

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

SEPTEMBER 18, 2018

<u>PAGE</u>	<u>ITEM</u>					
20	3E-1	REVISED MOTION: Staff recommends motion to approve: three reappointments and two appointments to the Citizens Advisory Committee on Health and Human Services (CAC/HHS) for a three year term, effective October 1, 2018.				
		<u>Seat No.</u>	<u>Reappointments</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
		1	Charles R. Palo	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
		4	Christine E. Koehn	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
		7	Barbara Jacobowitz	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
		<u>Seat No.</u>	<u>Appointments</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
		5	Carlos Poveda	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
		10	Heather Tate-Boldt	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Valeche Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
23	3E-5	REVISED MOTION: Staff recommends motion to: ... C) approve budget amendment of \$2,278,755 320 in the Division of Senior Services (DOSS) Administration Fund to align the budget to the actual grant award. (Comm Svs)				
27	3H-1	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve: A) Construction Manager at Risk (CMAR) contract with Collage Design and Construction Group, Inc. for the Canyon District Park project; and... (FDO)				
45	3N-1	MOVED TO REGULAR/NOW 5G-1				
52	3AA-2	REVISED MOTION: Staff recommends motion to approve: first amendment to Contract R2017-19749, between the Board of County Commissioners of Palm Beach County, Florida (BCC) and Federation Transportation Services, Inc., for the provision of financial assistance in the amount of \$135,313, for one-way trips for disabled and transportation disadvantaged individuals and extending the agreement through September 30, 2019. (Palm Tran)				

- 53 3AA-4 **REVISED MOTION: Staff recommends motion to approve:** a) the one time purchase of 241 Sun Pass mini transponders for Palm Tran Connection's use of the Florida Turnpike on Balance Sheet Account (BSA) # 0001-1550-0002; b) and authorize the transfer increase of an additional the deposit in the amount of \$5,000 to Revenue & Cash Management to in BSA #0001-1550-0002 to be held on account for Palm Tran's use of the Florida Turnpike; c) and authorize the annual not to exceed amount of \$60,000 for toll usage. (Palm Tran)
- 61 3DD-5 **DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve:** ~~first amendment to the Agreement (R2017-0932) with Global Spectrum, L.P. (Operator), a Delaware Limited Partnership, doing business as Spectra Venue Management (Spectra Venue), for the operation and management of the Palm Beach County Convention Center (Convention Center) to increase funding in the amount of \$264,000 for operating expenses under Article 9 Section 3.1 which provides 2 months of budgeted operating expenses that are deposited into the Facility Operating Account under the terms of the Convention Center Operating Agreement. (TDC)~~
- 65 5D-3 **DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve:** ~~preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m., an ordinance of the Board of the County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Code, Chapter 15, Article III, The Palm Beach County Ordinance for Housing and Places of Public Accommodation. (County Attorney)~~
- 65 5D-4 **ADD-ON/REVISED MOTION: Staff recommends a motion to approve:** resolution initiating the Intergovernmental Dispute Resolution Florida Governmental Conflict Resolution process regarding the challenge to West Palm Beach's proposed comprehensive plan amendment creating the Okeechobee Business District. (County Attorney)
- 66 5F-1 **REVISED MOTION: Staff recommends motion to: A) conceptually approve** Economic Development Incentive for Project Paper in the form of an Ad Valorem Tax Exemption up to \$4978,873 over a ten year period; and... (HES)
- 67 6A-1* **REVISED MOTION: Staff recommends motion to approve:** one At-Large appointment of Tinuade (Tinu) Peña or Chelsea Reed as an At-Large member to the Commission on Women Advisory Board for a term beginning on September 18, 2018 through September 30, 2020.

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Tinuade Peña	15	PBC Resident	Mayor McKinlay Comm. Kerner Comm. Abrams <u>Vice Mayor Bernard</u>	9/18/18-9/30/20
or				
Chelsea Reed	15	PBC Resident	Comm. Valeche	9/18/18-9/30/20

NOTE: Items that were revised, added, deleted, or backup submitted and were not listed on the preliminary addition/deletion sheet distributed to the Board the prior day are noted with an asterisk (*).

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

SEPTEMBER 18, 2018

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 12-61)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 62)**

- 5. REGULAR AGENDA (Pages 63-66)**

- 6. BOARD APPOINTMENTS (Page 67)**

- 7. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 68)**

- 8. ADJOURNMENT (Page 69)**

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- 2C-2 Childhood Cancer Awareness Month
- 2C-3 Infant Mortality Awareness Month
- 2C-4 SuperCar Week
- 2C-5 Diaper Need Awareness Week
- 2C-6 National Firefighters Memorial Week
- 2C-7 Library Card Sign-up Month
- 2C-8 Suicide Prevention Month
- 2C-9 Train Safety Awareness Week

STAFF COMMENTS (Page 10)

- 2D-1 Updated Board Directive Report

COMMISSIONER COMMENTS (Page 11)

CONSENT AGENDA

A. ADMINISTRATION

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- 3A-1 Receive and file Indemnification Agreement with PACE Funding Group LLC
- 3A-2 Resolution providing one year memberships to Southeast Sustainability Directors Network and Resiliency Florida
- 3A-3 Reappointment to the Fair Housing/Equal Employment Board

B. CLERK & COMPTROLLER

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- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.
- 3B-5 List of Errors, Insolvencies, Double Assessments, Discounts & Value Adjustment Board Reductions on the 2017 Assessment Roll
- 3B-6 Receive and file proof of publications for Unclaimed Monies
- 3B-7 Receive and file list of Clerk & Comptroller Finance records converted to electronic format

C. ENGINEERING & PUBLIC WORKS

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- 3C-1 Contract with R&D Paving, LLC for construction of Glades Road and Butts Road intersection improvements
- 3C-2 Resolution supporting improvements planned for 45th Street from Village Boulevard to North Congress Avenue
- 3C-3 Seven resolutions initiating eminent domain proceedings for temporary construction easements
- 3C-4 Requisition and budget amendment to purchase a software upgrade

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- 3C-5 Amendment increasing budget for resurfacing project on Golf Road from Military Trail to Congress Avenue
- 3C-6 Contract with Rosso Site Development, Inc. for construction of Lyons Road from Clint Moore Road to north of the Lake Worth Draining District L-39 Canal

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- 3C-7 Interlocal Agreement with Martin County to partially fund reconstruction of Mack Dairy Road from Indiantown Road to 200 feet north of Old Indiantown Road
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- 3C-13 Contract with J.W. Cheatham, LLC for construction of Silver Beach Road from east of Congress Avenue to Old Dixie Highway
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- 3C-15 Change order with Community Asphalt Corp. for construction of modifications to the drainage system for the Toney Penna and Old Dixie Highway project
- 3C-16 Budget amendment recognizing reimbursement from the Solid Waste Authority and appropriate it to the High Ridge Road SWA Pathway

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- 3E-4 Amendment and contracts with three agencies providing assistance to homeless individuals

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- 3CC-3 Letter of Agreement and contract with the University of North Florida Training and Services Institute, Inc. for High visibility Enforcement Project
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- 3DD-1 Amendment to agreement with Discover Palm Beach County, Inc.
- 3DD-2 Amendment to agreement with the Cultural Council of Palm Beach County, Inc.
- 3DD-3 Amendment to agreement with Palm Beach County Sports Commission, Inc.

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- 3DD-4 Amendment to agreement with the Palm Beach County Film and Television Commission, Inc.
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PUBLIC HEARINGS – 9:30 A.M.

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NONE

REGULAR AGENDA

A. SHERIFF

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- 5A-1 Budget amendment for law enforcement services provided to the School Board of Palm Beach County

B. WATER UTILITIES

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- 5C-1 Request from The Bear's Club to swap conservation easement

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- 5D-1 Ordinance amending the Tourist Development Ordinance

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- 5D-2 Contract with Walton Lantaff Schroeder & Carson LLP to provide workers' compensation litigation defense services
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E. ADMINISTRATION

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 68)

ADJOURNMENT (Page 69)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring September 2018 as Professional Firefighters and Paramedics of Palm Beach County IAFF Local 2928 and Palm Beach County Fire Rescue Firefighter Appreciation Month in Palm Beach County (Sponsored by Commissioner Burdick)
2. Proclamation declaring September 2018 as Childhood Cancer Awareness Month in Palm Beach County (Sponsored by Vice Mayor Bernard)
3. Proclamation declaring September 2018 as Infant Mortality Awareness Month in Palm Beach County (Sponsored by Commissioner Burdick)
4. Proclamation declaring the Second Week of January 2019 as SuperCar Week in Palm Beach County (Sponsored by Commissioner Kerner)
5. Proclamation declaring September 24-30, 2018 as Diaper Need Awareness Week in Palm Beach County (Sponsored by Mayor McKinlay)
6. Proclamation declaring October 1-7, 2018 as National Firefighters Memorial Week in Palm Beach County (Sponsored by Commissioner Kerner)
7. Proclamation declaring September 2018 as Library Card Sign-up Month in Palm Beach County (Sponsored by Commissioner Abrams)
8. Proclamation declaring September 2018 as Suicide Prevention Month in Palm Beach County (Sponsored by Mayor McKinlay)
9. Proclamation declaring September 23-29, 2018 as Train Safety Awareness Week in Palm Beach County (Sponsored by Commissioner Valeche)

* * * * *

2D. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

Staff recommends motion to receive and file: updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to bring back as a receive and file once a month a status report of the board directives to date. The categories of the board directives have been revised to now reflect two groups: **1)** In Process and **2)** Completed. The report continues to be updated on an on-going basis. Countywide (DN)

2. COUNTY ATTORNEY

SEPTEMBER 18, 2018

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER PAULETTE BURDICK

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER STEVEN L. ABRAMS

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY, MAYOR

District 7 – COMMISSIONER MACK BERNARD, MAYOR

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to receive and file:** executed Indemnification Agreement received during the month of March 2018, between PACE Funding Group LLC (PFG), as an Administrator of the Florida Resiliency and Energy District (FRED), and Palm Beach County, Florida. **SUMMARY:** The Board of County Commissioners has authorized a County PACE program to provide mechanisms for funding energy efficiency, renewable energy, and wind resistant improvements for residential and commercial properties by levying non-ad valorem assessments on property owners' tax bills. The County enters into interlocal agreements with multiple PACE agencies/authorities/districts for them to provide the financing for qualifying improvements. Having multiple agencies/ authorities/districts encourages competition and provides consumer choice. FRED is an agency/authority/district seeking to add PFG as a PACE administrator. The County Administrator signed an Indemnification Agreement between the County and PFG on March 26, 2018. The Indemnification Agreement acknowledges that PFG is a third-party administrator for FRED, and PFG agrees to indemnify and hold the County harmless as PFG assists FRED in providing a Property Assessed Clean Energy (PACE) program in Palm Beach County. The Office of Resilience oversees the County's PACE program. Countywide (JB)

2. **Staff recommends motion to adopt:** resolution providing for a one-year membership in the Southeast Sustainability Directors Network (SSDN) and a one-year membership in Resiliency Florida to advance the County's resilience initiatives. **SUMMARY:** The Board of County Commissioners (BCC) authorized the creation of the Office of Resilience (OOR) to serve as a resource, catalyst, and advocate for Palm Beach County's climate resilience planning, implementation activities, and sustainability efforts. This resolution authorizes the County to join SSDN and Resiliency Florida to help the County advance OOR's resilience initiatives. SSDN is a professional network of local government officials who collaborate to accelerate sustainable best practices of the region and help members build capacity. Resiliency Florida is a non-profit organization that promotes state and regional resilient strategies and action plans and advocates for increased state and federal investment in critical infrastructure and habitats. Resiliency Florida helps communities plan for, and adapt to, extreme weather and sea level rise impacts. Funding is available in the current FY2018 budget to support the \$2,750 in membership fees. Countywide (RPB)

3. **Staff recommends motion to approve:** reappointment of Eric Malkin as an At-Large member to the Fair Housing/Equal Employment Board (FH/EE Board) for a term beginning on October 1, 2018 through September 30, 2021.

<u>Reappoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Eric Malkin	8	PBC Resident	Mayor McKinlay Vice Mayor Bernard Commissioner Berger Commissioner Burdick Commissioner Abrams	10/1/18-9/30/21

SUMMARY: The FH/EE Board is comprised of nine members consisting of seven district appointments and two at-large members. Eric Malkin is an At-Large member of the FH/EE Board. He was appointed to the Board on January 9, 2013. Mr. Malkin has expressed an interest in reappointment and has met the attendance requirement during his current term. The FH/EE Board serves as a quasi-judicial body empowered to hear and decide upon the merits of employment and housing discrimination complaints investigated by the Office of Equal Opportunity. The Board's nine seats are currently filled. The diversity count including this reappointment is Caucasian: 6 (67%) and African-American: 3 (33%). The gender ratio (female:male) is 1:8. This nominee is a Caucasian male. Countywide (DO)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

Meeting Type	Meeting Date
Regular	July 10, 2018
Comprehensive Plan	July 23, 2018
Workshop	July 24, 2018
Environmental Control Board	July 26, 2018
Zoning	July 26, 2018
Regular	August 14, 2018

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

LIST OF ERRORS, INSOLVENCIES, DOUBLE ASSESSMENTS, DISCOUNTS & VALUE ADJUSTMENT BOARD REDUCTIONS ON THE **2017** ASSESSMENT ROLL.

SUMMARY: Section 197.492, F.S. - Requires that on or before the 60th day after the tax certificate sale, the Tax Collector shall make out a report to the Board of County Commissioners, separately showing the discounts, errors and double assessments and insolvencies for which credit is to be given, including in every case except discounts, the names of the parties on whose account the credit is to be allowed. Countywide (DB)

6. **Staff recommends motion to receive and file proof of publications:** “Unclaimed Monies” advertised by the Clerk & Comptroller of Palm Beach County. **SUMMARY:** Pursuant to F.S. 116.21, the Clerk advertised certain unclaimed monies held which are subject to forfeiture to Palm Beach County. Florida Statutes 116.21 requires that the proof of publication “shall be filed and recorded in the minutes of the County Commission of such county.” Countywide
7. **Staff recommends motion to receive and file:** list of Clerk & Comptroller Finance Department records which have been converted to an electronic format. **SUMMARY:** These records have been converted from paper to an electronic format. The electronic records will be maintained according to their required retention schedule under the State of Florida’s General Records Schedule GSI-SL for State and Local Government Agencies (Ch. 119, Ch. 257) Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** contract with R&D Paving, LLC (R&D) in the amount of \$499,575.40 for the construction of Glades Road and Butts Road Intersection Improvements (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to R&D to begin construction of the Project. The Project will provide a second southbound right turn lane on Butts Road and includes installation of new sidewalks, concrete barrier wall and two mast arm traffic signals. R&D is a Palm Beach County based company. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, R&D, committed to 21% SBE participation. District 4 (LBH)
2. **Staff recommends motion to adopt:** resolution supporting the improvements planned for 45th Street from Village Boulevard to North Congress Avenue (Project) by the Florida Department of Transportation (FDOT). **SUMMARY:** Adoption of this resolution will support the Project planned by FDOT. 45th Street, a Palm Beach County roadway, will be improved as part of FDOT's planned improvements to the interchange of I-95 and 45th Street. These improvements include reconstruction of 45th Street to support a diverging diamond interchange. FDOT's policy requires all local agencies that have jurisdiction or facilities impacted by planned FDOT improvements to adopt a resolution supporting the planned improvements. District 7 (LBH)
3. **Staff recommends motion to adopt:** seven resolutions to initiate eminent domain proceedings by declaring the acquisition of six commercial properties designated as parcels 307, 308, 309, 311, 314 and 316 and one residential property designated as parcel 306, as temporary construction easements necessary for the construction of roadway improvements on Haverhill Road from north of Caribbean Boulevard to State Road 710/Beeline Highway (Project). **SUMMARY:** Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes as amended, against six commercial parcels and one residential parcel having a total appraised value of \$50,159. These parcels are necessary for the construction of a five-lane roadway section with new drainage, sidewalks and bike lanes on Haverhill Road from north of Caribbean Boulevard to State Road 710/Beeline Highway. To date, the property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project, which is funded in the current Five Year Road Program. District 7 (MAB)
4. **Staff recommends motion to approve:**
 - A) requisition in the amount of \$30,700 for the L-2 Canal Storm Water Pump Station (L-2 Pump Station), SCADA (software) upgrade with C. C. Control Corp.; and
 - B) budget amendment of \$30,700 in the County Transportation Trust Fund to recognize reimbursement funding from the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) and appropriate it to the L-2 Pump Station.**SUMMARY:** Approval of this requisition and budget amendment will allow Palm Beach County (County) to purchase a software upgrade package from C.C. Control Corp. to improve operation and maintenance of the L-2 Pump Station. The software upgrade is funded by the CRA. The County is responsible for the operation and maintenance of the L-2 Pump Station. Existing equipment is malfunctioning and installed software is obsolete necessitating the upgrade. District 2 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve:

A) amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, to increase the budget for the Golf Road from Military Trail to Congress Avenue resurfacing project (Project) from \$600,000 to \$850,000;

B) budget transfer of \$250,000 within the Infrastructure Sales Tax Fund from reserves to increase the budget for the Project, all in FY 2018; and

C) work order 2017053-9 in the amount of \$400,000 to mill and resurface the Project utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2017-1873 with Ranger Construction Industries, Inc. (Ranger).

SUMMARY: Approval of the amendment and budget transfer will increase the funding for the Project from \$600,000 to \$850,000. The increase in funding is needed to perform additional construction work to preserve the integrity of the road and provide a safe and durable road surface. Portions of the road sub structure have been inundated with ficus tree roots causing structural and surface issues with the road. The scope of the Project has been adjusted to remove a portion of the existing asphalt and improve the existing roadway base, remove the organics within the road sub structure, root prune the existing trees, construct a root barrier, and resurface the entire road. The anticipated cost to complete the project now totals \$850,000. The \$250,000 increase will be transferred from the Engineering Department's IST Reserve account. The Sales Tax Oversight Committee reviewed this request at their August 16, 2018 meeting and approved it unanimously. Per County PPM CW-F-050, the work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the BCC. Prior to the work order, approximately \$3 million of Ranger's \$16 million contract has been spent or encumbered. This is one of several work orders that will be necessary to complete the project. A work order for \$325,000 has been previously approved by the BCC on August 14, 2018. Other smaller work orders will be executed in the future. The Small Business Enterprise (SBE) goal for all contracts is 15%. The SBE participation proposed by Ranger for this work order is 15.3%. Approval of the work order will result in a cumulative SBE participation of 14.2% for all the work orders issued under the contract. The work order is contingent upon approval of the amendment and the budget transfer. **This project is funded through the infrastructure sales tax.** District 4 (LBH)

6. Staff recommends motion to approve: contract with Rosso Site Development, Inc. (RSDI) in the amount of \$3,163,022.81 for the construction of Lyons Road from Clint Moore Road to north of the Lake Worth Drainage District (LWDD) L-39 Canal (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to RSDI, a Palm Beach County based company, to begin construction of the Project. The Project will widen Lyons Road from its existing 2-lanes to a 4-laned divided roadway from Clint Moore Road to north of the LWDD L-39 Canal. The work includes construction of new sidewalks, buffered bike lanes, curb and gutter, drainage improvements, signing and pavement markings, and mast arm traffic signals at the intersection of Lyons Road and Clint Moore Road. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, RSDI committed to 20% SBE participation. Construction completion is expected in 2019. District 5 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve:

A) Interlocal Agreement with Martin County in the amount of \$813,333.33 to partially fund reconstruction of Mack Dairy Road from Indiantown Road to 200 feet north of Old Indiantown Road (Project); and

B) budget amendment of \$813,334 in the Fiscal Year 2019 Transportation Improvement Fund to recognize funding from Martin County for the Project.

SUMMARY: Approval of this agreement will allow Palm Beach County and Martin County to collaborate on the Project. Palm Beach County will provide one-third (\$406,666.67) and Martin County will provide two-thirds (\$813,333.33) of the total \$1,220,000 necessary to complete the Project. Mack Dairy Road provides access to the Ranch Colony development in Martin County, and is privately maintained by the development per an existing agreement. Mack Dairy Road was not constructed by Palm Beach County, but is located in Palm Beach County road right-of-way. The existing roadway does not meet current design standards. Palm Beach County and Martin County desire to reconstruct the roadway to meet current design standards. Palm Beach County will construct the Project, and upon completion will accept full responsibility for maintenance of the Project. Approval of the budget amendment will provide funding from Martin County. District 1 (LBH)

8. Staff recommends motion to approve:

A) second amendment to the annual construction materials testing, geotechnical engineering & inspection services contract with RADISE International, L.C. (RADISE) R2017-1659, dated November 7, 2017, to extend the contract expiration date from November 6, 2018 to November 6, 2019;

B) second amendment to the annual construction materials testing, geotechnical engineering & inspection services contract with Terracon Consultants, Inc. (Terracon) R2017-1660, dated November 7, 2017, to extend the contract expiration date from November 6, 2018 to November 6, 2019, and to modify fees and rates; and

C) second amendment to the annual construction materials testing, geotechnical engineering & inspection services contract with Tierra South Florida, Inc. (TSF) R2017-1661, dated November 7, 2017, to extend the contract expiration date from November 6, 2018 to November 6, 2019.

SUMMARY: Approval of these second amendments will extend the expiration dates of the annual construction materials testing, geotechnical engineering & inspection contracts for RADISE, Terracon and TSF from November 6, 2018 to November 6, 2019. These extensions will provide a continuation of the required professional services provided by all three companies for one year, on a task order basis. Terracon will also adjust their hourly rates as allowed in their original contract. These second amendments serve as the first renewals of two possible one year renewals permitted per the original contracts. After the second renewal, the contracts will need to be resolicited. The Small Business Enterprise (SBE) goal for all contracts is 15%. To date, task orders in the amount of \$100,000 have been authorized for RADISE, a certified SBE company, with 100% SBE participation which exceeds their commitment of 90%. Task orders in the amount of \$128,346.02 have been authorized for Terracon with 66.07% SBE participation which exceeds their commitment of 16%. Task orders in the amount of \$47,162.50 have been authorized for TSF with 100% Minority/Women Business Enterprise participation but 0% SBE participation. RADISE and TSF are Palm Beach County based companies. Terracon is a Delaware company with their principal address located in Olathe, Kansas, with an office located in Palm Beach County. Countywide (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

9. Deleted

10. Staff recommends motion to adopt: resolution to initiate eminent domain proceedings by declaring the acquisition of residential properties designated as parcel 101 as fee simple road right-of-way and parcel 301 as a temporary construction easement necessary for the construction of roadway improvements on South Military Trail from south of Gateway Boulevard north through the intersection of Gateway Boulevard and South Military Trail (Project). **SUMMARY:** Adoption of this resolution will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes as amended, against two residential parcels having a total appraised value of \$80,470. The parcels are necessary for the construction of a right turn lane with new drainage, sidewalks and bike lanes. To date, the property owner has not accepted the purchase offer made by Palm Beach County and attempts to negotiate the purchase have been unsuccessful. Eminent domain proceedings are necessary to acquire the residential parcels at this time in order to expedite construction of the Project, which is funded in the current Five Year Road Program. District 3 (MAB)

11. Staff recommends motion to approve: contract with MJC Land Development, LLC (MJC) in the amount of \$800,788.20 for the replacement of the Davis Road bridge over the Lake Worth Drainage District (LWDD) L-6 Canal (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to MJC, a Palm Beach County based company, to begin construction of the Project. The Project consists of the demolition and removal of an existing concrete bridge over the LWDD L-6 Canal on Davis Road between Collin Drive and Summit Boulevard. The bridge will be replaced with a reinforced concrete pipe culvert crossing. Paving, sidewalk and minor drainage improvements are also included. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, MJC committed to 15.6% SBE participation. Construction completion is expected in 2019. District 2 (LBH)

12. Staff recommends motion to approve:

A) contract with Ranger Construction Industries, Inc. (Ranger) in the amount of \$2,733,773.42 for the construction of Atlantic Avenue and Florida's Turnpike Intersection Improvements (Project); and

B) budget transfer of \$750,000 in the Transportation Improvement Fund from the Atlantic Avenue Area Contributions to the Project.

SUMMARY: Approval of this contract and budget transfer will allow Palm Beach County to issue a notice to proceed to Ranger, a Palm Beach County based company, to begin construction of the Project. The Project will widen westbound Atlantic Avenue east of Florida's Turnpike to provide an additional through lane to the southbound entrance to Florida's Turnpike and an additional right turn lane to the northbound entrance to Florida's Turnpike, and includes bridge widening, two mast arm signals, relocation of a 42" watermain, and placement of canal bank rubble riprap. The Developers of the Atlantic Avenue Project were required to provide \$2.5 million in payment for any project necessary in the Atlantic Avenue Area. This payment was received on April 7, 2006 and deposited in the project called "Atlantic Avenue Area Contribution". The funds will be used to help cover costs for the West Atlantic Avenue and Turnpike Intersection Improvement Project which is included in the designated area. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder was Ranger. There were only two bidders and neither met the SBE goal. Ranger had the greatest SBE participation in excess of 7% with 8.47%. In the event there are no bidders responsive to the SBE goal, the contract shall be awarded to the bidder with the greatest SBE participation in excess of 7% participation, provided that such bid does not exceed the lowest responsive bid by more than 10%. Construction completion is expected in 2020. District 5 (LBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

13. Staff recommends motion to approve: contract with J.W. Cheatham, LLC (Cheatham) in the amount of \$5,180,420.25 for the construction of Silver Beach Road from east of Congress Avenue to Old Dixie Highway (Project). **SUMMARY:** Approval of this contract will allow Palm Beach County to issue a notice to proceed to Cheatham, a Palm Beach County based company, to begin construction of the Project. The Project consists of the reconstruction of Silver Beach Road from Congress Avenue to Old Dixie Highway, as a three-lane road. The work also includes construction of new sidewalks, curb and gutter, drainage improvements, expansion of existing drainage pond, signing and pavement marking, and mast arm signalization at the intersection of Silver Beach Road and Old Dixie Highway. The Small Business Enterprise (SBE) goal for all projects is 15%. The lowest responsive, responsible bidder, Cheatham committed to 15.5% SBE participation. Construction completion is expected in 2020. District 7 (LBH)
14. Staff recommends motion to approve: Change Order No. 3 with Rosso Site Development, Inc. (Rosso) in the amount of \$100,869.61 including a time extension of 214 days, for the construction of the water system on the Center Street, Thelma Avenue to Woodland Estates project R2017-0853. Per PPM CW-F-050, this change order exceeds the 90 day threshold relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners' approval. **SUMMARY:** Approval of Change Order No. 3 will allow Rosso to construct the water system required for the project, and will include a time extension of 214 days to complete the necessary approval process and additional work required. Per PPM CW-F-050, this change order exceeds the 90 day threshold relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners' approval. The Small Business Enterprise (SBE) goal for all contracts is 15%. Rosso proposed 20.6% SBE participation. Their SBE participation for this change order is 3.6% and their cumulative SBE participation to date including this change order is 11.6%. However, Rosso expects to meet their SBE goal by the end of the contract. District 1 (LBH)
15. Staff recommends motion to receive and file: Change Order No. 6 with Community Asphalt Corp. (CAC) in the amount of \$5,427.50, including a time extension of 10 days, for the construction of modifications to the drainage system for the Toney Penna and Old Dixie Highway (R2016-1315) project. In accordance with PPM CW-F-050, changes orders exceeding the cumulative 120 day threshold for time extensions must be submitted by the initiating Department as a receive and file agenda item. **SUMMARY:** The Contract Review Committee approved Change Order No. 6 on August 8, 2018. Change Order No. 6 will allow CAC to construct modifications to the drainage system required for the project, and will include a time extension of 10 days necessary to complete the work. The Small Business Enterprises (SBE) goal for all contracts is 15%. CAC's commitment of 11.6% SBE participation was the highest of the two bidders for the contract. Their SBE participation for this change order is 0% and their cumulative SBE participation to date including this change order is 2.84%. However, CAC expects to meet their SBE goal by completion of the contract. District 1 (LBH)
16. Staff recommends motion to approve: budget amendment of \$100,000 in the Transportation Improvement Fund to recognize reimbursement funding from the Solid Waste Authority (SWA) and appropriate it to the High Ridge Road SWA Pathway. **SUMMARY:** This funding will be used to design, permit and construct a six-foot wide asphalt pathway on the east side of High Ridge Road from the SWA south property line north to the existing pathway to satisfy condition G of Zoning Petition Resolution R-203-0108. District 3 (LBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: settlement agreement with J.W. Cheatham, LLC in the amount of \$1,200,000 to settle a breach of contract lawsuit against Palm Beach County for damages arising out of a road construction project. **SUMMARY:** In August 2010, J.W. Cheatham and the County entered into a contract for J.W. Cheatham to complete the construction of Seminole Pratt Whitney Road from S.R. 80 to N. of Sycamore Drive and 110th Avenue N. Berm (for the future S.R. 7 extension) from Persimmon Blvd. to 60th Street N. in Palm Beach County for approximately \$9,733,669 (the Construction Project). The Construction Project was delayed for various reasons. J.W. Cheatham alleged that it suffered damages due to the delays, and filed a breach of contract lawsuit against the County. The parties conditionally settled the pending lawsuit during Court ordered mediation for \$1,200,000, subject to the approval of the Palm Beach County Board of County Commissioners. Countywide (AP)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: three reappointments and two appointments to the Citizens Advisory Committee on Health and Human Services (CAC/HHS) for a three year term, effective October 1, 2018.

<u>Seat No.</u>	<u>Reappointments</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
1	Charles R. Palo	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
4	Christine E. Koehn	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
7	Barbara Jacobowitz	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
<u>Seat No.</u>	<u>Appointments</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
5	Carlos Poveda	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS
10	Heather Tate-Boldt	A Component of the Health and Human Services System of Care	09/30/21	Mayor McKinlay Comm. Valeche Comm. Kerner Comm. Abrams Comm. Berger <u>Comm. Burdick</u> CAC/HHS

SUMMARY: The Citizens Advisory Committee on Health and Human Services consists of 11 at-large members with at least one member being a resident west of the 20 Mile Bend and at least one member being a representative of the Palm Beach County League of Cities, per Resolution R2013-1563. The resolution requires that the Executive Committee of the Citizens Advisory Committee solicit and recommend member nominations for transmittal to the Board of County Commissioners (Board). The Board was notified by two memos dated July 6, 2018 & July 27, 2018 and requested to provide nominations for appointments. The CAC/HHS Regular Committee recommended Carlos Poveda and Heather Tate-Boldt for new appointments and Charles Palo, Christine Koehn and Barbara Jacobowitz for reappointments. All members have successfully completed the CAC/HHS nomination process and the CAC/HHS recommends their appointments. Mr. Palo has disclosed that he is employed with the Children’s Services Council of Palm Beach County and Ms. Tate-Boldt has disclosed that she is employed with El Sol, Jupiter’s Neighborhood Resource Center, Inc., which both agencies contract with the County for services. The CAC/HHS provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Section 2-443 of the Palm Beach Code of Ethics. The diversity count for the eight seats that are currently filled is Caucasian: 6 (76%), African-American: 1 (12%), and Hispanic-American: 1 (12%). The gender ratio (female:male) is 6:2. Mr. Poveda is a Hispanic-American male and Ms. Tate-Boldt is a Caucasian female. Ex-officio membership consists of one African-American male (33%), one African-American female, (33%) and one Caucasian female (33%). The Community Services Department and CAC/HHS conduct targeted outreach in an effort to proffer candidates for appointments that will maintain a diverse composition for the Board. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to receive and file:

A) Amendment No. 1 to Project Award Notification No. 760-4058B-8CFJ1 from the Florida Department of Education, for the period July 1, 2017 through June 30, 2018, to transfer funds between budget categories in the Farmworker Career Development Program (FCDP); and

B) Amendment No. 3 to Project Award Notification No. 760-4058B-8CFJ1 from the Florida Department of Education, to extend the end date from June 30, 2018 to September 30, 2018 in the Farmworker Career Development Program.

SUMMARY: Project Award Notifications were received from the Florida Department of Education. Amendment No. 1 was a technical amendment that transferred funds between budget categories. Amendment No. 3 extended the program period end date to September 30, 2018. Amendment No. 2 was cancelled by the grantor with no further action taken. These amendments did not affect the overall grant award of \$245,336. On January 23, 2018, the Board of County Commissioners approved the Florida Department of Education Project Award Notification. No. 760-4058B-8CFJ1. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. **No County funds are required.** (Farmworker Career Development Program) Countywide (HH)

3. Staff recommends motion to approve: contracts for Provision of Services with the below-listed agencies, for the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$415,398:

A) Adopt-A-Family of the Palm Beaches, Inc., in an amount not to exceed \$166,159, to provide rapid re-housing services to families experiencing homelessness;

B) Aid to Victims of Domestic Abuse, Inc., in an amount not to exceed \$57,964, to provide emergency shelter to families fleeing domestic violence;

C) The Salvation Army, in an amount not to exceed \$151,539, to provide emergency shelter to homeless families; and

D) YWCA of Palm Beach County, Inc., in an amount not to exceed \$39,736, to provide emergency shelter to families fleeing domestic abuse.

SUMMARY: On July 10, 2018 (R2018-1061), the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2018-2019, which allocated \$415,398 in Emergency Solutions Grant (ESG) funds to non-profit agencies. The above listed agencies will provide assistance to the homeless and for those at-risk of becoming homeless. These contracts will fund activities which include payment for the cost of operating and maintaining emergency shelters and provide financial assistance to continue to house families. The Federal ESG funds require a matching contribution, which will be provided by the funded agencies. **No County funds are required.** (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Amendment No. 2 to contract for Provision of Services with Adopt-A-Family of the Palm Beaches, Inc. (AAF) (R2016-1443), for the period October 1, 2018 through September 30, 2019, increasing funding by \$178,079, for a new total contract amount not to exceed \$4,735,376, for engagement, interim housing, rapid re-housing and navigation services to homeless families; and

B) contracts for Provision of Services with the agencies listed below, for the period October 1, 2018 through September 30, 2021, in an amount totaling \$1,084,554:

1. Gulfstream Goodwill Industries, Inc., in an amount not to exceed \$359,307 for supportive services to homeless individuals;
2. The Jerome Golden Center for Behavioral Health, Inc., in an amount not to exceed \$439,104 for housing services to homeless individuals; and
3. The Lord's Place, Inc., in an amount not to exceed \$286,143 for housing services to homeless individuals.

SUMMARY: The agencies listed will provide a variety of supportive services to homeless individuals and families, which include case management, navigation, employment counseling, engagement, interim housing and rapid re-housing and permanent supportive housing. The amendment with AAF will merge two contracts, with substantially similar scopes of work, together for greater efficiency. The amendment and contracts being recommended in this item reflect dollar amounts included in the County Administrator's Proposed FY 2019 budget. Joshua Butler, an employee of Gulfstream Goodwill Industries, Inc. is a member of the Homeless Advisory Board. The Homeless Advisory Board provides no regulation, oversight, management, or policy-setting recommendations regarding the agencies listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) approve:

1. Standard Agreement No. IR018-9500 for Respite for Elders Living in Everyday Families (RELIEF) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period July 1, 2018 to June 30, 2019 in an amount not-to-exceed \$109,800, to provide volunteers to homebound seniors for in-home respite to family/caregivers;
2. Standard Agreement No. IZ018-9500 for Alzheimer's Disease Initiative (ADI) with AAA, for the period July 1, 2018 to June 30, 2019, in an amount not-to-exceed \$1,049,679, to assist seniors and caregivers by providing in-home services to help seniors live independently;
3. Standard Agreement No. IC018-9500 for Community Care for the Elderly (CCE) with AAA, for the period July 1, 2018 to June 30, 2019, in an amount not-to-exceed \$1,628,057, to assist seniors and caregivers by providing in-home services to help seniors live independently; and
4. Standard Agreement No. IH018-9500 for Home Care for the Elderly (HCE) with AAA, for the period of July 1, 2018 to June 30, 2019, in an amount not-to-exceed \$141,948, to assist older adults and their caregivers with the provision of care in a family-type living arrangement as an alternative to the institutional care.

B) receive and file purchase order for the Senior Companion Program (SCP) with the Florida Department of Elder Affairs (DoEA), for the period July 1, 2018 through June 30, 2019, in an amount not to exceed \$2,320 for reimbursement of volunteer support expenses; and

C) approve budget amendment of ~~\$2,278,755~~^{\$2,320} in the Division of Senior Services (DOSS) Administration Fund to align the budget to the actual grant award.

SUMMARY: These agreements will allow DOSS to provide services to seniors and their caregivers. Under the RELIEF agreement, DOSS will directly provide volunteer service hours, at a unit reimbursement rate of \$9.00 for each hour of in-home respite and training provided to the volunteers. RELIEF services are funded with \$109,800 in State funds and \$40,187 in County funds. ADI allows DOSS to provide case management, in-home respite and facility based respite, which are funded with \$1,049,679 in State funds, \$27,449 in program income funds and \$429,369 in additional County funds. CCE assists seniors and caregivers by providing in-home services to help seniors live independently and is funded with \$1,628,057 in State funds, \$50,212 in program income funds and \$994,180 in additional County funds. HCE assists older adults and caregivers with the provision of care in a family-type living arrangement as an alternative to institutional care and is funded with \$141,948 in State funds and \$141,747 in additional County funds. Sufficient funding is included in the current budget to meet County obligations. The purchase order was executed by the Community Services Department Director in accordance with Agenda Item 3E-7, dated October 20, 2015, which delegated signatory authority to the Community Services Director to execute purchase orders and other necessary documents related to the Senior Companion Program. DoEA is implementing a purchase order, in place of a contract, to reimburse for volunteer support expenses. This purchase order will be utilized to reimburse DOSS \$2,320 to pay for volunteer level II background checks, training, supplies and recognition. The DoEA provides stipends, meals and mileage. Supervision of the Senior Companion volunteers, and \$56,447 in County funds, is provided by DOSS. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The budget amendment is necessary to align the County budget with the actual grant award. DOSS is responsible for providing services north of Hypoluxo Road. The areas of service include all of the districts, excluding District 3, 4, 5 and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. (DOSS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file:

A) Non-Signatory Airline Agreement with Swift Air, LLC, a limited liability company organized under the laws of the state of Arizona, commencing July 1, 2018 and terminating September 30, 2018, with automatic October 1st to September 30th annual term renewals unless canceled; and

B) Addendum To Airline Agreement with Swift Air, LLC, a limited liability company organized under the laws of the state of Arizona, commencing July 1, 2018 and terminating on the date the Non-Signatory Airline Agreement with Swift Air, LLC, either expires or is canceled, providing for changes in leased facilities on a short-term basis due to seasonal demands at the Palm Beach International Airport.

SUMMARY: Non-Signatory Airline Agreements provide for the use of airport facilities by airlines on a short-term or seasonal basis in connection with their operations at the airport. Delegation of authority for execution of the standard County Non-Signatory Airline Agreement was approved by the BCC in R2014-1575. Delegation of authority for execution of the standard County Addendum agreement above was approved by the BCC in R2016-0976. Countywide (AH)

2. Staff recommends motion to receive and file:

A) second amendment to Agreement for Rental Car Lease and Concession at the Palm Beach International Airport (PBIA) with Avis Rent A Car System, LLC (R2011-1340), extending the term for three months from October 1, 2018 to December 31, 2018.

B) second amendment to Agreement for Rental Car Lease and Concession at the PBIA with Budget Rent A Car System, LLC (R2011-1341), extending the term for three months from October 1, 2018 to December 31, 2018.

C) second amendment to Agreement for Rental Car Lease and Concession at the PBIA with DTG Operations, Inc., d/b/a Dollar Rent A Car and Thrifty Car Rental (R2011-1342), extending the term for three months from October 1, 2018 to December 31, 2018.

D) second amendment to Agreement for Rental Car Lease and Concession at the PBIA with Enterprise Leasing Company of Florida, LLC, d/b/a Enterprise Rent-A-Car (R2011-1343), extending the term for three months from October 1, 2018 to December 31, 2018.

E) second amendment to Agreement for Rental Car Lease and Concession at the PBIA with Enterprise Leasing Company of Florida, LLC, d/b/a Alamo Rent A Car (R2011-1344), extending the term for three months from October 1, 2018 to December 31, 2018.

F) second amendment to Agreement for Rental Car Lease and Concession at the PBIA with Enterprise Leasing Company of Florida, LLC, d/b/a National Car Rental (R2011-1345), extending the term for three months from October 1, 2018 to December 31, 2018.

G) second amendment to Agreement for Rental Car Lease and Concession at the PBIA with The Hertz Corporation, d/b/a Hertz (R2011-1346), extending the term for three months from October 1, 2018 to December 31, 2018.

SUMMARY: Delegation of authority for execution of the standard County Second Amendment to Agreement for Rental Car Lease and Concession (Amendment) was approved by the BCC in R2018-0996. The Amendment extends the term of the agreements for three months to accommodate planned renovations at the Airport terminal including the rental car counter areas and to reissue the Invitation for Bids for Rental Car Lease and Concession at PBIA. During the extension period, each concessionaire will pay 10% of their gross revenues. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. **Staff recommends motion to approve:** Change Order No. 9 to the contract with Ranger Construction Industries, Inc. in the amount of \$11,438.73 and 175 calendar days to Construct Golfview Infrastructure, Phase 1 at Palm Beach International Airport (PBIA). **SUMMARY:** The contract with Ranger Construction Industries, Inc. to Construct Golfview Infrastructure Phase 1 at PBIA in the amount of \$5,170,912.85 and 240 calendar days was approved by the Board on June 7, 2016 (R2016-0715). Approval of Changes Orders 1-8 in the amount of \$472,031.42 and 387 calendar days were approved under the delegated authorities detailed in PPM CW-F-050. Approval of Change Order No. 9 in the amount of \$11,438.73 and 175 calendar days will increase the contract amount to \$5,654,383 and 802 calendar days to substantial completion. Ranger Construction Industries, Inc. has committed to 14.93% DBE participation for this project. The total to date participation for this contract is 10.5%. Countywide (AH)

4. **Staff recommends motion to approve:** second amendment (Amendment) to Airport Ground Transportation Concession Agreement (Agreement) (R2015-0776) with SE Florida Transportation, LLC (SEFT), a Florida limited liability company, renewing the term of the Agreement for two additional years commencing on October 1, 2018 and expiring on September 30, 2020, providing for payment of a minimum annual guarantee (MAG) of \$240,000 or a per capita charge of \$0.08 per deplaned/arriving passenger, whichever is greater. **SUMMARY:** SEFT provides on-demand taxi, sedan and shared-ride services to passengers at the Palm Beach International Airport (PBIA). The Agreement provided for an initial three-year term with one two-year option to renew. The Amendment exercises the two-year renewal option. The Amendment requires SEFT to pay the greater of the MAG or \$0.08 per deplaned passenger. Although the number of deplaned passengers has increased, the number of on-demand ground transportation trips has significantly declined due in large part to the increased use of transportation network company (TNC) services. In order to avoid increases in ground transportation fees to airport customers and its drivers, SEFT has requested a reduction in the per capita fee from \$0.09 per deplaned passenger to \$0.08 per deplaned passenger. The Amendment also provides for a reduction in the MAG of approximately \$44,184 based on the reduced per capita fee; however, it is anticipated that the per capita fee will exceed the MAG based on increased passenger traffic. Additional revenues from increased TNC trip volume is also anticipated to mitigate any revenue declines caused by this Amendment. The Airport Concession Disadvantaged Business Enterprise (ACDBE) goal was established at 14%. SEFT committed to 30% ACDBE participation and has reported 30.8% participation to date. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: Common Use Airport Lounge Concession Agreement (Agreement) with Gideon Toal Management Services, LLC, a Texas Limited Liability Company (GTMS), for the construction and operation of a common use lounge at the Palm Beach International Airport (PBIA) for a term of five years and payment of concession fees equal to the greater of an initial minimum annual guarantee (MAG) of \$65,000 or privilege fees based on a percentage of gross revenues. **SUMMARY:** The Agreement provides for the construction and operation of a common use lounge on Concourse B at the PBIA terminal. The lounge will operate similar to an airline VIP club; however, it will not be affiliated with a particular airline. Passengers will be able to access the lounge by being a member of a lounge network or purchasing a day pass. Amenities will include food and beverages, work stations/spaces, newspapers, televisions and internet access. Food and beverages will be included in the cost of entry, excluding premium alcohol and menu items cooked to order. The term of the Agreement will commence on the earlier of substantial completion of the leasehold improvements or 12 months from the effective date of the Agreement, whichever occurs first. GTMS will pay the greater of the MAG or privilege fees based on a percentage of gross revenues. The privilege fees will begin at 10% of gross revenues from the operation of the lounge, excluding revenues from premium alcohol sales, and 16% of gross revenues from premium alcohol sales. The percentages will increase 1% annually. The initial MAG is \$65,000 and will be adjusted annually to 85% of the privilege fee for the preceding contract year. The Airport Concession Disadvantaged Business Enterprise (ACDBE) goal was established at 15%. GTMS has committed to 26% ACDBE participation. Countywide (AH)

6. Staff recommends motion to approve: Landlord's Consent and Estoppel Certificate (Estoppel) confirming certain terms and conditions of the Development Site Lease Agreement with Palm Auto Plaza, LLC (Palm Auto) (R2014-0037, as amended) (Lease). **SUMMARY:** Palm Auto is obtaining a leasehold mortgage, and the lender, Toyota Motor Credit Corporation, requires the Estoppel to confirm certain terms and conditions of the Lease, including rental and that Palm Auto is not in default. Countywide (HF)

7. Staff recommends motion to approve: list of charitable organizations to benefit from the proceeds (coins) from the fountain at Palm Beach International Airport (PBIA) during the period October 1, 2018 through September 30, 2019. **SUMMARY:** On March 14, 1989, the Board approved the concept of collecting contributions from PBIA's fountain on a monthly basis and contributing the funds to different charitable organizations recommended by the Community Services Department and approved by the Board. The non-profit organizations listed on Attachment "A" to the agenda item have been recommended by the Community Services Department based on an internal PPM which recommends non-profit organizations that submit Requests for Proposals for funding under the County's Financially Assisted Agency program to receive contributions for the forthcoming fiscal year, commencing October 1, 2018. Average monthly contributions for the past year have been approximately \$50. In addition, the list will be provided to Paradies-Palm Beach, LLC, PBIA's retail concessionaire, who will send the contribution from the fountain in its gift shop areas along with an additional contribution of \$250.00 to the recommended recipients pursuant to its concession agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to adopt: resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of not exceeding \$23,000,000 in original aggregate principal amount of Palm Beach County, Florida, Revenue Refunding Bonds, Series 2018, in one or more Series (the Bonds) for the purpose of currently refunding all of the County's outstanding Revenue Improvement Bonds, Series 2011 (Ocean Avenue Lantana Bridge and Max Planck Corporation Projects); paying certain costs related thereto; providing for the terms and payment of such Series 2018 Bonds; providing for the rights, security and remedies of the holder thereof; approving the sale of the Bonds to STI Institutional & Government, Inc. (The Bank) pursuant to a direct private placement; approving the form of and delegating to the Mayor or Vice Mayor the authority to execute and deliver a bond purchase agreement to be used for the negotiated sale of the Bonds to the Bank; making certain covenants and agreements in connection therewith; authorizing the proper officials of the County to do all other things deemed necessary or advisable in connection with the issuance of the Series 2018 Bonds; providing for certain other matters in connection therewith; and providing for an effective date. **SUMMARY:** On August 16, 2018, the County Financing Committee (CFC) approved the current refunding of all of the County's Revenue Improvement Bonds, Series 2011 based on a target net present value savings of not less than \$400,000. The bonds originally funded a grant to Max Planck and the Ocean Avenue Lantana Bridge project. Based on the recommendations of the County's Financial Advisor, and due to timing issues and volatile market conditions, it would be in the best interest of the County that the Series 2018 Bonds be sold on a negotiated private placement basis. Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

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

~~**A) Construction Manager at Risk (CMAR) contract with Collage Design and Construction Group, Inc. for the Canyon District Park project; and**~~

~~**B) Task Order No. 1 with Collage Design and Construction Group, Inc. for preconstruction services in the amount of \$66,107.13.**~~

~~**SUMMARY:** The project consists of a district park on 52 acres located south of Boynton Beach Boulevard and west of Acme Dairy Road. The construction budget for Canyon District Park is \$13,000,000. Park improvements will be constructed in two phases, based on the community's immediate needs. The Phase 1 improvements include three soccer/multipurpose fields, a restroom/concession facility, two retention/recreational lakes, 12 station fitness trails and grass/asphalt parking spaces. Phase 2 may include several of the following: additional soccer/multipurpose fields, baseball/softball fields, running track, restrooms, playground, picnic pavilions, a maintenance facility, asphalt parking and access roads along with associated site/utility improvements. This CMAR contract only authorizes pre-construction services. Once the construction documents are completed, the construction manager will bid the work and provide a guaranteed maximum price. Work will be authorized with amendments to the Board for identified Phases. The Small Business Enterprise (SBE) goal established for this contract is 25%. Collage Design and Construction Group, Inc.'s SBE participation for pre-construction services is 0% due to there being no subcontracted services. Phase 1 construction will be funded primarily with park impact fees. Phase 2 improvements will be funded through Infrastructure Sales Tax proceeds available in FY2021. Collage Design and Construction Group, Inc. is a Lake Mary, FL based business that maintains an office in Palm Beach County. (Capital Improvements Division) District 5 (LDC)~~

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** agreement with Cambridge Security Services Corporation, a corporation licensed to do business in the State of Florida (Participant) allowing for interoperable communications through the countywide and EMS common talk groups of the County's 800 MHz Radio System for the period of September 18, 2018 to September 18, 2021. **SUMMARY:** This agreement (Agreement) provides the terms and conditions under which the Participant can program into its radios and utilize the countywide and EMS common talk groups for certain inter-agency communications. The terms of the Agreement are standard and have been offered to all municipalities and local branches of State/Federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement, but the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. The Agreement may be terminated by either party, with or without cause. The term of the Agreement is for three years or until the expiration or termination of Participant's Certificate of Public Convenience and Necessity, whichever comes first. There are three renewal options, each for a term of three years. (ESS) Countywide (LDC)

3. **Staff recommends motion to approve:** eighth amendment to Communication Tower Joint Use Agreement (R96-972D) with New Cingular Wireless PCS, LLC, a Delaware limited liability corporation (AT&T) for County's communication tower site located at Forest Hill Boulevard and the Turnpike for the period of July 16, 1996 through July 15, 2026. **SUMMARY:** The County and AT&T co-locate on this County-owned tower. This eighth amendment will document the addition of the County's Water Utilities Department Automated Meter system and AT&T's previous maintenance upgrade; permit AT&T to relocate its equipment on the tower and reserve space at the 90' elevation being vacated by AT&T; and modify the frequency lists and tower loading exhibits to reflect these changes. No structural modifications are necessary to maintain the towers' loading capacity for the County's current and future loading or for AT&T's current and future equipment. Each party will be responsible to obtain all necessary permits and governmental approvals associated with its modifications, and all equipment installations will be completed at each parties sole cost. There will be no service interruptions to the County's or AT&T's operations. This eighth amendment replaces Exhibit "C" Tower Configuration/Communication Equipment and Exhibit "D" Frequency List. All other terms of the Communication Tower Joint Use Agreement remain unchanged. PREM will continue to administer the Agreement. (PREM) District 2/Countywide (HJF)

4. **Staff recommends motion to approve:** Declaration of Easement in favor of Palm Beach County Water Utilities over a portion of Loxahatchee Groves Park in unincorporated Palm Beach County. **SUMMARY:** Loxahatchee Groves Park (Park) is located 3.5 miles west of SR 441 on the north side of Southern Boulevard. FDOT is widening Southern Boulevard on the south side of the Park and requested that a waterline located within the right-of-way and serving the Park be relocated within the Park boundaries. Both County Water Utilities and the Parks and Recreation Departments worked together to relocate the waterline inside the Park boundaries. The easement area will be for water utility purposes, will provide access to the meter box and is approximately 38'x12', covering an area of 455 square feet near the southwest corner of the Park. This Declaration of Easement will be recorded to provide notice of its existence and location. (PREM) District 6 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve:

A) Amendment No. 2 to the contract with The Weitz Company, LLC (R-2016-0763) in the amount of \$1,999,737 for the Summit Library Children's Area Expansion and Exterior Renovations Project establishing a Guaranteed Maximum Price (GMP); and

B) budget transfer in the amount of \$1,073,312 to the Library Expansion Program from the Reserves of the Main Library Expansion/Renovation.

SUMMARY: This Amendment authorizes interior renovations of approximately 2,080 square feet consisting of an expansion to the existing children's area and adding new study rooms at the existing reference area. The proposed interior renovations and building addition consist of providing a new interior masonry wall opening between the existing children's area and new expanded children's area, providing ductwork modifications and grille replacement at renovated areas, replacement of existing mechanical air handlers, computer room air conditioning units and associated condensers in the administrative basement and data room, providing fire alarm notification devices in renovated areas, providing electrical lighting, power, data/voice, switching, public address, and providing fire protection system modifications. Exterior renovations consist of the weather proofing of the entire exterior of the building, replacement of the existing emergency generator and automatic transfer switch, resurfacing of the east side of the parking area and restriping of drive aisles. Re-roofing, lightning protection, and replacement of the existing built up roof system for the existing west side of the building is additionally part of the project. The duration of construction is 120 days. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15%. The Weitz Company, LLC's SBE participation for this Amendment is 31.3%. This project will be funded from the Library Improvement Fund and Library Expansion Program Funds. The Weitz Company, LLC is a Palm Beach County business and it is anticipated that 48.6% of the work will be performed by Palm Beach County contractors. (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: documents executed in connection with a loan made to Oxygen Holdings, LLC, under the Housing and Urban Development (HUD) Section 108 Loan Program.

A) Palm Beach County Section 108 Promissory Note, dated May 3, 2018, for \$1,000,000;

B) Palm Beach County Section 108 Loan Agreement dated May 3, 2018, for \$1,000,000;

C) Section 108 Loan Program Agreement dated May 3, 2018, for \$1,000,000;

D) Mortgage Agreement (With Assignment of Leases and Rents), dated May 3, 2018, for \$1,000,000;

E) Intercreditor Agreement, dated May 3, 2018, for \$1,000,000;

F) Environmental Indemnity Agreement, dated May 3, 2018; and

G) Guaranty Agreement, dated May 3, 2018, for \$1,000,000.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. During the Department's administrative review of files, documents were identified that need to be presented as a receive and file. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or designee in accordance with Resolution R2009-0725, and are now being submitted to the BCC to receive and file. **These are Federal funds which require no local match. District 2 (JB)**

2. Staff recommends motion to receive and file: following documents:

A) Standard Form SF-424 and Certifications for the Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG);

B) Standard Form SF-424 and Certifications for the Fiscal Year 2018-2019 HOME Investment Partnership Program (HOME); and

C) Standard Form SF-424 and Certification for the Fiscal Year 2018-2019 Emergency Solutions Grant Program (ESG)

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents were executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability (HES) in accordance with Resolution R2018-1061 as approved by the BCC on July 10, 2018 which delegated such authority to the County Administrator or designee. These documents are now being submitted to the BCC to receive and file. **CDBG funds require no local match. The HOME required local match (\$497,428) will be provided from the State Housing Initiatives Partnership Program. The ESG required local match (\$524,079) will be provided by the four ESG-funded agencies, the Department of Community Services and HES. Countywide (JB)**

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to:

A) approve Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$69,754 to ME-ST, LLC (ME-ST) for the Maine Street project;

B) authorize Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

C) approve budget transfer of \$67,781 in Impact Fee Assistance Program – Roads Zone 4 to appropriate funds for ME-ST; and

D) approve budget transfer of \$1,973 in Impact Fee Assistance Program – Public Building to appropriate funds for ME-ST.

SUMMARY: On May 14, 2018, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$1,305,932 in IFAHAP funding available from Palm Beach County's Fiscal Year 2017 funding cycle. ME-ST submitted a request for assistance in response to the NOFA on June 7, 2018. Staff recommends that up to \$69,754 be provided as a credit for impact fees associated with the Maine Street project. ME-ST will be given credits for Roads Zone 4 Impact Fees (\$67,781) and Public Building Impact Fees (\$1,973) for the construction of the Maine Street project. ME-ST will pay impact fees above the allocated \$69,754. The project is located at 4825 Maine Street, Lake Worth (in unincorporated Palm Beach County) and will have 14 multifamily rental units for veterans, including formerly homeless veterans. According to IFAHAP requirements, all units will be rented to households with incomes no greater than 140% of Area Median Income (AMI). The assisted units will be deed-restricted to remain affordable for no less than 15 years. **These funds are from interest earned by the Impact Fee Fund. District 3 (JB)**

4. Staff recommends motion to receive and file: Section 108 Document Custodial Agreement with the U.S. Department of Housing and Urban Development. **SUMMARY:** As part of the Section 108 Loan Guarantee Program, the U.S. Department of Housing and Urban Development (HUD) requires the designation of a Custodian to serve as the Palm Beach County trustee, responsible for safeguarding security agreements and documents executed on behalf of HUD and the County. The Section 108 Document Custodial Agreement (Custodial Agreement) was executed on September 23, 2013, designating the Palm Beach County Clerk & Comptroller (Clerk) as the Palm Beach County Custodian and public trustee. Between March 2009 and January 2013, Contracts for Loan Guarantee Assistance Under Section 108 of the Housing and Community Development Act of 1974, as Amended, 42 U.S.C. §5308 (Contracts) were executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee, in accordance with Resolutions R2009-0255, R2009-0725, R2009-0902, R2010-0362, and R2011-0330. In total, the Contracts provide \$31,992,000 in Federal funding for the Palm Beach County Section 108 Loan Program. Per each Contract, the County (as the Borrower of the Section 108 Loan Funds) shall deliver a standard set of documents to the Clerk (as the Custodian) no later than five business days after disbursement of Section 108 Loan Funds to a business borrower. Each contract was received and filed in accordance with County PPM CW-O-051 (R2011-0009, R2011-0010, R2011-0011, R2011-0012, R2011-1834, and R2013-0683). To date, the County has made 41 disbursements, totaling \$23,002,131, to business borrowers. All required documentation was received and filed with the Clerk in accordance with County PPM CW-O-051. During the Department's administrative review of the files, these documents were identified that need to be presented as a receive and file. Countywide (JB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Contd)

5. Staff recommends motion to receive and file: Purchase Agreement for State Tax Credits with Tractor Supply Company for the sale of Voluntary Cleanup Tax Credits (VCTC). **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The attached documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator in accordance with Resolution R2015-1793 and Agenda Item 3I-1 as approved by the BCC on December 15, 2015, and April 10, 2018, respectively. Under the Purchase Agreement for State Tax Credits, Tractor Supply Company purchased a tax credit certificate worth \$13,297.10 under the VCTC Program. The purchase price of the certificate was \$12,100.36. After payment of the brokerage commission, the County will receive \$11,302.54 which will be used to replenish the County's Brownfields Revolving Loan Fund. **The VCTC Program does not require a local match.** Countywide (JB)

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to receive and file: amendment to extend the contract agreement period with the University of Florida's Bureau of Economic and Business Research (BEBR) to provide small-area population estimates and projections for Palm Beach County for year 2020 through 2045. **SUMMARY:** The contract is for professional and consultation services to prepare population estimates and projection model development for Palm Beach County. As authorized by PPM CW-O-051, the Director of Purchasing approved and executed the original contract on behalf of the Board of County Commissioners on September 1, 2017 and presented to the BCC at their meeting of October 3, 2017. The contract was scheduled to begin on August 1, 2017 and end on October 31, 2017. The Scope of Services of the contract states that the consultant will begin work after receiving the County's build-out submodel data. Due to increased workload and lack of staffing, the County was not able to provide the build-out submodel data until July 2018 and therefore the consultant has not started the consulting services. The contract was therefore amended to allow an extension of time for the Consultant to perform the services. This contract does not require additional funding. The amended contract, dated June 15, 2018, was executed by the County's Director of Purchasing. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

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

2. **Staff recommends motion to approve:** Interlocal Agreement (ILA) providing consent for the annexation of right-of-way segments of Northlake Boulevard, between Grapeview Blvd. and Avocado Blvd., and between 130th Ave N. and 120th Ave N., into the City of Palm Beach Gardens (City); and providing for the transfer of traffic control jurisdiction of the right-of-way segments from the City to Palm Beach County (County) after annexation. **SUMMARY:** The City of Palm Beach Gardens requested the voluntary annexation of right-of-way segments of Northlake Boulevard abutting the City's boundary, totaling 1.98 acres, as described in Exhibit A and shown on Exhibit C of the Interlocal Agreement. This annexation will provide the City's police department jurisdiction over safety and regular patrols for activities that may affect the adjacent City residents. The annexation also provides the City the ability to monitor and enforce traffic safety. Approval of this ILA by both parties constitutes mutual agreement between the City and County pursuant to Section 316.006(4)(c) F.S., to the transfer of traffic regulatory authority over the right-of-way segments from the City to the County. The City does not request the transfer of operation and maintenance of the right-of-way. The ILA does not change the status of the ownership and maintenance of Northlake Boulevard. A Memorandum of Understanding regarding mutual law enforcement services is in effect for the segment of the right-of-way where the north and south sides of the right-of-way are unincorporated, as shown in Exhibit B of the Interlocal Agreement. The proposed annexation meets the requirements of Chapter 171, Florida Statutes (F.S.), as the area is contiguous, compact, does not create an enclave, and is consistent with the Intergovernmental Coordination Element, Objective 1.4, of the County's Comprehensive Plan. Districts 1 & 6 (RPB)

3. **Staff recommends motion to approve:** seat change of two current members of the Building Code Advisory Board.

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term Expires</u>
4	3	Shane V. Kittendorf	Building Official	Building Officials Association of Palm Beach County	01/13/20

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term Expires</u>
3	4	Wayne Cameron	Building Official	Building Officials Association of Palm Beach County	05/16/19

SUMMARY: The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. Mr. Wayne Cameron recently relocated to become the Building Official of the Town of Ocean Ridge, which is located in Commission District 4. Mr. Shane Kittendorf is the Building Official of the City of Boynton Beach. He has agreed to serve as the District 3 representative. The Building Officials Association of Palm Beach County (BOAPBC) has nominated Mr. Shane V. Kittendorf to be the building official representative for District 3 in Seat 3, and Wayne Cameron to be the building official representative for District 4 in Seat 4. This Advisory Board has 16 seats, 14 currently filled and two vacancies, and a diversity count of Caucasian: 12 (86%), African-American: 1 (7%) and Asian-American: 1 (7%). The gender ratio (male: female) is 13:1. The nominees are one Caucasian male and one Asian-American male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards' diversity. Countywide (SF)

3. CONSENT AGENDA APPROVAL

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

4. Staff recommends motion to approve: appointment of one new member to the Building Code Advisory Board (BCAB) and reappointment of three current members of the BCAB.

Appoint one new member:

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Edward J. Lynch, Sr.	14	General Contractor	Associated Builders and Contractors, Inc.	9/18/18–9/17/21

Reappoint three current members:

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Scott D. Worley	10	General Contractor	Gold Coast Builders Association (GCBA)	9/18/18–9/17/21
James B. Carr	15	HVAC Contractor	Palm Beach Air Conditioning Contractors Association, Inc.	9/18/18–9/17/21
Gregory S. Miller	16	Aluminum Contractor	Gold Coast Builders Association	9/18/18–09/17/21

SUMMARY: The Building Code Advisory Board (BCAB) was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members: one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects (AIA); one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society (FES); seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). Associated Builders and Contractors, Inc. has nominated Edward J. Lynch, Sr. to be appointed as general contractor in Seat 14. Gold Coast Builders Association (GCBA) has nominated Scott D. Worley to be reappointed as general contractor in Seat 10. Palm Beach Air Conditioning Contractors Association, Inc. has nominated James B. Carr to be reappointed as HVAC contractor in Seat 15. GCBA has nominated Gregory S. Miller to be reappointed as aluminum contractor in Seat 16. This Advisory Board has 16 seats, 14 currently filled and 2 vacancies, and a diversity count of Caucasian: 12 (86%), African-American: 1 (7%) and Asian-American: 1 (7%). The gender ratio (male: female) is 13:1. The nominees are three Caucasian males and one Hispanic-American male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards' diversity. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** executed agreements received during the months of March, April and May 2018.

A) Standard Potable Water and Wastewater Development Agreement with Librizzi Holdings, LLC, SDA #02-01152-000 (District 3), Recorded in OR BK 29886 PG 0225;

B) Standard Potable Water and Wastewater Development Renewal Agreement with Boca Raton Associates VIII, LLLP, SDA #09-01064-000 (District 5), Recorded in OR BK 29886 PG 0234;

C) Standard Potable Water and Wastewater Development Agreement with Boca Raton Associates VIII, LLLP, SDA# 09-01084-000 (District 5), Recorded in OR BK 29886 PG 0241; and

D) Change Order No. 3 for the Water Treatment Plant No. 3 Wellfield Improvements Project (WUD Project No. 16-042) with Florida Design Drilling Corporation.

SUMMARY: In accordance with County PPM CW-0-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Water Utilities Department (WUD) in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. (MJ)

2. **Staff recommends motion to approve:** Amendment No. 2 to the contract with Holtz Consulting Engineers, Inc., for Consulting/Professional Services for the Lift Station Rehabilitation Project A (Project), in an amount not to exceed \$378,550.18. **SUMMARY:** On July 12, 2016, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Consulting/Professional Services Contract (contract) with Holtz Consulting Engineers, Inc., for design and bidding services required to rehabilitate 60 lift stations for a term of five years (R2016-0899). Amendment No. 2 to the contract updates the scope of work to provide for additional electrical improvements for 20 lift stations and engineering services during construction for 30 lift stations to be rehabilitated under the Project. Engineering services to be provided during construction include coordination meetings, construction inspection, shop drawing review, responding to requests for information (RFIs), review of Operation and Maintenance (O&M) Manuals, assistance with issuance of substantial and final completion documents and record drawings review. Amendment No. 2 also provides for associated "out of pocket expenses." No time extension is included in Amendment No. 2. The Small Business Enterprise (SBE) participation established by the SBE Ordinance is 15% overall. The contract with Holtz Consulting Engineers, Inc., provides for SBE participation of 99% overall. Amendment No. 2 has 100% of SBE participation. The cumulative SBE participation including Amendment No. 2 is 100%. Holtz Consulting Engineers, Inc., is a Palm Beach County company. The Project is included in the WUD FY18 Budget. (WUD Project No. 15-096) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

A) contract with Hinterland Group, Inc., (Contract) for the Lift Station Rehabilitation Project A; Bid Package 2 (Project) in the amount of \$4,830,000; and

B) budget transfer of \$5,072,000 in the Water Utilities Department Capital Improvement Fund (Fund 4011).

SUMMARY: On June 6, 2018, four bids were received for the rehabilitation of 30 lift stations located throughout the Water Utilities Department (WUD) service area. Hinterland Group, Inc., was determined to be the lowest responsive and responsible bidder in the amount of \$4,830,000. The Project will provide for the lift station upgrades necessary to meet current WUD construction and design standards. The Project work involves upgrading the mechanical, electrical and civil components of the lift stations, including discharge piping, pumps, control panel, slabs, wet well and valve vaults. The Project will also include coordinating all stations on the WUD Supervisory Control and Data Acquisition system. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The Contract provides for SBE participation of 95.23% overall. Hinterland Group, Inc., is a Palm Beach County company. The budget transfer is necessary because the project was originally scheduled for FY 2019, but has been accelerated into FY 2018. The transferred funds are being moved from the water treatment plant, building construction, and wastewater treatment plants funds. (WUD Project No. 15-096) Districts 2, 3, 4, 5 & 6 (MJ)

4. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 4 for the Southern Region Water Reclamation Facility (SRWRF) Plant O&M Manual Digestion Chapter Update (Project) with Brown and Caldwell, in an amount not to exceed \$110,971.67. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Water Utilities Department (WUD) Contract for Consulting/Professional Services Wastewater Engineering Services with Brown and Caldwell, (R2017-0813). CSA No. 4 provides for the professional/ engineering services to support necessary updates to the Digestion Chapter of the SRWRF Plant Operations and Maintenance (O&M) Manual. Since the construction of SRWRF, the anaerobic digester facilities have been periodically enhanced and improved. CSA No. 4 will provide the technical support necessary to update the Digestion Chapter to reflect those improvements and incorporate additional operational and safety procedures. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Brown and Caldwell provides for SBE participation of 26% overall. CSA No. 4 includes an SBE participation of 8.32%. The cumulative SBE participation, including CSA No. 4 is 22.21%. Brown and Caldwell is headquartered in Walnut Creek, California but maintains an office in Palm Beach County from which the majority of the work under CSA No. 4 will be undertaken. The Project is in the WUD FY 18 Budget. (WUD Project No. 17-017) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to approve:

A) contract with Kimley-Horn and Associates, Inc., for Water Treatment Plant No. 2 (WTP 2) Treatment and Disposal Improvements (Contract); and

B) Consultant Services Authorization No. 1 (CSA 1) for WTP 2 Treatment and Disposal Improvements Design, Bidding and Permitting Services in the amount of \$1,366,970.24.

SUMMARY: The selected engineering firm was procured under the provisions of Florida Statutes 287.055 (Consultant Competitive Negotiation Act). The Contract will be used by the Water Utilities Department (WUD) to obtain consulting/professional services in the area of engineering for projects providing improvements to treatment and disposal systems at WTP 2. Consultant Services Authorizations will be negotiated and issued against this Contract on a task basis at the sole discretion of the County. The contract has a term of five years. Kimley-Horn and Associates, Inc., a North Carolina Corporation authorized to do business in the State of Florida, has an office in Palm Beach County. Kimley-Horn and Associates, Inc., has agreed to meet or exceed a 54% Small Business Enterprise (SBE) participation goal and a 4% Minority and Women's Business Enterprise (M/WBE) goal. CSA 1 includes design, permitting and bidding services for a 15 million gallon-per-day (MGD) lime softening treatment unit, a five million gallon water storage tank, MIEX[®] anion exchange and facility improvements and a deep injection well, which will be sized for disposal of the MIEX[®] brine waste and future membrane concentrate associated with water treatment plant expansions at WTP 2. CSA 1 includes 45.78% SBE and 4.16% M/WBE participation. Additional SBE and M/WBE participation will be provided in the future for engineering services during construction. The Project is included in the FY18 Capital Improvement Plan for WUD and adopted by the Board of County Commissioners. (WUD 17-065 Contract and 18-066 CSA 1) District 2 (MJ)

6. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 5 for the Southern Region Water Reclamation Facility (SRWRF) Process Blower Improvements (Project) with Brown and Caldwell, (R2017-0813) in the amount not to exceed \$137,906.29. **SUMMARY:** On June 20, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Contract for Professional Consultation/Wastewater Engineering Services with Brown and Caldwell, (R2017-0813) to obtain engineering/professional services for utility related projects. CSA No. 5 will provide for professional/engineering services related to the Project. SRWRF is the largest wastewater treatment facility owned and operated by WUD. SRWRF utilizes aeration in the wastewater treatment process. Air required for proper aeration and treatment is supplied by mechanical blowers. The majority of the aeration needs at SRWRF are met only by Turblex blowers, which are proprietary and complex and can only be serviced by the manufacturer. Concerns regarding the reliability of the Turblex blowers have arisen because of the long-term challenges associated with the negotiation of a service agreement with the manufacturer. To mitigate against the risks associated with the failure of the Turblex blowers, additional blowers need to be installed. CSA No. 5 will provide preliminary engineering to confirm aeration needs, blower sizing, mechanical and electrical arrangements. This will increase the treatment reliability and redundancy at SRWRF. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Brown and Caldwell provides for SBE participation of 26% overall. CSA No. 5 includes an SBE participation of 14.86%. The cumulative SBE participation, including CSA No. 5 is 24.31%. Brown and Caldwell is headquartered in Walnut Creek, California but maintains an office in Palm Beach County from which the majority of the work under CSA No. 5 will be undertaken. The Project is in the FY18 Capital Improvement Plan for WUD and adopted by the BCC. (WUD Project No. 18-067) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

7. Staff recommends motion to approve: Work Authorization (WA) No. 22 to Johnson-Davis Incorporated, for the CD01 Water Distribution System Improvement Zones 1 and 5 (Project) in the amount of \$1,352,904.85. **SUMMARY:** On July 12, 2016, the Board of County Commissioners approved the Water Utilities Department (WUD) Pipeline Continuing Construction Contract (contract) with Johnson-Davis Incorporated (R2016-0902). WA No. 22 provides for the construction of approximately 7,300 linear feet of water mains throughout the eastern portion of the WUD service area. The work undertaken as part of the Project will improve system capacity, improve hydraulic efficiencies, eliminating dead ends and decrease water retention time in the distribution system resulting in improved water quality. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance is 15% overall. The contract with Johnson-Davis Incorporated provides for SBE participation of 3.28%. WA No. 22 includes 16.78% participation. The cumulative SBE participation to date including WA No. 22 is 13.34%. Johnson-Davis Incorporated is a Palm Beach County company. The Project is included in the WUD FY 18 Budget. (WUD Project No. 15-013) Districts 2, 6 & 7 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve:

A) first amendment to Annual Coastal and Marine Engineering Contract No. R2016-1376 with Applied Technology & Management, Inc. (ATM) to extend the contract for one year from September 26, 2018 to September 26, 2019. All other provisions remain in full force and effect;

B) first amendment to Annual Coastal and Marine Engineering Contract No. R2016-1377 with Olsen Associates, Inc. (OAI) to extend the contract for one year from September 26, 2018 to September 26, 2019. All other provisions remain in full force and effect; and

C) first amendment to Annual Coastal and Marine Engineering Contract No. R2016-1523 with Aptim Environmental & Infrastructure, Inc. (APTIM) to extend the contract for one year from October 17, 2018 to October 17, 2019. All other provisions remain in full force and effect.

SUMMARY: ATM, a Palm Beach County company, and OAI, a Jacksonville, Florida company, were awarded contracts on September 27, 2016. The County is extending these contracts for one year from September 26, 2018 to September 26, 2019. APTIM, a Palm Beach County company, was awarded a contract on October 18, 2016. The County is exercising the only renewal option to extend this contract through October 17, 2019. ATM's contract requires 25% Small Business Enterprise (SBE) and/or Minority and Women Business Enterprise (M/WBE) participation; it has achieved 83.1% participation. OAI's contract requires 38% SBE and/or M/WBE participation; it has achieved 60.3% participation. APTIM's contract requires 15% SBE participation; it has achieved 71.1% participation. Countywide (DC)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve extension of a Memorandum of Agreement (MOA) between the South Florida Water Management District, Martin County and Palm Beach County for vehicular passage through the Cypress Creek Natural Area; and

B) authorize County Administrator or designee to sign all future time extensions associated with the MOA.

SUMMARY: The MOA was approved by the Board of County Commissioners on August 13, 2013 (R2013-1036). This extension agreement exercises the first of four five-year extension options in the MOA. Exercising this option to extend the MOA for another five years will keep all other terms of the MOA intact and extend the term of the MOA through September 30, 2023, with three five-year extension options remaining. Authorizing the County Administrator or designee to sign all future time extensions associated with the MOA. District 1 (AH)

3. Staff recommends motion to approve: Management Plan (Plan) for Sandhill Crane Wetlands (formerly known as C-18 Triangle) Natural Area. **SUMMARY:** The Plan identifies natural resources present on the natural area and provides for the preservation, restoration, management and passive recreational use of those resources. After review of the Plan by the Natural Areas Management Advisory Committee (NAMAC) and a public hearing held on June 20, 2018, NAMAC unanimously recommended the Plan for approval at its July 20, 2018 meeting. Initial invasive/nonnative vegetation removal, a majority of the fence and regulatory sign installation, and nominal public use facilities have been completed. Remaining capital projects (remaining fencing and signage) are expected to be completed in FY 2019, at an estimated cost of \$17,475. Annual management and operating costs, including prescribed burns/mechanical vegetation reduction, ongoing nonnative/invasive animal and plant control, repair and replacement of facilities, and biological monitoring and reporting are estimated to be \$114,160. Funds for capital improvements, and annual management and operation of the site are expected to come from the Natural Areas Fund, Natural Areas Stewardship Endowment Fund, Pollution Recovery Trust Fund, Ag Reserve Land Management Fund, and/or other funding sources. The first update to the Plan will be due in 2028. District 1 (AH)

4. Staff recommends motion to:

A) approve contract for consulting/professional services between Palm Beach County and Inwater Research Group, Inc. (IRG) for sea turtle monitoring in an amount not to exceed \$26,801.60, commencing upon execution and expiring September 30, 2019; and

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

SUMMARY: This contract provides for a continuation of monitoring and assessment of sea turtle populations in northern Lake Worth Lagoon (LWL), and Jupiter Inlet by IRG, a not-for-profit corporation based in Martin County. Annual surveys began in 2005, to assess populations in the central LWL and efforts were added at Jupiter Inlet in 2017, based on data indicating that these populations were expanding into habitats adjacent to LWL. The LWL Management Plan recommends assessing sea turtle populations as a means of evaluating the success of environmental restoration efforts and lagoon health. District 1 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to approve: annual contracts with the below listed construction vendors for Palm Beach County Dune and Beach Restoration Annual Contract (Federalized) Project No. 2018ERM01 for a period of two years:

A) Eastman Aggregate Enterprises, LLC not to exceed \$10,544,432.26; and

B) Rio-Bak Corporation not to exceed \$11,091,805.66.

SUMMARY: These construction contracts are being pre-positioned to restore dunes and beaches damaged by storms. The County will authorize projects by contract work orders, when needed and adequately funded by the Public Assistance Program from the U.S. Department of Homeland Security/Federal Emergency Management Agency (FEMA). Federal rules prohibit local geographical preferences in procurements funded by FEMA. Therefore, the County's Small Business Enterprise (SBE) Program, Local Preference, Glades Local Preference, Glades Resident Incentive, and Apprentice Incentive were not included in this competitive solicitation. Another solicitation with these County programs was also advertised; award of the resulting contracts with SBE participation is requested in agenda item 3L-6 in this Board of County Commissioner (BCC) meeting. Five bids were received for Project No. 2018ERM01. The Department of Environmental Resources Management recommends award to two contractors to provide redundancy and capacity for multiple, concurrent projects. Eastman Aggregate Enterprises, LLC, a Palm Beach County company, was the lowest responsive, responsible bidder. Rio-Bak Corporation, a Palm Beach County company, was the next lowest responsive, responsible bidder. The initial contract term is two years, which may be extended for an additional one year upon approval by the BCC. Districts 1, 4 & 7 (DC)

6. Staff recommends motion to approve: annual contracts with the below listed construction vendors for Palm Beach County Dune and Beach Restoration Annual Contract Project No. 2018ERM02 for a period of two years:

A) Eastman Aggregate Enterprises, LLC not to exceed \$10,544,432.26; and

B) Rio-Bak Corporation not to exceed \$11,091,805.66.

SUMMARY: These construction contracts are being pre-positioned to restore dunes and beaches damaged by erosion, including storms. The County will authorize projects by contract work orders, when needed and adequately funded by the Florida Department of Environmental Protection, municipalities and/or Beach Improvement Fund from tourist development taxes. Another solicitation with Federal requirements was also advertised; award of the resulting contracts (with no SBE participation) is requested in agenda item 3L-5 in this Board of County Commissioner (BCC) meeting. Four bids were received for Project No. 2018ERM02. The Department of Environmental Resources Management recommends award to two contractors to provide redundancy and capacity for multiple, concurrent projects. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R2002-0064) is 15% overall. Only one company met the SBE goal in the compliance review, but it fell outside the range for the ranking of responsive bidder consideration. Eastman Aggregate Enterprises, LLC (Eastman), a Palm Beach County company, was the lowest responsive, responsible bidder with 0.016% SBE participation. Rio-Bak Corporation (Rio-Bak), a Palm Beach County company, was the next lowest responsive, responsible bidder with no SBE participation. Both contractors offered to increase their SBE commitment in the contracts to 15%. Eastman's revised SBE schedules have been added to the contract. Rio-Bak's SBE subcontractor updated its services' certification with the County, rendering it eligible. The initial contract term is two years, which may be extended for an additional one year upon approval by the BCC. Districts 1, 4 & 7 (DC)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

7. Staff recommends motion to:

A) receive and file Task assignment Number IP7 to Contract No. FWC11357 (R2012-0573) with Florida Fish and Wildlife Conservation Commission (FWC) for Palm Beach County to provide aquatic vegetation control services for water bodies within Palm Beach County and a cost reimbursement of \$77,781 for a term beginning upon execution to June 30, 2019; and

B) approve budget amendment of \$27,781 in the Natural Areas Fund to adjust the current budget to the contract amount.

SUMMARY: On April 17, 2012, the Board of County Commissioners approved FWC Contract No. FWC11357 (R2012-0573) for aquatic vegetation control services in the following lakes: Clarke, Ida, Osborne, and Pine. This contract allows/obligates the County to treat and control aquatic exotic plants within the Chain of Lakes. County work is reimbursed by FWC. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associated with this contract was approved at that time. Countywide (AH)

8. Staff recommends motion to receive and file:

A) Interlocal Agreement with the City of Boynton Beach for manatee speed zone law enforcement services from November 15, 2018 to March 31, 2023; and

B) Interlocal Agreement with the Village of Tequesta for manatee speed zone law enforcement services from November 15, 2018 to March 31, 2023.

SUMMARY: On August 19, 2014, the Board of County Commissioners approved a standard form Interlocal Agreement (R2014-1193) (Agreement) with law enforcement agencies for manatee protection and public education. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this Agreement was approved at that time. Districts 1 & 4 (AH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

9. Staff recommends motion to receive and file:

A) Task Assignment No. GC913-2 to the State of Florida, Department of Environmental Protection (FDEP) Contract No. GC913 (R2017-0838) providing for routine compliance inspections at 803 petroleum storage tank facilities within Palm Beach, Martin and St. Lucie Counties, and funding in the amount of \$487,435.00, with a performance period of July 1, 2018 through June 30, 2019; and

B) Task Assignment Change Order No. 1 to FDEP Contract No. GC913 (R2017-0838) updating Attachments A and B – Scope of Work.

SUMMARY: Petroleum storage tank compliance services under a series of contracts with FDEP have been in effect since 1988. On June 20, 2017, the Board of County Commissioners approved Contract No. GC913 (R2017-0838) with FDEP. Delegated authority to the County Administrator or designee to sign all future time extensions, task assignments, certifications, and other forms associated with this contract was approved at that time. Task Assignment No. GC913-1 (R2017-1366) was approved on September 12, 2017. Task Assignment Change Order No. 1 (R2017-1828), approved on December 5, 2017, increased the contract total by \$5,201.04 from \$520,511.02 to \$525,712.06. Task Assignment Change Order No. 2 (R2018-1206) decreased the contract total by \$13,000, due to FDEP's estimates of variable inspections. FDEP did not assign enough variable inspections which created a shortage. Amended and Restated Contract (R2018-1206) facilitates processing the updates on the Guidance Documents, and compliance with FDEP Bureau of Finance & Accounting; all else remained the same. Task Assignment No. GC913-2 providing for routine compliance inspections at 803 petroleum storage tank facilities within Palm Beach, Martin and St. Lucie Counties, and funding in the amount of \$487,435, with a performance period of July 1, 2018 through June 30, 2019. Task Assignment Change Order No. 1 updates Attachment A and B – Scope of Work. Delegated authority to sign all future time extensions, task assignments, certifications, and other forms associated with this contract was approved June 12, 2018. Countywide (AH)

M. PARKS & RECREATION

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

A) Pyro Engineering, Inc., Eleventh Annual 4th of July Celebration, Sunset Cove Amphitheater, on July 4, 2018; and

B) Blackwood Productions, Fabulous Fleetwoods Concert, Sunset Cove Amphitheater, on July 4, 2018.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. 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 Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. **Staff recommends motion to receive and file:** following executed Sound and Light Production Services Contractor Agreements between Palm Beach County and
 - A) Blackwood Productions, LLC, Eleventh Annual 4th of July Celebration, Sunset Cove Amphitheater, for the period July 4, 2018, through July 5, 2018; and
 - B) Blackwood Productions, LLC, Slightly Stoopid Concert, Sunset Cove Amphitheater, for the period July 22, 2018, through July 23, 2018.

SUMMARY: In accordance with County PPM CW-O-051, the initiating Department as a receive and file agenda item must submit all delegated contracts/agreements/grants. The Sound and Light Production Services Contractor Agreements have been fully executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. District 5 (AH)
3. **Staff recommends motion to receive and file:** executed Amphitheater Rental Agreement with AEG Presents SE, LLC, Slightly Stoopid Concert, Sunset Cove Amphitheater, for the period July 22, 2018, through July 23, 2018. **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. This Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. This program is part of a balanced schedule of events, which promote the quality of life in the communities we serve. District 5 (AH)
4. **Staff recommends motion to receive and file:** executed Resident Caretaker Lease Agreement with Earl E. Campbell, a full time County employee at Canal Point Park, executed on July 10, 2018. **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. This Resident Caretaker Lease Agreement has been fully executed on behalf of the Board of County Commissioners by the Director of the Parks and Recreation Department in accordance with Resolution 2016-1606. District 6 (AH)
5. **Staff recommends motion to receive and file:** executed Independent Contractor Agreement between Palm Beach County and Christina Kennamer, Water Fitness Classes, The Gleneagles Country Club / CMAA Therapeutic Recreation for the period July 11, 2018, through September 28, 2018. **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. This Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners by the Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. District 3 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

6. Staff recommends motion to:

A) ratify signature of the Mayor on an Indian River Lagoon License Plate grant application. The application was submitted to South Florida Water Management District (SFWMD) on July 10, 2018, requesting \$87,593 to fund 62% of the Riverbend Park Culvert/Water Control Structure Replacement Project;

B) authorize County Administrator or designee to execute the Grant Funding Agreement, as well as task assignments, certifications, standard forms, or amendments to the Agreement that do not substantially change the terms and conditions of the Agreement, if the grant is approved; and

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

SUMMARY: This grant application requests \$87,593 from SFWMD for the Riverbend Park Culvert/Water Control Structure Replacement Project. One of the original culvert/water control structures used to manage the flow of water out of the park is broken beyond repair and requires replacement. The project includes replacing the 30 year old culvert/water control structure with a new 42", 120' long corrugated aluminum pipe. This control structure, when functioning normally, holds water inside of the park instead of flowing directly into the Loxahatchee River. Impounding water within the Park serves two functions: to allow water to naturally filter and purify the water before being released into the River, and to keep water levels high enough to have over five miles of functional canoe/kayak trails that take recreational pressure off the River. Total project costs are estimated at \$140,559, and the County will provide \$52,966 in matching funds. District 1 (AH)

7. Staff recommends motion to receive and file: executed Tee Time Advertising and Sales Agreement between Palm Beach County and Can-Am Golf Ventures, LLC, for the period August 1, 2018 through July 31, 2019. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated agreements must be submitted by the initiating department as a receive and file agenda item. This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners by the Director of Parks and Recreation in accordance with Resolution 2013-1607. This Agreement helps to sell tee times at non-peak times that would otherwise not be sold. This agreement is for 12 months. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. ~~MOVED TO REGULAR/NOW 5G-1: Staff recommends motion to approve: County Library's Strategic and Long-Range Plan for FY 2019 through FY 2021. **SUMMARY:** This Plan represents the Library's mission statement, goals and objectives, and strategic plan for FY 2019 through FY 2021. This process of strategic planning is done in conjunction with the State's requirements for libraries receiving State Aid funds and with the County's budget process. The Library anticipates receipt of \$1,007,630 in State Aid to Public Libraries during FY 2019. The Library Advisory Board has endorsed this Plan with Resolution 18-01, dated July 9, 2018. Highlights of the Plan for FY 2019 include:~~

- ~~• Providing access to a collection of print, non-print, and electronic resources for borrowing and research that supports the needs and interests of the citizens of Palm Beach County;~~
- ~~• Enhancing the role of the library in the community through community research opportunities with non-profit and government agencies in Palm Beach County;~~
- ~~• Increasing the offering of public technology instructional activities to meet the digital literacy needs of adults and children;~~
- ~~• Continuing emphasis on children's classes and activities and on family learning opportunities; serving summer lunches and snacks at multiple library locations;~~
- ~~• Providing activities that allow the community to learn and develop new skills, including increasing the number of adults participating in literary, recreational, informative and performance-based activities. Countywide (AH)~~

2. Staff recommends motion to:

A) approve Developer Agreement with Apple Inc.; and

B) authorize County Administrator or designee to execute any other necessary agreements, amendments, forms and certifications

SUMMARY: The Library Department is developing a free App that would be available to all library users for the purpose of promoting and accessing library services online. The App functions would include searching the catalog, reviewing library card accounts, and placing items on hold. A software developer account with Apple is required via the Apple website to confirm that the publishing entity agrees to and is bound by Apple's legal agreement for App development. The agreement states that we are not entering into a legal partnership with Apple and agree to abide by the terms of their software developer agreement. The \$99 annual fee is waived for government entities. Countywide (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. **Staff recommends motion to approve:** agreement with the Palm Beach Soil and Water Conservation District in an amount not to exceed \$79,000 to provide soil and water resource conservation services for FY 2019. **SUMMARY:** This agreement provides funding for the Palm Beach Soil and Water Conservation District’s (District) Resource Conservation Activities. The District provides resource conservation services to rural, agricultural, and urban communities to facilitate soil and water conservation in Palm Beach County. Services include agricultural technical assistance, Best Management Practices implementation assistance, education to conserve water through irrigation, and improvements to water quality and quantity in Palm Beach County. Countywide (AH)

2. **Staff recommends motion to approve:** agreement with the Friends of Mounts Botanical Garden, Inc. (FMBG) from October 1, 2018 through September 30, 2019 for continued funding of a gardener position to assist in the care and maintenance of The Mounts Botanical Garden of Palm Beach County (Garden). **SUMMARY:** FMBG will continue to provide funding to the County in an amount not to exceed \$42,263 (\$22,383 for salary and \$19,880 for fringe benefits) to support 60% of an existing gardener position beginning October 1, 2018 and ending on September 30, 2019. Palm Beach County will be funding the remaining \$28,176 (\$14,922 for salary and \$13,254 for fringe benefits) at a funding level of 40% for a total of \$70,439. The position will continue to support the Garden. District 7 (AH)

3. **Staff recommends motion to approve:** agreement with the Friends of Mounts Botanical Garden, Inc. (FMBG) from October 1, 2018 through September 30, 2019 for continued funding of a horticulturist position to assist in the care and maintenance of The Mounts Botanical Garden of Palm Beach County (Garden). **SUMMARY:** FMBG will continue to provide funding to the County in an amount not to exceed \$57,710 (\$34,412 for salary and \$23,298 for fringe benefits) to support 65.5% of an existing horticulturist position beginning October 1, 2018 and ending on September 30, 2019. Palm Beach County will be funding the remaining \$30,397 (\$18,126 for salary and \$12,271 for fringe benefits) at a funding level of 34.5% for a total of \$88,107. The position will continue to support the Garden. District 7 (AH)

S. FIRE RESCUE

1. **Staff recommends motion to approve:** one reappointment to the Fire Code Board of Appeals and Adjustments Committee beginning October 1, 2018 through September 30, 2021.

Reappoint:

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Jacek Tomasik	Building Official	3	Mayor McKinlay Vice Mayor Bernard Commissioner Valeche Commissioner Kerner Commissioner Abrams Commissioner Berger

SUMMARY: The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Ordinance 2017-043). On July 18, 2018, a memo was distributed to the Commissioners requesting nominations to this eight member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three consecutive three year terms. No other nominations were received. The board consists of eight members, with five seats currently filled and a diversity count of Caucasian: 4 (80%) and African-American: 1 (20%). The nominated candidate is a Caucasian male. The current gender ratio (male:female) is 5:0. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to approve: Memorandum of Agreement (MOA) with the Children's Services Council of Palm Beach County providing funding of up to \$100,000 for the Drowning Prevention Coalition for the period October 1, 2018 through September 30, 2019. **SUMMARY:** The Drowning Prevention Coalition program is managed by Palm Beach County Fire-Rescue. It is funded by multiple sources, including the Children's Services Council (CSC) of Palm Beach County and the County's General Fund. This MOA provides the terms and conditions of the Children's Services Council of Palm Beach County's commitment to the County to provide funding of up to \$100,000 in FY 2019 for the Drowning Prevention Coalition program, inclusive of funding of up to \$50,000 to specifically fund vouchers issued for swimming lessons. Although the County provides funding for the Drowning Prevention Coalition program, this CSC grant does not require a County match. Countywide (SB)

3. Staff recommends motion to approve: third amendment to Professional Services Agreement with Palm Beach County Firefighters Employee Benefits Fund (Fund) for occupational health and safety professional services for Palm Beach County Fire Rescue employees to extend the Agreement from September 30, 2018 to March 31, 2019. **SUMMARY:** The components of the Palm Beach County Fire Rescue Wellness Program established by the Collective Bargaining Agreement (CBA) include the provision of a Fire Department Physician, the administering of medical physical examinations and drug testing for Fire Rescue employees. The Fund has provided these services to the County under the Agreement since January 11, 2013 (R2013-1048), as amended, and the services are funded through the CBA at no additional cost to the County. The anticipated total cost for the program for FY 2018 is \$21 million, which has been approved through the current CBA. The expiration date of the Agreement is September 30, 2018. Both parties desire to continue operating under the same terms and conditions of the Agreement until March 31, 2019. Fire Rescue's Wellness Steering Committee has approved this third amendment to extend the Agreement from September 30, 2018 to March 31, 2019. Countywide (SB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file executed Amendment 3 for contract 16TFGR26 with the Florida Council Against Sexual Violence (FCASV) in the amount of \$463,460 to define tasks and deliverables for the period of July 1, 2018 through June 30, 2019, to provide sexual assault recovery services;

B) receive and file executed contract with FCASV (contract #18OAG26) for the period of July 1, 2018 through June 30, 2019, to receive grant funding in the amount of \$19,756 to provide sexual assault recovery services; and

C) approve budget amendment of \$133,382 in the Public Safety Grants Fund to adjust the budget to the actual grant awards.

SUMMARY: These are annual grants that are awarded to the Division of Victim Services. The funds are used to support and provide sexual assault recovery services to primary and secondary victims. Amendment 3 to contract #16TFGR26 (CSFA 64.061 and CSFA 64.069) revises the contract amount to \$463,460, which is inclusive of the \$310,466 allocation received in the previous two grant period and \$152,994 allocated for this grant period, defines tasks and deliverables such as client eligibility, services including a 24-hour helpline, information and referral, crisis intervention, advocacy, accompaniment, community awareness, system coordination, support groups, therapy, and documentation thereof. Funds are used to cover a victim advocate, and sexual assault outreach coordinator. Contract #18OAG26 (CSFA No. 41.010) funds a portion of the salary and benefits for a sexual assault care coordinator who specializes in follow up care to victims of sexual assault such as medical and social service appointments. R2006-0095 authorized the County Administrator or designee to execute FCASV grant contracts on behalf of the County. **No County matching funds are required.** Countywide (LDC)

2. Staff recommends motion to approve: contract for consulting/professional services with the Legal Aid Society of Palm Beach County, Inc. to provide legal services to the indigent citizens of Palm Beach County in the areas of Family Law, Elder Law, Juvenile Advocacy, Public Guardianship and Domestic Violence Victim Representation in the amount not to exceed \$1,116,829 from October 1, 2018 through September 30, 2019. **SUMMARY:** The Legal Aid Society of Palm Beach County, Inc. has historically provided these services. This contract will ensure the seamless continuation of legal aid services to indigent citizens of Palm Beach County. The contract with the Legal Aid Society of Palm Beach County, Inc. consists of the State required program (\$849,486), the Public Guardianship program (\$154,530), and the Domestic Violence Representation program (\$112,813). The \$65 Court Fee generates \$257,000 for the State required program and partially offsets the costs of these programs. Two staff members of the Legal Aid Society of Palm Beach County, Inc. serve on a County Advisory Board. Vicki A. Krusel and Kimberly Rommel-Enright serve on the HIV Care Council. This Board provides no regulation, oversight, management, or policy-setting recommendations regarding the Legal Aid Society of Palm Beach County, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. [Staff recommends motion to receive and file:](#) following Interlocal Agreements with Town of Palm Beach and the City of Boca Raton for the reimbursement of Emergency Medical Services (EMS) grant funding for medical equipment. **SUMMARY:** The County was awarded \$201,688 during the FY2017-18 grant cycle from the State of Florida Department of Health, EMS Bureau, to improve and expand EMS systems. The grant funding may be used by the County or municipal agencies to purchase EMS equipment and accordingly, the County has agreed to reimburse the following municipalities: 1) Town of Palm Beach for the purchase of one Power Load Cot Fastening System not to exceed the amount of \$23,325; and 2) City of Boca Raton for the purchase of Pulse Point Software not to exceed the amount of \$18,000. The remaining EMS grant funding will be used to purchase EMS equipment for the benefit of the citizens of the County and surrounding municipal agencies. On August 13, 2013, the County Administrator or designee was authorized to execute these standard agreements between the County and various governmental and non-governmental agencies and make non-substantive and ministerial changes on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. There is no ad valorem funding required. Countywide (LDC)

4. [Staff recommends motion to receive and file:](#) following Interlocal Agreements with City of Riviera Beach and the City of Delray Beach to provide temporary medical staff at disaster shelters located in their municipal boundaries for the duration of the shelters' activation. **SUMMARY:** The County operates disaster shelters all across the area. Recent activations have shown the need for emergency medical services (EMS) to be present at all times at all disaster shelter locations. Currently, there are 15 emergency shelters, eight of which are located in the unincorporated areas of the county, while the remaining seven are located within municipal jurisdictions. These Interlocal Agreements will allow the municipal fire departments to staff and assign EMS prior to a disaster to ensure that the shelter has medical staff present at all times. On September 12, 2017, the Board of County Commissioners approved the County Administrator or designee to execute these standard Interlocal Agreements and make minor administrative changes when needed between the County and the various governmental agencies on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office. The County will reimburse governmental agencies for eligible costs and request reimbursement from the Federal Emergency Management Agency. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to approve: reappointment of two nominees to Consumer Affairs Hearing Board (CAHB) for the term of October 1, 2018 to September 30, 2021 as follows:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated by</u>
5	Frank Lewis	Resident	Mayor McKinlay Comm. Valeche Comm. Burdick Comm. Kerner Comm. Abrams Comm. Berger
6	Harold Moldoff	Resident	Mayor McKinlay Comm. Kerner Comm. Valeche Comm. Burdick Comm. Abrams Comm. Berger

SUMMARY: The Consumer Affairs Ordinance was approved by the Board of County Commissioners (BCC) on December 17, 2013, and codified in Chapter 9, Article I of the Palm Beach County Code. The Consumer Affairs Ordinance established a seven member CAHB. The CAHB serves in both an advisory capacity to the County Commissioners and as an Appeals Hearing Board to hear and act on consumer concerns about unfair/deceptive business practices and appeals relating to the towing, vehicle for hire, moving, home caregiver, adult entertainer, water taxi, and consumer affairs ordinances. Members are selected from various businesses, professions and the general public. Members' terms are for three years with a limit of three consecutive terms. A memo was sent to the BCC on June 27, 2018 seeking nominations for the above two at-large seats. The CAHB has seven members with seat number five and six slated to expire on September 30, 2018. The two nominees are both Caucasian males and both agreed to serve their last term. With the reappointment to these seats, the CAHB will have seven seats filled. The CAHB will have a diversity count as follows: Asian-American: 2 (29%) African-American: 1 (14%) and Caucasian: 4 (57%). The gender ratio (male: female) will be 7:0. Countywide (LDC)

6. Staff recommends motion to approve: Cooperation Agreement with The GEO Group, Inc. to facilitate ex-offender reentry services for the period September 18, 2018 through September 18, 2021, at no cost to the County. **SUMMARY:** The GEO Group, Inc. (GEO) provides complementary, turnkey solutions for numerous government agencies worldwide across a spectrum of diversified correctional and community reentry systems. This Cooperation Agreement establishes the general conditions and joint processes that will enable Palm Beach County (PBC) and GEO to effectively collaborate as partners in regard to ex-offenders transitioning back to PBC through GEO's Florida correctional facilities. Together, PBC and GEO will offer fully diversified, cost-effective services that deliver enhanced quality and improved outcomes for those individuals convicted in and returning to the County. PBC reentry case managers will collaborate with GEO case managers in order to maximize resources (housing, treatment services, job training, clothing vouchers, etc.) available for reentry clients and will evaluate the outcomes. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

7. Staff recommends motion to:

A) ratify Mayor's signature on a letter of support for RTI International's grant solicitation titled, "*Research and Evaluation on Promising Reentry Initiatives*" that was submitted to the National Institute of Justice; and

B) authorize County Administrator or designee to execute a Memorandum of Understanding, a Data Transfer Agreement and any related documentation with RTI International upon award.

SUMMARY: RTI International (RTI), an independent, nonprofit research institute dedicated to improving the human condition, submitted a research grant application to the National Institute of Justice (NIJ) on August 1, 2018 in partnership with Palm Beach County (County). The project proposes an evaluation of an innovative, low-cost strategy to assist in the facilitation of post-release reentry services: an automated text messaging notification system including reminders and behavioral messages. If awarded, a Memorandum of Understanding and Data Transfer Agreement between RTI and PBC would need to be established to allow access to data in our Management Information System at no cost to the County. Many eligible clients who indicate (while incarcerated) that they intend to participate in programming after release never actually show up for services. The proposed automated notification system could be a promising, low-cost strategy to solve this problem and could benefit many other reentry programs in the country. RTI and PBC would implement the reminder system and evaluate the results. Countywide (LDC)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: purchase of airport liability insurance, for the period October 10, 2018 through October 10, 2019; to be purchased through the County's contracted broker, Arthur J. Gallagher & Co. for a total cost of \$120,480.

SUMMARY: The total cost of \$120,480 for airport liability insurance represents a 4% increase over the expiring premium for the same \$200,000,000 limits of liability. Due to numerous large losses throughout the industry within the last year, the aviation market has increased significantly in cost. While similar sized agencies are experiencing 10% to 20% premium increases, ours remains very reasonable due in large part to the County's proactive approach to controlling losses. Countywide (HH)

2. Staff recommends motion to receive and file: executed first amendment to Contract R2015-0805 for Consulting/Professional Services by and between Palm Beach County and Concept EFL Imaging Center, LLC, with a not-to-exceed annual cost of \$10,000 for the term beginning April 28, 2018 through April 27, 2019.

SUMMARY: In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. This amendment to the contract for professional medical services has been fully executed on behalf of the Board of County Commissioners by the Director of Purchasing under the authority of Chapter 2, Article III, Division 2, Part A, Sections 2-51 through 2-58, Palm Beach County Code for a one year term with one remaining annual option to renew. The contract is for chest x-ray examination and evaluation services for prospective and current County and Palm Tran personnel as part of the County's occupational health and workers' compensation program. Countywide (HH)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. **Staff recommends motion to approve:** two year agreement between the Board of County Commissioners of Palm Beach County, Florida and Cen-West Communities, Inc., in the amount of \$523,764.00, for the provision of Palm Tran's Fixed Route services to the residents of Century Village Boca Raton, with an effective date of November 1, 2018. **SUMMARY:** Cen-West Communities, Inc. has contracted bus service for its residents since the inception of the development of Century Village, Boca Raton, 29 years ago. The annual payment amount of \$261,882.00 is in lieu of residents paying individual fares into the farebox and this agreement provides residents with unlimited and fare-free access to all Palm Tran's Fixed Routes. The commencement date of this new agreement is November 1, 2018 and the termination date is October 31, 2020. District 5 (DR)

2. **Staff recommends motion to approve:** first amendment to Contract R2017-17949, between the Board of County Commissioners of Palm Beach County, Florida (BCC) and Federation Transportation Services, Inc., for the provision of financial assistance in the amount of \$135,313, for one-way trips for disabled and transportation disadvantaged individuals and extending the agreement through September 30, 2019. **SUMMARY:** On November 21, 2017, Contract R2017-1749 was approved by the Board of County Commissioners for a period of one year and with a one year renewal option. The County is exercising its right under the current agreement, to renew and amend Exhibit B, increasing the transportation Group Trip unit cost to \$10 from \$6.17. All other price terms and conditions, including the annual not to exceed contract amount, for a period of one year commencing October 1, 2018 and ending September 30, 2019 remain. The contract for Provision of Financial Assistance would provide partial reimbursement for the cost of continued transportation service for approximately 1,740 disabled/disadvantaged customers annually (14,830 annual trips). These transportation services provide access to essential resources and opportunities such as medical, educational/vocational and social venues, promoting self-reliance and emotional wellbeing. This contract is not to exceed \$135,313 per fiscal year. Funding for this contract is included in Palm Tran's Fiscal Year 2019 Budget. Countywide (DR)

3. **Staff recommends motion to approve:** First Amendment to R2017-1750, between the Board of County Commissioners of Palm Beach County, Florida and Seagull Industries for the Disabled, Inc., for the provision of financial assistance in the amount of \$100,200, for one-way trips for disabled and transportation disadvantaged individuals and extending the agreement through September 30, 2019. **SUMMARY:** On November 21, 2017, the Board of County Commissioners approved Contract R2017-1750 for a period of one year with a one year renewal option, which will expire September 30, 2018. The County is exercising its right under the current agreement to renew this contract at the same price, terms and conditions, including the annual not to exceed contract amount, for a period of one year commencing October 1, 2018 and ending September 30, 2019. The contract for Provision of Financial Assistance would provide partial reimbursement for the cost of continued transportation service for approximately 996 disabled/disadvantaged customers annually (10,020 annual trips). These transportation services provide access to essential resources and opportunities such as medical, educational/vocational and social venues, promoting self-reliance and emotional wellbeing. This contract is not to exceed \$100,200 per fiscal year. Funding for this contract is included in Palm Tran's Fiscal Year 2019 Budget. Countywide (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

4. Staff recommends motion to approve: a) the one time purchase of 241 Sun Pass mini transponders for Palm Tran Connection's use of the Florida Turnpike on Balance Sheet Account (BSA) # 0001-1550-0002; b) and authorize the transfer increase of an additional the deposit in the amount of \$5,000 to Revenue & Cash Management to in BSA #0001-1550-0002 to be held on account for Palm Tran's use of the Florida Turnpike; c) and authorize the annual not to exceed amount of \$60,000 for toll usage. **SUMMARY:** Palm Tran/Connection seeks to purchase and install Sun Pass transponders on its fleet of 241 paratransit vehicles at the cost of \$1,202.59. The benefits of using the Florida Turnpike include decreased travel times, increased on-time performance and increased productivity. Palm Tran Connection provides 3,000 passenger trips per weekday, and over 76,000 passenger trips per month. Staff analysis shows that a maximum of 100 trips per day would benefit from utilizing the Turnpike (less than 3% of daily ridership). These are trips that originate in the western, northern and southern areas of the county with destinations in these areas (40 to 60 miles trips). Interstate 95 will remain as the primary north-south corridor, but for those trips that commence in the western region of the county or where I-95 is not the most direct route, the Turnpike will be used. The ability to use the Turnpike will result in shortening the travel time needed to provide these trips, which will increase efficiencies. The cost of Sun Pass use is estimated at \$5,000 per month or \$60,000 per year. Funding for this is included in Palm Tran's Fiscal year 2017/18 Budget (Purchased Transportation). The annual savings will exceed the annual expenses. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Cooperative Agreement with the School Board of Palm Beach County (School District) to continue classroom instruction for the youth in the education program at the Highridge Family Center for the period July 1, 2018 through June 30, 2020, at no additional cost to the County. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division is an authorized counselor training facility that provides comprehensive family services (Program) to prevent children from entering the Juvenile Justice System. The Program will continue to serve male and female youths between the ages of 11 and 16 who are receiving residential treatment for substance abuse, disciplinary issues and truancy. The School District and the County pledge to develop and support joint program initiatives that will facilitate the effective and efficient delivery of services for youth served in the educational Program located at the Highridge Family Center. On June 5, 2001, Agenda Item No. 3X2 authorized the County Administrator or designee to execute standard Cooperative Agreements with the School District on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. **Staff recommends motion to approve:** contract for Consulting/Professional Services with Speak Up for Kids of Palm Beach County, Inc., for the period October 1, 2018 through September 30, 2019, in an amount of \$100,000 for continued funding of two full-time positions for the Guardian Ad Litem Program. **SUMMARY:** Speak Up for Kids of Palm Beach County, Inc. (Speak Up for Kids) is a 501(c)(3) Florida non-profit corporation that supports the Guardian Ad Litem Program (GAL) within the 15th Judicial Circuit. Speak Up for Kids ensures that GAL can recruit, train and support more GAL Volunteer Child Advocates and advocates for the abused, abandoned and neglected children in the County's dependency system, facilitating their development, ensuring their right to a safe and permanent home, and building their future. Speak Up for Kids currently supports GAL with more than 20 full-time and part-time positions, including positions that are grant funded by the Office of the Florida Attorney General, and is quite familiar with GAL complexities and strives to have a GAL volunteer, trained and court-appointed, for all abused, abandoned and neglected children. Last year, the Board of County Commissioners (Board) provided funding to allow Speak Up for Kids to hire and assign two full-time employees, a Child Advocate Manager (CAM) and an Administrative Specialist (AS), as well as funding for the positions' operational expenses, in direct support of GAL. The CAM will continue to assist in alleviating heavy caseloads of current CAMs, who are appointed in almost all sheltered cases on a weekly basis. The AS will continue to provide administrative support in the Juvenile Court System Division. This contract allows for continued funding of those two positions in FY2019. Countywide (HH)
3. **Staff recommends motion to receive and file:** contract for Professional Services with Danniella Jones, a Postdoctoral Psychology Resident, to complete a requirement of 2,000 hours of clinical work that will provide training and experience in family and youth counseling, in the amount of \$34,980, for the period August 6, 2018 through August 2, 2019. **SUMMARY:** The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, social work, and other related fields. Postdoctoral programs require 2,000 hours of supervised services in order to meet state licensing requirements. The Division is offering its program as a location to obtain this training. The cost savings involved with this residency program is financially beneficial to the County. The resident, at a minimum, is assigned and completes the workload equivalent to a Licensed Family Therapist. The hourly rate of a Licensed Family Therapist is \$24.52 versus the hourly resident rate of \$17.24. Additionally, the resident will receive a \$500 stipend for health insurance. On October 3, 2006, Agenda Item 3X-2 authorized the County Administrator or designee to execute future postdoctoral psychology resident contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The contract spans two fiscal years, and sufficient funding is included in the current budget and in the proposed FY 2019 budget to meet county obligations. Countywide (HH)
4. **Staff recommends motion to approve:** first amendment to a Community Based Agency Contract with Prime Time Palm Beach County, Inc., (R2017-1394) renewing the contract for the period October 1, 2018 through September 30, 2019, in an amount not to exceed \$275,984 to continue providing quality middle school out-of-school time programming throughout Palm Beach County. **SUMMARY:** Since 2015, the Board has contracted with Prime Time for middle school out-of-school time programs. This first amendment will enable Prime Time to continue to provide services to practitioners and youth at 16 sites throughout the County. Prime Time will also provide additional learning and enhanced professional development to practitioners through the ACHIEVE Out-of-School Time (OST), a tiered incentive award program to practitioners with a middle school population. The trainings will continue using an outcome-driven approach. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

5. Staff recommends motion to approve: three first amendments to Community Based Agency Contracts with the following agencies, renewing each Contract for the renewal period October 1, 2018 through September 30, 2019, totaling \$545,000:

A) City of Belle Glade (R2017-1391), increasing the contract by \$180,000 for the Youth Empowerment Center program;

B) City of Riviera Beach (R2017-1392), increasing the contract by \$180,000 for the Youth Empowerment Center program; and

C) For the Children, Inc. (R2017-1393), increasing the contract by \$185,000 for the Lake Worth Youth Empowerment Center program.

SUMMARY: On September 26, 2017, the Board of County Commissioners (BCC) approved contracts that authorized continued funding to support Youth Empowerment Centers (YECs) in Belle Glade, Riviera Beach, and Lake Worth. YECs are a key component of the Youth Violence Prevention project approved and budgeted for by the BCC. Each contract included two one-year renewal options. These amendments represent the first renewal for each contract. For the Children, Inc. is a non-profit organization contracted to operate the City of Lake Worth's Youth Empowerment Center. The cities provide in-kind support and supplemental funding. Funding for these amendments is included in the FY 2019 proposed budget. Districts 1, 3, 6 & 7 (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

6. Staff recommends motion to approve: five amendments to contracts for Community Based Agencies with the following agencies, renewing each contract for the last renewal period of October 1, 2018 through September 30, 2019, totaling \$583,397:

A) second amendment with ASPIRA of Florida, Inc., (R2016-1201), increasing the contract by \$136,592, for the Youth Violence Prevention and Leadership Program;

B) third amendment with Communities in Schools of Palm Beach County, Inc. (R2016-1202), increasing the contract by \$76,074, for the Charting for Success Program;

C) second amendment with Gulfstream Goodwill Industries, Inc. (R2016-1203), increasing the contract by \$135,233, for the Alternative to Secure Detention Program;

D) second amendment with City of Pahokee (R2016-1204), increasing the contract by \$143,545, for the Fresh Start Program; and

E) second amendment with Urban Youth Impact, Inc. (R2016-1205), increasing the contract by \$91,953, for The Leadership Academy Afterschool Program.

SUMMARY: On September 13, 2016, the Board of County Commissioners approved contracts for Community Based Agencies with the above five agencies. These agencies offer a variety of services to youth to enhance leadership skills and prevent interaction or further interaction with the juvenile justice system. Each contract included two one-year renewal options, at the County's sole discretion. These amendments represent the remaining renewal to each contract, and include a 3% increase in funding from FY 2018, consistent with the increases for the Financially Assisted Agencies for FY 2019. Funding for these amendments is included in the FY 2019 proposed budget. Joshua Butler, an employee of Gulfstream Goodwill Industries, Inc. is a member of the Homeless Advisory Board. This board 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 Section 2-443, of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

7. Staff recommends motion to approve: following 21 first amendments to Community Based Agency Contracts for funding in the areas of Economic Access, Parenting and Role Models, Social and Emotional Learning Supports, and Ensuring Safety and Justice, for the period October 1, 2018 through September 30, 2019, exercising the first of two one-year renewal options, and increasing each Contract by the amounts indicated below, for a total amount of \$2,190,500:

	Agency	Action Area				Increased Amount
		Economic Access	Parenting & Role Models	Social & Emotional Learning	Ensure Safety & Justice	
A)	ASPIRA of Florida, Inc. (R2017-1500)	x				\$ 122,000
B)	Urban Youth Impact, Inc. (R2017-1501)	x				\$ 84,000
C)	Vita Nova, Inc. (R2017-1502)	x				\$ 153,000
D)	Children of Inmates, Incorporated (R2017-1503)		x			\$ 57,000
E)	Grandma's Place, Inc. (R2017-1504)		x			\$ 146,000
F)	Planned Parenthood of South Florida and The Treasure Coast, Inc. d/b/a Planned Parenthood of South, East, and North Florida (R2017-1505)		x			\$ 49,000
G)	United Way of Palm Beach County, Inc. (R2017-1506)		x			\$ 100,000
H)	American Association of Caregiving Youth, Inc. (R2017-1507)			x		\$ 35,000
I)	Center for Child Counseling, Inc. (R2017-1508)			x		\$ 203,000
J)	City of Greenacres (R2017-1509)			x		\$ 77,000
K)	Community Child Care Center of Delray Beach, Inc. d/b/a Achievement Centers for Children and Families (R2017-1510)			x		\$ 240,000
L)	Compass, Inc. (R2017-1511)			x		\$ 60,000
M)	Florida Fishing Academy, Inc. (R2017-1512)			x		\$ 39,000
N)	Housing Partnership, Inc. d/b/a Community Partners of South Florida (Lake Worth) (R2017-1513)			x		\$ 50,000
O)	Housing Partnership, Inc. d/b/a Community Partners of South Florida (Pahokee) (R2017-1514)			x		\$ 50,000
P)	Milagro Foundation, Inc. d/b/a Milagro Center (R2017-1515)			x		\$ 32,500
Q)	The Urban League of Palm Beach County, Inc. (R2017-1516)			x		\$ 84,000
R)	Aid to Victims of Domestic Abuse, Inc. (R2017-1517)				x	\$ 100,000
S)	Children's Case Management Organization, Inc. d/b/a Families First of Palm Beach County (R2017-1518)				x	\$ 129,000
T)	Boys Town South Florida, Inc. (R2017-1519)				x	\$ 200,000
U)	Gulfstream Goodwill Industries, Inc. (R2017-1520)				x	\$ 180,000
	Total					\$2,190,500

SUMMARY: On October 3, 2017, the Board of County Commissioners approved contracts with 21 agencies for various youth programs and services in four action areas of the Youth Master Plan: Economic Access, Parenting and Role Models, Social and Emotional Learning Supports, and Ensuring Safety and Justice. Each contract included two one-year renewal options. These amendments represent the first renewal to each contract. Funding for the amendments comes from the Head Start reallocation money identified for evidence-based and promising practices. Olga Sierra, an employee of Vita Nova, Inc., Alejandro Rodriguez, an employee of Compass, Inc., and Keisha Jackson, an employee of Children's Case Management Organization, Inc. are members of the Palm Beach County HIV Care Council. Joshua Butler, an employee of Gulfstream Goodwill Industries, Inc. is a member of the Homeless Advisory Committee. Patrick Franklin, an employee of The Urban League of Palm Beach County, Inc. is a member of the Housing Finance Authority and the Infrastructure Surtax Independent Citizen Oversight Committee. Soulan Johnson, an employee of The Urban League of Palm Beach County, Inc., is a member of the Advisory Commission on Women. These boards provide no regulation, oversight, management or policy-setting recommendations regarding the contracts listed above. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. **Staff recommends motion to approve:** budget transfer of \$175,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Florida Statute 932.7055(5) provides that the seizing agency shall use Forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. F.S. 932.7055(5) also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2018 donation requirement is \$302,934. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,152,380. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in F.S. 932.7055. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$953,475. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$778,475. The PBSO certifies that the use of these funds is in accordance with F.S. 932.7055. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. No new positions are needed and no additional County funds are required. Countywide (DC)

ORGANIZATION	AMOUNT
Area Agency on Aging, Inc.	\$15,000
Mental Health Association of Palm Beach County, Inc.	\$10,000
Palm Beach County PAL, Inc. (Basketball Program)	\$25,000
Palm Beach County PAL, Inc. – (Tutoring Program)	\$25,000
PBC Sheriff's Foundation, Inc. - (Explorers Program)	\$25,000
PBC Sheriff's Foundation, Inc. - (School Supplies)	\$25,000
Florida Sheriff's Association	\$50,000
Total Amount	\$175,000

2. **Staff recommends motion to approve:** budget amendment to reduce the grant award budget amount from \$412,014 to \$379,286 in the Sheriff's Grant Fund. **SUMMARY:** The Florida Department of Law Enforcement (FDLE) provides state financial assistance to five locally-funded laboratories in the State of Florida, including Palm Beach County. The Palm Beach County Sheriff's Office (PBSO) operates the Palm Beach County Crime Laboratory. This budget amendment reduces the budget value to reconcile with the actual grant award. There is no match requirement associated with this award. Countywide (DC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and contract between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management for the Palm Beach County Sheriff's Office's High Visibility Enforcement Project in the amount of \$80,000, for the period of July 31, 2018 through May 17, 2019; and

B) approve budget amendment of \$80,000 increasing the Sheriff's Grants fund.

SUMMARY: On July 24, 2018, the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management awarded a High Visibility Enforcement (HVE) grant to the Palm Beach County Sheriff's Office in the amount of \$80,000, to support the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative. These funds will be used to pay for overtime costs associated with the HVE project. There is **no match requirement** associated with this award. Countywide (LDC)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a contract between the Florida Council Against Sexual Violence (FCASV) and the Palm Beach County Sheriff's Office for a Trauma Informed Sexual Assault Investigations Grant award in the amount of \$100,000 for the period July 1, 2018 through June 30, 2020; and

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

SUMMARY: On August 27, 2018, the Palm Beach County Sheriff's Office (PBSO) received a FCASV grant. These funds will be used to hire one full time detective who will be assigned to the Special Investigations Division (SID) to investigate sex crimes against victims ages 11 years of age and older. The grant will also provide Trauma Informed Training to SID detectives responsible for responding to crimes of sexual assault. The PBSO will be reimbursed for personnel expenses totaling \$100,000. The PBSO will provide the 25% required match in the amount of \$33,334 through its approved operating budget. One PBSO position is created with this action. An increase in funding from the County will be requested through our annual budget process once the grant ends. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to approve: first amendment to the Agreement (R2017-1633) with Discover Palm Beach County, Inc. (Discover) for the provision of services under the County's Tourist Development Plan during the period October 1, 2018 through September 30, 2019 in the amount of \$17,100,000 in contractual services and \$2,815,246 in indirect costs and reserves for a total of \$19,915,246. This will be the second year of a five-year agreement. **SUMMARY:** The first amendment to the Agreement updates for Fiscal Year 2019 Exhibit "A" – Annual Budget, Exhibit "H" – Performance Measures, and Exhibit "K" – Organizational Chart, to be applied in Fiscal Year 2019. Indirect cost and reserves of \$2,815,246 are included for a total budget of \$19,915,246. An increase of \$215,000 will be added to Discover's cash advance for FY2019 for a total cash advance of \$2,000,000. These exhibit changes have been reviewed and approved by the TDC Finance Committee and TDC Board.(TDC) Countywide (DW)
2. Staff recommends motion to approve: first amendment to the Agreement (R2017-1632) with the Cultural Council of Palm Beach County, Inc. (the Cultural Council) for the provision of services under the County's Tourist Development Plan during the period October 1, 2018 through September 30, 2019 in the amount not to exceed of \$2,750,712 in contractual services and \$5,804,249 in indirect costs, grants and reserves for a total of \$8,554,961. This will be the second year of a five-year agreement. **SUMMARY:** The first amendment to the Agreement updates for Fiscal Year 2019 Exhibit "A" – Annual Budget, Exhibit "E" – Performance Measures, Exhibit "G" – Salary Ranges, and Exhibit "H" – Organizational Chart to apply in Fiscal Year 2019. The first amendment to the Agreement revises Exhibit "F" – Travel & Entertainment Policy on language relating to gratuities. The Cultural Council will continue to administer Category B grants totaling \$4,130,000 and Category CII grants totaling \$510,000 for the County. An increase of \$125,000 will be added to Cultural Council's cash advance for FY2019 for a total cash advance of \$400,000. In addition, indirect cost, grants, and reserves of \$5,804,249 are included for a total budget of \$8,554,961. These contract changes have been reviewed and approved by the TDC Finance Committee and TDC Board. (TDC) Countywide (DW)
3. Staff recommends motion to approve: first amendment to the Agreement (R2017-1634) with Palm Beach County Sports Commission, Inc. (the PBCSC) for the provision of services under the County's Tourist Development Plan during the period October 1, 2018 through September 30, 2019 in the amount not to exceed of \$1,955,993 in contractual services and \$2,829,253 in indirect cost, grants and reserves for a total of \$4,785,246. This will be the second year of a five-year agreement. **SUMMARY:** The first amendment to the Agreement updates for Fiscal Year 2019 Exhibit "A" – Annual Budget, Exhibit "E" – Performance Measures, Exhibit "G" – Salary Structure, Exhibit "H" - Organizational Chart, to be applied in Fiscal Year 2019. The first amendment to the Agreement includes update to the PBCSC handbook to Exhibit "D"- Non-Discrimination Policy. The first amendment to the Agreement revises Exhibit "C" – Travel & Entertainment Policy on gratuities. An increase of \$110,000 will be added to PBCSC's cash advance for FY2019 for a total cash advance of \$285,000. In addition, indirect cost, grants and reserves of \$2,829,253 are included for a total budget of \$4,785,246. These exhibit changes have been reviewed and approved by the TDC Finance Committee and TDC Board. (TDC) Countywide (DW)

3. CONSENT AGENDA APPROVAL

DD. TOURIST DEVELOPMENT COUNCIL (Cont'd)

4. **Staff recommends motion to approve:** first amendment to the Agreement (R2017-1635) with the Palm Beach County Film and Television Commission, Inc. (the PBCFTC) for the provision of services under the County's Tourist Development Plan during the period October 1, 2018 through September 30, 2019 in the amount not to exceed of \$2,000,000 in contractual services and \$460,028 in direct costs, and reserves for a total of \$2,460,028. This will be the second year of a five-year agreement. **SUMMARY:** The first amendment to the Agreement updates fiscal year 2019 Exhibit "A" – Annual Budget, Exhibit "F" – Performance Measures to apply in Fiscal Year 2019. The First Amendment to the Agreement includes upgrades to Exhibit "I", - Salary Ranges and Exhibit "J" Organizational Chart for salaries, positions and titles. The first amendment to the Agreement revises Exhibit "C" Internship Policy deleting phase two of the program. The first amendment to the Agreement revises Exhibit "D" – Travel & Entertainment Policy on gratuities. An increase of \$35,000 will be added to PBCFTC's cash advance for FY2019 for a total cash advance of \$265,000. In addition, indirect cost and reserves totaling \$460,028 are included for a total budget of \$2,460,028. These exhibit changes have been reviewed and approved by the TDC Finance Committee and TDC Board. (TDC) Countywide (DW)

5. **~~DELETED: Staff recommends motion to approve:~~** first amendment to the Agreement (R2017-0932) with Global Spectrum, L.P. (Operator), a Delaware Limited Partnership, doing business as Spectra Venue Management (Spectra Venue), for the operation and management of the Palm Beach County Convention Center (Convention Center) to increase funding in the amount of \$264,000 for operating expenses under Article 9 Section 3.1 which provides 2 months of budgeted operating expenses that are deposited into the Facility Operating Account under the terms of the Convention Center Operating Agreement. **SUMMARY:** The first amendment to the Agreement increases the funding amount for the operation and maintenance of the Convention Center with Spectra Venue, the management firm contracted to run the day to day operations of the Convention Center. The continued growth of the Convention Center activities with the addition of the parking garage has caused the cost in payroll, electricity, health insurance, water/sewer utilities, a/c maintenance, building supplies and the like to increase. An increase of \$264,000 will be added to the Facility Operating Account to assist in meeting those costs. The increased funding brings the total balance in the Facility Operating Account to \$864,000. The First Amendment to the Agreement includes language added to the Agreement for recapture of any advance to the Facility Operating Account in the event of the Agreement's termination. The TDC administration will perform an annual review to adjust funding as required for cost escalations. Upon termination of the Agreement with Spectra Venue (Operator), Spectra Venue will reimburse the County the full amount of funding into the Facility Operating Account. (TDC) Countywide (DW)

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SEPTEMBER 18, 2018

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

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5. REGULAR AGENDA

A. SHERIFF

1. Staff recommends motion to approve: budget amendment of \$223,200 in the General Fund for FY 2018 law enforcement services provided by the Palm Beach County Sheriff's Office to the School Board of Palm Beach County through contractual agreement for the period of August 1, 2018 through September 30, 2018. **SUMMARY:** The budget amendment is requested to provide law enforcement services as prescribed within the Contractual Agreement between the Palm Beach County Sheriff's Office and the School Board of Palm Beach County. The services of ten Deputy Sheriffs shall be provided on a daily basis on the days designated by the School Board. Countywide (LDC)

B. WATER UTILITIES

1. Staff recommends motion to approve: appointment of Hassan Hadjimiry, P.E., Water Utilities Deputy Director as the alternate Palm Beach County representative on the East Central Regional Wastewater Treatment Facilities Operations Board (Operations Board) effective September 19, 2018. **SUMMARY:** Palm Beach County is one of five local entities that own capacity in the East Central Regional Wastewater Treatment Plant (ECR). ECR is the largest wastewater treatment plant in the County with a capacity of 70 million gallons a day. The County has the largest purchased capacity in the ECR of approximately 35%. The Operations Board was established in 1992 through an Interlocal Agreement (R92-1228D) between Palm Beach County, the City of West Palm Beach, the City of Lake Worth, the City of Riviera Beach and the Town of Palm Beach. The Operations Board is responsible for facility budget approval, establishment of rates and fees, engineering and legal consultant selection, the approval of capital projects, etc. Countywide (MJ)

5. REGULAR AGENDA

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to deny: request from The Bear's Club to swap an existing conservation easement over a 15.54-acre scrub habitat preserve for other fragmented parcels of land within The Bear's Club property to accommodate future development of the 15.54-acre site, and provide a one-time contribution of \$1 million to the Natural Areas Fund. **SUMMARY:** The Bear's Club is a 400.9 acre, 136 unit (114 currently allocated), single family home development with a golf course and clubhouse. The Bear's Club has requested to swap an existing conservation easement over a 15.54-acre scrub habitat preserve for other fragmented parcels of land within The Bear's Club property to accommodate future development of the 15.54-acre site. The proposed land swap involves approximately 20.19 acres along The Bear's Club Golf Course comprised of 44 micro-parcels averaging 0.46 acres in size. In addition to the land swap, The Bear's Club has offered a monetary one-time contribution of \$1 million to the Natural Areas Fund. Palm Beach County Environmental Resources Management staff updated a biological and archeological resources assessment of the 15.54-acre scrub habitat site. Staff recommends denial of this request due to the swap resulting in fragmentation of scrub habitat and subsequent degradation of overall ecological value. In addition to concerns about the loss of globally imperiled scrub habitat, there is a concern regarding the policy implications of modifying/accepting compensation for a conservation easement, interpreting "forever" or "in perpetuity" as temporary. The Uniform Land Development Code (ULDC) has a prescribed process for buying out preserve set-asides for unincorporated PBC. No such process exists for properties in which we have conservation easement interest within municipalities or conservation easements associated with enforcement actions. District 1 (AH)

D. COUNTY ATTORNEY

1. Staff recommends a motion to approve: preliminary reading and advertising for public hearing on October 16, 2018 at 9:30am: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending the Tourist Development Ordinance of Palm Beach County, Chapter 17, Article III, Sec. 17-117 of the Palm Beach County Code; (Ord. 95-30), as amended adding Section 17-117 entitled short term rentals; providing for purpose; providing for definitions; providing for hosting platform requirements; providing for host requirements; providing for expiration and renewal; providing for suspensions and revocations; providing for prohibitions; providing for administration and regulation; providing for applicability; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for penalty; providing for captions and providing for an effective date. **SUMMARY:** The purpose of this ordinance is to require Hosting Platforms and Booking Services to verify that a Residential Unit is registered with the Tax Collector's Office and has a Business Tax Receipt and Tourist Development Tax account prior to advertising a Short Term Rental. This amendment is at the request of the Tax Collector and requires short term rentals to retain certain records and authorizes the Tax Collector to issue administrative subpoenas to obtain records, and provides for civil and administrative penalties against Hosting Platforms, Booking Services and Hosts for violations of this Ordinance. The League of Cities concurred with adoption of this Ordinance at its August 22, 2018 meeting. Countywide (DW)

5. REGULAR AGENDA

D. COUNTY ATTORNEY (Cont'd)

2. **Staff recommends motion to approve:** contract for Professional Legal Services with Walton Lantaff Schroeder & Carson LLP to provide workers' compensation litigation defense services for Palm Beach County, Palm Tran Inc., and Constitutional Officers participating in the County's Self-Insurance Program for a period of three years, beginning October 1, 2018, with two additional one year options at the same annual fixed fee of \$497,650, plus reasonable costs and expenses not to exceed three percent (3%) of the total fees (\$14,929.50 per fiscal year). Payments shall be made in four equal installments (December 31st, March 31st, June 30th and September 30th of each fiscal year). **SUMMARY:** The law firm of John B. Clarke & Associates, P.A. has provided workers' compensation litigation defense services to Palm Beach County, Palm Tran Inc., and a number of Constitutional Officers. The current contract with John B. Clarke & Associates, P.A. expires on September 30, 2018. Following a competitive selection process, staff recommends this contract for Professional Legal Services be awarded to Walton Lantaff Schroeder & Carson LLP to provide workers' compensation litigation defense services beginning October 1, 2018. Countywide (DO)
3. **~~DELETED: Staff recommends motion to approve:~~** ~~preliminary reading and advertise for public hearing on October 16, 2018 at 9:30 a.m., an ordinance of the Board of the County Commissioners of Palm Beach County, Florida, amending the Palm Beach County Code, Chapter 15, Article III, The Palm Beach County Ordinance for Housing and Places of Public Accommodation. **SUMMARY:** This amendment is necessary to add definitions for an "aggrieved person" and "marital status" that were not previously included among the definitions in the ordinance. Additionally, to ensure consistency within the ordinance, it is necessary to re-state the time limit for a complainant to request an administrative hearing. Lastly, this amendment to the ordinance provides for the Director of the Office of Equal Opportunity input regarding the filing of a civil action. Countywide (DO)~~
4. **ADD-ON: Staff recommends motion to adopt:** Resolution Initiating the Intergovernmental Dispute Resolution Florida Governmental Conflict Resolution process regarding the challenge to West Palm Beach's proposed comprehensive plan amendment creating the Okeechobee Business District. **SUMMARY:** The Board of County Commissioners, at its Zoning meeting on August 23rd, authorized the initiation of legal proceedings to challenge West Palm Beach's proposed comprehensive plan amendment creating the Okeechobee Business District. Pursuant Chapter 164, Florida Statutes, Florida's Governmental Conflict Resolution Act, once such an action has been filed, the governing body must initiate dispute resolution proceedings set forth in the Act. The first step in initiating this process is to adopt the Resolution presented here. Countywide (LB)

E. ADMINISTRATION

1. **Staff recommends motion to adopt:** resolution authorizing the payment of per capita member dues to the Palm Beach Transportation Planning Agency (TPA) in the estimated sum of \$61,811. Payment to the TPA for membership dues will commence on October 31st of each year following the termination of the Interlocal Agreement for Staff and Services and continue each year thereafter until discontinued by the Board of County Commissioners. **SUMMARY:** The TPA Governing Board adopted Resolution 2017-08 to formally pursue an organizational model that provides them with the most flexible level of independence to pursue transportation planning services to the public. The TPA has requested its members adopt resolutions that would move toward a different funding model where all member local governments would pay a membership due based on their per capita population. Part of the TPA rationale provided for moving to this new governance model would be to allow the agency maximum flexibility to use membership dues to fund TPA activities and functions. Palm Beach County currently provides the TPA office space, IT services, direct grant funding and other incidental services that amount to approximately \$300,000 per year of which half is reimbursed to the County. That number varies based on the amount of yearly federal match requirement. In addition, the County provides TPA staff which are reimbursed by federal funds. The estimated annual dues payable by the County to the TPA will be \$61,811. Each year following the termination of the Interlocal Agreement for Staff and Services (Attachment 2 to this agenda), the annual dues shall be paid to the TPA no later than October 31st. The annual dues shall not exceed ten cents per capita for the first five years. An additional request of TPA staff to its members was approval of funding to continue a Revolving Fund/Line of Credit for operations. This fund allows TPA to operate as federal dollars flow through to cover expenses. The County currently provides all of those funds to the TPA. TPA staff has indicated they have secured the commitments from other participating municipalities to secure these dollars and the County would no longer need to provide these revolving loan funds. Countywide (DR)

5. REGULAR AGENDA

F. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

A) conceptually approve Economic Development Incentive for Project Paper in the form of an Ad Valorem Tax Exemption up to \$4978,873 over a ten year period; and

B) adopt resolution by the Governing Board of Palm Beach County, Florida, recommending Project Paper be approved as a Qualified Target Industry Business pursuant to s.288.106, Florida Statutes; affirming the site of this project is within a defined rural area; requesting a waiver of the average wage requirement of s.288.106(4)(b)1.a, Florida Statutes; providing for local financial support in the form of an ad valorem tax abatement equivalent to the Qualified Target Industry Tax Refund per job award; and providing for an effective date.

SUMMARY: Project Paper is contemplating relocating its Florida-based manufacturing business to the City of Belle Glade or to one of the company’s other manufacturing sites throughout the United States, including within the State of Florida. The project will invest \$33.7 million to purchase land and construct and equip a 400,000 square foot facility. The project will create 40 new jobs over a two year period and retain 150 jobs at an annualized average wage of \$34,999 and an annualized median wage of \$34,999. The estimated five year local economic impact is \$108.5 Million. Although Project Paper’s wages are below the State (\$46,346) and County (\$51,098) average wages, the company’s average wage of \$34,999 is significantly higher than the City of Belle Glade’s average wage of \$13,321. Additionally, the City of Belle Glade has a high unemployment rate of 15.7% and poverty rate of 37.4%. Staff is recommending \$478,873 in the form of an Ad Valorem Tax Exemption to Project Paper based on their consideration to relocate to the Glades community in light of the existing economic conditions including the poverty and unemployment rate, and supports deviation from the requirement that the average wage for a company receiving an incentive is greater than the County’s average wage. The incentive would be provided over a period of ten years provided the project meets the requirements under Florida Statute 196.012 for an Ad Valorem Tax Exemption. The company will be required to provide a form of security for the incentive in the form of a Letter of Credit or Cash Bond and to enter into a formal agreement memorializing their commitments which will be brought back to the Board of County Commissioners for approval, and at which time the name of the Company will be disclosed. In addition, under the State’s Rural Area of Economic Opportunity Program, the Governor of Florida is given the ability to waive program criteria for any economic development incentive including the Qualified Target Industry Tax Refund Program, with consent from the Florida county the company is relocating from. The attached Resolution is requesting a wage waiver from the State for Project Paper as an additional incentive for Project Paper. The \$478,873 Ad Valorem Tax Exemption, if provided, would be above the required match for this program. Under Florida Statute, the State of Florida is able to provide up to \$136,000 for this project. District 6 (JB)

G. LIBRARY

1. Staff recommends motion to approve: County Library’s Strategic and Long-Range Plan for FY 2019 through FY 2021. **SUMMARY:** This Plan represents the Library’s mission statement, goals and objectives, and strategic plan for FY 2019 through FY 2021. This process of strategic planning is done in conjunction with the State’s requirements for libraries receiving State Aid funds and with the County’s budget process. The Library anticipates receipt of \$1,007,630 in State Aid to Public Libraries during FY 2019. The Library Advisory Board has endorsed this Plan with Resolution 18-01, dated July 9, 2018. Highlights of the Plan for FY 2019 include:

- Providing access to a collection of print, non-print, and electronic resources for borrowing and research that supports the needs and interests of the citizens of Palm Beach County;
- Enhancing the role of the library in the community through community research opportunities with non-profit and government agencies in Palm Beach County;
- Increasing the offering of public technology instructional activities to meet the digital literacy needs of adults and children;
- Continuing emphasis on children’s classes and activities and on family learning opportunities; serving summer lunches and snacks at multiple library locations;
- Providing activities that allow the community to learn and develop new skills, including increasing the number of adults participating in literary, recreational, informative and performance-based activities. Countywide (AH)

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6. BOARD APPOINTMENTS

A. ADMINISTRATION

1. Staff recommends motion to approve: one At-Large appointment of Tinuade (Tinu) Peña or Chelsea Reed as an At-Large member to the Commission on Women Advisory Board for a term beginning on September 18, 2018 through September 30, 2020.

<u>Appoint</u>	<u>Seat No.</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Tinuade Peña	15	PBC Resident	Mayor McKinlay Comm. Kerner <u>Comm. Abrams</u> <u>Vice Mayor Bernard</u>	9/18/18-9/30/20

or

Chelsea Reed	15	PBC Resident	Comm. Valeche	9/18/18-9/30/20
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SUMMARY: Per Resolution R2018-0188, the Board of County Commissioners (BCC) established the Commission on Women Advisory Board (Commission). The Commission is comprised of 15 members, two appointed by each County Commissioner and one at-large appointed by majority vote of the BCC. Tinu Peña and Chelsea Reed have expressed an interest in appointment. The Commission serves as an advisory body to focus on matters pertaining specifically to women, 14 seats are currently filled. The current diversity count is Caucasian: 8 (57%), African-American: 3 (22%), Hispanic-American: 1 (7%), Asian-American: 1 (7%) and Unknown: 1 (7%). The gender ratio (female: male) is 14:0. The nominees consist of one African-American female and one Caucasian female. Countywide (DO)

B. COMMISSION DISTRICT APPOINTMENTS

SEPTEMBER 18, 2018

7. MATTERS BY THE PUBLIC – 2:00 P.M.

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SEPTEMBER 18, 2018

8. ADJOURNMENT

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