

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

OCTOBER 8, 2019

<u>PAGE</u>	<u>ITEM</u>	
8	2C-11	ADD-ON: Certificate in Memoriam for Sean Chavis (Sponsored by Mayor Bernard)
8	2C-12	ADD-ON: Proclamation recognizing October 10, 2019 as the 108 th National Day of the Republic of China (Taiwan) (Sponsored by Mayor Bernard)
13	3C-5	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve: a first amendment to the annual milling and resurfacing construction contract R2018-1533, Project No. 2018051, dated October 16, 2018, with Ranger Construction Industries, Inc. (Ranger), to extend the expiration date from October 15, 2019 to October 15, 2020 and increase the contract by \$15,400,000. (Eng)
25	3H-14	REVISED SUMMARY: There is no SBE participation on this work order. The overall participation on the annual HVAC construction contract is 64.93% <u>60.39%</u> SBE participation. Florida Mechanical, LLC. is a local business. The funding source for this work is from the <u>Fire-Rescue Public Building Improvement Fund.</u> (FDO)
27	3H-16	REVISED MOTION: Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 13 to the professional services contract (R2015-1459) with Leo A. Daly Company to provide architectural/engineering services for the South Tower of the Main Detention Center (MDC) Phase II <u>III</u> Renewal/Replacement project in the amount of \$121,923. (FDO)
30	3I-5	REVISED MOTION: Staff recommends motion to approve: A) a revised Contract for Sale and Purchase form for use in the sale of workforce housing units acquired by the County in Silverwood Estates; and B) <u>delegated authority to the County Administrator or designee to make modifications to the Contract for Sale and Purchase form including final sales price.</u> (HES)
47	3X-10	DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to: A) receive and file executed Amendment No. 4 for subcontract #16TFGR26 with the Florida Council Against Sexual Violence (FCASV) in the amount of \$619,318 to define tasks and deliverables for the period of July 1, 2019 through June 30, 2020, to provide sexual assault recovery services; (Public Safety)
57	5D-3	REVISED SUMMARY: The Palm Beach County Acquisition, Disposition and Leasing Ordinance (<u>commonly referred to as the</u> PREM Ordinance) was amended in 2009 to implement recommendations of the Palm Beach County Grand Jury, including requiring a supermajority vote to approve all purchases,... At the request of Housing and Economic Sustainability, this repealed and replaced PREM Ordinance allows for the sale of workforce housing units in accordance with the Workforce Housing Program to be sold directly to a qualified buyer without a competitive process, without <u>an additional appraisals, beyond that obtained by the County in connection with acquisition of the unit,</u> and without review by the PRC. (FDO)

ADD-ON: Staff recommends motion to: A) approve a contract with Song & Associates, Inc. to provide professional architectural/engineering design, programming, site plan approval, permitting, and construction administration services for the new Supervisor of Elections Production Facility project to be located at the Cherry Road complex for a period of three years and four months or until the construction achieves final completion; and **B) authorize** the County Administrator or designee to execute Consultant Services Authorization (CSA) No. 1 in an amount not to exceed \$200,000. **SUMMARY:** In 2009, the County entered into a sublease for a 76,602 square foot space in Riviera Beach for the Supervisor of Elections Production Facility. The existing Supervisor of Elections production facility houses all of the Election Day ballot processing, production, voting equipment, and materials to support the election operations. At the time, the production facility met both the immediate and potential future needs of the Supervisor of Elections. While the leased space was responsive to the immediate need for a large open space, it did not consider, and as a result did not have the flexibility to accommodate the impacts of; 1) a significant increase in the number of absentee ballots; 2) support facilities for the volume of persons assigned to the facility (parking, restrooms, support spaces); and 3) the need for dedicated spaces and technology for media and observers. In order to properly address the facilities daily operational requirements, CSA No. 1 authorizes a full programming study and site analysis to document the efficiencies, develop options to accomplish the same on county owned property, and compare a co-located option which relocates both facilities (the main office (on Gun Club Road) and the production facility (in Riviera Beach)) to the Cherry Road site (Comparative Study). The County will evaluate the results of the Comparative Study in order to determine the most appropriate solution to be used as the scope of the project to be designed. Following this expanded programming phase, professional services will include site-planning, design, construction documents, permitting and construction administration services. Maintaining the preliminary schedule outlined in the request for proposal is critical to the County as the timeline coincides with the expiration of the lease agreement currently in place for the production facility. In order to maintain this timeline, staff is requesting authorization for the County Administrator or designee to execute CSA No. 1 to complete the Comparative Study. The solicitation for design professionals was advertised on June 9, 2019 according to the Equal Business Opportunity Program, with the final selection taking place on September 6, 2019. The project was presented to the Goal Setting Committee on May 15, 2019 that established an affirmative procurement initiative requiring a minimum mandatory goal of 20% SBE participation and awarding 15 points evaluation preference for SBE participation. Song & Associates, Inc. is a Small Business Enterprise (SBE) and will be utilizing five SBEs and Minority/Women Business Enterprise (M/WBE) sub-consultants. The prime consultant has committed to 80% S/W/MBE participation. Song & Associates, Inc. has engaged Alan Gerwig & Associates, Inc., as a sub-consultant on this project. Anne Gerwig of Alan Gerwig & Associates, Inc. has disclosed that she is serving as the Mayor of Wellington and currently serves on Palm Beach County's Health and Human Services Committee. As Mayor, Anne Gerwig had no decision-making authority as it relates to this contract. In the event any item would come before her that would offer a special financial benefit to her or her business relating to this contract, Alan Gerwig & Associates, Inc. has disclosed that it would require her to recuse herself from that item, thereby removing any conflict of interest for herself, Alan Gerwig & Associates, Inc. or the County. Anne Gerwig also serves as chair of the Citizens Advisory Committee on Health and Human Services as a Palm Beach County League of Cities representative, which is purely an advisory board and provided no regulation, oversight, management or policy setting recommendations regarding this Contract. Pursuant to the Code of Ethics Section 2-443 this matter is disclosed herein to allow Song & Associates, Inc., to utilize Alan Gerwig & Associates, Inc., as a sub-consultant on this contract. (Capital Improvements Division) Countywide/District 2 (LDC)

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**

OCTOBER 8, 2019

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL/SPECIAL PRESENTATIONS/BCC AND STAFF COMMENTS**
 - A. Additions, Deletions, Substitutions
 - B. Adoption
 - C. Special Presentations (Page 8)
 - D. Staff Comments (Page 9)
 - E. Commissioner Comments (Page 10)

- 3. CONSENT AGENDA (Pages 11-51)**

- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 52)**

- 5. REGULAR AGENDA (Pages 53-58)**

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- 2C-4 Loneliness Epidemic Awareness and Suicide Prevention Day
- 2C-5 Day of Action to Combat Antisemitism
- 2C-6 Mediation Week
- 2C-7 Mobility Week
- 2C-8 ADHD Awareness Month
- 2C-9 Poverty Awareness Month
- 2C-10 National 4-H Week
- 2C-11 Certificate in Memoriam for Sean Chavis
- 2C-12 108th National Day of the Republic of China (Taiwan)

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PUBLIC HEARINGS – 9:30 A.M.

A. PARKS & RECREATION

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4A-1 Vapor Free Public Park Playground Ordinance

REGULAR AGENDA

A. WATER UTILITIES

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5A-1 Ordinance amending Chapter 27, Article VIII of the Palm Beach County Code

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C. PARKS & RECREATION

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ADJOURNMENT (Page 60)

2C. SPECIAL PRESENTATIONS – 9:30 A.M.

1. Proclamation declaring October 10, 2019 as the School District of Palm Beach County Office of Diversity in Business Practices Day in Palm Beach County (Sponsored by Commissioner Weiss)
2. Proclamation declaring October 2019 as Breast Cancer Awareness Month in Palm Beach County (Sponsored by Commissioner McKinlay)
3. Proclamation declaring October 2019 as National Farm to School Month in Palm Beach County (Sponsored by Commissioner Weiss)
4. Proclamation declaring October 24, 2019 as the Loneliness Epidemic Awareness and Suicide Prevention Day in Palm Beach County (Sponsored by Commissioner McKinlay)
5. Proclamation recognizing October 27, 2019 as a Day of Action to Combat Antisemitism in Palm Beach County (Sponsored by Commissioner Weinroth)
6. Proclamation declaring October 13-19, 2019 as Mediation Week in Palm Beach County (Sponsored by Mayor Bernard)
7. Proclamation declaring October 25-November 1, 2019 as Mobility Week in Palm Beach County (Sponsored by Commissioner Weinroth)
8. Proclamation declaring October 2019 as ADHD Awareness Month in Palm Beach County (Sponsored by Commissioner Berger)
9. Proclamation declaring October 2019 as Poverty Awareness Month in Palm Beach County (Sponsored by Mayor Bernard)
10. Proclamation declaring October 6-12, 2019 as National 4-H Week in Palm Beach County (Sponsored by Commissioner Berger)
11. **ADD-ON:** Certificate in Memoriam for Sean Davis (Sponsored by Mayor Bernard)
12. **ADD-ON:** Proclamation recognizing October 10, 2019 as the 108th National Day of the Republic of China (Taiwan) (Sponsored by Mayor Bernard)

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2D. STAFF COMMENTS

1. ADMINISTRATION COMMENTS

- A) Presentation to PBC from Laurie George from the United Way

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

2. COUNTY ATTORNEY

OCTOBER 8, 2019

2E. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

Request off-site Certificate of Congratulations presented to Ms. Idella “Ida” Harris on her 100th Birthday

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

Request for off-site Proclamation declaring October 19, 2019 as German-American Day in Palm Beach County

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** the appointment of one individual to the Health Care District of Palm Beach County to fill a seat vacated by Brian Lohmann for a four year term beginning October 8, 2019 and ending September 30, 2023:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Tammy Jackson-Moore	2	Resident west of 20-mile bend	Comm. McKinlay Comm. Weinroth Comm. Valeche

SUMMARY: Per Chapter 2003-326, Laws of Florida, the Health Care District of Palm Beach County is comprised of seven members. The appointing authority shall consider the diverse geographic areas of Palm Beach County in selecting individuals to serve on the Health Care District of Palm Beach County, and at least one person, but not more than two shall reside in the Glades Area. The Governor shall appoint three members; the Board of County Commissioners shall appoint three members, one of which must be an elected official at the time of appointment; and one member shall be the Director of the Palm Beach County Health Department. Members may serve two, four-year terms. Seat No. 2 is currently occupied by Brian Lohmann. Mr. Lohmann’s term expires on September 30, 2019 and he is not eligible for reappointment. The main requirement for the seat being vacated is that the individual must be a resident west of 20-mile bend. A memo dated September 10, 2019 was circulated to the Board of County Commissioners requesting support of Ms. Jackson-Moore’s appointment or requesting additional nominations. No additional nominations were received. With this appointment, the diversity of the Palm Beach County representatives include one Caucasian male, and one African-American male and one African-American female. The diversity of the other members of the Health Care District include one Caucasian male, one Hispanic-American female and one unknown female. Countywide (HH)

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:

Meeting Type	Meeting Date
Zoning	June 27, 2019
Zoning	August 22, 2019

3. **Staff recommends motion to approve:** the contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** staff recommends motion to receive and file change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations; Water Utilities Department; Environmental Resources Department; and the Department of Airports during December 2017. Countywide

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: an agreement with Huntington Lakes, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. District 5 (YBH)

2. Staff recommends motion to approve: an agreement with Pin-Gro-Vil, Inc. (Community) for enforcement of the traffic laws of the state to be performed by the Palm Beach County Sheriff's Office (Sheriff). **SUMMARY:** Approval of this agreement will authorize the Sheriff to provide enforcement of the traffic laws of the state upon the private roadways during normal patrol hours within the Community. District 3 (YBH)

3. Staff recommends motion to:

A) adopt a resolution authorizing the conveyance to the Village of Palm Springs (Village) of four parcels with property control numbers 70-43-44-08-04-000-0482, 70-43-44-19-11-002-0249, 70-43-44-19-08-000-1050, and 70-42-44-24-04-000-0410; and

B) approve a Palm Beach County (County) deed to convey the parcels at no cost to the Village.

SUMMARY: On October 25, 2018, the Village requested the transfer of the County's property interest in the subject parcels to allow the municipality to maintain and have jurisdictional control throughout its municipal boundaries for a public purpose. The County normally reserves its interest in phosphate, minerals, metals and petroleum rights per Section 270.11(1), Florida Statutes. However, the Village has requested the release of this reservation because it requires the properties to be free and clear without encumbrances, which could impede the use of the properties. Three of the four parcels were acquired by tax deed, and one was acquired by a dedication for drainage purposes. Staff has determined that the parcels serve no present or future County purpose. All parcels are located within the Village's municipal boundaries. The parcels are being conveyed to the Village pursuant to Section 125.38, Florida Statutes. This conveyance will relieve the County of potential liability and the cost of maintenance for these properties. **All purchases, sales and exchanges of fee simple title to real property must be approved by a super majority vote (5 Commissioners) pursuant to County Ordinance 2009-052.** District 3 (YBH)

4. Staff recommends motion to approve: Change Order No. 1 with MJC Land Development (MJC) in the amount of \$152,510.84 and a contract time extension of 58 days to the Davis Road over LWDD L-6 Canal Bridge Replacement Project R2018-1328 (Project). **SUMMARY:** Per PPM CW-F-050, this change order exceeds the threshold of \$100,000 relating to staff approvals of change orders to contracts, and requires the Board of County Commissioners approval. Change Order No. 1 will compensate MJC for costs and delays associated with the discovery of unforeseen utility conflicts with the existing Palm Beach County Water Utilities Department water mains and extend the contract time by 58 days. The contract was approved on September 18, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts was 15%. MJC proposed 15.6% SBE participation. Their SBE participation for this change order is 4.13%, and their cumulative SBE participation to date, including this change order, is 5.1%. However, MJC expects to meet their SBE goal by completion of the contract. MJC is a Palm Beach County based company. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. ~~DELETED FOR FURTHER STAFF REVIEW: Staff recommends motion to approve:~~ a first amendment to the annual milling and resurfacing construction contract R2018-1533, Project No. 2018051, dated October 16, 2018, with Ranger Construction Industries, Inc. (Ranger), to extend the expiration date from October 15, 2019 to October 15, 2020 and increase the contract by \$15,400,000. **SUMMARY:** Approval of this first amendment will increase the contract with Ranger from \$16,000,000 to \$31,400,000 and extend the expiration date from October 15, 2019 to October 15, 2020. The increased contract amount is based on updated estimates that exceed the current contract amount to be expended throughout Palm Beach County by the user departments. To date, tasks in the amount of \$12,449,461 have been authorized for Ranger. The contract was presented to the Goal Setting Committee on April 3, 2019 and no Affirmative Procurement Initiative was applied. This bid was solicited on August 7, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise Ordinance at the time. The SBE goal for all contracts is 15%. Ranger proposed 15% SBE participation. Their cumulative SBE participation to date is 15.3%. This is the first of two allowable extensions, not to exceed 36 months total contract time, as the contract provides. Countywide (YBH)

6. Staff recommends motion to approve:

A) the first amendment to the engineering design services contract (R2014-0894) dated July 1, 2014 with HSQ Group, Inc. (HSQ) for the design of Lyons Road from Clint Moore Road to Atlantic Avenue (Project); and

B) Supplement No. 5 (Supplement) to the contract with HSQ in the amount of \$145,447.51 for additional design services for the project.

SUMMARY: Approval of this first amendment will update the language of the termination section, criminal history records check section, non-discrimination section, scrutinized companies section and add the vendor self-service registration required section to be compliant with current Palm Beach County standards. Approval of this supplement will provide the additional design services necessary for the project. The additional services will enable HSQ to produce a separate set of design plans to advance the construction of Lyons Road from south of Clint Moore Road to the Lake Worth Drainage District (LWDD) L-39 Canal, and to provide all information and coordination necessary to allow the adjacent developer GL Homes to design and construct Lyons Road from the LWDD L-39 Canal to the LWDD L-38 Canal in advance of the remainder of the project. The solicitation for engineering design services was advertised on February 10, 2013 and February 17, 2013 with final selection taking place on July 10, 2013. The contract was approved on July 1, 2014, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts is 15%. HSQ proposed 60% SBE participation. The SBE participation for this supplement is 30.8%, and the cumulative SBE participation to date including this supplement is 82%. HSQ is a Palm Beach County based company. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

7. Staff recommends motion to approve:

A) the fourth amendment to the structural engineering annual contract (R2017-0026) dated January 10, 2017 with Alan Gerwig & Associates, Inc. (AGA); and

B) a work task order to the contract with AGA in the amount of \$309,498.60 for professional services for the Donald Ross Road Bascule Bridge Equipment Rehabilitation (Project).

SUMMARY: Approval of this fourth amendment will update the language of the termination section, access and audits section, criminal history records check section, non-discrimination section, scrutinized companies section, and add the vendor self-service registration required section to be compliant with current Palm Beach County standards. Approval of this work task order will provide the design services necessary for the Project. The services include rehabilitation of the hydraulic, mechanical and electrical systems for the project. The solicitation for structural engineering design professionals was advertised on August 7, 2016 and August 14, 2016. The contract was approved on January 10, 2017, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. The SBE goal for all contracts is 15%. AGA proposed 100% SBE participation. The SBE participation for this work task order is 10.18% due to there being no available SBE subconsultants for bascule bridge work. The cumulative SBE participation to date including this work task order is 63.7%. Prior to this work task order, AGA's cumulative SBE participation was 96.1%. AGA is a Palm Beach County based company and a certified SBE company. Anne Gerwig, Mayor of Wellington, is owner of 1% of AGA. In the event any item would come before her that would offer a special financial benefit to her or her business relating to this contract, AGA has disclosed that it would require her to recuse herself from that item, thereby removing any conflict of interest for herself, AGA or the County. Anne Gerwig also serves as chair of the Citizens Advisory Committee on Health and Human Services as a Palm Beach County League of Cities representative, which is purely advisory and without oversight of this contract. Disclosure of these contractual relationships at a noticed public meeting is provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. District 1 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

8. Staff recommends motion to:

A) accept a warranty deed for property designated as parcel 101 for fee simple road right-of-way, and a permanent easement for property designated as parcel 301 necessary for the construction of intersection improvements on South Military Trail at West Linton Boulevard (Project); and

B) approve the negotiated payment of \$282,179 for parcels 101 and 301 necessary for the construction of the Project.

SUMMARY: Approval of the negotiated amount will allow Palm Beach County (County) to acquire parcel 101, a fee simple road right-of-way, and parcel 301, a permanent easement needed to construct the Project. The Project will construct a northbound right turn lane and includes resurfacing, the installation of drainage infrastructure, sidewalks, and an updated traffic signal at the intersection of West Linton Boulevard and South Military Trail. An appraisal was obtained with a fair market value of \$195,194. The property owner's original counter-offer was \$481,749, inclusive of business damages, attorney's fees and expert costs. The Engineering Department and the County Attorney's Office negotiated a purchase amount of \$282,179 inclusive of the property owner's attorney fees, engineering fees, and appraisal costs. Parcel 301 was originally proposed to be a temporary construction easement, but the property owner offered to convert the temporary construction easement to a permanent easement, which will allow the County to access parcel 301 in perpetuity. After fees and costs are subtracted, the purchase represents approximately a 28% increase over the appraised amount. Although, the figure represents a 28% increase over the appraised amount, this negotiated settlement will avoid the expenses of condemnation including fees and costs. Districts 4 & 5 (MAB)

9. Staff recommends motion to approve:

A) Work Order 2018051-56 in the amount of \$350,000 to mill and resurface High Ridge Road from Hypoluxo Road to Lake Osborne Drive utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger); and

B) Work Order 2018051-57 in the amount of \$250,000 to mill and resurface Central Boulevard from Indian Creek Parkway to Indiantown Road utilizing the County's Contract with Ranger.

SUMMARY: Per County PPM CW-F-050, these work orders exceed the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners. Approval of these work orders will allow the contractual services necessary to construct the improvements. Prior to these work orders, approximately \$11 million of Ranger's \$16 million Contract has been spent or encumbered. This annual construction bid was solicited on July 8, 2018, prior to the effective date of the Equal Business Opportunity Ordinance and pursuant to the Small Business Enterprise (SBE) Ordinance at the time. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. Ranger proposed 15% SBE participation for the Contract and for these work orders. Approval of these work orders will result in a cumulative SBE participation of 15% for all the work orders issued under the Contract. **These projects are funded through the infrastructure sales tax. Districts 1 & 3 (YBH)**

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

10. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with Seacoast Utility Authority (Authority) regarding open cuts in Palm Beach County (County) maintained thoroughfare and non-thoroughfare roads. **SUMMARY:** The County has a policy that requires a surety to be posted for any construction in County rights-of-way that result in the open cutting of the pavement. The Authority has requested that the County instead enter into an agreement, which would relieve the Authority from posting surety but require them to make any required repairs upon request by the County. Similar agreements have been executed with several other municipalities and special districts. This agreement will remain in effect until termination by either party. District 1 (YBH)

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: two new appointments to the Farmworker Program Advisory Board, effective October 8, 2019:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
6	Karis Engle	Business Community Representative	09/30/21	Mayor Bernard Vice Mayor Kerner Comm. McKinlay
9	Douglas Brown	Education/Local Representative	09/30/21	Mayor Bernard Vice Mayor Kerner Comm. Weiss Comm. McKinlay

SUMMARY: The total membership for the Farmworker Program Advisory Board shall be no more than nine at-large members, per Resolution No.R2014-0402, comprised of students, representatives of business, education, agencies, and farmworker representatives. Members shall be concerned citizens who understand the problems encountered by farmworkers and are willing to be advocates for them. At least one member shall represent the regional workforce agency. Both Ms. Engle and Mr. Brown meet all applicable guidelines and requirements outlined in the resolution adopted by the Board of County Commissioners on April 1, 2014. Ms. Engle has disclosed that she is employed by The Glades Initiative, Inc., which contracts with the County for services. The Farmworker Program Advisory Board provides no regulation, oversight, management, or policy-setting recommendations regarding contracts. Disclosure of these contractual relationships is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. The diversity count for the six seats that are currently filled is: African-American: 3 (50%), Caucasian: 2 (33%), and Hispanic-American: 1 (17%). The gender ratio (female: male) is 4:2. Ms. Engle is Caucasian and Mr. Brown is African-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the advisory board. (Farmworker Career Development Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: the reappointment of one member to the Community Action Advisory Board, effective October 8, 2019:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
12	Georgia Smith Gilbert	Low Income Sector Representative	09/30/22

SUMMARY: The total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, per Resolution No. R2018-0372, comprised of one-third elected public officials or their representatives, one-third private sector members recommended by the CAAB and one-third low-income representatives selected by a democratic process in the target neighborhoods served. Members will fully participate in the planning, implementation, and evaluation of the Community Services Block Grant program to serve low-income communities. Ms. Gilbert meets all applicable guidelines and requirements outlined in the resolution adopted by the Board of County Commissioners on May 6, 2014. The diversity count for the 11 seats that are currently filled is African-American: 10 (91%), and Hispanic-American: 1 (9%). The gender ratio (female: male) is 9:2. Ms. Gilbert is African-American. Staff conducted targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the advisory board. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to approve: one reappointment and two new appointments to the Citizens Advisory Committee on Health and Human Services (CAC/HHS), effective October 8, 2019:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>	<u>Nominated By</u>
3	Thomas Cleare	A Component of the Health & Human Services System of Care	09/30/22	Mayor Bernard Comm. Valeche Comm. McKinlay CAC/HHS
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>	<u>Nominated By</u>
2	Merlene Ramnon	Florida Department of Health Representative	09/30/22	Mayor Bernard Comm. Valeche Comm. McKinlay CAC/HHS
7	Constance Siskowski	A Component of the Health & Human Services System of Care	09/30/21	Mayor Bernard Comm. Valeche Comm. Weinroth Comm. McKinlay CAC/HHS

SUMMARY: The CAC/HHS consists of 11 at-large members with at least one member being a resident west of 20 Mile Bend and at least one member being a representative of the Palm Beach County League of Cities, per Resolution R2013-1563. The resolution requires that the Executive Committee of the CAC/HHS solicit and recommend member nominations for transmittal to the Board of County Commissioners (BCC). The BCC was notified by memos dated April 23, 2019 and July 22, 2019 and requested to provide nominations for appointment. The CAC/HHS, at their regular committee meeting on July 11, 2019, recommended that all applications mentioned above be forwarded to the BCC. Nominees meet all applicable guidelines and requirements outlined in the resolution. Ms. Siskowski will complete an unexpired term. Ms. Siskowski has disclosed that she is employed with the American Association of Caregiving Youth, Inc. (AACY). The AACY contracts with the County for services. The CAC/HHS provides no regulation, oversight, management, or policy setting recommendations regarding contracts. Disclosure of this contractual relationship is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The diversity count for the six seats that are currently filled is: Caucasian: 5 (83%), and African-American: 1 (17%). The gender ratio (female: male) is 3:3. Dr. Ramnon is African-American and Dr. Cleare and Ms. Siskowski are Caucasian. Ex-officio membership consists of one African-American male (25%), one African-American female, (25%), one Caucasian female (25%) and one Caucasian male (25%). Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the committee. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

A) a Subaward Agreement Amendment No. 5, No. 9920160083, with the RAND Corporation, to revise the end date from August 31, 2019 to July 31, 2019 terminating the agreement due to early completion and reduce funding by \$6,000 for a new total amount not to exceed \$252,173.49; and

B) a FY 2019 budget amendment of \$6,000, in the Ryan White Care Program fund to align the budget to actual grant award.

SUMMARY: On March 1, 2016, the Board of County Commissioners ratified the Ryan White Part A, Data Integration Grant Application (R2016-0239) with the RAND Corporation. On July 17, 2019, the Palm Beach County Community Services Department (CSD) received an early termination notice due to the early completion of the Addressing HIV Care Project. The RAND Corporation issued the fifth and last agreement amendment, which represents a revised end date and a reduction of the total cumulative amount not to exceed \$252,173.49. The reduction in funding is due to the actual costs incurred on the project, which were less than projected. The Addressing HIV Care Project was a collaboration between the CSD and the City of West Palm Beach's Department of Housing and Community Development. The successful collaboration integrated data management systems between the Ryan White Part A and Housing Opportunities for Persons with AIDS programs. The project improved the delivery of medical and housing services, improved the coordination of service delivery and quality management through improved data infrastructure for homeless HIV-positive clients. **No County funds are required.** (Ryan White Program) Countywide (HH)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to approve: a budget amendment of \$1,987,901 in the 176.5M NAV 08 CTF, Jail Expand/Pub Bldg Fund 3053 recognizing revenue received from the Internal Revenue Service (IRS) and to increase the Jail Expansion project budget line. **SUMMARY:** This budget amendment recognizes the refund of previously paid arbitrage rebate liability amounts from the IRS and transfers the funds into the original project budget for the County's Jail Expansion Program. Funds will be applied toward the ongoing renewal/replacement phases of the Palm Beach County Detention Facilities. (FDO Admin) Countywide/Districts 2 & 6 (LDC)

2. Staff recommends motion to approve: an Amended and Restated Agreement (Agreement) with Jupiter Medical Center Inc., a Florida Not For Profit Corporation licensed to do business in the State of Florida (Hospital), allowing for interoperable communications through the countywide EMS and common talk groups of the County's Public Safety Radio System (County's System) to the Hospital retroactively from March 16, 2019 through March 15, 2024. **SUMMARY:** This Agreement provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of inter-Agency communications. This Agreement is intended to replace Agreement R2016-0254 between County and Hospital. The County's System will not be utilized for routine operational communications by the Hospital. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. **There are no charges associated with this Agreement.** The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: an Amended and Restated Agreement (Agreement) with JFK Medical Center Limited Partnership, d/b/a JFK Medical Center North Campus, a Foreign Limited Partnership licensed to do business in the State of Florida (Hospital), allowing for interoperable communications through the countywide EMS and common talk groups of the County's Public Safety Radio System (County's System) to the Hospital retroactively from March 16, 2019 through March 15, 2024. **SUMMARY:** This Agreement provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of inter-Agency communications. This Agreement is intended to replace Agreement R2016-0989 between County and Hospital. The County's System will not be utilized for routine operational communications by the Hospital. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

4. Staff recommends motion to approve: a sole source annual contract with Big Cypress Tiki Huts Inc. (Big Cypress) for the replacement and repair of chickee huts on an as-needed basis. **SUMMARY:** On November 5, 2015, a contract was executed under the Department Director's authority with Big Cypress as the only qualified business that responded to the request for qualifications for the annual contract to repair and/or replace chickee huts. The contract is set to expire November 4, 2019. The chickee huts are the only product that meets the requirements for an open sided wooden hut with a thatched roof of palm, other traditional materials, and does not incorporate electrical, plumbing, or non-wooden features. In addition, the style and design is consistent with traditional Seminole Indian customs and practices, which brings a historical and educational element to the County parks. Big Cypress is owned and operated by Seminole Indians and they manufacture, install and repair chickee huts. After a reasonable and thorough analysis of the marketplace, Big Cypress Tiki Huts, Inc. is the only available source of specialty chickee huts and the only contractor qualified to make the necessary repairs. The work consists of the replacement and/or repairs necessary for authentic Seminole Indian chickee hut facilities, as required. The contract is for a term of five years and is an indefinite-quantity contract with a maximum cumulative value of \$500,000. The specific magnitude of the work shall be determined by individual work orders issued by Palm Beach County against this contract. Included in this contract is an annual 3% escalation increase in the contract unit prices as allowed by the term of the contract. In accordance with the Equal Business Opportunity (EBO) ordinance, sole source procurements are exempt from EBO requirements. The funding source will be identified on each work order, with the majority of the funding coming from the Parks and Recreation Fund. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: an Amended and Restated Interlocal Agreement (Agreement) with the Village of Wellington, a municipal corporation of the State of Florida (Village), allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) to the Village for a period of five years upon execution of this Agreement. **SUMMARY:** This Agreement provides the terms and conditions under which the Village can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. This Agreement terminates and replaces the Interlocal Agreement (R2002-1353) between County and Village amended by First Amendment R2007-0144, by Second Amendment R2012-1657, and by Third Amendment R2017-1033, and adds the procedure to be followed to obtain a Federal Shared Encryption Key for direct radio interoperability with Federal Agencies. The County's System will not be utilized for routine operational communications by the Village. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. **There are no charges associated with this Agreement.** The Village is required to pay all costs associated with the Village's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

6. Staff recommends motion to approve: an Amended and Restated Interlocal Agreement (Agreement) with the Solid Waste Authority of Palm Beach County, a dependent special district (Participant), allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) to the Participant for a period of five years upon execution of this Agreement. **SUMMARY:** This Agreement provides the terms and conditions under which the Participant can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. This Agreement terminates and replaces the Interlocal Agreement (R2002-2063) between County and Participant amended by First Amendment R2007-0491, by Second Amendment R2013-0445, and by Third Amendment R2018-0405, and adds the procedure to be followed to obtain a Federal Shared Encryption Key for direct radio interoperability with Federal Agencies. The County's System will not be utilized for routine operational communications by the Participant. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. **There are no charges associated with this Agreement.** The Participant is required to pay all costs associated with the Participant's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to approve: an Amended and Restated Interlocal Agreement (Agreement) with St. Lucie County (St. Lucie County), allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (County's System) to St. Lucie County for a period of five years upon execution of this Agreement. **SUMMARY:** This Agreement provides the terms and conditions under which St. Lucie County can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. This Agreement terminates and replaces the Interlocal Agreement (R2005-0994) between County and St. Lucie County, amended by First Amendment R2010-1117 and by Second Amendment R2015-0565, and adds the procedure to be followed to obtain a Federal Shared Encryption Key for direct radio interoperability with Federal Agencies. The County's System will not be utilized for routine operational communications by St. Lucie County. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. **There are no charges associated with this Agreement.** St. Lucie County is required to pay all costs associated with St. Lucie County's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)
8. Staff recommends motion to approve: an Amended and Restated Agreement (Agreement) with Bethesda Hospital, Inc., a Not For Profit Corporation licensed to do business in the State of Florida (Hospital), allowing for interoperable communications through the countywide EMS and common talk groups of the County's Public Safety Radio System (County's System) to the Hospital retroactively from January 10, 2019 through January 9, 2024. **SUMMARY:** This Agreement provides the terms and conditions under which the Hospital can program into its radios and utilize the countywide EMS and common talk groups for certain types of inter-Agency communications. This Agreement is intended to replace Agreement R2015-0920 between County and Hospital. The County's System will not be utilized for routine operational communications by the Hospital. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies and ambulance service providers with 800 MHz trunked radio capabilities. **There are no charges associated with this Agreement.** The Hospital is required to pay all costs associated with the Hospital's subscriber units and to comply with the established operating procedures for the County's System. This Agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)
9. Staff recommends motion approve: a thirteenth amendment to Tower Site Lease and Joint Use Agreement (Agreement) with New Cingular Wireless PCS, LLC (Cingular) and the City of Boynton Beach (City) (R99-311-D) for a tower site located in Boynton Beach with a current expiration date of February 22, 2029. **SUMMARY:** The County, Cingular and City entered into an agreement to jointly use Cingular's tower located east of I-95, south of Gateway Boulevard, in Boynton Beach. Cingular desires to replace its existing antennas and add new antennas to improve signal coverage and to improve Cingular's 4G services. Cingular will obtain all necessary permits and governmental approvals associated with its modifications, and all equipment installations will be made at Cingular's sole cost. This thirteenth amendment modifies Exhibit "G" Antenna Tower Schematics of the Agreement and updates various standard provisions. **There will be no cost to the County nor service interruptions to the County's system.** All other terms of the agreement remain unchanged. PREM will continue to have administrative responsibility of the Agreement. (Property & Real Estate Management) District 7 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light (FPL) for electrical service to Fire Rescue Station No. 22 located in Westlake, Florida. **SUMMARY:** Fire Rescue Station No. 22 is currently under construction in the new municipality known as Westlake. The station is located at the southeast corner of Seminole Pratt Whitney Road and Town Center Parkway South. The easement is non-exclusive and will provide underground electrical services with a pad-mounted transformer to the Fire Rescue Station. The easement is 10 feet wide and 129.27 feet in length and contains 1,293 square feet (.03 acres). The easement will be granted to FPL at no charge, as it is required to obtain service to the station and will be recorded to provide public notice of its location. (Property & Real Estate Management) District 6 (HJF)

11. Staff recommends motion to approve: a Utility Easement Agreement in favor of Florida Power & Light (FPL) to provide improved electrical service to Burt Aaronson South County Regional Park. **SUMMARY:** Burt Aaronson South County Regional Park is located north of Glades Road and south of Old Pump House Road. Since the development of the Park, several easements have been granted to FPL to supply power to the various improvements/structures throughout the Park. This easement runs along a portion of Regional Park Drive and will allow FPL to loop its electrical service in the Park. The easement area will be 10 to 20 feet wide, approximately 1,925 feet long and contain 17,425 square feet (.45 acre). This perpetual non-exclusive Utility Easement will be granted to FPL at no charge. (Property & Real Estate Management) District 5 (HJF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

12. Staff recommends motion to approve:

A) reappointment of eight members to the Public Art Committee as follows:

Reappoint	Seat No.	Requirement	Term
Camila Afanador-Llach	2	PBC Resident with Significant Visual Art Background	10/8/19–9 /30/22
J.Rachel Gustafson	3	Professional, Nonprofit Visual Art Background, Alternate	10/8/19 – 9/30/22
David Lawrence	4	Cultural Council of Palm Beach County	10/8/19 – 9/30/22
Michiko Kurisu	5	PBC Resident with Significant Visual Art Background	10/8/19 – 9/30/22
Paul Fisher	6	PBC Resident with Significant Visual Art Background	10/8/19 – 9/30/22
Leslie D. Albert	7	Professional, Nonprofit Visual Art Background	10/8/19 – 9/30/22
Carolyn Pendleton Parker	8	Landscape Architect	10/8/19 – 9/30/22
Sherryl Muriente	9	Urban Planner/ Architectural Design Professional	10/8/19 – 9/30/22

B) appointment of one new member to the Public Art Committee as follows:

Appoint	Seat No.	Requirement	Term
Theodore A. Smith, Jr.	1	Urban Planner/ Architectural Design Professional	10/8/19 – 9/30/22

SUMMARY: Palm Beach County Resolution No. 2013-0193 established terms for the members of the Public Art Committee. Eight committee members are recommended for reappointment and one member is recommended for a new appointment to the Public Art Committee. Reappointments for another term are the following members: Camila Afanador-Llach, J. Rachel Gustafson, David Lawrence, Michiko Kurisu, Paul Fisher, Leslie D. Albert, Carolyn Pendleton Parker and Sherryl Muriente. The new recommended appointment is Theodore A. Smith, Jr. to replace Reginald Cox, whose term expired on September 30, 2019. The Public Art Committee has the following diversity count that would remain unchanged by the proposed appointees: Caucasian: 5 (56%), Hispanic: 2 (22%), African-American: 1 (11%), Asian: 1 (11%). The gender ratio (female:male) will also remain unchanged at 6:3. (FDO Admin) Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

13. Staff recommends motion to receive and file: a Consultant Service Authorization (CSA) No. 1 to the professional services contract (R2019-0984) with PGAL, Inc. (Consultant) for the completion of a comparative study and final recommendations on the disposition of the Animal Care & Control Renewal/Replacement/Renovation (ACC R/R/R) Project located at 7100 Belvedere Road, West Palm Beach in the amount of \$155,160. **SUMMARY:** On July 2, 2019, the Board of County Commissioners (BCC) authorized the County Administrator or designee to execute CSA No. 1 in an amount not to exceed \$200,000, via Agenda Item 5F-1. This authorization addressed a directive issued by BCC during the January 29, 2019 workshop instructing staff to prepare a more in-depth programming study (Comparative Study). The study would: 1) validate/confirm the program/needs, and 2) specifically look at opportunities, challenges and costs, including continuity of operations during construction of an entirely new facility on the existing site versus accomplishing the project via the R/R/R approach currently contemplated. The comparative study will be developed in conjunction with public input via targeted public outreach sessions, which will be facilitated by the consultant team. The results of the comparative study will be evaluated by the County in order to determine the most appropriate solution (or some combination) to be used as the scope of the project to be designed. The attached CSA to this agenda item was fully executed on behalf of BCC by the Director of the Facilities Development and Operations Department. In accordance with the County Policy and Procedures Manual CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. The solicitation for design professionals was advertised pursuant to the requirements of the Equal Business Opportunity ordinance. The project was presented to the Goal Setting Committee on March 6, 2019, and an Affirmative Procurement Initiative of 20% Small Business Enterprise (SBE) participation was applied. The prime consultant is not a SBE, but will be utilizing four sub-consultants that are Small/Women/Minority Business Enterprises. The consultant submitted 33.69% SBE participation and 10.8% M/WBE participation. **Funding for this project is the ACC R/R/R IST Project Fund.** (Capital Improvements Division) District 2 (LDC)

14. Staff recommends motion to approve: Work Order No. 19-023 to the annual contract with Florida Mechanical, LLC. (R2019-1040) in the amount of \$202,465 for the Fire Rescue Headquarters-Recondition Water Cooled Chillers project for the period of 90 days from permit issuance or until project is complete. **SUMMARY:** The chillers at Fire Rescue Headquarters are at least ten years old and no longer function efficiently. The equipment is in need of refurbishment due to premature coil and sensor deterioration. The work consists of refurbishing three chillers by replacing deteriorated coils and compressors and cleaning the chiller barrels. The chillers are being refurbished in accordance with Trane's original equipment manufacturer (OEM) chiller refurbishment service and compressor renewal program. The renewal program will restore the existing chillers to original factory operating condition, thereby extending the life cycle of the chillers along with upgrading the operating efficiency to provide years of service, reduced maintenance and lower the overall operating costs. This work order was solicited pursuant to the Heating Ventilation and Air Conditioning (HVAC) annual contract and the requirements of the Equal Business Opportunity Ordinance. The annual contract was presented to the Goal Setting Committee on January 2, 2019 and an Affirmative Procurement Initiative of sheltered market was applied for projects under \$100,000 (when four or more Small Business Enterprises (SBEs) are qualified under the annual contract) or an SBE contractor will be given a price preference if their bid is within 10% of the lowest responsive and responsible bidder for projects in excess of \$100,000. There is no SBE participation on this work order. The overall participation on the annual HVAC construction contract is ~~64.93%~~ 60.39% SBE participation. Florida Mechanical, LLC. is a local business. **The funding source for this work is from the Fire Rescue Public Building Improvement Fund.** (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

15. Staff recommends motion to approve:

A) a Construction Manager at Risk (CMAR) contract with Wharton-Smith Inc. for the Animal Care and Control Renewal/Replacement/Renovation (ACC R/R/R) project located at 7100 Belvedere Road West Palm Beach; and

B) Task Order No. 1 with Wharton-Smith Inc. for pre-construction services in the amount of \$57,980.

SUMMARY: The task order includes, but is not limited to pre-construction services including an analysis of the comparative study, procurement services, and the development of a Guaranteed Maximum Price (GMP) for the Animal Care and Control Facility. Task Order No. 1 only authorizes pre-construction services. The pre-construction phase includes an evaluation of a comparative study. The comparative study: 1) validates/confirms program/needs, 2) develops design options for constructability of an entirely new facility on the existing site, proceeding with the R/R/R approach or a combination of both, and 3) specifically looks at opportunities, challenges and costs, including continuity of operations during construction. The Construction Manager's (CM) role in the comparative study is to validate constructability, provide phasing input for continuity of services and cost estimates for the proposed options. Once the construction documents are completed, the CM will bid the work and provide a GMP. The work will be authorized through an amendment submitted to the board to commence construction management services. The solicitation for a CM was advertised on April 7, 2019 according to the requirements of the Equal Business Opportunity (EBO) ordinance. On March 20, 2019, the Goal Setting Committee established an Affirmative Procurement Initiative awarding up to 15 evaluation points for a Small Business Enterprise (SBE) plan and a CM/SBE partnering incentive. The CM is not a certified Small/Minority/Women-owned Business Enterprise. The CM has partnered with Messam Construction, an MBE CM, for services in the amount no less than 15% of the CM fee and overhead/profit earned by the CM. The CM is on notice that all GMP's issued pursuant to this contract will be subject to the requirements of the EBO ordinance including requesting Affirmative Procurement Initiative be set prior to bidding the subcontracts. **Funding for this project is from the ACC R/R/R IST Project Fund.** (Capital Improvements Division) District 2 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

16. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 13 to the professional services contract (R2015-1459) with Leo A. Daly Company to provide architectural/engineering services for the South Tower of the Main Detention Center (MDC) Phase # III Renewal/Replacement project in the amount of \$121,923. **SUMMARY:** On October 20, 2015, the Board of County Commissioners approved the professional services contract with Leo A. Daly Company to provide planning and design services associated with the Palm Beach Sheriff Office (PBSO) Detention Facilities Renewal/Replacement projects, which includes the PBSO MDC Renewal/Replacement project. This CSA authorizes design services for the replacement of the existing closed circuit television cameras in the South Tower of the Main Detention Center in accordance with Leo A. Daly's revised proposal dated July 22, 2019. The MDC has been in operation on a 24/7 basis for over 30 years with minimal replacement projects. The replacement of infrastructure aid cameras with digital/IP (internet protocol) modules is required in order to maintain security and functional standards as well as ensure consistency in video quality and operational features. The solicitation for design professionals for this multi-phase project was advertised on May 31, 2015, according to the Small Business Enterprise (SBE) Ordinance in place at the time, with final selection taking place on August 6, 2015. The SBE goal established by the SBE Ordinance was 15% participation. The prime consultant is not a certified S/M/WBE. SBE participation for this CSA is 0%. Overall SBE participation on this contract is 21.7%. **Funding for this project is from the Infrastructure Sales Tax.** (Capital Improvements Division) Countywide/District 2 (LDC)

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) an agreement with the Palm Beach County Film and Television Commission, Inc. (F&TV Commission) in the amount of \$75,000 for the period October 1, 2019 to September 30, 2020: and

B) delegated authority to the County Administrator or designee to execute future amendments to the Agreement with the F&TV Commission.

SUMMARY: Staff recommends the Board of County Commissioners' approval of an Agreement with F&TV Commission. On September 16, 2019, the Board of County Commissioners approved the Fiscal Year 2019-2020 Budget, which included an allocation of \$75,000 for F&TV Commission. This agreement with the F&TV Commission will fund operational and educational expenses for the Film & TV Tech Prep Program (Program), which is entering its 24th year of operation. The Program continues to support the development of the film and television industry in Palm Beach County through an enhanced strategic plan drafted by educators and industry professionals. This funding will assist in the planning, facilitation and execution of all aspects in the production of the largest film competition and live awards ceremony within the State of Florida, the 2020 Student Showcase of Films (SSOF). The SSOF honors Florida high school and college student filmmakers and celebrates the artistic successes they have achieved in this field. **These are County Ad Valorem funds.** Countywide (DB)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to approve: a “Certification of Consistency with the Consolidated Plan” for Pahokee Housing Authority regarding its grant application to the U.S. Department of Housing and Urban Development (HUD) under the Resident Opportunity and Self-Sufficiency (ROSS) Service Coordinators (ROSS-SC) Program. **SUMMARY:** Staff recommends the Board of County Commissioners’ approval of the “Certification of Consistency with the Consolidated Plan” for Pahokee Housing Authority’s ROSS-SC funding application to HUD. This determination of consistency is required by HUD for an application under the ROSS-SC program. The Department of Housing and Economic Sustainability has reviewed the objectives of the Pahokee Housing Authority ROSS-SC program and determined that they are consistent with those outlined in the Palm Beach County FY 2015-2020 Consolidated Plan. The overall goal of the Pahokee Housing Authority’s ROSS-SC program is to serve the housing needs of low-income, very low-income and extremely low-income families by assisting them in increasing earned income and moving towards economic and housing self-sufficiency. Specifically, the ROSS-SC program will assess the needs of residents of conventional Public Housing and coordinate supportive services and other activities designed to help such residents attain economic and housing self-sufficiency. The County’s Fiscal Year 2015-2020 Consolidated Plan identified the City of Pahokee as an area which lacks adequate and suitable housing and prioritizes the need for affordable rental housing, economic development and job training, and public services for residents of this area. District 6 (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to receive and file: the following 11 agreements under the Fiscal Year 2019-2020 Community Development Block Grant (CDBG) Program:

A) Aid to Victims of Domestic Abuse, Inc. in the amount of \$24,506 for transitional housing and supportive services;

B) The Children's Place at Home Safe, Inc. in the amount of \$17,779 for specialized and enhanced therapeutic care for abused teens;

C) The Coalition for Independent Living Options, Inc. in the amount of \$22,103 for prepared meals to disabled individuals;

D) Healthy Mothers/Healthy Babies Coalition of Palm Beach County, Inc. in the amount of \$10,571 for assistance to uninsured low income pregnant women and their families in order to access health care, to secure payer sources and other services for prenatal care;

E) Legal Aid Society of Palm Beach County, Inc. in the amount of \$55,450 for fair housing education, outreach, advocacy and enforcement activities;

F) Place of Hope, Inc. in the amount of \$15,857 for housing and case management services to abused children;

G) Redlands Christian Migrant Association, Inc. in the amount of \$14,415 for child care and development services in the Glades area;

H) Seagull Industries for the Disabled, Inc. in the amount of \$29,118 for vocational training and supervision for disabled adults;

I) Sickle Cell Foundation of Palm Beach County, Inc. in the amount of \$17,777 for comprehensive case management services;

J) Urban League of Palm Beach County, Inc. in the amount of \$18,740 for foreclosure mitigation counseling, homebuyer education classes, and pre-purchase homebuyer counseling services; and

K) Vita Nova, Inc. in the amount of \$13,935 for supportive housing and life skills training for youths who have aged out of foster care.

SUMMARY: The attached 11 agreements have been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Resolution R2019-0979 as approved by the BCC on July 2, 2019. On July 2, 2019, via Agenda Item 5A-3, the BCC approved the Palm Beach County Action Plan for Fiscal Year 2019-2020, which included \$240,251 in CDBG funds to the 11 non-profit agencies to provide various public services. Employees from two agencies that were awarded CDBG funds serve on a County-related advisory group. Kimberly Rommel-Enright, an employee of the Legal Aid Society of Palm Beach County, Inc., serves on the HIV CARE Council, a County Advisory Board. Patrick J. Franklin, an employee of the Urban League of Palm Beach County, Inc., serves on the Infrastructure Surtax Independent Citizen Oversight Committee. These boards provide no regulatory oversight, management, or policy-setting recommendations regarding their agency contracts. Disclosure of these contractual relationships at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which require no local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

4. Staff recommends motion to receive and file: the following three agreements for code enforcement services as funded under the Fiscal Year 2019-2020 Community Development Block Grant (CDBG) Program:

- A) Agreement with the City of Belle Glade for \$147,060;
- B) Agreement with the City of Pahokee for \$39,897; and
- C) Agreement with the City of South Bay for \$32,823.

SUMMARY: Staff recommends the Board of County Commissioners (BCC) receive and file agreements with the City of Belle Glade, the City of Pahokee and the City of South Bay. The attached documents have been executed on behalf of the BCC by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5A-3, as approved by the BCC on July 2, 2019. The agreement with the City of Belle Glade provides \$147,060 in CDBG funds toward the salary and benefits of three full-time Code Compliance Officers. The agreement with the City of Pahokee provides \$39,897 in CDBG funds toward the salary and benefits of one full-time Code Compliance Clerk. The agreement with the City of South Bay provides \$32,823 in CDBG funds toward the salary of one full-time Code Compliance Officer. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **These are Federal CDBG funds which do not require a local match.** District 6 (HJF)

5. Staff recommends motion to approve:

A) a revised Contract for Sale and Purchase form for use in the sale of workforce housing units acquired by the County in Silverwood Estates; and

B) delegated authority to the County Administrator or designee to make modifications to the Contract for Sale and Purchase form including final sales price.

SUMMARY: Staff recommends the Board of County Commissioners' (BCC) approval of a revised Contract for Sale and Purchase form, and also, providing for delegation of authority to make modifications to the form, for use in the sale of workforce housing units acquired by the County in Silverwood Estates. On September 10, 2019 (Agenda Item 5B-3), the BCC approved a Contract for Sale and Purchase form for this purpose. Revisions to the document have become necessary in order to ensure and preserve the 15-year compliance period and any discounts to the sale price as provided in the Workforce Housing Program (WHP) Financial Assistance Strategy. In June 2019, the County acquired six units from Lennar Homes, LLC, in the Silverwood Estates development, and is currently in the process of selling those units to qualified buyers as part of the WHP. If approved, this revised sales contract form will be used as the agreement for those sales. The funds received by the County resulting from the sale of these units will be returned to the Workforce Housing Trust Fund. **In compliance with the Property & Real Estate Management Division Ordinance, approval of this item requires a super-majority vote (5 Commissioners).** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. **Staff recommends motion to approve:** the appointment of a member to the Land Development Regulation Advisory Board (LDRAB), to complete an unexpired term from October 8, 2019 to February 8, 2022, for Derek Zeman who has resigned.

<u>Appoint</u>	<u>Seat #</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Jim Sullivan	14	Land Surveyor	Florida Surveying and Mapping Society

SUMMARY: The LDRAB is comprised of 16 members and two at-large alternate members. The term of office for Board members is three years, with a limit of three consecutive three-year terms. Nine of the members shall be appointed by a majority of the Board of County Commissioners (BCC) upon a recommendation by the following organizations: Gold Coast Builders Association, League of Cities, Florida Engineering Society, American Institute of Architects, Environmental Organization, Realtors Association of the Palm Beaches, Florida Surveying and Mapping Society, Associated General Contractors of America and The Palm Beach County Planning Congress. Seven members will be appointed by the BCC; one from each commissioner as a district appointment, with consideration of expertise stated in Article 2.G.3.A.3.b. The BCC shall also appoint two at-large alternate members, by a majority vote of the BCC with consideration of the expertise noted above. Jim Sullivan is a Registered Land Surveyor and has disclosed that he is a Business Development Manager with WGI that contracts with the County. The Florida Surveying and Mapping Society has recommended Mr. Sullivan and his appointment requires a majority vote by the BCC. The LDRAB provides no regulation, oversight, management, or policy-setting recommendations regarding the County contract(s). Disclosure of any contractual relationship with the County shall be made 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. The Board consists of 16 members with two at-large members, currently 17 seats are filled and a diversity count of Caucasian: 14 (82%), African-American: 1 (6%), Hispanic-American: 2 (12%). The gender ratio (male: female) is 13:4. Mr. Sullivan is a Caucasian male. Staff will continue to address the need to increase diversity on our boards. Unincorporated (SS)

2. **Staff recommends motion to:**

A) approve a Memorandum of Understanding with the Florida Department of Highway Safety and Motor Vehicles (DHSMV); and

B) authorize the County Administrator or designee to execute any necessary documentation for the release of the Memorandum of Understanding with the Florida Department of Highway Safety and Motor Vehicles.

SUMMARY: Planning, Zoning and Building is updating the contract between the Palm Beach County Board of County Commissioners and the DHSMV to be more specific to identify the department. In June of 2014, Palm Beach County Planning, Zoning and Building Department entered into a Memorandum of Understanding with the DHSMV, and renewed the agreement in April of 2016, that allows the County Code Enforcement Officers and Contractors Certification Field Investigators access to the Driver and Vehicle Information Database System. This database is used to address code enforcement complaints and complaints against licensed and unlicensed contractors in order to protect the health, safety and welfare of the citizens of Palm Beach County. Countywide (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to receive and file:** five executed Standard Potable Water and Wastewater Development Agreements and two Standard Reclaimed Water Service Agreements received during the months of May and June 2019.

A) Standard Potable Water and Wastewater Development Agreement with Tuscan Gardens of Delray Beach Properties, LLC, SDA #03-01046-000 (District 5), Recorded in OR BK 30685 PG 0079.

B) Standard Potable Water and Wastewater Development Agreement with Ascend Hospitality LLC, SDA #01-01257-000 (District 2), Recorded in OR BK 30685 PG 0069.

C) Standard Potable Water and Wastewater Development Agreement with Village at Banyan Ridge, LLC, SDA #01-01258-000 (District 2), Recorded in OR BK 30706 PG 1642.

D) Standard Potable Water and Wastewater Development Agreement with Meritage Homes of Florida, Inc., SDA #02-01156-000 (District 6), Recorded in OR BK 30706 PG 1653.

E) Standard Potable Water and Wastewater Development Agreement with AHC of West Palm Beach, LLC, SDA #01-01259-000 (District 7), Recorded in OR BK 30706 PG 1666.

F) Standard Reclaimed Water Development Agreement with Boynton Beach Associates XVIII, LLLP, SDA #05-90026-000 (District 5), Recorded in OR BK 30706 PG 1626.

G) Standard Reclaimed Water Service Agreement Lake Discharge Irrigation System with Boynton Beach Associates XVIII, LLLP, Reference to SDA #05-90026-000 (District 5), Recorded OR BK 30706 PG 1635.

SUMMARY: In accordance with County PPM CW-0-051, 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 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. Districts 2, 5, 6 & 7 (MJ)

2. **Staff recommends motion to approve:** Work Authorization (WA) No. 16 to the Pipeline Continuing Construction Contract 2017 (Contract) with Hinterland Group Inc., (Contractor) for the Priority Aerial Canal Crossing Improvements Phase 2 (Project) in the amount of \$1,819,104.20. **SUMMARY:** On January 10, 2017, the Board of County Commissioners (BCC) approved the Water Utilities Department Contract (R2017-0072) with Contractor. WA No. 16 provides for the rehabilitation/replacement of seven aerial canal crossings and the construction of one new aerial canal crossing. This Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 15% SBE participation. WA No. 16 includes 100% SBE participation. The cumulative SBE participation including WA No. 16 is 100%. Contractor is a Palm Beach County company. The Project is included in the WUD FY20 budget. (WUD Project No.17-077) Districts 2, 5, & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. **Staff recommends motion to accept:** a non-standard Utility Easement (Easement) granted by Azola West Palm Beach Owner, LP (Azola) to Palm Beach County (County) over a portion of property located within Tract A-1 of Bella Vita Estates Replat. **SUMMARY:** The proposed Easement is required over lands where Water Utilities Department (WUD) owned facilities have been installed and will allow WUD staff access to the property for operation and maintenance purposes. Azola executed a Declaration of General Purpose Utility Easement Agreement (Declaration) on April 23, 2019, which was recorded in Official Record Book 30577, Page 325 of the Official Records of Palm Beach County, Florida. However, the Declaration placed certain unacceptable conditions upon the County, including requiring indemnification from the County and a prevailing party attorneys' fees provision. WUD requested that Azola provide this separate Easement to the County in the County's standard utility easement form, with modifications to clarify that; (1) the Easement is granted to Palm Beach County in lieu of the Declaration; and (2) Palm Beach County rejects the rights and obligations imposed on it by the Declaration. (WUD Project No. 18-500) District 2 (MJ)

4. **Staff recommends motion to approve:** a Partial Release of Utility Easement for that easement recorded in the Official Records of Palm Beach County, ORB 10513, Page 775. **SUMMARY:** Water Utilities Department (WUD) is seeking the release of the County's interest in a utility easement recorded in the Official Records of Palm Beach County as noted above. During a building permit modification, it was discovered that a portion of an existing building was constructed within the utility easement. WUD has determined that a small portion of the existing easement can be released rather than relocating the existing water main or the building. WUD has determined that this release will reduce the length of the easement by 3.28' feet in a very small location and recommends approval of the release. District 5 (MJ)

5. **Staff recommends motion to approve:** Work Task Order No. 1 for the System-Wide Wellfield Improvements Hydrogeologic, Engineering Design and Construction Services (Project) with JLA Geosciences, Inc., (JLA) for a not to exceed amount of \$608,506.58. **SUMMARY:** On December 6, 2016, the Board of County Commissioners (BCC) approved the Water Utilities Department (WUD) Consulting/Professional Services System-Wide Wellfield Improvements Hydrogeologic, Engineering Design & Construction Services (Contract) (R2016-1776) with JLA to provide engineering services during design, permitting, bidding and construction phase services for the Project. Work Task Order No. 1 includes additional construction phase services necessary to support WUD in successfully completing the construction of the Project. The additional construction phase services include additional progress meetings, construction oversight, vibration monitoring, submittal reviews and responses to requests for information (RFIs). The Contract was procured under the requirements of the 2002 Small Business Enterprise (SBE) Ordinance (R2002-0064) prior to the adoption of the new Equal Business Opportunity Ordinance on October 16, 2018. The SBE participation goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for a 70.32% SBE participation. Work Task Order No. 1 includes 60.2% SBE participation. The cumulative SBE participation, including Work Task Order No. 1, is 68.71%. JLA is a Palm Beach County company. The Project is included in the WUD FY20 budget. (WUD Project No. 16-017) Districts 2 & 5 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) approve a State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 20PB2 (Agreement) with FDEP to provide up to \$3,227,136.38, for design, construction, and monitoring expenses for Juno Beach Nourishment (Project) beginning July 1, 2018 and expiring January 15, 2024;

B) approve a budget amendment of \$3,227,137 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

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

SUMMARY: The Agreement provides 50% of the local cost share (13.58% of total project costs) for the Project and reimburses the County for the following costs: up to \$137,500 for design; up to \$2,871,108 for construction; and up to \$218,528 for biological and physical monitoring. The total Project cost is approximately \$23.8 million. The County will provide up to \$3,227,136.38 for the Project (13.58% of total cost), using available funds in the Beach Improvement Fund received from tourist development taxes. Federal Emergency Management Agency (FEMA) Project Worksheet No. 04068 provides up to \$17.3 million in Federal cost share for damages to the Project (72.83% of total cost) as a result of Hurricane Irma's landfall in September of 2017. District 1 (SS)

2. Staff recommends motion to:

A) approve a State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 20PB11 (Agreement) with FDEP for an amount not to exceed \$204,000 providing for design, construction, and monitoring of the South Lake Worth Inlet Management Plan Implementation (Project) beginning July 1, 2018 and expiring July 30, 2023;

B) approve a budget amendment of \$204,000 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

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

SUMMARY: The Agreement reimburses the County up to \$204,000 for the following costs: up to \$37,500 for design of the sediment budget requiring a local match of \$12,500, or 25%; up to \$106,500 for construction of a steel pipe casing through the dune at Ocean Inlet Park requiring a local match of \$35,500, or 25%; up to \$60,000 for biological and physical monitoring costs requiring a local match of \$60,000, or 50%. Overall, the Agreement provides for FDEP reimbursement of 65% of the \$312,000 total Project cost. **The County will provide an overall 35% match for the Project, up to \$108,000, using available funds in the Beach Improvement Fund.** District 4 (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

3. Staff recommends motion to:

A) approve a State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 19PB1 (Agreement) for an amount not to exceed \$7,300,000 providing for construction and monitoring for the Jupiter/Carlin Shore Protection Project (Project) beginning July 1, 2018 and expiring March 30, 2021;

B) approve a budget transfer of \$4,500,000 in the Beach Improvement Fund from the Southern Palm Beach Island Shore Protection Project to the Jupiter/Carlin Shore Protection Project;

C) approve a budget amendment of \$7,300,000 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

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

SUMMARY: This Agreement provides 50% cost share for the Project's next full-template nourishment and reimburses the County for the following costs: up to \$7,200,000 for construction; and up to \$100,000 for biological and physical monitoring. Total Project cost is approximately \$14,600,000. **The County will provide a 50% match for the Project, up to \$7,300,000, using available funds in the Beach Improvement Fund from tourist development taxes.** A budget transfer from the Southern Palm Beach Island Shore Protection Project (discontinued) is also required as a result of revised scheduling and design of both projects. District 1 (SS)

4. Staff recommends motion to approve:

A) a contract for Professional Consultant Services with Aptim Environmental & Infrastructure, LLC (APTIM) providing professional coastal and marine engineering services, effective for two years from execution through October 7, 2021; and

B) a contract for Professional Consultant Services with Olsen Associates, Inc. (OAI) providing professional coastal and marine engineering consultant services, effective for two years from execution through October 7, 2021.

SUMMARY: APTIM, a Palm Beach County company, and OAI, a Jacksonville, Florida company, will provide professional coastal and marine engineering services on a task order basis for various projects within the Department of Environmental Resources Management and other County departments. The contract requires consultants to adhere to 20% mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative. APTIM agreed to 25% SBE participation. OAI agreed to 24% SBE participation. The contracts contain an option to renew for one additional year. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

5. Staff recommends motion to:

A) approve a Perpetual Easement Agreement for Construction Access (Agreement) with KT 5000 LLC to facilitate the Singer Island Dune Restoration Project (Project); and

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

SUMMARY: The Agreement provides construction access for dune restoration and maintenance activities within the Project's Zone 4 shoreline area as depicted on the Project Overview Map. Recent redevelopment of the subject property required a reconfiguration of an existing easement area to accommodate the proposed site plan and maintain construction access for the Project. The Project includes dune restoration in an area designated by the Florida Department of Environmental Protection as "critically eroded". Dune restoration reconstructs past dune profiles and stabilizes the sand with native dune vegetation. Easement agreements are required for construction access to the beach and dune areas within the project limits. **There is no cost to the County.** District 1 (SS)

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: an executed Amphitheater Rental Agreement between Palm Beach County and AEG Presents SE, LLC, for the Rebellion Concert at Sunset Cove Amphitheater, on August 17, 2019. **SUMMARY:** This Amphitheater Rental Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0335, amended by Resolutions 2009-1807, 2012-1715, and 2014-0166. This program is a part of a balanced schedule of events, which promotes the quality of life in the communities we serve. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

2. Staff recommends motion to receive and file: an executed Sound and Light Production Service Contractor Agreement between Palm Beach County and Blackwood Productions, LLC in an amount not to exceed \$650 for the Rebellion Concert at Sunset Cove Amphitheater, for the period August 17, 2019 through August 18, 2019. **SUMMARY:** This Sound and Light Production Service Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2009-0592, amended by Resolutions 2010-0645, 2014-0167, 2017-1368 and 2018-0179. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 5 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: a first amendment to the Independent Contractor Agreement between Palm Beach County and LB2 Enterprises Inc., Masters Swimming Program, North County Aquatic Complex, to increase the amount of the agreement (R2018-2016) by \$28,000 for a total amount not to exceed \$90,000 for the period October 1, 2018 through September 30, 2019. **SUMMARY:** This Independent Contractor Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting this amendment in accordance with County PPM CW-O-051, which requires all delegated amendments to be submitted by the initiating Department to the BCC as a receive and file agenda item. District 1 (AH)
4. Staff recommends motion to receive and file: an executed Tee Time Advertising and Sales Agreement between Palm Beach County and Can-Am Golf Ventures, LLC, in an amount not to exceed \$40,000 for the period August 1, 2019 through July 31, 2020. **SUMMARY:** This Tee Time Advertising and Sales Agreement has been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of Parks and Recreation in accordance with Resolution 2013-1607. This agreement helps to sell tee times at non-peak times that would otherwise not be sold. Can-Am Golf Ventures, LLC receives a commission fee ranging from 12%-16% (amount varies depending on the Golf Course) of the tee time sold. The Department is now submitting this agreement in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department as a receive and file agenda item. Countywide (AH)
5. Staff recommends motion to approve: the first amendment to the agreement between Palm Beach County and the Ski Club of the Palm Beaches, Inc. (Ski Club), for the cooperative maintenance, management and use of the water ski lakes at Okeeheelee Park. The original agreement was entered into on October 7, 2014. This amendment exercises the first renewal option for the period of October 7, 2019 through October 6, 2024. **SUMMARY:** In 1983, the County entered into an agreement (R83-855) with the Ski Club for the design, construction and use of the water ski courses and appurtenant structures at Okeeheelee Park. In 1999, the agreement was amended (R99-1572D) for an additional 15 years. In 2014, the County entered into a five-year agreement (R2014-1507) with two five-year renewal options for the cooperative maintenance, management and use of the water ski lakes at Okeeheelee Park. This first amendment exercises the first renewal option; changes the termination clause from 90 days to 12 months; updates the nondiscrimination, criminal history records check, public records and the hazardous material provisions. **There is no cost to the County.** District 2 (AH)

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:

A) accept the donation of \$110,000 from the Friends of the Mounts Botanical Garden, Inc. (Friends) for the display of the Big Bugs Exhibition, by David Rogers Big Bugs, Inc.;

B) accept the donation of \$1,190 for County staff charges for the County Public Art Administrator's role in contract management, siting, and risk management compliance; and

C) approve a budget amendment in the Cooperative Extension Revenue Fund (Fund 1482) to be used for Cooperative Extension's Big Bugs Exhibition in the amount of \$110,000 and \$1,190, for a total of \$111,190 to complete the installation and display of the Big Bugs Exhibition.

SUMMARY: The Friends agree to fund all costs associated with the Big Bugs Exhibition, which covers all expenses, equipment, installation and County staff charges. This work will be led by Art in Public Places and is estimated to cost \$111,190. The \$111,190 is what it will cost to bring the Big Bugs Exhibition to The Mounts Botanical Garden of Palm Beach County on January 10, 2020 through May 10, 2020. District 7 (AH)

S. FIRE RESCUE

1. Staff recommends motion to approve: an Emergency Services Agreement for Mutual Assistance and Automatic Aid with the City of Coral Springs (City) effective October 8, 2019 through October 7, 2029. **SUMMARY:** The agreement provides for emergency mutual assistance and automatic aid to each party for fire suppression, emergency medical services, and other emergency services during extraordinary emergency events. The agreement further authorizes the County Administrator or designee and the City's City Manager or designee to enter into Letter(s) of Understanding to develop automatic aid/closest unit response plans and procedures. The proposed Agreement is for a ten-year period through October 7, 2029. Countywide (SB)

2. Staff recommends motion to approve: a tri-party Interlocal Agreement for Emergency Distribution of Strategic National Stockpile with the Palm Beach County Sheriff's Office (PBSO) and the Florida Department of Health in Palm Beach County (DOH) beginning effective October 8, 2019 through October 7, 2024. **SUMMARY:** The Centers for Disease Control and Prevention (CDC) has established the Cities Readiness Initiative program to assist certain Metropolitan Statistical Areas in the event of a catastrophic biological incident. The CDC, through the Florida Department of Health, will provide the Strategic National Stockpile assets, which includes medications and medical supplies to the DOH. The DOH wishes to collaborate with PBSO and Palm Beach County Fire Rescue to enhance its ability to respond to a catastrophic biological incident or other communicable threat of epidemic proportion. This tri-party Agreement provides services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities. Countywide (SB)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE (Cont'd)

3. Staff recommends motion to approve: an Interlocal Agreement for Public Safety Answering Points (PSAP) with first responder agencies in Palm Beach County (Agencies) effective upon execution and approval by Agencies until terminated by operation or otherwise subject to sunset under Florida Statute. **SUMMARY:** Pursuant to Section 365.179, Florida Statutes, each County Sheriff is required to facilitate an Interlocal Agreement between all primary first responder agencies within its County, which provides for inter-agency communications as required under this law. This agreement sets forth the protocols under which a PSAP will directly provide notice by radio of a public safety emergency to the on-duty personnel of a first responder agency for which the PSAP does not provide primary dispatch functions. Exhibit A to the agreement sets forth the list of first responder agencies that are parties to this agreement. Countywide (SB)

3. CONSENT AGENDA APPROVAL

T. HEALTH DEPARTMENT

1. Staff recommends motion to approve:

A) a contract with the Department of Health (DOH) in the amount of \$2,114,162 for Environmental Health and Engineering programs provided by the Palm Beach County Health Department (CHD) for the period October 1, 2019 through September 30, 2020; and

B) an addendum to the contract to clarify:

1) Paragraph 6.a. - as State employees/personnel, CHD employees are not "officers, agents, or employees of the County";

2) Paragraph 7.c. - The County shall assure that insurance coverage for vehicles is available through either a self-insurance program or insurance purchased by the County except for insurance referenced in paragraph 7.e.;

3) Paragraph 7.d. - The County shall be named as additional insured on any agreement in which the CHD contracts or subcontracts any work to be performed on the premises to a third party; and

4) Paragraph 7.e. - As a State agency, the CHD agrees to be responsible for its own, its officers', employees', or agents' negligent acts, or omissions, or tortuous acts, which result in claims or suits against the parties, and agrees to be liable for any damages proximately caused by said acts or omissions.

SUMMARY: This contract sets forth the funding responsibilities of the DOH and the County for the operation of the CHD. The State and County share in the funding of the \$9,305,079 Environmental Health Budget. The State's share is \$2,332,507 (29.50%), primarily from State general revenue and fees. Funding from the County's FY 2020 budget is \$2,114,162 (22.70%), which includes Childcare Enforcement & Control Funding in the amount of \$126,888 and is equal to FY 2019 funding. The remaining local share (47.8%) is comprised of County authorized fees of \$2,981,516 (32.04%), federal funds of \$360,365 (3.9%), Department of Environmental Protection (DEP) Funds of \$104,034 (1.1%), and Air Pollution Tag Fees of \$1,101,777 (10.8%). County funding is used primarily for staff-related salaries and benefits. The environmental staffing is responsible for surveillance of public drinking water systems, permitting and inspection of septic tanks, regulation of air pollution sources, inspection and licensing of childcare and other group care facilities, and other duties related to environmental health. The Childcare Enforcement & Control funding provides for a full time attorney/Hearing Officer and a half-time paralegal position to provide counsel for the Child Care Advisory Council and to serve as Acting Environmental Control Officer for the Environmental Control Hearing Board. County funds are included in the FY 2020 budget. **No additional funds are requested.** County staff requested certain changes to the State's standard contract in order to clarify the insurance and liability provisions. The State preferred including these in an addendum instead of revising the standard contract. Countywide (HH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. **Staff recommends motion to receive and file:** an extension letter for the Urban Area Security Initiative (UASI) 2017 agreement number 18-DS-X3-11-23-02-376 with the City of Miami to extend the agreement from June 30, 2019 through August 15, 2019 in the amount of \$23,430. **SUMMARY:** This agreement (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. The UASI awarded \$126,117.26 to the County, which expired on June 30, 2019. Due to unforeseen circumstances, more time was needed to purchase equipment. An extension was granted through August 15, 2019 for Palm Beach County Fire Rescue to purchase rapid response kits for mass casualty incidents for \$23,430. R2013-0622 gave authority to the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (LDC)

2. **Staff recommends motion to receive and file:** eight federally funded modifications, covering 14 projects, to the Subgrant Agreement Z0596 with the State of Florida, Division of Emergency Management (FDEM) to authorize the reimbursement of eligible project expenditures to include the federal cost share of \$17,790,024.82, and the state cost share of \$2,965,004.17, for a total reimbursement amount of \$20,755,028.99 for Public Assistance funding. **SUMMARY:** On September 4, 2017, the President of the United States issued a major disaster declaration designated "FEMA-4337-DR-FL" for the State of Florida as a result of Hurricane Irma 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. Three projects totaling \$191,663.34 were submitted on the original agreement that went to the Board of County Commissioners on April 2, 2019. To date, there are 17 projects submitted for reimbursement with a total of eight outstanding. FDEM will send Federally Funded Public Assistance Modifications for the remaining projects once the projects are obligated for funding. Payment of a specified portion of the nonfederal share is contingent upon future State appropriations. 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%. R2019-0455 gave authority to the County Administrator or designee to execute these modifications on behalf of the Board of County Commissioners. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to approve:

A) a second amendment to the contract for Professional Services with NMS Management Services, Inc. (R2018-1231) extending the contract for an additional term retroactive to October 1, 2019 through September 30, 2020 and increasing the contract by \$58,000 for a new not-to-exceed contract amount of \$116,000 to provide court ordered random drug-testing services to indigent defendants on pretrial supervised release;

B) a budget transfer of \$48,000 from the MacArthur Foundation's Safety and Justice Challenge \$2M Fund to the General Fund for Public Safety's Justice Services Division to allocate funding to provide drug-testing services; and

C) a budget amendment of \$48,000 in the General Fund to recognize the transfer from the MacArthur's Foundation's Safety and Justice Challenge \$2M Fund.

SUMMARY: As part of the MacArthur Safety and Justice Challenge grant program, funding was allocated to the Public Safety Department's Pretrial Services Office for drug testing services to be provided to indigent defendants. On August 14, 2018, the County executed a contract with NMS Management Services, Inc. to provide drug-testing services to approximately 15-20 indigent pretrial defendants per week who are on supervised release and are subject to court ordered random drug testing. During the FY 2020 budget process, the Criminal Justice Commission allocated additional funding for drug testing in an amount up to \$58,000. This amendment extends the contract period through September 30, 2020 and provides for additional funding in an amount up to \$58,000. Having this contract in place provides drug-testing locations including out of county and out of state testing facilities, which makes it more convenient for the pretrial defendants. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to receive and file: the following amendments to Contracts/Interlocal Agreement for ex-offender adult and juvenile reentry services:

A) the fourth amendment to Contract #R2018-1651 (The Lord's Place, Inc. (TLP) - Adult Reentry);

B) the fourth amendment to Contract #R2018-1652 (Gulfstream Goodwill Industries, Inc. (GGI) - Adult Reentry);

C) the third amendment to Interlocal Agreement #R2018-1653 (City of Riviera Beach (RB) - Adult Reentry); and

D) the fourth amendment to Contract #R2018-1654 (GGI - Juvenile Reentry).

SUMMARY: Palm Beach County Division of Justice Services contracts with reentry providers to coordinate adult and juvenile reentry services to those returning to Palm Beach County from incarceration. Based on funding needs and to ensure utilization of grant funding, it is necessary to amend the agency contracts/interlocal agreement to make budget adjustments prior to year-end. The fourth amendment to the GGI contract modifies the budget, increasing the total allocation by \$36,060 from \$175,593 to \$211,653. The fourth amendment to TLP contract modifies the budget, decreasing the total allocation by \$27,579 from \$415,474 to \$387,895. The third amendment to the City of Riviera Beach interlocal agreement modifies the budget, increasing the total allocation by \$43,079 from \$238,499 to \$281,578. The fourth amendment to the GGI juvenile contract modifies the budget, decreasing the total allocation by \$32,541 from \$401,319 to \$368,778 inclusive of a \$19 increase in funding from the Florida Department of Law Enforcement Justice Assistance Grant. Due to lapsed salaries in the Reentry Administration's budget, \$19,000 was available to reallocate to the reentry providers. All adjustments are revenue neutral and adjust the budgets within approved line items. On October 16, 2018, the Board of County Commissioners authorized the County Administrator or designee to execute amendments associated with these contracts after legal sufficiency by County Attorney's Office and within budgeted allocations. These contract amendments are retroactive to July 1, 2019. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

A) approve the following contracts/interlocal agreement with agencies to provide adult reentry services for the period October 1, 2019 through September 30, 2020:

1. The Lord's Place, Inc. in the amount of \$393,896;
2. Gulfstream Goodwill Industries, Inc. (GGI) in the amount of \$229,460; and
3. City of Riviera Beach in the amount of \$235,401.

B) approve a contract with GGI for the period October 1, 2019 through September 30, 2020 in the amount of \$391,952 to provide juvenile reentry services; and

C) authorize the County Administrator or designee to execute amendments and administrative documents associated with the above contracts/interlocal agreement, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: Palm Beach County Division of Justice Services contracts with three providers to coordinate adult and juvenile reentry services to those returning to Palm Beach County from incarceration. Contracts were awarded through a competitive process and will ensure that the County will continue to meet the needs of those returning from incarceration. Reentry services are customized to each individual's unique needs, and may include outreach services, case management, risk and needs assessments, transitional housing, employment assistance, transportation assistance and substance abuse and mental health treatment. These contracts are funded through ad valorem funds, Justice Assistance Grant funding from the Department of Justice and a legislative allocation from the State of Florida, Department of Corrections. Palm Beach County is the recipient of funding from state and federal levels. The providers are sub-recipients receiving a sub-award. Countywide (SF)

6. Staff recommends motion to receive and file: the contract for Professional Services with the Child Protection Team of Palm Beach, Inc. (CPT) to provide medical evaluations for children 0-17 years of age who are alleged victims of abuse, neglect, and/or abandonment, excluding sexual abuse, and are referred to CPT by law enforcement, Department of Children and Families (DCF), and/or the courts for the period October 1, 2019 through September 30, 2022 for a not-to-exceed contract amount of \$787,500. **SUMMARY:** This contract provides funding for medical evaluations for up to 875 children, per fiscal year, who reside in Palm Beach County and are referred to CPT by law enforcement, DCF, and/or the courts. This service will be based on a rate of \$300 per exam for a not-to-exceed amount of \$262,500 per fiscal year. A medical evaluation is defined as a complete history and physical examination of a child. Medical evaluations for children who are alleged victims of sexual abuse are excluded from this contract as those exams are funded by the Office of the Attorney General. R2013-1230 authorizes the County Administrator or designee to execute contracts and amendments/modifications with CPT on behalf of the Board of County Commissioners. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

7. Staff recommends motion to:

A) receive and file a Victim of Crime Act (VOCA) FY2019/2020 grant agreement o-00269 with the State of Florida, Department of Legal Affairs, Office of the Attorney General, for the period October 1, 2019 through September 30, 2020, to receive grant funding in the amount of \$460,789 to provide victim advocacy and therapy services; and

B) approve the addition of one full-time Victim Advocate to the Victim Services complement.

SUMMARY: The VOCA FY2019/2020 grant (CFDA 16.575) agreement is an annual grant that provides funding to retain five full-time Victim Advocate positions (pay grade 25) and to add one additional full-time Victim Advocate position (pay grade 25) who assist Palm Beach County victims of crime with advocacy services such as crisis counseling, personal advocacy, court accompaniment, assistance with applying for victims compensation, information and referral, emergency legal advocacy, and safety planning. If VOCA grant funding ceases, the positions will be deleted from the Victim Services complement. The grant also includes \$64,178 for operating expenses including \$52,000 for contractual therapy services and \$12,178 for training for the Victim Advocates to achieve or maintain Victim Services Practitioner Designation. R2006-0099 authorized the County Administrator or designee to execute operational agreements with the State of Florida, Office of the Attorney General, Bureau of Advocacy and Grant Management on behalf of the Palm Beach County Board of County Commissioners. **County cash or in-kind matching funds of \$115,197 (20%) are required and included in the FY 2020 budget.** Countywide (SF)

8. Staff recommends motion to receive and file: three Grant Adjustment Notices (GAN) #005 New Point of Contact Information; #006 Budget Modification; and #007 Change Project Period 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), which facilitated administrative filings and approvals through October 31, 2019. **SUMMARY:** As per grant guidelines, certain expenditures and work product 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 web portal. GAN #005 changed the point of contact from Nicole Bishop, Director to Holly DiBenedetto, Program Manager. GAN #006 approved a budget modification to increase costs related to travel and supplies. Vests, polo shirts, raincoats, and flashlights are needed for staff who respond to crime scenes. Those items ensure staff safety and identifies the Victim Advocate to law enforcement. GAN #007 approved a one-year no-cost extension of the award period to September 30, 2020, which will allow for completion of projects in relation to the goals and objectives of the grant. 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 (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

9. Staff recommends motion to:

A) ratify the Mayor's signature on the Volunteer & Employee Criminal History System (VECHS) Application for Qualified Entities;

B) approve the VECHS User Agreement and Florida Department of Law Enforcement (FDLE) Criminal Justice Information Services Agency Contact Form which authorizes the County's Department of Public Safety Division of Victim Services (PBCDVS) to process "Level 2" criminal history background checks on Victim Services applicants, staff and volunteers;

C) approve the VECHS Handbook For Entities Participating in the Applicant Fingerprint & Notification Program, VECHS Handbook Acknowledgement Form, Florida's Integrated Criminal History System (FALCON) User Profile Registration Form-Palm Beach County Victim Services & Rape Crisis Center;

D) authorize the County Administrator or designee to electronically sign and submit the VECHS User Agreement and Contact Form and the VECHS Handbook, Acknowledgement Form and FALCON Registration; and

E) authorize the County Administrator or designee to sign future VECHS applications, user agreements, amendments and/or renewals for criminal history background checks on PBCDVS staff and volunteers with the FDLE.

SUMMARY: PBCDVS receives funding from Federal and State sources who mandate Level 2 criminal history background checks on PBCDVS staff and volunteers who work directly with crime victims. Since this requirement is not statutorily mandated, the County cannot perform these checks and must apply for them to be conducted through VECHS to screen out current and prospective staff and volunteers who are not suitable for contact with children, the elderly, or the disabled. On June 4, 2019, Mayor Mack Bernard signed a VECHS application, which was submitted to FDLE to allow the PBCDVS to perform Level 2 background checks on employees and volunteers who work directly with crime victims. On July 18, 2019, the FDLE approved the application and requested the electronic signature of the Mayor on the associated VECHS User Agreement and associated documentation. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

~~10. Staff recommends motion to:~~ **DELETED FOR FURTHER STAFF REVIEW**

~~A) receive and file~~ executed Amendment No. 4 for subcontract #16TFGR26 with the Florida Council Against Sexual Violence (FCASV) in the amount of \$619,318 to define tasks and deliverables for the period of July 1, 2019 through June 30, 2020, to provide sexual assault recovery services;

~~B) receive and file~~ Subcontract #19OAG26 with FCASV for the period July 1, 2019 through June 30, 2020, to receive grant funding in the amount of \$19,756 to provide sexual assault recovery services; and

~~C) approve~~ a budget amendment of \$132,426 in the Public Safety Grants Fund to adjust the budget to the actual grant awards.

~~**SUMMARY:** These are annual grants that are awarded to the Palm Beach County Division of Victim Services. The funds are used to support and enhance sexual assault recovery services to primary and secondary victims. Amendment No. 4 to subcontract #16TFGR26 (R2016-1195, CSFA 64.061 and CSFA 64.069) revises the contract amount to \$619,318, which is inclusive of the \$463,460 allocation received in the previous three grant periods and \$155,858 allocated for this grant period, defines tasks and deliverables such as client eligibility, services including a 24-hour helpline, information and referral, crisis intervention, advocacy, accompaniment, community awareness, system coordination, support/personal growth groups, therapy, and documentation thereof. Funds are used to cover a Victim Advocate and Sexual Assault Outreach Coordinator. Subcontract #19OAG26 (R2016-1197, CSFA No. 41.010) funds a portion of the salary and benefits for a Sexual Assault Care Coordinator who specializes in follow up care to victims of sexual assault, such as medical and social service appointments. If grant funding ceases, the positions associated with these grants will be deleted from the Victim Services complement. R2006-0095 authorized the County Administrator or designee to execute FCASV grant contracts on behalf of the County. **No County matching funds are required.** Countywide (SF)~~

11. Staff recommends motion to approve: three At-Large appointments to the Emergency Medical Services Advisory Council (EMS Council) for the term October 8, 2019 through September 30, 2022.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
James Smith	1	Fire Chiefs Assoc. of Palm Beach County	Fire Chiefs Assoc. of Palm Beach County
Steven Keehn	16	EMS Medical Directors Assoc.	Palm Beach County EMS Medical Directors Assoc.
Drew Reyburn	17	Palm Beach Council of Firefighters/Paramedics	Professional Firefighters/Paramedics of PBC, Inc.

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. On September 30, 2019, the three seat terms above will expire. Letters were sent to each affiliation requesting a new nominee. The EMS Council currently has 17 seats filled. The EMS Council diversity count is as follows: Caucasian 15 (88%) and African American: 2 (12%). The gender ratio (male: female) is 10:7. Mr. James Smith, Mr. Steven Keehn, and Mr. Drew Reyburn are Caucasian males. Countywide (SF)

3. CONSENT AGENDA APPROVAL

Z. RISK MANAGEMENT

1. **Staff recommends motion to approve:** the purchase of airport liability insurance, for the period October 10, 2019 through October 10, 2020; to be purchased through the County's contracted broker, Arthur J. Gallagher & Co. for a total cost of \$132,528. **SUMMARY:** The total cost of \$132,528 for airport liability insurance represents a 10% increase over the expiring premium for the same \$200,000,000 limits of liability. Due to numerous large losses throughout the industry within the last year, the aviation market has increased significantly in cost. While similar sized agencies are experiencing as much as a 15% increase in premium, ours remains very reasonable due in large part to the County's proactive approach to controlling losses. Countywide (HH)

BB. YOUTH SERVICES

1. **Staff recommends motion to approve:**

A) a first amendment to Community Based Agency Contract (R2018-1668) with Boys and Girls Clubs of Palm Beach County, Inc. (BGCPBC), renewing the contract for the first of two one-year renewal options, for the period October 1, 2019 through September 30, 2020, increasing the contract by \$321,451, for a total amount of \$412,902, to fund the BCGPBC Great Futures Program, under the Youth Master Plan Educational Supports' action area; and

B) a budget transfer of \$230,000 in the general fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the cost associated with this first amendment.

SUMMARY: This contract includes a logic model and reporting measurements specific to the agency and the work performed. After completion of each contract year, a report will be developed detailing the agency's progress in meeting their performance measurements. In October 2018 and April 2019, respectively, the Board of County Commissioners (Board) approved Community Based Contracts with BGCPBC for the Bright Futures Youth Volunteer Corp Program (R2018-1668) (n/k/a Great Futures Program) and for the Career Bound 2.0 Program (R2019-0541) (CB 2.0 Program). The Great Futures Program was funded in an amount of \$91,451 for an evidence-informed intervention that blends service learning, volunteerism, and pre-college programming and was one of 14 contracts awarded/approved under the Department's Request for Proposals for Community Based Agencies FY 2019 (RFP). The CB 2.0 Program was funded in an amount not to exceed \$230,000 for the period April 16, 2019 through September 30, 2019, for programming to prepare youth and young adults for college and career readiness including summer employment opportunities. Funding for this first amendment, blends the two programs while maintaining the same services as under the BGCPBC's proposal under the RFP, and increases the number of youth served by 100, to 270, at six of its Clubs. The expanded Great Futures Program has three components: 1) Youth Volunteer Corps (YVC) which engages 70 youth in service learning to include peer mentorship as a means to advance career bound learning and will complete 100 hours of service per year; 2) Career Bound 2.0 component which engages 200 middle and high school teens utilizing strategies based on the evidence-based model (the addition of 100 middle school members represents a program expansion); and 3) hiring members ages 16-18 as Junior Staff during the summer months. Forty of the YVC teens who have completed their 100 service hours will be eligible to apply for these positions. The Great Futures Program's results through the first three quarters of FY2019 indicate 90% of regularly attending 9th – 10th graders progressed to the next grade level. This Summer's Career Bound 2.0 Program resulted in 40 employment opportunities to youth. The effective date of service for the above contract submitted for approval is prior to this meeting date. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to receive and file: a Modification #1 to Subgrant Agreement between the State of Florida Division of Emergency Management and the Palm Beach County Sheriff's Office on behalf of the Palm Beach County Sheriff's Office to extend the grant period from August 31, 2019 through July 30, 2020. **SUMMARY:** The Board of County Commissioners accepted this grant for \$150,000 on November 21, 2017 (R2017-1753). This agenda item will extend the grant period from August 31, 2019 through July 30, 2020. Countywide (LDC)
2. Staff recommends motion to receive and file: a Modification #1 to Subgrant Agreement between the Florida Division of Emergency Management and the Palm Beach County Sheriff's Office on behalf of the Palm Beach County Sheriff's Office to extend the grant period from August 31, 2019 through November 30, 2019. **SUMMARY:** The Board of County Commissioners accepted this grant for \$374,798 on December 19, 2017 (R2017-1936). This agenda item will extend the grant period from August 31, 2019 through November 30, 2019. Countywide (LDC)
3. Staff recommends motion to:
 - A) **accept** on behalf of the Palm Beach County Sheriff's Office, a Letter of Agreement and Contract between the Palm Beach County Sheriff's Office and the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management, for the Palm Beach County Sheriff's Office's High Visibility Enforcement Project in the amount of \$101,175.36, for the period of August 21, 2019 through May 15, 2020; and
 - B) **approve** a budget amendment of \$101,176 in the Sheriff's Grants Fund.

SUMMARY: On August 12, 2019, the University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management (IPTM), awarded a High Visibility Enforcement (HVE) grant to the Palm Beach County Sheriff's Office in the amount of \$101,175.36, to support the Florida Department of Transportation's Bicycle Pedestrian Focused Initiative. These funds will be used to pay for overtime costs associated with the HVE project. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

4. Staff recommends motion to approve: a budget transfer of \$105,000 from the Law Enforcement Trust Fund (LETf) to the Palm Beach County Sheriff's Office (PBSO). **SUMMARY:** Section 932.7055(5), Florida Statutes, provides that the seizing agency shall use forfeiture proceeds for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators, and providing matching grant funds. Section 932.7055(5), Florida Statutes, also requires that no less than 25% of the LETf's previous year's revenues be used for the support or operation of drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood and school resource officer programs of various non-profit organizations. The PBSO's FY 2019 donation requirement is \$177,018. The PBSO's support of these programs exemplifies its strong commitment to the prevention and reduction of crime throughout the communities it serves and its desire to put money back into these communities to support organizations that provide such services. The year-to-date transfer for all donations to outside organizations after approval of this item is \$1,261,330. The funds requested are to aid PBSO and qualified organizations that meet the requirements set forth in Section 932.7055(5), Florida Statutes. Use of LETf requires approval by the Board, upon request of the Sheriff. The current State LETf balance is \$791,183. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$686,183. The PBSO certifies that the use of these funds is in accordance with Section 932.7055(5), Florida Statutes. Below is a table indicating the organizations the PBSO seeks to fund and the corresponding amount of funding proposed per respective organization or agency. **No new positions are needed and no additional County funds are required.** Countywide (LDC)

ORGANIZATION	AMOUNT
Friends of the Mounts Botanical Garden, Inc.	\$5,000
Urban League of Palm Beach County, Inc.	\$100,000
Total Amount	\$105,000

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to:

A) ratify the Vice Mayor’s signature on Cooperative Agreement No. FF204K194023 with the U.S. Department of Housing and Urban Development (HUD) allowing the Office of Equal Opportunity (OEO) to receive revenue for processing and resolving housing discrimination complaints for the period July 1, 2018 through June 30, 2019 in the total amount of \$283,300; and

B) approve a budget amendment in the General Fund (Fund 0001) in the amount of \$16,700 to recognize the decreased award amount from \$300,000 to \$283,300.

SUMMARY: In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of Cooperative Agreement No. FF204K194023 was required prior to August 30, 2019 to meet HUD’s FY 2019 federal funding deadlines. The emergency signature process was utilized because there was insufficient time to meet the application deadline under the regular agenda process. The agreement final award amount of \$283,300 represents a \$16,700 decrease over the budgeted \$300,000, and includes \$191,900 for 75 cases processed for the period July 1, 2018 through June 30, 2019; \$10,000 for a post-cause supplement; \$26,400 for training funds; and \$55,000 for administrative costs. Board ratification of the Vice Mayor’s signature will ensure the receipt of revenue under this agreement. Countywide (DO)

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

A. PARKS & RECREATION

1. Staff recommends motion to adopt: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, to be designated as the Vapor Free Public Park Playground Ordinance; providing for a title; providing for applicability; providing for definitions; providing for the prohibition of the use of vapor generating electronic devices at public park playgrounds; providing for civil citations for violations; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date. **SUMMARY:** This ordinance, to be known as the Vapor Free Public Park Playground Ordinance, will provide a prohibition of the use of vapor generating electronic devices including e-cigarettes at County-operated public park playgrounds. The Centers for Disease Control and Prevention has stated that the use of e-cigarettes is unsafe for kids, teens and young adults. E-cigarettes typically contain nicotine, which is highly addictive and can harm adolescent brain development, which continues into the early to mid-20s. E-cigarettes can contain other harmful substances besides nicotine including ultrafine particles that can be inhaled deep into the lungs, flavorings such as diacetyl, a chemical linked to a serious lung disease, volatile organic compounds, cancer-causing chemicals, and heavy metals such as nickel, tin and lead. Vaping in proximity of children engaging in or watching outdoor recreational activities is detrimental to their health. If an individual is found to have violated the ordinance, a civil citation will be issued with a first occurrence of a \$50 civil fine plus court costs. Countywide (AH)

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5. REGULAR AGENDA

A. WATER UTILITIES

1. [Staff recommends motion to approve on preliminary reading and to advertise for Public Hearing on October 22, 2019 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending section 27-161, "Liens of Assessments", of Chapter 27, Article VIII of the Palm Beach County Code, the "Potable Water, Wastewater, and Reclaimed Water Special Assessment Ordinance"; 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 Potable Water, Wastewater, and Reclaimed Water Special Assessment Ordinance (Ordinance) provides for the levying of assessments and associated liens upon properties that will specially benefit from the construction or reconstruction of potable water, wastewater, and/or reclaimed water facilities. The Board of County Commissioners (Board) has approved certain assessment projects, allowing assessment liens to be paid in not more than 20 equal annual installments. It was recently discovered that, based on an unintended re-amortization of remaining assessment amounts for certain property owners (Affected Owners) in existing assessment projects, the Affected Owners' annual installment payment amounts had been reduced below the original annual installment payment amount. This re-amortization has resulted in the Affected Owners not being on schedule to pay off their assessment liens in 20 equal annual installments, which is the maximum number of annual installments currently permitted by the Ordinance. In order to pay off the assessment lien in 20 annual installments, each Affected Owners' annual installment payment amount would need to be increased beyond the original annual installment payment amount provided to each Affected Owner at the time of the placement of the assessment lien. Such an increase to the annual installment payment amounts may cause financial hardship to the Affected Owners. The amendment to the Ordinance will allow the Board, upon good cause shown, to approve a resolution directing that a lien(s) may be made payable in more than 20 annual installments, which may not be equal and which may bear a fluctuating interest rate. Any such resolutions shall be limited to address procedural irregularities in the collection process, which irregularity is not the fault of the property owner. The October 22, 2019 Public Hearing will include amended resolutions permitting the assessment liens of the Affected Owners to be payable in 25 annual installments. Countywide (MJ)

5. REGULAR AGENDA

B. ENGINEERING & PUBLIC WORKS

1. [Staff recommends a motion to approve on preliminary reading and advertise for Public Hearing on Tuesday, October 22, 2019 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners (BCC) of Palm Beach County (County), Florida, amending Section 26-30.5, "Priority of Lien, Interest, and Method of Payment of Special Assessments", of Chapter 26, Article II of the Palm Beach County Code, the "Municipal Service Taxing Unit (MSTU) Special Assessment Ordinance"; 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 MSTU Special Assessment Ordinance (Ordinance) provides for the levying of assessments and associated liens upon properties that will specially benefit from the construction of street improvements and related projects. The BCC has already approved certain assessment projects, allowing assessment liens to be paid in not more than 20 equal annual installments. It was recently discovered that, based on an unintended re-amortization of remaining assessment amounts for certain property owners (Affected Owners) in existing assessment projects, the Affected Owners' annual installment payment amounts had been reduced below the original annual installment payment amount. This re-amortization has resulted in the Affected Owners not being on schedule to pay off their assessment liens in 20 equal annual installments, which is the maximum number of annual installments currently permitted by the Ordinance. In order to pay off the assessment lien in 20 annual installments, each Affected Owners' annual installment payment amount now needs to be increased beyond the original annual installment payment amount provided to each Affected Owner at the time of the placement of the assessment lien. Such an increase to the annual installment payment amounts may cause financial hardship to the Affected Owners. The amendment to the Ordinance will also allow the BCC, upon good cause, to approve a resolution directing that a lien be made payable in more than 20 annual installments, which may not be equal and which may bear a fluctuating interest rate. Any such resolutions shall be limited to address procedural irregularities in the collection process, which irregularity is not the fault of the property owner. The October 22, 2019 Public Hearing will include amended resolutions permitting the assessment liens of the Affected Owners to be payable in 25 annual installments. Countywide (YBH)

5. REGULAR AGENDA

C. PARKS & RECREATION

1. Staff recommends motion to:

A) approve a five-year time extension for development of the Cam D. Milani park site located within the Town of Highland Beach from June 1, 2020 to May 31, 2025; and

B) authorize the Mayor to execute a letter to the Town of Highland Beach providing notification of the time extension.

SUMMARY: On May 18, 2010, the Board approved a stipulated settlement agreement with the Town of Highland Beach regarding the Town's approval, with conditions, of the County's special exception use application for the development of the Cam D. Milani park property. The stipulated settlement agreement was executed by the Town on June 1, 2010. On September 14, 2010, the Board approved an addendum to the stipulated settlement agreement (R2010-1374) to correct scrivener's errors. In the settlement agreement, the County agreed not to proceed with development of the park, other than addressing certain compliance conditions, for a period of ten years from the date of adoption for the amended development order (June 1, 2010). The settlement agreement also provided the County the right to extend the postponement at its sole option for two periods of five years each for a maximum postponement of 20 years. Should the County determine to extend the postponement period for five additional years, a letter notifying the Town of the extension is required within 6-12 months of the 10-year anniversary of the initial postponement. Inasmuch as the County requires the property to maintain Comprehensive Plan level of service requirements for beach park acres, and funding for the development of the park site has not yet been appropriated due to budgetary constraints and competing priorities, staff recommends postponing development of the Cam D. Milani park site for an additional five-year period. Pending Board approval, the obligatory letter will be sent to the Town outlining the County's intent to extend the postponement of development for an additional five years. Within this timeframe, it is the Department's intent to request design phase funding as part of our five-year Capital Program. District 4 (AH)

D. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to approve: a Street Light Easement in favor of the City of West Palm Beach (City), for the installation of streetlights along the western boundary of the Judicial Center Parking Garage in West Palm Beach. **SUMMARY:** The City is proposing to install street lighting along the east and west sides of Rosemary Avenue, between Banyan Boulevard and 8th Street. The City is requesting an easement for the installation of street lighting along the western boundary of the Judicial Center Parking Garage. The easement area is approximately 10' wide by 507' long, containing approximately 2,510 square feet (0.06 acres). All street lighting improvements within the easement area will be installed and maintained by the City, at the City's expense. The County will grant the City a non-exclusive easement at no charge, since the street lighting will benefit the community. The easement will be recorded in the public records of Palm Beach County to document its existence and location. (Property and Real Estate Management) District 7 (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to approve: a first amendment to Interlocal Agreement R2014-1744 with the City of West Palm Beach, a Florida Municipal Corporation (City), to extend the term of the Interlocal Agreement for shared use of the City's electronic surveillance video system (Video System) located at the Intermodal Facility retroactively from August 31, 2019 through August 30, 2024. **SUMMARY:** In 2009, the Board approved Agreement R2009-1418 for County to furnish seven video cameras and related infrastructure to the City for use at the Intermodal Facility located at 150 Clearwater Drive, West Palm Beach. The equipment was interfaced with the City's existing video system and County was provided with access to the City's video system for monitoring and operational purposes. Interlocal Agreement R2014-1744 continued the agreement to ensure uninterrupted access to the video and maintenance of the video equipment. The Interlocal Agreement expired on August 30, 2019, but provided for one renewal option for a period of five years through August 30, 2024. The City has approved the renewal to retroactively extend the term of the Interlocal Agreement and the renewal option now requires Board approval. The first amendment extends the term, updates the City and County contact information and adds the County's standard Insurance, Non-Discrimination, Inspector General and Assignment provisions. **There are no charges associated with the Agreement.** The Interlocal Agreement shall terminate on the earlier of August 30, 2024, or the end of the useful life of the equipment. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

3. Staff recommends motion to approve on preliminary reading and advertise for public hearing on October 22, 2019 at 9:30 a.m.: an ordinance of the Board of County Commissioners of Palm Beach County, Florida, repealing and replacing Chapter 22, Article VI of the Palm Beach County Code (Ordinance No. 2009-052 The Palm Beach County Real Property Acquisition, Disposition and Leasing Ordinance); providing for a title; providing for definitions; providing for determination of value; providing for standards and procedures for the sale or lease of real property; providing for delegation of authority; providing for supermajority vote; providing for the property review committee; providing for repeal of laws in conflict; providing for severability; providing captions; providing for inclusion in the code of laws and ordinances; and providing an effective date. **SUMMARY:** The Palm Beach County Acquisition, Disposition and Leasing Ordinance (commonly referred to as the PREM Ordinance) was amended in 2009 to implement recommendations of the Palm Beach County Grand Jury, including requiring a supermajority vote to approve all purchases, sales and exchanges and establishing a Property Review Committee (PRC) to review real estate transactions which: i) are based upon appraisals utilizing hypothetical conditions, extraordinary assumptions, or assume a change in land use, comprehensive plan amendment or concurrency other than currently exists; ii) the price varies from the appraisal value by more than 10%; or iii) are an exchange of real properties in which the value of the property to be conveyed or received by the County exceeds \$250,000. Transactions for less than \$250,000 are exempt from PRC review. At the request of Engineering and the County Attorney's Office, the 10% valuation threshold is being increased to 15% for acquisitions of right-of-way generally, and acquisitions which involve eminent domain and/or inverse condemnation litigation will be exempt from PRC review. At the request of Housing and Economic Sustainability, this repealed and replaced PREM Ordinance allows for the sale of workforce housing units in accordance with the Workforce Housing Program to be sold directly to a qualified buyer without a competitive process, without an additional appraisals, beyond that obtained by the County in connection with acquisition of the unit, and without review by the PRC. The sale of workforce housing units acquired by the County is governed by the Workforce Housing Financial Assistance Strategy adopted by the Board and requires flexibility in the pricing and sales process utilized to transfer the units to qualified buyers. Resolution R2013-1421 established the PRC with five members with a mix of qualifications and three-year terms. The PRC has not met to review a qualifying real estate transaction in three years, and currently does not have enough members to achieve a quorum. Staff is submitting a companion agenda item to approve a resolution reducing the number of committee members from five to three to assist in filling the Committee. This repealed and replaced PREM Ordinance also requires disclosure of appraised values in the summary section of the agenda item presented for Board approval. Except for the changes noted above, this repealed and replaced PREM Ordinance contains the same provision as the existing PREM Ordinance. (Property & Real Estate Management) Countywide (HJF)

5. REGULAR AGENDA

D. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

4. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida repealing and replacing Resolution No. 2013-1421; providing for the Palm Beach County Property Review Committee (PRC); providing for membership; providing for meetings and organization; providing for removal; providing for duties and functions; providing for board action advisory only; providing for assistance to the committee; providing for severability; providing for uniform policies and procedures; and providing for an effective date. **SUMMARY:** The PRC is an Advisory Board that is charged with reviewing, evaluating and advising the Board regarding real estate transactions involving the purchase, sale or exchange of real property upon certain triggers being met or value thresholds exceeded. The PRC was created by Resolution No. 2010-0292, which was repealed and replaced by Resolution No. 2013-1421. The PRC has not met to review a transaction in three years, and currently does not have enough members to establish a quorum. The last meeting was in June of 2016. This repealed and replaced resolution reduces the number of members of the PRC from five to three which will make it easier to recruit individuals willing to serve. The qualifications of the members of the PRC are as follows: (i) one representative from the Palm Beach County Property Appraiser's Office; (ii) one representative licensed as a real estate broker with an office in Palm Beach County and expertise in Palm Beach County commercial real estate; and (iii) one representative with expertise in land planning, eminent domain and/or real estate law who is a licensed attorney with offices in Palm Beach County. (Property & Real Estate Management) Countywide (HJF)

5. Staff recommends motion to:

A) approve a contract with Song & Associates, Inc. to provide professional architectural/engineering design, programming, site plan approval, permitting, and construction administration services for the new Supervisor of Elections Production Facility project to be located at the Cherry Road complex for a period of three years and four months or until the construction achieves final completion; and

B) authorize the County Administrator or designee to execute Consultant Services Authorization (CSA) No. 1 in an amount not to exceed \$200,000.

SUMMARY: In 2009, the County entered into a sublease for a 76,602 square foot space in Riviera Beach for the Supervisor of Elections Production Facility. The existing Supervisor of Elections production facility houses all of the Election Day ballot processing, production, voting equipment, and materials to support the election operations. At the time, the production facility met both the immediate and potential future needs of the Supervisor of Elections. While the leased space was responsive to the immediate need for a large open space, it did not consider, and as a result did not have the flexibility to accommodate the impacts of; 1) a significant increase in the number of absentee ballots; 2) support facilities for the volume of persons assigned to the facility (parking, restrooms, support spaces); and 3) the need for dedicated spaces and technology for media and observers. In order to properly address the facilities daily operational requirements, CSA No. 1 authorizes a full programming study and site analysis to document the efficiencies, develop options to accomplish the same on county owned property, and compare a co-located option which relocates both facilities (the main office (on Gun Club Road) and the production facility (in Riviera Beach)) to the Cherry Road site (Comparative Study). The County will evaluate the results of the Comparative Study in order to determine the most appropriate solution to be used as the scope of the project to be designed. Following this expanded programming phase, professional services will include site-planning, design, construction documents, permitting and construction administration services. Maintaining the preliminary schedule outlined in the request for proposal is critical to the County as the timeline coincides with the expiration of the lease agreement currently in place for the production facility. In order to maintain this timeline, staff is requesting authorization for the County Administrator or designee to execute CSA No. 1 to complete the Comparative Study. The solicitation for design professionals was advertised on June 9, 2019 according to the Equal Business Opportunity Program, with the final selection taking place on September 6, 2019. The project was presented to the Goal Setting Committee on May 15, 2019 that established an affirmative procurement initiative requiring a minimum mandatory goal of 20% SBE participation and awarding 15 points evaluation preference for SBE participation. Song & Associates, Inc. is a Small Business Enterprise (SBE) and will be utilizing five SBEs and Minority/Women Business Enterprise (M/WBE) sub-consultants. The prime consultant has committed to 80% S/W/MBE participation. Song & Associates, Inc. has engaged Alan Gerwig & Associates, Inc., as a sub-consultant on this project. Anne Gerwig of Alan Gerwig & Associates, Inc. has disclosed that she is serving as the Mayor of Wellington and currently serves on Palm Beach County's Health and Human Services Committee. As Mayor, Anne Gerwig had no decision-making authority as it relates to this contract. In the event any item would come before her that would offer a special financial benefit to her or her business relating to this contract, Alan Gerwig & Associates, Inc. has disclosed that it would require her to recuse herself from that item, thereby removing any conflict of interest for herself, Alan Gerwig & Associates, Inc. or the County. Anne Gerwig also serves as chair of the Citizens Advisory Committee on Health and Human Services as a Palm Beach County League of Cities representative, which is purely an advisory board and provided no regulation, oversight, management or policy setting recommendations regarding this Contract. Pursuant to the Code of Ethics Section 2-443 this matter is disclosed herein to allow Song & Associates, Inc., to utilize Alan Gerwig & Associates, Inc., as a sub-consultant on this contract. (Capital Improvements Division) Countywide/District 2 (LDC)

5. REGULAR AGENDA

E. WESTGATE/BELVEDERE HOMES CRA

- 1. Staff recommends motion to adopt: a resolution of the Board of County Commissioners of Palm Beach County, Florida approving the Westgate/Belvedere Homes Community Redevelopment Agency’s (CRA) Fiscal Year 2020 Budget for its Redevelopment Trust (operating) Fund and Capital Improvements Fund. **SUMMARY:** The budget, in the amount of \$4,851,187 is comprised of two components: **(a)** the Redevelopment Trust Fund, in the amount of \$3,430,187, representing the CRA’s Annual Tax Increment Financing (TIF) and balance brought forward from previous years, and **(b)** the Capital Improvement Fund, in the amount of \$1,421,000, representing balances of reimbursable grants awarded to the CRA by County, State, and Federal governments for construction activities. The Tax Increment Financing revenues will be used for obligations to Florida Power & Light for street lighting, CRA operations and other projects. The 2020 Budget increased by 11% due to an increase in CRA TIF. Districts 2 & 7 (RB)

6. BOARD APPOINTMENTS

A. PUBLIC SAFETY

- 1. Staff recommends motion to approve: one At Large appointment with three nominees to the Emergency Medical Services (EMS) Advisory Council for the term from October 8, 2019 through September 30, 2022.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Tina Palermo	8	EMS Educator	Medical Career Academy
OR			
Matt Keeler	8	EMS Educator	Palm Beach State College
OR			
Phil Botting	8	EMS Educator	HCI College

SUMMARY: Per Resolution R2014-0100, the Board of County Commissioners approved a representative make-up of the EMS Council to include 20 members. Thirteen members are representatives of the various components of the EMS system with specific requirements and seven members are Commission District Consumer appointments. On September 30, 2019, the EMS Educator seat term above will expire. Letters were sent to four EMS Education Schools requesting a new nominee. There were three nominations received. The EMS Council currently has 17 seats filled. The EMS Council diversity count is as follows: Caucasian 15 (88%) and African American: 2 (12%). The gender ratio (male: female) is 10:7. Ms. Tina Palermo is Caucasian female, Mr. Matt Keeler and Mr. Phil Botting are Caucasian males. Countywide (SF)

B. COMMISSION DISTRICT APPOINTMENTS

OCTOBER 8, 2019

7. 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."