

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

JUNE 15, 2021

<u>PAGE</u>	<u>ITEM</u>	
16	3E-2	REVISED MOTION: Staff recommends motion to: C) approve Amendment No. 2 <u>1</u> to the Subrecipient Agreement (R2021-0045) with The Lord's Place Inc., to extend the end date from June 30, 2021 to June 30, 2022 and increase funding by \$1,052,023 for a new total amount not-to-exceed \$2,270,023, to provide emergency shelter, rapid re-housing, outreach, and street engagement services for the homeless to prevent the spread of COVID-19; (Comm Svs)
48	3P-1	DELETED FOR FURTHER STAFF REVIEW (Coop Ext)
59	4B-2	REVISED SUMMARY: These amendments would create a removal process for commissioners due to violation of any of the provisions listed in sec. 2-255(e); amend chair and vice-chair terms from two years to one year; provide for payment of advocates needed to present case where Commission on Ethics is seeking sanctions at the current hourly rate established by the county for outside legal services; provide for payment of hearing officers or special magistrates in accordance with the current schedule established by the county for hearing officers or special magistrates; require hearing officer or special magistrate to conducting final public hearings; require the Commission on Ethics Commissioners to determine appropriate penalty and render final order if the hearing officer or special magistrate finds a violation has been committed. and amend schedule for non-state reporting individuals to report qualified gifts from fiscal year to calendar year. <u>Countywide</u> (HJF) (COE)
66	5B-4	ADD-ON: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, supporting the Florida Department of Agriculture and Consumer Services (FDACS) in its issuance of Federal Financial Assistance Funding Opportunity Number: 22FL818Y8105, entitled "Emergency Food Assistance Program;" its 2020-21 Regional Map, which defines Palm Beach County as a stand-alone region; and its scoring and selection of Farm Share, Inc. as the successful contract awardee for Palm Beach County (Region 17). SUMMARY: On October 6, 2020, the Board unanimously adopted Resolution No. 2020-1521, which urged FDACS to issue a competitive process for the Emergency Feeding Assistance Program (TEFAP) for state contracts, for the fiscal year beginning October 1, 2021, and to separate Region 8, which combined Palm Beach and Broward Counties, into two separate regions under the program. On January 25, 2021, FDACS issued Federal Financial Assistance Funding Opportunity Number 225FL818Y8105. Three food bank organizations submitted proposals aimed at serving Palm Beach County. Farm Share, Inc. was awarded the contract, and the State's regional map was restructured, designating Palm Beach County as stand-alone Region 17. The purpose of the proposed resolution is to support FDACS' selection committee's award of the FY 2021-22 TEFAP contract to Farm Share, Inc. to serve Palm Beach County, Region 17. Farm Share, Inc., has been in the food banking business since 1991, and has successfully administered TEFAP contracts in other regions of the state. In 2020, Farm Share, Inc. distributed more than 101 million pounds of food to more than 18 million households in Florida. Representatives have already been in communication with the County, the Palm Beach County Food Bank, and other community partners expressing the desire to work collaboratively toward the goal of ending hunger in Palm Beach County. <u>Countywide</u> (HH) (Admin)

- 72 5G-1 **ADD-ON/REVISED MOTION: Staff recommends motion to approve adopt:** a Resolution of the Board of County Commissioners declaring the Friday after the Thanksgiving holiday Family Day in Palm Beach County. **SUMMARY:** Family Day was initially established in 1979 in Arizona with the purpose of bringing families together to appreciate one another and many other states and nations observe Family Day. Palm Beach County would be only the second jurisdiction in Florida to formally observe Family Day. Families are critical to the health, well-being, and vibrancy of all communities and Family Day would build upon the County’s ongoing year-round efforts to support family-oriented events, experiences and destinations. Parks, open spaces and outdoor experiences provide a broad range of opportunity for family togetherness and are a great place to spend time on Family Day. Businesses and local merchants are also encouraged to host family friendly activities and promotions that boost and stimulate our economy. The recognition of Family Day is in line with the County’s focus on being a welcoming, diverse, healthy and vibrant community known nationwide as a great place to live, work and raise a family. Countywide (AH) (Parks)
- 73 6A-1 **REVISED MOTION:** Advocate for Low Income Persons
 Ezra Krieg
 Mayor Dave Kerner
 Commissioner Gregg K. Weiss
 Commissioner Melissa McKinlay
 Commissioner Mack Bernard
Vice Mayor Robert S. Weinroth
- Not-for-Profit Provider of Affordable Housing
 Timothy Coppage
 Mayor Dave Kerner
 Commissioner Gregg K. Weiss
 Commissioner Melissa McKinlay
 Commissioner Mack Bernard
Vice Mayor Robert S. Weinroth (HED)
- 76 Dist. 2 **ADD-ON:** Request for off-site Proclamation declaring June 21-27, 2021 as National Pollinator Week in Palm Beach County
- 76 Dist. 4 **ADD-ON:** Request for off-site Proclamation recognizing the Town of Lantana’s 100th Anniversary
- 77 Dist. 7 **DELETED:** Proclamation recognizing Willie Spence as the 2nd Place Winner in the Season Finale of American Idol

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

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

JUNE 15, 2021

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

**COMMISSION
CHAMBERS**

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

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

- 3. CONSENT AGENDA (Pages 10-55)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Pages 56-61)**

- 5. REGULAR AGENDA (Pages 62-72)**

- 6. BOARD APPOINTMENTS (Pages 73-74)**

- 7. STAFF COMMENTS (Page 75)**

- 8. BCC COMMENTS (Pages 76-77)**

- 9. ADJOURNMENT (Page 78)**

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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: the reappointment of two current members, Alex Dobin and Connor Lynch, to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

Appointment	Seat No.	Term	Area of Representation	Nominated By
Alex Dobin	17	6/19/21- 6/18/24	Private Sector	Florida Power & Light Company
Connor Lynch	26	7/10/21- 7/9/24	Private Sector	Plastridge Insurance Agency

SUMMARY: On November 18, 2014, the Board of County Commissioners (BCC) approved the third amendment to Interlocal Agreement (R2014-1650) creating the Palm Beach Workforce Development Consortium (R2007-1220) which establishes the current Board composition. The agreement states that 14 private sector members are appointed by the BCC. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members. The Board has a maximum of 33 seats, 22 currently filled and a diversity count of Caucasian: 16 (73%), African-American: 4 (18%) and Hispanic: 2 (9%). The gender ratio (female:male) is: 6:16. The nominees are Caucasian male. Countywide (HH)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION (Cont'd)

2. **Staff recommends motion to adopt:** a resolution affirming Palm Beach County's ongoing commitment to cultivating an inclusive, safe, and just society that values the diversity of our community, denouncing domestic terrorism; denouncing anti-government extremism that increases the likelihood of violence, countering hate and extremism through engagement with community leaders, and urging residents to adopt these values in their own lives, and denouncing hate and extremism. **SUMMARY:** The Anti-Defamation League (ADL) has requested cities and counties across the country to adopt resolutions denouncing hate and extremism. ADL's report on Murder and Extremism in the United States in 2019 found that domestic extremists killed at least 42 people in the United States in 17 separate incidents in 2019, making 2019 the sixth deadliest year on record for domestic extremist-related killings since 1970. This rise in domestic terrorism has furthered the ADL's mission to fight to end the spread of hate, bigotry, and harassment based on race, color, religion, national origin, ethnicity, sex, gender, gender identity and expression, sexual orientation, disability, or any other protected characteristic as defined by law. Recent calls to action from the ADL have defended democratic institutions and brought attention to disinformation, misinformation, and online conspiracy theories that are spreading and inspiring real-world violence. This resolution affirms an ongoing commitment to cultivating an inclusive, safe, and just society that values the diversity of our community and denounces hate and extremism to help keep us all safe. Countywide (AH)

B. CLERK OF THE CIRCUIT COURT & COMPTROLLER

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

<u>Meeting Date</u>	<u>Meeting Type</u>
May 18, 2021	Regular

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller's Office. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** a contract with Heavy Civil, Inc. (HCI) in the amount of \$353,786 for the construction of Hood Road from Briarlake Drive to west of the Florida Turnpike (Project). **SUMMARY:** Approval of this contract will provide the construction services necessary to construct an asphalt sidewalk along the north side of Hood Road from the east side of Briarlake Drive to west of the Florida Turnpike. The Affirmative Procurement Initiative selected for this contract on October 21, 2020 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. HCI was the lowest responsive responsible bidder of five. HCI contractually agreed to 21.67% SBE participation. The contract time for the Project is 120 calendar days. **This Project is included in the infrastructure sales tax.** District 1 (YBH)
2. **Staff recommends motion to accept:** an easement from the Board of Trustees of The Internal Improvement Trust Fund (TIITF) of the State of Florida pursuant to Section 18-2.018 (3)(D), Florida Administrative Code, for a portion of land located on the north side of Donald Ross Road at the intersection with Max Planck Way. **SUMMARY:** The proposed easement is needed for traffic signal maintenance by Palm Beach County (County). A developer installed a new traffic signal at the intersection of Donald Ross Road and Max Planck Way within the municipal limits of the Town of Jupiter (Project). In order for the County to accept the Project for maintenance as part of its traffic control jurisdiction, the County needs an easement for legal access to the TIITF owned property. District 1 (YBH)
3. **Staff recommends motion to adopt:** six resolutions to initiate eminent domain proceedings by declaring the acquisition of properties designated as parcel 103 as right-of-way, parcel 203 as a permanent easement, and parcels 300, 301, 302A and 302B, 304A and 304B, and 305 as temporary construction easements necessary for the construction of roadway improvements on Benoist Farms Road from Southern Boulevard (State Road 80) to Belvedere Road (Project). **SUMMARY:** Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes as amended, against seven parcels having a total appraised value of \$309,400. The parcels are necessary for the widening and construction of a three-lane roadway with paved shoulders, curb and gutters, a closed drainage system, sidewalks and traffic signal improvements for the Project. To date, the property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program.** District 2 (DO)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to:

A) adopt a resolution to approve the Local Agency Program (LAP) agreement with the State of Florida Department of Transportation (FDOT) for a federally funded grant in the amount of \$1,060,814 for the construction of Belvedere Heights Phase II (Project);

B) approve the LAP agreement with FDOT for the construction of the Project with an expiration date of June 30, 2023;

C) approve an Interlocal Agreement with the Westgate Belvedere Homes Community Redevelopment Agency (Westgate CRA) for all Project costs above the LAP grant amount; and

D) approve a budget amendment of \$1,339,036 in the Capital Outlay Fund to recognize the LAP grant from FDOT and reimbursement funding from Westgate CRA and appropriate it to the Project.

SUMMARY: Approval of this agreement will allow Palm Beach County (County) to receive a grant for construction funding in the amount of \$1,060,814 for the Project which has an estimated construction cost of \$1,339,036. The local match of 20.78% from the Westgate CRA is \$278,222. The Project will provide streetlights, sidewalks and sodding along County roads within the Westgate CRA area. Approval of the Interlocal Agreement will recognize that the Westgate CRA will be responsible for all costs above the grant amount and maintenance of the improvements after construction is complete. The Code of Federal Domestic Assistance number for this agreement is 20.205 Highway Planning and Construction. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to approve: Work Order 2018051-164 in the amount of \$320,000 to mill and resurface Hatton Highway from Gator Boulevard to State Road 80 utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$39 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019 with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020 that reduced the mandatory SBE participation to 5%. On June 2, 2020 the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 8.8% for all the work orders issued under the Contract. **This project is included in the infrastructure sales tax. District 6 (YBH)**

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: a settlement agreement, inclusive of attorney's fees and costs, in the total amount of \$145,000 in the personal injury action styled Brittney Rivera vs. Palm Beach County Board of County Commissioners, Case No. 502018CA014894XXXMB AF. **SUMMARY:** This is a personal injury lawsuit arising from a fall incident at Fire Station 19 in Jupiter. Plaintiff stepped into an open and unprotected main water valve box in the ground causing extensive injuries to Plaintiff's left shin, ankle, and knee resulting in two surgeries. Countywide (JM)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: Amendment No. 1 to the Florida Power and Light Company (FP&L) Care To Share Program Agreement (R2018-2064), for the period January 1, 2019 through December 31, 2023, to change the income guidelines from at or below 150% of the Federal Poverty Level Guidelines (FPLG) to the Asset Limited Income Constrained Employed, (ALICE) income guidelines. **SUMMARY:** Amendment No. 1 to the FP&L Care To Share Program Agreement changes the income eligibility for Palm Beach County residents who are at risk of their FP&L service being disconnected. FP&L made the decision to no longer use the FPLG to determine client eligibility. The changes allow the Community Services Department (CSD) to address the gap that is currently a challenge, as most of the federal/state programs are below the 150-200% FPLG and this grant had the same requirements. With the change to income eligibility guidelines, CSD will be able to serve more clients who did not meet the FPLG requirements, but are in need of assistance to avoid their services being disconnected. The ALICE income guidelines are updated annually. The updated ALICE guidelines will be provided to the Palm Beach County CSD for immediate distribution and implementation in order to administer the FP&L Care to Share Program funds. CSD has been administering the program since July 1, 2006. The FP&L Care To Share Program has provided over \$2,000,000 to assist households in Palm Beach County. The program assists over 300 households per year, with 2,300 assisted over the most recent five-year period. Voluntary contributions from FP&L customers, along with corporate contributions fund the FP&L Care To Share Program. No County match is required. (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to:

A) approve the signature of the Mayor on Amendment No.0002 to Grant Contract #IP004 with the Florida Department of Children and Families (DCF) Unified Homeless Grant (CFSA 60.021), for the period July 1, 2019 through June 30, 2022, to increase funding by \$1,052,023 for a new total amount not-to-exceed \$2,963,451.55;

B) approve a budget amendment of \$1,052,023 in the General Fund, Human Services Division, to align the budget to the actual grant;

C) approve Amendment No. 1 to the Subrecipient Agreement (R2021-0045) with The Lord's Place Inc., to extend the end date from June 30, 2021 to June 30, 2022 and increase funding by \$1,052,023 for a new total amount not-to-exceed \$2,270,023, to provide emergency shelter, rapid re-housing, outreach, and street engagement services for the homeless to prevent the spread of COVID-19; and

D) authorize the County Administrator or designee to execute grant agreements and amendments thereto, and all other necessary documents related to the DCF Unified Homeless Grant.

SUMMARY: DCF received \$65,511,297 in Emergency Solutions Grant Coronavirus (ESG-CV2) funding from the U.S. Department of Housing and Urban Development (HUD). The ESG-CV2 funding is used to prevent, prepare for, and respond to the pandemic among individuals and families who are homeless or receiving homeless assistance. The funding is also being used to support additional assistance and prevention services for the homeless to help mitigate the impacts created by the pandemic. Amendment No. 0002 to Grant Contract #IP004 (CFSA 60.021) with DCF will be amended to reflect an increase in ESG-CV2 funding in the amount of \$1,052,023, which became effective on May 1, 2021. The Lord's Place Inc. provides emergency shelter, rapid re-housing, outreach, and street engagement services for the homeless to help prevent the spread of COVID-19. No County match is required. (Division of Human Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to ratify: the signature of the Mayor on the Federally Funded Subgrant Umbrella Agreement #E2016 (Subgrant Agreement) with the Florida Department of Economic Opportunity (DEO), for the period October 1, 2020 through September 30, 2023, to incorporate new provisions to cover both the Community Services Block Grant (CSBG) and the Low-Income Home and Energy Assistance Program (LIHEAP). **SUMMARY:** The Subgrant Agreement supersedes and replaces all current CSBG and LIHEAP agreements that expired on March 31, 2021. The DEO issued one contract to cover both CSBG and LIHEAP programs and the Notice of Funding Awards (NFA's) to release funding under this agreement. NFA's will be issued as funding becomes available. The Subgrant Agreement will allow the Community Action Program (CAP) to continue providing economic stability and mobility services to approximately 2,700 individuals representing 1,040 families residing in Palm Beach County by providing employment skills training, job placement services, resume training, financial management training, rental and utility assistance, and case management services using CSBG funds. Additionally, the Subgrant Agreement allows CAP to continue providing electric utility bill assistance to approximately 8,000 low-income households residing in Palm Beach County. The emergency signature process was utilized because there was not sufficient time to submit the Subgrant Agreement through the regular Board of County Commissioner's agenda process and return by the grantor's deadline. No County match is required. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) Amendment 004 to Standard Agreement No. IP019-9500 (R2019-1836) for the Emergency Home Energy Assistance for the Elderly Program (EHEAEP) (CFDA 93.568) with the Area Agency on Aging of Palm Beach/Treasure Coast, Inc. (AAA), for the period October 1, 2019 through March 31, 2021, to revise, amend, and replace portions of the standard agreement and to transfer \$22,328 from the Outreach Category to the Crisis Assistance Category, in an amount not to exceed \$6,500 for EHEAEP client services;

B) the EHEAEP Intake Center Referral Agreement No. IP0219500 (Referral Agreement) with AAA, for the period April 1, 2021 through September 30, 2023, to promote a coordinated service delivery system to meet the energy needs of seniors and enable eligible participants to access the program conveniently, the Division of Senior and Veteran Services (DSVS) will be reimbursed at a rate of \$27.60 per application for an estimated total amount of \$35,604; and

C) a budget amendment of \$13,276 in FY 2021 in the DSVS Administration Fund to align the budget to the actual grant award.

SUMMARY: Amendment No. 004 is required by AAA to adjust funding between outreach and assistance categories based on program needs. Under the standard EHEAEP agreement (CFDA No. 93.568), seniors who are unable to pay their electric bills can receive financial assistance. The EHEAEP Grant Year (GY) 2021-2023 program services are funded with approximately \$35,604 in federal funds. The EHEAEP GY 2019-2021 program services are funded with approximately \$6,500 in federal funds. The Referral Agreement (CFDA No. 93.568) allows DSVS to be responsible for the programmatic, fiscal, and operational management of EHEAEP services to seniors and is necessary to maintain a climate of cooperation in order to achieve efficiency to promote programs designed to prevent the premature institutionalization of elders and disabled adults. DSVS is responsible for providing services north of Hypoluxo Road. The Mae Volen Center, Inc. is responsible for providing services in the areas south of Hypoluxo Road. Sufficient funding is included in the current budget to meet County obligations. No additional County match is required. (DSVS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to:

A) receive and file a final Notice of Award (NOA) No. 6 H89HA00034-28-01 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), for the budget period March 1, 2021 through February 28, 2022, in the amount of \$7,304,638, to continue providing needed core medical and support services and to improve health outcomes for Palm Beach County residents living with HIV/AIDS;

B) receive and file a revised NOA No. 4 H9AHA36962-01-03 from the U.S. Department of Health and Human Services, HRSA, for a budget period end date extension from March 31, 2021 to March 31, 2022, for use of remaining funds in an amount of \$179,724, to continue improving health outcomes for clients affected by the Coronavirus (COVID-19) pandemic;

C) approve the Subrecipient Agreement for the Ryan White HIV/AIDS Program Part A and Minority AIDS Initiative (MAI) with AIDS Healthcare Foundation, Inc. (AHF), for the three (3) year period March 1, 2021 through February 29, 2024, in an amount not-to-exceed \$1,450,335, of which \$483,445 is budgeted in Grant Year (GY) 2021, with an anticipated annual allocation of \$483,445 in each subsequent grant year for the term of the agreement, for the provision of medical and support services to Palm Beach County residents living with HIV/AIDS; and

D) approve a budget amendment in the amount of \$3,067,509 in the Ryan White Care Program fund to align the budget to the actual grant award.

SUMMARY: A final NOA No. 6 H89HA00034-28-01 (CFDA 93.914) was received on March 25, 2021 from HRSA in the amount of \$7,304,638, to continue providing needed core medical and support services to Palm Beach County residents living with HIV/AIDS. Under this grant, the program will serve approximately 3,100 clients. On April 20, 2021, the BCC approved a partial NOA for \$1,626,211. The grant allows the Community Services Department to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. A revised NOA No. 4 H9AHA36962-01-03 (CFDA 93.914) was received on March 25, 2021 from HRSA, for the Ryan White HIV/AIDS Program Part A COVID-19 Response issuing an extension to the program period end date from March 31, 2021 to March 31, 2022. No additional funds will be provided. The remaining funding in the amount of \$179,724 will be used to prevent, prepare and respond to the Coronavirus Pandemic for clients in the Ryan White HIV/AIDS program under the Coronavirus Aid, Relief, and Economic Security Act. Under this grant, the program will serve approximately 260 clients. Kristen Harrington, an employee of AHF is a member of the Palm Beach County HIV CARE Council. This board provides no regulation, oversight, management, or policy-setting recommendation regarding the subject contract or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. These are Ryan White Part A and MAI grant funds, which require no local match. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to approve: the First Amendment (Amendment) to Automated Teller Machine Concession Agreement with Communitel, Inc. (Communitel) at the Palm Beach International Airport (R2019-0950) (Agreement); abating the Minimum Annual Guarantee (MAG) of \$15,964 for the second contract year; adjusting the MAG for future contract years; providing for reconciliation of the MAG on a year-to-date basis; extending the submittal date for the first contract year audit report; and updating standard contract provisions. **SUMMARY:** Communitel operates automated teller machines (ATMs) at PBI. The first contract year commenced October 1, 2019. ATM usage has declined substantially as a result of the COVID-19 pandemic. The agreement requires Communitel to pay a privilege fee equal to 60% of the annual ATM transaction fees (Privilege Fee) or the MAG. The MAG in the first contract year (FY2020) was \$15,000. For the second contract year (FY2021), the MAG adjusted to 85% of the first contract year's annual Privilege Fee, or \$15,964; however, current passenger demand does not support payment of this amount. As the Amendment abates the MAG for the second contract year, Communitel will pay only the annual Privilege Fee. Commencing October 1, 2021, the MAG will adjust annually to 85% of the annual Privilege Fee for the prior year or \$9,000, whichever is greater. The Amendment also adjusts the method of reconciliation of the MAG to allow Communitel to receive credit for payments made in excess of the MAG before year-end. An annual audit report is required. Communitel has requested to combine the audit report for the first contract year with the audit report for the second contract year. Based on the small dollar amount involved and the fact that Communitel has provided independent transaction data from its banking partner which supports Communitel's Privilege Fee payment for the first contract year, the Department supports this request. The Amendment also updates standard contract provisions, including scrutinized companies. Communitel is a certified Airport Concession Disadvantaged Business Enterprise (ACDBE), providing 100% ACDBE participation. Approval of this Amendment will ensure ATM services remain available at PBI as a passenger convenience while passenger traffic continues to stabilize. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. **Staff recommends motion to approve:** the Sixth Amendment (Amendment) to Airport Ground Lease Agreement (Agreement) with Avis Rent A Car System, LLC (Avis) (R88-314, as amended), extending the term of the Agreement to September 30, 2026, with one additional five-year renewal, and updating standard provisions, for Avis' lease of the rental car facility at 2500 James L. Turnage Boulevard at the Palm Beach International Airport (PBI), for payment of annual rental in the amount of \$406,198. **SUMMARY:** Avis maintains an on-airport rental car return facility in support of its rental car concession at PBI. The Agreement is scheduled to expire September 30, 2021. The Amendment extends the term of the Agreement to September 30, 2026, with one additional five-year renewal. The two adjacent rental car return facilities are vacant. One of the two sites has been vacant, with the exception of temporary uses, for more than ten years. Avis has requested an extension of the Agreement, which will guarantee a minimum of \$2,030,990 in additional rental revenues over the extended term. The current annual rental is \$406,198, which is subject to adjustment every three years, with the next adjustment on October 1, 2022. Avis has also committed to spend a minimum of \$600,000 on improvements to the facilities during the extended term, including the replacement of underground fuel storage tanks with above-ground tanks, replacement of fuel dispensers and replacement of the fuel island canopy. The Amendment also updates the provisions for non-discrimination and scrutinized companies. Countywide (HJF)

3. **Staff recommends motion to receive and file:** four Consent to Sublease (Consent) documents, consenting to the sublease of space by Atlantic Aviation – West Palm Beach LLC d/b/a Atlantic Aviation PBI (Atlantic) at the Palm Beach International Airport (PBI), with the following subtenants:
 - A) 711 Finad LLC, effective 4/1/2021;
 - B) Beagles Eagle, LLC, effective 5/1/2021;
 - C) CMB Aviation 1 LLC, effective 5/1/2021; and
 - D) Georgetown Management, LLC, effective 4/1/2021**SUMMARY:** Atlantic provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067, as amended). The lease agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$25,000 for the full satisfaction of a code enforcement lien that was entered against Walter F. Lange on February 20, 2009. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an order on October 1, 2008 for the property owned by Walter F. Lange providing him until November 30, 2008 to bring his property located at 8729 Pinion Dr., Lake Worth, FL into full compliance. The property had been cited for keeping/allowing chickens/roosters and/or farm animals in a residential zoning district. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Walter F. Lange on February 20, 2009. The Code Enforcement Division issued an Affidavit of Compliance (AOC) for the property on May 4, 2010 stating that the cited code violations had been fully corrected as of April 30, 2010. The total accrued lien amount through December 3, 2020, the date on which settlement discussions began, totaled \$116,051.54, of which Mr. Lange has agreed to pay Palm Beach County \$25,000 (22%) for full settlement of his outstanding Code Enforcement lien. District 6 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a Third Amendment (Amendment) to the Agreement with Ovations Food Services, L.P. d/b/a Spectra Food Services & Hospitality (Spectra) for food and beverage operations services at the Palm Beach County Convention Center (Convention Center) extending the term for an additional 12 months through September 30, 2022. **SUMMARY:** Spectra was selected as the food & beverage operator of the Convention Center in 2010 through a competitive Request for Proposals (RFP) process. Spectra's initial contract (R2010-0965) was renewed in 2015 (R2015-1409) for one renewal period of five years through September 30, 2020. In 2020, the Agreement was extended by the BCC for an additional 12 months (R2020-0640) due to the ongoing COVID-19 crisis which extension expires September 30, 2021. Under the agreement, Spectra manages the day-to-day operations and marketing of food and beverage services at the Convention Center. Due to the ongoing COVID-19 emergency, this Amendment will extend the term of the contract for 12 months, providing staff sufficient time to re-solicit the contract. Facilities Development and Operations (FDO) and the Tourist Development Council (TDC) intend to advertise the solicitation in early 2022 with an anticipated award early in the summer of 2022. The Director of FDO recommends this emergency extension as it is deemed beneficial to the interests, health, safety and welfare to the County. This contract is exempt from the Purchasing Code, but Staff has complied with the requirements of Purchasing Code Section 2-54(b) since this is an extension of a competitively procured contract. Under the agreement as well as this Amendment, Spectra receives: 1) an annual management fee of \$50,000 which has been adjusted for inflation over the term of the contract; 2) 7% of the net profit and 3) an opportunity to earn an incentive fee of up to 1% of gross sales up to \$2.5 million of gross sales and additional up to 2% over \$2.5 million of gross sales not to exceed \$4 million, if certain performance measures are achieved in the areas of financial, marketing, sales and customer service. The County receives: 1) 93% of the net profit of food and beverage operations and 2) cash/credits for certain sponsorships and rebates on certain food and beverage products. In addition to extending the term for 12 months, the Amendment revises the sponsorship/rebate program and adds County standard language on E-Verify. The TDC Board has approved the contract extension for 12 months. As an emergency extension, this contract extension is exempt from the Equal Business Opportunity Ordinance. (FDO/TDC) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve:

A) an annual contract with Onel Construction LLC for general minor construction services on an as needed basis through February 10, 2025; and

B) an increase in the maximum dollar value of the annual minor construction contracts by \$5,000,000 to provide construction services related to repairs, improvements and renovations to County properties on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>
1) All-Site Construction Inc	R2020-0142	S/MBE
2) Andrea Construction, Inc.	R2020-0143	SBE
3) Anzco, Inc.	R2020-0144	SBE
4) Brothers' Construction, Inc.	R2020-0562	Non-SBE
5) Clean Air Restoration, Inc. D/B/A Chandler Construction Company	R2020-0145	Non-SBE
6) DCOTA Contracting, Inc.	R2020-0146	S/MBE
7) Docks & More Construction Co.	R2020-1686	Non-SBE
8) E&F Florida Enterprises Inc. dba Creative Contracting Group	R2020-1687	Non- SBE
9) Greenview Construction LLC	R2020-0565	SBE
10) Hatcher Construction & Development, Inc.	R2020-0147	S/MBE
11) Hufcor, Inc.	R2020-0148	Non-SBE
12) J. Rawn Enterprises, Inc.	R2020-0149	SBE
13) Joe Schmidt Construction, Inc.	R2020-0150	SBE
14) Kelly Brothers, Inc.	R2020-1344	Non-SBE
15) Lambert Bros, Inc.	R2020-0563	Non-SBE
16) One Call Florida, Inc.	R2020-0151	SBE
17) Parsa Corporation	R2020-1029	SBE
18) Poseidon Dredge & Marine, Inc.	R2020-0564	S/MBE
19) Randolph Construction Group, Inc.	R2020-0566	S/MBE
20) Republic Construction Corp	R2020-1345	SBE
21) Ralph Della-Pietra Inc.	R2020-1575	SBE

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **SUMMARY (Cont'd):** On February 11, 2020, the Board of County Commissioners (Board) initially approved the annual minor construction contract for a period of five years. During the initial year of the contract, the County awarded \$4,286,101.21 in work orders. Staff is requesting the cumulative limit be increased by \$5,000,000 for a total cumulative value of \$10,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on February 10, 2025. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract before the term ends. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 22 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. This annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives (API): 1) sheltered market for projects under \$100,000; or 2) a small business enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project over \$100,000; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project over \$100,000. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. Current cumulative S/M/WBE participation for all work orders to-date under the annual minor construction contract is 88.38%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 21-025 to the annual roofing contract with A-1 Property Services Group, Inc. (R2021-0328) in the amount of \$280,501.09 for the Mayme A. Frederick Service Center – Roof Replacement project for a period of 120 days from permit issuance or until the project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed for the replacement of the existing clay tile mansard roof system with a new clay tile mansard roof system. The existing flat roof will also be replaced with a new built-up roofing system. The existing roofing system is more than 25 years old, requires frequent repairs and is at the end of its useful life. The new clay tile roof system and built-up roof system will provide for years of weather tight protection. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. This work order was solicited pursuant to the annual roofing contract and the requirements of the Equal Business Opportunity Ordinance. The annual contract was last presented to the Goal Setting Committee on July 15, 2020 and the Committee established Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 or a Small Business Enterprise (SBE) contractor will be given a price preference if their bid is within 10% of the lowest non-SBE bid for projects over \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The Contractor is not a certified SBE. There is no SBE participation on this work order. The overall SBE participation on the annual roofing contract is 0.46%. The Contractor is not a local business. Funding for this project is from the Capital Outlay fund. (Capital Improvements Division) District 7 (LDC)

4. Staff recommends motion to receive and file: Standard License Agreement for Use of County-owned property adjacent to the County Stockade located at 9620 Weisman Way from May 1, 2021 through May 31, 2021 with South Florida Fair and Palm Beach County Expositions, Inc., for use as parking by the public and Palm Beach County Sheriff's Office during the 2021 South Florida May Fair event. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The standard agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Standard License Agreement was approved in accordance with R2010-0333, as amended and approved by the Board on October 1, 2013. This executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: the first amendment to Concessionaire Service Agreement (R2016-0397) with JR Wake Parks, LLC dba Shark Wake Parks (fka Apex Wake Parks) for the development, construction and operation of a wake board and water sports concession located in Okeeheelee Park in West Palm Beach (i) acknowledging the fictitious name change; (ii) replacing Exhibit "B" depicting the Licensed Area; and (iii) updating, adding and modifying various standard County provisions. **SUMMARY:** The County and JR Wake Parks, LLC entered into a Concessionaire Service Agreement, dated March 22, 2016, to use the Licensed Area, as defined in the agreement, for the development, construction and operation of a wake board cable complex for wake boarding, water skiing, wake surfing, zip line, tubing, kneeboard rentals, competitions, and lessons at Okeeheelee Park for the Park's patrons. This first amendment: i) documents that JR Wake Parks, LLC has changed its fictitious name from Apex Wake Parks to Shark Wake Parks; ii) replaces Exhibit "B" Licensed Area to reflect the locations of the buildings; and iii) updates, adds and modifies various standard County provisions. All other terms and conditions of the agreement shall remain in full force and effect. The Parks and Recreation Department will continue to have administrative responsibility for this agreement. (Property & Real Estate Management) District 2 (HJF)

6. Staff recommends motion to approve: the first amendment to Concessionaire Service Agreement (R2018-2061) dated December 18, 2018, with US Soccer 5, LLC (US Soccer), for the operation of a mini soccer complex concession at John Prince Park (Park) extending the time frame to complete construction within the Park. **SUMMARY:** On December 18, 2018, the Board approved the Concessionaire Service Agreement (Agreement) (R2018-2061) with US Soccer for the construction, operation and maintenance of a mini soccer complex at John Prince Park for a term of ten years, with two ten year renewal options. US Soccer proposed capital investment of \$2,088,746 over the course of 30 years. In March of 2020, US Soccer was ready to move forward with the construction, but Covid-19 adversely impacted US Soccer operation from completing the construction within the specified time frame. This first amendment: i) provides an additional 18 months to complete construction; ii) replaces Exhibit "B" (Premises) to the agreement and Exhibit "A" (Site Area Map) to the Development Rider to reflect the location of the four acres; iii) modifies various provisions of the Development Rider (Exhibit "D") to account for the additional time frame; and iv) adds standard County provisions on Criminal History Records Check, E-Verify employment eligibility and Counterparts. All other terms and conditions of the agreement shall remain in full force and effect. The Parks and Recreation Department will continue to have administrative responsibility for this agreement. (Property & Real Estate Management) District 3 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Work Order No. 21-024 to the annual roofing contract with Grace Roofing & Sheet Metal Enterprise LLC, DBA Grace Roofing & Sheet Metal Enterprise (R2021-0330) in the amount of \$241,500 for the Water Utilities Department Digester Buildings 1 & 2 – Roof Replacement project for a period of 60 days from permit issuance or until the project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to remove the existing roofing material down to the existing concrete structure for building 1, down to the existing lightweight insulation concrete for building 2, and the installation of new roofing on both buildings. The roofing systems are more than 25 years old, and have outlived their service life. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. This work order was solicited pursuant to the annual roofing contract and the requirements of the Equal Business Opportunity Ordinance. The annual contract was last presented to the Goal Setting Committee on July 15, 2020 and the Committee established Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 or a Small Business Enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-SBE bid for projects over \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The Contractor is not a certified SBE. There is no SBE participation on this work order. The overall SBE participation on the annual roofing contract is 0.99%. The Contractor is not a local business. Funding for this project is from the Water Utilities Department Operation and Maintenance fund. (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: Change Order No. 1 to Amendment No. 2 (R2020-1032) to the continuing contract with Asset Builders, LLC dba Messam Construction (R2018-1163) to extend the project duration by 139 additional calendar days for the Belle Glade Senior Center Roof Replacement project. **SUMMARY:** On August 14, 2018, the Board of County Commissioners (Board) approved the continuing construction manager (CM) contract for construction management services for capital improvement projects located in the Glades geographical area, in an amount not exceed \$2,000,000 (after July 1, increased to \$4,000,000 due to changes in the Florida Statutes). The work authorized under Amendment No. 2 consists of the removal and replacement of the existing built-up roofing system with a new modified bitumen, heat welded built-up roofing system. The project was to be completed within 90 days from notice to proceed or until final completion. The CM was issued the Notice to Proceed that established a commencement date of October 1, 2020 for construction phase services with a substantial completion date of December 30, 2020. Subsequently, the original subcontractor (Therma Seal Roof Systems, LLC) to the project left the project and defaulted on their contract with Asset Builders, LLC dba Messam Construction. Change Order No. 1 to Amendment No. 2 authorizes an extension of 139 calendar days to the project duration for a revised substantial completion date of May 18, 2021. Since the subcontractor was unable to perform the work, the CM submitted the request for 139 additional days to solicit bids, establish an agreement with the new subcontractor and to complete the work authorized under Amendment No. 2. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019 and an Affirmative Procurement Initiative (API) of 20% Small Business Enterprise (SBE) participation was applied to the contract. The CM is a certified Small/Minority/Women-Owned Business Enterprise (S/M/WBE). SBE participation on Amendment No. 2 was 34.46%. To date, including Change Order No. 1 to Amendment No. 2, the Construction Manager has achieved 34.46% SBE subcontracting participation for this project. The overall SBE participation on the continuing CM contract is 55.73%. The CM is a Palm Beach County business located in South Bay. (Capital Improvements Division) District 6 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

9. Staff recommends motion to approve: Amendment No. 3 to the continuing contract with Robling Architecture Construction, Inc. (R2020-1690) establishing a Guaranteed Maximum Price (GMP) in the amount of \$2,348,120 for construction management services for the Water Utilities Department (WUD) Water Treatment Plant (WTP) No. 3 Generator Storage Pavilion project for a period of 345 calendar days from notice to proceed or until the project is complete. **SUMMARY:** On November 17, 2020, the Board of County Commissioners (Board) approved the continuing contract with Robling Architecture Construction, Inc. for construction management services for capital projects under \$4,000,000. Amendment No. 3 authorizes construction services for a new pre-engineered metal generator storage pavilion and minor improvements to the existing warehouse building. The existing generators and materials are located in an outside open storage yard. Generally, exposing equipment to varying weather conditions reduces the life span of the equipment causing premature replacement. The new pavilion will allow for proper storage of the equipment and materials therefore, extending equipment service life. This continuing construction management contract was presented to the Goal Setting Committee on December 4, 2019 and the Committee established Affirmative Procurement Initiatives of a small business enterprise (SBE) evaluation preference of ten points for the selection of the construction manager and a mandatory 20% SBE subcontracting goal on the continuing contract. SBE participation for this amendment is 78.18%. To date, the overall SBE participation for the continuing contract is 63.51%. Robling Architecture Construction, Inc. is an SBE and is a Palm Beach County business. The funding source for this work is from the Capital Improvements fund. (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: Change Order No. 1 to Amendment No. 17 (R2020-0308) to the continuing contract with Robling Architecture Construction, Inc. (R2016-0762) to extend the project duration by 127 additional calendar days for the Southern Regional Water Reclamation Facility (SRWRF) Elevator Modernization project. **SUMMARY:** On June 21, 2016, the Board of County Commissioners (Board) approved the continuing construction manager (CM) contract with Robling Architecture Construction, Inc. for construction management services for capital projects under \$2,000,000 (after July 1, increased to \$4,000,000 due to changes in the Florida Statutes). Amendment No. 17 authorized modernization improvements to the existing 4-stop hydraulic service elevator, including a new hydraulic pump, controller, car interior and signalization equipment at the SRWRF. The project was to be completed within 120 days from notice to proceed. The contractor was issued the Notice to Proceed to commence work on April 20, 2020 with a substantial completion date of August 18, 2020. Change Order No. 1 to Amendment No. 17 authorizes an extension of 127 calendar days to the project duration for a revised substantial completion date of December 23, 2020 due to delays in the permit approval process. The CM achieved substantial completion on December 23, 2020. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019 and an Affirmative Procurement Initiative of 20% Small Business Enterprise (SBE) participation was applied to the contract. The CM is a certified SBE. SBE participation on Amendment No. 17 was 11.83%. To date the Construction Manager has achieved 30.77% SBE subcontracting participation for this project. The overall SBE participation on the continuing CM contract is 39.74%. The CM is a Palm Beach County business. (Capital Improvements Division) District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

11. Staff recommends motion to approve: Amendment No. 2 with two firms extending the contract term for one year to provide architectural services on a continuing contract basis for federally funded projects for the period of June 19, 2021 through June 18, 2022; incorporating standard contract terms; modifying the hourly rate schedule, and establishing a cumulative limit of \$700,000 for the twelve-month extension.

<u>Contractor</u>	<u>Resolution #</u>
A) Colome & Associates, Inc.	R2018-0904
B) Williamson Dacar Associates, Inc.	R2018-0905

SUMMARY: On June 19, 2018, the Board of County Commissioners (Board) approved the architectural services continuing contracts for projects funded in whole or in part from federal funds. On June 16, 2020, the Board approved Amendment No. 1 (R2020-0656 thru 2020-0657), which authorized an extension of the term of these continuing contracts through June 18, 2021. Amendment No. 2 extends the term of these continuing contracts for architectural services for projects that are federally funded through June 18, 2022. To date, the firms have been awarded a cumulative value of \$114,025.77 in task authorizations. The original contract provided for an initial term of two years with three renewal options each for a period of one year. Amendment No. 2 will implement the second renewal option of these contracts through June 18, 2022 with a cumulative limit of \$700,000 for the 12-month extension in order to accommodate additional anticipated new projects. Additionally, Amendment No. 2 incorporates the County's standard language regarding "E-Verify-Employment Eligibility" and modifies the hourly rate schedule for each consultant. Work is authorized through individual task assignments when required during the term of these continuing contracts. Projects under these continuing contracts may be funded in whole or in part by federal grants from the United States Department of Transportation, Federal Transit Administration, grants from the Housing and Urban Development Community Development Block Grant Program or grants or reimbursements from Department of Homeland Security/Federal Emergency Management Agency. This contract is exempt from the Equal Business Opportunity Ordinance pursuant to section 2-80.22 thereof. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to approve: continuing contracts with three firms to provide for environmental assessment services on an as needed basis through June 14, 2026 with a maximum cumulative value of \$1,500,000.

<u>Consultant</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) Ardaman & Associates, Inc.	Local	Non-SBE
B) GHD Services Inc.	Non-Local	Non-SBE
C) Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc.	Local	Non-SBE

SUMMARY: The purpose of these continuing contracts is to pre-select consultants to provide environmental condition assessments, identification of remedial activities, and related consulting and remediation observation services for capital improvement or renovation projects countywide. The projects to be assigned will have a construction value less than \$4,000,000 or study activity limited to \$500,000. Consultant fees will be negotiated on an individual basis for the identified projects. These contracts will be for five years. This continuing contract was solicited pursuant to the requirements of the Equal Business Opportunity Ordinance. This continuing contract was presented to the Goal Setting Committee on November 4, 2020, and the committee established Affirmative Procurement Initiatives of a 20% mandatory Small Business Enterprise (SBE) subcontracting goal on the continuing contract and an SBE evaluation preference for the selection. Ardaman & Associates, Inc. committed to an SBE participation goal of 25%, GHD Services Inc. committed to an SBE participation goal of 20% and Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. committed to an SBE participation goal of 33%. S/M/WBE actual participation will be identified on each consultant services authorization, and will be tracked cumulatively over all CSA issued under the continuing contract. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to approve: Change Order No. 19 to Amendment No. 1 (R018-2062) to the construction manager at risk contract with James B. Pirtle Construction Company, Inc. d/b/a Pirtle Construction Company (R2015-0852) in the amount of \$282,387.47 for the Palm Beach Sheriff Office (PBSO) Forensic Sciences & Technology Facility project. **SUMMARY:** On December 18, 2018, the Board of County Commissioners (Board) approved Amendment No. 1 (R2018-2062) to the contract with Pirtle Construction Company in the amount of \$26,305,228 establishing a Guaranteed Maximum Price (GMP) for construction of an approximately 87,000 square feet secure lab/office warehouse facility along with a vehicle impound lot. Change Order No. 19 to Amendment No. 1 authorizes construction services for the installation of a fire sprinkler pre-action system and a class A bi-directional amplification (BDA) system. The pre-action system ensures that while water is released to quench fires in other areas throughout the building, select high priority areas, particularly labs, clean rooms and data centers, shall remain dry until the water is actually needed. As construction neared completion, the County required that the Fire Department's radio frequency conductance be tested throughout the building. The test confirmed that the building has poor radio frequency levels. The Fire Department requested the installation of the BDA system to ensure better-quality radio signal strength throughout the two story main building and the metal impound building. The Construction Manager (CM) was selected pursuant to the Small Business Enterprise (SBE) ordinance in place at the time. The original SBE participation on this project was 21.41%. The SBE participation for Change Order No. 19 is 35.57%. To date, the overall SBE participation on this project is 22.07%. The CM is not a Palm Beach County Business. The CM is not an SBE contractor. **This project is funded from the Infrastructure Sales Tax fund.** (Capital Improvements Division) Countywide/District 2 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to:

A) receive and file Standard Form SF-424 and Certifications for the Emergency Solutions Grants Program Coronavirus (ESG-CV) Program increased from \$1,941,176 to \$7,771,659;

B) receive and file Funding Approval/Agreement with the U.S. Department of Housing and Urban Development (HUD) for the Emergency Solutions Grant Coronavirus (ESG-CV) Program increased from \$1,941,176 to \$7,771,659; and

C) approve a budget transfer of \$5,830,483 in the Emergency Solutions Grants Program Coronavirus (ESG-CV) Fund to align the budget with the grant award.

SUMMARY: The Standard Form SF 424 and grant agreement were executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development (HED) in accordance with Agenda Item 6C-3, approved by the BCC on May 5, 2020. The submission of Standard Form SF-424 is required by HUD to complete the County's submission for the receipt of Federal ESG funds. The grant agreement constitutes the County's contract with HUD for \$7,771,659 of ESG-CV funding. On April 2, 2020, HUD notified Palm Beach County of the award of \$1,941,176 ESG-CV to respond to the Coronavirus (COVID-19) pandemic. A funding agreement (R2020-1460) between HUD and Palm Beach County for this funding amount (\$1,941,176) was executed. On June 8, 2020, HUD notified Palm Beach County of a second allocation of ESG-CV in the amount of \$5,830,483. HUD now requires that the two allocations be combined and a single Standard Form SF 424 and a single funding agreement be executed for the combined dollar total of \$7,771,659. In accordance with County PPM CW-O-051, all contracts, agreements, and grants signed by delegated authority must be submitted by the initiating Department as a receive and file agenda item. The budget amendment is necessary to adjust the current budget to the authorized funding level. **These are Federal ESG-CV grant funds which require no local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the seat change of two current members of the Building Code Advisory Board (BCAB).

<u>Current Seat No.</u>	<u>Proposed Seat No.</u>	<u>Appointment</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term Expires</u>
4	1	Wayne Cameron	Building Official	Building Officials Association of Palm Beach County	8/20/22
2	3	Robert Brown	Building Official	Building Officials Association of Palm Beach County	7/06/23

SUMMARY: The BCAB was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. Mr. Wayne Cameron recently relocated to become the Building Official of the Village of North Palm Beach, which is located in Commission District 1, and has agreed to serve as the District 1 representative. Mr. Robert Brown is the Building Official of the City of West Palm Beach, which is located in part in Commission District 3, and has agreed to serve as the District 3 representative. The Building Officials Association of Palm Beach County has nominated Mr. Wayne Cameron to be the Building Official representative for District 1 in Seat 1, and Mr. Robert Brown to be the Building Official representative for District 3 in Seat 3. This Advisory Board has 16 seats, 13 currently filled and 3 vacancies, and a diversity count of Caucasian: 11 (84%), African-American: 1 (8%) and Asian-American: 1 (8%). The gender ratio (male: female) is 12:1. The nominees, who are existing members of the Advisory Board, are Wayne Cameron, an Asian-American male, and Robert Brown, an African-American male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board’s diversity. Countywide (CK)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to approve: the appointment of three members to the Building Code Advisory Board (BCAB).

<u>Appointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term</u>
Michael DiNorscio	5	Building Official	Building Officials Association of Palm Beach County	6/15/21 – 6/14/24
Durrani Guy	4	Building Official	Building Officials Association of Palm Beach County	6/15/21 – 6/14/24
Scott Wood	2	Building Official	Building Officials Association of Palm Beach County	6/15/21 – 6/14/24

SUMMARY: The BCAB was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members: one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society; seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County (BOAPBC). The BOAPBC has nominated Michael DiNorscio to be appointed as Building Official for District 5, Durrani Guy to be appointed as Building Official for District 4, and Scott Wood to be appointed as Building Official for District 2. All three nominees are Building Officials in the District for which they are respectively nominated. This Advisory Board has 16 seats, 13 currently filled and 3 vacancies, and a diversity count of Caucasian: 11 (84%), African-American: 1 (8%) and Asian-American: 1 (8%) male. The gender ratio (male: female) is 12:1. The nominees Michael DiNorscio and Scott Wood are Caucasian males and Durrani Guy is an African-American male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (CK)

JUNE 15, 2021

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to receive and file: an executed Standard Potable Water and Wastewater Development Agreement with Protea Senior Living Boca Raton, LLC SDA #09-01095-000 (District 4), Recorded in OR BK 32214 PG 0363. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. District 4 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to:

A) approve a Utility Work by Highway Contractor Agreement (At Utility Expense) (UWHCA) with Florida's Department of Transportation (FDOT) in the amount of \$2,060,000;

B) authorize the County Administrator or designee to approve increased utility relocation costs up to a cumulative project cost of \$500,000; and

C) approve a \$2,060,000 budget transfer in the Water Utilities Department Capital Improvement Fund to establish budget for the At Utility Expense.

SUMMARY: FDOT is proposing improvements to Lake Worth Road from the Palm Beach State College Entrance to Raulerson Drive. These improvements include pavement widening and milling and resurfacing of Lake Worth Road. A report prepared by Mock, Roos & Associates, Inc., (MRA) made recommendations to replace the existing system of force mains within Lake Worth Road that have reached their useful service life with a new single force main of sufficient capacity to support not only existing demands but potentially future demands as adjacent unsewered properties connect to the wastewater collection system. The improvements to the force main will be incorporated into this FDOT project to minimize disruption to traffic and redundant surface restoration activities, resulting in cost savings to Palm Beach County. The proposed roadway improvements will also necessitate valve replacements and adjustments to final roadway grade. In order to include the replacement and adjustment of those facilities owned and maintained by Palm Beach County Water Utilities Department (PBCWUD) within the road improvement project, FDOT requires PBCWUD to enter into a UWHCA to reimburse FDOT for the work. The utility relocation plan was prepared by MRA and the construction will be performed by FDOT's contractor. The UWHCA, based on the engineer's cost estimate, is \$2,060,000. In certain circumstances, the lowest responsive and responsible bid for the utility work to be undertaken as part of the FDOT project is higher than the authorized amount of the UWHCA. If the bid exceeds the official cost estimate by more than 10%, the County is required to notify FDOT in writing within ten days if the work will still be performed as part of the road improvement project or if the utility will elect to have the utility work removed from the FDOT contract. Given the complexity of the project, removal of the utility relocation work would result in project delays, oversight conflicts, and additional project costs. Therefore, staff recommends the Board of County Commissioners (BCC) authorize the County Administrator or designee to approve any increase in utility relocation costs up to a cumulative project cost of \$500,000. (PBCWUD Project No. 20-076) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 6 to the Consulting/Professional Services Water Treatment and Water Resources Engineering Services Contract (Contract) with CDM Smith Inc., (Consultant) for the Consumptive Use Permit Renewal Support (Project) for a not to exceed amount of \$317,536.60. **SUMMARY:** On November 17, 2020 the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1719) with Consultant. CSA No. 6 provides for professional engineering services relating to renewal of the Consumptive Use Permit. These services include, data collection, groundwater modeling, meetings, preparing a water conservation plan, and submitting the permit application. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On September 18, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative (API) of a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the API applied to the Contract. The Contract provides for 21% SBE participation which includes 19% M/WBE participation, 19% MBE (B). CSA No. 6 includes 58.84% SBE participation which includes 0% M/WBE participation, 0% MBE (B). The SBE participation including CSA No. 6 is 55.57% SBE, which includes 0% MBE (B). While Consultant is headquartered in Boston, Massachusetts, they maintain an office in Palm Beach County from which the majority of the work under this Project will be performed. This project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 21-015) Districts 1, 2, 3, 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve:

A) an Interlocal Agreement with the Town of Lake Clarke Shores (Town) relating to the installation of a new water main along Lawrence Road, south of Lantana Road;

B) a contract with Hinterland Group Inc. (Contractor) for the Town of Lake Clarke Shores (Town) Lawrence Road 12-inch Water Main Extension (Project) in the amount of \$735,491.70; and

C) a \$735,492 budget amendment in the Water Utilities Department Capital Improvement Fund to establish budget for the Contract and Revenue from the Interlocal Agreement.

SUMMARY: On March 2, 2021, the Palm Beach County Water Utilities Department (PBCWUD) received four bids for the Project. The Contractor was the lowest responsive and responsible bidder in the amount of \$735,491.70. The Project provides for the installation of approximately 4,000 linear feet of water main, installation of an aerial canal crossing, fire protection, and site restoration within the Town's south service area. Per the Interlocal Agreement, PBCWUD will be responsible for the bidding, awarding, and administrative services during construction of the Project, and the Town will be responsible for the costs associated with the improvements and for construction management services related to the Project. The water main improvements will be owned, operated, and maintained by the Town. The Project is partially funded through the Palm Beach County Department of Housing and Economic Sustainability in the amount of \$125,000 under the grant from the United States Department of Housing and Urban Development to Palm Beach County through the Community Development Block Grant Program. Federally funded projects are subject to the federal Disadvantaged Business Enterprise (DBE) requirements and local governments are precluded from requiring local preferences during the solicitation. As a result, this Project has a participation goal of 22.4% MBE and 6.9% WBE. Per federal requirements, the Contractor undertook a good faith effort to identify and include DBE participants in this Project. DBE participation will be tracked as part of the Contract. Contractor is a Palm Beach County based company. The Project is included in the FY21 budget. (PBCWUD Project No. 21-019) District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. Staff recommends motion to approve: Amendment No. 1 to the Palm Beach County Water Utilities Department (PBCWUD) 2019 Pipeline Continuing Construction Contract (Contract) with Johnson–Davis Incorporated (Contractor) to increase the Contract amount by \$6,000,000 to \$19,797,132.75. **SUMMARY:** On February 11, 2020, the Board of County Commissioners approved the Contract (R2020-0160) with the Contractor in the amount of \$13,797,132.75 for a three year term. Since March 15, 2020, PBCWUD has undertaken a total of \$10,039,864.16 of authorized work under the Contract. The requested Amendment No. 1 shall increase contract funding to \$19,797,132.75. The proposed increase of funds will allow for the continuation of necessary services to expedite utility special assessment projects, repair and construction activities on water, wastewater and reclaimed water pipelines throughout PBCWUD's service area where timing is critical. Work will be assigned during a three year period by Work Authorizations (WA) drawn against the Contract, subject to approval pursuant to the requirements of PPM CW-F-050. The unit prices contained in the Contract will be used to determine the amount of each WA. The Contract was presented to the Goal Setting Committee on April 3, 2019, and a minimum mandatory 20% SBE subcontracting goal was the Affirmative Procurement Initiative applied to this Contract. The Contract provides for 20.07% SBE participation. Contractor is a Palm Beach County based Company. (PBCWUD Project No. 19-040) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

6. Staff recommends motion to approve:

A) Work Authorization (WA) No. 10 to the 2019 Pipeline Continuing Construction Contract (Continuing Contract) with Centerline Utilities, Inc., (Centerline) for the Project in the amount of \$1,742,669.25; and

B) a \$1,050,520 budget amendment in the Water Utilities Department Capital Improvement Fund to establish budget for WA No. 10 and the revenue received from the Westgate Community Redevelopment Agency (CRA).

SUMMARY: On July 14, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0862) with Centerline. WA No. 10 provides for the installation of approximately 4,900 linear feet of 8-inch water main, associated fire hydrants, water services, and 3,600 linear feet of storm drainage pipe varying in sizes within the Belvedere Heights residential community located in West Palm Beach. The majority of the work under WA No. 10 was not contained within the bid line items for the Continuing Contract and is greater than the allowance for non-bid items, therefore requiring re-bidding of the work or an Emergency Procurement. The BCC approved the Emergency Procurement for Phase 1 and 2 of the Belvedere Heights Water Main Replacement Project on March 9, 2021. The County and the CRA entered into an Interlocal Agreement (ILA) dated March 9, 2021 (R2021-0356) regarding utility construction. The County and CRA have both reviewed the value of the work contained in the bid line items in the Continuing Contract and have satisfied themselves that the prices for the work not in bid line items are reasonable and competitive. Per the ILA, PBCWUD will be responsible for the costs associated with the water main improvements, and the CRA will be responsible for the costs associated with the drainage improvements. Upon completion of the Project, the water main facilities will be owned, operated, and maintained by PBCWUD, and the drainage facilities will be owned, operated, and maintained by the CRA. The Continuing Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On January 15, 2020, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms. The Contract provides for 20.05% SBE participation, which includes 10.29% M/WBE participation, 6.51 MBE (H) and 3.78% MBE (B). WA No. 10 includes 20.71% SBE participation which includes 6.02% M/WBE participation, 6.02% MBE (H), and 0% (B). The cumulative SBE participation including WA No. 10 is 20.48% SBE which includes 8.61% M/WBE, 8.61% (H), and 0% (B). Centerline is headquartered in Palm City, Florida, but maintains an office in Palm Beach County from which the majority of the work under WA No. 10 will be undertaken. The Project is included in the PBCWUD FY21 budget. (PBCWUD Project No. 20-028) District 2 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommend motion to:

A) approve the Detailed Work Plan Budget – Arthropod Control (Budget) and Operational Work Plan for Mosquito Control (Work Plan) for the State Financial Assistance Recipient Agreement (Agreement) with the Florida Department of Agriculture and Consumer Services (FDACS) for fiscal year beginning October 1, 2021 and ending September 30, 2022; and

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

SUMMARY: The Budget and Work Plan are due to FDACS by July 15, 2021, as part of the re-application process for state aid for FY2022. The current Agreement No. 27303 was approved by the Board of County Commissioners on December 8, 2020 (R2020-1819), for an amount not to exceed \$50,689. The County anticipates receiving a new agreement for FY2022 from FDACS in September, with the current funding amount of \$50,689, providing for state aid in quarterly installments to support mosquito control activities as approved by FDACS. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

A) approve Contract No. 20306 with the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) (Contract) providing an amount not to exceed \$999,999 of funding assistance, to implement a Hurricane Irma Fisheries Disaster Recovery Grant Agreement NA19NMF0220003, funded by the National Oceanic and Atmospheric Administration (NOAA), for the Tarpon Cove Estuarine Habitat Restoration Project (Project) in the Lake Worth Lagoon, for a term beginning May 18, 2021, or upon execution, whichever is later, and expiring June 30, 2023; and

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

SUMMARY: The Contract provides pass through federal funding awarded by NOAA and will pay the County on a cost reimbursement basis in an amount not to exceed \$999,999 for supplying sand to create seagrass and mangrove habitat, and supplying limestone rock to construct rock breakwaters to protect mangrove islands and create oyster reef habitat as part of the County's Project. The federal funding requires no match. This Contract (R2021-0695) and budget amendment were previously approved by BCC on May 18, 2021 for \$1,000,000, however prior to FWC'S execution, FWC requested a reduction of the agreement by \$1 to \$999,999 to meet FWC end of the year encumbrance requirements for the grant, and therefore this revised agreement is being brought back to the Board for approval. The Contract contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. Although the language does indicate that each party shall be solely responsible for the negligent or wrongful acts of its employees and agents, there is no language that states each party shall indemnify, defend and hold harmless the other party against actions, claims or damages arising out the party's negligence in connection with the Contract. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviations, taking into consideration the County's financial commitment to the project, the amount of the grant award, County's performance with similar work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of 768.28, Florida Statutes. **There is no cost to the County.** Districts 2 & 7 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve Contract No. 20307 with the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) (Contract) providing an amount not to exceed \$999,999 of funding assistance to implement a National Coastal Wetlands Conservation Grant Program Grant Agreement FL-C-F19AP00204, funded by the U.S. Fish and Wildlife Service (USFWS), for Tarpon Cove Estuarine Habitat Restoration Project (Project) in the Lake Worth Lagoon, for a term beginning May 18, 2021, or upon execution, whichever is later, and expiring June 30, 2023; and

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

SUMMARY: The Contract provides pass through federal funding awarded by USFWS and will pay the County on a cost reimbursement basis in an amount not to exceed \$999,999 for supplying limestone rock to construct rock breakwaters to protect mangrove islands and create oyster reef habitat as part of the Project. This Contract (R2021-0696) and budget amendment were previously approved by BCC on May 18, 2021 for \$1,000,000, however prior to execution, FWC requested a reduction of the agreement by \$1 to \$999,999 to meet FWC end of the year encumbrance requirements for the grant, and therefore this revised agreement is being brought back to the Board for approval. The County committed to a match of \$361,574, of which, \$180,787 comes from Florida Department of Environmental Protection (FDEP) Agreement No. LP50202 (R2017-0082) and the remaining \$180,787 from the Manatee Protection Fund, which has already been submitted for work completed during the period of July 1, 2019 through June 30, 2020. The costs are shared between FWC 74.4%, FDEP 13.3%, and County 13.3%. The Contract contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. Although the language does indicate that each party shall be solely responsible for the negligent or wrongful acts of its employees and agents, there is no language that states each party shall indemnify, defend and hold harmless the other party against actions, claims or damages arising out the party's negligence in connection with the Contract. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviations, taking into consideration the County's financial commitment to the project, the amount of the grant award, County's performance with similar work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of 768.28, Florida Statutes. Districts 2 & 7 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve:

A) License Agreement with Global Music Rights, Inc. (GMR) for the period May 1, 2021 through June 30, 2022, with automatic annual renewals, in an amount not to exceed \$9,000 to provide public performances including live performances, recorded performances, and music, in the GMR repertoire; and

B) an addendum to the License Agreement with GMR, which amends the License Agreement to comply with County's standard contract terms and provisions.

SUMMARY: GMR is one of four performing rights licensing organizations representing copyrighted musical works in the United States. The County currently has agreements with American Society of Composers, Authors and Publishers, Society of European Stage Authors and Composers, and Broadcast Music, Inc. This agreement provides for the County to present an entire musical performance spectrum of performances, excluding Tribute Bands, in the GMR repertoire, within various venues in the County, in accordance with copyright laws, and provides for retroactive payment from May 1, 2021, which allows the County to play music from GMR's repertoire from that date. The License Agreement is for an initial one year term with automatic renewals with rate increases possible upon commencement of the next renewal period. Either party can terminate this License Agreement at any time, with 30 days written notice prior to the end of the initial or any renewal term. The Addendum amends the License Agreement by adding the County's standard contract terms and provisions such as e-verify language. The License Agreement and Addendum have been executed on behalf of GMR, and now needs to be approved by the Board of County Commissioners. Countywide (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. ~~Staff recommends motion to:~~

~~**A) accept** the donation of \$115,000 from the Friends of the Mounts Botanical Garden, Inc. (Friends) to fund the costs associated with hosting the traveling art exhibit sculptures known as Nature POP!, by Imagine Exhibitions, Inc.;~~

~~**B) approve** the allocation of \$2,210 for PBC Art in Public Places (AiPP) fees for assistance with exhibit curation, contract management, and coordination with Risk Management; and~~

~~**C) approve** a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) in the amount of \$117,210.~~

~~**SUMMARY:** The Friends voted for Palm Beach County to host and display Artist Sean Kenney's Nature POP! art exhibition at the Mounts Botanical Garden of Palm Beach County (MBG). The \$117,210 donation is to pay the costs associated with hosting the Nature POP! exhibit at the MBG from January 16, 2022 through May 16, 2022 and fees associated with AIPP. These costs include payment of the artist, shipping of the exhibit, installation costs, and an AiPP fee. The Aipp fee of \$2,210 includes exhibition curation, Risk Management coordination, and contract administration. District 7 (AH)~~

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: fully executed Task Order #7 to Contract R2017-0764 with Woolpert, Inc. in the amount of \$82,500 for the 2021 Palm Beach County Coastal Orthophotography Program. **SUMMARY:** Woolpert, Inc. provides geospatial services such as planimetric mapping, digital orthophotography, LiDAR processing and GPS survey in support of the County's Geographic Information System. Task Order #7 was initiated by the Environmental Resources Management Department for the consultant to provide coastal orthophotography. The Chief Information Officer approved Task Order #7 by delegated authority with R2017-0764, dated June 6, 2017. This contract was solicited and entered into under the now-repealed and replaced SBE ordinance, with an SBE aspirational goal for this contract of 15%. Task Order #7 includes 0% participation due to the highly specialized task. Woolpert, Inc.'s SBE contractor performs specific tasks and the County has not requested any of these services under the contract, therefore the cumulative SBE participation including Task Order #7 is 0%. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: the following Declarations and Emergency Order (EO) related to COVID-19:

A) Declaration of Continuing State of Emergency PBC, FL, dated April 8, 2021;

B) Declaration of Continuing State of Emergency PBC, FL, dated April 14, 2021;

C) EO Number 4 (2021-004), extension of facial covering directive, dated April 15, 2021; and

D) Declaration of Continuing State of Emergency PBC, FL, dated April 20, 2021

SUMMARY: On March 9, 2020, the Governor issued Executive Order No. 20-52 declaring a State of Emergency in the State of Florida based on the on-going risk posed by COVID-19. The County issued a State of Local Emergency on Friday, March 13, 2020. The local emergency is ongoing and the declarations of continuing the State of Local Emergency are necessary to initiate emergent actions taken by the County Administrator to ensure the health, safety and welfare of the community. With the executed State of Local Emergency, resources are available through the Coronavirus Aid, Relief, and Economic Security Act and/or Federal Emergency Management Agency Public Assistance. Staff are able to purchase equipment, materials, supplies, and open non-congregate shelters for residents and persons who may be in need of isolation. Furthermore, Emergency Order 2021-004, extended the directive on wearing facial coverings an additional 30 days. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

A) receive and file Modification #1 to Federally-funded Subgrant Agreement (A0111) with the State of Florida, Division of Emergency Management for the FY2020-21 Emergency Management Preparedness and Assistance (EMPA) grant agreement to receive an additional \$5,500 bringing the grant total to \$111,306, and

B) approve a budget amendment of \$5,500 in the Emergency Management Preparedness and Assistance Fund to adjust the budget to the increased award amount of \$111,306.

SUMMARY: The EMPA grant (CSFA #31.063) is a state funded grant that recurs annually. On October 20, 2020, the County received the EMPA Subgrant Agreement (A0111) in the amount of \$105,806 to further enhance emergency planning, response, mitigation, and recovery in the County. Modification #1 to this agreement increases the initial EMPA grant award by \$5,500 to help pay for fees associated with the Emergency Management Accreditation Program (EMAP) for the County's Division of Emergency Management (DEM). The EMAP is an internationally recognized standard that focuses on public sector emergency management best practices. The standard promotes quality in DEM programs and requires an all-hazard and whole community approach to be consistent with DEM's priorities. R2012-1731 dated November 20, 2012, gave authority to the County Administrator or designee to execute this agreement on behalf of the Board of County Commissioners. **The EMPA grant requires a match at the lesser of the Division of Emergency Management's general revenue funding average for the last three fiscal years or the level of funding for the last fiscal year.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. [Staff recommends motion to receive and file:](#) executed fourth amendments with the Fifteenth Judicial Circuit Court (Court) which adds language certifying that providers will utilize the U.S. Department of Homeland Security's (DHS) E-Verify system:

A) Fourth Amendment to Agreement for Expert Psychological or Professional Services in Adult and/or Juvenile Criminal Matters, Agreement #R2017-1383; and

B) Fourth Amendment to Agreement for Expert Psychological or Professional Services in Guardianship/Examining Committee Matters, Agreement #R2017-1384.

SUMMARY: The Court has an agreement for services with the Division of Justice Services' Court Psychology Office to provide and be compensated for court-ordered forensic evaluations and testimony services. The original agreement was signed for the period July 5, 2017 through June 30, 2019. The first amendment extended the contract to December 31, 2019, the second amendment extended the contract to June 30, 2020, and the third amendment extended the contract to June 30, 2021. This fourth amendment adds language certifying that providers agree to utilize the DHS E-Verify system to verify the employment eligibility of all new employees hired during the term of these Agreements. The Board of County Commissioners approved Agenda Item, R2005-0792 authorizing the County Administrator or designee to sign agreements to provide psychological services to the Court. The fourth amendments have been approved and signed for legal sufficiency by the County Attorney's Office. Countywide (SF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the submission of a Section 5311 Formula grant application for \$353,821 to partially offset the operational costs for Routes 40 and 47 in the Glades Region, as administered by the Florida Department of Transportation (FDOT); and

B) authorize the Mayor of the Board of County Commissioners to execute the grant application, supporting documents, and assurances.

SUMMARY: FDOT has notified Palm Tran of an allocation of Section 5311 grant funds for mass transit operating assistance in non-urbanized areas. If awarded, the grant will partially offset the operating costs of Palm Tran's fixed route service in the Glades Region of Palm Beach County. The application is for \$353,821 in grant funds, which require a local match of \$353,821 (50% of project) for a total project cost of \$707,642. The Grant match is included in the proposed FY 2022 Budget. The grant application contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. The grant requires the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance with the application's assurances, including that of its officers, agents, or employees. An exception to the PPM has been recommended by the Risk Management Department and the County Attorney's Office, taking into consideration the County's need to provide the services, the amount of the grant award, the County's current performance of such services and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and/or consultants. District 6 (MM)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

A) a contract for Provision of Services with Prime Time Palm Beach County, Inc. for the period June 21, 2021, through September 30, 2021, in an amount not to exceed \$170,000 for connecting summer camps for low income children to expanded learning opportunities; and

B) a budget transfer of \$83,505 in the General Fund from the Evidence-Based Programming unit (Unit 1451) to fund the cost of programming associated with this Contract.

SUMMARY: The funding provided under this contract will allow Prime Time to make connections with summer camps to offer expanded learning opportunities to youth attending summer camps. This contract includes reporting measurements specific to Prime Time. After completion of the contract year, a report will be generated detailing Prime Time's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to receive and file: four contracts for Professional Services with the following Doctoral Psychology Interns to complete a required 2,000-hour internship that will provide the interns training and experience in family and youth counseling for the period August 2, 2021, through July 29, 2022:

A) Cristan Lin (f/k/a Cristan Barber) in the amount of \$26,420;

B) Maria Chiriboga in the amount of \$26,420;

C) Emily Deming in the amount of \$26,420; and

D) Monica Mendes in the amount of \$26,420.

SUMMARY: The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized counselor training facility for many state colleges and universities offering degrees in psychology, and social work. Doctoral programs require internships to meet degree and licensing requirements. The Division is offering its program as a location to obtain this training. Each intern, at a minimum, is assigned and completes the workload equivalent of a Therapist. The hourly base rate of a Therapist is \$23.11 versus the hourly intern rate of \$12.96. Additionally, each intern will receive a \$500 stipend for health insurance. On September 11, 2012, Agenda Item 3X-3 authorized the County Administrator or designee to execute future doctoral psychology intern contracts on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. The contracts span two fiscal years. Sufficient funding is included in the current budget and in the proposed FY2022 budget to meet the County obligations. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: a fully executed Palm Beach County FY2021 Grant Agreement in the amount of \$75,000 managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council with Children’s Healthcare Charity, Inc. for the promotion of the Honda Classic, held from March 15 - 21, 2021. The grant agreement was approved by the Tourist Development Council on November 12, 2020 for a term of September 15, 2020 – June 21, 2021. **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. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-207) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. The grant agreement produced 7,000 room nights and funded an event which promoted sports tourism in Palm Beach County. District 1 (LDC)

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

A. PUBLIC SAFETY

1. Staff recommends motion to:

A) approve the following Secondary Service Provider Emergency Medical Service (EMS) Certificates of Public Convenience and Necessity (COPCNs) for the period July 1, 2021 through June 30, 2027 that met the EMS Ordinance application requirements, recommended by the EMS Advisory Council, and met the need for the proposed service in the request area:

1. Atlantic/Palm Beach Ambulance, Inc. d/b/a American Medical Response (AMR)
 - Service area to include all of Palm Beach County.
2. Medics Ambulance Service, Inc. (Medics)
 - Service area to include all of Palm Beach County.
3. Health Care District of Palm Beach County (HCDPBC) (with conditions)
 - Service area is limited to HCDPBC patients needing transports from Lakeside Medical Center to other HCDPBC facilities and specialized treatment centers and HCDPBC patients needing transports to and from the JFK North Addiction Stabilization Unit within Palm Beach County.
4. MCT Express, Inc. d/b/a All County Ambulance (All County Ambulance)
 - Service area to include all of Palm Beach County.

B) deny the following Secondary Service Provider EMS COPCN for the period July 1, 2021 through June 30, 2027, based on an evaluation of countywide EMS services, the applications, and data and information collected, and the recommendations of the EMS Advisory Council:

1. Century Ambulance Service, Inc.

C) deny the following Secondary Service Provider EMS COPCNs for the period July 1, 2021 through June 30, 2027, based on an evaluation of countywide EMS services, the applications, and data and information collected, the recommendations of the EMS Advisory Council, and that the EMS Ordinance application requirements were not met:

1. National Health Transport, Inc.
2. Rapid Response Medical Transportation, LLC

4. PUBLIC HEARINGS – 9:30 A.M.

A. PUBLIC SAFETY (Cont'd)

1. **SUMMARY:** In accordance with Palm Beach County Code, Chapter 13, Article II, EMS Ordinance, any agency desiring to provide secondary Advanced Life Support transport services and ALS/Basic Life Support Inter-facility transport services must submit an application to the County and meet the requirements for issuance of a COPCN. Applications for secondary provider COPCNs are issued every six years for a six-year term. Since 2000, AMR and Medics (owned by the same parent company) have been the recipient of the secondary provider COPCNs in Palm Beach County, which expire June 30, 2021. Seven applications for secondary provider COPCNs were received. The EMS Ordinance Administrator's responsibilities include reviewing the applications for compliance with the EMS Ordinance application requirements, consideration of the need for the proposed service in the requested area, and preparing a report with recommendations for the EMS Advisory Council (Council). Consideration of the need for the proposed services was primarily based on data collected from the current service providers for a two-year period, survey information, and additional research performed. The initial Administrator's report included the following: **1)** Approval of secondary provider COPCNs to AMR, Medics, and the HCDPBC (with conditions); and **2)** Denial of secondary provider COPCNs to All County Ambulance, Century Ambulance Service, Inc., National Health Transport, Inc., and Rapid Response Medical Transportation LLC for not finding convincing evidence there was a need for the proposed service offered. Furthermore, National Health Transport, Inc. and Rapid Response Medical Transportation, LLC failed to meet the EMS Ordinance application requirements which also supports denial of their applications. The Administrator's report with the recommendations on all applications was subsequently submitted to the Council for their review and recommendations. On May 13, 2021, the Council reviewed the Administrator's report on all seven applications and heard oral presentations from each company, with the exception of Rapid Response Medical Transportation, Inc. Out of the 17 Council members voting, the Council voted to recommend approval of 4 secondary provider COPCN applications to the Board of County Commissioners with the votes as follows:

- | | |
|------------------------|--------------------|
| 1. AMR | (17 - yes, 0 - no) |
| 2. Medics | (17 - yes, 0 - no) |
| 3. HCDPBC | (17 - yes, 0 - no) |
| 4 All County Ambulance | (10 - yes, 7 - no) |

The Council voted to recommend denial of three secondary provider COPCN applications to the BCC with the votes as follows:

- | | |
|--|--------------------|
| 1. Century Ambulance Service, Inc. | (8 - yes, 9 - no), |
| 2. National Health Transport, Inc. | (1 - yes, 16 - no) |
| 3. Rapid Response Medical Transportation LLC | (0 - yes, 17 - no) |

At the EMS Council meeting, several Council members from the hospitals expressed concerns regarding delayed response times from the current providers. Therefore, the Administrator held discussions with the several hospital Chief Executive Officers (CEOs) on the EMS Council who represent all hospitals who are the primary users of the service to gain a better understanding of the issues as well as conducted further research. Based on the additional data gathered along with supporting arguments by the hospital CEO's on the need for additional providers, the Administrator supports the Council's recommendation of approving the four secondary provider COPCN applications and denying three secondary provider COPCN applications as referenced in the motion and title of this agenda item. Countywide (SB)

4. PUBLIC HEARINGS – 9:30 A.M.

B. COMMISSION ON ETHICS

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 2, Article XIII, "The Palm Beach County Code of Ethics" as amended; amending section 2-442 (definitions) amending section 2-443 (Prohibited Conduct); amending section 2-444 (Gift Law); amending section 2-446 (Ethics Training); amending section 2-448 (Administration, Enforcement and Penalties); providing for a Savings Clause; providing for Repeal of Laws in Conflict; providing for Severability; providing for Inclusion in the Code of Laws and Ordinances; providing for Enforcement; providing for Penalties; and providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted the Palm Beach County Code of Ethics Ordinance as a Countywide Ordinance in May of 2011, in accordance with the County Charter. The Charter amendments, which were approved by the voters in November 2010, also called for the establishment of a drafting committee to review and recommend proposed changes to the Commission on Ethics Ordinance. These amendments were proposed by the Commission on Ethics and recommended for approval by the ordinance review committee. The amendments would amend the definition of lobbyist to include those who register in the county's central lobbyist registry or with any municipality; amend the definition of employee to include volunteers when such volunteers exercise discretionary police, fire, or parking enforcement department authority; amend the definition of employee to include the chief executive officer of the county or any municipality, who is not part of the local governing body; amend the definition of employee to include "privatized" chief administrative officers or chief executive officers and officer, directors, and employees of any entity utilized by the county or municipality to provide such services; amend the definition of employee to not include local government attorneys who are not actual employees of the county or a municipality but contract for these services, as defined in Section 112.313, Florida Statutes, or attorneys who render contracted services to the county or municipality that are limited in scope to a specific issue or subject, to specific litigation, or to a specific administrative proceeding; amend the definition of vendor to include definition of currently sells; amend the prohibited persons or entities which cannot receive special financial benefit to include any organization of which the official or employee is an officer or director; amend the prohibited persons or entities which cannot receive special financial benefit to not apply to any official or employee who is required to serve on the board of directors of any organization solely based on their official position (ex officio), regardless of whether they have voting rights on the board, and who receives no financial compensation for such service on the board of directors, and otherwise has no personal ownership interest in the organization; require state reporting individuals to file a copy of their quarterly gift forms within ten days to the Commission on Ethics; and remove the prohibition on officials and employees using county/municipal resources in solicitation of charitable contributions. Countywide (HJF)

4. PUBLIC HEARINGS – 9:30 A.M.

B. COMMISSION ON ETHICS (Cont'd)

2. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 2, Article V, Division 8 of the Palm Beach County Code, the Palm Beach County Commission on Ethics Ordinance, as amended; amending section 2-255 (Membership, Qualifications, Terms, Vacancies); amending section 2-256 (Applicability of Code of Ethics Ordinance); amending section 2-257 (Organization); amending section 2-258 (Powers and Duties); amending section 2-258.1 (Extended Jurisdiction by Interagency Agreements); amending section 2-259 (Financial Support For The Commission); amending section 2-260 (Procedure on Complaints Filed); amending section 2-260.1 (Public Hearing Procedures); amending section 2-260.2 (Notification And Referral To Other Authorities); amending section 2-260.3 (Dismissal of Complaints); amending section 2-260.4 (Frivolous or Groundless Complaints); amending section 2-260.8 (Statute of Limitations); amending section 2-260.9 (Advisory Opinion); providing for a Savings Clause; providing for Repeal of Laws in Conflict; providing for Severability; providing for Inclusion in the Code of Laws and Ordinances; providing for Enforcement; providing for Penalties; and providing for an effective date. **SUMMARY:** The Board of County Commissioners adopted the Palm Beach County Commission on Ethics Ordinance as a countywide Ordinance in May of 2011, in accordance with the County Charter. The Charter amendments, which were approved by the voters in November 2010, also called for the establishment of a review committee to review and recommend proposed changes to the Commission on Ethics Ordinance. This amendment was proposed by the Commission on Ethics and recommended for approval by the ordinance review committee. These amendments would create a removal process for commissioners due to violation of any of the provisions listed in sec. 2-255(e); amend chair and vice-chair terms from two years to one year; provide for payment of advocates needed to present case where Commission on Ethics is seeking sanctions at the current hourly rate established by the county for outside legal services; provide for payment of hearing officers or special magistrates in accordance with the current schedule established by the county for hearing officers or special magistrates; require hearing officer or special magistrate to conducting final public hearings; require the Commission on Ethics Commissioners to determine appropriate penalty and render final order if the hearing officer or special magistrate finds a violation has been committed; ~~and amend schedule for non-state reporting individuals to report qualified gifts from fiscal year to calendar year.~~ Countywide (HJF)

4. PUBLIC HEARINGS – 9:30 A.M.

B. COMMISSION ON ETHICS (Cont'd)

3. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Chapter 2, Article VIII, of The Palm Beach County Code, The Palm Beach County Lobbyist Registration Ordinance, as amended amending section 2-352 (Definitions); amending section 2-353 (Registration and Expenditures); amending section 2-354 (Record of Lobbying Contacts); amending section 2-355 (Cone of Silence); amending section 2-357 (Penalties); providing for a Savings Clause; providing for Repeal of Laws in Conflict; providing for Severability; providing for Inclusion in the Code of Laws and Ordinances; providing for Enforcement; providing for Penalties; and providing for an Effective Date. **SUMMARY:** The Board of County Commissioners adopted the current version of the Palm Beach County Lobbyist Registration Ordinance in December of 2011. These amendments were proposed by the Commission on Ethics and recommended for approval by the ordinance review committee. These amendments revise certain definitions to match the terminology used in the Code of Ethics; remove the requirement of reporting of expenditures by lobbyists who had no expenditures over \$25 annually per principal; provide for a permanent suspension from lobbying after three or more violations of any provisions of the Lobbyist Registration Ordinance; and allow for a petition for reinstatement to be filed with the Commission on Ethics 365 days after permanent suspension is ordered. Countywide (HJF)

4. PUBLIC HEARINGS – 9:30 A.M.

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County Florida amending Chapter 6, Article I, of the Palm Beach County Code of Ordinances (Ordinance 2015-030); amending Section 6-2 of the Palm Beach County Code (Anchoring or Mooring of Floating Structures); amending Section 6-2(B) of the Palm Beach County Code (Applicability); amending Section 6-2(C) of the Palm Beach County Code (Definitions); amending Section 6-2(D) of the Palm Beach County Code (Prohibition of Floating Structures); amending Section 6-2(E) of the Palm Beach County Code (Enforcement; Penalties); adding Section 6-2(E) of the Palm Beach County Code (Exceptions); providing for repeal of Laws in Conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for captions; and providing for an effective date. **SUMMARY:** Staff was directed by the Board of County Commissioners to amend the Cindy DeFilippo Floating Structure Ordinance (2015-030) to address continuing floating structure issues in waters of the County. The proposed ordinance amendment will prohibit the anchoring, mooring or otherwise affixing of floating structures upon or to, waters of the County within the incorporated and unincorporated areas of the County unless a municipality opts out or adopts an ordinance in conflict, and allow for direct removal of floating structures in violation of the ordinance, unless anchored or moored at a marina, marine facility, permitted public mooring field, privately owned dock, permitted private mooring, privately owned submerged land or as otherwise permitted under the Ordinance. Floating structures found to be in violation of the ordinance will have a notice placed upon them to notify the owner(s) that the floating structure is in violation of this ordinance and that they have 21 calendar days from the date of the posting to remove the floating structure, except when there is an impending tropical system, in which case an owner(s) shall be given 24 hours from the date and time of the posting of the notice to remove the floating structure. This ordinance is a tool for municipal enforcement; the County is not assuming enforcement responsibilities within incorporated boundaries. Any law enforcement officer or Code Enforcement Officer acting within his/her jurisdiction can enforce this ordinance. Minor revisions to the ordinance amendment were made between the Preliminary Reading May 18, 2021 (6B-1) and the Public Hearing scheduled for June 15, 2021. Countywide (SS)

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5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve: the Construction Manager (CM) at Risk Contract with Suffolk Construction Company Inc. (Suffolk) for CM at Risk Services for the Concourse B Expansion project at Palm Beach International Airport (PBI). **SUMMARY:** The Department of Airports (Department) issued a request for proposals for CM at Risk Services for the Concourse B Expansion project on October 9, 2020. Thirteen submittals were received on December 3, 2020. The Department shortlisted three firms on January 28, 2021: The Turner Construction Company, Whiting-Turner Contracting Company and Suffolk Construction Company, Inc. On March 1, 2021, the Countywide Selection Committee selected Suffolk to provide the required CM at Risk Services for the Concourse B Expansion at PBI. The services under this contract are task/work order based and will be approved in accordance with PPM CW-F-050 with the appropriate bonds and insurance documents. The PBI Master Plan update that was approved by the Board on December 4, 2018 (5C-1) identified a shortage of concession space post-security. In addition, the Master Plan recommended that two additional gates be added to accommodate future capacity. This project includes approximately 56,000 square feet of expanded space at the end of Concourse B, including expansion of concession hold room and restroom spaces, improvement of aircraft parking apron, construction of infrastructure to support two future gates and extension of existing building systems. These improvements will increase revenue and overall passenger experience. Suffolk is based in Boston, Massachusetts; however, the work will be directly managed by its regional office in West Palm Beach, FL. A Disadvantaged Business Enterprise (DBE) goal of 20% was established for this contract. Suffolk has proposed teaming with MCO Construction, as its DBE partner, to provide DBE outreach, project management and construction supervision services in an amount not less than 20% of the Suffolk preconstruction fee and 10% of the Suffolk general conditions fee paid by the County for such services in connection with this contract. Suffolk will also be required to demonstrate good faith efforts to achieve the 20% DBE goal for all tasks/work orders assigned under this contract. Countywide (AH)

5. REGULAR AGENDA

A. AIRPORTS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 4 to the General Consulting Agreement with RS&H, Inc. for Consulting/Professional Services in the amount of \$2,644,110.87 for the continued performance of professional planning and design services related to the Concourse B Expansion project at Palm Beach International Airport (PBI). **SUMMARY:** The Consulting Agreement with RS&H, Inc. for general airport planning and design was approved by the Board on May 7, 2019 (R2019-0612) in the amount of \$2,004,570.58 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on May 5, 2020 (R2020-0414) increasing the amount of the contract by \$2,304,608.30. Amendment No. 2 was approved by the Board on October 20, 2020 (R2020-1607) increasing the amount of the contract by \$3,196,990.03. Amendment No. 3 was approved by the Board on May 4, 2021 (R2021-0576) exercising the first one year renewal option for the continuation of services provided under this agreement. Amendment No. 4 will provide an additional \$2,644,110.87 to complete the design effort for the Concourse B Expansion project at PBI. RS&H, Inc. is a Jacksonville, Florida based firm; however, the majority of the work to be completed in this agreement will be managed through their Fort Lauderdale, Florida offices in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. RS&H, Inc. committed to 23% DBE participation for this agreement. The anticipated DBE participation based upon the approved tasks is approximately 26.17%. The current paid to date DBE participation is approximately 20.06%. The DBE participation for this amendment is 22.07%. Countywide (AH)

5. REGULAR AGENDA

B. ADMINISTRATION

1. Staff recommends motion to approve:

A) waiver of the competitive solicitation process for professional services (consulting services) based upon the expertise of Jerry Wilson, PC, in election law and political redistricting, as well as his knowledge of and experience with Palm Beach County regarding redistricting; and

B) a contract for consulting services with Jerry Wilson, PC, a Georgia professional corporation, in an amount not to exceed \$50,000 for the development of proposed Commission district boundary maps based on the 2020 Census to ensure conformance with the 1965 Voters Rights Act, as amended, for the period of June 15, 2021 through December 31, 2021.

SUMMARY: This contract provides for consulting services for the development of proposed Commission district maps based on the 2020 Census, guidelines to affirm compliance with traditional redistricting criteria and applicable legal standards, public hearings, assist elections officials in realigning precincts and polling places, if necessary; and all other required redistricting functions. This contract has a not-to-exceed dollar amount of \$50,000. Staff anticipates that the redistricting process will be completed by December 31, 2021. Jerry Wilson, PC, specializes in election law and political redistricting. This firm was the County's contractor during the 2011 redistricting process and was sub-contracted for the FAU/FIU Joint Center during the 2001 redistricting process. Due to experience gained during these two prior redistricting cycles, Jerry Wilson, PC will require substantially less time becoming familiar with Palm Beach County, which will result in efficiencies and cost savings. Based on these facts, staff is recommending that the competitive selection process for professional services be waived, as authorized by Section 2-54(h) of the Palm Beach County Purchasing Code. Countywide (RPB)

5. REGULAR AGENDA

B. ADMINISTRATION (Cont'd)

2. Staff requests board direction: regarding the following criteria to be utilized in the analysis, review and development of proposed Commission district maps based on the 2020 Census data:

- Achieve population equity (10% or less variance among districts population) among Commission Districts
- Adhere to Section 2 of the Voting Rights Acts of 1965, as amended and interpreted through case law
- Follow major natural and man-made boundaries
- Maintain integrity of Communities of interest, including municipal boundaries
- Insure compactness
- Contiguity of Districts
- Preserve the Core of existing voter's districts

SUMMARY: The above listed criteria were utilized during the 2001 and 2011 redistricting of Commission districts. Approved criteria will be utilized to develop proposed 2021 redistricting maps in coordination with our redistricting consultant for consideration by the Board of County Commissioners. Countywide (RPB)

3. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida approving the CareerSource Palm Beach County (CSPBC) Fiscal Year 2021-2022 Budget in the amount of \$16,955,437 for its programs under Public Law 113-128, enacted by Congress effective July 1, 2015 which Act is known as the Workforce Innovation and Opportunity Act of 2014.

SUMMARY: On December 16, 2014, the Board of County Commissioners (BCC) approved a contract to administer grant funds (R2014-1894) with CSPBC which services include the design, coordination, and implementation of the local workforce development system for Palm Beach County. CSPBC receives Federal funding through the State Department of Economic Opportunity. Funds are received by the DEO from the US Department of Labor, US Department of Health & Human Services, and the US Department of Agriculture. These are formula funds which are based on the Federal budget and the local population statistics. The Fiscal Year 2021-2022 Budget, in the amount of \$16,955,437, includes the following revenue sources: \$13,939,489 from the US Department of Labor; \$2,485,608 from the US Department of Health and Human Services for Temporary Assistance for Needy Families; \$480,340 from the US Department of Agriculture for the Supplemental Nutrition Assistance Program; and \$50,000 from private grants and local government. Countywide (HH)

5. REGULAR AGENDA

B. ADMINISTRATION (Cont'd)

4. **ADD-ON: Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, supporting the Florida Department of Agriculture and Consumer Services (FDACS) in its issuance of Federal Financial Assistance Funding Opportunity Number: 22FL818Y8105, entitled "Emergency Food Assistance Program;" its 2020-21 Regional Map, which defines Palm Beach County as a stand-alone region; and its scoring and selection of Farm Share, Inc. as the successful contract awardee for Palm Beach County (Region 17). **SUMMARY:** On October 6, 2020, the Board unanimously adopted Resolution No. 2020-1521, which urged FDACS to issue a competitive process for the Emergency Feeding Assistance Program (TEFAP) for state contracts, for the fiscal year beginning October 1, 2021, and to separate Region 8, which combined Palm Beach and Broward Counties, into two separate regions under the program. On January 25, 2021, FDACS issued Federal Financial Assistance Funding Opportunity Number 225FL818Y8105. Three food bank organizations submitted proposals aimed at serving Palm Beach County. Farm Share, Inc. was awarded the contract, and the State's regional map was restructured, designating Palm Beach County as stand-alone Region 17. The purpose of the proposed resolution is to support FDACS' selection committee's award of the FY 2021-22 TEFAP contract to Farm Share, Inc. to serve Palm Beach County, Region 17. Farm Share, Inc., has been in the food banking business since 1991, and has successfully administered TEFAP contracts in other regions of the state. In 2020, Farm Share, Inc. distributed more than 101 million pounds of food to more than 18 million households in Florida. Representatives have already been in communication with the County, the Palm Beach County Food Bank, and other community partners expressing the desire to work collaboratively toward the goal of ending hunger in Palm Beach County. Countywide (HH)

C. HOUSING AND ECONOMIC DEVELOPMENT

1. **Staff recommends motion to adopt:** a Resolution of the Board of County Commissioners of Palm Beach County, Florida; approving the issuance of Housing Finance Authority of Palm Beach County, Florida, Multifamily Housing Revenue Bonds (Village of Valor) in the principal amount of \$36,000,000. **SUMMARY:** The bonds are being issued by the Housing Finance Authority of Palm Beach County, Florida (the Authority), to finance the costs of acquiring, constructing and equipping a multifamily rental housing facility containing approximately 161 units to be known as Village of Valor (the Project). The Project will be located at 2431, 2441, 2559 and 2650 2nd Avenue North in the City of Lake Worth Beach, Florida, and on 2nd Ave North, located on the north side of the street, one lot east of the intersection of 2nd Ave North and Engle Road in the Village of Palm Springs, Florida. At least 80% of the units will be rented to qualified persons and families whose household incomes do not exceed 80% of area median income adjusted for family size (currently \$68,480 for a family of four) for a minimum period of 15 years. The borrower is Village of Valor, Ltd., or an affiliate thereof (the Borrower), and the developer is VOV Development, LLC. The bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Bryant Miller Olive P.A. is Bond Counsel and Disclosure Counsel to the Authority with respect to the Bonds, and Stifel, Nicolaus & Co., Inc. is the underwriter or placement agent of the Bonds. On May 7, 2021, the Authority held a public hearing with respect to the Bonds in the noticed principal amount of \$36,000,000 as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the Code). The Authority previously held public hearings for the Project in 2017 and 2019 with subsequent approval by the BCC; however because the bonds were not issued within 12 months of the date thereof as required under the Code, another public hearing and BCC approval is required. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the bonds.** District 3 (DCB)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to:

A) approve an Interlocal Agreement (Agreement) with the City of Riviera Beach (City);

B) accept a Quit Claim Deed issued by the City for four parcels (Parcels) of land in the Brooks Subdivision site, located in the City of Riviera Beach;

C) accept an Assignment of Mortgage in favor of the County on the Parcels;

D) approve up to \$550,000 in Workforce Housing funds to be used for design fees and construction drawings of housing units; and

E) delegate authority to the County Administrator or designee to execute any amendments thereto, along with any documents necessary to complete the acquisition, and any additional documents necessary to secure clear title for the entire Subdivision, and cost for design.

SUMMARY: Brooks Subdivision is a single-family affordable housing development that was not completed and remains vacant. It is comprised of 22 buildable lots, including 18 parcels owned by the County, four parcels recently acquired by the City, and a drainage easement. The Parcels owned by the City are encumbered by multiple Municipal Liens, a \$500,000 mortgage (Mortgage) in favor of the City, and a Declaration of Restrictive Covenant that runs with the land. On June 4, 2019 the Board of County Commissioners conceptually approved an Inter-local Agreement (Agenda Item 4C-6) with the City to complete the acquisition of the remaining four Parcels. Since that time, there have been multiple changes with the project resulting in the City's recent acquisition of the parcels and settlement with the previous owner. The Agreement provides for the conveyance of the Parcels and the assignment of the Mortgage to the County. The County will use the Mortgage to commence litigation to obtain clear title on the entire development resulting in and providing marketable title for all 22 lots. As part of the Agreement the City will provide a release of all municipal liens and remaining encumbrances, and the County will provide the City with the opportunity to comment on the overall design, coordinate efforts with one or more non-profit agencies within the city for purposes of informing Riviera Beach residents of opportunities to purchase the homes and participate in the development, provide home buyer assistance utilizing existing programs, and encumber the entire development with restrictions ensuring that the homes remain affordable for a period of up to 30 years. Acquiring the four Parcels would complete the County's ownership of the entire subdivision, provide site control and enable its development for affordable and/or workforce housing. District 7 (HJF)

5. REGULAR AGENDA

C. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

3. Staff recommends motion to conceptually approve: Section 108 Loan Program funding for Oxygen Development, LLC (Company) in the amount of \$5,000,000, contingent upon the approval of the U.S. Department of Housing & Urban Development (HUD). **SUMMARY:** The Section 108 Loan Program (Program) will assist in financing the expansion of Oxygen Development, LLC, (Company), a manufacturing company in Palm Springs that will lead to the creation of 300 new full time jobs at an average salary of \$42,692. The capital investment totals \$20,414,300, of which \$7,213,000 is from Fifth-Third Bank, \$5,419,000 from the Small Business Administration 504 Loan Program, \$5,000,000 from the Program, and \$2,782,300 from owners' equity. The Company manufactures color cosmetics, skin care, hair care and over-the-counter drug-type products. The Company will use the Program funds for acquisition of equipment to manufacture supplements in the form of "gummies", a gelatin based product with vitamins and antioxidants. The estimated five-year economic impact for this project is \$826M. The Palm Beach County Program criteria states that projects that request over \$1,000,000 require approval of the Board of County Commissioners. Underwriting for this project has been pre-approved by HUD, SBA and the County's Loan Review Committee. The current variable interest rate for this loan is 1.2% with a 20-year term. The Program requires that 51% of the new jobs be made available to persons of low and moderate income at the time of hire. In March 23, 2010, the BCC approved \$5,947,740 in Program funds for the Company for refinancing of land, machinery and equipment, and soft costs. The Company committed to the creation of 400 new jobs, and to date has created over 1,200 new full time jobs. The Company is in good standing with the County and has repaid over 50% of the loan. Ethnicity percentages of the 1,200 new jobs already created by the Company represent, 38% white, 29% African American, 19% Asian and 14% other. Race percentages represent 60% Hispanic or Latino and 40% Non-Hispanic. **These are Federal funds that require no local match.** District 2 (DB)

5. REGULAR AGENDA

D. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a resolution approving an Adopt-A-Road Program (Program) for litter removal along Palm Beach County (County) maintained road rights-of-way (ROW), establishing a fee schedule, providing for future fee increases, approving the use of the Program's Agreement (Agreement), and delegating to the County Administrator or designee the authority to enter into Agreements with local interested parties (Group). **SUMMARY:** Adopting this resolution will formally approve the County's Program, which has been in effect through the Engineering Department since at least the early 1990s. The County is responsible for the maintenance of County road ROW, and is further encouraged to initiate a litter control and prevention program through forming public/private partnerships, pursuant to Section 403.4131(3), Florida Statutes. The Program allows Groups to conduct litter removal activities along County maintained road ROW, and several hundred road segments have been adopted over the years. The Agreement has been reviewed by the County's Risk Management Department. Adoption of this resolution will authorize the County Administrator or designee to execute future Agreements. Countywide (YBH)

5. REGULAR AGENDA

E. YOUTH SERVICES

1. **Staff recommends motion to conceptually approve:** allocations for funding in the Action Areas of Economic Access, Educational Supports, and Parenting & Role Models, for the period October 1, 2021, through September 30, 2024, in an estimated total amount of \$1,130,000, annually:

Proposer	Program/Project	Annual Amount
Action Area: Economic Access		
Pace Center for Girls, Inc. (a/k/a Pace Center for Girls Palm Beach)	Healthy Youth Transition	\$110,000
Vita Nova, Inc.	Pathways to Employment	\$153,000
Florence Fuller Child Development Centers, Inc. (d/b/a Fuller Center)	The Fuller Center Teen Leadership Initiative	\$61,000
Action Area: Educational Supports		
Seagull Industries for the Disabled, Inc. d/b/a Seagull Services	Internship & Supported Employment	\$49,000
The Arc of Palm Beach County, Inc.	Stand Up	\$33,000
Girl Scouts of Southeast Florida, Inc.	Girl Scout Leadership Experience	\$112,000
College for Kids, Inc. d/b/a Take Stock in Children of Palm Beach County	Take Stock in Children PBC	\$93,000
Digital Vibez, Inc.	Digital Expressions: Lifetime of Consequences	\$113,000
Scholar Career Coaching, Inc.	Mentoring – College & Career Readiness	\$27,000
Action Area: Parenting and Role Models		
Grandma’s Place, Inc.	Parent Support	\$146,000
Children of Inmates, Incorporated	Babies 'N Brains	\$57,000
Exchange Club/Dick Webber for the Prevention of Child Abuse for the Gold Coast, Inc. d/b/a The Children’s Healing Institute	Parent Aide	\$75,000
The Palm Beach County Literacy Coalition, Inc. d/b/a Literacy Coalition of Palm Beach County	Glades Family Education	\$52,000
Planned Parenthood of South Florida and the Treasure Coast, Inc. d/b/a Planned Parenthood of South, East and North Florida	Time For Your Teen	\$49,000
Total		\$1,130,000

SUMMARY: On March 15, 2021, the Youth Services Department issued a Notice of Funding Opportunity (NOFO) for Community Based Agency funding for three years, beginning in FY2021. Proposals were accepted for three action areas identified as a priority in the Youth Master Plan (YMP): Economic Access, Educational Supports, and Parenting & Role Models. To continue to align programs with the YMP and incorporate evidence-based promising/programming with outcomes and performance measures, the NOFO was issued. Final contracts with each Action Area Agency will be presented to the Board after contract negotiations are complete. Countywide (HH)

5. REGULAR AGENDA

F. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

A) adopt a resolution authorizing the conveyance of 0.206 acres of land to Lake Worth Drainage District (LWDD) without reservation of mineral and petroleum rights in exchange for 0.159 acres of land from LWDD;

B) approve a County Deed conveying 0.206 acres of land to LWDD; and

C) accept a Quit Claim Deed from LWDD conveying 0.159 acres of land.

SUMMARY: Water Treatment Plant No. 8 (WTP8) is located at 1500 North Jog Road, between Belvedere Road and Florida's Turnpike in West Palm Beach. Palm Beach County's Water Utilities Department (WUD) is in the process of combining the WTP8 facility site with five adjacent County owned parcels. The combined parcels are being subdivided into three parcels of land for the purpose of platting. During the plat review process, LWDD requested a 10-foot strip of land on the north side of their L-2 Canal to allow for additional maintenance area. The County will convey to LWDD a 10-foot strip on the north side of the L-2 canal approximately 722 feet in length containing 0.164 acres in exchange for LWDD conveying to the County a 10-foot strip on the south side of the L-2 canal approximately 1,324 feet in length containing 0.159 acres. As part of this exchange, the County will also convey to LWDD a 0.042-acre parcel that abuts LWDD's L-1 canal that is located south of Okeechobee Boulevard and west of Skees Road in West Palm Beach. WUD has approved the proposed land exchange. These properties are being conveyed without reservation of mineral rights. The land exchange will be without any additional consideration being paid to either LWDD or the County. **This exchange must be approved by a Supermajority Vote (5 Commissioners).** (Property & Real Estate Management) District 2 (HJF)

5. REGULAR AGENDA

F. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to approve: an Interlocal Agreement with the Westgate/Belvedere Homes Community Redevelopment Agency (CRA) for the donation of approximately 1.36-acre property located on the southwest corner of Westgate Avenue and Seminole Boulevard to the County for the relocation of Fire Station 24. **SUMMARY:** The County desires to construct a new County fire station within the Westgate Belvedere Homes Community Redevelopment area to replace the existing Fire Station 24 currently located at 1734 Seminole Boulevard in West Palm Beach. The current station is dated and in need of significant upgrades. The CRA owns a 1.36-acre parcel on the southwest corner of Westgate Avenue and Seminole Boulevard and has agreed to donate the property to the County by Statutory Warranty Deed. The deed will include a restriction that limits the use of the property for a County fire rescue facility and other County purposes as determined by the County. Although CRA is donating the property, the County obtained an appraisal which values the parcel at \$640,000. The County has agreed to make available, separate office space to be constructed on the property for use by the Palm Beach County Sheriff's Office community policing officers serving the CRA. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (Property & Real Estate Management) District 7 (HJF)

G. PARKS & RECREATION

1. **ADD-ON:** Staff recommends motion to approve adopt: a Resolution of the Board of County Commissioners declaring the Friday after the Thanksgiving holiday Family Day in Palm Beach County. **SUMMARY:** Family Day was initially established in 1979 in Arizona with the purpose of bringing families together to appreciate one another and many other states and nations observe Family Day. Palm Beach County would be only the second jurisdiction in Florida to formally observe Family Day. Families are critical to the health, well-being, and vibrancy of all communities and Family Day would build upon the County's ongoing year-round efforts to support family-oriented events, experiences and destinations. Parks, open spaces and outdoor experiences provide a broad range of opportunity for family togetherness and are a great place to spend time on Family Day. Businesses and local merchants are also encouraged to host family friendly activities and promotions that boost and stimulate our economy. The recognition of Family Day is in line with the County's focus on being a welcoming, diverse, healthy and vibrant community known nationwide as a great place to live, work and raise a family. Countywide (AH)

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6. BOARD APPOINTMENTS

A. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to approve: appointment of one nominee to the Commission on Affordable Housing (CAH) for a new term from July 1, 2021 to June 30, 2024; reappointment of four nominees to the CAH for a new term July 1, 2021 to June 30, 2024; and reappointment of four nominees to the CAH for a new term July 10, 2021 to July 9, 2024.

Category:	Appoint:	Nominated By:
Resident of the Jurisdiction	Len Tylka	Mayor Dave Kerner Vice Mayor Robert S. Weinroth Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard
Advocate for Low Income Persons	Ezra Krieg	Mayor Dave Kerner Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard <u>Vice Mayor Robert S. Weinroth</u>
Resident of the Jurisdiction	Corey O’Gorman	Mayor Dave Kerner Vice Mayor Robert S. Weinroth Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard
Labor Engaged in Home Building	Adam Campbell	Mayor Dave Kerner Vice Mayor Robert S. Weinroth Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard
Not-for-Profit Provider of Affordable Housing	Timothy Coppage	Mayor Dave Kerner Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard <u>Vice Mayor Robert S. Weinroth</u>
For-Profit Provider of Affordable Housing	Elliot Johnson	Mayor Dave Kerner Vice Mayor Robert S. Weinroth Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard

6. BOARD APPOINTMENTS

A. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

1. (Cont'd)

Banking and Mortgage Banking Industry	Aquanette Thomas	Mayor Dave Kerner Vice Mayor Robert S. Weinroth Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard
Employers within the Jurisdiction	Amy Robbins	Mayor Dave Kerner Vice Mayor Robert S. Weinroth Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard
Real Estate Professional	Joey Eichner or Lynda Charles	Commissioner Maria Marino Mayor Dave Kerner Commissioner Gregg K. Weiss Commissioner Melissa McKinlay Commissioner Mack Bernard

SUMMARY: Staff recommends appointment of the above listed individuals to the CAH for one unfilled category for a term from July 1, 2021 to June 30, 2024, and to reappoint eight current members to serve terms from July 1, 2021 to June 30, 2021 and from July 10, 2021 to July 9, 2024. In accordance with Section 420.9076, Florida Statutes and Ordinance No. 2017-017, the CAH functions to review local affordable housing policies and incentive strategies, and to provide recommendations to the County regarding the same. Section 420.9076, Florida Statutes calls for a minimum of 8 and a maximum of 11 members representing various categories related to affordable housing. There may be multiple members representing the same category as long as no fewer than 6 of the 12 categories identified by statute are represented. Members serve three year terms. The nine recommendations being presented will result in the maximum 11 member CAH. With the appointment of the eight unopposed nominees, a diversity count of the ten members will demonstrate a racial/ethnic breakdown of Caucasian: 8 (80%) and African American: 2 (20%), and a gender ratio (female:male) of 2:8. Final composition will depend on the appointment from the opposed nominees. Countywide (HJF)

B. COMMISSION DISTRICT APPOINTMENTS

JUNE 15, 2021

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

B. COUNTY ATTORNEY

JUNE 15, 2021

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

ADD-ON: Request for off-site Proclamation declaring June 21-27, 2021 as National Pollinator Week in Palm Beach County

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

ADD-ON: Request for off-site Proclamation recognizing the Town of Lantana's 100th Anniversary

District 5 - COMMISSIONER MARIA SACHS

JUNE 15, 2021

8. COMMISSIONER COMMENTS CONTINUED

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

~~Proclamation recognizing Willie Spence as the 2nd Place Winner in the Season Finale of American Idol~~

Request for off-site Proclamation declaring June 19, 2021 as Juneteenth day in Palm Beach County

JUNE 15, 2021

9. ADJOURNMENT

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