

April 3, 2023
10:00am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

APRIL 4, 2023

<u>PAGE</u>	<u>ITEM</u>	
40	4G	*DELETED: (District 2)
40	4G	*ADD-ON: Certificate of Recognition honoring Grantley Coulthrust as Poll Worker of the Year. (District 6)
40	4I	*DELETED: CHANGED TO: (District 4) / MOVED TO: COMMISSIONER COMMENTS: Request off-site proclamation approval.

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**

APRIL 4, 2023

**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 9-39)**

- 4. SPECIAL PRESENTATIONS (Page 40)**

- 5. REGULAR AGENDA (Pages 41-46)**

- 6. BOARD APPOINTMENTS (Page 47)**

- 7. STAFF COMMENTS (Page 48)**

- 8. BCC COMMENTS (Page 49)**

- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 50)**

- 10. ADJOURNMENT (Page 51)**

TABLE OF CONTENTS

CONSENT AGENDA

B. CLERK & COMPTROLLER

Page 9

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

C. ENGINEERING & PUBLIC WORKS

Page 10

- 3C-1 Approve contract with Bergeron Land Development, Inc. for 365 calendars for the construction of Lawrence Road, South of Ponza Place to Lantana Road; receive and file agreement with Town of Lake Clarke Shores for joint participation and project funding for construction utility adjustment; and budget amendment in the Impact Fee Zone 4 to recognize reimbursement funding from the Town.

E. COMMUNITY SERVICES

Page 11

- 3E-1 Modification to Emergency Rental Assistance Program 2 from U.S. Dept. of Treasury to increase funding, and an upward budget amendment.

F. AIRPORTS

Page 12

- 3F-1 Receive and file Public Transportation Grant Agreement with Florida Dept. of Transportation for the Airport Access Roadway Rehabilitation Phase 1 at PBIA, delegation of authority and approve budget amendment.
- 3F-2 Receive and file Public Transportation Grant Agreement with Florida Dept. of Transportation for the Runway 14-32 Expansion Design at North Palm Beach County General Aviation Airport, delegation of authority and approve a budget amendment.

Page 13

- 3F-3 Receive and file Public Transportation Grant Agreement with Florida Dept. of Transportation for the Hanger and Infrastructure Development at North Palm Beach County General Aviation Airport, delegation of authority and a budget amendment.

Page 14

- 3F-4 Receive and file Amendment No. 1 to the Public Transportation Grant Agreement with Florida Dept. of Transportation increasing original FDOT funding share and revising the total cost for the Southside Redevelopment Project Phases 3 and 4, delegation of authority and a budget amendment.

TABLE OF CONTENTS

CONSENT AGENDA

F. AIRPORTS (cont'd.)

Page 15

3F-5 Receive and file registration for Distribution of Literature or Picketing at the PBI issued to NetJets Association of Shared Aircraft Pilots, and authorizing picketing by members of NJASAP.

Page 16

3F-6 Receive and file fifteen Consents to Sublease space at Palm Beach International Airport by Atlantic Aviation – West Palm Beach, LLC for subtenants.

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 17

3G-1 Receive and file U.S. Dept. of Treasure Local Assistance and Tribal Consistency Fund Grant CFDA commencing October 17, 2022 until funds are expended, and approve a budget amendment.

H. FACILITIES DEVELOPMENT & OPERATIONS

Page 17

3H-1 Receive and file First Amendment to the Development and Conveyance Agreement with University of Florida Foundation, Inc. extending the Due Diligence period.

Page 18

3H-2 Receive and file Termination of Interlocal Agreement with the Town of Lake Park.

3H-3 Approve an increase to the maximum cumulative value for the annual Asbestos and Lead Abatement contract for Asbestos and Lead Abatement services as needed through 2026.

Page 19

3H-4 Approve Change Order No. 1 to sole source contract with Amano McGann, Inc. to increase the project duration of 225 calendar days for the Judicial Center Parking Garage and State Attorney/Public Defender Parking Lot project.

Page 20

3H-5 Approval annual contract for electrical services as needed through 2024 with Gilmore Electric Company, Inc.

Page 21

3H-6 Approval annual contracts with contracts Cross Environmental Services, Inc. and The BG Group, LLC as needed through 2028.

TABLE OF CONTENTS

CONSENT AGENDA

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

Page 22

3H-7 Approve multiple annual contracts as needed for painting and weatherproofing services.

Page 23

3H-8 Approval Consultant Services Authorization No. 13 to the Annual Structural Engineering Services contract with WGI, Inc. for the Peanut Island-Boat Dock Replacement project.

J. PLANNING, ZONING & BUILDING

Page 23

3J-1 Receive and file Task Order to Florida Atlantic University Master Research Agreement to develop a Watershed Master Plan for drainage basis and hydraulic analyses for Unincorporated Palm Beach County.

M. PARKS & RECREATION

Page 24

3M-1 Adopt a resolution authorizing County Administrator or designee to execute standard Promoter Amphitheater Rental Agreement and delegate authority to the County Administrator.

Page 25

3M-2 Approve amendment to the Infrastructure Surtax Project Plan and approve a budget transfer.

3M-3 Receive and file executed Amphitheater Rental Agreement with AEG Properties SE, LLC for the Rise Against Concert at Sunset Cove Amphitheater for one year.

Page 26

3M-4 Receive and file multiple amphitheater rental agreements with DeutermanProductions.com, LLC for Jupiter Seafood Festival and Genesis Marketing & Promotions, LLC for Blackluxe Picnic Festival.

3M-5 Receive and file two entertainment contractor agreements with Richard Benjamin for the Fabulons concert and with Robert P. Watson for the Sand Dunes concert.

Page 27

3M-6 Receive and file entertainment contractor agreement with Peter Sarfati for the Solid Brass concert.

3M-7 Receive and file multiple sound and light production service contractor agreements with Sanderford Sound, Inc. for Carlin Park After Dark – Solid Brass concert; Sanderford Sound, Inc. for Rise Against concert; and Sanderford Sound for Blackluxe Picnic Festival.

TABLE OF CONTENTS

CONSENT AGENDA

M. PARKS & RECREATION (cont'd.)

Page 28

- 3M-8 Receive and file Licensed Training Provider Agreement with American National Red Cross to allow certified Parks and Recreation Department employees to teach Red Cross courses at County Facilities through 2026.
- 3M-9 Receive and file Addendum to the Licensed Training Provider Agreement with American National Red Cross to allow County to participate in the Red Cross Aquatic Centennial Initiative program through 2026.

P. COOPERATIVE EXTENSION SERVICE

Page 29

- 3P-1 Approve Grant agreement with Western Palm Beach County Farm Bureau, Inc. from Agricultural Economic Development Program funds to assist in conducting 2023 Palm Beach County Sweet Corn Fiesta.

S. FIRE RESCUE

Page 29

- 3S-1 Receive and file Amendment Memo to U.S. Department of Homeland Security Federal Emergency Management Agency FY2021 Staffing for Adequate Fire and Emergency Response Grant Program.
- 3S-2 Receive and file municipal ordinance No. 2022-24 of the City of Lake Worth Beach extending the City's participation in the Fire/Rescue Municipal Services Taxing Unit.

Page 30

- 3S-3 Approve and ratify Side Agreement amending Article 20-Work Week and Article 26-Certification, of the Collective Bargaining Agreement with Professional Firefighters/Paramedics of Palm Beach County, Local #2928 IAFF, Inc.
- 3S-4 Approve three board appointments to the Fire Code Board of Appeals and Adjustments.

X. PUBLIC SAFETY

Page 31

- 3X-1 Receive and file Second Chance Act Grant award from the Department of Justice for three years.

Page 32

- 3X-2 Approve Memorandum of Understanding with the Florida Department of Juvenile Justice to establish procedure for referring and serving reentry youth from 2023 thru 2025.
- 3X-3 Receive and file Notice of Contract Termination of Contractual Services Agreement for Expert Examining Committee Member Services in Guardianship Matters.

TABLE OF CONTENTS

CONSENT AGENDA

Z. RISK MANAGEMENT

Page 33

- 3Z-1 Approve Second Amendment to Contract for Onsite Occupational Physician Services with Concentra for Physician/Medical Director Services at the County occupational health clinic for two years with one additional two-year renewal option.
- 3Z-2 Approve one year contract with DSS Sustainable Solutions USA, Inc. for professional/consultation e-learning services with a retroactive commencement date with four automatic one-year renewals.

BB. YOUTH SERVICES

Page 34

- 3BB-1 Receive and file Contract for Consulting/Professional Services with Children’s Services Council of Palm Beach County and McArthur’s Own to update the Youth Master Plan for one year.
- 3BB-2 Approve Contract for Consulting/Professional Services with Julia Dyckman Andrus Memorial, Inc. for recertification of the Palm Beach County Youth Services Department as a trauma informed provider using Sanctuary Model, and a budget transfer.

CC. INTERNAL AUDITOR

Page 35

- 3CC-1 Receive and file audit report for Information Systems Services, Facilities Development and Operations and Fire Rescue.

DD. SHERIFF

Page 35

- 3DD-1 Accept High Intensity Drug Trafficking Area Program grant for the Palm Beach Narcotics Task Force and approve budget amendment in the Sheriff’s Grant Fund.

Page 36

- 3DD-2 Receive and file Modification #5 to Subgrant Agreement between Florida Division of Emergency Management and Palm Beach County Sheriff’s Office to extend the grant period.

EE. OFFICE OF RESILIENCE

Page 37

- 3EE-1 Ratify Mayor signature on Urban Agriculture and Innovative Production Program grant application requesting funds for an assessment of small-scale, urban and innovative farming opportunities; delegate authority to County Administrator or designee; and authorize Director of the Office Resilience to serve as designee.

TABLE OF CONTENTS

CONSENT AGENDA

EE. OFFICE OF RESILIENCE (cont'd.)

Page 38

3EE-2 Authorize County Administrator or designee to pursue funding from U.S. Department of Energy's Energy Efficient and Conservation Block Grant Program; delegate authority; authorize County Administrator or designee to complete and sign EECBG Program Pre-Award Information Sheet; and delegate authority to County Administrator to sign all grant applications and to execute forthcoming grant agreement.

Page 39

3EE-3 Delegate authority to County Administrator or designee to pursue funding from U.S. Environmental Protection Agency Environmental Justice Government-to-Government Program; delegate County Administrator or designee to sign all grant applications forms; and delegate County Administrator or designee to execute forthcoming grant agreement.

SPECIAL PRESENTATIONS

Page 40

- 4A Lois Pope Day
- 4B Coach Marty Riger Day
- 4C Second Chance Month
- 4D Earth Day
- 4E Drowning Prevention Awareness Month
- 4F National Community Development Week
- ~~4G Proclamation of recognizing Audrey Wolf~~
- 4H Certificate of Appreciation PBSO
- 4I Parental Alienation Awareness Day
- 4J Clerk of the Circuit Court & Comptroller County Investment Update

REGULAR AGENDA

A. AIRPORTS

Page 41

5A-1 Approve Amendment No. 7 to the General Consulting Agreement with RS&H, Inc. for Consulting/Professional Services for the performance of professional Construction Administration and Resident Project Representative Services for Concourse B Expansion – Package 1 project at PBI.

TABLE OF CONTENTS

REGULAR AGENDA

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 42

5B-1 Amending resolution related to personnel classifications and pay grades for County Commission Administrative Assistants and County Commission Secretaries.

C. FACILITIES DEVELOPMENT AND OPERATIONS

Page 42

5C-1 Approve Lease Agreement with John C. Bills Enterprises, Ltd. for office space for a five year term and one five-year renewal option, and a budget transfer.

Page 43-44

5C-2 Approve Agreement for Purchase and Sale of 1.3 acre parcel located north of Indiantown Road and east of Bee Line Highway from Ann Frances Gwinnell and Will Scott Gwinnell; a Memorandum of Agreement with Ann Frances Gwinnell and William Scott Gwinnell; Agreement for Purchase and Sale of 1.3 acre parcel north of Indiantown Road and east of Bee Line Highway from Neville Washington and Laural Washington; a Memorandum of Agreement with Neville Washington and Laurel Washington; Agreement for Purchase and Sale of 1.5 acre parcel north of Indiantown and east of Bee Line Highway from Laurel Washington, Neville Washington, Lance Washington, and Dave Washington; a Memorandum of Agreement with Laurel Washington, Neville Washington, Lance Washington and Dave Washington.

Page 45

5C-3 Consider/Waive Conflict disclosed by Verdex Construction, LLC in its proposal in response to County's Request for Proposals for Construction Manager at Risk Services, the Vista Center Expansion Project; ratify the Final Selection Committee's recommendation to award to Verdex, and authorize Facilities and Development & Operations Department to prepare contract with Verdex for the project.

D. ADMINISTRATION

Page 46

5D-1 Receive and file Mid-Session Legislative Update for the 2023 State Legislative Session.

BOARD APPOINTMENTS (Page 47)

STAFF COMMENTS (Page 48)

COMMISSIONER COMMENTS (Page 49)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 50)

ADJOURNMENT (Page 51)

APRIL 4, 2023

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>
September 22, 2022	Zoning
October 04, 2022	Regular
October 18, 2022	Regular
November 01, 2022	Regular
December 06, 2022	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

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to:

A) approve a contract with Bergeron Land Development, Inc. (BLD) in the amount of \$7,659,014.25 with a contract time of three hundred and sixty-five (365) calendar days for the construction of Lawrence Road, South of Ponza Place to Lantana Road (Project); and

B) receive and file an interlocal agreement (ILA) with the Town of Lake Clarke Shores (Town) for joint participation and project funding for construction of utility adjustments in the amount of \$1,558,322.93 for the Project; and

C) approve a budget amendment of \$1,558,323 in the Impact Fee Zone 4 Fund to recognize reimbursement funding from the Town and appropriate it to the Project.

SUMMARY: Approval of this contract will authorize the construction services necessary to add turn lanes at the intersection of Lantana Road and Lawrence Road and widen Lawrence Road from Ponza Place to Lantana Road. The Project was presented to the Goal Setting Committee (GSC) on February 16, 2022. The GSC applied Affirmative Procurement Initiatives (API) of 20% minimum mandatory Small Business Enterprise (SBE) participation, of which 3% must be a Minority Business Enterprise (MBE) of Hispanic and/or African-American owned firms. On September 9, 2022, a partial waiver was approved by the Office of Equal Business Opportunity changing the API to 15% minimum mandatory SBE participation of which 3% must be a MBE of Hispanic and/or African-American owned firms. BLD agreed to 17.75% SBE participation and 4% MBE participation. Bids for the contract were received by the Engineering Department on October 14, 2022. Approval of the budget amendment will recognize the reimbursement funding from the Town, as agreed to in the ILA, for utility work they requested. The Town shall be responsible for operation and maintenance of their utility work upon completion of the Project. The ILA with the Town was approved by the County Engineer on March 6, 2023 by way of delegated authority in accordance with Palm Beach County Administrative Code Section 404.00. The ILA is submitted in accordance with Countywide PPM CW-O-051 which requires all delegated contracts, agreements and grants to be submitted by the initiating department as a receive and file. BLD was the lowest responsive bidder of five bidders. The contract time for the Project is 365 calendar days. BLD has an office located in Palm Beach County. **This Project is included in the Five-Year Road Program. District 2 (YBH)**

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

A) modification to Emergency Rental Assistance Program 2 (ERAP 2), from the U.S. Department of the Treasury (Treasury), to increase funding with reallocated funds in the amount \$6,374,458.34 for a new total funding amount of \$67,558,734.10; and

B) an upward budget amendment in the amount of \$6,374,458 within the ERAP Fund to recognize the additional funding received from the Treasury for ERAP 2.

SUMMARY: On October 13, 2022, the Deputy Secretary of the U.S. Treasury released instructions on requesting additional ERAP 2 funding that may be available due to reallocations from under-performing jurisdictions. As a high-performing jurisdiction and based on program needs, Palm Beach County requested an additional \$10,000,000. On January 23, 2023, the Treasury awarded Palm Beach County \$6,374,458.34. The full requested amount was not available as the amount of reallocated funds requested by eligible grantees was far greater than the funding available to distribute. As of January 31, 2023, \$87,245,980 has been disbursed on behalf of 10,126 unduplicated households under ERAP. The Catalog of Federal Domestic Assistance (CFDA) number for ERAP is 21.023. **No County match is required.** (Division of Human Services) Countywide (HH)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$2,000,000 for the Airport Access Roadway Rehabilitation - Phase 1 at Palm Beach International Airport (PBI). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R2020-1017). This PTGA is effective as of February 22, 2023 with an expiration date of December 31, 2024; and

B) approve a Budget Amendment of \$2,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and budget additional project costs of \$2,000,000; which is in the current budget. Total project costs are \$4,000,000.

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 \$2,000,000 or 50% of the eligible project costs, whichever is less for the Airport Access Roadway Rehabilitation - Phase 1 at PBI. This funding will provide for rehabilitation of aging terminal access roadways at PBI. The required local match for this PTGA is \$2,000,000. Countywide (AH)

2. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$500,000 for the Runway 14-32 Expansion Design at North Palm Beach County General Aviation Airport (F45). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R-2020-1017). This PTGA is effective as of February 22, 2023 with an expiration date of December 31, 2024; and

B) approve a Budget Amendment of \$1,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and transfer additional project costs of \$500,000 local match funds from Reserves. Total project costs are \$1,000,000.

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 \$500,000 or 50% of the eligible project costs, whichever is less for the Runway 14-32 Expansion Design at F45. This funding will provide design surfaces for a runway expansion from 4,300 feet long x 75 feet wide to 6,000 feet long x 100 feet wide at F45. The required local match for this PTGA is \$500,000. Countywide (AH)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

3. Staff recommends motion to:

A) receive and file a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$2,000,000 for the Hangar and Infrastructure Development at North Palm Beach County General Aviation Airport (F45). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R2020-1017). This PTGA is effective as of February 23, 2023 with an expiration date of December 31, 2025; and

B) approve a Budget Amendment of \$2,000,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT and budget additional project costs of \$500,000 (which is in the current budget). Total project costs for the initial grant agreement are \$2,500,000.

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 \$2,000,000 or 80% of the eligible project costs, whichever is less for the Hangar and Infrastructure Development at F45. The required local match for this PTGA is \$500,000. This is a multiyear grant with \$2,000,000 of state funding in year one followed by an additional \$2,000,000 of state funding planned for year two. The total project costs is estimated at \$5,000,000, with \$4,000,000 in state funding and \$1,000,000 in local funding. The additional \$2,000,000 in state funding and \$500,000 budgeted funding are planned in a future amendment. Countywide (AH)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

4. Staff recommends motion to:

A) receive and file 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 \$1,800,000 and revising the total cost of the project for Southside Redevelopment Project - Phases 3 and 4 (Project) at Palm Beach County Park Airport (LNA). Delegation of authority for execution of this PTGA was approved by the BCC on August 25, 2020 (R2020-1017). This Amendment is effective as of February 27, 2023 with an expiration date of December 31, 2024; and

B) approve a Budget Amendment of \$1,800,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT.

SUMMARY: On March 8, 2022 the BCC approved a PTGA (R2022-0178) with the FDOT in the amount of \$1,800,000 or 80% of the eligible project costs, whichever is less for the Project at LNA 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 \$1,800,000 for a revised FDOT participation of \$3,600,000 bringing the revised total cost of the Project to \$4,500,000. Airport required local match for this Project is \$900,000. This additional funding will provide for the final phases of design and construction for improvements to existing landside facilities and infrastructure that began in 2018; this project will complete the final phases of aviation redevelopment on the south side of the airfield, including security enhancements and access control, landside parking and vehicle circulation improvements and related utility infrastructure. The project to be funded with this grant will not expand or increase airport/aviation capacity at LNA. The purpose of the project is to improve the security and safety of LNA and rehabilitate/replace aging infrastructure. Countywide (AH)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

5. Staff recommends motion to receive and file:

A) Registration for Distribution of Literature or Picketing at the Palm Beach International Airport (PBI) issued to NetJets Association of Shared Aircraft Pilots (NJASAP) on February 7, 2023 (Prior Registration), authorizing picketing by members of NJASAP at PBI on February 17, 2023, at no cost.

B) Registration for Distribution of Literature or Picketing at PBI issued to NJASAP on February 16, 2023 (Registration), authorizing picketing by members of NJASAP at PBI on February 17, 2023, at no cost and terminating the Prior Registration.

SUMMARY: The Registration authorized NJASAP members to picket at PBI, in locations identified in the Registration, in accordance with the Airport Rules and Regulations (R98-220 as amended) on February 17, 2023. The Registration terminated the Prior Registration and modified the areas on PBI where NJASAP members were authorized to conduct their activities. Delegation of authority for the execution of the standard form Registration was approved by the Board of October 3, 1995 (R-95-1410). Countywide (AH)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (cont'd.)

6. Staff recommends motion to receive and file: Fifteen (15) Consents to Sublease, consenting to the sublease of space at the Palm Beach International Airport by Atlantic Aviation – West Palm Beach, LLC d/b/a Atlantic Aviation PBI (Atlantic), with the following subtenants:

1. 711 Finad LLC, effective as of April 1, 2022.
2. Air Canada, effective as of September 1, 2022.
3. Air Rutter International, LLC d/b/a Alerion Aviation (Alerion) and d/b/a Jet RX, effective September 1, 2021.
4. Arebus Holdings LLC, effective as of April 1, 2022.
5. Cessna Service Direct LLC, effective April 1, 2022.
6. EMB Equipment LLC, effective as of November 1, 2022.
7. Executive Jet Management, Inc., effective as of September 1, 2022.
8. Falcon 2000 Leasing, LLC, effective as of November 1, 2022.
9. Otter Inspirations, LLC, effective as of January 1, 2023.
10. S.W. Leasing Two LLC, effective as of December 1, 2022.
11. Tudor Investment Corporation, effective as of November 1, 2022.
12. GDP Aviation, LLC, effective as of September 1, 2022.
13. Acadian Seaplanes, effective as of December 1, 2022.
14. CVS Pharmacy, INC, effective as of January 1, 2023.
15. ACI Jet, effective as of December 1, 2022.

SUMMARY: Atlantic provides fixed based operator services for general aviation aircraft at PBI pursuant to a Lease Agreement dated October 18, 2000 (R2000-1067, as amended), which provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the Board in R-94-1453. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to:

A) **receive and file** U.S. Department of the Treasury Local Assistance and Tribal Consistency Fund (LATCF) Grant CFDA 21.032, which includes receipt of \$100,000, with a start date of October 17, 2022 until the funds are expended; and

B) **approve** a budget amendment of \$100,000 within the LATCF unit in the General Fund, to recognize revenue, and to establish a budget for the accepted funding.

SUMMARY: Section 605(b) of the Social Security Act (the Act), as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorizes the Department of Treasury (Treasury) to make payments to certain recipients from the Local Assistance and Tribal Consistency Fund. The County applied for and received a payment of \$50,000 on October 26, 2022, and will receive the remaining \$50,000 during FY 2023. The County is able to use these funds to cover any cost incurred on or after March 15, 2021, for any governmental purpose other than a lobbying activity. These funds will be used to repair the PBSO IT Room at the North County Courthouse that was damaged during a major flooding event last year. The flooding resulted from failed server A/C units, and a heat overload. This room serves a critical PBSO operation, and will be redesigned to provide for better heat load management and expanded capabilities into the future. **This grant does not require a County match.** Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: First Amendment to the Development and Conveyance Agreement with University of Florida Foundation, Inc. extending the Due Diligence Period from 180 days to 270 days, concluding on May 22, 2023. **SUMMARY:** On August 23, 2022, the Board of County Commissioners (Board) approved the Development and Conveyance Agreement (R2022-0891) (the Agreement) with the University of Florida (University) for the conveyance of approximately 5.03 acres of County-owned property in West Palm Beach for the development of an urban educational campus. The Agreement provided for a 180-day Due Diligence period which was set to conclude on February 21, 2023. The University requested an extension of the Due Diligence period for an additional 90 days. At the February 7, 2023 Board of County Commissioners meeting, the Board approved the extension. This First Amendment formalizes the approval of the Due Diligence period extension from 180 days to 270 days, such that it will now conclude on May 22, 2023. The First Amendment was signed by the Mayor on February 23, 2023 (Property & Real Estate Management) District 2 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

2. Staff recommends motion to receive and file: Termination of Interlocal Agreement with the Town of Lake Park, terminating the Interlocal Agreement dated November 16, 2010 (R2010-1943), as amended. **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. On September 13, 2022 (R2022-1036), the Board of County Commissioners (Board) approved the termination of the Interlocal Agreement with the Town of Lake Park (Town) related to Waterfront Access Bonds, and authorized the County Administrator, or designee, who in this case was the Director of Facilities Development & Operations, to execute documents to effectuate the same. The Town approved the Termination Agreement on February 1, 2023. This fully executed document is now being submitted to the Board to receive and file. (Property & Real Estate Management) District 7 (HJF)

3. Staff recommends motion to approve: an increase to the maximum cumulative value for the annual Asbestos and Lead Abatement contract in the amount of \$1,000,000 for Asbestos and Lead Abatement services on an as-needed basis through October 18, 2026. **SUMMARY:** On October 19, 2021, the Board of County Commissioners (Board) approved the annual Asbestos and Lead Abatement contracts (R2021-1494 through R2021-1498) for Asbestos and Lead Abatement services related to system and component installations, upgrades, replacements, modifications and repairs. To date, the County has awarded work orders in the amount of \$325,521. In order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on October 18, 2026, staff is requesting to increase the maximum cumulative value for the annual Asbestos and Lead Abatement contract in the amount of \$1,000,000. This increase will bring the maximum cumulative value of the annual Asbestos and Lead Abatement contract to \$1,500,000. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual Asbestos and Lead Abatement contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website while projects \$200,000 or greater are additionally advertised in the newspaper. The bidding pool is further expanded to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently six (6) contractors are prequalified. The annual Asbestos and Lead Abatement contract was presented to the Goal Setting Committee on June 2, 2021 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. There are no SBE contractors prequalified on the annual Asbestos and Lead Abatement contract. (Capital Improvements) Countywide (MWJ)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

4. Staff recommends motion to approve: Change Order No. 1 to the sole source contract (R2021-1070) with Amano McGann, Inc. in the amount of \$47,055 with an increase to the project duration of 225 calendar days for the Judicial Center Parking Garage, and the State Attorney/Public Defender (SAPD) Parking Lot project. **SUMMARY:** On August 17, 2021, the Board of County Commissioners (Board) approved a sole source contract (R2021-1070) with Amano McGann, Inc. in the amount of \$336,974.60 for a period of 60 days from permit issuance for the installation of the OPUS parking access and revenue control systems at the entry and exit lanes for the Judicial Center Parking Garage, and the SAPD Parking Lot project. Change Order No. 1 to the sole source contract (R2021-1070) authorizes the replacement of the existing gate arms with gate arms with integrated lighting, installation of electrical patch panels and additional low voltage wiring, installation of additional revenue collection equipment and the furnishing of additional OPUS supplies. Change Order No. 1 to the sole source contract (R2021-1070) will also authorize an increase in the project duration of 225 calendar days to accommodate the fiber network replacement. In accordance with the Equal Business Opportunity (EBO) ordinance, sole source procurements are exempt from EBO requirements. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 7 (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

5. Staff recommends motion to approve: an annual contract with the following contractor for electrical services on an as-needed basis through November 18, 2024.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Gilmore Electric Company, Inc.	Local	SBE

SUMMARY: On November 19, 2019, the Board of County Commissioners (Board) approved the annual Electrical contract (R2019-1752 through R2019-1758). The work consists of electrical repairs, improvements and renovations to County-owned properties on an as needed basis. The contractor now joins the list of sixteen (16) prequalified contractors for a total of seventeen (17) prequalified contractors with a contract expiration date of November 18, 2024. The specific requirements of the work will be determined by individual work orders issued against this annual Electrical contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$6,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual Electrical contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the vendor self-service (VSS) website while projects \$200,000 or greater are additionally advertised in the newspaper. The bidding pool is further expanded to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. The annual Electrical contract was presented to the Goal Setting Committee on June 5, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or an SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. To date, the cumulative S/M/WBE participation for all work orders under the annual Electrical contract is 78.09%. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

6. Staff recommends motion to approve: annual contracts with the following contractors for demolition services on an as-needed basis through April 3, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non- SBE</u>
A) Cross Environmental Services, Inc.	Non-Local	Non-SBE
B) The BG Group, LLC	Local	Non-SBE

SUMMARY: The purpose of this annual contract is to pre-qualify contractors to provide demolition services on an as-needed basis. The specific requirements of the work shall be determined by individual work orders issued against this annual demolition contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual demolition contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the County's vendor self-service (VSS) website while projects \$200,000 or greater are additionally advertised in the newspaper. The bidding pool is further expanded to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently two (2) contractors are prequalified. The annual demolition contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

7. Staff recommends motion to approve: annual contracts with the following contractors for painting and weatherproofing services on an as-needed basis through April 3, 2028.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non- SBE</u>
A) A to Z Paint Contracting, Inc.	Local	S/WBE
B) Gustafson Industries, Inc.	Local	SBE
C) I.D. Painting Corp.	Non-Local	Non-SBE
D) Razorback LLC	Non-Local	Non-SBE
E) Roof Painting by Hartzell, Inc.	Non-Local	Non-SBE

SUMMARY: The purpose of this annual contract is to pre-qualify contractors to provide painting and weatherproofing services on an as-needed basis. The specific requirements of the work shall be determined by individual work orders issued against this annual painting and weatherproofing contract. These contracts are five (5) year indefinite-quantity contracts with a maximum cumulative value of \$3,000,000 across all prequalified contractors. Work will be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors may qualify at any time and be added to this annual painting and weatherproofing contract before the term ends. Projects less than \$100,000 are bid among the pool of certified Small Business Enterprise (SBE) contractors, when three (3) or more small businesses are qualified under the contract. Projects \$100,000 or greater are advertised on the County's vendor self-service (VSS) website while projects \$200,000 or greater are additionally advertised in the newspaper. The bidding pool is further expanded to include additional bidders responding to the specific project advertisement that submit a qualification application at least ten (10) calendar days before the bid due date. Currently five (5) contractors are prequalified. The annual painting and weatherproofing contract was presented to the Goal Setting Committee on December 7, 2022 and the Committee established Affirmative Procurement Initiatives (APIs) of sheltered market for projects less than \$100,000 (when three (3) or more small businesses are qualified under the annual contract) or a SBE contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for all work orders issued. (Capital Improvements) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (cont'd.)

8. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 13 to the Annual Structural Engineering Services contract (R2020-0550) with WGI, Inc. (Consultant) in the amount of \$175,734.37 for the Peanut Island-Boat Dock Replacement project. **SUMMARY:** On June 2, 2020, the Board of County Commissioners (Board) approved the Annual Structural Engineering Services contract (R2020-0550) with the Consultant to provide structural engineering design services. Under CSA No. 13, the Consultant will provide the professional services (i.e. design, permitting and construction administration services) necessary for the Peanut Island-Boat Dock Replacement project. The boat docks at the south end of Peanut Island will be replaced to match the approximate location, length and width of the existing docks. The Annual Structural Engineering Services contract was presented to the Goal Setting Committee on April 3, 2019 and the Committee established Affirmative Procurement Initiatives (APIs) of a minimum mandatory 20% Small Business Enterprise (SBE) participation. The Consultant committed to achieving an SBE goal of 28%. The SBE participation on this CSA is 40.43%. Cumulative SBE participation on the contract is 33.70%. The Consultant is a local firm. Funding for this project is from the 50.0M GO 06, Waterfront Access Fund and Parks Improvement Fund. (Capital Improvements Division) District 1 (MWJ)

J. PLANNING, ZONING AND BUILDING

1. Staff recommends motion to received and file: a Task Order to Florida Atlantic University (FAU) Master Research Agreement # C-22-229 to develop a Watershed Master Plan (WMP) for drainage basin and hydraulic analyses for Unincorporated Palm Beach County, and any additional related work pursuant to the agreement for a total amount of \$210,000. **SUMMARY:** On November 1, 2022, the Board of County Commissioners (BCC) approve the Master Research Agreement with FAU to develop a WMP for drainage basin and hydraulic analyses for Unincorporated Palm Beach County. This is a prerequisite for all communities to achieve a Class 4 or higher Community Rating System (CRS) rating and is important to understanding floodplain management and the ways in which water travels in a community. On January 10, 2023 the Department submitted a grant award agreement from the Florida Department of Emergency Management (FDEM) as a receive and file to the BCC, this funding will cover 75% of the total task order with a total reimbursement amount of \$210,000, based on a total project cost of approximately \$280,000. Countywide (RM)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to:

- A) **adopt** a Resolution, repealing Resolution 2011-1960, authorizing the County Administrator or designee to execute a standard Promoter Amphitheater Rental Agreement; and
- B) **delegate** authority to the County Administrator or designee, which shall be the Director or Deputy Director of the Parks and Recreation Department, to execute standard Promoter Amphitheater Rental Agreements and Amendments.

SUMMARY: On December 6, 2011, the Board of County Commissioners (BCC) adopted Resolution 2011-1960 authorizing the County Administrator or designee to execute standard Amphitheater Rental Agreements used exclusively by promoter AEG Live SE, LLC (AEG). The Department wishes to repeal this resolution and instead adopt a new resolution that will establish a standard Promoter Amphitheater Rental Agreement that can be utilized by any qualified promoter. The standard Promoter Amphitheater Rental Agreement specifically identifies the responsibilities and expectations of the renter and holds the renter accountable for damages, personal injury, misrepresentation, payment of fees and charges, insurance coverage, and compliance with County ordinances and park rules and regulations. The Department processed 15 Promoter Amphitheater Rental Agreements within the last year and with the time frame necessary to bring matters before the BCC, staff is recommending that the BCC adopt a Resolution to repeal R2011-1960 and delegate authority to the County Administrator or designee to execute standard Promoter Amphitheater Rental Agreements and minor amendments that do not change the terms or conditions of the standard Promoter Amphitheater Rental Agreement. Countywide (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

2. Staff recommends motion to approve:

- A) An amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners (BCC) on April 4, 2017, later revised on January 4, 2022; and
- B) A budget transfer of \$40,000 within the IST Fund from IST Departmental Reserves to Morikami Lake Biwa Pavilion Replacement Project.

SUMMARY: On April 4, 2017, the BCC adopted a project plan to implement the IST funded projects and included an allocation of \$300,000 towards the replacement of the Lake Biwa Pavilion at Morikami Park. A consultant (Architecture Green) was engaged by the County's Capital Improvements Division (CID) in 2020 to provide a cost estimate for the replacement of the structure. It was subsequently determined that the replacement cost significantly exceeded the original amount budgeted for this project and that renovation of the pavilion provided a more cost effective approach; however, estimates for the renovation project have exceeded the available funding by \$40,000 necessitating a transfer from IST Departmental Reserves. The Infrastructure Sales Tax Independent Citizen Oversight Committee reviewed this request at their February 16, 2023 meeting, and approved it unanimously. **This project is funded through the infrastructure sales tax.** District 5 (AH)

3. Staff recommends motion to receive and file: an executed Amphitheater Rental Agreement with AEG Presents SE, LLC for the Rise Against Concert at Sunset Cove Amphitheater, for the period February 16, 2023 through February 17, 2023. **SUMMARY:** This Amphitheater Rental 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 2011-1960. 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)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

4. Staff recommends motion to receive and file: the following two (2) executed Amphitheater Rental Agreements:

A) DEUTERMANPRODUCTIONS.COM.LLC, for the Jupiter Seafood Festival at Seabreeze Amphitheater, for the period of February 15, 2023 through February 20, 2023; and

B) Genesis Marketing & Promotions, LLC for the Blackluxe Picnic Festival at Sunset Cove Amphitheater, for the period of February 18, 2023 through February 19, 2023.

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. Districts 1 and 5 (AH)

5. Staff recommends motion to receive and file: the following two (2) executed Entertainment Contractor Agreements:

A) Richard Benjamin in an amount not to exceed \$600 for the Fabulons concert at Canyon Amphitheater, on January 21, 2023; and

B) Robert P. Watson in an amount not to exceed \$500 for the Sand Dunes concert at Canyon Amphitheater, on February 18, 2023.

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 \$6,000 for the Legends of the Lawn events from Nostalgic America offset the expenses of these two concerts 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. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

6. Staff recommends motion to receive and file: the executed Entertainment Contractor Agreement for Peter Sarfati in an amount not to exceed \$2,000 for the Solid Brass concert at Seabreeze Amphitheater, on February 14, 2023. **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 \$20,000 for the Carlin Park After Dark concert series from Vic Canales Media Group LLC offset the expenses of this event at the Seabreeze Amphitheater. This Entertainment Contractor 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 2008-1109, 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. District 1 (AH)

7. Staff recommends motion to receive and file: the following three (3) executed Sound and Light Production Service Contractor Agreements:
 - A) Sanderford Sound, Inc. in an amount not to exceed \$2,285 for Carlin Park After Dark – Solid Brass concert at Seabreeze Amphitheater, on February 14, 2023; and
 - B) Sanderford Sound, Inc. in an amount not to exceed \$700 for Rise Against concert at Sunset Cove Amphitheater, for the period of February 16, 2023 through February 17, 2023; and
 - C) Sanderford Sound, Inc. in an amount not to exceed \$700 for Blackluxe Picnic Festival at Sunset Cove Amphitheater, for the period of February 18, 2023 through February 19, 2023.

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 and 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (cont'd.)

8. Staff recommends motion to receive and file: an executed Licensed Training Provider Agreement with the American National Red Cross (Red Cross) to allow properly certified Parks and Recreation Department employees to teach Red Cross courses at County facilities for the period of January 26, 2023 through January 26, 2026. **SUMMARY:** The Parks and Recreation Department's Aquatics Division utilizes the Red Cross safety services courses to certify lifeguards, teach swimming lessons and train staff to teach instructor level safety services courses. This Agreement requires the Department to ensure that instructors maintain the appropriate Red Cross certifications for courses being taught, operate in accordance with Red Cross policies, pay the provider fees associated with the courses taught and properly submit course records to the Red Cross. The Red Cross will provide course materials, certifications for courses and access to the Red Cross electronic resources. In accordance with County PPM CW-O-051, all delegated agreements must be submitted by the initiating Department as a receive and file agenda item. This Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of Purchasing in accordance with section 2.53(d) of the Purchasing Code, and is now being submitted to the BCC to receive and file. Countywide (AH)

9. Staff recommends motion to receive and file: an executed Addendum to the Licensed Training Provider Agreement with the American National Red Cross (Red Cross) to allow the County to participate in the Red Cross Aquatic Centennial Initiative program for the period of January 26, 2023 through January 26, 2026. **SUMMARY:** The addendum allows the County to receive funding from the Red Cross to offset participant program fees for swimming lessons, lifeguard training, and water safety instructor programs as part of the Red Cross Aquatic Centennial Initiative program. In accordance with County PPM CW-O-051, all delegated agreements must be submitted by the initiating Department as a receive and file agenda item. This Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of Purchasing in accordance with section 2.53(d) of the Purchasing Code, and is now being submitted to the BCC to receive and file. Countywide (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to approve: Grant agreement with the Western Palm Beach County Farm Bureau, Inc. in an amount not to exceed \$25,000 from Agricultural Economic Development Program funds to assist in conducting the 2023 Palm Beach County Sweet Corn Fiesta. **SUMMARY:** The 2023 Palm Beach County Sweet Corn Fiesta will be held on April 30, 2023. This Agreement allows for reimbursement of expenses incurred after December 1, 2022. This event will increase public awareness of local agriculture on a regional and statewide basis. It provides an opportunity for a local agricultural organization, the Western Palm Beach County Farm Bureau, to stage an event that will make our residents more aware of the economic significance of our largest vegetable row crop in our County's billion-dollar agricultural industry while bringing in people from surrounding counties. This is the 23rd year for the event. The Palm Beach County Agricultural Enhancement Council has reviewed the request and met with representatives of the Western Palm Beach County Farm Bureau. Countywide (AH)

S. FIRE RESCUE

1. Staff recommends motion to receive and file: an Amendment Memo to the U.S. Department of Homeland Security Federal Emergency Management Agency ("FEMA"), FY2021 Staffing for Adequate Fire and Emergency Response Grant ("SAFER") Program Agreement No. EMW-2021-FF-00908 modifying the performance period from March 14, 2023 through March 13, 2026 to January 9, 2023 through January 8, 2026. **SUMMARY:** On November 15, 2022 (Agenda Item 3S1), the Board accepted a SAFER grant award from FEMA for a period of March 14, 2023 through March 13, 2026, and delegated authority to the County Administrator, or designee, to accept, approve, execute and submit certain grant documents including time frame changes. Palm Beach county Fire Rescue ("PBCFR") requested an amendment to the Period of Performance to coincide with the start date of a Recruit Academy. After FEMA reviewed and approved the amendment, PBCFR received the attached Amendment Memo and related grant documents modifying the performance period and indicating that the County's signature is not required. This Amendment Memo is now being submitted to the Board to receive and file. Countywide (SB)
2. Staff recommends motion to receive and file: a copy of municipal ordinance No. 2022-24 of the City of Lake Worth Beach ("City"), extending the City's participation in the Fire/Rescue Municipal Services Taxing Unit ("MSTU") through December 31, 2025. **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 City as part of the Fire/Rescue MSTU since October 1, 2009. The City adopted Ordinance No. 2022-24 to extend their participation through December 31, 2025 to fund fire-rescue services by the County through 7:30 a.m. on October 1, 2026. The City Ordinance is now being submitted to the Board of County Commissioners to receive and file. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (cont'd.)

3. [Staff recommends motion to approve and ratify:](#) a Side Agreement amending Article 20 – Work Week and Article 26 – Certification, of the Collective Bargaining Agreement (“CBA”) with the Professional Firefighters/Paramedics of Palm Beach County, Local #2928, IAFF, Inc. **SUMMARY:** Both parties are requesting a side agreement to the current CBA, October 1, 2021 – September 30, 2024 (R2021-1555). This Side Agreement addresses changes to Article 20 Section 2. Non-Twenty-Four (24) Hour Shift Employees (A) Community Risk Reduction and Mobile Integrated Health (MIH) Employees; and Article 26 Section 4. Recertification, to include the Fire Rescue Medical Social Worker Position into the CBA as agreed jointly by Fire Rescue staff and Union Leadership. Countywide (MM)

4. [Staff recommends motion to approve:](#) Three (3) appointments to the Fire Code Board of Appeals and Adjustments beginning April 4, 2023 through September 30, 2026.

<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Roger Held	Building Official	3	Mayor Weiss Commissioner Marino Commissioner Barnett Commissioner Woodward
Anthony Caliendo	Fire Alarm Contractor	6	Mayor Weiss Commissioner Marino Commissioner Barnett Commissioner Woodward
Martin Perrone	Resident At-Large	8	Mayor Weiss Commissioner Marino Commissioner Barnett Commissioner Woodward

SUMMARY: The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Section 12-57, Palm Beach County Code). On February 3, 2023 a memo was distributed to the Commissioners requesting nominations to this eight (8) - member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three (3) consecutive three (3) year terms. No other nominations were received. The Board consists of eight (8) members. Upon approval of this item, four (4) seats will be filled with a diversity count of Caucasian: 4 (100%) and African-American: 0 (0%), and a gender ratio (male: female) of 4:0. Staff will continue to address the need to increase diversity on our boards. Countywide (RM)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

- A) **ratify** the Mayor's signature on the Community Reentry Program grant application from the Department of Justice (DOJ) in the amount of \$750,000 for a period of three (3) years beginning October 3, 2022; and
- B) **ratify** grant award Grant #15PBJA-22-GK-04898-CSCR from the DOJ in the amount of \$750,000 for a period of three (3) years beginning October 1, 2022 through September 30, 2025; and
- C) **authorize** the County Administrator or designee to execute the grant award, amendments, documents, and electronic grant reporting forms, related to this grant, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations; and
- D) **approve** the addition of one (1) full time Reentry Program Coordinator (pay grade 35) to the Justice Services complement; and
- E) **approve** a budget amendment of \$750,000 in the Justice Service Grant Fund to recognize the award.

SUMMARY: Palm Beach County (PBC) facilitates the successful reintegration of individuals returning from a period of incarceration back to Palm Beach County. This award (Grant #15PBJA-22-GK-04898-CSCR) (CFDA#16.812) will allow for Reentry Programs to enhance and implement clinical services and other evidence-based responses to improve reentry, reduce recidivism, and address the treatment and recovery needs of the people with mental health, substance use, or co-occurring disorder who are currently involved in the criminal justice system or were formerly involved. Through partnerships with State agencies, community providers, and non-profit and faith based organizations, this funding will allow our local government to enhance reentry and behavioral health services for our underserved communities in the Glades area. It will also create a new Reentry Program Coordinator position for the Justice Services Division to help manage the grant. If grant funding ceases, the position will be deleted from the Justice Services complement. The emergency signature process was utilized due to the short turnaround time for the grant application. Due to an oversight, the application was not ratified within the proper time frame and the award was accepted without proper approval authority. **No County matching funds are required for this grant.** Countywide (SF)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (cont'd.)

2. **Staff recommends motion to approve:** Memorandum of Understanding (MOU) with the Florida Department of Juvenile Justice (FLDJJ) to establish procedures for referring and serving reentry youth for the period of April 4, 2023 through September 30, 2025. **SUMMARY:** This MOU establishes the general conditions and joint processes that will enable the Palm Beach County (PBC) Public Safety Department's Youth Reentry Program and FLDJJ to effectively collaborate as partners in regard to serving youth returning from incarceration within the juvenile justice system. Youth reentry services are comprised of targeted case management, certified peer support, support services, and partnerships with community partners to create a continuum of coordinated care across systems and providers. This is the first MOU between PBC and FLDJJ. Countywide (RS)

3. **Staff recommends motion to receive and file:** Notice of Contract Termination of Contractual Services Agreement for Expert Examining Committee Member Services in Guardianship Matters. (R2022-0999). **SUMMARY:** On September 13, 2022, the Board of County Commissioners entered into Contractual Services Agreement Expert Examining Committee Member Services (R2022-0999) with the Fifteenth Judicial Circuit Court to provide expert services in guardianship cases. The County wishes to exercise the right to terminate the Agreement with 30 days written notice. The Court has been notified and does not have an objection to the termination of the Agreement as they maintain a list of mental health professionals whom they contract with to provide these services. In April 2020, there was an audit report released from the County's Internal Auditor. They recommended that we evaluate the continuing need for the court psychologists due to the abrupt change in the number of referrals they received because of a change in Administrative Order No. 2.601 (which reduced the number of competency evaluations per defendant) and budgetary restraints at the state level, which the Court relies on to pay for these evaluations. As we have seen the number of cases coming into Court Psychology decrease, we stopped filling positions. Last year, the Public Safety Department approached the Youth Services Department about transitioning the two remaining long-time County staff to Highridge Family Center, where their skills could be utilized within the juvenile population and still accessible to the Court. Of the five psychologist positions, four have either resigned or retired. Two forensic psychology positions (one vacant and one filled) were transferred to the Youth Services Department during the County's budget process on September 13, 2022. Countywide (SF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** The Second Amendment to Contract for Onsite Occupational Physician Services (R2022-0367) with Concentra for Physician/Medical Director Services at the County occupational health clinic for the period of April 12, 2023 through April 11, 2025 with one (1) additional two (2)-year renewal option at the County's sole discretion in a not-to-exceed amount of \$1,043,023. **SUMMARY:** In April of 2022, after a competitive bid process, Risk Management entered into a one (1) year contract with Concentra for on-site occupational health physician services 5 days per week, 8 hours per day. The contract contained a provision allowing the County to exercise two (2), two (2)-year renewals, at the County's sole discretion. The contract also contained annual Consumer Price Index increases at an amount not to exceed 3%. On December 20, 2022 the First Amendment to the Contract was approved (R2022-1548) to allow for lab services and additional staffing as necessary to meet time sensitive deadlines and/or staffing shortages. This Second Amendment exercises the first of the two (2), two (2)-year renewal options, extending the term of the agreement to April 11, 2025, and accounts for the annual Consumer Price Index increases. Countywide (HH)

2. **Staff recommends motion to approve:** a one (1) year contract with DSS Sustainable Solutions USA, Inc., (DSS), for professional/consultation e-learning services with a retroactive commencement date of February 28, 2023 in the amount of \$72,552 for the first year, with four (4) automatic one (1) year renewals in the amount of \$71,772 annually, for a total not-to-exceed contract amount of \$359,640. **SUMMARY:** Risk Management has used e-learning as a training tool for many years to ensure County employees have all the necessary safety and health training in accordance with applicable regulations and County policies. Because this contract covers training, it is exempt from the Purchasing Code; however, Risk Management performed an extensive review of the marketplace including obtaining quotes from other vendors for like services. After this review, DSS was selected as the agency that best meets the County's needs. This selection was based on quality of training, customization options, and overall cost. After the selection, Risk Management worked with DSS and the County Attorney's Office to create a five (5) year contract that allows for annual opt-out options after sixty (60) days notice is given. The contract has a retroactive start date of approximately one month to allow for continuous service while the contract was being negotiated and brought to the BCC for final approval. As part of this Contract, the vendor requires the County to enter into a Support, Warranty & License Agreement that contains a limitation of liability provision different from the County's standard requirements, which limits DSS's liability to \$1,000,000. Risk Management and the County Attorney's Office approved of the non-standard liability provision. Countywide (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: a Contract for Consulting/Professional Services with Children’s Services Council of Palm Beach County (CSC) and McArthur’s Own, Inc., for professional/facilitation services in relation to the update of the Youth Master Plan, for the period January 21, 2023, through December 23, 2023, in an amount not to exceed \$35,000. **SUMMARY:** The Youth Master Plan for Palm Beach County (YMP) was published in 2016 and provided a blueprint for setting priorities and taking action to improve the lives of children and youth in Palm Beach County. Many changes have occurred since 2016, including but not limited to, the COVID-19 pandemic, which had significant impact on children. This Contract will provide for McArthur’s Own, Inc. to plan and facilitate community conversations for the development of the YMP 2.0. CSC has agreed to equally share the cost of this Contract. Facilitation Services are exempt from the Purchasing Code and the contract amount threshold permitted the Contract to be signed by the Director of Purchasing. The Director of Purchasing executed the Contract on February 7, 2023. McArthur’s Own, Inc. has received certification as a Small/Minority/Women Business Enterprise with the Office of Equal Business Opportunity. Countywide (HH)

2. Staff recommends motion to approve:

A) a Contract for Consulting/Professional Services with Julia Dyckman Andrus Memorial, Inc. (d/b/a ANDRUS Sanctuary Institute) (ANDRUS), for recertification of the Palm Beach County Youth Services Department (YSD) as a trauma informed care provider using the Sanctuary ModelSM (Sanctuary) in the amount of \$27,880, from April 4, 2023, through September 30, 2025; and

B) a Budget Transfer of \$7,889 in the General Fund from the Evidence-Based Programming unit (Unit 1451) to Trauma Informed Care unit (Unit 2900) to fund the cost associated with the Contract for year one.

SUMMARY: In 2019, YSD’s Highridge Family Center (Highridge) received its initial certification as a trauma informed care provider using the Sanctuary ModelSM. In July 2020, the Board approved a Contract for Consulting/Professional Services with ANDRUS for the Sanctuary recertification of Highridge as well as Sanctuary certification of all of YSD. In September 2022, YSD received Sanctuary certification. Approval of this contract will continue the recertification process of YSD, which occurs every three (3) years. Countywide (HH)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

CC. INTERNAL AUDITOR

1. Staff recommends motion to receive and file:

A) Audit report reviewed by the Audit Committee at its March 15, 2023 meeting as follows:

1. 2023-03 Information Systems Services - IT Systems Access Controls (2022-02), and
2. 2023-04 Facilities Development and Operations - Electronic Services and Security- Contractors and After-Hours (2021-05), and
3. 2023-05 Fire Rescue - Operations Reporting (2021-02).

SUMMARY: The County Code requires the County Internal Auditor to submit copies of final audit reports to the Board of County Commissioners and the Internal Audit Committee. At its meeting on March 15, 2023 the Internal Audit Committee reviewed the attached audit reports. We are submitting these reports to the Board of County Commissioners as required by the County Code. Countywide (DB)

DD. SHERIFF

1. Staff recommends motion to:

A) **accept** on behalf of the Palm Beach County Sheriff's Office, a High Intensity Drug Trafficking Area (HIDTA) Program grant in the amount of \$105,154 for the Palm Beach Narcotics Task Force, for the period of January 1, 2023 through December 31, 2024; and

B) **approve** a budget amendment of \$105,154 in the Sheriff's Grant Fund.

SUMMARY: On March 6, 2023, the Palm Beach County Sheriff's Office (PBSO) received a grant award from the Office of National Drug Control Policy (ONDCP) in the amount of \$105,154 for the period of January 1, 2023 through December 31, 2024. The funds will be used for overtime and other expenses to support the Palm Beach Narcotics Task Force investigations. There is no match requirement associated with this award. The Catalog of Federal Domestic Assistance (CFDA) number is 95.001 and the contract number is G23MI0011A. Countywide (RS)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

DD. SHERIFF (cont'd.)

2. [Staff recommends motion to: receive and file](#) a Modification #5 to Subgrant Agreement between the Florida Division of Emergency Management and the Palm Beach County Sheriff's Office, to extend the grant period through June 30, 2023. **SUMMARY:** The Board of County Commissioners (BCC) accepted this grant for \$461,000 on December 17, 2019 (R2019-1941). The SHSGP Program provides funding for enhanced domestic security. On April 6, 2021, the BCC approved an extension through September 30, 2021 (R2021-0452). On October 19, 2021, the BCC approved an extension through March 31, 2022 (R2021-1565). On May 3, 2022, the BCC approved an extension through September 30, 2022 (R2022-0453). On September 13, 2022, the BCC approved an extension through December 31, 2022 (R2022-1007). This agenda item will extend the grant period through June 30, 2023. The Catalog of Federal Domestic Assistance (CFDA) Number for this program is 97.067 and the contract number is R0096. Countywide (RS)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF RESILIENCE

1. Staff recommends motion to:

- A) **ratify** the signature of the Mayor on an Urban Agriculture and Innovative Production (UAIP) Program grant application submitted to the U.S. Department of Agriculture (USDA) on March 27, 2023, requesting \$250,000 to fund an assessment of small-scale, urban and innovative farming opportunities in Palm Beach County; and
- B) **delegate authority to** the County Administrator or designee to execute the forthcoming grant project agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded; and
- C) **authorize** the Director of the Office of Resilience (OOR) to serve as designee and liaison with USDA for this project.

SUMMARY: OOR and the Cooperative Extension Office have applied for a USDA UAIP planning grant to increase food resilience through sustainable, urban agriculture in Palm Beach County. The team will collaborate with County departments and stakeholders to develop a plan to increase community food access and opportunities for small-scale, sustainable urban farming while demonstrating economic and environmental benefits. This project will prioritize historically underserved communities with high food insecurity. **No match is required for this grant.** Due to grant-related items requiring timely execution by the County, staff is requesting Board approval for the County Administrator or designee to approve grant documents and for the OOR Director to act as the designee and liaison for this project. If the grant funding is awarded, the grant term will begin September 30, 2023 and end three (3) years after execution on September 29, 2026. USDA's timeframe for this application did not allow for prior approval by the Board of County Commissioners (BCC). To meet the grant application deadline, Mayor Weiss approved the authorization of OOR's Director to act as an Authorized Organization Representative and to sign the grant application on behalf of the Board as authorized by Palm Beach County Administrative Code, Section 309.00. The code requires the grant application be presented to the BCC for approval at the next available meeting after signature by the Mayor. Countywide (RM)

APRIL 4, 2023

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF RESILIENCE (cont'd.)

2. Staff recommends motion to:

- A) **authorize** the County Administrator or designee to pursue funding from the U.S. Department of Energy's (DOE) Energy Efficiency and Conservation Block Grant (EECBG) Program, for which the County is entitled to \$652,450 through the DOE's formula non-competitive grant funding allocation; and
- B) **delegate authority to** the County Administrator or designee to complete and sign the EECBG Program Pre-Award Information Sheet, due April 28, 2023; and
- C) **authorize** the County Administrator or designee to coordinate among the County departments to assess potential County projects that would qualify and select the project/projects for which the County will apply through the EECBG program; and
- D) **delegate authority to** the County Administrator or designee to sign all grant application forms and supporting documents and complete all registration requirements; and
- E) **delegate authority to** the County Administrator or designee to execute the forthcoming grant agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the forthcoming grant agreement.

SUMMARY: The DOE EECBG Program provides funding for projects and programs that cut carbon emissions, improve energy efficiency, and reduce energy use. The funding is flexible and can be used for a wide variety of activities including strategy development, technical assistance, energy audits, financial incentives, energy retrofits, and renewable energy technology for both buildings and transportation. Local governments can apply now through January 2024. The Office of Resilience (OOR) is facilitating the project application process and collaborating with County departments to identify projects for County Administration to consider. **No match is required for the grant.** Countywide (RM)

3. CONSENT AGENDA APPROVAL

EE. OFFICE OF RESILIENCE (cont'd.)

3. Staff recommends motion to delegate authority to:

- A) the County Administrator or designee to pursue funding from the U.S. Environmental Protection Agency (EPA) Environmental Justice Government-to-Government Program (EJG2G) for a \$1,000,000 grant, estimated to begin on the date of contract execution in December 2023 and ending after three (3) years in November 2026; and
- B) the County Administrator or designee to sign all grant application forms and supporting documents and complete all registration requirements; and
- C) the County Administrator or designee to execute the forthcoming grant agreement and all future time extensions, task assignments, certifications, and other forms associated with the forthcoming grant agreement and any necessary minor amendments that do not change the scope of work, or conditions of the forthcoming grant agreement by more than 20% of the agreement, if funding is awarded.

SUMMARY: The Office of Resilience, Parks and Recreation Department, Cooperative Extension, Information Systems Services, and community stakeholders are collaborating on a project to improve air quality and reduce heat islands in Western Palm Beach County through tree planting activities in local parks. The proposed project will help the Parks and Recreation Department execute its regreening strategy and help the County reduce climate change impacts. **No match is required for this grant.**
District 6 (RM)

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APRIL 4, 2023

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Proclamation declaring April 4, 2023 as Lois Pope Day. (District 5)
- B)** Proclamation declaring April 23, 2023 as Coach Marty Riger Day. (District 7)
- C)** Proclamation declaring April 2023 as Second Chance Month. (District 2)
- D)** Proclamation declaring April 22, 2023 as Earth Day. (District 7)
- E)** Proclamation declaring April 2023 as Drowning Prevention Awareness Month. (District 2)
- F)** Proclamation declaring April 10-14, 2023 as National Community Development Week. (District 7)
- ~~**G)** Proclamation recognizing Audrey Wolf for Her 32 Years of Service. (District 2)~~
- H)** Certificate of Appreciation to PBSO Community Policing Deputies for their exemplary services, outstanding commitment, and dedication to the community policing efforts to improve the quality of life for residents in Palm Beach County. (District 1)
- ~~**I)** Proclamation declaring April 25, 2023 as Parental Alienation Awareness Day. (District 5)~~
- J)** County Investment Portfolio Update - Clerk of the Circuit Court & Comptroller, Palm Beach County presentation.

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APRIL 4, 2023

5. REGULAR AGENDA

A. AIRPORTS

1. Staff recommends motion to approve: Amendment No. 7 to the General Consulting Agreement with RS&H, Inc. for Consulting/Professional Services in the amount of \$1,109,482.80 for the performance of professional Construction Administration (CA) and Resident Project Representative (RPR) services for the Concourse B Expansion - Package 1 project at Palm Beach International Airport (PBI). **SUMMARY:** The Consulting Agreement with RS&H, Inc. for general airport planning and design was approved by the Board on May 7, 2019 (R2019-0612) in the amount of \$2,004,570.58 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on May 5, 2020 (R2020-0414) increasing the amount of the contract by \$2,304,608.30. Amendment No. 2 was approved by the Board on October 20, 2020 (R2020-1607) increasing the amount of the contract by \$3,196,990.03. Amendment No. 3 was approved by the Board on May 4, 2021 (R2021-0576) exercising the first one (1) year renewal option for the continuation of services provided under this agreement. Amendment No. 4 was approved by the Board on June 15, 2021 (R2021-0844) increasing the amount of the contract by \$2,644,110.87. Amendment No. 5 was approved by the Board on March 22, 2022 (R2022-0263) increasing the amount of the contract by \$1,325,943.87 and exercising the second and final one year renewal option. Amendment No. 6 was approved by the Board on January 24, 2023 (R2023-0103) increasing the amount of the contract by \$1,175,706.57. Amendment No. 7 will provide an additional \$1,109,482.80 to complete Task I Services - Concourse B Expansion Package 1 - CA and Partial RPR Services. RS&H, Inc. is a Jacksonville, Florida based firm; however, the majority of the work to be completed in this agreement will be managed through their Fort Lauderdale, Florida offices in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. RS&H, Inc. committed to 23% DBE participation for this agreement. The anticipated DBE participation based upon the approved tasks is 35.07%. The current paid to date DBE participation is 34.14%. The DBE participation for this Amendment is 10.23%. 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 amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

5. REGULAR AGENDA

B. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff requests Board direction regarding: Amending Resolution No. R2017-1096 relating to personnel classifications and pay grades for County Commission Administrative Assistants and County Commission Secretaries. **SUMMARY:** On January 31, 2023, the Board directed staff to return with options for budgetary/staffing changes based on recommendations provided by the Board of Commissioners. Suggestions from the Board included providing flexibility to hire a new Commission staff member 10% above the minimum of the pay grade minimum or providing a fixed budget which allows the Commissioners the flexibility to hire the number of staff they want at the rate of pay they want dependent upon the hire's experience. Countywide (DO)

C. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends a motion to approve:
 - A) a Lease Agreement with John C. Bills Enterprises, Ltd (Landlord) for approximately 12,497 square feet of office space for a term of five years with one five-year renewal option at an initial annual rate of \$374,910 (\$30.00/sf); and
 - B) a Budget Transfer in the amount of \$10,000 in the Contingency Reserves Fund to setup a transfer and allocate funds to Rent-Building for the Lease Agreement with John C. Bills Enterprises, Ltd.

SUMMARY: This Lease Agreement (Agreement) is for approximately 12,497 square feet of office space for use by the Palm Beach County Sheriff's Office (PBSO). The term of the lease is for five (5) years with the option to extend for one additional term of five (5) years. The gross rent is \$374,910 per year (\$30.00/sf) and will be adjusted based on the Consumer Price Index (CPI), not to exceed 7%. Tenant improvements required by PBSO will be performed by the Landlord at its sole cost and expense. County will be responsible for utilities and custodial and pest services. (Property & Real Estate Management) District 1 (HJF)

APRIL 4, 2023

5. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS (cont'd.)

2. Staff recommends motion to approve:

- A) an Agreement for Purchase and Sale of a 1.3 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Ann Frances Gwinnell and William Scott Gwinnell for \$20,150 plus closing, title insurance and recording costs estimated to be \$515;
- B) a Memorandum of Agreement with Ann Frances Gwinnell and William Scott Gwinnell;
- C) an Agreement for Purchase and Sale of a 1.3 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Neville Washington and Laurel Washington for \$20,150 plus closing, title insurance and recording costs estimated to be \$515;
- D) a Memorandum of Agreement with Neville Washington and Laurel Washington;
- E) an Agreement for Purchase and Sale of a 1.5 acre parcel of vacant land located north of Indiantown Road and east of Bee Line Highway from Laurel Washington, Neville Washington, Lance Washington and Dave Washington for \$23,250 plus closing, title insurance and recording costs estimated to be \$535; and
- F) a Memorandum of Agreement with Laurel Washington, Neville Washington, Lance Washington and Dave Washington;

5. REGULAR AGENDA

C. **FACILITIES DEVELOPMENT AND OPERATIONS** (cont'd.)

2. **SUMMARY:** On November 2, 2021, the Board of County Commissioners (Board) approved a Fiscal Strategy for the spending of American Rescue Plan Act (ARPA) funds, which included an allocation of \$4,000,000 for the acquisition of environmentally sensitive lands. The parcels owned by Ann Frances Gwinnell and William Scott Gwinnell (Gwinnell parcel), Neville Washington and Laurel Washington (Washington parcel), Laurel Washington, Neville Washington, Lance Washington and Dave Washington (Washington Family parcel), are interior parcels located in an area known as Palm Beach Heights (part of the Pal-Mar Ecosite). The Pal-Mar Ecosite is part of a large ecological greenway that stretches from just west of the Atlantic Ocean to just east of Lake Okeechobee. The area provides habitat for a wide variety of native plants and animals and it is part of a hydrologically significant region that includes the headwaters of the federally designated Wild and Scenic Northwest Fork of the Loxahatchee River. Hence its value as environmentally sensitive land. Palm Beach Heights is an old, non-confirming subdivision and, as described in the County's "Report on Lack of Development Potential of Palm Beach Heights Parcels – April 2017," most of its parcels, including the subject parcels, cannot meet current land development regulations and are therefore, unbuildable. Appraisals were obtained from Anderson & Carr, Inc. and M.R. Ford & Associates, Inc. who assigned a \$15,000 and \$16,000 per acre value for interior Palm Beach Heights parcels, respectively. Callaway & Price, Inc. reviewed the appraisals and concluded a reasonable aggregate value of \$15,500 per acre for interior Palm Beach Heights parcels, which is the basis of the offers. The Agreements allow for the County's due diligence review of the parcels within 45 days of Board approval. The County will pay title insurance policy premiums, closing and recording costs estimated to be \$515 for the Gwinnell parcel, \$515 for the Washington parcel and \$535 for the Washington Family parcel. The Environmental Resources and Management (ERM) Department will perform pre-acquisition environmental assessments for the parcels prior to closing. Boundary surveys will not be obtained for any of the parcels due to their remote locations. ERM will be responsible for the administration of the parcels. All costs related to the acquisitions will be paid from existing funds received from the ARPA Response Replacement Fund. **These are County ARPA Response Replacement funds that do not require a local match. These acquisitions must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

APRIL 4, 2023

5. REGULAR AGENDA

C. **FACILITIES DEVELOPMENT AND OPERATIONS** (cont'd.)

3. **Staff recommends motion to:**

- A) Consider/Waive Conflict disclosed by Verdex Construction, LLC (Verdex) in its proposal in response to the County's Request for Proposals (RFP) for Construction Manager (CM) at Risk Services, the Vista Center Expansion (Building Division) Project No. 2022-020957 (Project); and
- B) Ratify the Final Selection Committee's recommendation for award to Verdex; and
- C) Authorize the Facilities Development & Operations Department (FDO) to prepare a contract with Verdex for the Project.

SUMMARY: The RFP to select a CM for the Project was advertised on November 6, 2022 with Final Selection taking place on January 31, 2023; all in accordance with the County's policy and procedures memorandum (PPM) CW-O-092. The County's Final Selection Committee recommended award to Verdex. In its proposal, Verdex disclosed a conflict of interest and its receipt of an ethics opinion from the County's Committee on Ethics (COE). Under PPM CW-O-092, FDO is required to disclose this conflict to the Board of County Commissioners (Board) for consideration/waiver of the conflict, ratification of the Final Selection Committee's recommendation and authorization for FDO to prepare a contract with the recommended awardee which contract will be submitted to the Board for approval. The Project involves the selection of a CM to provide construction management at risk services consisting of pre-construction services, developing a guaranteed maximum price, and construction for the approximately 20,000 square foot expansion of office and support space to serve the needs of the Building Division in the County's Planning, Zoning and Building Department (Vista Office Building) located at 2300 North Jog Road in West Palm Beach. Verdex in its proposal disclosed that its President, Rex Kirby, is a member of both the County's Construction Board of Adjustments and Appeals (CBAA) and the Infrastructure Surtax Independent Citizen Oversight Committee (ISICOC) and that Verdex had obtained an ethics opinion from the County's COE. The COE found that both boards were purely advisory with 1) the CBAA being purely advisory and having no contract oversight for this contract, requiring the conflict to be disclosed to the Board; and 2) the ISICOC being advisory but having contract oversight therefore, requiring the conflict to be disclosed to, and waived by, the Board. (Capital Improvements Division) District 7 (MWJ)

APRIL 4, 2023

5. REGULAR AGENDA

D. ADMINISTRATION

1. Staff recommends motion to receive and file: Mid-Session Legislative Update for the 2023 State Legislative Session. **SUMMARY:** County staff will present the 2023 Mid-Session Legislative Update to inform the Board of County Commissioners of what has transpired during the first half of the 2023 State Legislative Session. The update will include updates of the County's legislative and appropriation priorities that were approved by the Board of County Commissioners on January 10, 2023. Countywide (AH)

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APRIL 4, 2023

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

APRIL 4, 2023

7. 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 (DC)

B. COUNTY ATTORNEY

APRIL 4, 2023

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

Requesting approval for off-site Proclamation recognizing the 15th Anniversary of Bella’s Angels Inc. (Off-site date 4/16/23)

Requesting approval for off-site Proclamation declaring May 21-27, 2023 as Emergency Medical Services Week. (Off-site date 5/18/23)

District 2 – COMMISSIONER GREGG K. WEISS

Requesting approval for off-site Proclamation declaring April 9-15, 2023 as Palm Beach County Public Safety Telecommunicators Week. (Off-site date 4/6/23)

Requesting approval for off-site Proclamation declaring April 23-29, 2023 as National Crime Victims’ Rights Week. (Off-site date 4/24/23)

Requesting approval for off-site Proclamation declaring April 2023 as Child Abuse Prevention and Volunteer Appreciation Month.

District 3 – COMMISSIONER MICHAEL A. BARNETT

District 4 – COMMISSIONER MARCI WOODWARD

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER SARA BAXTER

District 7 – COMMISSIONER MACK BERNARD

APRIL 4, 2023

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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APRIL 4, 2023

10. 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."