

January 4, 2022  
9:30am

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JANUARY 4, 2022**

<b><u>PAGE</u></b>	<b><u>ITEM</u></b>	
25	4C	<b>DELETED/RESCHEDULED TO FEBRUARY 1, 2022</b>

**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**

**JANUARY 4, 2022**

**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 6-24)**
  
- 4. SPECIAL PRESENTATIONS (Page 25)**
  
- 5. PUBLIC HEARINGS - 9:30 A.M. (Page 26)**
  
- 6. REGULAR AGENDA (Pages 27-30)**
  
- 7. BOARD APPOINTMENTS (Pages 31-33)**
  
- 8. STAFF COMMENTS (Page 34)**
  
- 9. BCC COMMENTS (Page 35)**
  
- 10. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 36)**
  
- 11. ADJOURNMENT (Page 37)**

\*\*\*\*\*

TABLE OF CONTENTS

CONSENT AGENDA

**B. CLERK & COMPTROLLER**

Page 6

- 3B-1 Warrant list
- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list

**C. ENGINEERING & PUBLIC WORKS**

Page 6

- 3C-1 Work order to contract with Ranger Construction Industries, Inc. for the Palmetto Park Road from Glades Road to Crawford Boulevard mill and resurface project

**E. COMMUNITY SERVICES**

Page 7

- 3E-1 Receive and file contract with Treasure Coast Health Council, Inc. for services to mitigate the spread of COVID-19

**H. FACILITIES DEVELOPMENT & OPERATIONS**

Page 8

- 3H-1 Assignment and assumption of lease with the Board of Trustees of the Internal improvement Trust Fund of the State of Florida for property located at 1837 and 1839 East Main Street in Pahokee

Page 9

- 3H-2 Receive and file emergency purchase order with Everglades Trading & Office Supply, LLC for cabinets for the Royal Palm Lakes Apartments Pahokee Renovation project

Page 10

- 3H-3 Work order to contract with Davco Electrical Contractors Corp. for the Seminole Palms Park – Various Lighting Replacement projects

Page 11

- 3H-4 Consultant Services Authorization to contract with Williamson and Dacar Associates, Inc. for the Palm Tran Main Facility Parking Lot Pavement Restoration project
- 3H-5 Change order to work order to contract with Asset Builders, LLC for the Belle Glade Agricultural Center Exterior Windows and door Replacement project

Page 12

- 3H-6 Change order to work order to contract with Asset Builders, LLC for the Belle Glade Senior center Interior Improvements project

Page 13

- 3H-7 Supplement to Consultant Services Authorization to contract with Urban Design Studio, LLC for the Paulette Burdick Park project
- 3H-8 Interlocal agreement with the Health Care District of Palm Beach County for direct access to the County's Public Safety Radio System

TABLE OF CONTENTS

CONSENT AGENDA

**I. HOUSING AND ECONOMIC DEVELOPMENT**

- Page 14  
3I-1 Receive and file executed documents related to a loan to One North Lake, LLC under the Housing and Urban Development Section 108 Loan program
- Page 15  
3I-2 Receive and file reinstatement of agreement and amendment to agreement for street improvements along West 26<sup>th</sup> Court between Avenue M and West 27<sup>th</sup> Street in Riviera Beach  
3I-3 Receive and file amendment to agreement with the Village of Palm Springs for sidewalk improvements along Davis Road, from Greenbrier Drive south to Lakewood Road
- Page 16  
3I-4 Receive and file agreement with the Town of Mangonia Park for improvements to Addie L. Greene park

**J. PLANNING, ZONING & BUILDING**

- Page 17  
3J-1 Reappointments to the Land Development Regulation Advisory Board

**K. WATER UTILITIES**

- Page 18  
3K-1 Supplement to Consultant Services Authorization to contract with Keshavarz & Associates, Inc. for utility adjustments for the City of Belle Glade Road Resurfacing Project – Phase 3  
3K-2 Partial release of easement for property located at 4530 Lantana Road, Lake Worth
- Page 19  
3K-3 Consultant Services Authorization to contract with CDM Smith Inc. for the Integrated Utility Master Plan Water project

**L. ENVIRONMENTAL RESOURCES MANAGEMENT**

- Page 20  
3L-1 Agreement with the Florida Fish and Wildlife Conservation Commission for the Delray Dredge Hold artificial reef site
- Page 21  
3L-2 Authorization for the Department of Environmental Resources Management to bid on property adjacent to the Juno Dunes Natural Area

**M. PARKS & RECREATION**

- Page 22  
3M-1 Interlocal grant agreement with the Solid Waste Authority of Palm beach County for demolition and removal of the Duncan Padgett Park Racquetball courts

**TABLE OF CONTENTS**

**CONSENT AGENDA**

**BB. YOUTH SERVICES**

Page 23

3BB-1 Receive and file amendment to Inter-Agency Agreement with the Florida Department of Children and Families for expenses consistent with the Title IV-E

**CC. OFFICE OF EQUAL OPPORTUNITY**

Page 23

3CC-1 Receive and file FY 2022 Extension of Worksharing Agreement with the Equal Employment Opportunity Commission

Page 24

3CC-2 Amendment to contract with the Legal Aid Society of Palm Beach County, Inc. for the Wage Dispute Project

**SPECIAL PRESENTATIONS**

Page 25

4A Human Trafficking Prevention Month

4B Mentoring Month

4C Journee Nelson Day

**PUBLIC HEARINGS – 9:30 A.M.**

Page 26

NONE

**REGULAR AGENDA**

**A. FACILITIES DEVELOPMENT AND OPERATIONS**

Page 27

6A-1 Naming The Edna W. Runner Youth Activities Room at the West Jupiter Recreation Center

Page 28

6A-2 Amendment to agreement with the West Palm Beach Housing Authority for the Cottage Homes Project

**B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET**

Page 29

6B-1 Re-estimated Infrastructure Surtax Project Plan

**TABLE OF CONTENTS**

**REGULAR AGENDA**

**C. ADMINISTRATION**

Page 30

6C-1 Receive and file proof of publication of the advertisement of the adopted ordinance reflecting new commission districts legal boundaries

**D. PARKS & RECREATION**

Page 30

6D-1 Lease agreement between the Port of Palm Beach District (Port) and Palm Beach County for approximately 42 acres of land on Peanut Island

**BOARD APPOINTMENTS**

**A. PLANNING, ZONING & BUILDING**

Page 31

7A-1 Appointment to the Land Development Regulation Advisory Board

**B. OFFICE OF EQUAL OPPORTUNITY**

Page 32

7B-1 Appointment to the Advisory Commission on Women

**C. COMMISSION DISTRICT APPOINTMENTS**

Page 33

**STAFF COMMENTS**

Page 34

8A-1 Updated Board Directive Reports

**COMMISSIONER COMMENTS** (Page 35)

**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 36)

**ADJOURNMENT** (Page 37)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

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

<u>Meeting Date</u>	<u>Meeting Type</u>
Regular	September 14, 2021
Regular	October 19, 2021
Regular	December 7, 2021

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Work Order 2021050-01 in the amount of \$4,235,300 to mill and resurface Palmetto Park Road from Glades Road to Crawford Boulevard utilizing Palm Beach County’s annual asphalt milling and resurfacing contract R2021-0984 (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. This is the first work order to be issued under Ranger’s \$50 million Contract that was approved by the BCC on August 17, 2021. The Affirmative Procurement Initiative selected for this Contract on September 16, 2020 by the Goal Setting Committee is a 15% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 15% SBE participation for the Contract and for this work order. **This project is included in the Infrastructure Sales Tax. Districts 4 & 5 (YBH)**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to receive and file: the contract for Provision of Services with Treasure Coast Health Council, Inc. (TCHC), for the period October 18, 2021 through December 31, 2021, in an amount not-to-exceed \$150,000, for the provision of services to mitigate the spread of COVID-19 in communities adversely impacted by the pandemic by hiring local residents for the Community Health Worker Program (CHWP), through the Coronavirus Aid, Relief, and Economic Security (CARES) Act. **SUMMARY:** On May 15, 2020, the Board of County Commissioners allocated CARES Act funding to the Community Services Department for the CHWP. The purpose of the CHWP is to mitigate the spread of COVID-19. The TCHC, through the “This is Your Shot program”, will provide education and awareness to local residents of diverse racial, ethnic and cultural backgrounds on mitigating the spread of COVID-19, as well as COVID-19 vaccinations for Palm Beach County residents ages 16 and older, in areas with relatively lower COVID-19 vaccine rates. In collaboration with the Department of Health, Health Care District’s Mobile Vaccination Clinic, non-profits and other community stakeholders, TCHC will provide education and training to individuals who receive COVID-19 testing, as well as distribute masks to individuals at testing sites and other outreach events to residents within vulnerable communities throughout Palm Beach County. A key component of the program involves the hiring of local residents who reflect the same racial, ethnic and cultural backgrounds of the communities served. The Director of Purchasing has authority to execute this agreement pursuant to section 2-54(f)(4) of the Palm Beach County Code. In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. **No County match is required.** (Community Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: an Assignment and Assumption of Lease with the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida (State), for the state-owned real property located at 1837 and 1839 East Main Street in the City of Pahokee. **SUMMARY:** On September 14, 2021, the Board of County Commissioners adopted a resolution (R2021-1232) requesting an assignment of lease from the State for the state-owned real property located at 1837 and 1839 East Main Street in the City of Pahokee. The property is improved with an approximately 3,600 square foot single story building, 31 vehicular parking spaces, an approximately 320-foot tall communication tower, and other various site improvements. The existing building was most recently occupied by the Florida Department of Health Palm Beach County (FDOH PBC) as a community clinic. The clinic is no longer in active operation and FDOH PBC desires to assign its existing lease of the property to Palm Beach County for its use and management of the facility for delivery of County services. Approval of this item will assign the existing lease agreement to the County under the same terms and conditions that applied to FDOH PBC thru the December 4, 2057 term of the lease. There is an annual \$300 administrative fee required by the lease, and the County would be responsible for the cost of all utilities, operations, maintenance and improvements. (FDO Admin) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to receive and file:

**A)** an emergency purchase order agreement (Purchase Order) with Everglades Trading & Office Supply, LLC for cabinets for the Royal Palm Lakes Apartments Pahokee Renovation project (the Project) in the amount of \$5,711.31;

**B)** Consultant Services Authorization (CSA) No. 1 to the emergency professional services contract with Colome & Associates, Inc. (Colome Contract) for additional electrical engineering services for the Project in the amount of \$4,600; and

**C)** Change Order No. 3 to Amendments No. 1, 2 and 3 of the emergency construction management at risk contract with Robling Architecture Construction, Inc. (Robling) decreasing the guaranteed maximum price (GMP) for construction management services for the Project in the amount of \$383,651.71.

**SUMMARY:** On April 6, 2020, the Board of County Commissioners (Board) received authorization from the Federal Emergency Management Agency (FEMA) to conduct non-congregate sheltering activities under the Public Assistance Program as part of the response to the coronavirus emergency. On June 2, 2020, the Board authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute emergency design and construction contracts to renovate the Pahokee and Belle Glade facilities as part of the County's Non-Congregate Sheltering Strategy for the western communities. These contracts were fully executed on behalf of the Board by the Director of FDO. The emergency purchase orders include the furniture, fixtures and equipment required to finalize the Project. On June 12, 2020, the Director of FDO approved the emergency Colome Contract in the amount of \$188,617.24 for design services for the Project. Subsequently, on April 1, 2021, the Director of FDO approved CSA No. 1 to the Colome Contract added additional electrical engineering services for the Project in the amount of \$4,600. On June 25, 2020, the Director of FDO approved the emergency contract with Robling for preconstruction and construction services for the Project in the amount of \$16,650. On July 30, 2020, the Director of FDO authorized Amendment No. 1 in the amount of \$639,063 for the selective demolition and replacement of the roof of the building. On August 21, 2020, the Director of FDO authorized Amendment No. 2 in the amount of \$709,564 for site work improvements. On September 17, 2020, the Director of FDO authorized Amendment No. 3 in the amount of \$3,417,219 for interior improvements of the building. There is \$383,651.71 remaining as a result of unused contractor contingency. On October 26, 2021, the Director of FDO approved Change Order No. 3 to return the remaining balance of \$383,651.71 to the Infrastructure Surtax fund. In accordance with the County Policy and Procedures Manual (PPM) CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating department as a receive and file agenda item. Pursuant to section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, this project is exempt from the EBO requirements. **The funding sources for this project are from the CARES Act Relief fund and the Infrastructure Surtax fund.** (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Work Order No. 22-001 to the annual sports field lighting installation contract with Davco Electrical Contractors Corp. (Davco) (R2019-1312) for the Seminole Palms Park - Various Lighting Replacement projects in the amount of \$239,000 for a period of 150 calendar days from permit issuance. **SUMMARY:** On September 10, 2019, the Board of County Commissioners (Board) approved the annual sports field lighting contract with Davco for lighting replacement projects at County-owned parks. The existing lighting fixtures at Seminole Palms Park are over 20 years old and require frequent repairs. Work Order No. 22-001 authorizes the replacement of lighting fixtures at Ball Fields 1-8 and multipurpose fields 9-11 at the Seminole Palms Park. 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. The contractor will have 150 calendar days from permit issuance to substantially complete the project. Liquidated damages for failure to achieve certification of substantial completion within the contract time or approved time extension thereof is \$143 per day. On March 20, 2019, the Goal Setting Committee applied the following Affirmative Procurement Initiatives (API) for this annual contract: 1) Sheltered market for projects less than \$100,000, when three or more Small Business Enterprises (SBE) are qualified; or 2) 10% SBE Price Preference for projects \$100,000 or greater. Since this project is over \$100,000, the SBE Price Preference API applies. Davco is not a SBE and there is no SBE participation on this work order. To date, the overall SBE participation on the annual sports field lighting installation contract is 3.55%. Davco is a local business. **Funding for this project is from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 7 to the contract with Williamson and Dacar Associates, Inc. (R2018-0905) (Consultant) to provide architectural and engineering services for the Palm Tran Main Facility Parking Lot Pavement Restoration project in the amount of \$121,528.41 located at 3201 Electronics Way, West Palm Beach. **SUMMARY:** On June 19, 2018, the Board of County Commissioners (Board) approved the design contract with the Consultant (R2018-0905) to provide annual architectural and engineering services for federally funded projects. CSA No. 7 to the continuing contract authorizes the Consultant to provide design, bidding and construction administration services for the restoration of the paved areas within the facility. The parking lot has degraded over the years and is in need of repairs, upgrades and positive drainage. The proposed design will correct the concerns previously mentioned to provide for years of continued service. A non-mandatory Disadvantaged Business Enterprise (DBE) goal of 15% was established for this project. The Consultant is not a certified DBE. The Consultant has subcontracted a portion of their work to certified DBEs: Engenuity Group Inc., and Tierra South Florida, Inc., and committed to a 70% DBE participation goal for this project. **This project is funded from the Palm Tran Grant fund.** (Capital Improvements Division) District 7 (MWJ)
  
5. Staff recommends motion to approve: Change Order No. 1 to Work Order No. 1 of the continuing construction manager at risk services contract with Asset Builders, LLC dba as Messam Construction (R2018-1163) for the Belle Glade Agricultural Center Exterior Windows and Door Replacement project increasing the project duration by 150 calendar days. **SUMMARY:** On August 14, 2018, the Board of County Commissioners approved the continuing contract with Asset Builders, LLC dba as Messam Construction (R2018-1163) for construction management at risk services for capital projects located in the "Glades" geographical area. On February 8, 2021, the Director of Facilities Development and Operations approved Work Order No. 1 to the continuing contract with Asset Builders, LLC dba as Messam Construction (R2018-1163) in the amount of \$75,825.36 with a construction completion schedule of 90 calendar days from notice to proceed. The work consists of construction management services and warranty services for the replacement of 14 windows, 1 exterior door and 1 storefront door at the Belle Glade Agricultural Center, located at 2916 State Road 15 in Belle Glade. The original doors and windows have deteriorated and are in need of replacement. The new hurricane impact doors and windows will provide for additional safety, efficiency and years of continued use. Change Order No. 1 to Work Order No. 1 authorizes an increase in the project duration by 150 calendar days to accommodate the contractor's procurement of the long lead-time materials and delays resulting from industry staffing shortages, delays in manufacturing, building department permitting and material availability resulting from the ongoing COVID-19 pandemic. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Change Order No. 3 to Work Order No. 2 of the continuing construction manager at risk services contract with Asset Builders, LLC dba as Messam Construction (R2018-1163) for the Belle Glade Senior Center Interior Improvements project increasing the project duration by 120 calendar days. **SUMMARY:** On August 14, 2018, the Board of County Commissioners approved the continuing contract with Asset Builders, LLC dba as Messam Construction (R2018-1163) for construction management at risk services for capital projects located in the "Glades" geographical area. On January 13, 2021, the Contract Review Committee approved Work Order No. 2 to the continuing contract with Asset Builders, LLC dba as Messam Construction (R2018-1163) in the amount of \$176,392.71 with a construction completion schedule of 120 calendar days. The work consists of construction management services for the interior improvements, which include flooring and ceiling replacement, painting, and new interior doors. Messam has requested a time extension to the project duration due to a delay related to material availability and delivery, which was negatively impacted as a result of the COVID-19 pandemic. The replacement of the door subcontractor, Simpson's Home, Inc., who is no longer part of the project also had a negative impact on project development. Change Order No. 3 to Work Order No. 2 authorizes an increase in the project duration by 120 calendar days to accommodate the contractor's procurement of the long lead-time materials and the completion of the work. Messam did not create the overall delay, as the contractor placed a timely order. (Capital Improvements Division) District 6 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: Supplement No. 1 to Consultant Services Authorization (CSA) No. 4 to the continuing property development and evaluation services contract with Urban Design Studio, LLC dba Urban Design Kilday Studios (R2018-1173) (Consultant) for the Paulette Burdick Park project in the amount of \$130,008.24 located at 6363 Fair Green Road, West Palm Beach. **SUMMARY:** On August 14, 2018, the Board of County Commissioners approved the continuing contract with the Consultant (R2018-1173) to provide planning, engineering and related consulting services to evaluate the possible development of existing county-owned property and potential land acquisition parcels. On November 27, 2018, the Director of Facilities Development and Operations approved CSA No. 4 to the continuing contract for a limited threshold evaluation of the development potential to accommodate a new neighborhood public park at the above-mentioned property. Supplement No. 1 to CSA No. 4 authorizes professional services to provide for design, permitting and construction administration services for the construction of a new neighborhood park. The new neighborhood park will service the Cam Estates, Meadowbrook and Plantation CCRT areas. This contract is subject to the County's prior Small Business Enterprise (SBE) program with a 15% SBE participation goal. The Consultant is a certified SBE and committed to an overall participation goal of 98% on its continuing contract. For CSA No. 4, the Consultant committed to a SBE participation goal of 95.66%. Overall, the cumulative SBE participation on this continuing contract to date is 77.12%. **This project is funded from the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 2 (MWJ)
  
8. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Health Care District of Palm Beach County (Participant) to allow for direct access to the County's Public Safety Radio System (System) from January 4, 2022 through January 3, 2027. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can directly access the System. The terms of this Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies where connection through an established municipal hub is not technically feasible. The Participant has been interoperable with the County's System through the countywide common talk groups since 2002. The Agreement requires Participant to pay a one-time \$3,000/unit access charge as well as annual fees of \$300/unit towards the renewal and replacement fund and \$163.53/unit towards maintenance and operation of the System infrastructure. The annual fees are consistent with those being charged to County Departments. In addition, the Participant is required to pay all costs associated with Participant's subscriber units and to comply with the established operating procedures for the System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, on October 1<sup>st</sup> of any year, with a minimum of six months' notice. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT

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

A) Palm Beach County Section 108 Promissory Note, dated October 20, 2021 for \$350,000;

B) Palm Beach County Section 108 Loan Agreement, dated October 26, 2021 for \$350,000;

C) Palm Beach County Section 108 Collateral Mortgage Security Agreement, dated October 26, 2021 for \$350,000;

D) Palm Beach County Section 108 Mortgage Security Agreement, dated October 26, 2021 for \$350,000;

E) Palm Beach County Section 108 Loan Program Agreement, dated October 26, 2021 for \$350,000;

F) Palm Beach County Section 108 Guaranty Agreement, dated October 20, 2021;

G) Palm Beach County Section 108 Further Assurances and Errors and Omissions Statement, dated October 20, 2021;

H) Palm Beach County Section 108 Environmental Indemnity Agreement, dated October 20, 2021; and

I) Consent of shareholders and directors, dated October 21, 2021

**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 documents have been executed on behalf of the Board of County Commissioners by the Director of Housing and Economic Development in accordance with Resolution R2009-0725, and are now being submitted to the Board to receive and file. The Section 108 Loan Program will assist in financing working capital for One North Lake, LLC. (Company). The Company will renovate two commercial structures and build a new FHA Workforce Housing rental project located on Main St, Pahokee. The \$350,000 HUD Section 108 loan will be used as a bridge loan to finance soft costs including architectural & engineering fees. **These are Federal Section 108 Loan funds, which do not require a local match.** District 6 (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

2. Staff recommends motion to receive and file: a Reinstatement of Agreement and Amendment 001 to Agreement R2019-1765 for the street improvement project along West 26<sup>th</sup> Court between Avenue M and West 27<sup>th</sup> Street in Riviera Beach funded under the Community Development Block Grant Program (CDBG). **SUMMARY:** The aforementioned document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 3I-1, as approved by the BCC on, November 19, 2019. The Reinstatement of Agreement and Amendment 001 extends the performance requirements for the project completion date and modifies the end date for the City to submit its final reimbursement request to the County from December 31, 2020 to October 31, 2021. The construction phase of the project had been completed on time, but the City and contractor were delayed in the submission of documents necessary for closeout. The extension to the performance timeline allows the City additional time to submit all final closeout documents and their final reimbursement request to the County. 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. **These are Federal CDBG funds, which do not require a local match.** District 7 (HJF)
  
3. Staff recommends motion to receive and file: Amendment 001 to Agreement R2020-1885 with the Village of Palm Springs for the construction of sidewalk improvements to create an interconnected park pathway system along Davis Road, from Greenbrier Drive south to Lakewood Road in Palm Springs funded under the Community Development Block Grant (CDBG) Program to extend construction completion date from October 31, 2021 to March 31, 2022 and final reimbursement request from December 31, 2021 to April 30, 2022. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 3I-2, as approved by the BCC on, December 15, 2020. 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. **These are Federal CDBG funds, which do not require a local match.** District 3 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC DEVELOPMENT (Cont'd)

4. Staff recommends motion to receive and file: an agreement with the Town of Mangonia Park in the amount of \$54,939, funded under various Community Development Block Grant (CDBG) Programs for improvements to Addie L. Greene Park. **SUMMARY:** The aforementioned document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Development in accordance with Agenda Item 3I-5, Agenda Item 3I-5, and Agenda Item 3I-1, as approved by the BCC on January 23, 2018, October 16, 2018 and November 19, 2019 respectively. The existing agreement (R2018-0073) with the Town of Mangonia Park was terminated for mutual convenience on September 21, 2021. The new agreement with the Town of Mangonia Park will provide CDBG funds for playground equipment and improvements at Addie L. Greene Park located at 1233 53<sup>rd</sup> Street in Mangonia Park. The agreement combines CDBG funding allocations from FY2017-2018 (\$31,334), FY2018-2019 (\$10,401) and FY2019-2020 (\$13,204), for the total allocation of \$54,939. 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. **These are Federal CDBG funds, which do not require a local match.** District 7 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the reappointment of two members to the Land Development Regulation Advisory Board (LDRAB), for the term of February 9, 2022, to February 4, 2025.

<u>Reappointment</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Jim Sullivan	14	Surveyor	Florida Surveying & Mapping Society
Terrence Bailey	10	Engineer	Florida Engineering Society

**SUMMARY:** The LDRAB is comprised of 18 members. The term of office for board members is three years, with a limit of three consecutive three-year terms. Nine of the members shall be appointed by a majority of the Board of County Commissioners (BCC) upon a recommendation by the following organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Associated General Contractors of America and The Palm Beach County Planning Congress. Seven members will be appointed by the BCC; one from each commissioner as a district appointment, with consideration of expertise stated in Article 2.G.3.A.3.b. The BCC shall also appoint two at-large alternate members, by a majority vote of the BCC with consideration of the expertise noted above. The LDRAB provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract(s). The board consists of 18 members, with 18 seats currently filled and a diversity count of Caucasian: 15 (83%), African-American: 1 (6%), Hispanic-American 2 (11%). The gender ratio (male: female) is 14:4. Mr. Jim Sullivan is a Caucasian male, and Mr. Terrence Bailey is an African-American male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (SS)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Supplement No. 1 to the Consultant Services Authorization (CSA) No. 12 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Keshavarz & Associates, Inc. (Consultant) for the Utility Adjustments for the City of Belle Glade Road Resurfacing Project – Phase 3 (Project) for a not to exceed amount of \$124,011.80. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0817) with Consultant. Supplement No. 1 to CSA No. 12 provides for additional professional engineering services relating to design and permitting of the Project. These services include: subsurface utility exploration, geotechnical exploration, survey, construction plans, permitting, outreach support, and bid support services for the replacement and relocation of approximately 2,875 linear feet of water main along SW Avenue D, NE 24<sup>th</sup> St and NE Avenue I within the City of Belle Glade (City). The project also includes additional services related to the assessment of up to 47 existing sanitary manholes to determine the replacement or adjustment of the existing manholes and the replacement or adjustment of up to 14 existing water valve risers that are within the City’s resurfacing project limits. Supplement No. 1 will also include additional services related to the expedited preparation of standalone construction plans depicting limited replacement of an existing force main at the intersection of SW Avenue F and SW 1st Street to accommodate the City’s SW 1st Street Roadway rebuilding project. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 90% SBE participation. Supplement 1 includes 81.61% SBE participation. The cumulative SBE participation including Supplement 1 is 87.11%. Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY22 Budget. (PBCWUD Project No. 20-071) District 6 (MJ)
  
2. **Staff recommends motion to approve:** a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 14331 Page 0611. **SUMMARY:** Palm Beach County Water Utilities Department (PBCWUD) is seeking the release of the County’s interest in a utility easement recorded in the Official Records of Palm Beach County as noted above and located at 4530 Lantana Road, Lake Worth. The property owner is requesting release of the portion of the easement that is no longer associated with any public potable water, wastewater and reclaimed water facilities. PBCWUD has determined that this portion of the easement is no longer required. PBCWUD has determined that the release of the easement will not affect existing or new public potable water, wastewater and reclaimed water facilities and therefore recommends approval of the release. (PBCWUD Project No. 18-563) District 3 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

**A)** Consultant Services Authorization (CSA) No. 8 to the Water Treatment and Water Resources Engineering Services Contract (Water Contract) with CDM Smith Inc. (CDM) for the Integrated Utility Master Plan (IUMP) Water Project (Water Project) for a not to exceed amount of \$434,785.52; and

**B)** CSA No. 9 to the General Utility, Architectural and Value Engineering Services Contract (General Utility) with Chen Moore and Associates, Inc. (CMA) for the IUMP Collection and Distribution Systems – Projects (Collection Project) for a not to exceed amount of \$470,600.

**SUMMARY:** Under each of the referenced CSAs, the named consultant will provide consulting/professional engineering services to evaluate and determine expansion and improvement needs for the Palm Beach County Water Utilities Department (PBCWUD) water, wastewater, and reclaimed water systems by examining each system's needs as an integrated system. The work will include water, wastewater and reclaimed water system alternative evaluation and plan development which will help to develop the projects to address the utility's needs through the 2050 planning horizon. CSA No. 8 with CDM provides professional consulting/engineering services relating to the identification of new capital improvement projects focused on the water treatment systems. CSA No. 9 with CMA provides professional consulting/engineering services relating to the identification of new capital improvement projects focused on the collection and distribution systems. On November 17, 2020, the Board of County Commissioners (BCC) approved the PBCWUD Water Contract (R2020-1719) with CDM. The Water Contract was procured under the requirements of the Equal Business Opportunity Ordinance (EBO). The Water Contract was presented to the Goal Setting Committee (GSC) on September 18, 2019, and a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the Affirmative Procurement Initiatives (API). The Water Contract with CDM provides for 21% SBE participation, which includes 19% MBE participation, 19% MBE (B). CSA No. 8 with CDM includes 36.34% SBE participation, which includes 16.75% MBE participation, 16.75% MBE (A), and 0% MBE (B). The cumulative SBE participation including CSA No. 8 is 41.48% SBE, which includes 18.38% MBE participation, 4.96% MBE (A), and 13.41% MBE (B). CDM is headquartered in Boston, Massachusetts, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Water Project is included in the PBCWUD FY22 budget. On December 15, 2020, the BCC approved the PBCWUD General Utility Contract (R2020-1891) with CMA. The General Utility Contract was procured under the requirements of the EBO Ordinance. The General Utility Contract was presented to the GSC on October 2, 2019, and a minimum mandatory 20% SBE subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified African American owned firms were the API. The General Utility Contract with CMA provides for 27% SBE participation, which includes 17% MBE participation, 17% MBE (B). CSA No. 9 with CMA includes 6.9% SBE participation, which includes 0% MBE participation, 0% MBE (B). The cumulative SBE participation including CSA No. 9 is 11.91% SBE, which includes 5.59% MBE participation, 5.59% MBE (B). CMA is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be performed. The Collection Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 19-065) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

**A) approve** Agreement No. 21030 with the Florida Fish and Wildlife Conservation Commission (FWC) to provide up to \$60,000 of State funding (CSFA 77-007) for the construction of the 2022 FWC Artificial Reef (Project) within the Delray Dredge Hole artificial reef site, expiring September 30, 2022;

**B) adopt** a resolution authorizing the Clerk of the Court to disburse \$74,000 from the Vessel Registration Fee Trust Fund to provide matching funding for the Project, including \$10,000 for contingencies;

**C) approve** a budget amendment of \$60,000 in the Environmental Enhancement Saltwater Fund, and a transfer from Reserves of \$74,000 for a total of \$134,000 in funding for the Project; and

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

**SUMMARY:** The agreement reimburses the County up to \$60,000 for the placement of a minimum of 700 tons of limestone boulders at the Delray Dredge Hole artificial reef site. The estimated total Project cost is \$134,000. The resolution and budget transfer from County Vessel Registration Fees, a non-ad valorem source, will cover the County's 51.6% match of \$64,000 with an additional \$10,000 contingency. The agreement contains indemnification and termination provisions that differ from that adopted for use by the County under PPM CW-F-049. 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 desire to deploy this artificial reef, the amount of the grant award, County's current performance of such habitat enhancement projects and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. District 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to authorize: the County's Department of Environmental Resources Management (ERM) to bid up to \$10,000 (plus recording fees and outstanding property taxes estimated at \$200) for an approximate 0.21-acre vacant parcel at an upcoming tax deed sale. **SUMMARY:** If successful, the proposed acquisition would preserve approximately 0.21 acres of mangrove habitat adjacent to the 569-acre Juno Dunes Natural Area (JDNA). The parcel is in an area that was targeted for acquisition as part of the Palm Beach County Environmentally Sensitive Lands Bond Referendum of March 12, 1991, and would be managed as part of JDNA. While the Property Appraiser currently lists the assessed value for this parcel as \$1,876, the assessed value for two nearby, similarly situated, 0.17 vacant parcels is listed as \$18,760 per parcel. ERM is requesting approval to bid up to \$10,000 for this parcel, or just under the average of these two assessed values, due to the subject parcel's hydrological and ecological benefits. Moreover, ERM paid \$9,800 to purchase an adjacent 0.33-acre parcel at a tax deed sale in 2009. This parcel will have hydrological and environmental benefits to JDNA, as well as the biological and economic benefits mangroves provide to the estuarine environment, and sport and commercial fisheries. A pre-bid environmental assessment will be performed on the parcel by ERM. A boundary survey will not be obtained due to the low value of the land. All costs associated with the proposed tax deed acquisition will be paid from the Natural Areas Fund, a non-ad valorem source. **This authorization must be approved by a supermajority vote (5 Commissioners).** District 1 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

**A) execute** an Interlocal Grant Agreement between Palm Beach County and Solid Waste Authority of Palm Beach County for \$40,000 for the demolition and removal of the Duncan Padgett Park Racquetball Courts for the period January 4, 2022 through November 30, 2022; and

**B) approve** a budget amendment of \$40,000 within the Park Improvement Fund to establish budget for the approved grant project.

**SUMMARY:** On September 1, 2021, the Parks and Recreation Department submitted a Solid Waste Authority 2022 Blighted and Distressed Property Cleanup and Beautification Grant application. The application requested \$40,000 in funding to cover the cost of demolition of the Duncan Padgett Park racquetball courts. The racquetball courts are over 40 years old and are minimally used by the public. The Parks and Recreation Department will be repurposing this area as a picnic destination. Grant funding was awarded and the Interlocal Grant Agreement is being presented to the Board of County Commissioners for approval. **The grant does not require a County match.** District 6 (AH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Amendment #0002 to Inter-Agency Agreement with the Florida Department of Children and Families (DCF) (R2020-0700) (Amendment), effective the date on which the Amendment has been signed by both parties, that increases the reimbursable amount received by the County from DCF from \$26,126 to \$35,000, for State Fiscal Year 21/22, for eligible expenses consistent with Title IV-E under the Social Security Act. **SUMMARY:** On June 16, 2020, the Board approved an Inter-Agency Agreement (Agreement) with DCF to certify local funds as a State match for reimbursement of eligible expenses consistent with Title IV-E under the Social Security Act. The Agreement was for five years, with an optional five-year renewal. Also in June 2020, the Board approved the current Community Based Agency Contract with The Children's Home Society of Florida (CHS) (R2020-0701) (Contract) to offer pre- and post-adoption support services. DCF receives federal funding and calculates reimbursement to the County using the Florida Safe Families Network Title IV-E Adoption Client Eligibility Rate for the month of service, after which a 50% reimbursement rate is applied. Under the original Agreement, DCF reimbursed the County \$18,000 annually. Amendment #0001 increased the DCF reimbursement rate to \$26,126 for State Fiscal Year 20/21. On September 14, 2021, Agenda Item 3BB-3 authorized the County Administrator or designee to execute future agreements/minor amendments on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Amendment #0002 increases the DCF reimbursement rate to \$35,000 for State Fiscal Year 21/22, updates the DCF contact person and address, and corrects a scrivener's error in the DCF Contract number. Countywide (HH)

CC. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to receive and file: the FY 2022 Extension of Worksharing Agreement with the Equal Employment Opportunity Commission (EEOC). **SUMMARY:** The Worksharing Agreement is designed to provide individuals with an efficient procedure for obtaining redress for their grievances under Palm Beach County's Equal Employment Ordinance and Federal laws. The Worksharing Agreement is a prerequisite to the receipt of a Charge Resolution Contract with the EEOC. On November 26, 1996, the Board of County Commissioners (BCC) approved staff's recommendation that future Worksharing Agreements be executed by the County Administrator or designee because of the recurring time constraints involved in this process. Pursuant to Countywide PPM-CW-O-051, the document is now being submitted to the BCC to receive and file. **No County funds are required.** Countywide (DO)

3. CONSENT AGENDA APPROVAL

CC. OFFICE OF EQUAL OPPORTUNITY (Cont'd)

2. Staff recommends motion to approve: Amendment No. 2 to Contract Consulting Professional Services with the Legal Aid Society of Palm Beach County, Inc. (R2020-0048) dated January 7, 2020 for the period January 1, 2022 through December 31, 2022 for the Wage Dispute Project, which updates/adds certain language, including insurance, E-Verify and replaces certain exhibits. **SUMMARY:** On January 7, 2020, the County and the Legal Aid Society, Inc. (Legal Aid Society) entered into a contract (R2020-0048) for a three year period, January 7, 2020 through December 31, 2022, for a total of 423,300 of which \$141,100 is budgeted in contract year 2022 with an anticipated annual allocation of \$141,100 in each subsequent contract year, contingent upon a budgetary appropriation by the Board of County Commissioners. The contract covers the salary and benefits of the staff attorney assigned to the Wage Dispute Project, and the support, investigative, court processing services and other actual costs of the project. In 2020, 206 individuals were provided service under the contract. For the current year, the number served to date is 115 (from January 1 through October 30, 2021). Kimberly Rommel-Enright, an employee of the Legal Aid Society, serves on the Palm Beach County HIV CARE Council (Council), which is a County Advisory Board. The Council provides no regulation, oversight, management or policy-setting recommendations regarding the contract listed above. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (DO)

\* \* \* \* \*

**JANUARY 4, 2022**

**4. SPECIAL PRESENTATIONS – 9:30 A.M.**

- A)** Proclamation declaring January 2022 as Human Trafficking Prevention Month in Palm Beach County (District 6)
- B)** Proclamation declaring January 2022 as Mentoring Month in Palm Beach County (District 7)
- ~~**C)** Proclamation declaring January 4, 2022 as Journee Nelson Day in Palm Beach County (District 7)~~

\* \* \* \* \*

**JANUARY 4, 2022**

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

**NONE**

\* \* \* \* \*

6. REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to name: the east recreation room at the West Jupiter Recreation Center to “The Edna W. Runner Youth Activities Room.” **SUMMARY:** At the request of Commissioner Maria G. Marino and approval of the Board of County Commissioners (Board) sitting in session on December 7, 2021, staff was given direction to name the east recreation room at the West Jupiter Recreation Center after Edna W. Runner. Ms. Runner has served the youth of Palm Beach County, specifically in the Limestone Creek community for many decades contributing positively to thousands of children’s lives. Ms. Runner is the founder and Executive Director of the Edna W. Runner Tutorial Center with a mission to provide a safe and nurturing environment for at-risk students and families so they may pursue academic and personal excellence. (FDO Admin) District 1 (AH)

6. REGULAR AGENDA

A. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Amendment No. 2 to the Developer and Operator Agreement (R2021-0148) (the Agreement) with the West Palm Beach Housing Authority (WPBHA) for the Cottage Homes Project to extend the date by which WPBHA is to complete design and permitting. **SUMMARY:** On January 12, 2021, the Board of County Commissioners (Board) approved the Agreement with the WPBHA for the development, ownership and operation of a small lot housing pilot project upon 1.36 acres of County owned real property fronting Military Trail and Clemens Street in western Lake Worth Beach (commonly referred to as the Cottage Homes Project). Under the Agreement, WPBHA is to improve the property with 17 detached housing structures, a community center, ancillary parking and other customary site improvements, and the County will provide up to \$3.973M in Infrastructure Sales Tax funding for the development and construction. The County also agreed to convey ownership the property to the WPBHA at the time of construction permit issuance. Under Section 24.2 of the Agreement, WPBHA had until September 13, 2021 to complete the design and permitting process or either party may terminate the Agreement. On August 17, 2021, the Board approved Amendment No. 1 to the Agreement (R2021-0148) that extended this deadline to January 11, 2022 due to delays caused by the COVID-19 pandemic during the design phase of the project. WPBHA has completed the design phase of the project but is now requesting until March 14, 2022 to complete the permitting process, due to unforeseeable delays it has experienced during the permitting phase. Due to the unique nature of the Cottage Homes Project's small lot concept, WPBHA has experienced unavoidable delays in the permitting process since the project does not conform to the usual form of permitting for a residential housing development. WPBHA and staff from the County's Planning, Zoning and Building Department (PZB) have worked closely together to develop a permitting process for this pilot project which involves: 1) a Master Permit for the 16 units comprised of Type 1, Type 2 and Type 3 homes; 2) stand-alone permits for the Type 1 ADA unit and the Clubhouse; and 3) after approval of the Master Permit, additional permitting of each of the 17 mastered housing units individually identified on their assigned lots. The WPBHA has obtained approval of the Master Plan permit for the project and submitted for review the individual housing unit permits. On December 15, 2021, the Board approved a Declaration of Easements providing for the access road into the project, which is required for the individual unit permits to move forward. The WPBHA in its original project schedule did not anticipate this permitting approach and requests additional time to complete the process. FDO staff supports this request for an extension. Amendment No. 2 to the Agreement will give WPBHA until March 14, 2022 to complete the permitting process for the Cottage Homes Project. The revised project schedule reflects the delays experienced during the design and permitting process, while retaining projected duration for the upcoming phases consistent with WPBHA's original proposal other than the construction phase being extended by 2.5 months due to anticipated supply and labor shortages, which many projects are currently experiencing. This extension will still keep the Facility opening in FY 2023 although later in FY 2023 rather than earlier in the year as previously represented to the Board at the time of approval of the Agreement. FDO staff will continue to work with WPBHA to ensure timely progress on the Cottage Homes Project. (FDO Admin) District 2/Countywide (MWJ)

6. REGULAR AGENDA

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) the re-estimated Infrastructure Surtax Project Plan; and

B) a budget transfer of \$51,904,273 in the Local Government One-Cent Infrastructure Surtax capital project fund to fund various capital projects.

**SUMMARY:** On November 8, 2016, the voters of Palm Beach County approved a one-cent Infrastructure Surtax (IST) beginning on January 1, 2017 and extending for ten years with a possible early termination if the same were to generate \$2.7 billion before September 1<sup>st</sup> of any year. The approval of the surtax also provided for the creation of an oversight committee to audit spending for compliance with approved projects, and established the following revenue allocations: 50% to the School District, 30% to the County, and 20% to the Municipalities. The proceeds of the sales surtax provide for financing the renewal and replacement of existing capital investments including roadway surfaces, bridges, drainage improvements, canals, park amenities, and government buildings, all of which were deferred during the recession, and projects to maintain levels of service. The associated project plan to implement the IST funded projects was approved on April 4, 2017. The Independent Citizen Oversight Committee unanimously recommended approval of the re-estimated plan on November 18, 2021. Staff presented the re-estimated plan to the Board of County Commissioners (Board) at the Board workshop on November 23, 2021. Staff re-estimated projects based on current construction costs and revised scopes. The originally adopted plan totaled approximately \$709.4 million and the re-estimated plan will increase the total to \$924,022,533. The budget transfer will increase the current budget by \$51,904,723. Engineering and Public Works project plan will increase from \$196,000,000 to \$263,031,210; Facilities Development & Operations will increase from \$396,439,134 to \$503,986,321; and Parks and Recreation will increase from \$127,039,050 to \$157,005,002. Countywide (MJ)

6. REGULAR AGENDA

C. ADMINISTRATION

1. Staff recommends motion to receive and file: proof of publication of the advertisement of the adopted ordinance reflecting new commission districts legal boundaries as required by the Constitution of the United States, Constitution of the State of Florida, Florida Statutes and the Federal Voting Rights Act. **SUMMARY:** On December 7, 2021, the Board of County Commissioners (BCC) adopted new commission boundaries based on the 2020 census. Section 124.02, Florida Statutes, requires a certified copy of the ordinance approving revised commission districts, including their legal descriptions, be published once a week for two consecutive weeks in a newspaper published in Palm Beach County. The required publications were advertised on December 17, 2021 and December 23, 2021. In addition, Section 124.03, Florida Statutes, requires the Clerk of Courts of Palm Beach County to submit to the Department of State a certified copy of the minutes of the Board acknowledging the required advertisement of the adopted ordinance reflecting the description of new commission districts. Countywide (RPB)

D. PARKS & RECREATION

1. Staff recommends motion to approve:
  - A) a Lease Agreement (Lease) between the Port of Palm Beach District (Port) and Palm Beach County (County) for approximately 42 acres of land on Peanut Island; and
  - B) a budget transfer of \$100,000 from Zone 1 Park Impact Fee Reserves to the Peanut Island Coast Guard Redevelopment project.

**SUMMARY:** The County has leased 36 acres of land from the Port since 1994 for public park purposes. The initial term of this lease was for a period of 30 years with one automatic renewal option for 25 years. The park opened to the public in 1999. The Port owns an additional +/- 6.4 acres of land on Peanut Island, which contains historic structures including the Kennedy Bunker, Coast Guard station, Coast Guard boat house and Coast Guard docks (Historic Facilities). The Port and the County desire to enter into a new Lease Agreement encompassing the original 36 acres with the additional 6.4 acres of land that contain the Historic Facilities. The initial term of the Lease is for 30 years with one 25-year automatic renewal. The Port Commission unanimously approved the lease agreement at their December 16, 2021 Commission meeting. There is a need to establish a program budget for this project so that initial design and permitting work can begin. Adequate funding is available within the Zone 1 Park Impact Fee Reserves to establish the program budget. District 1 (AH)

\* \* \* \* \*

7. BOARD APPOINTMENTS

A. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: the reappointment or new appointment of one member, to the Land Development Regulation Advisory Board (LDRAB), for the term of February 9, 2022, to February 4, 2025.

<u>Nominees</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Susan Kennedy (Reappointment)	12	Environmentalist	Audubon Everglades

OR

Drew Martin (New Appointment)	12	Environmentalist	Sierra Club, Loxahatchee Group
----------------------------------	----	------------------	--------------------------------

**SUMMARY:** The LDRAB is comprised of 18 members. The term of office for Board members is three years, with a limit of three consecutive three-year terms. Nine of the members shall be appointed by a majority of the Board of County Commissioners (BCC) upon a recommendation by the following organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Associated General Contractors of America and The Palm Beach County Planning Congress. Seven members will be appointed by the BCC; one from each commissioner as a district appointment, with consideration of expertise stated in Article 2.G.3.A.3.b. The BCC shall also appoint two at-large alternate members, by a majority vote of the BCC with consideration of the expertise noted above. The LDRAB provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract(s). The Board consists of 18 members, with 18 seats currently filled and a diversity count of Caucasian: 15 (83%), African-American: 1 (6%), Hispanic-American 2 (11%). The gender ratio (male: female) is 14:4. Ms. Susan Kennedy is a Caucasian female, and Mr. Drew Martin is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (SS)

7. BOARD APPOINTMENTS

B. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve: the appointment of one youth representative (15-18 years of age) to serve as the ex-officio youth member to the Advisory Commission on Women commencing January 4, 2022 through September 30, 2022.

<b>Appointee</b>	<b>Seat No.</b>	<b>Requirement</b>	<b>Nominated By</b>
Dafany Miranda-Zepeda	16	PBC Resident	Commissioner Bernard Commissioner McKinlay Commissioner Kerner
<b>OR</b>			
Chimdindu Ejikike	16	PBC Resident	
<b>OR</b>			
Kate Deviney	16	PBC Resident	Mayor Weinroth Vice Mayor Weiss
<b>OR</b>			

**SUMMARY:** Per Resolution R2018-0188, the Board of County Commissioners (BCC) established the Advisory Commission on Women (ACW). The ACW is comprised of 15 members, 2 appointed by each County Commissioner and 1 at-large appointed by majority vote of the BCC. The BCC may also appoint a youth representative (15-18 years of age) to serve as an ex-officio member. Dafany Miranda-Zepeda, Chimdindu Ejidike, and Kate Deviney submitted a complete application and have expressed their interest in an appointment. The ACW serves as an advisory body to focus on matters pertaining specifically to women. There is one vacancy. Fourteen seats are currently filled. The current diversity count is Caucasian: 5 (36%), African-American: 3 (21%) and Hispanic: 3 (21%), and Unknown: 3 (21%). The gender ratio (female: male) is 14:0. These nominees are a Hispanic female and two African-American females. Countywide (JW)

JANUARY 4, 2022

7. BOARD APPOINTMENTS

C. COMMISSION DISTRICT APPOINTMENTS

\* \* \* \* \*

JANUARY 4, 2022

8. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

1. [Staff recommends motion to receive and file:](#) the updated Board Directive Reports which include in process and completed board directive items. **SUMMARY:** At the February 6, 2018 Board of County Commissioners Meeting, direction was given to the County Administrator to submit monthly a status report of the board directives. The report categorizes: **1)** In Process Items and **2)** Completed Items. The report continues to be updated on an on-going basis. Countywide (LDC)

B. COUNTY ATTORNEY

**JANUARY 4, 2022**

**9. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER MARIA G. MARINO**

**District 2 – COMMISSIONER GREGG K. WEISS**

**District 3 – COMMISSIONER DAVE KERNER**

**District 4 – COMMISSIONER ROBERT S. WEINROTH**

Certificate of Congratulations in recognition of ReachLink being selected for the inaugural Forbes NEXT 1000 list for 2021

**District 5 - COMMISSIONER MARIA SACHS**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD**

**JANUARY 4, 2022**

**10. MATTERS BY THE PUBLIC – 2:00 P.M.**

\* \* \* \* \*

**JANUARY 4, 2022**

**11. 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."