

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**JUNE 16, 2020**

<u>PAGE</u>	<u>ITEM</u>	
7	3A-2	<b>MOVED TO REGULAR (NOW 6F-1)</b>
32	3S-3	<b>REVISED MOTION AND SUMMARY: Staff recommends motion to: A) adopt a consent to <u>a proposed the Town of Lantana's (Town) Amendment of ordinance amending its Firefighters' Pension Fund plan (Plan) as set forth in the Town's proposed ordinance; and B) direct staff to communicate to the Town the County's express written consent to the Town's amendment of its Firefighters' Pension Fund Plan as set forth in the Town's proposed ordinance. proposed Town ordinance amending the Plan.</u>SUMMARY: According to the requirements outlined in the Interlocal Agreement with the Town of Lantana for fire-rescue services, the Town shall not make any changes to the Town's Firefighters' Pension Fund without first obtaining the express written consent of the County. The County has been asked to consent to the proposed plan amendment which is being made as a result of changes made in Article 34 – Pension of the FY2006 through FY2008 Collective Bargaining Agreement (R2005-1925) between Palm Beach County and Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. The proposed ordinance includes changes in Chapter 14 Personnel, Article IV Pensions and Retirement. These changes are primarily due to Florida Statute, Internal Revenue Code and Chapter 175 regulation changes. The Fire Rescue Administrator and the Union President have provided their written mutual agreement in satisfaction of the requirements of Article 34, Section 4, and agree to the amendments to the ordinances relating to the Pension Fund proposed by the Board of Trustees of the Pension Fund. Based on the Town of Lantana Firefighters' Pension Fund Actuarial Impact Statement, the proposed changes on contributions and obligations is de minimis. <u>Countywide (SB) Pursuant to the Interlocal Agreement with the Town relating to the Plan, which covers County firefighters who were formerly employed by the Town, the County assumed the employer responsibilities under the Plan and the Town may not make any changes to the Plan without the express written consent of the County. The Board of Trustees of the Plan have determined that certain amendments are necessary to ensure compliance with law or to effectuate the purposes of the Plan. In accordance with Article 34, Section 4, of the Collective Bargaining Agreement, the Fire Rescue Administrator and the Union President will enter into a written mutual agreement to agree to the Plan amendments. The Plan's Actuarial Impact Statement indicates that the effect of the proposed changes on contributions and obligations is de minimis. Countywide (SB) (F/R)</u></b>
49	6E-1*	<b>REVISED MOTION AND SUMMARY: Staff recommends motion to approve: A) a budget transfer of \$4,500,000 from the General Fund contingency reserves to the Clerk of Court Fund 1903; and B) <u>an emergency fund agreement with the Clerk &amp; Comptroller of Palm Beach County to repay the funds to the County if the State legislature allocates funding relating to the Clerk's COVID-19 related to budgetary shortfall or excess court related funds are available.</u> SUMMARY: Funding will be used to pay the salaries of essential employees at the Clerk &amp; Comptroller's office due to the decline of court-related revenues, affiliated with COVID-19. The funding will be transferred from the General Fund contingency reserves to the Clerk of Court Fund. By July 2020, the Clerk &amp; Comptroller, Palm Beach County (Clerk) expects to exhaust funds that pay the salaries of essential employees. These employees provide critical court-related services in support of public safety, access to justice and commerce in Palm Beach County. <u>Repayment will be made to the County if the State legislature provides funding for the shortfall or excess court related funds are available.</u> (Budget)</b>

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

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

**JUNE 16, 2020**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 7-40)**
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- 6. REGULAR AGENDA (Pages 45-49)**
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3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to:

**A) approve** Cooperative Agreement No. FF204K204023 with the U.S. Department of Housing and Urban Development (HUD) FY 2020 Education and Outreach Fair Housing Assistance Program (FHAP), Partnership award in the amount of \$17,500 for the Office of Equal Opportunity to undertake education and outreach activities for the period of July 1, 2020 through November 30, 2020;

**B) delegate** to the County Administrator or designee, signatory authority on additional forms and any other necessary documents related to the FY 2020 Education and Outreach FHAP Partnership award; and

**C) approve** a budget amendment in the CARES Act Relief Fund (Fund 1160) in the amount of \$17,500 to recognize the CARES Act Relief award.

**SUMMARY:** The CARES Act (Act) provides \$1.5 million in COVID-19 related funding to HUD's Office of Fair Housing and Equal Opportunity. The County's Office of Equal Opportunity (OEO), as a local agency currently participating in HUD's FHAP, was eligible to receive funds under that Act. The OEO submitted a proposal to HUD, which was approved. The funding will be used to produce fair housing radio ad campaigns and brochures in English, Creole and Spanish. Board approval will ensure receipt of the revenue under this Agreement. Countywide (DO)

2. ~~**MOVED TO REGULAR (NOW 6F-1) Staff recommends motion to adopt: a resolution denouncing antisemitism, anti-Asian bigotry, and all hateful speech, violent action and the spread of misinformation related to COVID-19 that casts blame, promotes racism or discrimination or harms the County's Asian and Pacific Islander, Jewish, immigrant or other communities, and urges residents to join us in calling attention to these harms and denouncing hate to help keep us all safe during this unprecedented pandemic and beyond. SUMMARY: At the June 2, 2020 BCC meeting, staff was directed by the Commission to draft and bring back this resolution for consideration by the Board. The Anti-Defamation League (ADL) has set forth a national initiative to call attention to acts of antisemitism and hate that have been witnessed throughout our country. The ADL has seen a rise in hate crimes, discrimination and aggression against Asians and Jews throughout the country as these groups are being blamed for the COVID-19 outbreak and spread. COVID-19 is a public health issue, not a racial, religious or ethnic one, and the deliberate use of racial or ethnic terms to describe COVID-19 only encourages hate crimes and incidents at a time when communities should be working together to get through this crisis. This resolution denounces antisemitism by affirming its commitment to the safety and well-being of all community members, by encouraging prosecution of hate crimes related to COVID-19, by pledging to support the inalienable rights of all people in our community, who should be treated with respect and must remain safe during this pandemic, and by calling attention to these harms and denouncing hate. Countywide (HJF)**~~

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>
December 17, 2019	Regular
February 4, 2020	Regular
February 5, 2020	Comprehensive Plan



3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER (Cont'd)

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

C. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to approve:](#) Amendment No. 4 to the annual Pathway and Minor Construction contract R2018-0012, Project No. 2017055, dated January 23, 2018, with Wynn and Sons Environmental Construction Co. Inc. (Wynn), to increase the amount of the contract by \$5,390,000. **SUMMARY:** Approval of Amendment No. 4 will increase Wynn's contract from \$12,765,000 to \$18,155,000 and add counterpart language. The increased contract amount is based on updated estimates that exceed the current contract amount to be expended throughout Palm Beach County. To date, tasks in the amount of \$11,008,749 have been authorized for Wynn. Countywide (YBH)

2. [Staff recommends motion to approve:](#)

**A)** an Annual Traffic Signal Services contract with Propel Engineering, Inc. (PEI); and

**B)** an Annual Traffic Signal Services contract with Simmons & White, Inc. (S&W).

**SUMMARY:** Approval of these contracts will provide the necessary professional services for traffic signals on a task order basis, for Palm Beach County (County) projects, as required for all user departments. The contract periods are for 36 months from the date of approval by the Board of County Commissioners. On May 1, 2019, the Goal Setting Committee set Affirmative Procurement Initiatives of Small Business Enterprise (SBE) Evaluation Preference Option 2, with a 20% SBE minimum mandatory participation goal for these contracts. PEI committed to 77% SBE participation and S&W committed to 84% SBE participation. Both are County based certified SBE companies. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to:

**A) approve** a contract with Poseidon Dredge & Marine, Inc. (Poseidon) in the amount of \$967,040.98 for the construction of Loxahatchee River Road at the SFWMD C-18 Canal (project);

**B) receive and file** an interlocal agreement with the Town of Jupiter (Town) for joint participation and project funding for construction of utility adjustments in the amount of \$44,000; and

**C) approve** a budget amendment of \$44,000 in the Transportation Improvement Fund to recognize reimbursement funding from the Town of Jupiter and appropriate it to the project.

**SUMMARY:** Approval of this contract and budget amendment will allow Palm Beach County (County) to issue a notice to proceed to Poseidon, a Palm Beach County based company, to begin construction of the project. The project consists of sheet pile installation along the western side of Loxahatchee River Road approximately 200 feet north and south of the C-18 Canal bridge to stabilize the roadway embankment. Incidental work includes sidewalk replacement to facilitate drainage and comply with ADA requirements within the project limits. The budget amendment will recognize reimbursement funding from the Town, as agreed to in the interlocal agreement, for utility work they requested. The Town shall be responsible for operation and maintenance of the utility work upon completion of the project. The Goal Setting Committee set a 20% minimum mandatory Small Business Enterprise (SBE) participation goal for this contract as the Affirmative Procurement Initiative on April 3, 2019. Poseidon has agreed to 98.58% SBE participation. Poseidon was the second lowest bidder. However, the lowest bidder, Ferreira Construction is not a local firm and the adjustments per the County's Local Preference Ordinance triggered the award to Poseidon. Time to complete all work under this contract shall be no more than 60 calendar days. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. Staff recommends motion to adopt: a resolution declaring the acquisition of a portion of a residential property designated as parcel 102 (Parcel) as fee simple road right-of-way necessary for the construction of roadway improvements at the intersection of West Linton Boulevard and South Military Trail (Project). **SUMMARY:** Adoption of this resolution will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes as amended, against a portion of a residential parcel having an appraised value of \$121,174. Eminent domain proceedings for the parcel were originally initiated on December 4, 2018 (R2018-1845). Since that time, the parcel size was modified and the property owner accepted both the modification and the negotiated settlement made by Palm Beach County, but was unable to clear existing encumbrances. Modification to the size of the parcel requires an updated resolution for eminent domain purposes. The parcel is necessary for the construction of a southbound right turn lane at the intersection of West Linton Boulevard and South Military Trail. Eminent domain proceedings are necessary to acquire the parcel free and clear in order to expedite construction of the project, which is funded in the current Five Year Road Program. District 5 (DO)

5. Staff recommends motion to approve:

**A)** an amendment to the Infrastructure Surtax (IST) Project Plan approved by the Board of County Commissioners on April 4, 2017, to increase the budget for the Prairie Road over LWDD Lateral 8 Canal bridge project (Project) from \$600,000 to \$1,080,000; and

**B)** a budget transfer of \$480,000 within the IST Fund from reserves to increase the budget for the Project.

**SUMMARY:** Approval of the amendment and budget transfer will increase the funding for the Project from \$600,000 to \$1,080,000. The increase in cost is due to aging estimates within the IST plan, escalating construction costs, and the requirement from the permitting agency that the bridge be replaced with a new bridge rather than a box culvert. The \$480,000 will be transferred from the Engineering Department's IST Reserve account. The Sales Tax Oversight Committee reviewed this request at their May 21, 2020 meeting and approved it unanimously. **This Project is funded through the infrastructure sales tax.** District 3 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve:

**A)** a work task order to the Annual Civil Engineering Professional Services Contract (R2019-0717) dated June 4, 2019 (Contract) with Mock, Roos & Associates, Inc. (MRA) in the amount of \$123,702.45 for the Belvedere Heights Phase II project (Project); and

**B)** a budget amendment of \$185,500 in the capital outlay fund to recognize reimbursement funding from Westgate Belvedere Homes Community Redevelopment Agency (CRA) and appropriate it to the project.

**SUMMARY:** Approval of this work task order will provide the design services necessary for the installation of sidewalks and lighting within the Belvedere Heights neighborhood. Per the contract, as amended, the Affirmative Procurement Initiative is 20% Small Business Enterprise (SBE) participation. MRA proposes 19.07% SBE participation for this work task order. Their cumulative SBE participation to date including this work task order is 48.79%. MRA is a Palm Beach County (County) based company. The CRA received a Local Agency Program (LAP) federal grant through the Florida Department of Transportation (FDOT) for construction of the project. The CRA is responsible for funding the design. FDOT requires that the County perform the design and construction as the LAP certification holder in support of the CRA's project. Approval of the budget amendment will recognize reimbursement funding for the project from the CRA. District 2 (YBH)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: an agreement for Provision of Financial Assistance with The Salvation Army, for the period April 1, 2020 through September 30, 2020, in an amount totaling \$50,000, to provide emergency shelter to individuals who are homeless. **SUMMARY:** This agreement will provide emergency shelter for nine homeless individuals per night that are referred from the Palm Beach County Division of Human & Veteran Services (DHVS) Homeless Outreach Programs: Parks to Work Initiative and Assertive Community Outreach Initiative or any outreach effort. Parks to Work is a program designed to assist homeless individuals in Palm Beach County parks. Assertive Community Outreach provides comprehensive services to individuals who are diagnosed with severe mental illness, whose needs have not been met by a more traditional service delivery model. Individuals targeted are those that have been homeless for extended periods of time with medical, substance, and/or mental health issues that make them unemployable by mainstream employers. The individuals will be provided with shelter, case management, employment assistance and rapid re-housing or permanent supportive housing placement assistance. Since the inception on February 12, 2018, 49 individuals have participated in the Parks to Work program. Currently, 49% of the participants are housed through emergency shelter and/or supportive housing. The 49 individuals that participated in the program received mainstream intensive case management, including: medical care; substance use disorder treatment; mental health; behavioral health; vocational skills; employment skills; and financial education. Twenty-nine percent of the participants have maintained full time employment outside of the Parks to Work program. (Division of Human & Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: Amendment No. 2 to the contract for Provision of Professional Services with CareerSource Palm Beach County, Inc. (CareerSource) (R2019-1614), for the period August 1, 2019 through September 30, 2020, to revise language in Exhibit B – Units of Services Rate and Definition with no change in the overall amount of the contract, in an amount not to exceed \$100,000, to provide Certified Driver's License (CDL), Forklift and Construction Trades training services to low-income participants. **SUMMARY:** Amendment No. 2 is necessary in order to revise language in Exhibit B with no change in the overall amount of the contract. The payment terms and conditions are updated to align with federal grant sources. CareerSource is qualified to provide various training services for the Community Action Program. Funding is provided by the Community Services Block Grant through the Department of Economic Opportunity. CareerSource, in partnership with Palm Beach State College is providing construction trades training, which includes core classes and welding, electrician, plumbing or heating, ventilation and air conditioning programs. CareerSource also partners with other schools to provide CDL and Forklift trainings. The original contract in its entirety will serve a minimum of 15 clients. Charles Duval, an employee of CareerSource is a member of the Farmworker Program Advisory Board (FWPAB) and Sandra Wright, an employee of CareerSource is a member of the Community Action Advisory Board (CAAB). Both the FWPAB and CAAB provide no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section. 2-443, of the Palm Beach County Code of Ethics. No County funds are required. (Community Action Program) Countywide (HH)

3. Staff recommends motion to:

**A) receive and file** a final Notice of Award (NOA) Grant Award No. 6 H89HA00034-27-01 from the U.S. Department of Health and Human Services, Health Resources and Services Administration (HRSA), for the budget period March 1, 2020 through February 28, 2021, in the amount of \$7,458,808, for new and existing programs to continue improving health outcomes for people living with HIV;

**B) approve** a budget amendment of \$3,171,166 in the Ryan White Care Program fund to align the budget with the actual grant award; and

**C) authorize** the County Administrator or designee to execute Ryan White subrecipient funding agreements, amendments, and other documents necessary to align with actual allocations of the grant award.

**SUMMARY:** A final NOA was received on April 2, 2020 from HRSA. The total grant award for the Grant Year (GY) 2020, including this final NOA is \$7,458,808. This award amount is an increase of 1.5% or \$108,564 from GY 2019, after receiving a decrease in funding each year for the prior five years. On November 5, 2019, the Board of County Commissioners (BCC) ratified the Mayor's signature on the Ryan White Part A HIV Emergency Relief Grant Program application (R2019-1723). On May 5, 2020, the BCC approved a partial NOA for \$1,494,582. The grant allows the Community Services Department to continue providing needed medical and support services to Palm Beach County residents living with HIV/AIDS. In GY 2019, 3,155 clients were served with a viral suppression rate of 83%. Funding for GY 2020 will provide resources to support a minimum of 45 additional clients (3,200 total) with a goal to increase viral suppression rate to 85%. Some of the services provided under this grant are outpatient medical care, medical case management, pharmaceutical assistance, oral health care, mental health services, substance use disorder treatment, legal support services, health insurance premium assistance, food bank, medical transportation, home delivered meals and psychosocial support services. No County match is required. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to:

**A) receive and file** the U.S. Department of Housing and Urban Development (HUD) Youth Homelessness Demonstration Grant Application – Part 2, for a period to be established by the funder, in the amount of \$345,265, to support the development of a coordinated community plan to prevent and end youth homelessness in Palm Beach County;

**B) receive and file** HUD Youth Homelessness Demonstration Grant Agreement – Part 2, for a period to be established by the funder, in the amount of \$345,265, to support the development of a coordinated community plan to prevent and end youth homelessness in Palm Beach County;

**C) approve** one full-time equivalent grant-funded position for a Program Coordinator (Pay Grade 30); and

**D) approve** a budget amendment in the amount of \$345,265 in the Housing and Urban Development Fund, to align the budget to the grant award.

**SUMMARY:** On August 20, 2019, the Board of County Commissioners (BCC) approved the 2018 HUD Youth Homelessness Demonstration Project (YHDP) Grant Application (R2019-1141), which made available approximately \$75,000,000 nationwide for existing Continuum of Care (CoC) Program recipients to apply for funding. The Palm Beach County CoC was awarded \$4,932,359 to help prevent and end youth homelessness. The Division of Human and Veteran Services (DHVS) received up to 10% for planning costs. HUD required a two part application process. On February 11, 2020, the BCC approved the HUD YHDP Grant Agreement – Part 1 (R2020-0175), for 3% (\$147,970) of the HUD YHDP planning costs funds. HUD required additional approval to receive the remaining 7% (\$345,265) allowed for planning costs. The HUD YHDP Application - Part 2 was required to receive the remaining 7%. The YHDP Grant Agreement – Part 2 allows for the coordination of planning activities related to preventing and ending youth homelessness. The grant funds a total of three new grant funded positions, of which the Program Evaluator (Pay Grade 34), and Contract Analyst (Pay Grade 36) were approved on February 11, 2020. This grant application includes an additional grant funded position of a Program Coordinator (Pay Grade 30). These positions will have the responsibility of creating and supporting activities of the Youth Action Board, as well as implementing, evaluating and facilitating the work of the grant agreement. The grant funded positions will be for the length of the grant and will be eliminated if funding is discontinued. A 25% in-kind match of \$86,317 is required and is included in the FY 2020 Division of Human and Veteran Services operation budget. No additional County funds are required. On August 20, 2019, the BCC authorized the County Administrator or designee to execute additional documents related to the 2018 HUD YHDP Grant Application. 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. (Division of Human and Veteran Services) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve: Amendment No. 1 to the contract for Provision of Financial Assistance with The Urban League of Palm Beach County, Inc. (Urban League) (R2019-1605), for the period October 1, 2019 through September 30, 2022, to revise the cost unit rate with no change in the overall amount of the contract, in an amount not to exceed \$337,500, for the provision of financial literacy and workforce development services to low-income families. **SUMMARY:** Amendment No. 1 is necessary in order to revise the cost unit rate with no change to the overall amount of the contract. The Urban League has served 67 clients with financial literacy education, workforce development and linkage and referral to other services. Soulan Johnson, an employee of the Urban League is a member of the Advisory Commission on Women (ACW) and Patrick Franklin, CEO of the Urban League, is a member of the Housing Finance Authority (HFA) and the Infrastructure Surtax Independent Citizen Oversight Committee (ISICOC). The ACW, HFA and ISICOC provide no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Section. 2-443, of the Palm Beach County Code of Ethics. No additional County funding is required. (Financially Assisted Agencies) Countywide (HH)
  
6. Staff recommends motion to approve: Amendment No. 2 to the contract for Provision of Financial Assistance with South County Mental Health Center, Inc. (SCMHC) (R2017-1626), for the period October 1, 2017 through September 30, 2020, to increase funding in FY 2020 by \$596,996 for a new total FY 2020 amount of \$2,136,308, for an overall new contract total amount of \$5,214,932, for the provision of providing mental health services to residents with severe and persistent mental illness. **SUMMARY:** Amendment No. 2 is necessary in order to continue the transition of some of The Jerome Golden Center for Behavioral Health, Inc. (Jerome Golden) clients and services for the Crisis Stabilization Unit to SCMHC, as well as transfer a portion of the dollars allocated from Jerome Golden to SCMHC. SCMHC provides mental health services to residents with severe and persistent mental illness. In September 2019, staff was notified that Jerome Golden would no longer be providing services to clients. Since the inception of the contract, SCMHC has served 2,485 clients in the Crisis Stabilization Unit and will be absorbing an additional 260 clients for the Glades Crisis Stabilization Unit. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Amendment No. 2 to the Construction Manager (CM) at Risk Contract (Contract) with The Morganti Group, Inc. (MGI) for CM at Risk Services for Miscellaneous Airport Improvements for Palm Beach County Department of Airports (Department) in the amount of \$434,700 and 130 calendar days for Work Order SMC 02: Wallis Road Drainage and Roadway Improvements Phase 1 at Palm Beach International Airport (PBI). **SUMMARY:** The CM at Risk Contract with MGI was approved by the Board on August 20, 2019 (R2019-1221). The Contract is for two years with three, one-year renewal options for CM at Risk Services for Airport Improvements for the Department. In order to complete certain capital improvement projects at the County's four airports, the Department requires a CM at Risk contractor to provide preconstruction and construction services, which include conducting the procurement process for assigned tasks/work orders, project management and construction supervision. This solicitation for CM contractors was advertised on September 23, 2018 according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. MGI along with their S/MBE teaming partner Cooper Construction Management and Consulting, Inc. (Cooper), were one of two firms selected to provide project management and construction supervision services. MGI is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. Approval of Amendment No. 2 in the amount of \$434,700 and 130 calendar days will enable MGI to complete Work Order SMC 02: Wallis Road Drainage and Roadway Improvements Phase 1 at PBI. This project is phase 1 to complete the drainage improvements required for conveyance of drainage on Wallis Road and to support new development in this area. The project was presented to the Goal Setting Committee on January 15, 2020 and an Affirmative Procurement Initiatives of 20% Small Business Enterprise (SBE) participation was applied. The SBE participation on this project is 23.92%. Countywide (AH)
2. **Staff recommends motion to receive and file:** a Non-Signatory Airline Agreement (Agreement) with Sun Country, Inc., a Minnesota Corporation (Sun Country), commencing April 15, 2020, terminating September 30, 2020, and automatically renewing on an annual basis each October 1<sup>st</sup> unless canceled; for Sun Country to provide commercial air service at the Palm Beach International Airport (PBI). **SUMMARY:** The Agreement permits Sun Country to operate at PBI and to lease ticket counter space for their operations on a per-use basis. Delegation of authority for execution of the standard form Non-Signatory Airline Agreement was approved by the Board in R2019-1156. Countywide (AH)
3. **Staff recommends motion to receive and file:** a License Agreement (Agreement) with PBI Post Distr. LLC, a Delaware limited liability company (PBI Post), commencing April 15, 2020, and terminating on December 15, 2020 (Initial Term), and automatically renewing on a monthly basis but not beyond April 15, 2021, for PBI Post to use County property west of the Palm Beach International Airport (PBI) for the staging and storage of materials without charge. **SUMMARY:** On December 19, 2017, PBI Post entered into a Development Site Lease Agreement (R2017-1892, as amended) to construct a warehouse/storage facility west of Post Road and south of Wallis Road. The Agreement allows PBI Post to use adjacent County land as a construction staging and storage site in connection with PBI Post's construction of the warehouse/storage facility. Delegation of authority for execution of the standard form Agreement was approved by the Board pursuant to R2007-2070. Countywide (AH)



3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

4. Staff recommends motion to:

**A) adopt** a resolution approving a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the amount of \$700,000 to Construct Fuel Farm and Wash Rack – Phase 2 at Palm Beach County Park Airport (LNA). This PTGA will become effective upon final execution by the FDOT with an expiration date of December 31, 2022; and

**B) approve** a budget amendment of \$700,000 in the Airport's Improvement and Development Fund to recognize the receipt of a grant from the FDOT, and budget project costs of \$875,000; which includes a transfer from Reserves in the amount of \$175,000.

**SUMMARY:** The FDOT has issued a PTGA reflecting their commitment of funding to the above referenced project in the amount of \$700,000 or 80% of the eligible project costs, whichever is less. The Airport required local match of \$175,000 is in the current budget. Countywide (AH)

5. Staff recommends motion to approve:

**A)** Amendment No. 3 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/Professional Services in the amount of \$885,789.10 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program; and

**B)** a budget transfer of \$366,145 in the Airport's Improvement and Development Fund from the Reserves.

**SUMMARY:** The Consulting Agreement with AECOM for general airport planning and design was approved by the Board on March 12, 2019 (R2019-0301) in the amount of \$828,984.74 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on August 20, 2019 (R2019-1160) increasing the amount of the contract by \$1,032,651.29. Amendment No. 2 was approved by the Board on February 4, 2020 (R2020-0079) increasing the amount of the contract by \$1,753,356.78. Approval of Amendment No. 3 will provide an additional \$885,789.10 to complete the following tasks: Task I Services – Miscellaneous Planning & Engineering Services 2020; Palm Beach International Airport (PBI) Replacement of the Public Address System Construction Administration and Construction Management Services; Wallis Road Improvements Supplemental Design and CA Services; PBI Domestic Water Valves Modifications CA Services; Stormwater Pollution Prevention Plan 2020 Update; and Task III Services - Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. AECOM is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. AECOM committed to 18% in its proposal. The anticipated DBE participation based upon the approved tasks is approximately 35%. The current paid to date DBE participation is approximately 17%. The DBE participation for this amendment is approximately 18.7%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$4,000 for the full satisfaction of a code enforcement lien that was entered against Jon Melchiori on August 26, 2008. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an order on May 7, 2008, for the property owned by Jon Melchiori providing him until July 7, 2008 to bring his property located at 17724 88<sup>th</sup> Road North, Loxahatchee into full compliance. The property had been cited for openly keeping/storing shipping containers without permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Jon Melchiori on August 26, 2008. The Code Enforcement Division issued an Affidavit of Compliance for the property stating that the cited code violations had been fully corrected as of April 8, 2009. The total accrued lien amount through January 31, 2020, the date on which settlement discussions began, totaled \$13,984.32. Jon Melchiori has agreed to pay Palm Beach County \$4,000, (29%) for full settlement of his outstanding Code Enforcement lien. District 6 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve:

**A)** the finding that it is beneficial to the health, safety and welfare of the County due to the impacts of the COVID19 epidemic to extend for 12 months the County's Agreement (Agreement) with Ovations Food Services, L.P. d/b/a Spectra Food Services & Hospitality (Spectra); and

**B)** a Second Amendment (Amendment) to the Agreement with Spectra for food and beverage operations services at the Palm Beach County Convention Center (Convention Center) extending the term for an additional 12 months through September 30, 2021.

**SUMMARY:** Spectra was selected as the food & beverage operator of the Convention Center in 2010 through a competitive Request for Proposals (RFP) process. Spectra's initial contract (R2010-096) was extended in 2015 (R2015-1409) for one renewal period of five years which expires on September 30, 2020. Under the Agreement, Spectra manages the day-to-day operations and marketing of food and beverage services at the Convention Center. Due to the ongoing COVID19 emergency, this Amendment will extend the term of the contract for 12 months, providing staff sufficient time to re-solicit the contract. The Tourist Development Council (TDC) and Facilities Development and Operations (FDO) intend to develop an RFP this summer and to advertise the solicitation in late 2020 with an anticipated award early summer of 2021. Under the Agreement as well as this Amendment, Spectra receives: **1)** an annual management fee of \$50,000 which has been adjusted for inflation over the term of the contract; **2)** 7% of the net profit and **3)** an opportunity to earn an incentive fee of up to 1% of gross sales up to \$2.5 million of gross sales and additional up to 2% over \$2.5 million of gross sales not to exceed \$4 million, if certain performance measures are achieved in the areas of financial, marketing, sales and customer service. The County receives: **1)** 93% of the net profit of food and beverage operations and **2)** cash/credits for certain sponsorships and rebates on certain food and beverage products. In addition to extending the term for 12 months, the Amendment revises the sponsorship/rebate program and updates County standard language on non-discrimination, scrutinized companies and public records. The Amendment also adds a termination for convenience clause so that the County can terminate the contract with 120 days' notice. The TDC Board has approved the contract extension for 12 months. The Office of Equal Business has approved this extension. (TDC/FDO) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

2. **Staff recommends motion to approve:** Work Order No. 20-016 to the minor construction contract with Andrea Construction, Inc., (R2020-0143) in the amount of \$244,112 for the State Attorney's Office – Lobby Area Security Modifications project for a period of 90 calendar days from notice to proceed or until project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to modify the State Attorney's Office to include hardened incased enclosures with privacy tint and ballistic film at both, the main entrance and inside the elevator areas. The security enhancements will provide added privacy and security measures for the public and staff members accessing the lobby areas. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. This annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives (API): **1)** sheltered market for projects under \$100,000; or **2)** a small business enterprise (SBE) contractor will be given a price preference if their bid is within 10% of the lowest non-small business bid on a single trade project over \$100,000; or **3)** a mandatory 25% SBE subcontracting goal for a multi-trade project over \$100,000. Since this project was over \$100,000 and multi-trade, the mandatory 25% SBE subcontracting goal API was applied. The Contractor is a certified Small/Minority/Women Owned Business (S/M/WBE) and submitted 56.25% SBE participation on this work order. The overall S/M/WBE participation on the annual minor contract is 70.50%. The Contractor is a local business. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 7 (LDC)

3. **Staff recommends motion to receive and file:** Amendment No. 4 extending the term of three continuing contracts to provide mechanical, electrical, plumbing (MEP) engineering services for various capital improvement projects through to December 22, 2020:

**A)** Gartek Engineering Corporation (Gartek) (R2015-0777; Renewals: R2017-0892, R2018-0849, R2019-1328), MBE/Local, 86.70% SBE participation to date;

**B)** Johnson, Levinson, Ragan, Davila, Inc. (JLRD) (R2015-0779; Renewals: R2017-0893, R2018-0850, R2019-1329), SBE/Local, 97.64% SBE participation to date; and

**C)** RGD & Associates, Inc. dba RGD Consulting Engineers (RGD) (R2015-0778; Renewals: R2017-0894, 2018-0851, R2019-1330), SBE/Local, 94.02% SBE participation to date.

**SUMMARY:** On April 7, 2020, via Agenda Item 5D-3, the Board of County Commissioners (BCC) authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute Amendment No. 4 extending the term of these MEP engineering continuing contracts to December 22, 2020. Due to the ongoing COVID19 crisis, the time needed to develop new logistical procedures for conducting selection committee meetings while maintaining social distancing and the potential for further delays throughout the selection process, staff thought it necessary to extend the term of the existing contracts for an additional six months. The attached amendments were fully executed on behalf of the BCC by the Director of FDO. In accordance with the County Policy and Procedures Manual (PPM) CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The firms under the existing MEP Engineering continuing contracts were selected under the County's prior Small Business Enterprise (SBE) program where a 15% SBE goal applied. The Office of Equal Business Opportunity has reviewed and approved this renewal request. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. [Staff recommends motion to receive and file:](#) Amendment No. 2 to extend the term of two continuing contracts to provide construction management (CM) services for various capital improvement projects through to December 20, 2020:

**A)** Robling Architecture Construction, Inc. (R2016-0762), SBE/Local, 43.99% SBE participation to date; and

**B)** The Weitz Company, LLC (R2016-0763), Local, 22.27 % SBE participation to date

**SUMMARY:** On April 7, 2020, via Agenda Item 5D-1, the Board of County Commissioners (BCC) authorized the County Administrator or designee, which in this case was the Director of Facilities Development and Operations (FDO), to execute Amendment No. 2 extending the term of the existing CM contracts to December 20, 2020. Due to the ongoing COVID19 crisis, the time needed to develop new logistical procedures for conducting selection committee meetings while maintaining social distancing and the potential for further delays throughout the selection process, staff thought it necessary to extend the term of the existing contracts for an additional six months. The attached amendments were fully executed on behalf of the BCC by the Director of the FDO. In accordance with the County Policy and Procedures Manual (PPM) CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. On February 20, 2019, the County's Goal Setting Committee established a 20% SBE subcontracting goal on the construction subcontracts for the construction phase of projects assigned under this continuing CM contract. The Office of Equal Business Opportunity has reviewed and approved this renewal request. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Amendment No. 3 with nine annual low voltage contracts to update the contract terms and conditions to remove the cumulative capacity maximum.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>
A) Active Alarms, Inc.	R2016-1133	Local / Non-SBE
B) Audio Video Systems, Inc.	R2016-1134	Local / SBE
C) Fire and Security Solutions, Inc.	R2016-1136	Local / Non-SBE
D) GNM Hough, Inc.	R2016-1139	Non-Local / Non-SBE
E) Protect Video, Inc.	R2016-1141	Local / SBE
F) Security & Sound System, Inc.	R2016-1142	Local / SBE
G) Johnson Controls Fire Protection LP (fka SimplexGrinnel, LP)	R2016-1143	Local / Non-SBE
H) Universal Cabling Systems, Inc.	R2016-1144	Local / SBE

**SUMMARY:** On September 13, 2016, the Board approved the annual low voltage contract. The magnitude of work requirements for annual low voltage contracts executed after April 6, 2018 differs from those established in the original low voltage contracts. The original annual contracts had a cumulative value of \$600,000 for the term. Amendment No. 3 modifies the original annual contracts by eliminating and replacing the terms and conditions in section 16.1, Magnitude of Work. These amendments will standardize the Magnitude of Work for all of the annual low voltage contracts. These annual contracts expire on September 12, 2021. Work is awarded as work orders on a lump-sum, competitively bid basis among the pool of pre-qualified low voltage contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 22 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The low voltage annual contract was presented to the Goal Setting Committee on January 2, 2019 and the committee established an Affirmative Procurement Initiative of price preference for Small Business Enterprise contractors if their 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 each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the low voltage annual is 46.66%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Work Order No. 20-012 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract with D.A.C. Air Conditioning Corp. (R2020-0231) in the amount of \$246,700 for the Water Utilities Department (WUD) Water Treatment Plant (WTP) #9 Exhaust Fan Replacement project for a period of 120 calendar days from permit issuance or until project is complete. **SUMMARY:** The existing exhaust fans at the WUD WTP #9 are more than 20 years old and are at the end of their useful life. The work consists of furnishing the labor, equipment, and materials needed to remove and replace 49 existing exhaust fans at five different building sites. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. On August 21, 2019, the Goal Setting Committee applied Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when three or more Small Business Enterprises (SBE) 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 responsive and responsible bidder for projects in excess of \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The Contractor is not a certified SBE and submitted 0% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 52.19%. The Contractor is not a local business. Funding for this project is from the WUD Operation and Maintenance Fund. (Capital Improvements Division) District 5 (LDC)
7. Staff recommends motion to approve: Amendment No. 1 with two firms extending the contract term for one year to provide architectural services on a continuing contract basis for federally funded projects for the period of June 19, 2020 through June 18, 2021 with a cumulative limit of \$100,000 for the 12 month extension.

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

**SUMMARY:** Amendment No. 1 extends the term of these continuing contracts for architectural services for projects that are federally funded through June 18, 2021. The Board approved the continuing contract on June 19, 2018. The original contract provided for an initial term of two years with three renewal options each for a period of one year. The amendment will implement the first renewal option of these contracts through June 18, 2021 with a cumulative limit of \$100,000 for the twelve month extension. Work is authorized through individual task assignments when required during the term of this contract. The work assigned under the continuing contracts will be funded in whole or in part with federal funds. Projects under these continuing contracts may be funded in whole or in part by grants from the United States Department of Transportation, Federal Transit Administration, grants from the Housing and Urban Development Community Development Block Grant Program or grants or reimbursements from Department of Homeland Security/Federal Emergency Management Agency. Many of the projects to be assigned under this contract are related to the County's Palm Tran facilities. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: Change Order No. 4 to Amendment No. 3 to the continuing contract with Lebolo Construction Management, Inc. (R2018-1161) in the amount of \$21,339.28 for the Philip D. Lewis Homeless Resource Center project increasing the Guaranteed Maximum Price for additional low voltage work and increasing the project duration by 160 calendar days. **SUMMARY:** On July 2, 2019, the Board of County Commissioners approved Amendment No. 3 (R2019-0954) to the continuing contract with Lebolo Construction Management, Inc. in the amount of \$265,246 for interior renovations to the Philip D. Lewis Homeless Resource Center with a 166 day construction completion schedule. This change order authorizes the construction manager to complete additional low voltage work and the installation of access and controls at the rear doors. The revisions to the design and the additional low voltage work resulted in an increase in project duration by 160 days. Change Order No. 4 consists of the additional time and funds needed to accommodate the additional general project requirements, permitting fees, labor and equipment. The project is funded using federal funds from the Community Development Block Grant fund. (Capital Improvements Division) Countywide/District 7 (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to receive and file: documents executed in connection with a loan made to Prestige Commercial Kitchen, Inc., under the Housing and Urban Development (HUD) Section 108 Loan Program as follows:

A) Palm Beach County Section 108 Loan Commitment Letter;

B) Palm Beach County Section 108 Promissory Note;

C) Palm Beach County Section 108 Loan Agreement;

D) Palm Beach County Section 108 Loan Program Agreement;

E) Palm Beach County Section 108 Security Agreement;

F) Palm Beach County Section 108 Guaranty Agreement;

G) Pledge Agreement;

H) Palm Beach County Section 108 Further Assurances and Errors and Omissions Statement;

I) UCC-1 Financing Statement (Florida Secured Transaction Registry);

J) Borrower's Certificate (Incumbency and Resolutions) - Prestige Commercial Kitchen, Inc.;

K) Corporate Guarantor's Certificate (Incumbency and Resolutions) - Prestige CK Realty, Inc.;

L) Corporate Guarantor's Certificate (Incumbency and Resolutions) - P & R Transportation and Warehousing, Inc.;

M) Non-Discrimination Policy - Prestige Commercial Kitchen, Inc.;

N) Non-Discrimination Policy - Prestige CK Realty, LLC;

O) Non-Discrimination Policy - P & R Transportation and Warehousing, Inc.; and

P) Opinion of Borrower Counsel for Section 108 Loan - Prestige Commercial Kitchen, Inc.

**SUMMARY:** The documents have been executed on behalf of the Board of County Commissioners (BCC) by the County Administrator or designee in accordance with Resolution R2009-0725. This \$120,090 working capital loan is provided under the Section 108 Loan Program. It will be used to support the growth and expansion of the borrower's operations located at 2739 Pienza Circle in Royal Palm Beach. Prestige Commercial Kitchen supplies and installs commercial kitchens throughout the United States. The project will create 19 full time equivalent jobs over five years. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. These are Federal funds which require no local match. District 6 (DB)



3. CONSENT AGENDA APPROVAL

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

1. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 1 South County Road, Palm Beach;

**B) approve** a tax exemption covenant for 1 South County Road, Palm Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted;

**C) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 8 South Lake Trail, Palm Beach;

**D) approve** a tax exemption covenant for 8 South Lake Trail, Palm Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted;

**E) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 142 Seaspray Avenue, Palm Beach; and

**F) approve** a tax exemption covenant for 142 Seaspray Avenue, Palm Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted.

**SUMMARY:** The resolution will authorize a County tax exemption for the following historic properties located within the Town of Palm Beach: 1 South County Road, (property is privately owned for commercial use); 8 South Lake Trail, (property is privately owned for residential use) and 142 Seaspray Avenue, (property is privately owned for residential use). If granted, the tax exemption shall take effect January 1, 2020, and shall remain in effect for ten years, or until December 31, 2029. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the ten years ending December 31, 2029, is \$807,160. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$80,716 tax dollars will be exempted annually based on the 2020 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 1 & 7 (RPB)

3. CONSENT AGENDA APPROVAL

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

2. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 231 NE 1<sup>st</sup> Avenue, Delray Beach; and

**B) approve** a tax exemption covenant for 231 NE 1<sup>st</sup> Avenue, Delray Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted.

**SUMMARY:** The resolution will authorize a County tax exemption for the following historic property located within the City of Delray Beach: 231 NE 1<sup>st</sup> Avenue, (property is privately owned for residential use). If granted, the tax exemption shall take effect January 1, 2020, and shall remain in effect for ten years, or until December 31, 2029. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the ten years ending December 31, 2029, is \$21,629. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$2,162 tax dollars will be exempted annually based on the 2020 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 7 (RPB)

3. CONSENT AGENDA APPROVAL

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

3. Staff recommends motion to:

**A) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 147 Greymon Drive, West Palm Beach;

**B) approve** a tax exemption covenant for 147 Greymon Drive, West Palm Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted;

**C) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 194 Pershing Way, West Palm Beach;

**D) approve** a tax exemption covenant for 194 Pershing Way, West Palm Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted;

**E) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 313 Datura Street, West Palm Beach; and

**F) approve** a tax exemption covenant for 313 Datura Street, West Palm Beach, requiring the qualifying improvements be maintained during the ten-year period that the tax exemption is granted.

**SUMMARY:** The resolution will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach: 147 Greymon Drive, (property is privately owned for residential use); 194 Pershing Way, (property is privately owned for residential use) and 313 Datura Street, (property is privately owned for commercial use). If granted, the tax exemption shall take effect January 1, 2020, and shall remain in effect for ten years, or until December 31, 2029. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the ten years ending December 31, 2029, is \$250,120. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$25,012 tax dollars will be exempted annually based on the 2020 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 2 & 7 (RPB)

3. CONSENT AGENDA APPROVAL

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

4. [Staff recommends motion to approve:](#) the reappointment of one member to the Construction Board of Adjustments and Appeals.

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Manuel Oyola	7	Roofing Contractor	06/16/20 -06/15/23	Palm Beach County Roofing & Sheet Metal Contractors' Association

**SUMMARY:** Manuel Oyola has been nominated by the Palm Beach County Roofing & Sheet Metal Contractors' Association to serve a second three-year term as a roofing contractor on the Board. The term of office for Board members is three years, with a limit of three consecutive three-year terms. The Board has 11 seats with 9 currently filled and a diversity count of Caucasian: 8 (90%) and Hispanic: 1 (10%). The gender ratio (female: male) is 2:7. The nominee is a Hispanic male. Staff will continue to address the need to increase diversity on our boards. Countywide (CK)

K. WATER UTILITIES

1. [Staff recommends motion to approve:](#) a Non-Standard Potable Water and Wastewater Development Agreement (Agreement) with CVH PBIA, LLC (Tenant) for a period of five years beginning on June 16, 2020 through June 15, 2025. **SUMMARY:** The Tenant leases an undeveloped area from Palm Beach County (County) (R2017-0356) located on Palm Beach International Airport property on Turnage Boulevard located south of Belvedere Road and west of Australian Avenue. The Tenant wants to construct potable water and wastewater facilities to develop, operate, and maintain a hotel on the property. In order to provide potable water and wastewater concurrency reservations for new facilities, the Palm Beach County Water Utilities Department (PBCWUD) requires developers to enter into a formal development agreement. While the PBCWUD Director has been delegated the authority to enter into Standard Development Agreements, the Board of County Commissioners approval is being sought in this case as certain provisions in the standard agreement are unnecessary due to the County ownership of the property. The Tenant has paid a Mandatory Agreement Payment in the amount of \$25,879.14, which is equal to 12 months of Guaranteed Revenue Fees. District 2 (MJ)
2. [Staff recommends motion to receive and file:](#) the executed Standard Potable Water and Wastewater Development Agreement with Boynton Beach Associates XXII, LLLP, SDA #03-01050-000 (District 5), Recorded in OR BK 31295 PG 1611. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item and are attached unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department in accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. District 5 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. **Staff recommends motion to receive and file:** Amendment No. 1 to State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. LPA0072 (Agreement) to correct its expiration date to December 31, 2022. **SUMMARY:** On December 3, 2019, the Board of County Commissioners approved Agreement (R2019-1850) with FDEP, for an amount not to exceed \$160,000, providing for geotechnical engineering and seepage analysis for the Loxahatchee River Watershed Hydrological Refinements Phase I Project (Project) beginning upon contract execution, and expiring December 31, 2021. Delegated authority to execute all future time extensions, task assignments, certifications, and any other forms associate with this Agreement was approved at that time. Amendment No. 1 is a revision to reflect a correction for the date of expiration of the Agreement. The Agreement is effective until December 31, 2022. District 1 (SS)
  
2. **Staff recommends motion to:**
  - A) approve** the Detailed Work Plan Budget – Arthropod Control (Budget) and Operational Work Plan for Mosquito Control (Work Plan) for the State Financial Assistance Recipient Agreement (Agreement) with the Florida Department of Agriculture and Consumer Services (FDACS) for fiscal year beginning October 1, 2020 and ending September 30, 2021; and
  
  - B) authorize** the County Administrator or designee to sign the State Financial Assistance Recipient Agreement and Annual Certified Budget for Arthropod Control, when received by FDACS, and all future time extensions, task assignments, certifications, and other forms associated with the Agreement, and necessary minor amendments that do not substantially change the scope of work, terms, or conditions of the Agreement.

**SUMMARY:** The Budget and Work Plan are due to FDACS by July 15, 2020, as part of the reapplication process for state aid for FY2021. The current Agreement No. 026501 was approved by the Board of County Commissioners on December 17, 2019 (R2019-1909), for amount not to exceed \$41,645.44, and amended on March 17, 2020 (R2020-0318), for amount not to exceed \$47,310, for contract period December 1, 2019 to September 30, 2020. The County anticipates receiving a new agreement for FY2021 from FDACS in November, with the current funding amount of \$47,310, providing for state aid in quarterly installments to support mosquito control activities as approved by FDACS. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

**A) approve** a grant agreement with The Nature Conservancy (Conservancy) to provide up to \$300,000 for construction costs for the Palm Beach Resilient Islands Project (Project) that expires on October 31, 2021;

**B) approve** a budget amendment for \$300,000 that will be placed into the Palm Beach Resilient Islands Project Funds; and

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

**SUMMARY:** Conservancy will reimburse the County up to \$300,000 to cover the construction costs of a resiliency project within the Lake Worth Lagoon provided work meets the acceptance criteria as outlined in the agreement. This Project will act as a demonstration model that could be used in the design of future projects to provide coastal resilience in the County. The County contribution will include in-kind services associated with field surveys, environmental permitting and construction management for this project. District 7 (SS)

4. Staff recommends motion to:

**A) approve** a 20-year term State of Florida Department of Environmental Protection (FDEP) Florida Greenways and Trails Program (FGTS) Designation Agreement (Agreement) for Jupiter Ridge Natural Area (Natural Area); and

**B) authorize** the County Administrator or designee to sign a Public Lands or Waterways Designation Resource Certification (Certification) every five years for the term of the Agreement.

**SUMMARY:** Palm Beach County (County) owns approximately three acres within the 270-acre Natural Area. The County manages the other 267 acres (owned by the Board of Trustees of the Internal Improvement Trust Fund of Florida [TIITF]) pursuant to a 50-year lease dated June 15, 1994 (R94-604D, as amended by R96-444D and R98-1241D). The County's Department of Environmental Resources Management submitted a FGTS Application for Designation (Application) for the Natural Area in December 2019. An Owner Consent form signed by an authorized TIITF representative was included in the Application. In January 2020, the State's Greenways and Trail Council approved designation of the entire 270-acre Natural Area as part of the FGTS. The County must sign a 20-year-term, standardized Agreement to complete the designation. Once every five years, the County must submit a signed Certification form stating that the site's natural and recreational resources are being maintained. The County already maintains the natural and recreational resources within the Natural Area pursuant to an existing Management Plan (Item 3L3, dated June 29, 2010) and the June 15, 1994 lease, therefore there is no cost to the County. District 1 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to approve: Task Order No. ERM20-02 to the Palm Beach County Construction Materials Testing, Geotechnical Engineering and Inspection Services Annual Contract (R2017-1660) with Terracon Consultants, Inc. (Terracon), for an amount not to exceed \$269,189.44 to provide professional engineering services for the Loxahatchee River Watershed Hydrological Refinements – Phase I (Project). **SUMMARY:** Task Order No. ERM20-02 provides for geotechnical engineering services for the design of three seepage barriers along Hungryland Slough Natural Area, Jupiter Farms, and Loxahatchee Slough Natural Area at a cost of \$269,189.44. The Project is part of a watershed-based effort to protect and restore the Loxahatchee River and enhance natural areas within the Loxahatchee River Watershed. The Project will define the best method to maintain wet season water levels and quantify the increased water storage on Loxahatchee Slough and Hungryland Slough Natural Areas which are major contributors of freshwater to the Loxahatchee River. The project area is 17 linear miles and would benefit 13,400 acres. Terracon has agreed to 16% SBE participation. The SBE participation for this Task Order is 16.9%. The Loxahatchee River Preservation Initiative awarded the Project a \$160,000 grant to provide partial funding. The grant was approved by the BCC on December 3, 2019. District 1 (YBH)

6. Staff recommends motion to:

**A) approve** a contract for Consulting/Professional Services (Contract) with the Florida Fish and Wildlife Conservation Commission (FWC), Fish and Wildlife Research Institute to provide oyster monitoring in the Lake Worth Lagoon (LWL) in an amount not to exceed \$198,000, commencing upon execution and expiring on December 30, 2023; and

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

**SUMMARY:** The Contract authorizes FWC to provide continued oyster monitoring in the LWL and compares oyster abundance, recruitment, and health between three natural reefs and three man-made reefs at County restoration sites as part of monitoring efforts described in the LWL Management Plan. Oyster monitoring within the current FWC contract (R2019-0325; R2019-1777) will be completed on June 30, 2020, with final report due on December 2020, and contract expiration on February 28, 2021. This Contract will begin prior to expiration of the current contract in order to ensure there is no gap in oyster monitoring. Oyster monitoring under this Contract will begin on July 1, 2020, which is the day after oyster monitoring will end under the current contract. The monitoring project is funded by the Pollution Recovery Trust Fund. Districts 3 & 7 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to approve: a budget transfer of \$200,000 within Park Impact Fee Zone 1 from Reserves to the Carlin Park Pickleball Court Improvement project. **SUMMARY:** This funding will be used to construct six new day use pickleball courts and associated infrastructure at Carlin Park. **Funding for this budget transfer is from Zone 1 Impact Fee Reserves.** Reserve funding was accumulated through interest and residual balances from completed projects. District 1 (AH)
2. Staff recommends motion to approve: a budget transfer of \$50,000 within Park Impact Fee Zone 2 from Reserves to the John Prince Park Pickleball Court Improvement project. **SUMMARY:** This funding will be used to repurpose two tennis courts at John Prince Park to six pickleball courts. **Funding for this budget transfer is from Zone 2 Impact Fee Reserves.** Reserve funding was accumulated through interest and residual balances from completed projects. District 3 (AH)

S. FIRE RESCUE

1. Staff recommends motion to ratify:
  - A)** a FY 2020 Assistance to Firefighters Grant (AFG) Program – COVID-19 Supplemental (AFG-S) grant application electronically submitted to the U.S. Department of Homeland Security’s (DHS) Federal Emergency Management Agency (FEMA) on May 15, 2020, requesting \$909,099.23 to fund 90% of the purchase of personal protective equipment (PPE), for a term beginning 12 months from the date of award; and
  - B)** the designation of the County Administrator or designee to act as the County’s representative for the purpose of electronically signing and submitting the FY 2020 AFG-S grant application, including Assurances and Certifications via the DHS FEMA website.

**SUMMARY:** This grant application requests \$909,099.23 from DHS FEMA for the purchase of 23 various PPE items. The total project cost identified in the grant application is \$1,000,009.15. The required match for this grant is \$90,909.92 (10% of the federal share), which will be funded from Fire Rescue’s contingency reserve and has been included in the FY 2020 budget. If awarded, the grant will provide funding for the purchase PPE that has been depleted due to the COVID-19 pandemic. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant application had to be submitted prior to full Board approval. Countywide (SB)



3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

2. Staff recommends motion to ratify:

**A)** a FY 2019 Staffing for Adequate Fire and Emergency Response (SAFER) grant application electronically submitted to the U.S. Department of Homeland Security's (DHS) Federal Emergency Management Agency (FEMA) on May 15, 2020, requesting \$2,681,673.64 to fund 75% in Year 1 and Year 2 and 35% in Year 3 for 18 new firefighters, for a term of three years from the date of award; and

**B)** the designation of the County Administrator or designee to act as the County's representative for the purpose of electronically signing and submitting the FY 2019 SAFER grant application, including Assurances and Certifications via the DHS FEMA website.

**SUMMARY:** This grant application requests \$2,681,673.64 from DHS FEMA to fund 18 new firefighters for the Glades area. The total project cost identified in the grant application is \$4,348,659.96. The required match for this grant is \$1,666,986.32 (25% in Year 1 and Year 2 and 65% in Year 3), which will be funded from Fire Rescue's FY 2020 contingency. If awarded, the grant will provide funding for 18 new firefighters for the Glades area. The requested positions will add three additional firefighters to each of the three shifts at Fire Station 74 and one additional firefighter to each of the three shifts at Fire Station 73. Due to the personnel coverage factor, the total number of firefighters required is 18. These 18 positions will be retained at the end of the grant through Fire Rescue's anticipated attrition. Due to the preparation time, submittal deadlines, and BCC meeting dates, the grant application had to be submitted prior to full Board approval. District 6 (SB)

3. Staff recommends motion to:

**A) adopt** a consent to ~~a proposed the~~ Town of Lantana's (Town) ~~Amendment of ordinance amending~~ its Firefighters' Pension Fund plan (Plan) ~~as set forth in the Town's proposed ordinance;~~ and

**B) direct** staff to communicate to the Town the County's express written consent to the ~~Town's amendment of its Firefighters' Pension Fund Plan as set forth in the Town's proposed ordinance.~~ proposed Town ordinance amending the Plan.

**SUMMARY:** ~~According to the requirements outlined in the Interlocal Agreement with the Town of Lantana for fire rescue services, the Town shall not make any changes to the Town's Firefighters' Pension Fund without first obtaining the express written consent of the County. The County has been asked to consent to the proposed plan amendment which is being made as a result of changes made in Article 34 – Pension of the FY2006 through FY2008 Collective Bargaining Agreement (R2005-1925) between Palm Beach County and Professional Firefighters/Paramedics of Palm Beach County, Local 2928, IAFF, Inc. The proposed ordinance includes changes in Chapter 14 Personnel, Article IV Pensions and Retirement. These changes are primarily due to Florida Statute, Internal Revenue Code and Chapter 175 regulation changes. The Fire Rescue Administrator and the Union President have provided their written mutual agreement in satisfaction of the requirements of Article 34, Section 4, and agree to the amendments to the ordinances relating to the Pension Fund proposed by the Board of Trustees of the Pension Fund. Based on the Town of Lantana Firefighters' Pension Fund Actuarial Impact Statement, the proposed changes on contributions and obligations is de minimis. Countywide (SB) Pursuant to the Interlocal Agreement with the Town relating to the Plan, which covers County firefighters who were formerly employed by the Town, the County assumed the employer responsibilities under the Plan and the Town may not make any changes to the Plan without the express written consent of the County. The Board of Trustees of the Plan have determined that certain amendments are necessary to ensure compliance with law or to effectuate the purposes of the Plan. In accordance with Article 34, Section 4, of the Collective Bargaining Agreement, the Fire Rescue Administrator and the Union President will enter into a written mutual agreement to agree to the Plan amendments. The Plan's Actuarial Impact Statement indicates that the effect of the proposed changes on contributions and obligations is de minimis. Countywide (SB)~~

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

4. Staff recommends motion to approve: a Waiver of Liability for Palm Beach County Fire Rescue Temporary Storage and Demonstration Use of Lenco BearCat vehicle. **SUMMARY:** Palm Beach County Fire Rescue is interested in evaluating a tactical armored security vehicle that could be used to respond to emergency situations such as natural disasters including hurricanes, fires, floods and other emergency response situations. Evaluating this equipment will allow Fire Rescue staff to assess its functionality and to test if it can perform rescue operations that other current Fire Rescue vehicles cannot. This Waiver of Liability includes indemnification of Lenco Industries, Inc. for the County's own negligent operation of the vehicle. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to delegate: to the County Administrator or designee signatory authority on any necessary documentation to establish and maintain accounts on behalf of Palm Beach County on mobile application platforms. **SUMMARY:** On June 2, 2020, the Board of County Commissioners provided direction to move forward with the acquisition, and subsequent dissemination of the "PBC CombatCOVID" mobile application. In order to deploy the application effectively, Palm Beach County needs to establish accounts across the various mobile application platforms. As a government entity, there are no costs associated with these web developer accounts. Delegated authority is being requested to allow for the creation of the accounts on behalf of Palm Beach County. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: amendments to Contracts/Interlocal Agreement for the Second Chance Act Innovations in Reentry Initiative (IRI):

A) Second Amendment to Contract #R2018-0935, (The Lord's Place, Inc. (TLP);

B) Second Amendment to Contract #R2018-0936, (Gulfstream Goodwill Industries, Inc. (GGI); and

C) Second Amendment to Interlocal Agreement #R2018-0937, (The City of Riviera Beach Reentry Center (RB).

**SUMMARY:** Palm Beach County was awarded an Innovations in Reentry Initiative grant on September 19, 2017 from the Department of Justice for \$850,000 (Award # 2017-CZ-BX-0003) from October 1, 2017 through September 30, 2020. The Second Amendment to TLP, GGI, and RB contracts/interlocal agreement changes the title of the Contract to reflect the granting entity change in the name of the grant from "Smart Reentry Services" to "Innovations in Reentry Initiative", changes the number of people in the control and treatment groups for each service provider to adhere to the fidelity of the study, and provides further information about the grant in the scope of work. The Second Amendment to the GGI contract increases the number of reentry participants in the control and treatment groups from 80 to 100 people and modifies the budget from \$173,689 to \$239,663. The Second Amendment to the RB contract increases the number of reentry participants in the control and treatment groups from 80 people to 100 people and modifies the budget from \$173,689 to \$220,854. The Second Amendment to the TLP contract decreases the number of reentry participants in the control and treatment groups from 80 people to 40 people and modifies the budget from \$173,689 to \$46,550. Moreover, \$14,000 is shifted to the IRI Reentry Coordinator from TLP's contract to secure the position through the end of the grant period. All adjustments are revenue neutral and adjust the budgets within approved line items. On May 16, 2017, the Board of County Commissioners authorized the County Administrator or designee to execute amendments and administrative documents associated with these contracts on behalf of the Board of County Commissioners after approval of legal sufficiency by the County Attorney's Office and within budgeted allocations. Countywide (SF)

2. Staff recommends motion to receive and file: one Grant Adjustment Notice (GAN) 008 Special Condition 52 with the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP) Multidisciplinary Response to Families and Communities in Complex Homicide Cases grant award (2016-XV-GX-K018). **SUMMARY:** As per grant guidelines, certain expenditures and work products require approval from the DOJ OJP grant manager. The approval process is facilitated by drafting a GAN and submitting it through the DOJ's Grant Management System (GMS) web portal. GAN #008 approved the revised time task plan related to special condition #52 requesting a no-cost extension. This GAN is being filed because the time task plan was revised to reflect deliverables being completed within the approved one-year extension period. R2017-0477 authorized the County Administrator or designee to execute future amendments and partner agreements associated with the current grant on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations. Countywide (JW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to approve: a Federally Funded Subaward and Grant Agreement (Z1557) with the State of Florida, Division of Emergency Management (FDEM) to authorize the reimbursement of eligible projects for Public Assistance funding for seven Hurricane Dorian projects. **SUMMARY:** On August 30, 2019, the President of the United States issued a major disaster declaration designated “FEMA-4468-DR-FL” for the State of Florida as a result of Hurricane Dorian authorizing Public Assistance funding for eligible Florida counties. Public Assistance is a federal grant (CFDA #97.036) to aid state and local governments in returning a disaster area to pre-disaster conditions. There are currently a total of seven Project Worksheets with an estimated cost of \$7.5 million. The amount of total available funding for this sub grant is limited to the amount obligated by FEMA for all projects approved. Federal reimbursement will range from 75% to 100%, typically, the State of Florida will contribute a 12.5% share of the qualified actual expenditures incurred, leaving the County responsible for absorbing the remaining 12.5%. Countywide (LDC)
  
4. Staff recommends motion to receive and file: an extension to Memorandum of Agreement (MOA) with the City of Miami (R2019-1802) for the Urban Area Security Initiative (UASI) 2018 agreement #19-DS-04-11-23-02-319 extending the grant period from June 30, 2020 through September 30, 2020 for three projects totaling \$176,117. **SUMMARY:** Palm Beach County along with all political subdivisions are currently responding to COVID-19 to ensure the safety of its citizens. Because of this response, an extension on the original Agreement has been requested to allow more time to spend the funds efficiently. The original MOA (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI’s fiscal agent. This year UASI awarded \$176,117 to the County. The Public Safety Department’s Division of Emergency Management was awarded \$100,000 to secure the Emergency Operations Center computers and server by purchasing cyber secure prevention software; \$50,000 was awarded for Citizen Emergency Response Team (CERT) training and exercise, and Fire Rescue was awarded \$26,117 for an All Hazards Incident Management Team training. R2013-0622 gave the authority to the County Administrator or designee to execute these agreements on behalf of the Board of County Commission. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving a Public Transportation Grant Agreement (PTGA) (FM No. 407184-3-84-01) of Section 5311 CARES Act Allocation for \$1,139,211 to partially offset the operational costs of providing services to the public in the rural areas of Palm Beach County;

**B) approve** an upward budget amendment of \$1,139,211 in the CARES Act Fund 1160 to recognize the grant award and establish a transfer to the Palm Tran Operating Fund 1340;

**C) approve** a budget transfer of \$1,139,211 in the Palm Tran Operating Fund 1340 to recognize the transfer from CARES Act Fund 1160 and decrease the transfer from the General Fund 0001;

**D) approve** a budget transfer of \$1,139,211 in the General Fund 0001 to recognize the decrease in transfer to Palm Tran Operating Fund 1340 and increase the contingency reserve; and

**E) authorize** the Mayor of the Board of County Commissioners to execute the PTGA and supporting documents.

**SUMMARY:** On March 27, 2020, the President signed into law H.R. 748 the “Coronavirus Aid, Relief, and Economic Security Act” (CARES) Act. This bill responds to the COVID-19 outbreak and its impact on the economy, public health, state and local governments, individuals, and businesses. The bill provides FY2020 supplemental allocations to help the nation’s public transportation. This grant is CARES Act formula funding provided to the State of Florida for rural areas. Palm Tran will utilize the grant funds to offset the operating costs of providing public transportation service in the Lake Region of the County. This PTGA in the amount of \$1,139,211 will provide operating funds for the Go Glades Service, Routes 40 and 47, as well as Paratransit Service. No matching funds are required. The PTGA will become effective upon execution by the Florida Department of Transportation (FDOT), and has an anticipated expiration date of June 30, 2023. The grant agreement contains an indemnification provision that differs from that adopted for use by the County and imposes obligations beyond those recognized by County PPM CW-F-049 (PPM). The grant agreement requires, to the extent permitted by law and subject to the limitations of Section 768.28, Florida Statute, the County to indemnify and hold harmless the State, FDOT, and FDOT’s officers and employees from liabilities, damages, losses and costs, including reasonable attorney’s fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the County and persons employed or utilized by the County in performance of the grant agreement. An exception to the PPM has been approved by Risk Management and the County Attorney taking into consideration the County’s need to provide fixed route public transit services, its current performance of such services and exposure/liability for its acts, the amount of the grant award, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statute. The indemnification obligation must also be passed on to contractors and/or consultants. District 6 (DR)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

2. Staff recommends motion to:

**A) receive and file** the electronically executed Federal Transit Administration (FTA) Application 1098-2019-1 for \$1,084,553 (R2019-0144);

**B) approve** a budget transfer of \$1,084,553 in Palm Tran's Operating Fund 1340 to recognize the grant award and decrease the transfer from the General Fund; and

**C) approve** a budget transfer of \$1,084,553 in the General Fund 0001 to decrease the transfer to Palm Tran's Operating Fund 1340 and increase Contingency Reserves.

**SUMMARY:** This grant is to reimburse Hurricane Irma related transit expenses incurred in FY17. On May 21, 2018, FTA made available funding through its Emergency Relief (ER) Program for expenses related to the hurricane. If funding is made available by FTA's ER Program, FTA assumes primary responsibility for reimbursing transit related emergency relief expenses. These expenses have been removed from the County's Public Assistance request to FEMA. Countywide (DR)

3. Staff recommends motion to approve: an agreement between the Palm Beach County and CareerSource Palm Beach County, Inc. (CareerSource) to offset the cost of a service deviation on Route 44 providing service to the CareerSource offices at 3400 Belvedere Road. **SUMMARY:** Palm Beach County is entering into an agreement with CareerSource to offset the cost of a deviation on Route 44. The agreement will commence June 16, 2020 and terminate June 15, 2022 and is in the amount of \$25,000, with equal monthly payments. Countywide (DR)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to approve:

**A)** a second amendment to Community Based Agency Contract with The School Board of Palm Beach County, Florida (R2018-1666), for the period October 1, 2019 through September 30, 2020, to decrease the contract by \$31,875, for a new total amount not to exceed \$95,625 for the Project to Ease the Effects of Adverse Childhood Experiences (PEACE); and

**B)** a budget transfer of \$31,875 from The School Board of Palm Beach County, Florida agency program (Unit 2086) to Evidence Based Programming (Unit 1451) to be reallocated for Community Based Agency programming.

**SUMMARY:** In October 2018, as part of RFP FY2019 awards, the Board of County Commissioners (Board) approved a Community Based Agency Contract with The School Board of Palm Beach County, Florida (School Board), to provide the PEACE program at two high need middle schools. The contract included two one-year renewal options. In September 2019, the Board approved the First Amendment which extended the contract to September 30, 2020, and increased the contract by \$63,750. The School Board has not utilized funds at the anticipated rate therefore, the contract award is being decreased by 50% (\$31,875) for the period October 1, 2019 through September 30, 2020. The School Board's contract will continue to include a logic model and reporting measurements specific to the School Board and the work performed. After completion of each contract year, a report will be developed detailing the School Board's progress in meeting School Board performance measurements. District 7 (HH)

3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES (Cont'd)

2. Staff recommends motion to approve:

**A)** a Interagency Agreement #YLJ76 with the Florida Department of Children and Families (DCF), effective October 1, 2019, through September 30, 2025, to certify local funds as a State match, for reimbursement of eligible expenses consistent with Title IV-E under the Social Security Act, at no additional cost to the County;

**B)** a Community Based Agency Contract with The Children's Home Society of Florida (CHS), for the period July 1, 2020, through September 30, 2023, to provide adoption assistance services to eligible residents; and

**C)** a budget transfer of \$12,500 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this Contract.

**SUMMARY:** Since December 2016, the Board has approved agreements, as amended, with both DCF and CHS, to allow CHS to provide adoption assistance services, and for the County to certify local funds as a State match, for reimbursement from DCF of eligible expenses consistent with Title IV-E under the Social Security Act; the DCF agreement included automatic annual renewals and the contracts with CHS included services through June 30, 2020. The DCF informed the Youth Services Department that they are changing current agreements statewide with all parties receiving federal funding reimbursement under Title IV-E. The term of this new Interagency Agreement is five years with an optional five year renewal, and it includes updates for funding and reporting reimbursement requirements. Upon final approval it will also automatically terminate the current Agreement (R2018-1929). This new contract with CHS allows CHS to continue providing the adoption assistance services. Adoption assistance services are designed to encourage more adoptions out of the foster care/dependency system, and assist children in their transition to a successful and lifelong adoptive setting. This new contract with CHS includes reporting measurements specific to CHS and the work performed. After completion of each contract year, a report will be developed detailing CHS's progress in meeting their performance measurements. The effective date of service for this Interagency Agreement submitted for approval is prior to this meeting date. Countywide (HH)

3. Staff recommends motion to approve:

**A)** a Community Based Agency Contract with The Children's Home Society of Florida (CHS), for the period July 1, 2020, through September 30, 2023, in an amount not to exceed \$442,500 (\$130,000 annually), for Visitation Center services; and

**B)** a budget transfer of \$32,500 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this contract.

**SUMMARY:** In 2018, the Board approved a Community Based Agency Contract to provide funding to assist with providing quality visitation to children removed from their parents involved in the dependency system, and have court orders that dictate visitation level and frequency, with a goal of reunification. The Visitation Center continues to operate together with partnerships with community members and local universities including students from Florida Atlantic University School of Social Work. Approval of this contract will continue to provide funding for quality visitation to children removed from their parents involved in the dependency system, and have court orders that dictate visitation level and frequency, with a goal of reunification. The Visitation Center provides a safe and confidential homelike environment for parents to bond with their children. This contract includes reporting measurements specific to CHS's progress in meeting their performance measures. Countywide (HH)



3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

**A) receive and file** Grant Modification 2, dated March 11, 2020, with the Office of National Drug Control Policy to provide an additional \$25,515 in grant funds for the Palm Beach County Narcotics Task Force; and

**B) approve** a budget amendment of \$25,515 in the Sheriff's Grant Fund.

**SUMMARY:** The Board of County Commissioners (BCC) accepted this grant award for \$158,606 on June 4, 2019 (R2019-0775). On December 17, 2019, the BCC accepted Grant Modification #1 in the amount of \$38,614 (R2019-1942). This Grant Modification #2 will provide an additional \$25,515 in funding to support overtime for the Palm Beach County Narcotics Task Force. There is no match requirement associated with this award. Countywide (LDC)

\* \* \* \* \*

JUNE 16, 2020

4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A) [COVID-19 Update by Dr. Alonso and County Staff](#)

\* \* \* \* \*

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

A. PALM TRAN

1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, approving the signing and submission of the FY2019 Section 5310 grant application, supporting documents and assurances, for a total project cost of \$906,418 for capital assistance under grants for the enhanced mobility of seniors and individuals with disabilities CFDA 20.513, as administered by the Florida Department of Transportation (FDOT). **SUMMARY:** Palm Tran is submitting an application for the acquisition of ten replacement paratransit vehicles. The vehicles being replaced were purchased in 2015 with Public Improvement Revenue Bond funds and have reached their end of life. The grant will provide up to \$815,776 (90%) of the project cost. The grant requires a local match of \$90,642 (10%). The local match requirement is available in Palm Tran's proposed Budget for FY2021. The grant has an anticipated start date of October 2020, and is expected to be completed by September 2021. The grant application contains an indemnification provision that differs from that adopted for use by the County under PPM CW-F-049. The grant requires the County, to the extent permitted by law and in accordance with the provisions of Section 768.28, Florida Statutes, to indemnify, defend and hold harmless FDOT and all of its officers, agents and employees from any claim, loss, damage, cost, charge, or expense arising out of the County's non-compliance with the application's assurances, including that of its officers, agents or employees. An exception to the PPM has been approved taking into consideration the County's need to provide the services, the amount of the grant award, County's current performance of such services and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. Countywide (DR)

5. PUBLIC HEARINGS – 9:30 A.M.

A. PALM TRAN (Cont'd)

2. Staff recommends motion to:

**A) approve** the filing of electronic grant application # 1098-2020-1, with the Federal Transit Administration (FTA), for FY2020 Section 5307 (CFDA 20.507) appropriated under the “Coronavirus Aid, Relief, and Economic Security Act” (CARES) Act. The Grant is for funds allocated to Palm Beach County Board of County Commissioners (BCC) in the amount of \$50,701,790. This is a cost reimbursable agreement that will become effective upon FTA Award with an anticipated end date of April 30, 2021;

**B) approve** the Program of Projects (POP) for the FY2020 CARES ACT Section 5307 Grant allocation, in the amount of \$50,701,790 from the Federal Transit Administration (FTA);

**C) approve** the amendment of the FY2019 Program of Projects for Section 5307 Funds to be used for the purchase of replacement buses;

**D) approve** the filing of Standard Form LLL - Disclosure of Lobbying Activities;

**E) approve** an upward budget amendment of \$50,701,790 in Cares Act Fund 1160 to recognize the grant award and establish transfers to Palm Tran Operating Fund 1340 and Palm Tran Grants Fund 1341;

**F) approve** an upward budget amendment of \$13,180,000 in Palm Tran Grants Fund 1341 to recognize the transfer from Cares Act Fund 1160, establish budget for CARES Act capital items and reduce the transfer to Palm Tran Operating Fund 1340 for preventative maintenance;

**G) approve** an upward Budget Amendment of \$4,566,236 in Palm Tran Operating Fund 1340 to recognize the transfer from Cares Act Fund 1160, reduce the transfer from Palm Tran Grants Fund 1341, reduce the transfer from the General Fund 0001 and establish a budget for CARES Act expenses;

**H) approve** a budget transfer of \$19,780,802 in the General Fund 0001 to reduce the transfer to Palm Tran Operating Fund 1340 and increase Contingency Reserves; and

**I) authorize** the County Administrator or designee to execute on behalf of the BCC, and to transmit electronically the BCC’s approval of the Grant Application, award and the resulting grant agreement; provided that no special conditions or requirements are issued under Part 6 of the application.

**SUMMARY:** On March 27, 2020, the President signed into law H.R. 748 the “Coronavirus Aid, Relief, and Economic Security Act” (CARES) Act. This bill responds to the COVID-19 outbreak and its impact on the economy, public health, state and local governments, individuals, and businesses. The bill provides FY2020 supplemental allocations to help the nation’s public transportation. The grant will be used for capital and operating expenses to prevent, prepare for and respond to the COVID-19 outbreak and maintain operations. The grant application requires execution of the Disclosure of Lobbying Activities, Form LLL. There is no match required. No County funds are required. Countywide (DR)

5. PUBLIC HEARINGS – 9:30 A.M.

B. WATER UTILITIES

1. Staff recommends motion to adopt: an Ordinance of the Board of County Commissioners of Palm Beach County, Florida, adding Section 27-81 “Requirements for Dental Facilities that Remove or Place Amalgam Fillings”, and amending sections 27-65 “Definitions”, and 27-69 “Prohibitions and Limitations of Discharge”, of Chapter 27, Article IV of the Palm Beach County Code (“Sewers and Sewage Disposal”); providing for laws in conflict; providing for severability; providing for inclusion in the Code of Laws and Ordinances; and providing for an effective date. **SUMMARY:** The new Section 27-81, and the amendment to Section 27-65, provide for the requirements set forth by the United States Environmental Protection Agency (EPA) in the updated Clean Water Act, effective July 14, 2017 and codified in 40 CFR 441, and the Florida Department of Environmental Protection implementation of 40 CFR 441, as codified in Chapter 62-625(3) F.A.C., effective May 23, 2018. The change in the Clean Water Act requires dentists handling dental amalgam, or tooth fillings, to pretreat their wastewater to remove dental amalgam before it enters the Palm Beach County Publicly Owned Treatment Works (POTW) wastewater conveyance system. The EPA has determined that dental clinics are the main source of mercury in POTWs. Mercury is a component of dental amalgam. Mercury-containing amalgam wastes find their way into the environment when new fillings are placed or old mercury-containing fillings are drilled out, and waste amalgam materials that are flushed into chair-side drains enter the wastewater stream. Mercury entering POTWs frequently partitions into the sludge, which is the solid material that remains after wastewater is treated. Mercury from waste amalgam therefore can make its way into the environment from the POTW through the incineration, landfilling, or land application of sludge or through surface water discharge. Dental offices subject to the ordinance, must install a certified amalgam separator by July 14, 2020 and allow inspections by a Palm Beach County Water Utilities Department (PBCWUD) representative. The dental office must also complete a One-Time Compliance Report and forward it to the PBCWUD Pretreatment Coordinator by October 12, 2020. Dental offices that do not place or remove dental amalgam must provide a statement detailed in the ordinance to the PBCWUD Pretreatment Coordinator by July 14, 2020. The EPA and the American Dental Association worked closely in this change to the Clean Water Act. PBCWUD provided a copy of the ordinance to the Florida Dental Association, the Atlantic Coast Dental Association, and the Central Palm Beach County Dental Association. Section 27-69 currently provides a description of wastes that are not to be discharged into the POTW. However, the EPA modified Chapter 40 CFR 266 subpart P, which now prohibits the discharge of hazardous waste pharmaceuticals into sewer systems. Therefore, the amendment to Section 27-69 reflects the recent addition of healthcare facilities and reverse distributors as specifically identified by the EPA. Countywide (MJ)

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6. REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

**A) adopt** a resolution authorizing the sale of the County's interest in a vacant 0.06 acre parcel of County-owned land located at 6673 2nd Street, in unincorporated Jupiter to Jeremy Stauffer for \$5,000 with reservation of mineral and petroleum rights, but without rights to entry and exploration pursuant to Section 270.11, Florida Statutes;

**B) approve** a Deposit Receipt and Contract for Sale and Purchase agreement with Jeremy Stauffer for the sale of 0.06 acres of vacant County surplus land for \$5,000; and

**C) approve** a County Deed in favor of Jeremy Stauffer.

**SUMMARY:** The County acquired a vacant 0.06 acre of land located at 6673 2nd Street in unincorporated Jupiter by Tax Deed in May, 1971. This property is deemed surplus because of its location, is unbuildable and serves no present or future County purpose. The Property Appraiser's office has assessed the parcel at \$20. Pursuant to Section 125.35(2), Florida Statutes, the Board may effect a private sale of a parcel upon a finding that the parcel is valued at \$15,000 or less, and when due to its size, shape, and location it is of use to only one or more adjacent property owners. The property cannot be developed as a standalone parcel and is only of use to the adjoining owners. In April, 2019, PREM was contacted by an adjacent owner expressing an interest in the parcel. In accordance with Section 125.35(2), Florida Statutes, notice of the County's intent to sell this parcel was sent to all adjacent property owners providing them with the opportunity to bid on this parcel. Two adjacent owners, Jeremy Stauffer and Roger D. Ngai responded that they were interested in purchasing the parcel. On March 12, 2020, staff provided Mr. Stauffer and Mr. Ngai notice; giving them the opportunity to submit a bid. One bid was received from Mr. Stauffer with a proposed purchase price of \$5,000. Numerous attempts were made to contact Roger D. Ngai, but those attempts were unsuccessful. Staff recommends the sale of this parcel to Jeremy Stauffer as it will lessen the County's potential liability and return the parcel to the tax roll. The County will retain mineral rights in accordance with Section 270.11, Florida Statutes, but will not retain rights to entry and exploration. **This conveyance must be approved by a Supermajority Vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

2. Staff recommends motion to approve: Work Order No. 20-015 to the annual Heating, Ventilation and Air Conditioning (HVAC) contract with Farmer & Irwin Corp., (R2020-0020) in the amount of \$299,950 for the Highridge Family Center- Chiller Replacement project for a period of 60 calendar days from permit issuance or until project is complete. **SUMMARY:** The work consists of furnishing the labor, equipment, and materials needed to remove and replace two chillers. The existing chiller units are more than ten years old with corroded coils, and are at the end of their useful life. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. On March 4, 2020, the Goal Setting Committee applied Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when three or more Small Business Enterprises (SBE) 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 responsive and responsible bidder for projects in excess of \$100,000. Since this project was over \$100,000, the SBE price preference API was applied. The contractor is not a certified SBE but submitted 12.40% SBE participation on this work order. The overall SBE participation on the annual HVAC contract is 44.15%. The Contractor is a local business. Funding for this project is from the Public Building Improvement Fund. (Capital Improvements Division) District 7 (LDC)

6. REGULAR AGENDA

B. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to approve on preliminary reading and advertise for public hearing on Tuesday, July 14, 2020 at 9:30 a.m.:](#) an ordinance amending Ordinance No. 85-40, as amended, establishing an amended Five Year Road Program (Program); providing for title; purpose; adoption of the revised Five Year Road Program and revised list of projects contained in Exhibit "A"; implementation of the program; modification of program; funding of other roadway improvements, interpretation of exhibit; repeal of laws in conflict; severability; inclusion in the Code of Laws and Ordinances; and effective date. **SUMMARY:** A mid-year modification of the Palm Beach County Five Year Road Program is required to be considered each year by the Five Year Road Program Ordinance. Exhibit "A" to the ordinance is a list of proposed projects for the next five years and contains certain changes and modifications to the road program that was adopted on December 17, 2019. This list is submitted for the Board of County Commissioners consideration on preliminary reading today with the final list to be approved with the Ordinance at public hearing on Tuesday, July 14, 2020. Countywide (YBH)

6. REGULAR AGENDA

C. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve: a budget amendment of \$370,738 to the Affordable Housing Trust Fund 2019-2020 Budget to recognize a funding increase to the Fiscal Year 2019-2020 State Housing Initiative Partnership (SHIP) Program grant award. **SUMMARY:** For SHIP Fiscal Year 2019-2020 which began on July 1, 2019, Palm Beach County received a total allocation of \$1,494,822 from the Florida Housing Finance Corporation (FHFC). The FHFC recently awarded the County an additional \$370,738 in SHIP funds for Fiscal Year 2019-2020 which increased the total allocation from \$1,494,822 to \$1,865,560. These SHIP funds are to be used to implement various affordable housing programs and other related activities. On April 16, 2019, the Board of County Commissioners approved the SHIP Local Housing Assistance Plan (LHAP) for Fiscal Years 2019-2020, 2020-2021 and 2021-2022 (R2019-0546). These are State SHIP funds which require no local match. Countywide (HJF)

2. Staff recommends motion to approve: the application of Caron of Florida, Inc. (Borrower) for the issuance of the County's Industrial Development Revenue Bonds (Caron of Florida, Inc. Project), Series 2020 in a principal amount not to exceed \$52,803,000;

**A) conduct** a Tax Equity and Fiscal Responsibilities Act public hearing pursuant to Section 147(f) of the Internal Revenue Code, as amended concerning the proposed issuance of the Bond; and

**B) adopt** a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the issuance of one or more series of Revenue Bonds (Caron of Florida, Inc. Project), Series 2020, in an aggregate principal amount not exceeding \$52,803,000, for the purpose of making a loan of funds to Caron of Florida, Inc. in order to finance the cost of: (1) the construction, installation and equipping of a new medical and detox facility to be located at 4675 W. Linton Boulevard, Delray Beach, Florida; (2) the acquisition and renovation of Fairways on the Green, a residential housing facility used for extended care treatment services to individuals suffering from chemical dependency, sexual trauma and gambling addiction located at 2045 Lowson Boulevard, Delray Beach, Florida; and (3) issuance of the bonds; providing that such revenue bonds shall not constitute a debt, liability or obligation of Palm Beach County, Florida or the State of Florida or any political subdivision thereof, but shall be payable solely from the revenues herein provided; approving and authorizing the execution and delivery of a loan agreement with Caron of Florida, Inc. to provide security for such bonds, and for other matters therein provided; approving and authorizing the execution and delivery of a Trust Indenture; approving and authorizing the execution and delivery of certain other documents required in connection with the foregoing; and providing certain other details in connection therewith.

**SUMMARY:** The Borrower is a wholly owned subsidiary of the Richard J. Caron Foundation (Caron) a not for profit IRS 501(c)3 organization founded in 1957. Caron offers a full continuum of addiction and behavioral health care services at inpatient facilities located in Pennsylvania and Florida. Services include prevention and detoxification as well as primary and extended residential care. Caron is recognized internationally as a premier drug and alcohol addiction treatment provider. When fully operational, the new medical facility at 4675 West Linton Boulevard in Delray Beach will add 114 full time equivalent new positions. The existing Fairways on the Green facility at 2045 Lowson Boulevard in Delray Beach will continue to serve its clients after acquisition by Caron and the planned renovations of this facility will not interrupt operations for patients and staff. The existing facility will retain 100 employees. The five year economic impact of the project is estimated at \$262.9 million. **Neither the taxing power nor the faith and credit of the County, nor any County funds, shall be pledged to pay the principal, premium, if any, or interest on the bonds.** Districts 4 & 7 (DB)



6. REGULAR AGENDA

D. PALM TRAN

1. Staff recommends motion to:

**A) adopt** a Resolution of the Board of County Commissioners of Palm Beach County (BCC), Florida, authorizing the execution and submittal of a grant application, standard assurances and grant agreement with the Florida Commission for the Transportation Disadvantaged (CTD), for a project in the amount of \$4,164,254 for the Trip & Equipment Grant Program (CSFA 55.001) to provide Palm Tran Connection Service (Connection) trips and discounted daily and monthly fixed route passes. This is a unit cost agreement and has an anticipated start date of July 1, 2020, and anticipated end date of June 30, 2021;

**B) approve** an upward budget amendment of \$3,016,773 in Palm Tran's Operating Fund 1340 to recognize the actual grant award amount and the required match; and

**C) approve** a budget transfer in General Fund 0001 of \$78,578 to increase the transfer to Palm Tran's Operations Fund 1340 from Contingency Reserves for the required match.

**SUMMARY:** The County has been awarded a grant in the amount of \$3,747,829, which requires a local match of 10% or \$416,425 for a total project of \$4,164,254. The total anticipated cost to provide Transportation Disadvantage Service is \$6,732,810, which requires the County to overmatch \$2,568,556 in order to maintain the program at its current level. The required local match and overmatch are included in the proposed FY2021 Budget. The grant agreement contains an indemnification provision that differs from that adopted for use by the County and imposes obligations beyond those recognized by County PPM CW-F-049 (PPM). The grant agreement requires, to the extent permitted by law and subject to the limitations of Section 768.28, Florida Statutes, the County to indemnify and hold harmless the Commission for Transportation Disadvantaged and its officers and employees from liabilities, damages, losses and costs, including reasonable attorney's fees, to the extent cause by negligence, recklessness, or intentional wrongful misconduct of the County and persons employed or utilized by the County in performance of the grant agreement. An exception to the PPM has been approved by Risk Management and the County Attorney taking into consideration the County's need to provide transportation services to the transportation disadvantaged, its current performance of such services and exposure/liability for its acts, the amount of the grant award, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. The indemnification obligation must also be passed on to contractors and consultants.  
Countywide (DR)

6. REGULAR AGENDA

E. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) a budget transfer of \$4,500,000 from the General Fund contingency reserves to the Clerk of Court Fund 1903; and

B) an emergency fund agreement with the Clerk & Comptroller of Palm Beach County to repay the funds to the County if the State legislature allocates funding relating to the Clerk’s COVID-19 related to budgetary shortfall or excess court related funds are available.

**SUMMARY:** Funding will be used to pay the salaries of essential employees at the Clerk & Comptroller’s office due to the decline of court-related revenues, affiliated with COVID-19. The funding will be transferred from the General Fund contingency reserves to the Clerk of Court Fund. By July 2020, the Clerk & Comptroller, Palm Beach County (Clerk) expects to exhaust funds that pay the salaries of essential employees. These employees provide critical court-related services in support of public safety, access to justice and commerce in Palm Beach County. Repayment will be made to the County if the State legislature provides funding for the shortfall or excess court related funds are available. During March and April 2020, the Clerk’s court-related revenues declined over \$1 million or 45%. This funding shortfall is a direct result of COVID-19 and represents a decline that is anticipated to continue. While the Clerk has implemented mitigating measures, including a hiring freeze, the Clerk cannot fully cover this shortfall for several reasons: **1)** there are no other revenue sources for court-related services other than the portion of court fines, fees and costs collected and retained by the Clerk pursuant to Florida Statute; **2)** clerks have no legal authority to hold funds in reserve; and **3)** Clerks are funded outside of the General Appropriations Act. This means there is no mechanism for Clerks to seek emergency state funding without the Florida Legislature convening to approve funding. Media reports indicate there are no plans for a special session related to COVID-19, and if this changes, legislative leaders have told the media the session would be to trim the budget, not add to it. Countywide (DB)

F. ADMINISTRATION

1. Staff recommends motion to adopt: a resolution denouncing antisemitism, anti-Asian bigotry, and all hateful speech, violent action and the spread of misinformation related to COVID-19 that casts blame, promotes racism or discrimination or harms the County’s Asian and Pacific Islander, Jewish, immigrant or other communities, and urges residents to join us in calling attention to these harms and denouncing hate to help keep us all safe during this unprecedented pandemic and beyond. **SUMMARY:** At the June 2, 2020 BCC meeting, staff was directed by the Commission to draft and bring back this resolution for consideration by the Board. The Anti-Defamation League (ADL) has set forth a national initiative to call attention to acts of antisemitism and hate that have been witnessed throughout our country. The ADL has seen a rise in hate crimes, discrimination and aggression against Asians and Jews throughout the country as these groups are being blamed for the COVID-19 outbreak and spread. COVID-19 is a public health issue, not a racial, religious or ethnic one, and the deliberate use of racial or ethnic terms to describe COVID-19 only encourages hate crimes and incidents at a time when communities should be working together to get through this crisis. This resolution denounces antisemitism by affirming its commitment to the safety and well-being of all community members, by encouraging prosecution of hate crimes related to COVID-19, by pledging to support the inalienable rights of all people in our community, who should be treated with respect and must remain safe during this pandemic, and by calling attention to these harms and denouncing hate. Countywide (HJF)

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JUNE 16, 2020

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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**JUNE 16, 2020**

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**JUNE 16, 2020**

**9. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER HAL R. VALECHE**

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

**District 3 – COMMISSIONER DAVE KERNER**

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

**District 5 - COMMISSIONER MARY LOU BERGER**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD**

**JUNE 16, 2020**

**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."