

**OFFICIAL MEETING MINUTES  
OF THE  
BOARD OF COUNTY COMMISSIONERS  
PALM BEACH COUNTY, FLORIDA**

**REGULAR  
MAY 17, 2016**

**R-2016-0589 THROUGH R-2016-0673  
ORD: ORD 2016-032**

**TUESDAY  
COMMISSION  
9:32  
A.M.  
CHAMBERS**

**1. CALL TO ORDER**

**1.A. Roll Call**

Mayor Mary Lou Berger  
Vice Mayor Hal R. Valeche  
Commissioner Steven L. Abrams  
Commissioner Paulette Burdick  
Commissioner Melissa McKinlay-Arrived Later  
Commissioner Priscilla A. Taylor  
Commissioner Shelley Vana  
County Administrator Verdenia Baker  
Chief Assistant County Attorney David Ottey  
Finance Services Director Steve Weiss, Clerk and Comptroller s  
Office  
Deputy Clerk Julie Burns, Clerk & Comptroller s Office  
Deputy Clerk Victoria Torres, Clerk & Comptroller s Office

**1.B. Invocation** Led by Commissioner Vana

**1.C. Pledge of Allegiance**

**2. AGENDA APPROVAL**

## 2.A. Additions, Deletions, Substitutions

County Administrator Verdenia Baker noted changes to the agenda as follows:

### ITEM

- 3D-1            **DELETED: Staff recommends motion to authorize:** the law firm of Gordon & Doner, P.A., to substitute Spencer Rose, Esq. as lead counsel to perform legal services under the Contract for Professional Legal Services between the County and Gordon & Doner, P.A., dated March 5, 2015. (County Attorney) (Further staff review)
- 3F-2            **DELETED: Staff recommends motion to approve: A)** **approve** an Agreement for Purchase and Sale for the following property at a purchase price of \$1,737,500 by a supermajority vote .(Airports) (Further staff review)
- 3H-4            **DELETED: Staff recommends motion to approve:** Contract with Ahrens Enterprises, Inc. d/b/a/ Ahrens Companies in the amount of \$1,172,800 to construct Burt Reynolds Park West Side Expansion, located in Jupiter, Florida. (FDO) (Further staff review)
- 3L-2            **DELETED: Staff recommends motion to: A) approve** a Contract for Consulting/Professional Services with the University of Florida (UF) for an amount not to exceed \$59,646 providing for research and consultation services in the area of economic valuation of natural area lands beginning from Notice to Proceed for each Task until April 20, 2017; and..(ERM) (Further staff review)
- 4A              **REVISED SUMMARY: Staff recommends motion to adopt:** an Ordinance imposing a countywide local government infrastructure surtax of one percent (1.0%) on all authorized taxable transactions occurring within Palm Beach County, as authorized by Section 212.055(2), Florida Statutes, effective beginning January 1, 2017, for a period of ten years **SUMMARY:** On May 3, 2016, the Board approved

on first reading an infrastructure surtax plan for one cent, maximum 10 years, creation of an oversight committee to audit spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The ordinance has also been amended to include an alternate sunset provision that the surtax will end earlier if \$2.7 billion is collected before prior to September 1<sup>st</sup> of any year that the Board agrees to take all necessary action to repeal this Ordinance and notify the Florida Department of Revenue prior to the applicable deadline so that the surtax will not continue for the following calendar year. All funding must be expended as prescribed by Florida Statutes.

This Ordinance for a one-cent infrastructure surtax includes ballot language for a referendum scheduled for November 8, 2016. If approved by the voters, the surtax will begin on January 1, 2017 for ten years, ending on or before December 31, 2026. In addition to creating an oversight committee(s), a project manager will be hired or assigned to coordinate and monitor the program . (Admin)

8D                    **ADD-ON:** Request to present off-site, a Proclamation declaring June 20, 2016 as World Refugee Day in Palm Beach County. (Sponsored by Commissioner Abrams)

**2.B.                    ADOPTION**

**MOTION to adopt the agenda as amended carried 6-0.**

Abrams	Yes	
Berger	Yes	
Burdick	Yes	<b>Seconder</b>
McKinlay	Absent	
Taylor	Yes	
Valeche	Yes	<b>Maker</b>
Vana	Yes	

**3.                    CONSENT AGENDA**

Mayor Berger said that item 3.G.1 s series 2016 Refunding Bond would save the County approximately \$18.7 million in debt service over the life of the bonds. She commended staff for their hard work.

(CLERK S NOTE: A motion to approve the consent agenda was inadvertently made by Commissioner Taylor and seconded by Commissioner Burdick.)

(CLERK S NOTE: Commissioner McKinlay joined the meeting.)

**PUBLIC COMMENTS:** Alexandria Larson, Christine Schwartz, and Glenn Gromann.

**MOTION to approve the consent agenda. Motion by Commissioner Taylor and seconded by Commissioner Vana.**

Commissioner McKinlay requested that item 3.C.11 be pulled to disclose a conflict.

**AMENDED MOTION to include pulling item 3.C.11. carried 7-0.**

Abrams	Yes	
Berger	Yes	
Burdick	Yes	
McKinlay	Yes	
Taylor	Yes	<b>Maker</b>
Valeche	Yes	
Vana	Yes	<b>Seconder</b>

(CLERK S NOTE: The following consent agenda items were approved under one motion and vote.)

### 3.A. ADMINISTRATION

#### 3.A.1.

**APPROVED:** appointing one and reappointing two individuals to the Small Business Assistance Advisory (SBA) Committee for the seats and terms indicated below:

**APPOINT:**

**Nominee**  
Penny Pompei

**Seat**  
6

**Designation**  
Business Incubator

**Term**  
6/18/2016-6/17/2019

**Nominated By**  
Vice Mayor Valeche

	Program	Comm.
Burdick		Comm.
Abrams		Comm.
McKinlay		Comm.
Taylor		Comm.

**RE-APPOINT:**

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Term</u>	<u>Nominated By</u>
Samuel Roman	7	Hispanic Business Org	5/17/2016 5/16/2019	Vice Mayor Valeche Comm.
Burdick				Comm.
Abrams				Comm.
McKinlay				Comm.
Taylor				Comm.
Pamela Stewart	13	Financial Institution That Assists Small Businesses	6/18/2016 6/17/2019	Vice Mayor Valeche Comm. Burdick Comm. Vana Comm.
McKinlay				Comm.
Taylor				Comm.

**SUMMARY:** The SBA Advisory Committee is established pursuant to Section 2.80.32, of the Palm Beach County Code as amended on March 12, 2013. The committee consists of fifteen members representing one black business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women s Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. Pamela Stewart has disclosed that Paragon Florida, Inc. contracted with the County for Business Assistance. The SBA Advisory Committee provides **no** regulation, oversight, management or policy-setting recommendations regarding the subject contracts. The SBA Advisory Committee supports the nominations and a memo was sent to the Board of County Commissioners on April 12, 2016

requesting approval of the recommendations. No other nominations were received. The current diversity count is: Hispanic: 2; White: 6; and African-American: 7. Countywide (HH)

**3.A.2.**

**APPROVED:** the appointment of Jacqueline M. Medford to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the period May 17, 2016, through September 30, 2018:

<u>Nominee/Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated by</u>
Jacqueline M. Medford	2	5/17/16-9/30/18	Private Sector	Northern Palm Beach County Chamber of Commerce

**SUMMARY:** On November 18, 2014, the Board of County Commissioners (BCC) approved the Third Amendment to (R-2014-1650) Interlocal Agreement creating the Palm Beach Workforce Development Consortium (R-2007-1220) which establishes the current Board composition. The Agreement states that 14 private sector members are appointed by the BCC. The Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 35 members with representation established in Attachment 4. Existing diversity makeup of the CareerSource Palm Beach County, Inc. Board of Directors is as follows: 13 Male Caucasian; 5 Female Caucasian; 1 Male African-American; 5 Female African-American and 2 Male Hispanic American. Countywide (HH)

**3.A.3.**

**R-2016-0589**

**ADOPTED:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the County Administrator or her designee (County HIPAA Privacy Officer or other designee) to execute HIPAA Business Associate Agreements; replacing Resolution No. R-2003-0554; providing for effectiveness. **SUMMARY:** Pursuant to federal law, as a Health Insurance Portability and Accountability Act of 1996 (HIPAA) covered entity; the County is required to enter into Business Associate Agreements with its outside HIPAA business associates

regarding the Protected Health Information of the County's HIPAA covered health care components (Fire Rescue Department, Risk Management Department and Senior Services Division); and from time to time the County acts as a HIPAA business associate for outside HIPAA covered entities and is required to enter into Business Associate Agreements with such entities regarding their Protected Health Information. This Resolution authorizes the County Administrator or her designee (County HIPAA Privacy Officer or other designee) to execute standard HIPAA Business Associate Agreements as either a covered entity or as a business associate, as applicable. Countywide (SGB)

**3.B. CLERK & COMPTROLLER**

**3.B.1. APPROVED:** Warrant List dated May 2, 2016 through May 13, 2016.

Consolidated			
Checks		\$22,628,334.05	
Consolidated			Manual
Checks		0.00	
EFTC s			
974,304.40			
EFT			
Transfers			6,053
,575.87			
Wire			
Transfers			52,694,
587.58			
Payroll			Computer
Checks(BCC)		521,257.17	
Payroll	Manual		Checks
(BCC)		1,926.45	
Payroll	Deposit		Advices
(BCC)		8,835,971.49	
Payroll	Deposit		Advices
(BOC)		40,927.77	
Palm	Tran		Computer
Checks		49,780.88	
Palm	Tran		Manual
Checks		1,075.66	

Palm  
Advices

Tran  
725,959.02  
\$

92,527,700.34

**3.B.2.**

**APPROVED:** the following final minutes of the Board of County Commissioners meetings:

**Meeting Type**

Regular  
Workshop

**Meeting Date**

March 1, 2016  
March 29, 2016

**3.B.3.**

**APPROVED:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller s Office. Countywide

**A)**

Renewal of term contract with PVS Technologies, Inc., for \$221,000 for the purchase and delivery of ferric chloride solution 37% - 42% from July 2, 2016 through July 1, 2017.

**B)**

Increase of \$86,000 for a term contract with Florida Dock & Door Company for a total of \$571,783 for overhead door repair and replacement services from December 2, 2015 through August 13, 2016.

**C)**

**R-2016-0590**

Increase of \$48,000 for a term contract with Kronos Incorporated for a total of \$411,322 to provide Workforce Central software from October 15, 2014 through October 14, 2017.

**D)**

**R-2016-0591**



Amend and increase a term contract by \$452,160.39 with Intrado Systems Corp., for a total of \$16,640,355.35 to purchase and install call receiving and handling software and equipment for the NG 911 system from July 1, 2010 through March 1, 2020.

**E)  
R-2016-0592**

Tourist Development Council category G grant agreement with NB Florida Lacrosse, LLC for \$12,000 for the Major League Lacrosse Florida Launch.

**F)  
R-2016-0593**

Tourist Development Council category G grant agreement with Florida Half Century Men's Softball 50 & Over for \$5,000 for the Florida Half Century Amateur Softball Association, Inc.

**3.B.4.  
R-2016-0594**

**RECEIVED AND FILED:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during December 2015. Countywide

**a.**

THE FOLLOWING ITEMS WERE APPROVED BY THE AIRPORTS DEPARTMENT OR THE CONTRACT REVIEW COMMITTEE FOR THE CONTINUING CONSTRUCTION CONTRACT DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	AUTHORIZATION #	AMOUNT
1.	Project #PB12-1. Baggage Handling System (BHS) Improvements at PBIA. District #Countywide	The Whiting-Turner Contracting Company R-2012-1519	7	\$81,067.00
2.	Project #PB12-14. Terminal Improvements at PBIA. District #Countywide	The Weitz Co., LLC R-2013-0664	W5	\$27,120.00

**b.**

THE FOLLOWING CHANGE ORDERS WERE APPROVED BY THE CONTRACT REVIEW COMMITTEE DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	CO #	INCREASE (DECREASE) AMOUNT	ORIGINAL AMOUNT	CUMULATIVE TOTAL AMOUNT	DESCRIPTION
1.	Project #WUD 12-015 Southern Region Water Reclamation Facility Headworks Bypass Water Utilities District #5	InterCounty Engineering, Inc. R-2014-0283	5	\$3,216.86	\$1,930,000.00	\$1,948,910.63	Installation alum planking supports; Credit for epoxy parshall flumes; Contract time extension of 60 days. Reason for change: D, O
2.	Project #PB15-5 Taxiway D & E Rehabilitation - PBIA Airports District #Countywide	Ranger Construction Industries, Inc. R-2015-0712	1	\$26,493.92	\$4,955,479.55	\$4,981,973.47	Change to structures S4, S6, S7; Modification to structures S6 & S8; Subgrade soil mixing; Removal of unsuitable soil in Phase 2C; Contract time extension of 8 days. Reason for change: D, E

**c.**

THE FOLLOWING CHANGE ORDERS WERE APPROVED BY THE LEAD DEPARTMENT DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	CO #	INCREASE (DECREASE) AMOUNT	ORIGINAL AMOUNT	CUMULATIVE TOTAL AMOUNT	DESCRIPTION
1.	Project #WUD 14-055 Mechanical Integrity Testing for WRWWTP & WRNWWTP. Water Utilities. District #6	All Webbs Enterprises, Inc. R-2014-1187	3	(\$25,000.00)	\$105,250.00	\$187,250.00	Rescind Change Order No. 2. Reason for change: O
2.	Project #13225 Fire Rescue Station No. 48 Addition Facilities Development & Operations District #3	Anzco, Inc. R-2014-1919	2	\$6,689.71	\$376,337.00	\$393,549.96	Numerous additions and deletions; Contract time extension of 5 days. Reason for change: D, E, O, R
3.	Project #2010906 Point Chosen Swing Bridge over Rim Canal Fender System Replacement Engineering & Public Works. District #6	C & D Construction, Inc. R-2015-0700	1	\$-0-	\$1,287,822.96	\$1,287,822.96	Contract time extension of 20 days. Reason for change: O
4.	Project #WUD 13-059 Water Treatment Plant No. 11 5MG Storage Tank Water Utilities	Florida Design Drilling Corp. R-2015-0314	1	(\$8,112.83)	\$2,494,949.00	\$2,486,836.17	Remove from the scope and credit to County the cost of installing sod around new storage

	District #6							tank; Furnish and install all materials and labor for approximately 50 of 1 rigid galvanized conduit inside process building for new security camera; Contract time extension of 30 days. Reason for change: D, O
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5.	Project #WUD 15-019 WTP 11 Florida Aquifer Wells Rehabilitation Water Utilities. District #6	Florida Design Drilling Corp. R-2015-0787	1	\$-0-	\$444,444.00	\$444,444.00		Contract time extension of 30 days. Reason for change: D
6.	Project #2012513 Clint Moore Rd & Military Tr Intersection Improvements Engineering & Public Works. District #5	Foster Marine Contractors, Inc. R-2015-0705	1	\$10,299.74	\$339,217.00	349,516.74		Additional labor, equipment and trucking in removing existing pavement with an unforeseen thickness of 12 to 18 inches. Reason for change: D
7.	Project #13222 Sunset Cove Amphitheater Ticket Office & Alterations Facilities Development & Operations District #5	Ralph Della-Pietra, Inc. R-2015-0564	3	\$5,839.00	\$213,983.00	\$240,304.00		Demo existing smoke detector; Reprogram FA panel; Conduct retest of existing system and provide final as-built CAD fire alarm drawings. Reason for change: E
8.	Project #14313 Okeeheliee Golf Clubhouse Concession Expansion. Facilities Development & Operations. District #2	Ralph Della-Pietra, Inc. R-2015-0780	2	\$16,430.00	\$322,157.00	\$359,770.00		Numerous additions and revisions; Contract time extension of 5 days. Reason for change: D, E, Q
9.	Project #PB15-3 Air Cargo Apron Rehabilitation - PBIA Airports District #Countywide	Ranger Construction Industries, Inc. R-2015-0617	3	\$19,615.04	\$2,775,890.75	\$2,832,329.05		Demolition of reinforced concrete; Demo high mast light foundation; Electrical work for UPS scale relocation; Repair high mast light foundation and asphalt crack repair; Contract time extension of 8 days. Reason for change: D, O
10.	Project #2007102 Burns Rd & Military Tr Intersection Improvements Engineering & Public Works District #1	Rosso Site Development, Inc. R-2015-0406	2	\$9,068.46	\$1,338,246.21	\$1,347,314.67		Install additional traffic signal conduits by two (2) directional bores from SW corner of intersection to SE corner and install one (1) additional pull box at SW corner; Contract time extension of 2

						days. Reason for change: O
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**d.**

THE FOLLOWING CONSULTANT SERVICES AUTHORIZATIONS WERE APPROVED BY THE CONTRACT REVIEW COMMITTEE DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	CSA #	INCREASE (DECREASE) AMOUNT	DESCRIPTION
1.	Project #1997512(A3). Seminole Pratt Whitney Rd & Northlake Blvd Intersection Improvements. Engineering & Public Works. District #6	Arcadis U.S., Inc. R-2001-1894	14	\$71,106.58	Drainage analysis and design, roadway plans, permitting, signing and pavement marking plans, survey; New and revised sketch and legal descriptions.

2.	Project #WUD 12-066. Water Treatment Plant No. 2 - Filter Replacement: Engineering Services During Construction - Supplement No. 4. Water Utilities. District #2	Carollo Engineers, Inc. R-2011-0630	11.4	\$91,788.44	Additional engineering services during construction.
3.	Project #16302 WUD SROC - Storage Pavilions Facilities Development & Operations. District #5	Colom & Associates, Inc. R-2014-1916	9	\$96,840.00	Geotechnical, surveying, civil design, structural engineering, preparation of design and construction documents, permitting services and construction administration necessary to facilitate the construction of new pavilions.

**e.**

THE FOLLOWING CONSULTANT SERVICES AUTHORIZATIONS WERE APPROVED BY THE LEAD DEPARTMENTS DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	CSA #	INCREASE (DECREASE) AMOUNT	DESCRIPTION
1.	Project #2011904. Garden Rd S of FDOT Canal to S of Blue Heron Blvd. Engineering & Public Work. District #7	Last Devenport, Inc. R-2010-0592	5	\$2,010.06	Roadway analysis and plans, signing and markings analysis and plans.
2.	Project #13340. Park Ridge Golf Course - Modular Replacement Facilities Development & Operations. District #3	Colom & Associates, Inc. R-2011-0113	44.1	\$1,200.00	Preparation of a site plan to be submitted for a site plan amendment related to proposed exterior site improvements for replacement of two (2) existing modular structures.
3.	Project #14426. WUD CROC - Admin Bldg Storage Rm - A/C Changes. Facilities Development & Operations. District #2	Johnson, Levinson, Ragan, Davila, Inc. R-2011-0850	25.2	\$9,605.00	Revisions to construction documents to incorporate architectural and life safety services not included in previous authorizations.

4.	Project #15354 Palm Tran Intermodal - Bus Driveway Repairs. Facilities Development & Operations. District #7	Civil Design, Inc. R-2013-0413	8	\$4,567.00	Site meetings, construction/permitting drawings, and construction administration necessary to facilitate repairs of damaged areas of existing parking lot crosswalks.
5.	Project #2014612. Redding Rd & Sunup Tr Drainage Study Engineering & Public Works District #3	Civil Design, Inc. R-2013-0413	1	\$2,448.90	Additional design effort for evaluations, prepare and run ICPR model and review impacts, prepare drainage report, final report.
6.	Project #N/A. South County Regional Park Water Use Permit Modification. Facilities Development & Operations District #5	Michael B. Schorah & Associates, Inc. R-2013-0414	2.2	\$1,500.00	Engineering assistance for water use permit compliance.
7.	Project #N/A. PBIA: Ground Transportation Planning Airports. District #Countywide	Aecom Technical Services, Inc. R-2014-0031	III-15-DOA-A-034	\$49,975.00	Existing conditions review and recommended improvements.
8.	Project #N/A. PBIA: Land Acquisition for 2 Parcels N of Belvedere Rd. Airports. District #Countywide	Aecom Technical Services, Inc. R-2014-0031	III-15-DOA-A-036	\$12,780.00	Professional services for acquisition of two properties located north of Belvedere Road.
9.	Project #N/A. PBIA: Land Acquisitions for 4 Parcels W of Military Tr. Airports District #Countywide	Aecom Technical Services, Inc. R-2014-0031	III-15-DOA-A-037	\$35,727.00	Professional services for acquisition of four properties located west of Military Trail.
10.	Project #2015525. CR 880 (Old SR 80) Rehabilitation / Heavy Maintenance Rehabilitation Engineering & Public Works District #6	Wantman Group, Inc. R-2014-0120	N/A	\$12,115.00	Modify drawings for Phase II construction, pipes and shelf excavation, field review of pipe condition, research for permits, revise quantities for Phase II, add pipe disposition details, meetings; Post design services.
11.	Project #2014615. Palmwood Rd Slope Stabilization. Engineering & Public Works. District #1	Wantman Group, Inc. R-2014-0120	1	\$33,673.00	Roadway design and plans, drainage design and plans, permitting, structures design and plans.

12.	Project #WUD 16-016 Topographic Survey for WTP 3 Wells. Water Utilities District #5	Dennis J. Leavy & Associates, Inc. R-2014-0229	9	\$27,000.00	Preparation of topographic surveys for Wells 3W-4, 3W-7, 3W-8, 3W-9, 3W-12, 3W-25, 3W-26, 3W-27 and 3W-28.
13.	Project #2015503 Southern Blvd (SR 80) & Kirk Rd Intersection Improvement Engineering & Public Works District #2	Arcadis U.S., Inc. R-2014-0891	2	\$11,734.73	Design analysis, coordination, CEI services, design temporary signal, video detection, structural analysis and variance, coordinate with FDOT; Structural evaluation of video detection load, construction phase services.
14.	Project #16201. Homeless Resource Center Central (Stockade) Facilities Development & Operations. District #6	Architecture Green, LLC R-2014-1918	2	\$4,500.00	Site plan and conceptual design.
15.	Project #WUD 16-018. Southern Regions Operation Center - Storage Pavilions. Water Utilities. District #6	Caulfield & Wheeler, Inc. R-2014-1014	1	\$5,055.33	Specific purpose survey.
16.	Project #06213. Central Detention Facility Video Visitation Bldg Facilities Development & Operations. District #2	Cotleur & Hearing, Inc. R-2014-0920	3	\$1,120.00	Monitor newly planted littoral zone and provide reports.
17.	Project #2015102. PGA Blvd & Ellison Wilson Rd Intersection Improvements. Engineering & Public Works. District #1	HSQ Group, Inc. R-2014-0892	2	\$5,910.31	Coordination, roadway design analysis which includes miscellaneous structures, signalization analysis and plans.
18.	Project #16321. WUD CROC - New Truck Wash Equipment Facilities Development & Operations. District #2	Johnson, Levinson, Raga, Davila, Inc. R-2015-0779	5	\$7,670.00	Site visit, bidding/construction documents and construction administration necessary to facilitate the installation of

					replacement air conditioning equipment.
19.	Project #WUD 16-014. Water and Force Main Replacement at Dr. Martin Luther King Jr Blvd & SW 10 <sup>th</sup> St, BG. Water Utilities District #6	Keshavarz & Associates, Inc. R-2014-0824	11	\$20,040.00	Survey, design and permitting services to replace a 12 water main and a 10 force main.
20.	Project #WUD 14-073. Water Treatment Plant 11 Distribution System Biofouling & Corrosion Inhibitor Evaluation. Water Utilities District #6	Kimley-Horn & Associates, Inc. R-2014-0829	3.1	\$49,559.94	Distribution system biofouling and corrosion inhibitor evaluation.
21.	Project #WUD 15-025 12 Watermain Extension to Rosenwald Elementary School in South Bay. Water Utilities District #6	Mock, Roos & Associates, Inc. R-2014-0826	6.3	\$12,605.00	Coordinating, obtaining and plotting subsurface utility locations by air/vacuum test holes at 20 locations along Martin Luther King Blvd between US 27 & Rosenwald School.
22.	Project #2013529 Roebuck Rd/Jog Rd to Haverhill Rd. Engineering & Public Works Districts #2, #7	Mock, Roos & Associates, Inc. R-2014-1665	2	\$49,365.85	Roadway analysis, revise roadway/intersection design plans, revise signalization, signing and pavement marking plans; Survey, prints.
23.	Project #N/A. Data Logger Sand Samples. Environmental Resources Management. Districts #1, #4	Tierra South Florida, Inc. R-2014-1126	ERM15-06	\$3,355.00	Geotechnical engineering services for sand sample analysis.

f.

THE FOLLOWING ITEMS WERE APPROVED BY VARIOUS DEPARTMENTS OR THE CONTRACT REVIEW COMMITTEE FOR THE CONTINUING CONSTRUCTION CONTRACTS UNDER THE MANAGEMENT OF ENGINEERING AND PUBLIC WORKS DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	AUTHORIZATION #	AMOUNT
1.	Project #N/A. Lake Worth Rd & Nassau Rd/ Ohio Rd (Int #37020). Engineering & Public Works. District #2	Gerelco Traffic Controls, Inc. R-2012-0951	N/A	\$36,406.80
2.	Project #2013051. Canyon Lakes Dr/ Lake Royal Rd & Lyons Rd. Engineering & Public Works. District #5	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-149	\$21,037.20

3.	Project #2013051. Camino Real Rd Emergency Repair. Engineering & Public Works. District #4	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-153	\$9,168.00
4.	Project #2013051. Acme Dairy Rd at Mantova Bay Cir. Engineering & Public Works. District #5	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-159	\$1,434.00
5.	Project #2013051. Camino Real Rd Sinkhole Repairs. Engineering & Public Works. District #4	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-153	\$12,540.00
6.	Project #2013051. Renaissance Charter School/Crestwood Blvd ADA s. Engineering & Public Works. District #6	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-163	\$10,172.40
7.	Project #2013051. Central Blvd Inlet Modification. Engineering & Public Works. District #1	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-165	\$1,800.00

8.	Project #2013051. Coconut Dr/3 <sup>rd</sup> Rd to 1 <sup>st</sup> Rd. Engineering & Public Works. District #3	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-169	\$16,118.40
9.	Project #2015231. Browns Farm Rd/CR880 to South approx 1 Mile - Striping. Engineering & Public Works. District #6	Southwide Industries, Inc. R-2013-0810	N/A	\$12,895.20
10.	Project #2016-201. Congress Ave/Golf Rd to Boynton Beach Blvd - Striping Engineering & Public Works. District #3	Southwide Industries, Inc. R-2013-0810	N/A	\$79,650.00
11.	Project #2016204. Country Landing Subdivision - Striping. Engineering & Public Works. District #5	Southwide Industries, Inc. R-2013-0810	N/A	\$20,233.35
12.	Project #2016-202. Indiantown Rd/Beeline Hwy to Brian Way - Striping Engineering & Public Works. District #1	Southwide Industries, Inc. R-2013-0810	N/A	\$95,550.00
13.	Project #2016-203. Jupiter Gardens Subdivision Resurfacing - Striping Engineering & Public Works. District #1	Southwide Industries, Inc. R-2013-0810	N/A	\$21,786.32
14.	Project #2016-200. Military Tr/Donald Ross Rd to Indiantown Rd - Striping Engineering & Public Works. District #1	Southwide Industries, Inc. R-2013-0810	N/A	\$197,850.00
15.	Project #2015234. Oakwood Lakes Dr/L-24 to Old Boynton Rd - Striping Engineering & Public Works. District #4	Southwide Industries, Inc. R-2013-0810	N/A	\$4,820.38
16.	Project #2015503. Southern Blvd (SR80) and Kirk Rd Intersection Improvements - Striping Engineering & Public Works. District #2	Southwide Industries, Inc. R-2013-0810	N/A	\$11,944.22
17.	Project #2015514. Jog Rd/S of Hypoluxo Rd to 10 <sup>th</sup> Ave N. Engineering & Public Works. Districts #2, #3	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	2013051-176	\$140,122.98
18.	Project #N/A Osprey Point Starters Booth Sidewalk Parks & Recreation. District #5	Wynn & Sons Environmental Construction Co., Inc. R-2013-0427	PR94193	\$4,300.00

**g.**

THE FOLLOWING ITEM WAS APPROVED BY THE ENVIRONMENTAL RESOURCES MANAGEMENT DEPARTMENT OR THE CONTRACT REVIEW COMMITTEE FOR THE CONTINUING CONSTRUCTION CONTRACTS DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	AUTHORIZATION #	AMOUNT
1.	Project #2012ERM01. Peanut Island Breakwaters & Artificial Reef. District #1	The Vance Construction Co. R-2012-0640	Final	\$16,781.70

**h.**

THE FOLLOWING ITEM WAS APPROVED BY THE FACILITIES DEVELOPMENT AND OPERATIONS DEPARTMENT OR THE CONTRACT REVIEW COMMITTEE FOR CONTINUING CONSTRUCTION CONTRACTS DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	AUTHORIZATION #	AMOUNT
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1.	Project #15202. West Detention Center Shower Curb Repairs. District #6	The Weitz Company, LLC. R-2012-1001 (R-2015-0154)	1	(\$19,743.26) Credit for general requirements not used and credit contingency balance. Reason for change: X
2.	Project #15219. West Detention Center F POD Fire Alarm/Smoke Detector Removal. District #6	The Weitz Company, LLC. R-2012-1001	1	(\$1,222.87) Credit for general requirements and credit contingency balance. Reason for change: X
3.	Project #13213 PBSO Special Ops Vehicle Shelter District #2	The Weitz Company, LLC. R-2012-1001 (R-2015-0153)	2	(\$4,641.50) Install concrete curbs at east and west ends of slab; Install pipe bollards to protect dry well and BF preventer; Credit for not installing chain link fence; Pressure clean and acid wash concrete slab. Reason for change: E, O, R

i.

THE FOLLOWING ITEMS WERE APPROVED BY FACILITIES DEVELOPMENT AND OPERATION OR THE CONTRACT REVIEW COMMITTEE UNDER THE ANNUAL CONSTRUCTION PROGRAM (INCLUDING JOC) DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	WORK ORDER #	AMOUNT	DESCRIPTION
1.	Project #15341A Okeehetee Nature Center - Roof Replacement & Weatherproofing - Add I Work. District #2	Tri State Roofing & GC, LLC R-2010-1996	16-007	\$7,517.93	Additional material, labor, supervision, permits and supplies necessary and reasonably incidental for replacement of boards along with roofing installation to ensure it terminated correctly at trim and drip edge.
2.	Project #15371A Lake Lytal Park Maintenance Building - Roof Replacement - Add I Work. District #2	Hi-Tech Roofing & Sheet Metal, Inc. R-2010-1993	16-010	\$2,600.00	Additional material, labor, supervision, permits and supplies necessary and reasonably incidental to install 120 lf of 7 gutter and four new downspouts (white), install two turbines, install 90 lf of wood blocking.
3.	Project #15839A Herman Brice SCBA Modification - Add I Work District #2	Andrea Construction, Inc. R-2015-0157	16-012	\$1,550.00	Additional material, labor, supervision, permits and supplies necessary and reasonably incidental to paint the east and south walls of the newly enclosed office area and interior of double doors on east wall, install new 4 high charcoal color rubber base on all four walls of newly enclosed space.
4.	Project #15449 MJC (Judicial Center) Detention Area - Pipe Leaking (Emergency) District #7	Andrea Construction, Inc. R-2015-0157	16-013	\$5,669.76	Material, labor, supervision, permits and supplies necessary and reasonably incidental for emergency repair of a leaking plumbing pipe in ceiling of a holding cell located in basement of the Palm Beach County Courthouse.
5.	Project #15437. Palm Tran North - Replace Foreman s Window District #7	Andrea Construction, Inc R-2015-0157	16-018	\$1,725.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to retrofit a new sliding glass window assembly for the Parts Department Foreman.
6.	Project #15420B. South County Civic Center - Room Divider & Sound Panel Repairs - Add I Support Structure. District #5	Andrea Construction, Inc R-2015-0157	16-019	\$3,246.23	Additional material, labor, supervision, permits and supplies necessary and reasonably incidental for installation of additional support structure necessary to install new room divider wall track.
7.	Project #16308. PBSO Gun Range Shoot House - Metal Roof Replacement	Anzco, Inc. R-2015-0158	16-016	\$84,370.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to remove existing metal roof



District #6				system and install new with skylights and purlins.
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8.	Project #14390.01A. PBSO Administration Building AHU s #6 & 7 - VAV Replacement - Relocate Fire Alarm Conduit & Wiring - Add I. District #2	Farmer & Irwin Corp. R-2015-0047	16-004	\$1,365.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to relocate fire alarm conduit and wiring.
9.	Project #15348A. North County Aquatic Center - Weatherproofing - Add I Work. District #1	J. Rawn Enterprises, Inc. R-2015-0165	16-015	\$1,650.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to patch concrete around 56 fence posts at top of wall and repaint, patch holes around electrical conduit back side of perimeter wall.
10.	Project #15322 Coconut Cove Rotunda - New Floor Tile. District #5	Joe Schmidt Construction, Inc. R-2015-0164	16-010	\$10,700.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to remove existing porcelain tile and install new texture concrete topping.
11.	Project #15431. F.S. #34 - New Patio Screen Room District #2	Joe Schmidt Construction, Inc. R-2015-0164	16-011	\$14,425.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to provide and install a foam core panel canopy and screen room over an existing patio.
12.	Project #15378. MJC Judicial Center Judge s Garage - New Roll-Up Doors. District #7	Joe Schmidt Construction, Inc. R-2015-0164	16-017	\$52,870.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to remove two (2) existing roll-up doors and install two (2) new roll-up doors.
13.	Project #15338A. MDC (CJC) South Tower - Replace AHA T11A & T11B - Add I Work District #2	Precision Air Systems, Inc. R-2015-0049	16-005	\$7,435.00	Additional material, labor, supervision, permits and supplies necessary and reasonably incidental to provide and install new 1.5" thick foamglass pipe insulation; Secure with 18-gauge stainless steel wire on 12" centers; Seal all joints with Fosters 35-00 and one layer of Fabglas; Provide and install new Systems Sensor Duct Smoke Detector; Schedule and perform final inspection with PBC Fire Department; Clean up work area.
14.	Project #15333B. West Boynton Community Center - HVAC Replacement - Replace Broken Disconnect Switch - Add I. District #3	Thermo Air, Inc. R-2015-0051	16-002	\$371.65	Additional material, labor, supervision, permits and supplies necessary and reasonably incidental to replace broken disconnect switch on AHU #2.
15.	Project #15402 CJC Administration Bldg - Replace AHU s A-21 & A-22 District #2	Precision Air Systems, Inc. R-2015-0049	16-008	\$117,154.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental to remove two (2) existing AHU s and replace with new units including all pneumatic controls.
16.	Project #15476 MJC - Replace AHU #3 Basement District #7	Stokes Mechanical Contractor, Inc. R-2015-0046	16-009	\$110,051.00	Material, labor, supervision, permits and supplies necessary and reasonably incidental for removing existing Trane chilled water AHU and furnish and install new chilled water AHU with associated piping and valving.

j.

THE FOLLOWING ITEMS WERE APPROVED BY THE WATER UTILITIES DEPARTMENT OR THE CONTRACT REVIEW COMMITTEE FOR THE CONTINUING CONSTRUCTION CONTRACT/SPECIAL ASSESSMENT PROGRAMS DURING DECEMBER 2015:

	PROJECT	CONTRACTOR	AUTHOR-IZATION #	AMOUNT
1.	Project #WUD 16-023. WUD-SID Water Main Interconnection at Seminole Pratt Whitney & 60 <sup>th</sup> St N. District #6	Rangeline Tapping Services, Inc. R-2013-1820	17	\$22,193.00
2.	Project #WUD 13-007 (WA #3). Pinegrove Dr, Haverhill Rd to LWDD E-3 Canal 8 AC Water Main Replacement. District #2	Centerline Utilities, Inc. R-2013-0551 (R-2013-1813)	Final	\$14,972.26
3.	Project #WUD 13-041. Lyons Rd; L-26 to L-28 Canal; 16 RCWM Extension. District #5	Centerline Utilities, Inc. R-2013-0551	4.3	\$28,775.64
4.	Project #WUD 13-087. 1501 FMR INC 6 FM Relocation; FL Mango & Donna Rd. District #2	Johnson-Davis, Inc. R-2013-0550	11.2	\$-0- (Contract time extension of 87 days)

### 3.C. ENGINEERING & PUBLIC WORKS

#### 3.C.1.

##### R-2016-0595

**APPROVED:** termination of an Interlocal Agreement (Agreement) with the Town of Loxahatchee Groves (Town) for Land Development services effective through written notice to the Town. **SUMMARY:** On September 1, 2015, the Town voted to request the termination of the Agreement for Land Development services. Per the Agreement, the termination requires written notification from Palm Beach County. District 6 (MRE)

#### 3.C.2.

##### R-2016-0596

**APPROVED:** an Interlocal Agreement (Agreement) with the City of Boca Raton (City) regarding open cuts in Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads. **SUMMARY:** The City has agreed to follow the policies and procedures set forth by the County regarding open cuts in County roads. However, the City is requesting that it not be required to provide surety for the open cuts, as required by County PPM EL-O-3605 and EL-O-3606, but instead be bound by the terms and conditions of this Agreement requiring them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts. District 4 (MRE)

#### 3.C.3.

##### A)

##### R-2016-0597

**RECEIVED AND FILED:** County Incentive Grant Program (CIGP) Amendment Number One to the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A funding agreement, R-2013-1291, with Florida Department of Transportation (FDOT); and

**B)**

**R-2016-0598**

**RECEIVED AND FILED:** CIGP Amendment Number Two to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard funding agreement, R-2012-1445, with FDOT.

**SUMMARY:** These receive and files will record executed Amendment Number One to the Congress Avenue Extension from Northlake Boulevard to Alt A-1-A, R-2013-1291, and executed Amendment Number Two to the Intersection Improvements at SR-809/Military Trail and Northlake Boulevard, R-2012-1445, which extend the expiration dates for two existing funding agreements with FDOT. Resolution R-2012-0035 allows the County Administrator to delegate to the County Engineer, Deputy County Engineer, and Assistant County Engineer, the authority to execute amendments with FDOT to extend expiration dates. District 1(MRE)

### **3.C.4.**

**A)**

**R-2016-0599**

**APPROVED:** rescinding Modification Number One to the Subgrant Agreement (Modification) with the State of Florida, Division of Emergency Management (DEM) approved by the Board of County Commissioners (Board) on December 15, 2015; and

**B)**

**R-2016-0600**

**RECEIVED AND FILED:** updated Modification Number One to the Subgrant Agreement (Updated Modification) with the DEM which changed the expiration date to March 24, 2016, modified the scope to

reflect the new expiration date, and was signed by the County Administrator on January 11, 2016.

**SUMMARY:** Rescinding the Modification is necessary because the DEM requested a minor change to the Modification after the Board approved the document. The Board approved the Modification on December 15, 2015. However, because the DEM did not execute the Modification prior to the Subgrant Agreement s, (R-2015-0594), expiration, they requested a minor change to the Modification to reflect that the Subgrant Agreement is reinstated and extended rather than only extended. Resolution R-2006-0401 authorized the County Administrator and/or his designees to execute agreements. After execution by the County Administrator, the DEM signed the Updated Modification on February 16, 2016. District 7(MRE)

### 3.C.5.

A)

**R-2016-0601**

**APPROVED:** an Interlocal Agreement (Agreement) with the City of South Bay (City) in the amount of \$115,000 for the Construction Inspection (Inspection) for the improvement of the City s Dr. Martin Luther King, Jr. Boulevard from Rosenwald Elementary School to U.S. 27 (Project); and

B)

**BA 2016-0743**

**APPROVED:** a Budget Amendment of \$115,000 in the Transportation Improvement Fund to recognize the Agreement with the City and appropriate it to the Project.

**SUMMARY:** Approval of this Agreement and Budget Amendment will allow Palm Beach County (County) to assist the City with the inspection for the Project which has a current estimated inspection cost of \$115,000. The City is receiving a federal grant administered through the Florida Department of Transportation (FDOT) for the Project. The City will reimburse the County for inspection services rendered as they receive grant funds from FDOT. The term of the Agreement will be from the date of Board of County Commissioners (Board) approval until the Project s construction is complete. District 6 (MRE)

### 3.C.6.

**R-2016-0602**

**APPROVED:** an Interlocal Agreement (Agreement) with the Loxahatchee River Environmental Control District (District) regarding open cuts in Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads. **SUMMARY:** The District has agreed to follow the policies and procedures set forth by the County regarding open cuts in County roads. However, the District is requesting that it not be required to provide surety for the open cuts, as required by County PPM EL-O-3605 and EL-O-3606, but instead be bound by the terms and conditions of this Agreement requiring them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts. District 1 (MRE)

### 3.C.7.

**R-2016-0603**

**APPROVED:** a Contract with Electrical Design Associates, Inc. (EDA), to provide the necessary professional services for street lighting design on a task order basis for Palm Beach County (County) projects, as required. **SUMMARY:** Approval of this Contract will provide the necessary professional services for street lighting design throughout the County for all user departments. At the option of the County, this contract may be renewed annually for a period of one year, with a maximum of two renewals. EDA is a Palm Beach County based company and is a certified Small Business Enterprise (SBE). The SBE goal for the Contract is 15%. The SBE participation committed for this Contract by EDA is 100%. Countywide(MRE)

### 3.C.8.

**R-2016-0604**

**APPROVED:** a Consent to Easement Agreement (Agreement) with the United States of America, Department of the Army (DOA) for the Palmetto Park Road Bridge over Intracoastal Waterway, Project No. 2013607 (Project). **SUMMARY:** Approval of the Agreement will allow Palm Beach County (County) to work within the DOA easement to make repairs to the bridge and replace the existing bridge fender system associated with the DOA Permit No. SAJ-2015-03763. As part of the permit process, the

County is required to obtain permission to use said easement for construction, improvement, and maintenance of the bridge. District 4 (MRE)

**3.C.9.**

**R-2016-0605**

**APPROVED:** an annual Contract with Gerelco Traffic Controls, Inc. (Contractor), in an amount not to exceed \$1,000,000. **SUMMARY:** Approval of this Contract will facilitate, on a task order basis, the furnishing and installing of signals, furnishing of signal products, removal and disposal of old signals, and/or the resetting of existing signals. The Small Business Enterprise (SBE) goal for the Contract is 15%. The SBE participation committed for the project by the Contractor is 37.24% overall. The Contractor is a Palm Beach County company. In the 2015 fiscal year, approximately \$333,200 was spent on a similar annual contract. Countywide (MRE)

**3.C.10.**

**R-2016-0606**

**APPROVED:** a Subordination of Utility Interests and Agreement for reimbursement for future facility relocations with Florida Power and Light Company (FPL) on a parcel of land located on the north side of Belvedere Road and west of Congress Avenue. **SUMMARY:** Approval of the Subordination Agreement will subordinate an FPL utility easement interest and allow Palm Beach County (County) to accept a warranty deed for additional right-of-way for Belvedere Road. As part of the platting process, the Hertz Corporation (Hertz) is required to provide the County with additional right-of-way on the north side of Belvedere Road, for a total of 55 feet from the centerline of Belvedere Road. The County requires that this right-of-way be free and clear of all encumbrances. District 7 (MRE)

**3.C.11.**

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**3.C.12.**

**R-2016-0607**

**ADOPTED:** a Resolution to authorize the Palm Beach County (County) Administrator and/or her designees to respond with a Letter of No

Objection to municipalities when the County receives a municipal Notice of Intent to establish a municipal quiet zone that would include a County maintained rail crossing.

**SUMMARY:** Various municipalities within the County have expressed a desire to create quiet zones along the Florida East Coast Railway due to the anticipated increase in the number of trains from the All Aboard Florida/Brightline project. Approval of this Resolution will allow the County Administrator and/or her designees to respond to a Notice of Intent to create a quiet zone with a Letter of No Objection on behalf of the County. Countywide (MRE)

### 3.C.13.

**RECEIVED AND FILED:** a report of plat recordations from April 1, 2015, through March 31, 2016. **SUMMARY:** This report is a summary of subdivision plats recorded during the fiscal quarters since the previous report, as required by the Department of Engineering and Public Works Policies and Procedures Manual Item No. EL-O-2618, governing administrative approval of plats by the County Engineer. Last year's reports were not spaced evenly through the year so this report covers more than the typical previous six months. Countywide (MRE)

### 3.C.14.

A)

1)

**R-2016-0608**

**ADOPTED:** a Resolution to approve the County Incentive Grant Program (CIGP)

2)

**R-2016-0609**

**APPROVED:** Agreement with the State of Florida Department of Transportation (FDOT) in the amount of \$2,880,000 for the right-of-way acquisition for the Congress Avenue extension from Northlake Boulevard to Alt. A-1-A (Project); and

**B)**  
**BA 2016-0747**

**APPROVED:** a Budget Amendment of \$2,880,000 in the Road Impact Fee Fund Zone 1 to recognize the CIGP Agreement with FDOT and appropriate the funds to the Project.

**SUMMARY:** Approval of this CIGP Agreement will allow Palm Beach County (County) to receive a grant of up to \$2,880,000 (50/50 matching funds) for the Project which has a current estimated right-of-way acquisition cost of \$5,760,000. The County will be responsible for all costs above this grant amount. District 1 (MRE)

**3.D.            COUNTY ATTORNEY**

**3.D.1.         DELETED**

**3.E.            COMMUNITY SERVICES**

**3.E.1.**  
**R-2016-0610**

**RECEIVED AND FILED:** Amendment No. 1 to the Emergency Contract for Provision of Ryan White Part A HIV Health Support Services with the Health Care District of Palm Beach County (R-2015-0846), for the period March 1, 2015, through February 29, 2016, increasing funding by \$140,000 for a new total contract amount not to exceed \$259,031.

**SUMMARY:** The purpose of this Amendment is to increase the Grant Year 15 contract amount by \$140,000 to provide funds for the bulk purchase of HIV medications for Ryan White clients. The Department was unable to process a contract amendment within the grant period due to a leadership change at the Health Care District of Palm Beach County (Health Care District), which delayed the process. These funds will allow our system of care to provide additional HIV medications to Palm Beach County residents living with HIV/AIDS and meet shifting Ryan White service needs. This Amendment was executed by the County Administrator in accordance with Resolution R-2013-0519, which delegates signatory authority to the County Administrator or her designee. This receive and file item is being submitted in accordance with Countywide PPM No. CW-O-051 to allow the Clerk s office to note and



receive the executed amendment. No County funds are required. (Ryan White) Countywide (HH)

### 3.E.2.

**APPROVED:** appointments to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council for three year terms effective May 17, 2016:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>
4	Wisny Marcellus	Community Based Organizations Serving Affected Populations	05/16/2019
8	Mark D. White	Social Service Providers	05/16/2019

**SUMMARY:** The total membership shall be no more than 33 members, per Resolution No. 2011-1560. The HIV CARE Council nominations process is an open process with publicized criteria and legislatively defined conflict of interest standards. These appointments have successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends these appointments. Including the current request for appointment, the board makeup will consist of four Black females, four Black males, five White males, three White females, two Hispanic females, one Hispanic male and one Caribbean female. (Ryan White) Countywide (HH)

### 3.E.3.

#### **R-2016-0611**

**APPROVED:** Amendment No. 3 to Contract for Provision of Financial Assistance with 211 Palm Beach/Treasure Coast, Inc. (211) (R-2013-1390), for the period October 1, 2015, through September 30, 2016, to change the unit cost and unit cost definition for the Elder Outreach Program. **SUMMARY:** This amendment is necessary to incorporate changes to the Exhibit B-2 Units of Service Definition of the agreement. The requested changes only affect the cost unit definition and cost unit amount and will not change the total amount of the amendment or services delivered to the clients, but will ease the administrative strain that occurs when tracking individual client interactions per the previous unit definition. The new unit cost of \$22 covers direct client services as compared to the previous unit cost of \$42.32 which included indirect client

services in addition to referral, service linkage and advocacy. The Agency interacts with many clients per day and approving this change will allow for more time to focus on client related matters. The annual contract allocation remains at \$37,988. (FAA) Countywide (HH)

### 3.E.4.

#### R-2016-0612

**APPROVED:** Amendment No. 01 to Contract for Provision of Services with Catholic Charities of the Diocese of Palm Beach, Inc. (R-2016-0495), for the period February 1, 2016, through June 30, 2016, to increase funding for homeless prevention by \$11,000 for a new total contract amount not to exceed \$43,928. **SUMMARY:** The Division of Human Services received Challenge Grant funding through a Florida Department of Children and Families (DCF) grant to provide homeless prevention services and performance measures evaluation. Catholic Charities of the Diocese of Palm Beach, Inc. was allocated funding to provide homeless prevention services to 23 households through financial assistance with rental and/or mortgage assistance. Due to an increased demand for financial assistance, additional County funds were included with the DCF allocation to meet this demand. Ten households will be served through these additional funds. All funds will be expended no later than June 30, 2016. No County match funds are required. (Human Services)Countywide (HH)

### 3.F.

#### AIRPORTS

#### 3.F.1.

**RECEIVED AND FILED:** an Extension of Time to the following Joint Participation Agreements (JPA) with the Florida Department of Transportation (FDOT):

#### A)

#### R-2016-0613

Baggage System Improvements at Palm Beach International Airport, Financial Project Number 420374-1-94-01 approved by the Board on August 16, 2011 (R-2011-1153), is hereby extended until December 31, 2016;

**B)**  
**R-2016-0614**

Security Enhancements and Improvements at Palm Beach International Airport, Financial Project Number 427911-1-94-01 approved by the Board on June 29, 2010 (R-2010-1013 and R-2010-1014) is hereby extended until September 30, 2016; and

**C)**  
**R-2016-0615**

Rehab Itinerant Apron at Palm Beach County Park Airport, Financial Project Number 423961-1-94-01 approved by the Board on September 11, 2012 (R-2012-1243) and amended December 17, 2013 (R-2013-1791 & R-2013-1792), is hereby extended until September 30, 2016.

**SUMMARY:** Delegation of authority for execution of the above Extensions of Time to the JPAs with the FDOT was approved by the Board on October 18, 2011 (Agenda Item No. 3F11).Countywide (AH)

**3.F.2.** DELETED

**3.F.3.**

**A)**  
**R-2016-0616**

**APPROVED:** an Agreement for Purchase and Sale for the following property at a purchase price of \$265,000 by a supermajority vote. Said property is located West of Runway 10L at Palm Beach International Airport (PBIA):

Ride Safer, LLC, a Florida Limited Liability Company	
4533 Bertram Street, West Palm Beach, FL	Parcel
W-306	
Purchase	
Price:	\$265,000
Replacement Housing:	N/A

**B)**

**APPROVED:** accepting a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement. **SUMMARY:** The subject property contains approximately 5,635 square feet (approximately 0.13 acres) and is improved with a 1,860 square foot one-story CBS retail building constructed in 1964. The property is located near the northwest corner of the intersection of Bertram Street and Military Trail, West of Runway 10L at PBIA. In December, 2015, the property was appraised by Anderson & Carr, Inc. for \$265,000, and in December, 2015, a Review Appraisal was completed by Edward E. Wilson, which supported the Anderson & Carr, Inc. determination of value. An offer to purchase was presented to the Seller on February 18, 2016, and accepted at the appraised fair market value of \$265,000. The property is vacant but the building does contain personal property that will be relocated in accordance with Public Law 91-646 (Uniform Act). Airport Revenue is available for the purchase of this property. **Pursuant to the Property & Real Estate Management Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

### 3.F.4.

**A)**  
**R-2016-0617**

**APPROVED:** an Agreement for Purchase and Sale for the following property at a purchase price of \$240,000 by a supermajority vote. Said property is located West of Runway 10L at Palm Beach International Airport (PBIA):

Anthony Genovese	Parcel W-138
190 Post Road, West Palm Beach, FL	\$240,000
Purchase Price:	TBD
Replacement Housing:	

**B)**

**APPROVED:** accepting a Memorandum of Agreement to be recorded in the public records to provide notice of this Agreement.

**SUMMARY:** The subject property contains approximately 11,761 square feet (approximately 0.27 acres) and is improved with two structures that have a total of 1,954 square feet of enclosed building area, originally built in 1953 and 1972. The property is located on the east side of Post Road, west of Military Trail and south of Wallis Road, West of Runway 10L at PBI. In November, 2015, the property was appraised by Anderson & Carr, Inc. for \$240,000, and in January, 2016 a Review Appraisal was completed by Edward E. Wilson, which supported the Anderson & Carr, Inc. determination of value. An offer to purchase was presented to the Seller on January 20, 2016 and accepted at the appraised fair market value of \$240,000. The property is occupied by a residential tenant. The tenant's eligibility for a replacement housing payment and the amount of any such payment (if any) cannot be determined at this time, but will be computed in accordance with the requirements of Public Law 91-646 (Uniform Act). Airport Revenue is available for the purchase of this property. **Pursuant to the Property & Real Estate Management Ordinance, all purchases, sales and exchanges of real estate must be approved by a supermajority vote (5 Commissioners).** Countywide (HJF)

### 3.F.5.

A)

**R-2016-0618**

**RECEIVED AND FILED:** an Award of Law Enforcement Officer (LEO) Reimbursement Program Other Transaction Agreement (OTA) HSTS02-16-H-SLR765 with the Transportation Security Administration (TSA) in the amount of \$241,469 for law enforcement services at Palm Beach International Airport (PBI); and

B)

**BA 2016-0771**

**APPROVED:** a Budget Amendment in the Airport's Operating Fund, for the receipt of \$241,469 of funding from the TSA for Fiscal Year 2016; and an increase to Airport's Reserve in the amount of \$241,469.

**SUMMARY:** Delegation of authority for execution of the LEO Agreements was approved by the Board of County Commissioners on August 14, 2012 (R-2012-1093). Countywide (AH)

3.G. **OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

3.G.1.

A)  
**BA 2016-0758**

**APPROVED:** Budget Amendment of \$157,163,595 in the \$121.035M Revenue Refunding Bonds, Series 2016 debt service fund to budget bond proceeds, refunding bond premium, transfer from the refunded bonds debt service reserve, transfer from the refunded bonds debt service fund, costs of issuance, and payment to refunding bond escrow agent;

B)  
**BT 2016-0760**

**APPROVED:** Budget Transfer of \$2,829,313 in the \$176.5M Public Improvement Revenue Bond, Series 2008 DS debt service fund to decrease the interest payment and increase the transfer to the Revenue Refunding Bonds, Series 2016 debt service fund; and

C)  
**BT 2016-0759**

**APPROVED:** Budget Transfer of \$6,790,350 in the \$176.5M Public Improvement Revenue Bond, Series 2008 DSR debt service reserve fund to reduce the debt service reserve and increase the transfer to the Revenue Refunding Bonds, Series 2016 debt service fund.

**SUMMARY:** On March 1, 2016, the Board authorized the issuance of the Series 2016 Refunding Bond for a partial refunding for the Public Improvement Revenue Bonds, Series 2008 through a competitive sale as recommended by the County Financing Committee and the County's Financial Advisors. Through an electronic bid process, the County awarded the sale to Raymond James. **The refunding will save the County approximately \$18.7 million in debt service over the life of the bonds.** The County's AA+/Aa1 (AAA on General Obligation Bonds) credit rating increased the savings by approximately \$2,180,000. Countywide (PFK)

### 3.H. FACILITIES DEVELOPMENT & OPERATIONS

#### 3.H.1.

##### A)

##### **BA 2016-0749**

**APPROVED:** Budget Amendment of \$609,000 in the Public Building Improvement Fund recognizing revenue received and to increase the Airport Center Renovation project budget account; and

##### B)

**APPROVED:** authorizing the transfer of all assets, purchased pursuant to the project, to the Sheriff at completion of construction to monitor. **SUMMARY:** This Budget Amendment establishes the project budget for the County to purchase and install modular furniture for the Palm Beach Sheriff's Office (PBSO) Human Resources, Risk Management and Central Records Units at Airport Center 2 building. While all of these equipment purchases are the responsibility of the County, historically the Board has placed the funds needed for the purchase of non-fixed equipment in the Sheriff's budget so that PBSO is responsible for the ordering, tracking, maintenance renewal and replacement of such items. Fixed equipment is purchased, tracked and maintained by FDO. PBSO and County Staffs have determined that it is in the best interests of both parties to have the procurement of the modular furniture undertaken by the County to ensure the proper coordination between the specifications and construction preparation and in terms of installation and delivery. At the completion of construction, Staff is recommending that all assets purchased from this funding be transferred to the Sheriff for tracking, maintenance and renewal/replacement. (FDO Admin) Countywide/District 2 (DC)

#### 3.H.2.

##### **R-2016-0619**

**APPROVED:** Amendment No. 12 to the contract with Trillium Construction, Inc. (R-2012-1002) in the amount of \$4,208,800 for the Water Utilities Department Western Region Operations Center (WUD WROC) Phase 2, 2A & 3 Project establishing a Guaranteed Maximum

Price (GMP). **SUMMARY:** Approval of Amendment No. 12 will allow for installation of a new, two megawatt emergency generator for WROC and Water Treatment Plant No. 11 (WTP 11), relocation of the existing WTP 11 two megawatt emergency generator to WROC and construction of two covered pavilions for portable generators, piping and equipment. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc. s SBE participation for this Amendment is 28%. The time of construction is 422 days. This project will be funded by a one-time capital expenditure from user fees. Trillium Construction, Inc. is a Palm Beach County firm and 100% of the work will be done by Palm Beach County contractors with a 6% Glades contractor participation. (Capital Improvements Division) District 6 (DC)

### 3.H.3.

#### R-2016-0620

**APPROVED:** Amendment No. 13 to the contract with Trillium Construction, Inc. (R-2012-1002) in the amount of \$2,258,000 for the construction of two metal storage pavilions for the Water Utilities Department Southern Regional Operations Center on Jog Road establishing a Guaranteed Maximum Price (GMP). **SUMMARY:** The work includes construction of two 13,000 square foot open storage pavilions, site improvements and electrical. The storage pavilions will store materials used for emergency repairs of the utilities infrastructure and portable generators for the emergency operation of waste water pump stations. The new pavilions will protect materials and generators from exposure to elements and allow for easy retrieval in any weather condition. The GMP includes the cost of the work, the construction manager s fee and contractor contingency. The Small Business Enterprise (SBE) goal for this contract is 15%. Trillium Construction, Inc. s SBE participation for this Amendment is 39.5%. Trillium Construction, Inc. is a Palm Beach County firm and is using Palm Beach County subcontractors for 99% of the work. The time of construction is 168 days. This project will be funded by a onetime capital expenditure from user fees. (Capital Improvements Division) Countywide/District 2 (DC)

### 3.H.4.

DELETED

### 3.H.5.



A)

**R-2016-0621**

**ADOPTED:** a Resolution authorizing the conveyance of the County's interest in approximately 5.9 acres of County-owned land to the Village of Royal Palm Beach (Village) without charge and without reservation of mineral and petroleum rights; and

B)

**R-2016-0622**

**APPROVED:** a County Deed in favor of the Village.

**SUMMARY:** On June 19, 2001, the County and the Village entered into an Interlocal Agreement (R-2001-0930) for the joint acquisition, development and funding of a linear park on the northeast corner of Royal Palm Beach Boulevard and Sparrow Drive (Veteran's Park). The project entailed the purchasing of 13 one-half acre lots with \$550,000 in County funds. The County acquired six of the lots at a total cost of \$220,194. The Village acquired the remaining seven lots and was eligible for reimbursement up to \$287,200. Pursuant to the Interlocal Agreement, the Village was required to convey its seven parcels to the County, and the County leased the Park to the Village for a term of fifteen years, expiring on June 18, 2016, at one dollar (\$1.00) per year. The County is required to convey the Park to the Village at the end of the lease. The development, operation and maintenance of the Park is the responsibility of the Village. The deed will satisfy the County's final obligations under the Interlocal Agreement and contains a restriction limiting the use of the property to public park purposes. The Village requested the County not reserve mineral rights. **This conveyance must be approved by a supermajority vote (5 Commissioners).** (PREM) District 6(HJF)

3.H.6.

**R-2016-0623**

**APPROVED:** an Interlocal Agreement with the cities of Boca Raton, Boynton Beach and Delray Beach (Cities) regarding the South Palm Beach County Communications Cooperative's connection to the County's 800 MHz Radio System terminating and replacing the preceding Interlocal Agreement R-2011-0737. **SUMMARY:** This Interlocal Agreement, provides the terms and conditions under which the Cities can

use specific components of the County's 800 MHz Radio System. The Interlocal Agreement provides for an effective date retroactive to February 3, 2016. The term of the Interlocal Agreement is for five years and expires on February 2, 2021 or the date that the County's Countywide P25 Public Safety Radio System is fully operational; whichever comes first. The Interlocal Agreement provides that the Cities shall pay its pro rata share of the operation and maintenance costs associated with the SmartZone™ Controller, which was installed in order to provide interoperability between the Cities and County's individual systems. The currently calculated operation and maintenance cost is \$70,000, a proportionate share of which will be paid by each City based upon the number of talk groups each City operates. The Interlocal Agreement may be terminated by the County for cause or terminated by the Cities, with or without cause, with a minimum of sixty days notice. The Cities have been connected to the County's system for almost sixteen years. (FDO Admin) Countywide (DC)

### 3.I. **ECONOMIC SUSTAINABILITY**

#### 3.I.1.

##### A)

**R-2016-0624**

**APPROVED:** a Loan Agreement with Royal Palm Place, Ltd. (RPP) for \$115,000 in State Housing Initiatives Partnership (SHIP) Program funds for the construction of the Royal Palm Place affordable housing project; and

##### B)

**APPROVED:** delegation of authority to the County Administrator, or her designee, to execute subordination agreements with Citibank, N.A. and Florida Housing Finance Corporation (FHFC).

**SUMMARY:** On September 9, 2014, the Board of County Commissioners (BCC) authorized the allocation of SHIP funds as the required local match under FHFC's State Apartment Incentive Loan (SAIL) Program. The Department of Economic Sustainability (DES) provided RPP a conditional award for a \$115,000 loan subject to approval of their Royal Palm Place affordable housing project by FHFC under the SAIL Program. The project,

which will contain 125 affordable rental units, has now been approved by FHFC and is ready to proceed. The County's funds will be used for construction costs and will be secured by a mortgage and promissory note. The Loan Agreement requires RPP to pay annual interest payments on the loan over 30 years with the entire principal due at the end of the term. The Royal Palm Place project will be located between North Tamarind Avenue and Division Avenue just north of 15<sup>th</sup> Street in West Palm Beach. All 125 affordable rental units are intended to be rented to households whose incomes are at or below 60% of the area median income for a period of 30 years. Citibank, N.A. will be providing first mortgage financing for this project in the amount of \$14,500,000. FHFC will be providing a Sail Program loan of \$4,750,000 and an Extremely Low Income Gap Loan of \$495,000. RPP has requested that the County subordinate its \$115,000 mortgage to the mortgages securing these loans by means of subordination agreements. Delegation of authority to the County Administrator, or her designee, to execute the subordination agreements, subject to the County Attorney's approval of its content, is requested to enable a timely response when the closing is scheduled. **This project is projected to have a one year Economic Sustainability Impact of \$31.1 Million. These are SHIP funds which require no local match.** District 7 (JB)

### 3.1.2.

**RECEIVED AND FILED:** one Amendment to Loan Agreement and one Agreement as follows:

**A)**

**R-2016-0625**

Amendment No. 004 to the Loan Agreement (R-2014-1921) with Community Land Trust of Palm Beach County, Inc. (CLT) under the Home Investment Partnership Program (HOME) (District 3); and

**B)**

**R-2016-0626**

**APPROVED:** Agreement with Habitat for Humanity of Palm Beach County, Inc. and Habitat Housing Solutions, Inc. under HOME (Districts 3, 6 & 7).

**SUMMARY:** In accordance with County PPM CW-0-051, 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, or designee, in accordance with Resolution(s)/Agenda Item(s) 3I-4 and 3I-3 as approved by the BCC on October 21, 2014, and December 1, 2015. These executed documents are now being submitted to the BCC to receive and file. **HOME Program matching requirement is met from State SHIP funds.** (JB)

### 3.1.3.

#### A)

**CONCEPTUALLY APPROVED:** Neighborhood Renaissance, Inc. (NRI) to sell up to 20 homes assisted through the Neighborhood Stabilization Program 2 (NSP2) and to utilize program income from those sales to develop the Mango Cove Apartments; and

#### B)

**APPROVED:** authorizing the County Administrator or designee, to negotiate and execute a funding agreement, amendments thereto, and all other documents necessary for the transaction with NRI.

**SUMMARY:** On May 5, 2011, Palm Beach County entered into Agreement R2011-1029 providing \$12,131,968.07 in Federal NSP2 funding to NRI for the acquisition and rehabilitation of 70 foreclosed homes for rental to low, moderate, and middle income households. NRI successfully met all requirements under the Agreement. On December 21, 2015, NRI requested that the County allow it to sell up to 20 of the NSP2 middle-income units, and to use the program income from those sales to develop a 36 unit multi-family rental complex to be known as Mango Cove Apartments (the Project). The NSP2 units will be sold to home buyers with incomes no more than 120% of Area Median Income (AMI) and will bear NSP2 affordability restrictions for 30 years. The Project will be located on an unincorporated vacant property at 1561-1589 Florida Mango Road in West Palm Beach. On April 7, 2016, the Project received Conditions of Approval for a zoning variance, and the Project site plan is currently awaiting certification after being presented to

the Development Review Officer on April 13, 2016. Total development cost of the Project is \$6.4 Million. Program income to be generated by the sale of the NSP2 units is estimated at \$2,925,000 and would be utilized for construction costs and other eligible development costs in order to make rental rates affordable. NRI has secured a commitment for first mortgage financing of \$3.12 Million from the Florida Community Loan Fund, and remaining Project financing would come from grants raised to date and a deferred developer fee. All apartments will be leased to households whose incomes are no more than 120% of AMI at rents not to exceed HUD Fair Market Rents. NSP2 affordability requirements will be secured by an encumbrance on the property for 30 years. **NSP2 program income funding has no matching requirement.** District 2 (JB)

**3.J. PLANNING, ZONING & BUILDING**

**3.J.1.**

**A)**

**APPROVED:** Proposed seat change of one current member of the Building Code Advisory Board; and

<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	2	Michael Grimm	Building Official	Building Officials Association of Palm Beach County	1/13/2017

**B)**

**APPROVED:** Appointment of one new member to the Building Code Advisory Board:

<u>Appoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Wayne Cameron	3	Building Official	Building Officials Association of Palm Beach County	5/17/2016 5/16/2019

**SUMMARY:** The Building Code Advisory Board was established by a Special Act of the Florida Legislature in 1974, and amended in 2001. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Building Officials Association of Palm Beach County has nominated Michael Grimm to change his current

appointment in District 3, to serve as Building Official for District 2, where the majority of the community of Greenacres is located; and Wayne Cameron to serve as Building Official for District 3, where the majority of the community of Palm Springs is located. The Board is comprised of sixteen members: seven Building Officials, one from each commission election district appointed from nominees submitted by the Building Officials Association of Palm Beach County; seven members appointed from nominees submitted by the Construction Industry Management Council of Palm Beach County; one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; and one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society. This advisory committee membership has 16 seats, 14 currently filled and 2 vacancies, and a diversity count of White: 13 (93%) Hispanic-American: 1 (7%). The gender ratio (male: female) is 14:0. Countywide (SF)

### **3.K.                    WATER UTILITIES**

#### **3.K.1.**

**RECEIVED AND FILED:** executed Agreements received during the months of January, February and March 2016:

**A)  
R-2016-0627**

Utility Concurrency Reservation Agreement with Pulte Home Corporation, No. 02-01146-000 (District 6);

**B)  
R-2016-0628**

Utility Concurrency Reservation Agreement with Pilot Travel Centers, LLC, No. 16-01001-000 (District 6);

**C)**

Standard Potable Water and Wastewater Development Renewal Agreement with Boynton Beach Associates XXIV, LLLP, No. 09-01051-000 (District 5) (OR BK 28065 PG 1264-1267); and

**D)**

Standard Potable Water and Wastewater Development Agreement with Atlantis Self Storage, LLC, No. 02-01144-000 (District 3) (OR BK 28065 PG 1268-1278).

**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 R-93-1619, R-96-0228, and R-2003-0539 and are now being submitted to the BCC to receive and file. (MJ)

**3.K.2.**

**R-2016-0629**

**APPROVED:** a Partial Release of a Utility Easement over property owned by Hedrick 33, LLC and encumbered by an exclusive Easement Deed to Lake Worth Drainage District (LWDD). **SUMMARY:** On April 13, 2015, Dave R. Hedrick and Cathleen T. Burk, the predecessors in interest to Hedrick 33, LLC, granted the County a Utility Easement (OR BK 27498 PG 243-247) for a future utility pipe installation to serve a proposed commercial site. A review of the preliminary plat for the encumbered property revealed an encroachment of the County Utility Easement into an exclusive LWDD easement (OR BK 4577 PG 1921). The LWDD Easement Deed grants LWDD has the authority to permit utility installations in their easement. LWDD confirmed that, following the release of the encroaching portion of the County Utility Easement, it will process a Utility Permit application for the proposed pipe installation. Water Utilities Department staff recommends the partial release of that portion of the Utility Easement that encroaches into the LWDD easement. The remaining portion of the Utility Easement will provide for adequate protection and access to future County facilities. District 3 (MJ)

**3.K.3.**

**R-2016-0630**



**APPROVED:** Supplement No. 1 to Work Authorization No. 2 for Western Region Waste Water Treatment Facility (WRWWTF) Power Improvements Phase 1 Project with Globaltech, Inc. in the amount of \$212,499.48. **SUMMARY:** On March 10, 2015, Board of County Commissioners (BCC) approved the Optimization and Improvements Design-Build Contract (Contract) (R-2015-0315) with Globaltech, Inc. Work Authorization No. 2 was previously approved to cover the design, procurement of all long lead electrical equipment and installation of a new generator pad in Phase 1. Supplement No. 1 will cover the second phase of the necessary work and includes modifications to the electrical room, installation and start up of all electrical equipment, and Programmable Logic Controller programming. The Small Business Enterprise (SBE) participation goal established by the SBE Ordinance (R-2002-0064) is 15% overall. The Contract with Globaltech, Inc. provides for SBE participation of 75% overall. Supplement No. 1 includes 95.06% overall SBE participation. The cumulative SBE participation, including this Work Authorization is 96.64% overall. Globaltech, Inc. is a Palm Beach County company. This project is included in the FY16 Capital Improvement Plan adopted by the BCC. (WUD Project No. 14-050) District 6 (MJ)

### 3.K.4.

**APPROVED:** Amendment No. 1 to Contracts for Engineering/Professional Consulting Services (Contracts) with the following firms:

**A)**

**R-2016-0631**

Black & Veatch Corporation (R-2014-0064) - Sustainability and Strategic Planning Consulting Services;

**B)**

**R-2016-0632**

Hazen & Sawyer P.C. (R-2014-0821) - Wastewater Engineering Services;

**C)**

**R-2016-0633**

JLA Geosciences, Inc. (R-2014-0822) - Utility Hydrogeologic Engineering Services;



**D)**  
**R-2016-0634**

Mathews Consulting, Inc. (R-2014-0823) - General Utility, Architectural & Value Engineering Services;

**E)**  
**R-2016-0635**

Keshavarz & Associates, Inc. (R-2014-0824) - Utility Distribution & Collection System Engineering Services;

**F)**  
**R-2016-0636**

Holtz Consulting Engineers, Inc. (R-2014-0825) - Utility Distribution & Collection System Engineering Services;

**G)**  
**R-2016-0637**

Mock, Roos & Associates, Inc. (R-2014-0826) - Utility Distribution & Collection System Engineering Services;

**H)**  
**R-2016-0638**

Hillers Electrical Engineering, Inc. (R-2014-0827) - Electrical Instrumentation & Telemetry Engineering Services;

**I)**  
**R-2016-0639**

Smith Engineering Consultants, Inc. (R-2014-0828) - Electrical Instrumentation & Telemetry Engineering Services; and

**J)**  
**R-2016-0640**

Kimley-Horn & Associates, Inc. (R-2014-0829) - Water Plant & Water Resources Engineering Services.

**SUMMARY:** The Board of County Commissioners approved Contracts B through J for Engineering/Consulting Services on June 3, 2014 and Contract A Black & Veatch Corporation on January 14, 2014. The Water Utilities Department discovered an ambiguity in the contract documents relating to mark ups on sub-consultants contracts by the prime consultant. County procurement policies provide that a prime consultant may receive up to a 10% mark-up on services provided by sub-consultants when the services are to be provided by a sub-consultant that was not part of the original design team proposed to the County and the services were not required in the original scope of work. The Contracts were unclear regarding the applicability of this provision which created a conflict between Contracts and approved Procurement policies. Amendment No. 1 to the Contracts corrects this ambiguity and conforms the Contracts to approved procurement policies. No additional changes are being made to the Contracts as a result of Amendment No. 1. Countywide (MJ)

### 3.L. **ENVIRONMENTAL RESOURCES MANAGEMENT**

#### 3.L.1.

##### A)

**R-2016-0641**

**APPROVED:** Amendment No. 1 to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R-2015-0649) with The Vance Construction Co. (Vance) to extend the Construction Contract for one year to May 18, 2017 for a not-to-exceed amount of \$1,178,684.50 for year two;

##### B)

**R-2016-0642**

**APPROVED:** Amendment No. 1 to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R-2015-0650) with Coston Marine Services, Inc. (Coston) to extend the Construction Contract for one year to May 18, 2017 for a not-to-exceed amount of \$1,415,196.38 for year two; and

C)

**R-2016-0643**

**APPROVED:** Amendment No. 1 to the Palm Beach County Artificial Reef & Breakwater Annual Contract, Project No. 2015ERM01 (R-2015-0651) with Arbor Tree and Land, Inc. (ATL) to extend the Construction Contract for one year to May 18, 2017 for a not-to-exceed amount of \$1,566,048.20 for year two.

**SUMMARY:** On May 19, 2015, the Board of County Commissioners approved three annual construction contracts for Palm Beach County Artificial Reef & Breakwater, Project No. 2015ERM01 with Vance (R-2015-0649), a Palm Beach County Small Business Enterprise (SBE) Company, Coston (R-2015-0650), a Palm Beach County SBE Company, and ATL (R-2015-0651), a Palm Beach County Company. Vance and ATL have not been issued any work orders. Coston has been issued two work orders totaling \$485,747. Amendment No. 1 for the Vance Contract will increase work by a not-to-exceed amount of \$1,178,684.50 for year two and extend the Contract for one year. Vance committed to an overall 54.94% Small Business Enterprise (SBE) participation in the Contract. Countywide (DC)

**3.L.2. DELETED**

**3.L.3.**

**R-2016-0644**

**APPROVED:** A continuing proxy appointing Vice Mayor Hal R. Valeche as Palm Beach County's representative for the purpose of voting at the June 2, 2016 landowners annual meeting and any subsequent landowners meetings of the Pal Mar Water Control District. **SUMMARY:** This proxy authorizes Commissioner Valeche to vote on behalf of the County at the annual landowners meeting on June 2, 2016, and thereafter until revoked. The number of acres now owned by Palm Beach County in the Pal Mar Water Control District is 252.94. District 1 (AH)

**3.M. PARKS & RECREATION**

**3.M.1.**

**RECEIVED AND FILED:** the following original executed Independent Contractor Agreements:

**A)**

**R-2016-0645**

Sally Welsh-Chapela, Water Fitness Instructor, Therapeutic Recreation Complex, for the period April 1, 2016, through September 30, 2016; and

**B)**

**R-2016-0646**

Palm Beach County Officials Association, Inc., Youth Basketball Officials, West Boynton Recreation Center, for the period April 30, 2016, through June 11, 2016.

**SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a Receive and File Agenda Item. These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (Board) by the Director/Assistant Director of the Parks and Recreation Department in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, and 2012-0168, and is now being submitted by the Board to receive and file. District 3 (AH)

### **3.M.2.**

**A)**

**R-2016-0647**

**APPROVED:** License Agreement with Broadcast Music, Inc. (BMI) for the period January 1, 2016, through December 31, 2016, with automatic annual renewals, in an amount not-to-exceed \$8,596 to provide public performances including live performances, recorded performances, and music, in the BMI repertory, in accordance with the copyright laws of the United States;

**B)**

**APPROVED:** Addendum to the License Agreement with BMI, which amends the License Agreement so it complies with the County's standard contract terms and provisions.

**SUMMARY:** Title 17 of the United States Code establishes property rights in musical works and grants creators and owners of copyrighted musical works the exclusive right to perform or authorize the performance of their works publicly. Under the law, owners and operators of facilities or presenters of concerts and other events are responsible for performances on the premises. The property owners must obtain a license to present musical performances in order to be in compliance with the copyright law. This Agreement provides for the County to present an entire musical performance spectrum of performances in the BMI repertory, within various venues in the County, in accordance with copyright laws, and provides for retroactive payment from January 1, 2016, which allowed the County to play music from BMI's repertory from that date. The Addendum amends the Agreement so it complies with the County's standard contract terms and provisions. Countywide (AH)

**3.N.            LIBRARY**

**3.N.1.**

**A)**

**R-2016-0648**

**RECEIVED AND FILED:** Grant Agreement in the amount of \$1,227,796 awarded by the Florida Department of State, Division of Library and Information Services for FY 2016 State Aid to Libraries to begin upon execution of grant agreement until September 30, 2016; and

**B)**

**BA 2016-0746**

**APPROVED:** a downward Budget Amendment of \$35,178 in the County Library Fund to reconcile the State Aid to Libraries Grant Budget to the actual award amount.

**SUMMARY:** The Application was approved and the Agreement was executed by the County Administrator as authorized by the Board of County Commissioners on September 22, 2015 (R2015-1277). Notification of the award was issued on March 14, 2016. The State provides an annual operating grant to eligible libraries based upon their

annual operating expenditures from local funds. Estimated State Aid revenue was included in the County Library's FY 2016 budget. Countywide (AH)

3.P. **COOPERATIVE EXTENSION SERVICE** None

3.Q. **CRIMINAL JUSTICE COMMISSION** None

3.R. **HUMAN RESOURCES** None

3.S. **FIRE RESCUE** None

3.T. **HEALTH DEPARTMENT** None

3.U. **INFORMATION SYSTEMS SERVICES**

3.U.1.

A)

**APPROVED:** Revised rate plan for Colocation Services including the lease of rack space in the new Palm Beach County Vista Data Center; and

B)

**R-2016-0649**

**APPROVED:** The Sixth Amendment to Interlocal Agreement R-2014-0171, effective June 1, 2016, with the Health Care District of Palm Beach County to add Colocation Services billable at the rate of \$97,560 per annum.

**SUMMARY:** The Health Care District of Palm Beach County (HCD) has an existing Interlocal Agreement for Network Services, as amended, with Palm Beach County (R-2014-0171) for an initial term of one year with automatic one-year renewals unless notice is given by either party. This Sixth Amendment adds Colocation Services to permit HCD to lease eight racks in the County's Vista Data Center which will serve as HCD's primary computing facility. Proposed rates for Colocation Services are market-based and will replace the rates previously approved for an existing external tenant (The Children Services Council). The revised FY

2016 service revenues collected from HCD will be \$60,720 reflecting a net annual increase of \$32,520 for the partial year and a \$10,500 reimbursement for one-time set-up fees. Annual revenues in succeeding years will be \$115,260. Countywide (PFK)

**3.U.2.**

**R-2016-0650**

**APPROVED:** the Second Amendment to Interlocal Agreement R2013-0308, with the City of Delray Beach, to expand network services, for annual payments totaling \$86,976. **SUMMARY:** The City of Delray Beach (City) has an existing Interlocal Agreement, as amended, with Palm Beach County (R2013-0308) for network connectivity provided to the City Hall site. Under terms of this Second Amendment, all of the City's 40 remaining sites will be connected to the County network, hand-off services from the Palm Beach County Network to the GoRACK Data Center in Jacksonville via the Florida LambdaRail (FLR) network will be provided, and ownership of the City's existing fiber optic cable will be transferred to the County. The revised total FY 2016 service revenue is estimated at \$26,642, a net increase of \$23,342. Annual revenues for succeeding years will be \$90,276. Estimated one-time installation fees of \$50,000 will be reimbursed by the City. The Florida LambdaRail LLC has approved connection of the City to the Florida LambdaRail. District 7(PFK)

**3.V.                    METROPOLITAN PLANNING ORGANIZATION   None**

**3.W.                    PUBLIC AFFAIRS   None**

**3.X.                    PUBLIC SAFETY**

**3.X.1.**

**RECEIVED AND FILED:** six Interlocal Agreements for reimbursement from Emergency Medical Services (EMS) grant funding for medical equipment:

**A)**

**R-2016-0651**

The Village of North Palm Beach;

**B)**  
**R-2016-0652**

Town of Palm Beach;

**C)**  
**R-2016-0653**

City of West Palm Beach;

**D)**  
**R-2016-0654**

Village of Tequesta;

**E)**  
**R-2016-0655**

City of Riviera Beach; and

**F)**  
**R-2016-0656**

City of Delray Beach.

**SUMMARY:** The County was awarded \$205,012 during the FY 2015-16 grant cycle from the State of Florida Department of Health, Bureau of Emergency Medical Services, to improve and expand the 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 municipalities as follows: 1) Village of North Palm Beach for the purchase of one Power Cot Fastening System in an amount not to exceed \$20,000; 2) Town of Palm Beach for the purchase of a Knox Medvault System not to exceed the amount of \$14,000; 3) City of West Palm Beach for the purchase of one Zoll E-Series cardiac monitor not to exceed the amount of \$32,000; 4) Village of Tequesta for the purchase two cardiac compression devices not to exceed the amount of \$24,200; 5) City of Riviera Beach for the purchase of one controlled access pharmacy not to exceed the amount of \$15,500; and 6) City of Delray for the purchase of two cardiac compression devices not to exceed the



amount of \$32,000. 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/private entities 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 (DC)

### 3.X.2.

A)

**R-2016-0657**

**RECEIVED AND FILED:** approved Department of Health EMS Grant Program Change Request in the amount of \$66,670.47; and

B)

**RECEIVED AND FILED:** two executed Interlocal Agreements for the reimbursement of Emergency Medical Services (EMS) grant funding for medical equipment.

1)

**R-2016-0658**

City of Boca Raton; and

2)

**R-2016-0659**

City of Boynton Beach.

**SUMMARY:** The \$66,670.47 represents rollover funding from the State of Florida Department of Health, Bureau of Emergency Medical Services for improvement and expansion of the EMS systems and interest earned during the FY 2014-2015 grant cycle. 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 municipalities as follows: 1) City of Boca Raton for the purchase of ten Buckeye Camera

Systems not to exceed the amount of \$28,500; and 2) City of Boynton Beach for the purchase of Target Solutions Software not to exceed the amount of \$16,100. 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/private entities 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. On December 2, 2014, R2014-1862 authorized the County Administrator or designee to sign EMS Grant Program Change Request forms after approval of the FY 2014-2015 grant application was obtained from the State of Florida, Department of Health, Bureau of Emergency Medical Services. **There is no ad valorem funding required.** Countywide (DC)

### 3.X.3.

#### A)

**RECEIVED AND FILED:** the following executed agreements with the State of Florida, Division of Emergency Management (FDEM) for the period September 30, 2015, through August 30, 2016:

#### 1.

##### **R-2016-0660**

Federally-funded Subaward and Grant Agreement 16-CI-S9-10-60-02-376 for FY 2015 Emergency Management Performance Grant Program (EMPG) funding in the amount of \$3,848 for Community Emergency Response Team (CERT) program initiatives;

#### 2.

##### **R-2016-0661**

Federally-funded Subaward and Grant Agreement 16-CC-S9-10-60-02-377 for FY 2015 (EMPG) funding in the amount of \$3,519 for Citizen Corps program initiatives to include CERT training and associated supplies; and

**B)**  
**BA 2016-0797**

**APPROVED:** a Budget Amendment of \$7,367 in the Emergency Management Fund to recognize the grant awards.

**SUMMARY:** These are annual grants from FDEM for CERT and Citizen Corps program activities. R-2012-1731 gave authority to the County Administrator, or designee, to execute these agreements on behalf of the Board of County Commissioners. **In-kind donation of volunteer hours will be used to fulfill the matching requirement of \$3,865.68 for the CERT grant and \$3,525.84 for the Citizen Corps grant.** Countywide (DC)

**3.X.4.**

**RECEIVED AND FILED:** four Grant Adjustment Notices (GAN) numbered 14, 15, 16, and 17 for the grant from the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW), Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program (GTEA) (2014-WE-AX-0011), which authorized expenditure requests and facilitated administrative filing through March 30, 2016:

**A)**  
**R-2016-0662**

GAN No. 14 Training;

**B)**  
**R-2016-0663**

GAN No. 15 Work Product-Newsletter;

**C)**  
**R-2016-0664**

GAN No. 16 Training; and

**D)**  
**R-2016-0665**

GAN No. 17 Training.

**SUMMARY:** As per grant guidelines, certain expenditures and work product require approval from the OVW GTEA grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. The approved grant budget, total grant, and scope of work remain the same. R-2014-1633 authorized the County Administrator or designee to execute future awards, contracts, sub-recipient agreements, sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (DC)

**3.X.5.**

**R-2016-0666**

**ADOPTED:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the 2016 Palm Beach County Comprehensive Emergency Management Plan (CEMP). **SUMMARY:** As required by Florida Statute, Chapter 252, the Division of Emergency Management has revised the County's CEMP that was previously approved by the Board of County Commissioners on December 20, 2011. The CEMP outlines how the various departments and agencies, both public and private, will discharge their responsibilities for providing direction and control during any large-scale disaster affecting Palm Beach County. Revisions to the 2016 CEMP compared to the 2011 CEMP include a modification to the core hazards facing the County (reduced from 14 to 12), updated descriptions of various coordinating procedures, hazard specific plans, and incident support plans. The 2016 version has also been written with the Emergency Management Accreditation Program (EMAP) standards in mind. Countywide (DC)

**3.Y.            PURCHASING   None**

**3.Z.            RISK MANAGEMENT   None**

**3.AA.         PALM TRAN   None**

**3.BB.         YOUTH SERVICES**

**3.BB.1.**

**A)**  
**R-2016-0667**

**APPROVED:** Contract for Consulting/Professional Services with Boys and Girls Clubs of Palm Beach County, Inc., for the period April 6, 2016, through August 31, 2016, in an amount not to exceed \$100,000, to employ youth and young adults for the 2016 Teen Employability Initiative Program (Program); and

**B)**  
**BT 2016-0750**

**APPROVED:** Budget Transfer of \$100,000 in the General Fund from the Head Start Match reallocation (Unit 1451) for new evidence-based/promising programming to the Boys and Girls Clubs of Palm Beach County, Inc. program (Unit 2528) to fund the cost associated with this Contract.

**SUMMARY:** The Boys and Girls Clubs of Palm Beach County, Inc. (BGCPBC) was founded in 1971 and is the largest facility-based youth development organization in Palm Beach County. The BGCPBC operates at thirteen locations, most of which are strategically located within high poverty areas throughout the county. This funding will allow the BGCPBC to offer the Program for thirty-six participants up to age 22. Those eligible to participate will be individuals in its Job Start to Job Smart program and alumni of the BGCPBC s camps. The Program will operate for a period of ten weeks during the summer, allowing each participant to be employed as a counselor for twenty hours per week over four days. The fifth day they will engage in education, job coaching and career exploration. This Program will emphasize employment in the Tri-City Glades area and is directly aligned with the objectives derived from the 2013 Youth Symposium. Countywide (HH)

**3.CC.            SHERIFF**

**3.CC.1.**

**A)**  
**R-2016-0668**

**APPROVED:** accepting on behalf of the Palm Beach County Sheriff's Office, a Florida Division of Emergency Management Federally Funded Subgrant Agreement for a FY 2015 State Homeland Security Grant Program award for Operation Stonegarden, in the amount of \$150,000 for the period of March 23, 2016, through August, 31, 2017; and

**B)**

**BA 2016-0799**

**APPROVED:** a Budget Amendment of \$150,000 in the Sheriff's Grants Fund.

**SUMMARY:** On April 5, 2016, the Palm Beach County Sheriff's Office (PBSO) received a FY 2015 Homeland Security Grant Program award for Operation Stonegarden. Funds provided will be used to enhance the United States Border Patrol's mission to secure the Nation's coastline through an all-threats layered integrated approach in collaboration with local and state law enforcement agencies, and Border Patrol. Specifically, grant funds will pay for overtime to reinforce our presence within local communities along the coast; and intercepting those who have illegally crossed our borders through highway interdiction and crime suppression operations. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (DC)

### **3.CC.2.**

**A)**

**R-2016-0669**

**RECEIVED AND FILED:** correspondence from the U.S. Department of Homeland Security, Transportation Security Administration (TSA) terminating our CY15 contract for the National Explosives Detection Canine Team Program (NEDCTP) effective December 31, 2015;

**B)**

**R-2016-0670**

**APPROVED:** accepting on behalf of the Palm Beach County Sheriff's Office, a new CY16 TSA NEDCTP contract award in the amount of

\$1,010,000 for the period January 1, 2016, through December 31, 2019;  
and

**C)**  
**BA 2016-0800**

**APPROVED:** a Budget Amendment of \$252,500 in the Sheriff s Grants Fund.

**SUMMARY:** On March 10, 2015, the Board of County Commissioners accepted a grant award from the U.S. Department of Homeland Security, Transportation Security Administration (TSA) to the Palm Beach County Sheriff s Office in the amount of \$1,262,500 (R-2015-0353) to offset the costs of five Canine Teams at the Palm Beach International Airport (PBIA) for a period of five years commencing on January 1, 2015, through December 31, 2019. On February 4, 2016, TSA informed PBSO that the CY15 contract will be terminated and a new contract will be awarded commencing on January 1, 2016 due to an internal budgetary issue. Thus, we need to terminate the CY15 TSA contract and reduce the total contract award value to \$252,500 for the period January 1, 2015, through December 31, 2015. The new CY16 TSA contract will continue to fund our Canine Teams at PBIA from January 1, 2016, through December 31, 2019. Countywide (DC)

**3.DD.           COMMISSION ON ETHICS**

**3.DD.1.**  
**R-2016-0671**

**APPROVED:** a Memorandum of Understanding (MOU) with the Delray Beach Downtown Development Authority and Palm Beach County to engage the services of the Palm Beach County Commission on Ethics for a three year term, effective July 14, 2016. **SUMMARY:** The Delray Beach Downtown Development Authority (Delray Beach DDA) agreed to subject itself to the jurisdiction and authority of the Commission on Ethics and its Executive Director. This MOU identifies the roles and responsibilities of the Commission on Ethics and the Delray Beach DDA in implementing the Palm Beach County Code of Ethics, and establishes a schedule of fees to be paid by the Agency to the County in exchange for services. As required by the Commission on Ethics Ordinance, all fees paid under this Agreement must be used to fund Commission on Ethics operations. The

MOU is subject to final approval of the Board of County Commissioners. District 4 (LB)

**ITEM PULLED FROM THE CONSENT AGENDA**

**3.C.11.**

**A)**

**R-2016-0672**

**APPROVED:** Work Order No. 2015053-01 utilizing Palm Beach County s (County) annual asphalt milling and resurfacing contract R-2016-0143 (Contract) with Ranger Construction Industries, Inc. (Ranger) in the amount of \$210,000 for Browns Farm Road from approximately one mile south of CR880 to approximately three miles south of County Road 880; and

**B)**

**R-2016-0673**

**APPROVED:** Work Order No. 2015053-02 utilizing the County s Contract with Ranger in the amount of \$775,000 for Gator Boulevard from East Sugar House Road to Hatton Highway.

**SUMMARY:** Approval of these two Work Orders will allow the contractual services necessary to construct all the improvements. Funding is provided through the Glades Area Roads Repair/Reconstruction and Reserve-Resurfacing accounts within the Five Year Road Program. Per County PPM CW-F-050, these Work Orders exceed the threshold relating to staff approvals of contracts, thus requiring approval from the Board of County Commissioners (Board). Staff has coordinated the timing of these projects to minimize interference with the Glades harvest season. District 6 (MRE)

Commissioner McKinlay disclosed that her son would be starting an internship with Ranger Construction and that she would abstain from voting.

**MOTION to approve the work orders carried 6-0.**

Abrams	Yes	
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Berger	Yes	
Burdick	Yes	
McKinlay	Abstaining	
Taylor	Yes	
Valeche	Yes	<b>Secunder</b>
Vana	Yes	<b>Maker</b>

**4. PUBLIC HEARINGS 9:30 A.M.**

Mayor Berger said that Proof of Publication (POP) 1144952 was received and filed without objection.

**4.A.**

**ORD 2016-032**

**ADOPTED WITH DIRECTION:** an Ordinance imposing a countywide local government infrastructure surtax of one percent (1.0%) on all authorized taxable transactions occurring within Palm Beach County, as authorized by Section 212.055(2), Florida Statutes, effective beginning January 1, 2017, for a period of ten years; providing that imposition of the surtax shall be contingent on approval at a countywide referendum; providing for distribution of surtax revenues among the county, the municipalities in the county, and the School Board of Palm Beach County, Florida; providing for citizen oversight; providing ballot language and directing the Supervisor of Elections to hold a countywide precinct referendum election on November 8, 2016. **SUMMARY:** On May 3, 2016, the Board approved on first reading an infrastructure surtax plan for one cent, maximum 10 years, creation of an oversight committee to audit spending for compliance with approved projects, and the following allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The ordinance has also been amended to include an alternate sunset provision that the surtax will end earlier if \$2.7 billion is collected prior to September 1<sup>st</sup> of any year that the Board agrees to take all necessary action to repeal this Ordinance and notify the Florida Department of Revenue prior to the applicable deadline so that the surtax will not continue for the following calendar year. All funding must be expended as prescribed by Florida Statutes.

This Ordinance for a one-cent infrastructure surtax includes ballot language for a referendum scheduled for November 8, 2016. If approved by the voters, the surtax will begin on January 1, 2017 for ten years,

ending on or before December 31, 2026. In addition to creating an oversight committee(s), a project manager will be hired or assigned to coordinate and monitor the program.

The local discretionary sales surtaxes apply to all transactions subject to the state tax imposed on sales, use, services, rentals, admissions, and other authorized transactions. The surtax applies to the first \$5,000 of any single taxable tangible personal property item. Items such as groceries, baby food, baby formula, and medicines are exempt from sales tax. Levying this surtax will partially shift the funding responsibility to visitors; about 25% of sales tax in Palm Beach County is paid by visitors, as opposed to funding infrastructure backlog through property taxes.

Florida's Department of Revenue (DOR) will distribute the surtax directly to the School District, each Municipality, and the County.

An interlocal agreement establishing a distribution formula that would be inclusive of all proposed partners has been approved by the County and the School Board. The Interlocal agreement will need to be approved by the governing bodies of the municipalities representing a majority of the County's population. Countywide (PFK) POP 1144952

County Administrator Verdenia Baker said that:

- This surtax will allow the County, the municipalities and the School Board to address backlogged infrastructure.
- The dollars will only be used for capital services. No operating cost will be included.
- Staff considered other options to address the backlog before settling for the surtax.
- The ballot language was modified to include on or before to let the public know that if the goals were met before the year 2026, then the County would proceed to repeal the ordinance.
- The interlocal agreement was also modified per the agreement between the County and the School Board on May 10<sup>th</sup>.

- There was a termination clause added in case the BCC did not adopt the ordinance by June 7<sup>th</sup> and in case the municipalities did not sign the agreement by June 10<sup>th</sup>.
- The interlocal agreement had been approved by City of Greenacres, Town of Haverhill, Town of Lake Clarke Shores, City of Pahokee, Village of Palm Springs, and Village of Wellington.
- Staff anticipated that another five municipalities would address the interlocal agreement this week.
  - The City of West Palm Beach would address the interlocal agreement next week.
  - At that time, the municipalities would have exceeded the 50-plus-one percent population that the Florida Statutes required for the one cent to be disbursed any differently than what was contained in the statute.
- Staff's goal was to ensure that the County received the municipalities approvals by June 10, 2016, and to work with the municipalities and the School Board to develop an education campaign.
- The resolution would then be presented to the BCC for adoption.

#### **BOARD DIRECTION:**

Vice Mayor Valeche was concerned that if the surtax did not pass, it would lead to a mid-year budget revision. He asked staff to consider the possibility of doing a revenue bond to meet the infrastructure needs.

Mayor Berger expressed that she was not in favor of doing something that would put the burden on the property owners.

Ms. Baker said that staff would develop the campaign and bring it back to the BCC. She added that staff welcomed the participation of the BCC in this process.

Commissioner McKinlay said that she was in contact with commercial realtors who had concerns about the discretionary sales surtax from

leases. She added that there was a possibility that legislation might be introduced.

**BOARD DIRECTION:**

Commissioner McKinlay requested that staff work with the state legislator to determine whether commercial leases could be exempt from the sales surtax.

Ms. Baker said that staff would follow up on Commissioner McKinlay's direction. She added that there would be a minimum of three citizen oversight committees and there would be one for the County, one for the School Board, and the legal cities may consider having one or their own.

**PUBLIC COMMENTS:** Alexandria Larson, Christine Schwartz, and Mary Lou Bedford.

**MOTION to adopt the ordinance with board direction carried 5-2.**

Abrams	Opposed	
Berger	Yes	
Burdick	Yes	<b>Secunder</b>
McKinlay	Yes	
Taylor	Yes	<b>Maker</b>
Valeche	Opposed	
Vana	Yes	

**5. REGULAR AGENDA**

**5.A. PLANNING, ZONING & BUILDING**

**5.A.1.**

**DENIED AS AMENDED WITH DIRECTION:** a Resolution denying the request to delegate to the Town Council of the Town of Lake Clarke Shores the exercise of all powers and responsibilities conferred on Palm Beach County by the Community Redevelopment Act for the purpose of establishing and operating the Town of Lake Clarke Shores Community Redevelopment Agency (CRA). **SUMMARY:** The item before the Board of County Commissioners (BCC) is to consider the creation of a new CRA at the request of the Town of Lake Clarke Shores within its municipal

limits, generally located between Interstate 95 and Florida Mango Road, on the north and south sides of Forest Hill Boulevard. Chapter 163, Part III, F.S., gives the BCC, as the governing body of a charter county, full discretion to approve or deny a request to create a CRA within a municipality. The Town is seeking a delegation of all powers and responsibilities conferred in Chapter 163, Part III, F.S. including creation of a Redevelopment Trust Fund that utilizes increases in property tax revenues that would otherwise go to the County and other taxing authorities unless exempt pursuant to the statute. Specifically, the Town is requesting the County to: find that the blighted area proposed for the CRA meets the criteria contained in Chapter 163, Part III, Florida Statutes; delegate authority to create a Community Redevelopment agency to the Town; allow the Town to adopt a Community Redevelopment Plan; and authorize the establishment of a Redevelopment Trust Fund. While the Town concluded in the Finding of Necessity report that this area met 5 of the 15 criteria as factors present for blight, staff's assessment is that the conditions in the proposed area do not meet the definition of blight, as defined in Chapter 163.340(8), F.S., since there is no existence of slum and blighted conditions contributing to the spread of disease and crime, contributing to the decrease in tax base, nor substantially impairing or hindering sound growth. District 3 (RPB)

Principal Planner Patricia Behn said that:

- The Town of Lake Clark Shores (Town) provided data on five factors:
  - Predominance of defective or inadequate street layout, parking facilities, roadways, bridges or public transportation.
  - Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the five years prior to the finding of such conditions.
  - Faulty lot layout in relation to size, adequacy, accessibility, or usefulness.
  - Inadequate and outdated building density patterns.

- Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area.
- The Town identified eight out of 43 properties, or 19 percent, in the proposed CRA with deficient landscaping, poorly designed surface parking, and site drainage deficiencies.
- Staff concluded that the number of deteriorated or deteriorating structures was not substantial.
- The five factors cited by the Town were commonalities of many communities recovering from the economic downturn.

Budget Director John Wilson said that:

- In 2016, the county paid \$30 million to the CRAs, which constituted 4 percent of the countywide taxes.
- A CRA approval would freeze future tax revenues, and any increases in tax revenue would go directly back to the CRAs.

Ms. Behn said that:

- The Town could explore other funding resources through traditional powers and mechanisms, such as:
  - the Palm Beach County Housing Authority;
  - the Florida Department of Environmental Protection State Revolving Fund Program;
  - the Lake Worth Lagoon Initiative Grant Program;
  - the South Florida Water Management District's various funding programs;
  - jointly bidding with the County on infrastructure projects; and
  - the possible approval of the 2016 one-cent surtax.

- The Town had a reduction in aggregate certified ad valorem values from 2009 to 2014. However from 2010 to 2015 there was no reduction.

Mr. Wilson said that:

- The County paid the following amounts to the following CRAs:
  - Boca Raton-\$4.4 million
  - Boynton Beach-\$3.6 million
  - West Palm Beach-\$8.8 million
  - Riviera Beach-\$2.6 million
  - Delray Beach-\$5.9 million
  - Westgate-\$1.6 million
  - Lake Worth-\$800,000
  - Northwood-\$1 million
  - Lake Park-\$210,000
  - Jupiter (Harbor side)-\$1.1 million
  - Belle Glade-\$11,000
- The Town would initially receive \$15,000 to \$20,000 in the first year but the amount would increase later as the Town s CRA grew.

County Administrator Verdenia Baker said that the office of Financial Management and Budget always recommended against creating additional CRAs because those were incremental dollars that the County did not get to keep.

Commissioner Vana suggested a CRA and the County could reach an agreement to limit the amount paid by the County.

Ms. Baker said that that would be a new option the BCC could consider and that it was never attempted before.

Regarding the 10 percent millage rate cap, Mr. Wilson said that:

- The Town, along with the Fire Rescue Municipal Service Taxing Unit (MSTU), had approximately a quarter of a mill, which generated approximately \$56,000.
- If the Fire Rescue MSTU millage rate increased, it would receive priority over the Town's millage rate.
- He was uncertain how many CRAs were near or at their 10 percent millage rate cap.

Commissioner McKinlay expressed concern about creating CRAs in areas that were already near their 10 percent millage cap. She said that rather than rearranging their services, these areas could reach their cap and then create CRAs to obtain additional revenue.

Ms. Behn commented that:

- The CRAs created in 2002 and in the 1990s were recommended for approval because there was proof of blight within the areas.
- The number of CRAs had increased since then.
- The Florida Statute regarding CRAs changed at some point to include additional factors for blight.

Robert Banks, Chief Land Use County Attorney, said that the BCC had total discretion to approve or deny CRAs and could also reject staff's analysis and approve a resolution accepting the Town's funding.

Mr. Wilson added that if the sales tax referendum passed, the Town would receive approximately \$200,000 every year.



Commissioner Abrams said that CRAs invested in the communities and helped property values increase, which ultimately benefited the County.

Ms. Caldwell said that the interlocal agreement could have a time limit.

Mr. Banks added that 30 years was the base but by interlocal agreement, it could be any number of years.

Commissioner Burdick said that she did not see signs of blight in the Town.

Ms. Behn said that part of the definition of blight was to find a substantial number of deteriorated structures and that staff did not find that the Town met the definition. She added that there were other funding mechanisms the Town could consider.

Ms. Caldwell said that changing the definition of blight could result in a precedent setting for other municipalities to request a CRA designation.

Assistant County Administrator Faye Outlaw added that:

- The Town's finding of necessity study related to the second part of the definition of blight, which included meeting at least two of the qualifying 15 conditions.
- The Town's report did not address the first part of the definition of blight referenced on the state statutes.
- From staff's perspective, the Town failed to meet both definitions of blight, which is why staff denied the request.
- The BCC should not be concerned about setting a precedent if approving the request under the alternate definition mentioned on the statute.
- The statute was written in terms of the 15 qualifying conditions, which left room for interpretation.
- The clearest part of the statute referenced a substantial number of deteriorated structures, which the Town did not have in staff's opinion.

- None of the other CRAs approved in the past were approved under the alternate definition.

Ms. Caldwell added that this would be the first CRA approved under that secondary definition of blight.

Mr. Banks said that the recent CRAs that were approved by the County were not recommended for denial by staff.

Commissioner Vana expressed concern that the information presented needed to be clarified, and she requested that correct information be communicated effectively in the future.

Ms. Baker said that the alternative definition gave the BCC greater flexibility and could also set a new precedent.

**PUBLIC COMMENTS:** Alexandria Larson, Robert Shaloub, Dan Clark, Representative Dave Kerner, and Kim Delaney.

Mayor Berger said that the documents submitted by Ms. Delaney were received and filed without objection.

Responding to the board, Mr. Clark said that private developers were invited to share their ideas about the Town's CRA plan and they identified that the cost of land could be an issue.

Responding to the board questions, Ms. Delaney said that assisting with any type of public infrastructure cost, roadways, sidewalk connections, and green spaces would help improve the area, and motivate private developers to redevelop the area.

Responding to the board questions, Mr. Clark said that the Town did not have the type of free capital to invest in those infrastructure projects. He added that the sales tax would be dedicated to roads.

Vice Mayor Valeche said that he was in support of the Town's request and that this would be a great way to create economic development.

**MOTION to approve the Town of Lake Clarke Shores request for a Community Redevelopment Agency and direct staff to work with the**

**Town on an interlocal agreement to bring back to the board for approval at the first meeting in June. Motion by Commissioner Vana.**

Mr. Banks clarified that the board would need to approve the CRA at the meeting in June so that staff could prepare the resolution. He added that staff could work with the Town on the details of the resolution and the interlocal agreement.

Mr. Shaloub stated that he agreed with staff's recommendations.

Mr. Banks said that staff requested that the Town agree in writing to a 30-day extension so that the Town could act on the interlocal agreement before the matter came back to the BCC.

Ms. Outlaw said that staff also requested that the Town agree in the interlocal agreement to share the dollar increment with the County.

Commissioner Vana stated that her motion would include Mr. Banks' and Ms. Outlaw's recommendation.

Commissioner Abrams said that staff should make the duration of the CRA a point of discussion and part of the negotiations with the Town.

Mr. Wilson said that the Town's proposal was that it would retain those dollars for values of up to \$15 million in increment. He added that between \$15 million and \$30 million, it would return 25 percent back to the County and for anything over \$30 million, the Town would return 50 percent back to the County.

Commissioner McKinlay said that she would support the motion because of all the potential benefits.

**COMMISSIONER VANA CALLED THE QUESTION by a show of hands, the vote to close debate carried 6-1.**

Abrams	Yes
Berger	Yes
Burdick	Opposed
McKinlay	Yes
Taylor	Yes
Valeche	Yes

Vana	Yes
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**MOTION SECONDED** by Commissioner Valeche, and upon call for vote by a show of hands, the motion carried 7-0.

Abrams	Yes	
Berger	Yes	
Burdick	Yes	
McKinlay	Yes	
Taylor	Yes	
Valeche	Yes	<b>Seconder</b>
Vana	Yes	<b>Maker</b>

Ms. Baker said that the document with regards to the workforce housing could be made a part of the resolution.

(Clerk s Note: Commissioner Vana left the meeting.)

## 6. BOARD APPOINTMENTS

### 6.A. COMMISSION DISTRICT APPOINTMENTS

#### 6.A.1

**APPROVED:** the Appointment of David Burke to the Tourist Development Council.

**MOTION to approve the appointment carried 6-0.**

Abrams	Yes	<b>Maker</b>
Berger	Yes	
Burdick	Yes	
McKinlay	Yes	
Taylor	Yes	<b>Seconder</b>
Valeche	Yes	
Vana	Absent	

#### 6.A.2.

**APPROVED:** the reappointment of Judy Daversa to the Planning Commission.

**MOTION to approve the reappointment carried 6-0.**

Abrams	Yes	
Berger	Yes	
Burdick	Yes	
McKinlay	Yes	
Taylor	Yes	<b>Secunder</b>
Valeche	Yes	<b>Maker</b>
Vana	Absent	

(Clerk s Note: Commissioner Vana rejoined the meeting.)

**7. STAFF COMMENTS**

**7.A. ADMINISTRATION COMMENTS**

**7.A.1.**

**DISCUSSED:** Active Shooter Program

Audrey Wolf, Director of Facilities Development and Operations, said that:

- The County s new training program was developed using information from the Department of Homeland Security, PBSO, County Risk Management, and Human Resources and in response to recent active shooter incidents.
- It would offer updated observation and prevention guides.
- The training program consisted of two mandatory components:
  - Work Place Violence Active Shooter audio powerpoint
  - Training acknowledgement
- By July 1, 2016, all employees must acknowledge that they underwent the training. She said that the acknowledgments would have to renewed every five years or when new material was available.

- New employees would receive the training at orientation.
- Optional training materials included:
  - A Workplace Violence Active Shooter Response Guide in the form of a memo;
  - A Run, Hide, Fight YouTube Video that was produced by the City of Houston; and
  - A site-specific and work-specific task training live presentation.

Ms. Wolf said that once all the departments viewed the 30-minute training, they could request a live presentation that addressed place-specific or task-specific risks.

Commissioner Vana suggested that fire drills be reviewed and rehearsed.

Ms. Wolf said that:

- There were some elements that were common between fire drills and active shooter instances, but fire drills were very specific to one's workplace.
- Active shooter incidents were more fluid and not focused on a site-specific plan.
- Getting people prepared for numerous situations was the key factor to the training program.
- If the BCC preferred site-specific training on active shooter events, staff could provide that.

Assistant County Administrator Nancy Bolton stated that Risk Management's safety team was updating training and reintroducing themselves to new staff coordinators.

Ms. Wolf said that there was a component of the training that addressed prevention and some behaviors to look out for. She added that there were some programs in the county that people could be referred to as well.

Commissioner Taylor said that staff should incorporate safety entrance procedures.

Commissioner Burdick said that she looked forward to participating in the training.

#### **7.A.2.**

**DISCUSSED:** Hurricane Season Preparedness.

County Administrator Verdenia Baker said that hurricane season began June 1<sup>st</sup> and that staff was working with Animal Care and Control to ensure that a sheltering plan was in place. She added that staff would notify the public through water utility bills and public service announcements.

#### **7.A.3.**

**DISCUSSED:** County Staff Awards

County Administrator Verdenia Baker said that the recent Florida Governors Hurricane Conference recognized the following county employees:

- Steve Weagle, Chief Meteorologist for West Palm Beach Television Station Channel 5, who received the Dick Fletcher Media Award.
- Mary Blakeney, Senior Manager of Emergency Management Programs, who received the Bob Lay Emergency Management Award.

Baker added that the County recently received the United Way 2015-2016 Campaign Spirit of Palm Beach County award. She said that staff donated approximately half a million dollars.

#### **7.A.4.**

**APPROVED:** Ratification of Patrick Rutter as Planning, Zoning, and Building Director.

County Administrator Verdenia Baker recognized that Rebecca Caldwell was retiring at the end of the month and stated that Patrick Rutter was selected as the new Executive Director of Planning, Zoning, and Building Department. She requested board ratification of Mr. Rutter's appointment.

**MOTION to approve the ratification carried 7-0.**

Abrams	Yes	<b>Secunder</b>
Berger	Yes	
Burdick	Yes	
McKinlay	Yes	
Taylor	Yes	
Valeche	Yes	
Vana	Yes	<b>Maker</b>

(CLERK S NOTE: See page 48 for continuation of item 7.A.)

**7.B. COUNTY ATTORNEY None**

**8. COMMISSIONER COMMENTS**

**8.A. District 1 COMMISSIONER HAL R. VALECHE, VICE MAYOR None**

**8.B. District 2 COMMISSIONER PAULETTE BURDICK**

**8.B.1.**

**DISCUSSED:** Do the Write Thing Writing Exercise

Commissioner Burdick commended the County's Youth Services Department for participating in the Do the Write Thing writing exercise for all middle school children.

**8.B.2.**

**DISCUSSED:** CPR Training Participation.



Commissioner Burdick said that she would be participating in the CPR training and encouraged others to attend the training as well.

**8.C. District 3 - COMMISSIONER SHELLEY VANA**

**8.C.1.**

**DISCUSSED:** Compression-Only CPR Training.

Commissioner Vana stated that compression-only CPR training would take place May 19, 2016, in the Robert Weissman Governmental Center s courtyard.

**8.D. District 4 COMMISSIONER STEVEN L. ABRAMS**

**APPROVED:** request to present off-site, a Proclamation declaring June 20, 2016, as World Refugee Day in Palm Beach County.

**MOTION to approve presenting the off-site proclamation carried 7-0.**

Abrams	Yes	<b>Maker</b>
Berger	Yes	
Burdick	Yes	
McKinlay	Yes	
Taylor	Yes	<b>Seconder</b>
Valeche	Yes	
Vana	Yes	

**8.E. District 5 - COMMISSIONER MARY LOU BERGER, MAYOR None**

**8.F. District 6 - COMMISSIONER MELISSA MCKINLAY**

**8.F.1.**

**DISCUSSED:** County Emergency Fire Rescue Services and Facilities Surtax.

Commissioner McKinlay said that:

- A legislative member who helped pass the Fire Rescue surtax statute contacted her wanting to know why the County did not request an opinion from Attorney General Pam Bondi.
- The firefighters union momentarily ceased moving forward with the surtax but the board should still request Attorney General Bondi s opinion.
- County Attorney Denise Nieman s draft letter to Attorney General Bonding should be finalized and submitted soon to allow enough time for a glitch bill to be filed in the legislature.
- A glitch bill may need to be included as one of the legislative priorities in November 2016.

## **8.G. District 7 - COMMISSIONER PRISCILLA A. TAYLOR**

### **8.G.1.**

**DISCUSSED:** Absentee Ballot Brokering.

Commissioner Taylor expressed concern that ballots were being discarded due to incorrect signatures and that people showing up to vote were learning that absentee ballots were already casted. She requested that staff review the situation for possible controls that could be established.

Commissioner McKinlay suggested that staff and the Supervisor of Elections work on a better public relations campaign and provide more information on absentee ballots.

### **8.G.2**

**DISCUSSED:** Building Code Advisory Committee Diversity.

Commissioner Taylor requested that staff contact the Building Code Advisory Committee to encourage minority participation.

(CLERK S NOTE: item 7.A. was continued at this time.)

### **7.A.5.**

**DISCUSSED:** Retirement Announcement.

County Administrator Verdenia Baker acknowledged the upcoming retirement of Liz Bloeser, Director of Financial Management and Budget. She commended Ms. Bloeser on her outstanding work while serving Palm Beach County.

**9. ADJOURNMENT**

**At 12:18 p.m., the mayor declared the meeting adjourned.**

ATTESTED:

APPROVED: August 16, 2016

Clerk

Mayor