

February 1, 2022
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 1, 2022

<u>PAGE</u>	<u>ITEM</u>	
33	4D	ADD-ON: Certificate of Recognition presented to Julius and Camile Bunche (District 7)
33	4E	ADD-ON: Proclamation declaring February 20-26, 2022 as National Engineers Week in Palm Beach County (District 4)

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**

FEBRUARY 1, 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 7-32)**
- 4. SPECIAL PRESENTATIONS (Page 33)**
- 5. REGULAR AGENDA (Pages 34-36)**
- 6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD (Page 37)**
- 7. BOARD APPOINTMENTS (Page 38)**
- 8. STAFF COMMENTS (Page 39)**
- 9. BCC COMMENTS (Page 40)**
- 10. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 41)**
- 11. ADJOURNMENT (Page 42)**

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- 3B-2 Minutes
- 3B-3 Contracts and claims settlements list
- 3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 41)

ADJOURNMENT (Page 42)

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>
October 26, 2021	Zoning
October 28, 2021	Workshop
November 16, 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
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments, and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during December of 2021. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve:

A) the Local Agency Program (LAP) Supplemental Agreement Number 1 (Supplement) to the LAP Agreement, R2021-0223, dated March 19, 2021, with the State of Florida Department of Transportation (FDOT) for a grant reduction in the amount of \$28,526 for the construction of Belvedere Heights Phase I (Project); and

B) a budget amendment of negative \$28,526 in the capital outlay fund to recognize the LAP grant agreement funding adjustment from FDOT and appropriate it to the Project.

SUMMARY: Approval of this Supplement will reduce the LAP Agreement grant amount by \$28,526 from \$1,334,856 to \$1,306,330. When the grant was originally approved, the estimated construction cost was \$1,827,865. However, after the Project was bid, the actual construction cost was \$1,359,442, which is lower than the estimate. Therefore, FDOT is reducing the grant amount by \$28,526 and also reducing the local match amount required by \$439,898 so that the grant amount and local match amount add together to equal the actual construction cost. The local match amount will now be \$53,112, which is equal to 3.91% of the construction contract amount. The Project will provide streetlights, sidewalks and sodding along Palm Beach County roads in the Westgate Belvedere Homes Community Redevelopment Area. District 2 (YBH)

2. Staff recommends motion to adopt: a resolution to approve a Highway Maintenance and Right-of-Way Acquisition Memorandum of Agreement (MOA) with the Florida Department of Transportation (FDOT) for the right-of-way acquisition, construction, operation, and maintenance of the I-95 interchange improvements impacting 6th Avenue South from west of Grove Street to east of South C Street (Project). **SUMMARY:** Adoption of this resolution approving the MOA will support the right-of-way acquisition and construction planned by FDOT for the Project. 6th Avenue South, a Palm Beach County (County) roadway, will be improved as part of the Project. These improvements will include longer turn lanes on 6th Avenue South, dedicated right turn lanes for eastbound and westbound I-95 on ramps, designated bike lanes, and signal replacements. The MOA is required to address Project impacts to County road right-of-way, and to allow FDOT to convey right-of-way it acquires for the Project to the County, upon completion of the Project. The County will also accept operation and maintenance of the improvements along 6th Avenue South upon completion. Construction and right-of-way acquisition will be entirely funded by FDOT. Districts 3 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: an Assignment Assumption and Consent Agreement (Assignment) to transfer the construction engineering inspection (CEI) annual services contract (R2021-0883) dated July 13, 2021 (Contract) from New Millennium Engineering, Inc. (NME) to BCC Engineering, LLC (BCCE). **SUMMARY:** On February 7, 2020, NME sold 100% of its issued and outstanding shares of capital stock to BCCE. NME is now operating as BCCE and would like to assign their existing contracts to BCCE. The Contract expires on July 12, 2024, and there are no active Work Task Orders. Approval of the Assignment will allow the Contract to be assigned to BCCE. The Affirmative Procurement Initiatives selected for this contract on November 6, 2019, by the Goal Setting Committee are a 20% minimum mandatory Small Business Enterprise (SBE) participation and an SBE evaluation preference. NME committed to a 30% SBE participation for this Contract, to which BCCE agrees to comply. BCCE's corporate office is located in Miami, Florida. Countywide (YBH)

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) in the amount of \$700,256 for CR-A1A/Ocean Drive from north of Donald Ross Road to south of Indiantown Road (Project);

B) approve the LAP agreement with FDOT which provides a federally funded grant in the amount of \$700,256 for the Project with an expiration date of December 31, 2023; and

C) approve a budget amendment of \$700,256 in the transportation improvement fund to recognize the LAP agreement funding from FDOT and appropriate it to the Project.

SUMMARY: Approval of this agreement and budget amendment will allow Palm Beach County to receive a grant of \$700,256 for the Project with a current estimated construction cost of \$836,312. The Project will improve 24 existing pedestrian crossings within the corridor. **The local match is \$136,056, which is 16.3% of the estimated Project cost.** The Catalog of Federal Domestic Assistance number for this grant is 20.205 Highway Planning and Construction. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. Staff recommends motion to approve: Amendment No.1 to the contract for Professional Legal Services with Walton Lantaff Schroeder & Carson LLP to provide workers' compensation litigation defense services for Palm Beach County, Palm Tran Inc., and Constitutional Officers participating in the County's Self-Insurance Program. This amendment to the contract is for a period of 12 months, beginning October 1, 2021, for the contract price of \$497,650, plus reasonable costs and expenses not to exceed 3% of total fees (\$14,929.50) for the fiscal year 2021/2022. The contract price for Amendment No.1 is the same as the initial contract price for the fiscal year. **SUMMARY:** On September 18, 2018, the Board of County Commissioners approved the contract (R2018-1470) with Walton Lantaff Schroeder & Carson LLP for three years at \$497,650 for attorney's plus reasonable costs and expenses not to exceed 3% of total fees (\$14,929.50), per fiscal year. The contract also provided for two additional one year options at the same annual fixed fee of \$497,650, plus reasonable costs and expenses not to exceed 3% of the total fees (\$14,929.50 per fiscal year). Countywide (DO)

F. AIRPORTS

1. Staff recommends motion to:
 - A) adopt** a resolution approving Amendment No. 1 to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) increasing the original FDOT funding share by an additional \$410,000 and revising the total cost of the project for CCTV Camera Improvements at Palm Beach International Airport (PBI). This Amendment will become effective upon final execution by the FDOT with an expiration date of December 31, 2023; and
 - B) approve** a budget amendment of \$410,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from FDOT and increase project costs by \$820,000 for a total of \$1,820,000; which includes a transfer from Reserves of \$410,000.

SUMMARY: On June 8, 2021, the Board of County Commissioners approved a PTGA (CSFA No. 55.004) with FDOT (R2021-0747) in the amount of \$500,000 or 50% of the eligible project costs, whichever is less for CCTV Camera Improvements at PBI under a multi-year funding plan. The FDOT has issued Amendment No. 1 to the PTGA as part of the second year funding, increasing the original funding share by an additional \$410,000 for a revised FDOT participation of \$910,000 bringing the revised total cost of the project to \$1,820,000. This funding will be used to install additional cameras and supporting infrastructure at various locations throughout the airport campus. Airport required local match of \$910,000 is in the current budget. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to:

A) adopt a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$750,000 for Air Cargo Facility Ingress and Egress Roadway Improvements at Palm Beach International Airport (PBI). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2024; and

B) approve a budget amendment of \$750,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and budget project costs of \$873,157; which includes a transfer from Reserves in the amount of \$123,157.

SUMMARY: The FDOT has issued a PTGA (CSFA No. 55.004) reflecting their commitment of funding to the above referenced project in the amount of \$750,000 or 50% of the eligible project costs, whichever is less. This funding will be used for additional roadway improvements serving the air cargo facility at PBI. Required match of Airport local funding in the amount of \$750,000 is also available for a total project cost of \$1,500,000. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

3. Staff recommends motion to:

A) adopt a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$4,000,000 to Construct New Aircraft Rescue Fire Fighting Facility at Palm Beach International Airport (PBI). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2024; and

B) approve a budget amendment of \$4,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and additional project costs of \$5,047,751; which includes a transfer from Reserves in the amount of \$1,047,751.

SUMMARY: The FDOT has issued a PTGA (CSFA No. 55.004) reflecting their commitment of funding to the above referenced project in the amount of \$4,000,000 or 50% of the eligible project costs, whichever is less. Required match of Airport local funding in the amount of \$4,000,000 is also available for a total project cost of \$8,000,000. The Department of Airports already had funding budgeted for the project (\$2,952,249), which is why the budget amendment recognized budgeted project costs of a lesser amount (\$5,047,751). Additionally, the Department of Airports anticipates obtaining approval from the Federal Aviation Administration for a Passenger Facility Charge application, which contains the funding necessary to reimburse a portion of the local funds transferred from Reserves to provide the local match. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: the Fiscal Year 2021/2022 Budget for Palm Springs Community Redevelopment Agency (CRA). **SUMMARY:** The Palm Spring CRA has submitted their Fiscal Year 2021/2022 Budget as per Section 163.356(3)(d), Florida Statutes. Countywide (DB)
2. Staff recommends motion to receive and file: the Quarter Ending 12-31-2021 information for Children's Services Council of Palm Beach County (CSCPBC). **SUMMARY:** The Children's Services Council has submitted their Quarter Ending 12-31-2021 information as per Section 125.901(3)(f), Florida Statutes. Countywide (DB)
3. Staff recommends motion to receive and file: the Financial Statements for the Florida Development Finance Corporation for the fiscal year ending June 30, 2021. **SUMMARY:** The Florida Development Finance Corporation has submitted their Financial Statements for fiscal year ending June 30, 2021 as per Section 288.9610, Florida Statutes. Countywide (DB)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a Lease Agreement with the City of Boca Raton for the operation and maintenance of 6.57 acres of oceanfront park property for use as a public park. **SUMMARY:** On December 14, 1971, the Board of County Commissioners (Board) approved an Interlocal Agreement and Lease Agreement (R71-504) (ILA) between Palm Beach County and the City of Boca Raton (City). Pursuant to the terms of ILA, the County agreed to purchase beachfront property and lease it to the City for a term of 50 years from the date of acquisition. The City must use the property for public beach and recreational purposes and be responsible for all maintenance and operational costs. The County purchased 6.57 acres of beachfront property via three different deeds with closing dates ranging from February 14, 1972 to March 8, 1972. The current lease agreement will expire on March 7, 2022, and the City and County are desirous of entering into a new lease agreement with an initial 20-year term and two 20-year renewal options. The annual rent for this Lease Agreement is set at \$10 and all maintenance and repair obligations shall remain the responsibility of the City. (Property & Real Estate Management) District 4 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. Staff recommends motion to approve: Work Order No. 22-002 to the annual minor construction contract with Andrea Construction, Inc. (Andrea) (R2020-0143) for the Water Treatment Plant (WTP) # 9 - Heating Ventilation and Air Conditioning (HVAC) Replacement and Fire Alarm Device Modification (Re-bid) project in the amount of \$749,994 for a period of 90 calendar days from permit issuance. **SUMMARY:** On February 11, 2020, the Board of County Commissioners (Board) approved the annual minor construction contract with Andrea for repairs, improvements and renovations to County properties. The existing HVAC system at WTP No. 9 is over 15 years old and requires frequent repairs. Work Order No. 22-002 authorizes the replacement of the existing HVAC system, the replacement of the existing duct detectors and the programming of the fire panel to allow for the proper sequence of operations required for a mechanical system shutdown during a fire alarm activation. These changes will satisfy the fire safety code. 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, Andrea, will have 90 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 are \$80 per day. On August 21, 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; or 3) a minimum mandatory 25% SBE subcontracting goal for multi-trade projects \$100,000 and over. Since this is a multi-trade project over \$100,000, the applicable API is a mandatory subcontracting goal of 25%. Andrea is an SBE and committed to 33.45% SBE participation on this work order. To date, the overall SBE participation on the annual minor construction contract is 81.69%. Andrea is a local business. Funding for this project is from the Water Utilities Operation and Maintenance fund. (Capital Improvements Division) District 5 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. [Staff recommends motion to approve:](#) annual contract with the following contractor for asbestos and lead abatement services on an as-needed basis through October 18, 2026.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
911 Protection Corp	Non-Local	Non-SBE

SUMMARY: On October 19, 2021, the Board of County Commissioners (Board) approved the annual asbestos and lead abatement contract. The work consists of asbestos and lead abatement services on an as needed basis. The contractor now joins the list of five already prequalified contractors for a total of six prequalified contractors with a contract expiration date of October 18, 2026. The specific requirements of the work will be determined by individual work orders issued against this annual contract. These contracts are five-year indefinite-quantity contracts with a maximum cumulative value of \$500,000 across all prequalified contractors. 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. 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 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. On June 2, 2021, the Goal Setting Committee established an Affirmative Procurement Initiative of price preference for a Small Business Enterprise (SBE) contractor if its bid is within 10% of the lowest non-small business bid. To date, there is no SBE participation on this contract. Actual Small/Minority/Women Owned Business Enterprise participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 5 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Holtz Consulting Engineers, Inc. (Consultant) for the Finrock Lift Station and Force Main Rehabilitation (Project) for a not to exceed amount of \$139,845.95. **SUMMARY:** On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1897) with Consultant. CSA No. 5 provides for professional engineering services relating to design and permitting of the Project. These services include utility locates, surveying, geotechnical engineering, construction plans, permitting and bid support services for the upgrades to the existing lift station and for the replacement of approximately 2,750 linear feet of existing force main from the connection point at the new Finrock force main aerial crossing to the existing 10-inch ductile iron force main on the west side of SR 715. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 2, 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 96% SBE participation, which includes 90% MBE participation, 85% MBE (H), and 5% MBE (A). CSA No. 5 includes 93.24% SBE participation, which includes 85.43% MBE participation, 85.43% MBE (H). The cumulative SBE participation including CSA No. 5 is 87.72% SBE, which includes 77.42% MBE participation, 75.71% MBE (H), and 1.71% MBE (A). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 22-002) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 4 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Holtz Consulting Engineers, Inc. (Consultant) for the Valve Additions - Phase 2 (Project) for a not to exceed amount of \$236,305.02. **SUMMARY:** On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1897) with Consultant. CSA No. 4 provides for professional engineering services relating to design and permitting of the Project. These services include utility locates, construction plans, permitting and bid support services for the addition of 91 valves on existing water mains at critical locations. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On October 2, 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 96% SBE participation, which includes 90% MBE participation, 85% MBE (H), and 5% MBE (A). CSA No. 4 includes 70.84% SBE participation which includes 70.84% MBE participation, 70.84% MBE (H) and 0% MBE (A). The cumulative SBE participation including CSA No. 4 is 83.82% SBE, which includes 75.23% MBE participation, 73.65% MBE (H) and 1.57% MBE (A). Consultant is a Palm Beach County based company. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 22-003) District 6 (MJ)

3. **Staff recommends motion to receive and file:** an executed Standard Potable Water and Wastewater Development Agreement with 2200 Okeechobee Blvd LLC, SDA #01-01273-000 (District 7), Recorded in OR BK 32930 PG 1526 for the month of October 2021. **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 document has 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 7 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) Agreement No. 21192 (Agreement) providing an amount not to exceed \$48,410 of funding assistance for the Derelict Vessel Removal Project from November 19, 2021 to February 25, 2022. **SUMMARY:** On July 7, 2020, the Board of County Commissioners approved the Resolution (R2020-0781) to authorize the County Administrator or designee to sign all future FWC Derelict Vessel Removal Grant Applications and Agreements. This Agreement contains indemnification and termination provisions that differ from those 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 need for the funds to remove derelict vessels from Palm Beach County waters. 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. **There is no cost to the County.** Districts 1, 3 & 7 (SS)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following three executed Entertainment Contractor Agreements:
 - A) Mary Washington - Brooks in an amount not to exceed \$325 for the Mary Washington Brooks Trio at Canyon Amphitheater, on November 20, 2021;
 - B) SRB Entertainment LLC in an amount not to exceed \$300 for the Samantha Russell Duo at Canyon Amphitheater, on December 18, 2021; and
 - C) Valerie Hnasko in an amount not to exceed \$1,600 for the Simply Shania at Seabreeze Amphitheater, on December 11, 2021.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$1,500 from Nostalgic America to offset the expenses of the events at the Canyon Amphitheater. These Entertainment Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to receive and file: the following three executed Sound and Light Production Service Contractor Agreement:

A) Sanderford Sound, Inc. in an amount not to exceed \$1,400 for Laughing Spree Festival at Sunset Cove Amphitheater, on December 3, 2021 through December 5, 2021;

B) Sanderford Sound, Inc. in an amount not to exceed \$2,590 for Carlin Park After Dark – Simply Shania at Seabreeze Amphitheater, on December 11, 2021 through December 12, 2021; and

C) Sanderford Sound, Inc. in an amount not to exceed \$1,200 for Cyclops Cove at Sunset Cove Amphitheater, on December 17, 2021 through December 19, 2021.

SUMMARY: These Sound and Light Production Service Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

3. Staff recommends motion to receive and file: the following two executed Amphitheater Rental Agreements:

A) Big Idea Charities, Inc. for the Laughing Spree Festival at Sunset Cove Amphitheater, for the period December 2, 2021 through December 6, 2021; and

B) Insomniac Holdings, LLC for the Cyclops Cove music event at Sunset Cove Amphitheater, for the period of December 16, 2021 through December 19, 2021.

SUMMARY: These Amphitheater Rental Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

4. Staff recommends motion to receive and file: an executed Sponsorship Agreement with Nostalgic America, Inc, for a cash sponsorship in the amount of \$6,000 for a series of nine Legends of the Lawn events at Canyon Amphitheater, for the period January 1, 2022 through December 31, 2022. **SUMMARY:** This Sponsorship Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-0442, amended by Resolution 2017-0102. Sponsorship events help offer a balanced schedule of events which promote the quality of life in the communities we serve. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

5. Staff recommends motion to approve: the third amendment to Construction, Joint Use and Easement Agreement (R2008-1863), as amended on February 2, 2010 (R2010-0208) and May 2, 2017 (R2017-0577), with Boynton Beach Associates X, LLLP and Boynton Beach Associates XVIII, LLLP (GL Homes) providing for an increase in janitorial services for public restrooms at Canyon Town Center site. **SUMMARY:** On October 21, 2008, the County and GL Homes entered into a Construction, Joint Use and Easement Agreement which sets forth the requirements and obligations of each party for the construction and maintenance of the recreational elements located on the 10.8 acre Canyon Town Center civic site. On February 2, 2010, the County amended the agreement to require GL Homes to maintain the public restrooms and the County to reimburse GL Homes 50% of the cost of the custodial contract amount of \$267.50 per month. On May 2, 2017, the County amended the agreement to allow a rate increase of \$650 per month. The County was notified that the vendor will be increasing their rates effective January 2022. This amendment will increase the amount paid by GL Homes to the contractor from \$650 per month to \$682.50 per month. Staff has reviewed the master agreement for janitorial services and determined that the price proposed by the GL Homes Contractor is reasonable and customary. GL Homes' total annual cost for the custodial contract is \$8,190 and the County's portion will be \$4,095, which is an increase to the County of \$195. District 5 (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to receive and file: a copy of the Town of Haverhill's Ordinance No. 506 affirming, ratifying and extending the Town's participation in the Fire/Rescue Municipal Services Taxing Unit (MSTU) through December 31, 2031. **SUMMARY:** The Fire/Rescue MSTU encompasses the unincorporated areas of Palm Beach County plus the incorporated areas within municipalities that have opted to join the MSTU. The County has provided fire rescue services to the Town of Haverhill as a part of the Fire/Rescue MSTU since October 1, 1993. On October 14, 2021, the Town of Haverhill adopted Ordinance No. 506 to affirm, ratify and extend their participation in the MSTU through December 31, 2031, as a mechanism to continue to receive and fund County fire rescue services until 7:30 a.m. on October 1, 2032. A copy of the ordinance is being submitted as a receive and file agenda item for the Clerk's Office to note and receive. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:
 - A) **approve** Software License and Professional Services Agreement for application hosting services with the Government of the U.S. Virgin Islands for an annual revenue of \$164,000; and
 - B) **authorize** the County Administrator or designee to exercise the two successive one-year renewal options and execute change orders associated with these services.

SUMMARY: The Government of the U.S. Virgin Islands Software License and Professional Services Agreement R2019-0974 with Palm Beach County expired on September 30, 2021. The County recommends approving a new agreement for two years effective October 1, 2021, with the option to extend for two successive one-year terms. The agreement is for the continued development, maintenance and hosting of the web-based Business License Application for the U.S. Virgin Islands. Due to contract formation principles under U.S. Virgin Islands' law, this Agreement is being executed by the County first. Once the County receives a fully executed agreement back, a receive and file item including the fully executed agreement will be presented. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: two Grant Award Modifications (GAM) #548012: Project Scope Change, and GAM #548629: Budget Modification with the Department of Justice (DOJ) for the Second Chance Act Innovations in Reentry Initiative (IRI) (Award #2017-CZ-BX-0003). **SUMMARY:** Palm Beach County was awarded a Second Chance Act Innovations in Reentry Initiative grant on September 19, 2017, from the DOJ for \$850,000 (Award #2017-CZ-BX-0003) to facilitate the reduction of recidivism in Palm Beach County. On May 16, 2017, the Board of County Commissioners authorized the County Administrator or designee to execute grant award and amendments and to submit electronic reports associated with the Innovations in Reentry Initiative grant. These documents are now being submitted to the Board for receive and file. GAM #548012 approved changing the number of participants served in Transitional Job programs from 240 reentry participants to 187 reentry participants. The Transitional Job program was negatively impacted by COVID-19 causing unforeseen barriers to the enrollment of reentry participants and delivery of services due to health and safety concerns. GAM #548629 approved modifying the budget to update required match dollars, reallocate funding from the provider contracts to the IRI Reentry Program Coordinator's salary, and adding a 4th year to one of the contracted provider's budgets due to the no-cost one year extension that was previously awarded for this grant. This grant originally budgeted three years for the IRI Reentry Program Coordinator's salary. Due to COVID-19, there was a decrease in funds used by the service providers, leaving funds available to budget for a 4th year for the IRI Reentry Program Coordinator's Salary. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to approve:

A) acceptance of the U.S. Department of Justice (DOJ), Office on Violence Against Women (OVW) grant Improving Criminal Justice Responses Program (15JOVW-21-GG-02012-ICJR) in the amount of \$1,000,000 for the period of October 1, 2021 through September 30, 2024; and

B) the addition of one full-time Victim Services Project Coordinator (pay grade 29) to the Victim Services complement.

SUMMARY: Palm Beach County Division of Victim Services (PBCVS) in conjunction with project partners Aid to Victims of Domestic Abuse, Inc. (AVDA), and the PBC Criminal Justice Commission was selected for a continuation grant from the DOJ, OVWFY 2021 Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program (CFDA# 16.590). The purpose of this continuation grant is to enhance victim safety and hold offenders accountable through a coordinated community response team (CCR) to respond to incidents of domestic violence, dating violence and stalking. The CCR will start with the development of a multidisciplinary team to identify and address the need for consistent response protocols, comprehensive services and referrals for victims of Intimate Partner Violence and accountability for offenders. Once implemented, it will evolve into a coherent process wherein responders and service providers take collective responsibility for a victim's experience during every stage of the process instead of just during one piece. Funding from this grant will specifically support the employment of a new PBCVS Project Coordinator (PG29) to oversee the system aspects of the project, as well as promote the CCR and other prevention activities, funding of an existing PBCVS victim advocate position, a contract with the Battered Women's Justice Project to provide a project evaluation, a contract with AVDA to coordinate the CCR activities, and provide victim advocacy and contracts with community providers to provide "Tactics and Choices" classes for offenders. R2014-1633 authorized the County Administrator or designee to execute future applications, awards, contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. The grant-funded position will be eliminated if funding is not continued through the ICJR program. **No County matching funds are required for this grant.** Countywide (JW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to receive and file: two Grant Adjustment Modifications (GAM) with the US Department of Justice (DOJ), Office on Violence Against Women (OVW), Grant for Improving Criminal Justice Responses Program (ICJR) (2017-WE-AX-0034), which facilitated administrative filing and approvals through September 30, 2021 as follows:

- 1) #203072: Training; and
- 2) #468007: Budget Modification.

SUMMARY: As per grant guidelines, certain expenditures and work products require approval from the OVW ICJR grant manager. The approval process is facilitated by drafting a GAM and submitting it through the OVW's JustGrants Grant Management web portal. GAM #203072 approved the training of law enforcement and advocates on limited English proficiency Title VI policies and practical tools to provide a best practices approach when working with survivors. GAM #468007 approved a budget modification to add \$10,000 to the Catholic Charities of the Diocese of Palm Beach, Inc. contract to increase the number of specialized legal advocacy services to immigrant victims of domestic violence and other crime victims from 44 to 64 clients and approved using PBC Channel 20 to produce a Sexual Assault Response Team Law Enforcement Designation Training video. R2014-1633 authorized the County Administrator or designee to execute future awards, contracts, sub-recipient agreements and sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (JW)

4. Staff recommends motion to approve: a contract for Consulting/Professional Services with Dr. Marc Kramer, DVM, for relief veterinary services at the main shelter in an amount not to exceed \$88,400 for period of November 17, 2021 through November 16, 2022. **SUMMARY:** The Animal Care and Control Division is required to provide appropriate and necessary veterinary services for sheltered animals. The relief veterinarian will enable staff to maintain an acceptable number of veterinarians to handle the volume of animals processed, especially during periods of high influx. Countywide (SF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM no. 448285-1-84-01) with the State of Florida Department of Transportation (FDOT), in the amount of \$400,000, of which \$200,000 is a local match, to provide capital assistance to offset costs of acquiring new vehicles and equipment for the Go Glades transit service in the non-urbanized (Lake Region) areas of Palm Beach County; and

B) approve an upward FY22 budget amendment of \$200,000 in Palm Tran's Grant Fund 1341 to recognize the grant award.

SUMMARY: The Public Transit Service Development Program was enacted by the Florida Legislature to provide initial funding for special projects. The program is selectively applied to determine whether a new or innovative technique or measure can be used to improve or expand public transit services. The funds are programmed to acquire new vehicles and equipment for the Go Glades transit service in the Lake Region. This PTGA, in the amount of \$400,000, will provide capital funding in the amount of \$200,000, which requires a County match of \$200,000. The match is included in Palm Tran's FY2022 budget. The PTGA will become effective upon FDOT Execution and has an expiration date of December 31, 2024. The grant agreement 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 in the performance of this agreement, including that of its officers, agents, or employees. The indemnification obligation must also be passed on to contractors and/or consultants. An exception to the indemnification language approved by the County's PPM is potentially warranted here, 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 own acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. As a result, the Risk Management Department and the County Attorney's Office do not object to this exception to the standard and have advised Palm Tran to present this matter directly for Board approval. District 6 (MM)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN (Cont'd)

2. Staff recommends motion to:

A) adopt a Resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving a FY2022 Public Transportation Grant Agreement (PTGA) in Block Grant funding for urbanized public transportation operating assistance (FM No. 407188-3-84-01) with the State of Florida Department of Transportation (FDOT), providing a grant in the amount of \$5,952,137, to offset the operating costs of providing fixed route services to the public in Palm Beach County;

B) approve a budget transfer of \$126,063 in the Palm Tran Operating Fund 1340 to reconcile the revenue budget to the actual grant award and reduce the transfer from the General Fund 0001; and

C) approve a budget transfer of \$126,063 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves.

SUMMARY: Palm Tran will utilize the grant funds to offset the operating costs of providing fixed route service on all routes in the County. This FY2022 PTGA, in the amount of \$5,952,137, will provide operating funding in the amount of \$5,952,137, no local match is required for FY2022. The PTGA will become effective upon FDOT execution and has an expiration date of June 30, 2025. The grant agreement 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 in the performance of this agreement, including that of its officers, agents, or employees. The indemnification obligation must also be passed on to contractors and/or consultants. An exception to the indemnification language approved by the County's PPM is potentially warranted here, 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 own acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. As a result, the Risk Management Department and the County Attorney's Office do not object to this exception to the standard and have advised Palm Tran to present this matter directly for Board approval. Countywide (MM)

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDIT

1. Staff recommends motion to receive and file:

A) Audit reports reviewed by the Audit Committee at its December 8, 2021 meeting as follows:

1) 2022-01 Information Systems Services Department, Network Services Division – *Management of the County’s Firewall Security*; and

2) 2022-02 Planning, Zoning & Building – *Building Division Inspection Section*

B) Audit recommendation status follow-up report as of November 15, 2021.

SUMMARY: County Code Section 2-463(e)(3) requires the County Internal Auditor to submit copies of final audit reports to the Board of County Commissioners and the Internal Audit Committee. County Code Section 2-463(f) requires the County Internal Auditor to submit copies of audit recommendation status reports to the Board of County Commissioners and the Internal Audit Committee. At its meeting on December 8, 2021, the Internal Audit Committee reviewed the audit reports and the Audit Recommendation Status Follow-up Report as of November 15, 2021. We are submitting these reports to the Board of County Commissioners as required by the County Code. Countywide (HJF)

DD. SHERIFF

1. Staff recommends motion to receive and file: Grant Modification #3 from the Office of National Drug Control Policy to extend the grant period from December 31, 2021 through December 31, 2022 to reduce drug availability by creating and supporting intelligence-driven task forces aimed at eliminating or reducing domestic drug trafficking and its harmful consequences through enhancement and coordination of drug trafficking control efforts among federal, state and local law enforcement agencies. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant award for \$149,193 on May 5, 2020 (R2020-0502). On January 12, 2021, the BCC accepted Grant Modification #1 in the amount of \$36,306 (R2021-0096). On September 14, 2021, the BCC accepted Grant Modification #2 in the amount of \$26,656 (R2021-1300). This Grant Modification #3 will extend the grant period from December 31, 2021 to December 31, 2022. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance number is 95.001 and the contract number is G20MI0011A. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

2. Staff recommends motion to receive and file: Grant Modification #1 from Department of Justice, Office of Justice Programs to extend FY2018 Justice and Mental Health Collaboration Program grant award from December 31, 2021 through December 31, 2022 to increase public safety and officer safety by facilitating collaboration among the criminal justice, mental health, and substance abuse treatment systems. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant award for \$750,000 on December 18, 2018 (R2018-2043). This Grant Modification #1 will extend the grant period from December 31, 2021 to December 31, 2022. **There is no additional match requirement.** The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance Number for this program is 16.745 and the contract number is 2018-MO-BX-0009. Countywide (LDC)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation (DOT) for the Palm Beach County Sheriff's Office, Palm Beach County Speed and Aggressive Driving Strategy project, in the amount of \$75,000, for the period of December 7, 2021 through September 30, 2022; and

B) approve a budget amendment of \$75,000, increasing the Sheriff's Grants fund.

SUMMARY: On December 7, 2021, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$75,000, to support a Speed and Aggressive Driving Strategy project in Palm Beach County. Funds will be used to support overtime costs associated with the project. The Catalog of Federal Domestic Assistance number is 20.600, the project number is SC-2022-00227, and the DOT Contract number is G2221. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

4. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation (DOT) for the Palm Beach County Sheriff's Office, Village of Wellington Impaired Driving Strategy, in the amount of \$75,000, for the period of December 7, 2021 through September 30, 2022; and

B) approve a budget amendment of \$75,000, increasing the Sheriff's Grants fund.

SUMMARY: On December 7, 2021, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$75,000, to support an Impaired Driving Initiative in the Village of Wellington. Funds will be used to support overtime costs associated with the Impaired Driving project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance number is 20.616, the project number is M5HVE-2022-00301, and the DOT Contract number is G2341. Countywide (LDC)

5. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation (DOT) for the Palm Beach County Sheriff's Office, Palm Beach County Occupant Protection Program project, in the amount of \$150,000, for the period of December 7, 2021 through September 30, 2022; and

B) approve a budget amendment of \$150,000, increasing the Sheriff's Grants fund.

SUMMARY: On December 7 2021, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$150,000 to support an Occupant Protection Program project in Palm Beach County. Funds will be used to support overtime costs associated with the project. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance number is 20.616, the project number is OP-2022-00299, and the DOT Contract number is G2196. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (Cont'd)

6. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office a FY2021 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program Grant from the Department of Justice, Bureau of Justice Assistance in the amount of \$390,479 for the period October 1, 2021, through September 30, 2023; and

B) approve a budget amendment of \$390,479 in the Sheriff's Grants Fund.

SUMMARY: The Palm Beach County Sheriff's Office (PBSO) received an award for the DNA CEBR Program in the amount of \$390,479 for the period October 1, 2021 through September 30, 2023. The Forensic Biology Unit in the Crime Laboratory of PBSO services over 28 municipalities, the school systems and assists state and local federal agencies as needed. These funds will be used to continue to support the salary and benefits of two full time Forensic Scientists, training, travel, and contractual services that will increase the efficiency of the crime lab. **There is no match requirement associated with this award.** The Catalog of Federal Domestic Assistance number is 16.741 and the grant number is 15PBJA-21-GG-02985-DNAX. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to:

A) approve a contract with Spirit of Giving Network, Inc. in an amount not-to-exceed \$115,000 for professional services to assist with planning, purchase of school supplies and other items for the implementation of the 2022 Back to School PBC! event (Event) for the period beginning February 2, 2022 through November 1, 2022;

B) authorize advance payments to Spirit of Giving Network, Inc. of up to \$57,500 towards the purchase of school supplies and other items; and

C) approve a budget transfer of \$35,000 within the Office of Community Revitalization Special Projects and Initiatives Fund to fund the costs associated with the event.

SUMMARY: This contract provides a not-to-exceed amount of \$115,000 to Spirit of Giving Network, Inc (Agency) to assist in the implementation of the Event. The Event provides backpacks, school supplies, a health fair and access to community resources for Palm Beach County students in need from Pre-K through 12th grade from low or no income families enrolled in the public or charter school system. The Event has been tentatively scheduled for Saturday, July 30, 2022, prior to the start of the 2022/2023 school year. In accordance with the contract, up to \$57,500 of the \$115,000 from the County may be provided as an advance payment to the Agency to use as upfront capital toward the purchase of the school supplies and other items required for the event. The requested budget transfer of \$35,000 is needed to fund a \$15,000 increase in the contract amount over last year and to fund both the annual hosting and maintenance of the registration portal (\$5,000) and the purchase of other items and services required for the event's implementation (\$15,000). Countywide (HH)

3. CONSENT AGENDA APPROVAL

FF. TOURIST DEVELOPMENT COUNCIL

1. [Staff recommends motion to receive and file:](#) a fully executed Palm Beach County FY2022 Grant Agreement managed by the Palm Beach County Sports Commission, Inc., on behalf of the Palm Beach County Tourist Development Council with The Boca Raton Champions Golf Charities, Inc. for the promotion of Timber Tech Championship, which was held November 1 – 7, 2021. The Tourist Development Council approved this grant of \$30,000 on September 9, 2021. The term of this agreement is August 1, 2021 – February 7, 2022. **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 (R94-702) 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. This grant agreement generated a total of 1,500 room nights, and also funded an event which promoted sports tourism in Palm Beach County. District 4 (AH)

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FEBRUARY 1, 2022

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring February 1, 2022 as Journee Nelson Day in Palm Beach County (District 7)
- B)** Proclamation declaring February 11-17, 2022 as 211 Awareness Week in Palm Beach County (District 1)
- C)** Proclamation declaring February 2022 as American Heart Association Month in Palm Beach County (District 6)

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5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve:

A) Change Order No. 2 to Amendment No. 4 of the Construction Manager at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$343,870.39 for Work Order MC 15: Escalator Replacement at Palm Beach International Airport (PBI); and

B) a budget transfer of \$343,870 in the Airport's Improvement and Development Fund to provide budget for the project, including a transfer from Reserves in the amount of \$343,870.

SUMMARY: Amendment No. 4 (Work Order MC 15) in the amount \$8,145,981 and 907 calendar days was approved by the Board on September 15, 2020 (R2020-1336) for the Escalator Replacement at PBI. Change Order No. 1 to Amendment No. 4 in the amount of \$975,516 was approved by the Board on May 18, 2021 (R2021-0725). Approval of Change Order No. 2 in the amount of \$343,870.39 is required primarily to address the existing conditions required prior to installing the new handrails. Following the demolition of the existing handrail adjacent to Excalator H during replacement of the escalators, it was determined that additional structural modifications to the curbs are required to support the new handrails. This condition exists at seven of the eight handrails to be replaced. A Disadvantaged Business Enterprise (DBE) goal of 12% was established for this contract. DBE participation for this Change Order is 32.12%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This change order exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

B. LIBRARY

1. Staff recommends motion to approve: waiving all remaining accrued overdue fines on library card accounts for a total of \$133,247.04. **SUMMARY:** The Board of County Commissioners voted on September 10, 2019 to approve eliminating the requirement to charge overdue fines to library card accounts beginning October 1, 2019. Existing fines remained on library card accounts. Subsequently, at the September 15, 2020 meeting, the Board authorized waiving all remaining accrued overdue fines on children's library card accounts. Removal of the remaining overdue fines in the database will allow the Library Department to purge expired library card accounts. As of January 18, 2022, the Library System's database showed that 28,973 adult library card accounts had accrued overdue fine charges remaining for a total of \$133,247.04. The existence of fine records prevents the Library Department from purging expired library card accounts from the database known as the Integrated Library System (ILS). Removal of these overdue charges will allow the Library Department to remove expired accounts. This will save memory capacity on the ILS and speed up database queries. The ILS currently has fine charges dating back to 2002 when the new ILS was installed. The Library Department considers these overdue fine charges as uncollectable. With the move to fine free borrowing, these remaining overdue fees stand out of alignment with the current approved direction. Countywide (AH)

5. REGULAR AGENDA

B. LIBRARY (Cont'd)

2. Staff recommends motion to approve: the write-off of uncollectible lost/damaged library materials charges from library card accounts found in the Library Department's Integrated Library System (ILS) database for all lost/damaged charges dated prior to October 1, 2016 for a total of \$3,038,942.38. **SUMMARY:** Library card account holders are required to return library items in the condition they were borrowed with the expectation of minimal wear and tear. Account holders who fail to return library items by their due date are charged the full replacement amount as specified in the ILS record and their account is blocked from further borrowing if charges stand at \$25 or higher. Returning the item in good condition removes associated charges. Account holders who return items in a damaged condition are charged the full replacement amount as specified in the item record and their account is blocked from further borrowing if charges stand at \$25 or higher. Borrowing privileges are restored when the account has fewer than \$25 in charges. The Library Department contracts with a collection agency to collect unpaid bills. The agency makes several attempts to contact the borrower. Unpaid charges referred to collections do not affect a borrower's credit. The ILS contains all information on borrowers and items in the collection. The Library Department has never been authorized to implement a policy to remove potential uncollectable lost/damaged charges. The Library Department migrated to our current ILS provider in September 2002. Based on an ILS report, as of January 18, 2022, the system contains 162,176 lost/damaged bills dated prior to October 1, 2016 spread across 59,884 user accounts. Obsolete item records cannot be removed when still attached to a borrower's record, which leads to database management concerns such as slower response times and increased storage charges. Borrower records are considered expired and removed from the ILS if the account is dormant for seven years. Library card accounts with lost/damaged charges that would normally have expired cannot be removed from the database. Retaining this information increases the amount of storage required for the ILS, which leads to database management concerns. Countywide (AH)

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RECESS AS THE BOARD OF COUNTY COMMISSIONERS

CONVENE AS THE CHILD CARE FACILITIES BOARD

6. BOARD OF COUNTY COMMISSIONERS SITTING AS THE CHILD CARE FACILITIES BOARD

A. HEALTH DEPARTMENT

- 1. Staff recommends motion to approve: appointment of one member to the Child Care Advisory Council (Council) to complete the unexpired term of Terry Newton who resigned November 2021.

Seat No.	Nominee	Requirement	Term	Nominated By
4	Claudette Rifenberg	Represents a consumer protection enforcement official	2/01/22 to 9/30/23	Commissioner Marino Vice Mayor Weiss

SUMMARY: The Council is comprised of seven members who serve at the pleasure of the Board of County Commissioners. Membership must consist of two members who represent and operate private child care facilities in Palm Beach County, one of whom operates a family day care home or large family child care home; one member who represents and operates a parochial child care facility in Palm Beach County; one consumer protection enforcement official; one member for fire protection, engineering or technology; one member who, at the time of appointment, was the parent of a child attending a childcare facility in Palm Beach County; and one representative from the Florida Department of Children and Families. The applicant for appointment to Seat 4, Claudette Rifenberg, is a Consumer Affairs Manager with Palm Beach County Consumer Affairs Division. She has 30 years of experience in public service in Palm Beach County, including consumer protection, and environmental health including child care licensing. She is recommended for appointment to complete the term of Terry Newton who resigned November 2021. The diversity count for the 5 seats currently filled is Caucasian: 3 (60%), African American: 1 (20%), and Hispanic-American: 1 (20%). The gender ratio (female: male) is 5:0. The nominee for Seat 4 is an African American female. Staff continues to address the need for increased diversity within our boards/committees and will continue to encourage expansion of this Council's diversity. Countywide (HH)

ADJOURN AS THE CHILD CARE FACILITIES BOARD

RECOVENE AS THE BOARD OF COUNTY COMMISSIONERS

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FEBRUARY 1, 2022

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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FEBRUARY 1, 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

FEBRUARY 1, 2022

9. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

Request for off-site Proclamation honoring the life of Tim Rosaforte

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

Request for off-site Proclamation recognizing the 100th Anniversary of the Incorporation of Pahokee

District 7 – COMMISSIONER MACK BERNARD

FEBRUARY 1, 2022

10. MATTERS BY THE PUBLIC – 2:00 P.M.

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FEBRUARY 1, 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."