

September 28, 2021
9:30am

**BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA
ADDITIONS, DELETIONS, & SUBSTITUTIONS
SEPTEMBER 28, 2021**

PAGE **ITEM**

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
PALM BEACH COUNTY, FLORIDA**

SEPTEMBER 28, 2021

**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. REGULAR AGENDA (Pages 2-3)

4. WORKSHOP SESSION

- A. 9:30 A.M. Advisory Boards (Admin)
- B. 10:30 A.M. Property Assessed Clean Energy Program Update (Office of Resilience)
- C. 2:00 P.M.
- D. 3:00 P.M.

5. ADJOURNMENT

SEPTEMBER 28, 2021

3. REGULAR AGENDA

A. CLERK OF THE CIRCUIT COURT & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

B. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to:**

A) approve a first amendment to Interlocal Agreement with the City of Boca Raton for the construction and management of a communications tower: (i) modifying the legal description of the ingress and egress area for the Tower site; (ii) allowing the County the right to remove any existing trees and landscaping within said area and to make any necessary driveway improvements to maintain access to the Tower site; and (iii) terminating the current Temporary Construction Easement (TCE) and Access and Management Easement Agreement (Easement);

B) approve an Access and Management Easement Agreement to allow the County to operate, maintain and repair the tower;

C) approve a Temporary Construction Easement for the County to construct the tower; and

D) delegate authority to the County Administrator or designee, which in this case shall be the Director of Facilities, Development and Operations, to execute any future modifications of the agreements and easements set forth in this agenda item.

3. REGULAR AGENDA

B. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

1. **(Cont'd) SUMMARY:** On October 20, 2020, the Board of County Commissioners (Board) approved an Interlocal Agreement (R2020-1608) with the City of Boca Raton (City) for the County to fund, design, construct, manage and maintain a 400' self-supported public safety radio tower and associated improvements on land owned by City. The Interlocal Agreement included as exhibits, an Access and Management Easement Agreement (R2020-1610) (Easement), a Temporary Construction Easement (R2020-1609) (TCE) and a standard Tower Use Agreement. The Easement and TCE were individually approved by the Board on October 20, 2020. The first amendment to Interlocal Agreement (Amendment) modifies the legal description of the ingress and egress area for the tower site in the Interlocal Agreement, standard Tower Use Agreement, Easement and the TCE by lessing-out the portion located within the Lake Worth Drainage District right-of-way. The Amendment terminates the original 2020 Easement and TCE and replaces them with the Easement and TCE included in this agenda item with the corrected legal description. The Easement provides the County access to the City's land in order for the County to operate, maintain and repair the tower for the duration of the Interlocal Agreement. The TCE provides access to construct the tower. Additional language was added to the Easement and TCE to allow the County the right to remove any existing trees and landscaping within the ingress and egress area and make any necessary driveway improvements to maintain access to the tower site. This agenda item authorizes the County Administrator or designee, which in this case shall be the Director of Facilities, Development and Operations, to execute any future modifications of the agreements and easements set forth in this agenda item which have been determined by the County Attorney's Office as being materially consistent with the principles of the Interlocal Agreement as originally approved by the Board. (PREM) Countywide/District 5 (HJF)

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