way line of Lantana Road northward approximately 2,250 feet, lying in the plat of Subdivision of S.E. 1/4 of Section 31, Township 44 South, Range 43 East, as recorded in Plat Book 6, Page 61, of the Public Records of Palm Beach County, Florida. **SUMMARY:** Adoption of this Resolution will eliminate the public dedication for this portion of unimproved roadway, created by plat in 1916. The petition site is east of Congress Avenue, north of Lantana Road and south of 6th Avenue South. It is intended that the property will be incorporated into the County's Lantana Airport and John Prince Park properties. District 3 (MRE)

4. PUBLIC HEARINGS CONTINUED

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

1) determine that Palm Beach County (County) has adhered to and implemented its Five Year Road Program (Program) based on substantial evidence that the funding for the current fiscal year and the addition of the new fifth year are as contemplated in the Comprehensive Plan (Plan) and that fewer than 20% of the FY 2014 construction projects are more than 12 months behind schedule as defined in Attachment "1" to the Agenda Item;

2) approve Road Program Findings of Fact (per Article 12.M.3.B of the Unified Land Development Code) with a majority affirmative vote that the deletion of Roebuck Road, State Road 7 to Jog Road Construction will not result in any link or intersection on the road network operating at greater than the adopted level of service, and that no project which was approved and phased based upon such assured construction would be denied building permits because of the deletion of the construction; and

3) adopt an Ordinance amending Ordinance No. 85-40, as amended, establishing an amended Program; providing for title; purpose; adoption of revised Program and revised list of projects contained in Exhibit "A"; implementation of the Program; modification of Program; funding of other roadway improvements, interpretation of exhibit; repeal of Laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date.

SUMMARY: This is the annual update of the County's Program which is required to be considered each year by the Program Ordinance. The Unified Land Development Code requires that concurrent with the adoption of the annual Program, the Board of County Commissioners must determine that the appropriate Findings of Fact associated with the Road Program have been made. Those Findings have been made and are defined in Attachment "1" to the Agenda Item. The ULDC also requires prior to the deletion/delay of any construction project from the County's Program, the Board must determine that the Findings associated with the deletion have been made. They have been made, and they are defined in Attachment "2" to the Agenda Item. Exhibit "A" to the Ordinance contains the road projects to be undertaken by the County in the next five years and is included as Attachment "3" to the Agenda Item. Countywide (MRE)

4. PUBLIC HEARINGS CONTINUED

E. Staff recommends motion to:

1) **approve** the filing of the FY 2013 (\$1,598,755), FY 2014 (\$1,686,583) and FY 2015 (\$1,719,480) Section 5339 Federal Transit Administration (FTA) Grant Application FL-34-0020 for \$5,004,818 in capital funds allocated to Palm Beach County;

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

3) **delegate** authority to the County Administrator or designee to execute and electronically transmit the Board of County Commissioner's affirmation of the grant award and the resulting grant agreement.

SUMMARY: FTA distributes Section 5339 funds to provide public transportation capital grants to assist financing capital projects for bus and bus facilities that will benefit the nation's transit systems. The grant will fund the engineering, building and site design, planning/zoning approvals, permits and a portion of the construction needed for the expansion of Palm Tran's South County administrative and maintenance facility, which is at full capacity. The project will increase space for administration, training/orientation and provide additional parking for buses and employees. Both the building design and planning approval processes are running concurrently. The final planning approval is estimated for June 2016, and the projected construction completion date is February 2018. The entire amount of this grant will be used for this project. The grant requires a 20% local match and submittal of a Standard Form LLL - Disclosure of Lobbying Activities. The Florida Department of Transportation (FDOT) has approved the use of toll revenue credits as the required local 20% match; therefore, the projects budget lists the capital projects at 100% cost for the federal share. **No County funds are required.** Countywide (DR)

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5. REGULAR AGENDA

A. ADMINISTRATION

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida in support of Senate Bill 746 (Negron) and House Bill 427 (Magar) to increase boater safety. **SUMMARY:** Staff recommends that the Board pass a resolution urging the Florida Legislature to pass SB 746 and HB 427 and Governor Scott to sign the legislation into law. The bills seek to increase boater safety by providing an approximate 25% discount on the fees that boaters pay for their annual vessel-registration if they possess either an Emergency Position Indicating Radio Beacon (EPIRB) or a Personal Locator Beacon that is registered with the National Oceanic and Atmospheric Administration. Countywide (DW)

2. Staff recommends motion to:

A) approve the following Convention Center Hotel documents:

1. Third Amendment to Development Agreement;
2. Third Amendment to Hotel Lease;
3. Consent of Mortgagee;
4. Consent of Mezzanine Note Purchaser;
5. Roadway Easement Agreement;
6. Garage Access Easement Agreement; and
7. Easement Agreement for Parking Spaces - B Deck Garage.

B) receive and file Opinion of Title from Shutts and Bowen, LLP.

SUMMARY: On July 7, 2015, the Board of County Commissioners (BCC) conceptually approved a request by The Related Companies, L.P. (Developer) regarding proposed parking modifications for the Convention Center Hotel (Hotel). The project documents contemplate a 630 space one-story garage on a parcel of land (garage land) east of the hotel site on Florida Avenue. In lieu of the parking garage, the Developer will construct 255 valet spaces on a surface parking lot and utilize 375 valet spaces in an existing parking structure in CityPlace, which is owned by the West Palm Beach Community Redevelopment District. Agreements require the Developer to: 1) successfully implement the hotel valet parking operation guidelines; 2) design traffic signals on the west side of Okeechobee Boulevard and Alabama Avenue; 3) coordinate with the Convention Center staff on a monthly basis, at a minimum, to ensure the proper and safe flow of traffic on Florida Avenue; 4) manage traffic flow on Florida Avenue during peak periods; 5) minimize negative traffic impact on surrounding roadways; and 6) ensure that hotel deliveries will not impact Convention Center activities. After one year of hotel operations, Related will conduct studies to evaluate traffic circulation and parking to assist the County in determining if parking modifications are required. Related will conduct an additional study after two years of joint operations of the Hotel and Convention Center parking garage. The County will then determine whether or not to require additional parking facilities on the garage land. The Hotel is currently scheduled to open in February 2016. District 7 (HF)

5. REGULAR AGENDA

A. ADMINISTRATION (Cont'd)

3. **Staff requests Board direction:** concerning a Consent to Use (Consent) which would permit the construction of a healthcare and assisted living facility for patients with dementia and Alzheimer's (the Project) on 100 restricted acres within the Alton Development (formerly known as Briger). The other beneficiaries including Scripps, Kolter (KH Alton), the City of Palm Beach Gardens, and the State of Florida have executed the Consent. **SUMMARY:** Clarity Pointe Development Partners, LLC (CPDP) has entered into a contract with KH Alton to purchase 6.569 acres within the 100 acre deed restricted parcel to develop the Project. The deed restriction is subject to conflicting interpretation by the beneficiaries as to whether it restricts the property to only those uses that are supportive to bioscience. CPDP has entered into a non-binding Memorandum of Understanding with Florida Atlantic University, Division of Research (FAU), which will allow CPDP and FAU to facilitate collaborative research, and educational and training activities for the Project. On June 23, 2015, the Board of County Commissioners (BCC) approved a Consent to Use (Agenda Item 5F-3), which permitted the Carrier Corporation to construct a 250,000 sf facility on 30 acres of the 100 deed restricted acres. The restriction includes language which extends it to February 6, 2026 if 50% of the original 100 acres have been developed for the intended purposes. Should the BCC approve the Consent, the 6.569 acres will count toward the 50% for a total of 36.569% including the UTC facility. The Consent is substantially in the same format as that executed for the UTC facility. District 1 (HF)

B. ECONOMIC SUSTAINABILITY

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

A) an Economic Development Incentive Agreement with Biomet 3i, LLC (Company), a subsidiary of Zimmer Inc., in the amount of \$250,000 over a four year period;

B) a Budget Transfer of \$250,000 from the General Fund Contingency Reserves to the Department of Economic Sustainability Fund Economic Incentive Growth Program; and

C) a Budget Amendment of \$250,000 in the Department of Economic Sustainability Fund to recognize the funds from the General Fund.

SUMMARY: On June 23, 2015, the Board of County Commissioners conceptually approved (R2015-0818) an Economic Development Incentive for the Company totaling \$250,000. This Agreement discloses the name of the Company, Biomet 3i, LLC previously referred to as Project Bruin. The Agreement requires the Company to make a minimum \$1.895 Million capital investment, create 178 new full-time jobs over a four year period and retain 473 existing full-time jobs at an average annualized wage of \$83,000 and a median wage of \$70,000, and will maintain the new and existing jobs for five years following the job creation period. Biomet 3i, LLC is a subsidiary of Zimmer, Inc. and a world leader in the design and manufacture of orthopedic, dental and surgical devices. The Company operates in 25 countries and has net sales of in excess of \$3 Billion. The State of Florida is providing a \$1 Million in State funding from the Quick Action Closing Fund, and City of Palm Beach Gardens is providing a portion of the local match as a grant on the amount of \$350,000. This project is expected to have a five year economic impact of \$772 Million. The Company shall, without risk of violating any laws, make best efforts to develop and implement hiring policies that provide Palm Beach County residents preference in the hiring process. This Economic Development Incentive Grant will be secured by a Letter of Credit, Bond, Corporate Guarantee, or equivalent security. District 1 (JB)

5. REGULAR AGENDA

C. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to adopt:** a Resolution establishing a standard form termination of removal agreement; authorizing the County Administrator or designee to execute the standard form Agreement; and becoming effective upon adoption. **SUMMARY:** The Resolution establishes a new standard form Agreement for use to terminate removal agreements that were required to be obtained from the County, to construct a structure within a County future right-of-way or other easement. As a condition of issuing a building permit, the County requires a property owner enter into a removal agreement, where the property owner must remove the structure that is located in a County future right-of-way or other easement in the event the right-of-way or easement is needed for use by the County or easement holder. The termination of removal agreement is needed when the structure located in the future right-of-way or easement has been removed. Countywide (AH)

2. **Staff recommends motion to:**

A) adopt an Interlocal Agreement (ILA) between the Board of County Commissioners (BCC) of Palm Beach County and the School Board of Palm Beach County for coordinated school planning; and

B) initiate a Comprehensive Plan amendment to the Intergovernmental Coordination Element to establish consistency with the Interlocal Agreement for Coordinated School Planning.

SUMMARY: Section 163.31777, Florida Statutes, (F.S.) requires Palm Beach County to enter into an Interlocal Agreement with the School District for coordinated school planning. Palm Beach County local governments have relied upon the 2001 ILA (expired in 2011) to meet the previous requirements of School Concurrency. A meeting with the Palm Beach County School Board, the BCC, and the League of Cities was held in November 2011 to discuss School Concurrency, in light of the statutory changes introduced in 2011 by the Florida Legislature. As a result of this meeting, staff from the Interlocal Plan Amendment Review Committee (IPARC), which was comprised of staff from County, City, and School District, began working on an updated ILA. Upon reviewing the existing Concurrency program, staff could find no statutorily compliant solutions that would ensure managing the actual impacts of new development. This, along with the rise of charter schools, and the introduction of choice programs, led staff to consider various options for coordinated school planning. After extensive meetings between the local governments and the School District staff, the recommended ILA is the successor to School Concurrency. This ILA will allow School District staff to conduct an analysis regarding the impacts on schools and make recommendations through a School Capacity Availability Determination. This ILA will also be a mandatory agreement with the County for Coordinated Planning to address school site selection, infrastructure planning, consistency, etc., with local government comprehensive plans and development regulations. The term of this Agreement is for five years, with automatic five year renewals. Pursuant to Chapter 163, F.S., the School Board adopted an ILA on August 19, 2015. Additionally, this agenda item requests initiation of a Comprehensive Plan amendment to the Intergovernmental Coordination Element to establish consistency with the ILA for Coordinated School Planning. Countywide (LB)

5. REGULAR AGENDA

D. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, amending the Rules of Procedure incorporated into Section 500.00 of the County's Administrative Code; providing for an effective date. **SUMMARY:** Staff was directed to revise the Rules of Procedure as they pertain to night meetings, public comment at workshops, Commissioner comments, and Board direction to staff. This Resolution amends the Rules accordingly, with the exception of the advance notice of Commissioner comments as the existing rules substantially address this already. Countywide (DMN)

E. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

A) an acquisition from the South Florida Water Management District (SFWMD) of 39.7 acres of vacant land adjacent to the County's 20 Mile Bend property for \$405,000; and

B) a Budget Transfer of \$202,500 within Park Impact Fee Zone 3 from Reserves to Land Acquisition to fund one-half of the acquisition cost of the SFWMD property.

SUMMARY: The County has been pursuing a long term plan to assemble properties at the Intersection of State Road 80 and old 880/20 Mile Bend for County uses requiring an isolated location. The County acquired 91 acres from Florida Power & Light for the development of the Palm Beach County Sheriff's Office Law Enforcement Training Facilities. Subsequently, the SFWMD donated 86 acres to the County for development of a public shooting park. The SFWMD retained 39.7 acres which it has recently declared to be surplus. SFWMD is increasing their efforts to dispose of unutilized properties to generate revenue to offset budget shortfalls and SFWMD Staff have offered this property to the County at its appraised value of \$405,000. Staff recommends acquisition of the 39.7 acres to guard against a potential SFWMD sale to a third party for uses which might conflict with the County's existing and planned future uses. This acquisition will be funded from \$202,500 in Park Impact Fee Zone 3 Reserves and \$202,500 in the Public Safety Radio Systems Fund. Due to the extensive history with this property, including the prior acquisition from SFWMD, an existing site plan approval for a County public shooting range and previous environmental evaluation, Staff believes that it is reasonable to rely on the previously developed information and not perform additional pre purchase due diligence. In the event that the sale of this property to the County is approved by the Board of County Commissioners and the SFWMD Governing Board, then Staff will close this transaction by simply delivering a check to SFWMD in exchange for a deed to the property. **This acquisition requires a super majority vote (5 votes) for approval.** (PREM) District 6 (HJF)

5. REGULAR AGENDA

F. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff requests Board direction on:** a Resolution supporting a request for legislative appropriation for engineering design and permitting costs of a navigational structure linking the C-51 Canal and the five lakes comprising the Chain of Lakes, with the Lake Worth Lagoon and the Atlantic Intracoastal Waterway. **SUMMARY:** Municipalities which border the Chain of Lakes seek to make a navigational connection to the Lake Worth Lagoon (Lagoon). The most likely point of such connection would be at the S-155 structure on the C-51 Canal (Canal). This Resolution offers support for legislative appropriation for money to perform an engineering design for a navigational connection, likely a boat lift, between the Canal and the Lagoon. This Resolution was bordering the canal. The project is not currently a County project and it is not recommended that the County assume responsibility for the project. A feasibility study conducted by the Treasure Coast Regional Planning Council and a memo describing trail and blueway activities underway and planned for the Environmental Resources Management Department are attached to the item as backup. District 3 (AH)

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DECEMBER 15, 2015

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

DECEMBER 15, 2015

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

DECEMBER 15, 2015

8. COMMISSIONER COMMENTS

A. District 1 – COMMISSIONER HAL R. VALECHE, VICE MAYOR

B. District 2 – COMMISSIONER PAULETTE BURDICK

C. District 3 - COMMISSIONER SHELLEY VANA

D. District 4 – COMMISSIONER STEVEN L. ABRAMS

E. District 5 - COMMISSIONER MARY LOU BERGER, MAYOR

F. District 6 - COMMISSIONER MELISSA MCKINLAY

G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR

9. 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."