

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

FEBRUARY 4, 2020

<u>PAGE</u>	<u>ITEM</u>	
11	3H-1	MOVED TO REGULAR (NOW 5A-3): Staff recommends motion to approve: an extension of time to commence construction from January 31, 2020 until March 31, 2020 and complete construction by April 30, 2020 in connection with the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café. (FDO)
30	5C-1	ADD-ON: Staff recommends motion to adopt: a Resolution initiating intergovernmental conflict resolution procedures, as set forth under Chapter 164, Florida Statutes, to resolve the County's conflict with the City of Palm Beach Gardens over the City of Palm Beach Gardens' adoption of Ordinance 16, 2019; Ordinance 19, 2019; and Resolution 57, 2019. SUMMARY: On September 5, 2019, the City adopted Ordinance 16, 2019 and Resolution 57, 2019 to approve a Mobility Plan and Mobility Fee Technical Report and to terminate the interlocal agreement with County regarding traffic concurrency procedures. On September 19, 2019, the City adopted Ordinance 19, 2019 which amended the City's impact fee schedule consistent with the Mobility Fee Technical Report. Ordinance 16, 2019; Ordinance 19, 2019; and Resolution 57, 2019 unlawfully replaced the County's road impact fee and transportation concurrency. Based on the City's unlawful official actions, staff recommends the Board of County Commissioners authorize the commencement of intergovernmental conflict resolution procedures pursuant to Chapter 164, Florida Statutes. <u>Countywide</u> (KP) (County Attorney)

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

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

FEBRUARY 4, 2020

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

**COMMISSION
CHAMBERS**

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

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. CONSENT AGENDA (Pages 6-27)**

- 4. SPECIAL PRESENTATIONS (Page 28)**

- 5. REGULAR AGENDA (Pages 29-30)**

- 6. BOARD APPOINTMENTS (Page 31)**

- 7. STAFF COMMENTS (Page 32)**

- 8. BCC COMMENTS (Page 33)**

- 9. MATTERS BY THE PUBLIC – 2:00 P.M. (Page 34)**

- 10. ADJOURNMENT (Page 35)**

TABLE OF CONTENTS

CONSENT AGENDA

A. ADMINISTRATION

Page 6

3A-1 Appointments to the CareerSource Palm Beach County, Inc. Board of Directors

B. CLERK & COMPTROLLER

Page 6

3B-1 Warrant list

3B-2 Change orders, work task orders, minor contracts, final payments, etc.

3B-3 Contracts and claims settlements list

C. ENGINEERING & PUBLIC WORKS

Page 6

3C-1 Receive and file construction agreement with the Florida Department of Transportation for intersection construction of Boynton Beach Boulevard and Acme Dairy Road

D. COUNTY ATTORNEY

Page 7

3D-1 Receive and file official transcript for the closing of the G-Star School of the Arts, Inc. revenue bonds

3D-2 Receive and file official transcript for the closing of the Provident Group - PBAU Properties LLC revenue bonds

3D-3 Receive and file official transcript for the closing of Grandview Preparatory School Inc. revenue bond

3D-4 Settlement agreement for Mavelyn McCray

E. COMMUNITY SERVICES

Page 8

3E-1 Appointment to the Community Action Advisory Board

F. AIRPORTS

Page 8

3F-1 Change order to amendment to contract with The Morganti Group, Inc. for Parcel I Site Access Roadway & Utilities Project at Palm Beach International Airport

Page 9

3F-2 Receive and file signatory cargo carrier operating and lease agreements with Federal Express Corporation and United Parcel Service Co.

3F-3 Receive and file license agreement with Gideon Toal Management Services LLC for storage of equipment

3F-4 Receive and file license agreement with Centerport, Inc. for vehicle and trailer parking

Page 10

3F-5 Amendment to consulting agreement with AECOM Technical Services, Inc. for the Palm Beach County Airports Capital Improvement Program

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

Page 10

3G-1 Budget documents related to revenue funding bonds and a taxable public improvement revenue bond

Page 11

3G-2 Settlement offer for full satisfaction of a code enforcement lien against Julio C. Ruiz

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

H. FACILITIES DEVELOPMENT & OPERATIONS

- Page 11
3H-1 Extension of time for LJL Food Management, Inc. to commence and complete construction
- Page 12
3H-2 Contract with Langer Electric Company for electrical services
- Page 13
3H-3 Contracts with two companies for low voltage services
- Page 14
3H-4 Contract with Hatcher Construction & Development, Inc. for painting and weatherproofing services
- Page 15
3H-5 Contract with Trusted Construction, Inc. for roofing services

I. HOUSING AND ECONOMIC SUSTAINABILITY

- Page 16
3I-1 Budget documents to appropriate the budget for projects included in the Fiscal Year 2019-2020 Action Plan
3I-2 Receive and file grant agreements/funding approvals with the U.S. Department of Housing and Urban Development
- Page 17
3I-3 Receive and file loan agreement with Isles of Pahokee II, LLC

K. WATER UTILITIES

- Page 17
3K-1 Budget documents related to the Water and Sewer Revenue Refunding Bonds
3K-2 Non-standard potable water and wastewater development agreement with Airports Logistics Park, LLC for warehouse and distribution facilities
- Page 18
3K-3 Contract with HDR Engineering, Inc. related to the assessment of a joint wastewater transmission system with the City of Lake Worth

L. ENVIRONMENTAL RESOURCES MANAGEMENT

- Page 19
3L-1 Receive and file amendment to lease agreement with Florida Inland Navigation District for use of the waterfront site for materials and construction related to the Tarpon Cove restoration project
3L-2 Easement agreement with Martinique 2 Owners' Association, Inc. for the Singer Island Dune Restoration project

M. PARKS & RECREATION

- Page 20
3M-1 Receive and file three Amphitheater Rental Agreements
3M-2 Receive and file two Sound and Light Production Service Contractor Agreements
- Page 21
3M-3 Receive and file two Entertainment Contractor Agreements
3M-4 Receive and file Children's Services Council Grant Agreement for the Glades Family Fun Fest

Q. CRIMINAL JUSTICE COMMISSION

- Page 22
3Q-1 Receive and file amendments to agreements with three agencies related to the MacArthur Foundation Safety and Justice Challenge

U. INFORMATION SYSTEMS SERVICES

- Page 23
3U-1 Rescind and replace Interlocal agreement with the City of Atlantis for network services
3U-2 Rescind and replace Interlocal agreement with the Florida Atlantic University Board of Trustees

TABLE OF CONTENTS

CONSENT AGENDA CONTINUED

X. PUBLIC SAFETY

Page 24

- 3X-1 Receive and file grant adjustment notices to improve the criminal justice response program
- 3X-2 Receive and file purchase order from the Florida Department of Corrections for reentry services

AA. PALM TRAN

Page 25

- 3AA-1 Resolution accepting the grand award/vehicle transfer from the State of Florida Department of Transportation

BB. YOUTH SERVICES

Page 25

- 3BB-1 Contract with Henry L. Smith to complete an internship

CC. SHERIFF

Page 26

- 3CC-1 Grant award through the City of Miami as the fiscal agent for the Miami Urban Area Security Initiative to purchase equipment for the Region 7 Specialty Team
- 3CC-2 Amendment to the Memorandum of Agreement between the PBSO and the Early Learning Coalition to align the budget
- 3CC-3 Subgrant agreement from the State of Florida Department of Transportation for the Speed and Aggressive Driving Initiative project

Page 27

- 3CC-4 Budget transfer from the Lake Enforcement Trust Fund for reduction of crime in communities

SPECIAL PRESENTATIONS

Page 28

- 4A Recognition of Alexander W. Dreyfoos High School students
- 4B 10th Anniversary of the Boca West Children's Foundation
- 4C 211 Awareness Week
- 4D Transportation Disadvantaged Day
- 4E In-Plant Print Shop Awareness Month
- 4F Black History Month
- 4G Dress for Success Day

REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

Page 29

- 5A-1 Concessionaire Lease Agreement with Kayak-King Watersports, Inc. to operate the water sports and recreational rental equipment concession at Okeeheelee Park
- 5A-2 Concessionaire Lease Agreement with Ultimate Bakery & Pastry, Inc. for food service at the County's Vista Center

B. ENVIRONMENTAL RESOURCES MANAGEMENT

Page 30

- 5B-1 Updated management plan for the Pondhawk Natural Area

FEBRUARY 4, 2020

TABLE OF CONTENTS

BOARD APPOINTMENTS (Page 31)

STAFF COMMENTS

Page 32

7A-1 Updated board directive report

COMMISSIONER COMMENTS (Page 33)

MATTERS BY THE PUBLIC – 2:00 P.M. (Page 34)

ADJOURNMENT (Page 35)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. [Staff recommends motion to approve:](#) the appointment of two new members to the CareerSource Palm Beach County, Inc. Board of Directors (Board) for the seat and term indicated below.

<u>Appointment</u>	<u>Seat No.</u>	<u>Term</u>	<u>Area of Representation</u>	<u>Nominated By</u>
Timothy Dougher	16	2/4/20-2/3/23	Economic And Community Development Entities	Business Development Board of Palm Beach County, Inc.
Shirley Erazo	19	2/4/20-2/3/23	Economic And Community Development Entities: Programs Relating To Transportation, Housing, And Public Assistance	Delray Beach Housing Authority

SUMMARY: On November 18, 2014, the Board of County Commissioners (BCC) approved the third amendment to Interlocal Agreement (R2014-1650) creating the Palm Beach Workforce Development Consortium (R2007-1220) which establishes the current Board composition. The agreement states that 14 private sector members are appointed by the BCC. The federal Workforce Innovation and Opportunity Act requests that an emphasis be placed on Chief Executive Officers or highest level of management positions for both community and business sector appointments. The CareerSource Palm Beach County, Inc. Board of Directors is comprised of a minimum of 19 members with representation established in Attachment 4 to this agenda item. The Board has a maximum of 33 seats, 19 currently filled and a diversity count of Caucasian: 15 (79%), African-American: 3 (16%) and Hispanic: 1 (5%). The gender ratio (female:male) is: 5:14. The nominees are one Caucasian male and one Hispanic 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 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 Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during April, 2018. Countywide
3. [Staff recommends motion to approve:](#) contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide

C. ENGINEERING & PUBLIC WORKS

1. [Staff recommends motion to receive and file:](#) a construction agreement with the Florida Department of Transportation (FDOT) for the construction of Boynton Beach Boulevard and Acme Dairy Road intersection improvements. **SUMMARY:** This agreement is being submitted to the Clerk & Comptroller of Palm Beach County in accordance with Countywide PPM CW-O-051. The agreement was approved by the Deputy County Engineer as a delegated authority in accordance with R2013-1117. The construction provides for extension of the existing eastbound right turn lane on Boynton Beach Boulevard at Acme Dairy Road. District 5 (YBH)

3. CONSENT AGENDA APPROVAL

D. COUNTY ATTORNEY

1. **Staff recommends motion to receive and file:** the official transcript for the closing of \$6,315,000 Palm Beach County, Florida Revenue Bond (G-Star School of the Arts, Inc. Project) Series 2017A and \$185,000 Palm Beach County, Florida Revenue Bond (G-Star School of the Arts, Inc. Project) Series 2017B (the Bonds). **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The Bond Transcript is the official transcript for the issuance of the Bonds. District 3 (DB)
2. **Staff recommends motion to receive and file:** the official transcript for the closing of \$40,015,000 Palm Beach County, Florida Revenue Bonds (Provident Group – PBAU Properties LLC – Palm Beach Atlantic University Housing Project), Series 2019A and \$740,000 Palm Beach County, Florida Revenue Bonds (Provident Group – PBAU Properties LLC – Palm Beach Atlantic University Housing Project), Series 2019B (Taxable) (the Bonds). **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The Bond Transcript is the official transcript for the issuance of the Bonds. District 7 (DB)
3. **Staff recommends motion to receive and file:** the official transcript for the closing of \$5,000,000 Palm Beach County, Florida Revenue Bond (Grandview Preparatory School Inc. Project), Series 2019 (the Bond). **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts, agreements, and grants must be submitted by the initiating Department as a receive and file agenda item. The Bond Transcript is the official transcript for the issuance of the Bond. District 7 (DB)
4. **Staff recommends motion to approve:** a settlement agreement, inclusive of attorney’s fees and costs, in the total amount of \$90,000 in the personal injury action styled Mavelyn McCray v. Palm Beach County, Case No. 502018CA015921XXXXMB AA. **SUMMARY:** This is a personal injury lawsuit arising from a rear end collision between a truck operated by a Water Utilities Department employee and a car driven by Plaintiff, Mavelyn McCray. Plaintiff suffered head and back injuries, spinal pain, and a mild neurocognitive disorder. Countywide (AC)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve: the appointment of one new member to the Community Action Advisory Board, effective February 4, 2020:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Expires</u>
6	Sandra S. Wright	Private Sector Representative	09/30/22

SUMMARY: Per Resolution No. R2018-0372, adopted April 10, 2018, amending Resolution No. R2014-0588, originally adopted by the Board of County Commissioners on May 6, 2014, the total membership for the Community Action Advisory Board (CAAB) shall be no more than 15 at-large members, 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. Wright meets all applicable guidelines and requirements outlined in the resolution. Ms. Wright has disclosed that she is employed by CareerSource of Palm Beach County, Inc., which contracts with the County for services. The CAAB 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 County Code of Ethics. The diversity count for the ten seats that are currently filled is African-American: 9 (90%) and Hispanic-American: 1 (10%). The gender ratio (female: male) is 9:1. Ms. Wright is a Caucasian female. 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)

F. AIRPORTS

1. Staff recommends motion to approve: Change Order No. 6 to Amendment No. 15 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for CM at Risk Services for Task M-36: Parcel I Site Access Roadway & Utilities Project at Palm Beach International Airport (PBI) for a time of extension of 183 calendar days. **SUMMARY:** Amendment No. 15 (Task M-36) in the amount of \$4,951,000 and 330 calendar days was approved by the Board on April 10, 2018 (R2018-0380). Change Order No. 1 (R2018-0987), No. 3 (R2018-1763), and No. 5 (R2019-1148) in the amount of \$637,367.13 and 296 calendar days were approved by the Board; Change Orders No. 2 and No. 4 in the amount of \$138,713.32 were approved in accordance with the authority designated in PPM CW-F-050. During the permit process, it was determined that the signalization at Florida Mango/Perimeter Road must be upgraded to a mast arm design to meet current standards. The contract time was previously extended based on an anticipated delivery date of July 19, 2019. The distributor providing the mast arms failed to order the mast arms as required causing a further delay in completion of the project. The mast arms have been ordered through a new distributor. Approval of Change Order No. 6, extending the time by 183 calendar days, is necessary to complete the delivery, installation, testing and final acceptance by Palm Beach County. The Disadvantaged Business Enterprise (DBE) goal for this contract is 13%. The total to date DBE participation for this contract is 16%. DBE participation for this Change Order is 0%. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

2. Staff recommends motion to receive and file:

A) a Signatory Cargo Carrier Operating and Lease Agreement with Federal Express Corporation, commencing October 1, 2019 and terminating September 30, 2024.

B) a Signatory Cargo Carrier Operating and Lease Agreement with United Parcel Service Co., commencing October 1, 2019 and terminating September 30, 2024.

SUMMARY: The Signatory Cargo Carrier Operating and Lease Agreements (Agreements) provide for the lease of space at the air cargo building #1475 and landing fees at the Palm Beach International Airport (PBI). The Agreements expire on September 30, 2024, but are automatically extended to September 30, 2026, unless the County provides notice, or 75% or more of the signatory airlines provide notice of their intent to terminate. Delegation of authority for execution of the standard County Agreement above was approved by the BCC in R2019-1154. Countywide (AH)

3. Staff recommends motion to receive and file: a License Agreement with Gideon Toal Management Services, LLC (Gideon Toal), commencing September 12, 2019 and terminating on October 31, 2019 with automatic weekly renewals through April 30, 2020, unless terminated; providing for the use of approximately 1,000 square feet in unit 1304 of Building 1300 at the Palm Beach International Airport (PBI) for storage of equipment in connection with the construction of a common use lounge by Gideon Toal at PBI, and for payment of license fees in the amount of \$1,198.61 for the Initial Term. **SUMMARY:** The License Agreement provides for the short-term for storage of equipment in connection with the construction of a common use lounge by Gideon Toal at PBI. Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2007-2070. Countywide (AH)

4. Staff recommends motion to receive and file: a License Agreement with Centerport, Inc., commencing October 1, 2019 and terminating on October 31, 2019 with automatic month-to-month renewals through September 30, 2022, unless terminated; providing for the use of approximately 9,805 square feet of paved parking for the parking of vehicles and trailers in connection with Centerport's cargo operations at the Palm Beach International Airport (PBI), payment of license fees in the amount of \$653.67 per month. **SUMMARY:** Centerport leases space at the air freight building at 1300 Perimeter Road at PBI, and requires additional parking area for the storage of vehicles and trailers to support its operations. Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2007-2070. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

5. Staff recommends motion to approve: Amendment No. 2 to the General Consulting Agreement with AECOM Technical Services, Inc. (AECOM) for Consulting/Professional Services in the amount of \$1,753,356.78 for the continued performance of professional planning and design services related to the approved Palm Beach County Airports Capital Improvement Program. **SUMMARY:** The Consulting Agreement with AECOM for general airport planning and design was approved by the Board on March 12, 2019 (R2019-0301) in the amount of \$828,984.74 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved by the Board on August 20, 2019 (R2019-1160) increasing the amount of the contract by \$1,032,651.29. Approval of Amendment No. 2 will provide an additional \$1,753,356.78 to complete the following tasks: Task I Services – Develop Sustainability Management Plans for Four County Airports; Palm Beach International Airport (PBI) Project Definition Document for New Maintenance Facility; PBI Airfield Vehicle Service Road Relocation; PBI Canal Boat Ramp; PBI James L. Turnage Boulevard Rehabilitation Study; PBI Planning/Programming for a New General Aviation (GA) Federal Inspection Service (FIS) Facility; PBI Drainage Structure Assessment; PBI Building 1475 Fire Pump Replacement and Arc Flash Study; Miscellaneous Financial Planning Services; PBI Temperature and Humidity Issue Corrections (Phase 2); Miscellaneous Planning and Engineering Services; Disadvantaged Business Enterprise (DBE) Program Outreach Services; and Task III Services - Miscellaneous Planning and Engineering Services. Work to be completed under these Task III Services will be issued in accordance with PPM CW-F-050, by way of a separate proposal or task authorization. AECOM is a Los Angeles, California based firm; however, the majority of the work to be completed in this agreement will be completed and/or managed through their West Palm Beach and Tampa, Florida offices in conjunction with several Palm Beach County-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this contract. AECOM committed to 18% in its proposal. The anticipated DBE participation based upon the approved tasks is approximately 39%. The current paid to date DBE participation is approximately 8%. The DBE participation for this amendment is approximately 15.47%. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to approve:

A) a budget amendment of \$25,961,500 in the \$25.18M Revenue Refunding Bonds, Series 2019 debt service fund to budget bond proceeds, refunding bond premium, transfer from the refunded bonds' debt service fund, costs of issuance, payment to refunding bond escrow agent, and interest expense; and

B) a budget transfer of \$427,788 in the \$27.8M Taxable Public Improvement Revenue Bond, Series 2013 DS debt service fund to decrease the interest payment and increase the transfer to the Revenue Refunding Bonds, Series 2019 debt service fund.

SUMMARY: On October 22, 2019, the Board authorized the issuance of the Series 2019 Refunding Bonds for a partial refunding of the Taxable Public Improvement Revenue Bonds, Series 2013 through a competitive sale as recommended by the County Financing Committee and the County's Financial Advisors. Through an electronic bid process, the County awarded the sale to Robert W. Baird. The refunding will save the County approximately \$2.2 million (10.03%) in debt service over the life of the bonds. Countywide (DB)

3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET (Cont'd)

2. Staff recommends motion to approve: a negotiated settlement offer in the amount of \$13,875 for the full satisfaction of a code enforcement lien that was entered against Julio C. Ruiz on July 7, 2004. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an Order on April 7, 2004 for the property owned by Julio C. Ruiz giving him until June 6, 2004 to bring his property located at 4714 Alberta Ave into full code compliance. The property had been cited for: 1) building structures in disrepair; 2) outside storage of construction materials, appliances, trash and debris; and 3) overgrown vegetation on the property. Compliance with the CESM's Order was not fully achieved by the ordered compliance date and a fine in the amount of \$100 per day was imposed. The CESM then entered a claim of lien against Julio C. Ruiz on July 7, 2004. The Code Enforcement Division issued an affidavit of compliance for the property on March 11, 2005 stating that as of March 10, 2005 the cited code violations had been fully corrected. The total accrued lien amount through October 31, 2019, the date on which settlement discussions began, totaled \$27,750.49. Mr. Ruiz has agreed to pay Palm Beach County \$13,875, (50%) for full settlement of his outstanding code enforcement lien. District 7 (SF)

H. FACILITIES DEVELOPMENT & OPERATIONS

- ~~1. **Staff recommends motion to approve:** an extension of time to commence construction from January 31, 2020 until March 31, 2020 and complete construction by April 30, 2020 in connection with the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café. **SUMMARY:** On July 25, 2019 (R2019-1059) The Board approved the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen and Café (Café). The agreement requires Café to spend \$130,000 on improvements including new HVAC, electrical, walk-in cooler, cabinetry, countertops, flooring and fire sprinkler upgrades. Prior to applying for a building permit, Café is required to provide a detailed permit ready set of plans and specifications to staff for review and approval. Café is also required to post a bond for the cost of the improvements and complete those improvements within six months (January 31, 2020). On November 12, 2019 Café provided plans for review. On December 4, 2019, staff provided Café with comments and requested revisions. On December 30, 2019, Café agreed to the revisions and requested approval of the plans with conditions rather than revise the plans. Café still has to submit their plans to the City and obtain a building permit. At this point the Café is going to be unable to complete construction by the January 31, 2020 deadline. Staff recognizes that navigating through the design, permit and construction process is complicated, and recommends Cafe be given an extension until March 31, 2020 to commence construction and to complete construction by April 30, 2020. (Property & Real Estate Management) Countywide (HJF)~~

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

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

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Langer Electric Company	Non-Local	Non-SBE

SUMMARY: On November 19, 2019, the Board approved the annual electrical contract. The work consists of electrical services associated with repairs, improvements and renovations to County properties. This contractor now joins the list of seven already prequalified contractors for a total of eight with a contract expiration date of November 18, 2024. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$1,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently eight have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least 10 days before the bid due date. The electrical annual contracts were presented to the Goal Setting Committee on June 5, 2019 and the committee established Affirmative Procurement Initiatives of sheltered market was applied to projects under \$100,000 (when four or more small businesses are qualified under the annual contract) or a Small Business Enterprise contractor will be given a price preference if their bid is within 10% of the lowest non-small business bid. The Small/Minority/Women Owned Business Enterprise (S/M/WBE) actual participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the Electrical Annual is 70%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: annual contracts with the following contractors for low voltage services on an as-needed basis through September 12, 2021.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
A) Innuvo Inc.	Non- Local	Non-SBE
B) Intranet Communications Group, Inc.	Local	SBE

SUMMARY: On September 13, 2016, the Board approved the annual low voltage contract. The work consists of low voltage construction services associated with repairs, improvements and renovations to county properties on an as needed basis. These two contractors now join the list of 19 already prequalified contractors for a total of 21 with a contract expiration date of September 12, 2021. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 21 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The low voltage annual contract was presented to the Goal Setting Committee on January 2, 2019 and the committee established an Affirmative Procurement Initiative of price preference for Small Business Enterprise contractors if their bid is within 10% of the lowest non-small business bid. Actual Small/ Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the Low Voltage Annual is 59.92%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: an annual contract with the following contractor for painting and weatherproofing services on an as-needed basis through April 9, 2023.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Hatcher Construction & Development, Inc.	Local	SBE

SUMMARY: On April 10, 2018, the Board approved the annual painting and weatherproofing contract. The work consists of painting and weatherproofing services of the interior and/or exterior of a building, as well as, surface treatments, caulking, sealants, patching, priming and application of paint coating to the substrates and systems, on an as needed basis. The contractor now joins the list of 11 already prequalified contractors for a total of 12 with a contract expiration date of April 9, 2023. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 12 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least 10 days before the bid due date. The Painting and Weatherproofing annual contract was presented to the Goal Setting Committee on January 2, 2019 and the committee established Affirmative Procurement Initiatives (API) of sheltered market for projects under \$100,000 (when four or more small businesses are qualified under the annual contract) or price preference for Small Business Enterprise contractors if their bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the Painting and Weather Proofing Annual is 34.65%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: an annual contract with the following contractor for roofing services on an as-needed basis through December 14, 2020.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Trusted Construction, Inc.	Local	SBE

SUMMARY: On December 15, 2015, the Board approved the annual roofing contract. The work consists of roof repairs or replacement services on an as needed basis. The contractor now joins the list of seven already prequalified contractors for a total of eight with a contract expiration date of December 14, 2020. The specific requirements of the work shall be determined by individual work orders issued against this annual contract. These contracts are five year indefinite-quantity contracts with a maximum cumulative value of \$5,000,000 across all prequalified contractors. Work is to be awarded as work orders on a lump-sum, competitively bid basis across all prequalified contractors. Contractors are allowed to qualify at any time and be added to this annual contract. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently eight have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The roofing annual contract was presented to the Goal Setting Committee on January 2, 2019 and the committee established an Affirmative Procurement Initiative of price preference for Small Business Enterprise contractors if their bid is within 10% of the lowest non-small business bid. Actual Small/Minority/Women Owned Business Enterprise (S/M/WBE) participation will be identified on each work order, and will be tracked cumulatively for each work order issued. Current cumulative S/M/WBE participation for all work orders to-date under the Roofing Annual is 76.37%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to approve:

A) a budget transfer of \$1,954,843 in the Housing and Community Development Fund; and

B) a budget amendment of \$1,954,843 in the Public Building Fund to recognize the transfer.

SUMMARY: On July 2, 2019, the Board of County Commissioners (BCC) approved the Fiscal Year 2019-2020 Action Plan (R2019-0979). The Action Plan included an allocation of Federal Community Development Block Grant (CDBG) funds for the renovation of the Lewis Center for \$180,000, the ADA renovation of the Lantana/Lake Worth Health Center for \$350,000 and the construction of the Homeless Resource Center 2 for \$749,843. The BCC approved the Fiscal Year 2017-2018 Action Plan (R2018-0940) on July 11, 2017 that included an allocation of CDBG funds for the construction of the Homeless Resource Center 2 for \$570,000 and the 4th Amendment to the Fiscal Year 2016-2017 Action Plan allocated additional funds to the HRC2 for \$105,000. The Memorandums of Understanding between Facilities Development and Operations (FDO) and Housing and Economic Sustainability require that an interdepartmental budget transfer be established to reimburse FDO for eligible project costs. This budget transfer and amendment is necessary to appropriate the required budget. **These are Federal CDBG grant funds which require no local match.** Districts 3 & 7 (HJF)

2. Staff recommends motion to receive and file: the following three documents:

A) a Grant Agreement/Funding Approval with the U.S. Department of Housing and Urban Development (HUD) in the amount of \$6,406,686 for the Fiscal Year 2019-2020 Community Development Block Grant Program (CDBG);

B) a Funding Approval and HOME Investment Partnerships Agreement with HUD in the amount of \$2,145,072 for the Fiscal Year 2019-2020 HOME Investment Partnerships Program (HOME); and

C) a Grant Agreement/Funding Approval with HUD in the amount of \$546,649 for the Fiscal Year 2019-2020 Emergency Solutions Grant Program (ESG).

SUMMARY: The documents were executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability (DHES) in accordance with Resolution R2019-0979, approved by the BCC on July 2, 2019, that delegated such authority to the County Administrator or designee. The grant agreements/funding approvals which constitute the contracts between HUD and the County for the receipt of Federal funds are now being submitted to the BCC to receive and file. In accordance with County PPM CW-O-051, all delegated contracts, agreements and grants must be submitted by the initiating Department as a receive and file agenda item. **The ESG required local match (\$546,649) will be provided by the four ESG-funded agencies, the Department of Community Services, and DHES. The HOME required local match (\$455,828) will be provided from the State Housing Initiatives Partnership Program. CDBG funds require no local match.** Countywide (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

3. Staff recommends motion to receive and file: a Loan Agreement with Isles of Pahokee II, LLC, under the HOME Investment Partnerships (HOME) Program. **SUMMARY:** The document has been executed on behalf of the Board of County Commissioners (BCC) by the Director of the Department of Housing and Economic Sustainability in accordance with Agenda Item 5D-3 as approved by the BCC on January 15, 2019. The Loan Agreement provides \$802,121 in HOME funds for the rehabilitation of eight rental units at the Isles of Pahokee II project located in Pahokee. The funds allocated are from the 2014-2015 HOME Fiscal Year. 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 HOME Program grant funds which require a 25% local match provided by State SHIP funds.** District 6 (HJF)

K. WATER UTILITIES

1. Staff recommends motion to approve:

A) a budget amendment of \$51,972,374 in the \$44,105,000 Water and Sewer Revenue Refunding Bonds, Series 2019 debt service fund to budget bond proceeds, refund bond premium, transfer from the Water and Sewer Revenue fund, costs of issuance, payment to refunding bond escrow agent, and interest expense;

B) a budget amendment of \$3,218,700 in the Water and Sewer Revenue Bond, Series 2009 debt service fund to decrease the interest payment and decrease the transfer from the Water and Sewer Revenue fund; and

C) a budget transfer of \$3,218,700 in the Water and Sewer Revenue fund to decrease the transfer to the Water and Sewer Revenue Bond, Series 2009 debt service fund, increase the transfer to the \$44,105,000 Water and Sewer Revenue Refunding Bonds, Series 2019 debt service fund.

SUMMARY: On October 22, 2019, the Board of County Commissioners authorized the issuance of the Water and Sewer Revenue Refunding Bonds, Series 2019 for a current refunding of the Water and Sewer Revenue Bond, Series 2009 through a competitive sale as recommend by the County Financing Committee (CFC) and the County's financial advisors. Through a competitive negotiated bid process, the County awarded the sale to Fidelity Capital Markets. The refunding resulted in Net Present Value savings of \$12,500,000 (25.65%) in debt service over the life of the bonds. Countywide (MJ)

2. Staff recommends motion to approve: a Non-Standard Potable Water and Wastewater Development Agreement (Agreement) with Airports Logistics Park, LLC (Tenant) for a period of five years beginning on February 4, 2020 through February 3, 2025. **SUMMARY:** The Tenant leases an undeveloped area from Palm Beach County (County) (R2019-0300) located north of Wallis Road and west of the Palm Beach International Airport in West Palm Beach. The Tenant wants to construct potable water and wastewater facilities to develop, operate, and maintain industrial warehouses and distribution facilities. In order to provide potable water and wastewater concurrency reservations for new facilities, the Water Utilities Department (WUD) requires developers to enter into a formal development agreement. While the WUD Director has been delegated the authority to enter into Standard Development Agreements, the Board of County Commissioners approval is being sought in this case as certain provisions in the standard agreement are unnecessary due to the County ownership of the property. The Tenant has paid a Mandatory Agreement Payment in the amount of \$13,739.04, which is equal to 12 months of guaranteed revenue fees. District 2 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

3. Staff recommends motion to approve:

A) a Contract for Consulting/Professional Services Regional Force Main Evaluation for Palm Beach County and City of Lake Worth Beach (Contract) with HDR Engineering, Inc., (Consultant); and

B) Consultant Services Authorization (CSA) No.1 Regional Force Main Evaluation (Project) for a not to exceed amount of \$ 1,199,065.78.

SUMMARY: On July 10, 2018, the Board of County Commissioners (BCC) approved an Interlocal Agreement between Palm Beach County (County) and the City of Lake Worth, now the City of Lake Worth Beach (City), relating to the Assessment of Joint Wastewater Transmission System (Agreement) (R2018-1018). The Contract provides Consulting/Professional Services for projects providing evaluation of the regional force main. CSAs will be negotiated and issued against this Contract on a task basis at the sole discretion of the County. 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 by the 2002 SBE Ordinance under which this project was solicited is 15% overall. The Consultant has agreed to meet a 21% SBE participation goal which includes 11% M/WBE participation, 1% MBE (B), 7% MBE (H) and 3% MBE (O). The Contract has a term of five years. The Consultant is headquartered in Omaha, Nebraska and maintains an office in Palm Beach County from which the majority of the work will be undertaken. CSA No. 1 includes performance of the engineering/professional services to conduct a condition assessment on the regional force main from the City's master pump station to the East Central Regional Water Reclamation Facility (ECRWRF). This force main transmits flow from the City including Lantana, Atlantis, Palm Springs, Manalapan, South Palm Beach and Palm Beach; and unincorporated Palm Beach County for treatment at ECRWRF. CSA No. 1 includes a 29.514% SBE participation which includes 10.079% M/WBE participation, 1.021% MBE (B), 2.234% MBE (H) and 6.823% MBE (O). The Project is included in the WUD FY20 Budget (WUD Project No. 18-045 Contract and WUD Project No. 19-057 CSA No. 1) Districts 2, 3 & 7 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: the first amendment to Lease Agreement MSA 671-C (Agreement) with Florida Inland Navigation District (FIND) to extend the lease termination date three months, from October 31, 2019 to January 31, 2020. **SUMMARY:** On July 2, 2019, the Board of County Commissioners (County) approved the Agreement (R2019-0968) to provide for temporary occupancy and use of FIND's waterfront site MSA 617-C as a staging site for materials and construction equipment associated with ongoing construction of the Tarpon Cove restoration project within Lake Worth Lagoon. The 15-acre parcel located along the Intracoastal Waterway west of Ellison Wilson Road, is being utilized by County contractors to receive, stage and load materials such as rock and sand for transport to the Tarpon Cove project site. Work occurs weekdays from 8:00 am to 6:00 pm only. Materials staged onsite are used to complete the construction of intertidal islands from the 85,000 cubic yards of sand material donated by the FIND maintenance dredging of the Intracoastal Waterway that provided an estimated cost savings of \$4.5 million to the County. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. District 1 (SS)

2. Staff recommends motion to:
 - A) **approve** an Easement Agreement for Dune Restoration (Agreement) with Martinique 2 Owners' Association, Inc. 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 attached Project Overview Map. The Agreement carries a term of 45 years and replaces a similar easement that expired in November of 2019. 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)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following three executed Amphitheater Rental Agreements:

A) Menage A3, LLC for the Griot Festival at Sunset Cove Amphitheater, for the period November 16, 2019 through November 17, 2019;

B) The Leukemia & Lymphoma Society, Inc. for the Light the Night Walk at Sunset Cove Amphitheater, for November 23, 2019; and

C) Peoples Trust Holdings, LLC for the Peoples Trust Employee Appreciation Day at Sunset Cove Amphitheater, on December 7, 2019.

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

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

A) Blackwood Productions, LLC in an amount not to exceed \$650 for the Griot Festival at Sunset Cove Amphitheater, for the period November 16, 2019 through November 17, 2019; and

B) Blackwood Productions, LLC in an amount not to exceed \$1,680 for the Long Run Concert at Seabreeze Amphitheater, for the period December 14, 2019 through December 15, 2019.

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

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

3. Staff recommends motion to receive and file: the following two executed Entertainment Contractor Agreements:

A) Frank Loverso in an amount not to exceed \$600 for the Whitestone Band Concert at Canyon Amphitheater, on November 16, 2019; and

B) The Long Run Band, Inc in an amount not to exceed \$2,000 for the Carlin Park After Dark: The Long Run Concert at Seabreeze Amphitheater, on December 14, 2019.

SUMMARY: The Parks and Recreation Department produces cultural activities to promote the quality of life in the communities it serves. A sponsorship in the amount of \$900 from Nostalgic America (R2019-0335) offset the expenses of the concert at the Canyon Amphitheater. These Entertainment Contractor agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Parks and Recreation Department in accordance with Resolution 2008-1109, amended by Resolutions 2010-0644, 2014-0168 and 2017-1367. The Department is now submitting these Agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1 & 5 (AH)

4. Staff recommends motion to:

A) receive and file a fully executed Children's Services Council Grant Agreement for the Glades Family Fun Fest in the amount of \$2,500 for the period January 22, 2020 to April 22, 2020; and

B) approve a budget amendment of \$2,500 within the General Fund to establish budget for the approved grant.

SUMMARY: The Parks and Recreation Department submitted an electronic grant application on October 22, 2019, to the Children's Services Council of Palm Beach County. The Department was awarded the grant and the grant agreement was executed by the Director of Parks and Recreation on behalf of the Board of County Commissioners pursuant to PPM CW-F-003. The grant funding will be utilized to enhance the 5th Annual Glades Family Fun Fest community event taking place in Belle Glade. The Glades Family Fun Fest is a free event for all ages and residents of western Palm Beach County. The estimated number of attendees is between 500 – 600. **The grant does not require a County match.** District 6 (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to receive and file:

A) a first amendment to the Interlocal Agreement (R2018-0100) with the State Attorney's Office of the Fifteenth Judicial Circuit (SAO) to extend the agreement from September 30, 2019 to September 30, 2020 and increase the contract amount by \$62,464 from \$124,000 to \$186,464 for the Public Safety Specialist position to work full-time on aspects of the Criminal Justice Commission's (CJC) MacArthur Foundation Safety and Justice Challenge (SJC);

B) a third amendment to the Interlocal Agreement (R2016-1806) with Florida State University (FSU) to adjust the payment schedule and extend the agreement from September 30, 2019 to December 31, 2019 to provide professional consultation services for data analysis, research and evaluation supporting the CJC's work in the SJC; and

C) a first amendment to the Contract (R2019-0127) with Uptrust, Inc., to extend the term of the contract from November 18, 2019 to February 29, 2020 for professional services to send text message court date reminders to defendants in support of the CJC's work in the SJC.

SUMMARY: The three above-referenced amendments are all in support of the CJC's work in the MacArthur Foundation's SJC to safely reduce the jail population and address racial and ethnic disparities in that population. The SAO Public Safety Specialist identifies and researches older violation of probation warrants and seeks their dismissal without the incarceration of the subjects of the warrants. The FSU researchers are collecting and analyzing empirical data to create descriptive statistics on various inputs and outputs of the County jail population to inform the strategies to safely reduce the jail population. Uptrust, Inc., is sending text message reminders of court dates to defendants in criminal cases to reduce Failures to Appear (FTA) in court. The SAO amendment extends the term and adjusts the payment schedule with an increase of \$62,464 from SJC grant funds. The FSU amendment extends the term and adjusts the payment schedule with no adjustment to the price. The Uptrust amendment extends the term with no adjustment to the price. The amendments to the SAO and FSU contracts were executed by the CJC Executive Director pursuant to R2018-0100 and R2016-1806. The amendment to the Uptrust contract was executed by the Purchasing Director pursuant to R2019-0127. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) rescind Interlocal Agreement R2015-1722;

B) approve the replacement Interlocal Agreement providing updated contract terms for network services with the City of Atlantis; and

C) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: The City of Atlantis has an existing Interlocal Agreement with Palm Beach County (R2015-1722) for network services. The County recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide network services to the City of Atlantis. The Florida LambdaRail, LLC has approved connection of the City of Atlantis to the Florida LambdaRail network. District 3 (DB)

2. Staff recommends motion to:

A) rescind Interlocal Agreement R2014-1067;

B) approve the replacement Interlocal Agreement providing updated contract terms for network services with the Florida Atlantic University Board of Trustees; and

C) authorize the County Administrator or designee to approve and execute task orders associated with these services, up to a maximum dollar value of \$50,000 per task order.

SUMMARY: The Florida Atlantic University Board of Trustees has an existing Interlocal Agreement with Palm Beach County (R2014-1067) for network services. The County recommends rescinding the existing agreement and replacing it with a new agreement for a period of one year with four automatic one-year renewals unless notice is given by either party. This new Interlocal Agreement includes updated contract terms to provide network services to the Florida Atlantic University Board of Trustees. Florida Atlantic University is one of the owners of Florida LambdaRail and does not require an authorization letter for connection to the FLR network. District 4 (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to receive and file: eight Grant Adjustment Notices (GAN) as follows: #028: Grantee Therapist Change; #029: Technical Assistant (TA) Trainer with the US Department of Justice (DOJ); #030: Training Approval; #031: Staff Change; #032: Training Request; #033: Grantee Advocate Change; #034: Point of Contact Change; and #035: Law Enforcement Pocket Card with the US Department of Justice, Office on Violence Against Women (OVW), Grants to Improve Criminal Justice Response Program (ICJR) (2017-WE-AX-0034), which facilitated administrative filing and approvals through October 31, 2019. **SUMMARY:** As per grant guidelines, certain expenditures and work product require approval from the OVW ICJR grant manager. The approval process is facilitated by drafting a GAN and submitting it through the OVW's Grant Management web portal. GAN #028 approved the Grantee Therapist Change from Victoria Siegel to Monica Gonzalez. GAN #029 approved an additional TA trainer through the Battered Women's Justice Project to support the Trauma Informed Approach training as required by the grant. GAN #030 approved payment for the OVW Grant Coordinator and Sexual Assault Program Coordinator to attend the National Institute for Sexual Assault Response Team (SART) Leaders in Minnesota; GAN #031 approved the Grant Coordinator staff change and alternate Point of Contact from Serenia Beckton to Molly McConnell; GAN #032 approved Aequitas training event to meet the goals of the grant as it relates to improving judicial handling of cases; GAN #033 approved changing grant funded advocate from Kenia Desravines to Carrie Gale; GAN #034 changed the Point of Contact from Nicole Bishop to Holly DiBenedetto. GAN #035 approved The "Crime Victims with Disabilities: A Law Enforcement Pocket Reference of Florida Statutes" work product to meet the goal of increasing education of courts, law enforcement and service providers on awareness and accessibility of project services to individuals who are disabled and Deaf/Hard of Hearing through partnership with Coalition for Independent Living Options, Inc. R2014-1633 authorized the County Administrator or designee to execute future awards, contracts, sub-recipient agreements and sub contracts and amendments/modifications utilizing funding from the DOJ, OVW on behalf of the Board of County Commissioners. Countywide (JW)

2. Staff recommends motion to receive and file: Purchase order (B53AD1) for \$250,000 for contractual reentry services from the Florida Department of Corrections (FDC) for the service period of October 1, 2019 through June 30, 2020. **SUMMARY:** The FY19-FY20 General Appropriations Act, Specific Appropriations 745 provided \$250,000 (CSFA#70.011) in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners. The funding is for reentry services (case management and client support services). The target population will be eligible program participants who are housed and recently released from a FDC facility and returning to Palm Beach County through the Regional and State Transitional Offender Reentry Initiative. Services will be provided contractually by three agencies: The Lords Place, Inc., The City of Riviera Beach Reentry Center, and Gulfstream Goodwill Industries, Inc. **No County matching funds are required for this grant.** Countywide (SF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. Staff recommends motion to:

A) adopt a resolution of the Board of County Commissioners (BCC), of Palm Beach County, Florida, accepting the grant award/vehicle transfer from the State of Florida Department of Transportation (FDOT) CFDA 20.521, in the amount of \$6,050.06 for transit vehicles awarded through the Section 5317 New Freedom Grant; and

B) approve the payment of \$672.23 to Medical Transportation Management, Inc., (MTM), to meet the match requirement of the award pursuant to the terms and conditions of the Notice of Grant Award/Vehicle Transfer dated December 4, 2019.

SUMMARY: Three transit vehicles were previously awarded by FDOT to the Martin County Community Transportation Coordinator (CTC), MTM, between July 2016 and January 2017. The program for which the vehicles were awarded has ended. The vehicles have accumulated low mileage and have not met their useful life. FDOT reached out to other CTCs that could use the vehicles and Palm Tran Connection was selected to receive the transfer of these vehicles to be used for public transportation in the rural areas of Palm Beach County. These vehicles will be used to diversify the paratransit fleet and replace vehicles that have reached their end of useful life. **Palm Beach County is responsible to provide a local match of 10% (\$672.23) towards the depreciated value of the vehicles (\$6,722.29).** This amount is included in Palm Tran's approved FY20 Budget. Countywide (DR)

BB. YOUTH SERVICES

1. Staff recommends motion to:

A) approve a contract for Professional Services with Henry L. Smith, a Registered Clinical Social Worker Intern (Registered Intern) to complete an internship that will provide training and experience in family and youth counseling, in the amount of \$5,000, for the period February 4, 2020 through September 30, 2020;

B) approve the proposed contract as the standard contract template for State licensed registered interns with individuals seeking training and experience in family and youth counseling to obtain State licensure in the disciplines of: Clinical Social Work, Mental Health Counseling, and/or Marriage and Family Therapist; and

C) authorize the County Administrator or designee to execute any future agreements/minor amendments with Registered Intern on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budgeted allocations.

SUMMARY: The Youth Services Department's Residential Treatment and Family Counseling Division (Division) is an authorized training facility for many state colleges and universities. The Division has qualified supervisors approved by the Florida Department of Health and is authorized to provide clinical supervision for registered interns in order to meet degree and licensure requirements. The Division is offering its program as a location to obtain this training. The Registered Intern, at a minimum, is assigned and completes the workload equivalent to a Licensed Therapist. The hourly rate of a Licensed Therapist is \$26.01 versus the hourly registered intern rate of \$12. Sufficient funding is included in the current budget to meet County obligations. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF

1. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a supplemental grant award through the City of Miami as the fiscal agent for the Miami Urban Area Security Initiative (UASI), to provide an additional \$9,000 in grant funds; and

B) approve a budget amendment of \$9,000 in the Sheriff's Grant Fund.

SUMMARY: On June 4, 2019, the Board of County Commissioners accepted a Palm Beach County Sheriff's Office grant award in the amount of \$870,542 for the FY18 UASI Grant Program (R2019-0777). This supplemental grant award will be used to purchase equipment for the Region 7 Specialty Team. **There is no match requirement associated with this award.** Countywide (LDC)

2. Staff recommends motion to:

A) receive and file on behalf of the Palm Beach County Sheriff's Office, the fourth amendment to the Memorandum of Agreement (MOA) between the Palm Beach County Sheriff's Office and the Early Learning Coalition of Palm Beach County in the amount of \$132,453, for the period of January 1, 2020 through December 31, 2020; and

B) approve a budget amendment of \$3,237 in the Sheriff's Grant Fund.

SUMMARY: The Board of County Commissioners (BCC) accepted this award for \$81,609 on April 19, 2016 (R2016-0523). The BCC received and filed the first amendment to the MOA on January 10, 2017 which increased the award amount by \$124,814 and extended the award period from December 31, 2016 through December 31, 2017 (R2017-0112). The BCC received and filed the second amendment to the MOA on December 19, 2017 which increased the award amount by \$127,310 and extended the award period from December 31, 2017 through December 31, 2018 (R2017-1938). The BCC received and filed the third amendment to the MOA on January 15, 2019 which increased the award amount by \$129,856 and extended the award period from December 31, 2018 through December 31, 2019 (R2019-0147). The budget amendment will align the current grant budget with the actual grant award value and extend the award period from December 31, 2019 through December 31, 2020. **There is no match requirement associated with this award.** Countywide (LDC)

3. Staff recommends motion to:

A) accept on behalf of the Palm Beach County Sheriff's Office, a Subgrant Agreement from the State of Florida Department of Transportation for the Palm Beach County Sheriff's Office, Palm Beach County Speed and Aggressive Driving Initiative project, in the amount of \$100,000, for the period of October 28, 2019 through September 30, 2020; and

B) approve a budget amendment of \$100,000, increasing the Sheriff's Grants fund.

SUMMARY: On October 28, 2019, the Florida Department of Transportation awarded a grant to the Palm Beach County Sheriff's Office in the amount of \$100,000, to support a Speed and Aggressive Driving Campaign project in Palm Beach County. Funds will be used to support overtime costs associated with the project. **There is no match requirement associated with this award.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

4. **Staff recommends motion to approve:** a budget transfer of \$398,888 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 2020 donation requirement is \$240,941. 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 \$398,888. 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 \$1,438,526. Approval of this request will reduce the State Law Enforcement Trust Fund balance to \$1,039,638. 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 (DC)

ORGANIZATION	AMOUNT
Faith, Hope, Love, Charity, Inc.	\$25,000
Florida Sheriffs Youth Ranches, Inc. - Harmony in the Streets	\$130,000
Grandma's Place, Inc.	\$25,000
Gulf Stream Council of the Boy Scouts of America, Inc.	\$10,000
KidSafe Foundation, Inc.	\$5,000
National Campaign to Stop Violence, Inc.	\$20,000
Palm Beach County Substance Abuse Coalition, Inc.	\$3,500
Palm Beach Recovery Coalition, Inc.	\$25,000
Safety Council of Palm Beach County, Inc. - Baby in Back Program	\$3,500
Safety Council of Palm Beach County, Inc. - Mobile Eyes Program	\$2,500
Sunset House, Inc.	\$15,000
College for Kids, Inc. d/b/a Take Stock in Children Palm Beach County	\$32,000
The ARC of Palm Beach County, Inc.	\$25,000
Urban League of Palm Beach County, Inc.	\$52,388
Wounded Veterans Relief Fund, Inc.	\$25,000
Total Amount	\$398,888

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4. SPECIAL PRESENTATIONS – 9:30 A.M.

- A)** Recognition of Alexander W. Dreyfoos High School students
- B)** Proclamation recognizing the 10th Anniversary of the Boca West Children’s Foundation in Palm Beach County (Sponsored by Vice Mayor Weinroth)
- C)** Proclamation declaring February 11-27, 2020 as 211 Awareness Week in Palm Beach County (Sponsored by Commissioner Weiss)
- D)** Proclamation declaring February 11, 2020 as Transportation Disadvantaged Day in Palm Beach County (Sponsored by Vice Mayor Weinroth)
- E)** Proclamation declaring February 2020 as In-Plant Print Shop Awareness Month in Palm Beach County (Sponsored by Commissioner Weiss)
- F)** Proclamation declaring February 2020 as Black History Month in Palm Beach County (Sponsored by Commissioner Bernard)
- G)** Proclamation declaring March 6, 2020 as Dress for Success Day in Palm Beach County (Sponsored by Mayor Kerner)

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5. REGULAR AGENDA

A. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to approve: a Concessionaire Lease Agreement (Agreement) with Kayak-King Watersports, Inc., for the operation of the water sports and recreational rental equipment concession located in Okeeheelee Park at 7715 Forest Hill Boulevard in West Palm Beach for a term of three years at \$8,200/year (\$683.33/month). **SUMMARY:** The Parks and Recreation Department desires to continue to provide rentals of canoes, bicycles and other recreational items at the Okeeheelee Park through a concession operation. The current concessionaire, Kayak-King Watersports, Inc. (Kayak-King), operates under a Concessionaire Service Agreement (R2012-0892) which was amended to extend the term on a month-to-month basis and expires when a new agreement is awarded. In June 2019, PREM advertised Request for Proposal No. 2019-103-DML for the operation of this concession. Proposals were received from Jupiter Outdoor Center, Inc. d/b/a Okeeheelee Outdoor Center and Kayak-King. On October 2, 2019, the Selection Committee reviewed the proposals, ranked Kayak-King as the highest, and recommended award of the concession contract to Kayak-King. The initial term of the Agreement is for three years, with two options to extend, each for a period of two years. The guaranteed annual rent is \$8,200/year (\$683.33/month), with annual 2% increases. In addition, Kayak-King will pay a commission fee equal to the amount by which 10% of Kayak-King's monthly gross revenue exceeds the monthly installment of guaranteed annual rent. As Kayak-King is the current concessionaire, there is a \$1,000 security deposit on file. The Parks Department will manage and administer the Agreement. (Property & Real Estate Management) District 2 (HJF)

2. Staff recommends motion to approve: a Concessionaire Lease Agreement with Ultimate Bakery & Pastry, Inc., a Florida corporation, for the operation of a food service concession at the County's Vista Center 2300 Building for a term of five years at a rental rate of \$6,000/year (\$500/month) or 7.5% of the gross sales, whichever is greater. **SUMMARY:** The Vista Center food and beverage concession has been operated since January 1, 2007, pursuant to a Concessionaire Lease Agreement (R2006-77) with Robert Weatherbee, d/b/a Subdivision, and extended on a month-to-month basis since December 31, 2019. In December 2018, a Request for Proposal (RFP) for the operation of the food service concession was issued but no proposals were received. In September of 2019, a new RFP was issued. Proposals were received from Big Lock Mobile Kitchen LLC and Ultimate Bakery & Pastry, Inc. (Ultimate Bakery). On December 19, 2019, a Selection Committee reviewed the proposals, ranked Ultimate Bakery as the highest, and recommended awarding of the concession to Ultimate Bakery. The annual rent is \$6,000/year (\$500/month), or 7.5% of gross sales, whichever is greater. Ultimate Bakery will provide staffing, provisions, vending machines, and free delivery services of food and beverage to the County's 2300 Building and other surrounding County offices (Operation and Support Centers). The term of the Concessionaire Lease Agreement is for five years, with two two-year options to extend. Ultimate Bakery has provided the required \$5,000 security deposit. The Property and Real Estate Management Division will manage and administer the Concessionaire Lease Agreement. (Property & Real Estate Management) District 2 (HJF)

3. Staff recommends motion to approve: an extension of time to commence construction from January 31, 2020 until March 31, 2020 and complete construction by April 30, 2020 in connection with the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen & Café. **SUMMARY:** On July 25, 2019 (R2019-1059) The Board approved the Governmental Center Lease Agreement with LJL Food Management, Inc., d/b/a The Hideout Kitchen and Café (Café). The agreement requires Café to spend \$130,000 on improvements including new HVAC, electrical, walk-in-cooler, cabinetry, countertops, flooring and fire sprinkler upgrades. Prior to applying for a building permit, Café is required to provide a detailed permit ready set of plans and specifications to staff for review and approval. Café is also required to post a bond for the cost of the improvements and complete those improvements within six months (January 31, 2020). On November 12, 2019 Café provided plans for review. On December 4, 2019, staff provided Café with comments and requested revisions. On December 30, 2019, Café agreed to the revisions and requested approval of the plans with conditions rather than revise the plans. Café still has to submit their plans to the City and obtain a building permit. At this point the Café is going to be unable to complete construction by the January 31, 2020 deadline. Staff recognizes that navigating through the design, permit and construction process is complicated, and recommends Café be given an extension until March 31, 2020 to commence construction and to complete construction by April 30, 2020. (Property & Real Estate Management) Countywide (HJF)

5. REGULAR AGENDA

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: an updated Management Plan (Plan) for Pondhawk Natural Area. **SUMMARY:** The initial Plan was approved by the Board of County Commissioners on April 1, 2008. The Plan identifies natural resources present on the natural area and provides for the preservation, restoration, management and passive recreational use of those resources. After review of the Plan, the Natural Areas Management Advisory Committee unanimously recommended the Plan for approval at the December 20, 2019 meeting. Initial invasive/nonnative vegetation removal, fence and regulatory sign installation, and public use facilities have been completed. Annual management and operating costs, including prescribed burns/mechanical vegetation reduction, ongoing invasive/nonnative animal and plant control, repair and replacement of facilities, and biological monitoring and reporting are estimated to be \$199,334. Funds for capital improvements, and annual management and operation of the site are expected to come from the Natural Areas Fund, Natural Areas Stewardship Endowment Fund, Pollution Recovery Trust Fund, Ag Reserve Land Management Fund, and/or ad valorem funding sources. District 4 (SS)

C. COUNTY ATTORNEY

1. **ADD-ON:** Staff recommends motion to adopt: a Resolution initiating intergovernmental conflict resolution procedures, as set forth under Chapter 164, Florida Statutes, to resolve the County's conflict with the City of Palm Beach Gardens over the City of Palm Beach Gardens' adoption of Ordinance 16, 2019; Ordinance 19, 2019; and Resolution 57, 2019. **SUMMARY:** On September 5, 2019, the City adopted Ordinance 16, 2019 and Resolution 57, 2019 to approve a Mobility Plan and Mobility Fee Technical Report and to terminate the interlocal agreement with County regarding traffic concurrency procedures. On September 19, 2019, the City adopted Ordinance 19, 2019 which amended the City's impact fee schedule consistent with the Mobility Fee Technical Report. Ordinance 16, 2019; Ordinance 19, 2019; and Resolution 57, 2019 unlawfully replaced the County's road impact fee and transportation concurrency. Based on the City's unlawful official actions, staff recommends the Board of County Commissioners authorize the commencement of intergovernmental conflict resolution procedures pursuant to Chapter 164, Florida Statutes. Countywide (KP)

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FEBRUARY 4, 2020

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

FEBRUARY 4, 2020

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER HAL R. VALECHE

District 2 – COMMISSIONER GREGG K. WEISS

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

Request off-site Proclamation declaring February 22, 2020 as Congregation B'nai Israel Lori Sklar Mitzvah Day in Palm Beach County

Request off-site Proclamation declaring March 27, 2020 as Signature Gives Back Volunteer Day in Palm Beach County

District 5 - COMMISSIONER MARY LOU BERGER

District 6 - COMMISSIONER MELISSA MCKINLAY

District 7 – COMMISSIONER MACK BERNARD

FEBRUARY 4, 2020

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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FEBRUARY 4, 2020

10. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."