

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**OCTOBER 20, 2020**

<u>PAGE</u>	<u>ITEM</u>	
10	3C-7*	<b>MOVED TO REGULAR (NOW 6F-1)</b>
17	3E-7	<b>REVISED MOTION AND SUMMARY: I) United Community Options <u>Cerebral Palsy</u> of Broward, Palm Beach &amp; Mid-Coast Counties, Inc. (UCO P), for the provision of behavioral health respite services to individuals with special needs, in an amount not to exceed \$74,024. <b>SUMMARY:</b> In FY 2019, the community-based outpatient program served 1,875 clients. Under this new contract the program will serve 1,875 clients. Jeff Industries, Inc. currently has two programs under FAA funding. The "Let's Go to Work" program serves low-income adults with severe and persistent <u>mental illness</u>. (Comm Svs)</b>
41	5A	WAITING FOR BACKUP (Health Dept)
49	Dist. 4	<b>ADD-ON:</b> Request for off-site Proclamation declaring October 2020 as Palm Beach County Disability Employment Awareness Month in Palm Beach County
49	Dist. 6	<b>ADD-ON:</b> Request for off-site Proclamation declaring November 2020 as Diabetes Awareness Month in Palm Beach County
49	Dist. 6	<b>ADD-ON:</b> Request for off-site Proclamation declaring November 18-25, 2020 as Farm-City Week in Palm Beach County
49	Dist. 6	<b>ADD-ON:</b> Request for off-site Proclamation declaring November 2020 as Prematurity Awareness Month in Palm Beach County

**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 20, 2020**

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

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Invocation
  - C. Pledge of Allegiance
- 2. AGENDA APPROVAL**
  - A. Additions, Deletions, Substitutions
  - B. Adoption
- 3. CONSENT AGENDA (Pages 7-39)**
- 4. PUBLIC HEARINGS - 9:30 A.M. (Page 40)**
- 5. SPECIAL PRESENTATIONS (Page 41)**
- 6. REGULAR AGENDA (Pages 42-46)**
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3B-3 Contracts and claims settlements list

3B-4 Change orders, work task orders, minor contracts, final payments, etc.

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**PUBLIC HEARINGS – 9:30 A.M.**

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3. **CONSENT AGENDA APPROVAL**

A. **ADMINISTRATION**

1. **Staff recommends motion to approve:** the reappointment of David H. Talley 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>
David H. Talley	12	10/20/20-10/19/23	Private Sector	Business Development Board of Palm Beach County, Inc.

**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 is comprised of a minimum of 19 members. The Board has a maximum of 33 seats, 19 currently filled and a diversity count of Caucasian: 14 (74%), African-American: 3 (16%) and Hispanic: 2 (11%). The gender ratio (female:male) is: 5:14. The nominee is Caucasian male. 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:

<u>Meeting Date</u>	<u>Meeting Type</u>
May 15, 2020	Special
June 2, 2020	Regular
June 29, 2020	Comprehensive Plan

3. **Staff recommends motion to approve:** Contracts (regular) and claim settlements list as submitted by various departments to the Clerk & Comptroller’s Office. Countywide
4. **Staff recommends motion to receive and file:** change orders, work task orders, minor contracts, final payments and other items approved by the Contract Review Committee and by the department heads for the Engineering Department; Facilities Development and Operations Department; Water Utilities Department; Environmental Resources Management Department; and the Department of Airports during February 2019. Countywide



3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to approve:** Change Order No. 4 with R & D Paving, LLC (R&D) for a contract time extension of 299 days to the Glades Road and Butts Road Intersection Improvements project (R2018-1312). **SUMMARY:** Per PPM CW-F-050, the time extension in this change order exceeds staff approval authority, and requires the Board of County Commissioners approval. Change Order No. 4 will compensate R&D for utility delays, and will retroactively extend the contract time by 299 days resulting in a new completion date of June 16, 2020. The final walk through confirming construction was completed per project specification was on July 17, 2020. The 299 day time extension is a direct result of the City of Boca Raton's cooperation in resolving their utility conflicts, in addition to an AT&T conflict. R&D is also entitled to Suspension of Contract Time (Holidays) per FDOT Spec. 8-6.4. 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%. R&D committed to 21% SBE participation. The SBE participation for this change order is 0%, and the cumulative SBE participation to date, including this change order, is 18.3%. R&D is a Palm Beach County based company. District 4 (YBH)

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

- A)** an Annual Appraiser contract with Anderson & Carr, Inc. (ACI);
- B)** an Annual Appraiser contract with Appraisal & Acquisition Consultants, Inc. (AAC);
- C)** an Annual Appraiser contract with Callaway & Price, Inc. (CPI);
- D)** an Annual Appraiser contract with CBRE, Inc. (CBRE);
- E)** an Annual Appraiser contract with M.R. Ford & Associates, Inc. (MRF);
- F)** an Annual Appraiser contract with Parrish and Edwards, Inc. (PEI);
- G)** an Annual Appraiser contract with Real Estate Analysts, LLC. (REA);
- H)** an Annual Appraiser contract with S.F. Holden, Inc. (SFH); and
- I)** an Annual Appraiser contract with The Spivey Group, Inc. (SPI).

**SUMMARY:** Approval of these contracts will provide the professional services necessary for obtaining right-of-way appraisals throughout the County on a work task order basis. The contracts will be in effect for 36 months from the date of approval by the Board of County Commissioners. The Affirmative Procurement Initiative selected for these contracts on February 5, 2020, by the Goal Setting Committee is a Small Business Enterprise (SBE) evaluation preference for SBE prime respondents with contracts valued at less than \$500,000. ACI, AAC, CPI, CBRE, MRF, PEI, REA, SFH and SPI are Palm Beach County based companies and ACI, CPI, MRF, PEI, and SFH are certified SBE companies. Countywide (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: the Fiscal Year 2021 sidewalk program. **SUMMARY:** Approval of the program will allow construction of the proposed projects that have been compiled in response to requests from the Palm Beach County School District, the Palm Beach County Sheriff’s Office, the Board of County Commissioners, and residents of Palm Beach County. The proposed projects include 16 new construction projects and 11 major maintenance projects. The total program cost is \$1,500,000 and is allocated among the following categories: Countywide (YBH)

School Related	\$511,200
Non-School Related	\$458,460
Major Maintenance	\$500,000
Minor Maintenance & Support	\$30,340
<u>Total</u>	<u>\$1,500,000</u>

4. Staff recommends motion to approve: Work Order 2018051-136 in the amount of \$1,550,000 to mill and resurface Hypoluxo Road from Military Trail to US 1 utilizing Palm Beach County’s (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$32 million of Ranger’s \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019, with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5%. On June 2, 2020, the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.5% for all the work orders issued under the Contract. **This project is funded through the infrastructure sales tax. Districts 3 & 7** (YBH)
5. Staff recommends motion to approve: Work Order 2018051-138 in the amount of \$280,000 to mill and resurface Folsom Road from Crestwood Boulevard to Okeechobee Boulevard utilizing Palm Beach County’s (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$32 million of Ranger’s \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019, with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5%. On June 2, 2020, the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.3% for all the work orders issued under the Contract. **This project is funded through the infrastructure sales tax. District 6** (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

6. Staff recommends motion to approve: Work Order 2018051-139 in the amount of \$702,000 to mill and resurface Crestwood Boulevard from Folsom Road to Okeechobee Boulevard utilizing Palm Beach County's (County) annual asphalt milling and resurfacing contract R2018-1533 (Contract) with Ranger Construction Industries, Inc. (Ranger). **SUMMARY:** Per County PPM CW-F-050, this work order exceeds the \$200,000 threshold for staff approvals of work orders to annual contracts, thus requiring approval from the Board of County Commissioners (BCC). Approval of this work order will allow the contractual services necessary to construct the improvements. Prior to this meeting date, approximately \$32 million of Ranger's \$48.5 million Contract has been spent or encumbered. On October 16, 2018, the BCC approved the Contract with Ranger to provide milling and resurfacing of County roadways for countywide projects. The Contract was renewed on October 22, 2019, with a 15% mandatory Small Business Enterprise (SBE) goal set as the Affirmative Procurement Initiative. Due to the limited availability of qualified certified SBE subcontractors, the Office of Equal Business Opportunity issued a waiver on January 17, 2020, that reduced the mandatory SBE participation to 5%. On June 2, 2020, the second renewal was approved, and continued with the reduced mandatory SBE participation of 5%. Ranger agreed to 5% SBE participation for this work order. Approval of this work order will result in a cumulative SBE participation of 9.2% for all the work orders issued under the Contract. **This project is funded through the infrastructure sales tax.** District 6 (YBH)
  
7. ~~**MOVED TO REGULAR (NOW 6F-1) Staff recommends motion to adopt:** a resolution repealing and replacing Resolution R2011-0860, replacing and designating certain parcels of land owned by Palm Beach County (County) as road right-of-way for State Road 7 from Okeechobee Boulevard to 60<sup>th</sup> Street North (Project). **SUMMARY:** On June 21, 2011, Resolution R2011-0860 designated certain parcels of land owned by the County as road right-of-way for the Project. A County owned parcel controlled by the County's Environmental Resources Management Department, known as the Pond Cypress Natural Area, was inadvertently included among these parcels designated as right-of-way. The proposed new resolution will repeal and replace Resolution R2011-0860 with a resolution containing appropriate legal descriptions to correct the road right-of-way designations. The corrected road right-of-way designations cover an area of approximately 175 acres. District 6 (YBH)~~

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. [Staff recommends motion to approve:](#) the reappointment of one current member to the Palm Beach County HIV Comprehensive AIDS Resources Emergency (CARE) Council, effective November 6, 2020:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Term Expires</u>
1	Lilia Perez	11/05/23

**SUMMARY:** The Palm Beach County HIV CARE Council (HIV CARE Council) nomination process is an open process with publicized criteria and legislatively defined conflict of interest standards. Ms. Perez has successfully completed the HIV CARE Council's nomination process and the HIV CARE Council recommends the appointment. The total membership for the HIV CARE Council shall be no more than 33 at-large members, per Resolution No. 2011-1560. Ms. Perez is an employee of FoundCare, Inc., which contracts with the County for services. The HIV CARE Council provides no regulation, oversight, management, or policy setting recommendations regarding the subject contracts or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The diversity count for the 22 seats that are currently filled is: African-American: 9 (41%), Caucasian: 9 (41%), Hispanic-American: 3 (14%) and Asian-American: 1 (4%). The gender ratio (female: male) is 10:12. Ms. Perez is a Hispanic-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: the reappointments of three current members and the appointment of one new member to the Farmworker Program Advisory Board, effective October 20, 2020:

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
3	Irene Figueroa	Farmworker Advocate	09/30/22	Vice Mayor Weinroth Comm. McKinlay
4	Cosha Jackson-Rease	Education	09/30/22	Vice Mayor Weinroth Comm. McKinlay
7	Charles Duval	Regional Workforce Agency	09/30/22	Vice Mayor Weinroth Comm. McKinlay
<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
5	Daniella Santoyo	Private Sector	09/30/22	Vice Mayor Weinroth 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. The appointments meet all applicable guidelines and requirements outlined in the resolution adopted by the Board of County Commissioners on April 1, 2014. Mr. Duval is an employee of CareerSource Palm Beach County, Inc., which contracts with the County for services. The Farmworker Advisory Board provides no regulation, oversight, management, or policy setting recommendations regarding the subject contracts or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. The diversity count for the three seats that are currently filled is: Caucasian: 2 (67%) and African-American: 1 (33%). The gender ratio (female: male) is 2:1. Mr. Duval and Ms. Jackson-Rease are African-American. Ms. Figueroa and Ms. Santoyo are Hispanic-American. Staff conducts targeted outreach in an effort to proffer candidates for appointments that maintain a diverse composition of the board. (Farmworker Career Development Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

3. Staff recommends motion to:

**A) approve** an Interlocal Agreement with the City of West Palm Beach for Housing Opportunities for Persons With AIDS (HOPWA) Program under the Coronavirus Aid, Relief, and Economic Security (CARES) Act, for the period May 1, 2020 through April 30, 2023, in the amount of \$440,000, to provide supportive services and housing stability for HOPWA program clients in Palm Beach County;

**B) approve** the Standard Contract with State of Florida, Department of Health, for the period July 1, 2020 through June 30, 2022, in the amount of \$1,900,000, to provide housing and support services through the HOPWA program to clients in Palm Beach County;

**C) authorize** the County Administrator or designee to execute grant agreements, amendments, thereto, and all other documents necessary for the implementation of the HOPWA Program under the CARES Act;

**D) approve** a budget amendment in the amount of \$440,000 in the Ryan White Program, to align the budget with the interlocal agreement amount; and

**E) approve** a budget amendment in the amount of \$1,900,000 in the Ryan White Program, to align the budget with the contract amount.

**SUMMARY:** The Ryan White Program was selected as a grant recipient project sponsor from both the City of West Palm Beach and the Florida Department of Health HOPWA Programs for \$2,340,000, collectively, in new funding to provide supportive and housing services to prevent homelessness for people with HIV in Palm Beach County. The funding will support existing staff to provide services to HOPWA clients, coordinate HIV care and treatment with Ryan White Program subrecipients, and participate in the Homeless and Housing Alliance Continuum of Care. At least 300 families are expected to be served by this new funding for transitional housing, permanent housing placement, short-term rental and utility assistance, and housing case management. No County funds are required. (Ryan White Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

4. Staff recommends motion to approve:

**A)** a contract for Provision of Services with CareerSource Palm Beach County, Inc.(CareerSource), for the period August 1, 2020 through September 30, 2021, in an amount not to exceed \$50,000, to provide trades industry trainings and work readiness services to low-income participants; and

**B)** a contract for Provision of Services with Christians Reaching Out to Society, Inc. (CROS), for the period October 1, 2020 through September 30, 2021, in an amount not to exceed \$75,000, to provide gleaning services to low-income participants.

**SUMMARY:** The above agencies are qualified to provide various services for the Community Action Program. Funding is provided by the Community Services Block Grant (CSBG). Qualified clients must be residents of Palm Beach County and meet the federal poverty level guidelines. CareerSource will provide trades industry trainings and work readiness services to a minimum of ten clients. CROS will recruit and coordinate gleaning opportunities through local church, civic and non-profit agencies within the County to develop strong neighborhood relationships, opportunities and support systems to address food insecurity in Palm Beach County. CROS is the only agency (sole source) that provides gleaning services in Palm Beach County. Under the contract, CROS will glean 200,000 pounds of food. CareerSource is an important partner of the CSBG self-sufficiency program. In 2019, 193 clients were enrolled in self-sufficiency trainings and 83 clients out of 193 completed training. A total of 91 clients obtained and maintained employment for over a 90 day period. Charles Duval, an employee of CareerSource is a member of the Farmworker Program Advisory Board. Sandra Wright, an employee of CareerSource is a member of the Community Action Advisory Board. These boards provide no regulation, oversight, management, or policy-setting recommendations regarding the subject contracts or transactions. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach Code of Ethics. No County funds are required. (Community Action Program) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

5. Staff recommends motion to approve: contracts for Provision of Services with the below-listed agencies, for the period October 1, 2020 through September 30, 2021, in an amount totaling \$350,847 in Emergency Solutions Grant funds:

**A)** Adopt-A-Family of the Palm Beaches, Inc.(AAF), in an amount not to exceed \$180,538, to provide rapid re-housing services to families experiencing homelessness;

**B)** Aid to Victims of Domestic Abuse, Inc.(AVDA), in an amount not to exceed \$114,520, to provide emergency shelter to individuals fleeing domestic violence; and

**C)** YWCA of Palm Beach County, Inc. (YWCA), in an amount not exceed \$55,789, to provide emergency shelter to individuals fleeing domestic violence.

**SUMMARY:** On July 14, 2020, the Board of County Commissioners approved the Palm Beach County Action Plan for Fiscal Year 2020-2021, which allocated \$451,346 in Emergency Solutions Grant (ESG) funds to non-profit agencies to provide assistance to the homeless and those at risk of becoming homeless. These contracts will fund activities, which include payment for the cost of operating and maintaining emergency shelters and provide financial assistance to stably house families with the rapid-rehousing program. Activities include case management, rental assistance, food, maintenance, utility assistance, security, equipment, insurance and supplies for emergency shelters. The populations being served with ESG funds are homeless individuals and individuals fleeing domestic violence. In 2018, AAF expended 100% of the \$176,794 award and 55 households were served, and in 2019, 100% of the \$166,159 award was expended and served 41 households. AAF is expected to serve 34 households with the rapid re-housing program under this new contract. In 2018, AVDA expended 100% of the \$60,000 award and 222 individuals were served, and in 2019, 98% of the \$57,964 award was expended and 202 individuals served. AVDA is expected to serve 144 individuals in emergency shelters under this new contract. In 2018, YWCA expended 100% of the \$45,789 award and 413 individuals were served, and in 2019, 100% of the \$39,736 award was expended and 378 individuals served. YWCA is expected to serve 413 individuals in emergency shelter under this new contract. These Federal ESG funds require a matching contribution, which will be provided by the funded agencies. No County funding is required. (Division of Human and Veteran Services) Countywide (HH)



3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

6. Staff recommends motion to approve: the contracts for Provision of Financial Assistance with the below listed agencies, for the two year period October 1, 2020 through September 30, 2022, in an amount totaling \$1,881,392, of which \$940,696 is budgeted for FY 2021 with an anticipated annual allocation of \$940,696 in each subsequent fiscal year, contingent upon a budgetary appropriation by the Board of County Commissioners, for the term of these contracts, to provide services in the service category of economic stability:

**A)** Habilitation Center for the Handicapped, Inc., for the provision of on-the-job training, job coaching and case management services for adults with special needs, in an amount not to exceed \$150,000, of which \$75,000 is budgeted in FY 2021 with an anticipated annual allocation of \$75,000 in each subsequent fiscal year for the term of this contract;

**B)** Seagull Industries for the Disabled, Inc., for the provision of supported employment services to young adults with special needs, in an amount not to exceed \$616,786, of which \$308,393 is budgeted in FY 2021 with an anticipated annual allocation of \$308,393 in each subsequent fiscal year for the term of this contract;

**C)** The ARC of the Glades, Inc., for the provision of developmental system of care services to individuals with intellectual developmental disabilities, in an amount not to exceed \$402,948, of which \$201,474 is budgeted in FY 2021 with an anticipated annual allocation of \$201,474, in each subsequent fiscal year for the term of this contract; and

**D)** Palm Beach Habilitation Center, Inc., for the provision of computer training services, seniors in transition and retirement services and supported employment to adults with disabilities, in an amount not to exceed \$711,658, of which \$355,829 is budgeted in FY 2021 with an anticipated annual allocation of \$355,829 in each subsequent fiscal year for the term of this contract.

**SUMMARY:** On July 14, 2020, the Board of County Commissioners approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contracts being recommended in this item reflect dollar amounts included in the FY 2021 budget. These contracts represent \$1,881,392 of the total FAA funding allocation of \$12,976,690 in FY 2021. In FY 2019, the Habilitation Center for the Handicapped, Inc. served 56 clients with on-the-job training, job coaching and case management services. Under this new contract, 50 adults with special needs will be served. In FY 2019, Seagull Industries, Inc. served 161 clients with supported employment services. Under this new contract, 185 young adults with special needs will be served. In FY 2019, The ARC of the Glades, Inc. served 48 clients with training services, supported employment and community-based supporting living. Under this new contract, 46 individuals with intellectual developmental disabilities will be served. In FY 2019, Palm Beach Habilitation Center, Inc. served 160 clients with supported employment services. Under this new contract, 160 adults with disabilities will be served. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

7. Staff recommends motion to approve: contracts for Provision for Financial Assisted Agencies with the agencies listed below, for the period October 1, 2020 through September 30, 2021, in an amount totaling \$3,075,961 to provide services in the service category of Behavioral Health:

**A)** American Association of Caregiving Youth, Inc. (AACY), for the provision of behavioral health care management services for adolescents, in an amount not to exceed \$37,500;

**B)** Boys Town South Florida, Inc., for the provision of behavioral health care coordination services for children, in an amount not to exceed \$527,715;

**C)** Drug Abuse Foundation of Palm Beach County, Inc. (DAF), for the provision of residential and medical detox services, in an amount not to exceed \$1,313,594;

**D)** Drug Abuse Treatment Association, Inc., for the provision of residential and non-residential substance use services, in an amount not to exceed \$266,108;

**E)** For The Children, Inc. (FTC), for the provision of behavioral health services to children with emotional and mental health issues, in an amount not to exceed \$245,366;

**F)** Housing Partnership Inc., for the provision of supportive housing to adults with severe mental health illness and behavioral health services to children, in an amount not to exceed \$375,976;

**G)** Jeff Industries, Inc., for the provision of supportive employment services to low-income adults with severe and persistent mental illness, in an amount not to exceed \$165,795;

**H)** Mental Health Association of Palm Beach County, Inc. (MHA), for the provision of behavioral health services to children and adults, in an amount not to exceed \$69,883; and

**I)** ~~United Community Options~~ Cerebral Palsy of Broward, Palm Beach & Mid-Coast Counties, Inc. (UCOP), for the provision of behavioral health respite services to individuals with special needs, in an amount not to exceed \$74,024.

**SUMMARY:** On July 14, 2020, the Board of County Commissioners approved funding allocations for the Financially Assisted Agencies (FAA) Program. The contracts being recommended in this item reflect dollar amounts included in the FY 2021 budget. These contracts represent \$3,075,961 of the total FAA funding allocation of \$12,976,690 in FY 2021. In FY 2019, ACCY served 65 caregiving youth with high levels of stress, anxiety, and/or depression who care for a family member with a physical and/or mental health condition. Under this new contract, 65 caregiving youth will be served. In FY 2019, Boys Town South Florida, Inc. served 345 children from birth to 19 years old, and their families in need of care coordination and/or behavioral health and therapeutic services. Under this new contract, 345 children from birth to 19 years old will be served. DAF currently has two programs under FAA funding. The intensive residential treatment program serves clients 18 years or older or adjudicated adults. In FY 2019, 311 clients were served. Under this new contract the program will serve 102 clients. The medical detox program serves adolescents or adults who do not require the services of a hospital emergency room or a Baker Act Psychiatric Stabilization Unit. In FY 2019, 765 clients were served. Under this new contract the program will serve 906 clients. DATA currently has two programs under FAA funding. The non-residential treatment services program served 531 middle and high school aged youth at risk for or with a substance use diagnosis (SUD) in FY 2019. Under this new contract the program will serve 450 middle and high school youth. The residential treatment services program served 46 adolescents ages 13-17 with a SUD in FY 2019. Under this new contract the program will serve 36 adolescents with a SUD. In FY 2019, FTC served 72 clients ages 3-18 years old, primarily of Haitian descent with behavioral, emotional and mental health issues. Under this new contract, 50 clients will be served. Housing Partnership Inc. currently has two programs under FAA funding. The supportive housing program serves adults with a severe and persistent mental illness who are ready to live independently, families with a mental health or substance use disorder and individuals and heads of households who are dually diagnosed with both a mental health and substance use disorder. In FY 2019, the supportive housing program served 130 clients. The program will serve 130 clients under this new contract. The community-based outpatient services serves children, families, and young adults with a mental health diagnosis. In FY 2019, the community-based outpatient program served 1,875 clients. Under this new contract the program will serve 1,875 clients. Jeff Industries, Inc. currently has two programs under FAA funding. The "Let's Go to Work" program serves low-income adults with severe and persistent mental illness. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** a budget transfer of \$375,000 in the Airport's Improvement and Development Fund to provide budget for Security Enhancements at Palm Beach International Airport (PBI). This includes a transfer from Reserves of \$375,000. **SUMMARY:** Approval of this budget transfer will provide funding for security enhancements at PBI for related task/work orders which will be approved in accordance with the authority designated in PPM CW-F-050. In addition, approval will provide funding for materials and labor procured under an existing service contract with the Department of Airports that will support the work completed under the task/work orders. Approval of the tasks and services utilizing these procedures will ensure the protection of Sensitive Security Information related to the equipment and software being modified. Countywide (AH)

2. **Staff recommends motion to receive and file:** five Consent to Sublease (Consent) documents for Signature Flight Support LLC (Signature) for Palm Beach International Airport (PBI).

1. Consent for Signature and Abaco Four, LLC, effective 4/1/2020.
2. Consent for Signature and Executive Jet Management Inc., effective 5/1/2020.
3. Consent for Signature and GM International Services LLC, effective 2/1/2020.
4. Consent for Signature and Nicklaus Design, LLC, effective 5/1/2020.
5. Consent for Signature and Private Consulting Partners, effective 4/1/2020.

**SUMMARY:** Signature provides fixed based operator services for general aviation aircraft at PBI pursuant to a lease agreement dated September 30, 2004 (R2004-1990, as amended). The lease agreement provides for the sublease of space subject to the County's consent. Delegation of authority for execution of the standard County agreements above was approved by the BCC in R94-1453. Countywide (AH)

3. **Staff recommends motion to receive and file:** two Consent to Sublease (Consent) documents, consenting to the sublease by Jet Aviation Associates, Ltd. (Jet) at the Palm Beach International Airport (PBI), with the following subtenants:

1. Charles R. Schwab, effective 8/1/2020.
2. N2 Aviation, LLC, effective 5/1/2016.

**SUMMARY:** Jet provides fixed base operator services at PBI pursuant to a Lease Agreement (R99-2239, as amended), with the County. The lease agreement allows Jet to sublease space subject to the County's consent. Delegation of authority for execution of the standard form consent to sublease was approved by the BCC in R94-1453. Countywide (AH)

4. **Staff recommends motion to receive and file:** an Owner's Affidavit pursuant to the Development Site Lease Agreement (Lease) with Airport Logistics Park, LLC (ALP) (R2019-0300, as amended). **SUMMARY:** On March 12, 2019 (R2019-0300), the Board approved the lease with ALP and authorized the Director of the Department of Airports to execute, on behalf of County, the Owner's Affidavit. The Owner's Affidavit is required by ALP for title insurance purposes. Countywide (HF)

5. **Staff recommends motion to receive and file:** Airline Service Incentive Program Participation Agreement (Incentive Agreement) with United Airlines, Inc. (United), providing for waiver of landing fees from July 1, 2020 through February 1, 2022, for flights from Washington Dulles International Airport. **SUMMARY:** The Incentive Agreement waives landing fees for certain flights. Delegation of authority for the execution of the standard Airline Service Incentive Program Participation Agreement was approved by the BCC in R2014-0251. Countywide (AH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS (Cont'd)

6. **Staff recommends motion to receive and file:** License Agreement (Agreement) with RS&H, Inc. (RS&H), providing for the use of approximately 160 square feet of office space at the Palm Beach International Airport (PBI) associated with the replacement of the public address system at PBI, commencing August 13, 2020, and expiring August 31, 2020, with automatic month-to-month renewals through September 30, 2022, unless terminated, without charge. **SUMMARY:** RS&H is a contractor for the County responsible for the replacement of the public address system at PBI, and the office space will be used for support of this project. The Agreement provides for automatic monthly renewals, provided no renewal shall extend beyond September 30, 2022. Delegation of authority for execution of the standard form Agreement was approved by the BCC in R2007-2070. Countywide (AH)
7. **Staff recommends motion to receive and file:** License Agreement with Airport Terminal Services, Inc. (ATS), commencing September 1, 2020, and expiring September 30, 2020, with automatic month-to-month renewals through September 30, 2025, unless terminated; providing for the use of approximately five square feet of space at the Palm Beach International Airport (PBI) terminal building, for payment of monthly license fees in the amount of \$31.60. **SUMMARY:** An increasing number of airlines do not accept cash payments by passengers for checked-baggage fees and other costs. ATS will use the space, consisting of one five-square foot location on the ticketing level of the PBI terminal building, for one self-service kiosk that converts cash to prepaid credit cards. Delegation of authority for execution of the standard County agreement above was approved by the BCC in R2007-2070. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** the Annual Report for fiscal year ending September 30, 2019 for the Lake Worth Beach Community Redevelopment Agency. **SUMMARY:** The Lake Worth Beach Community Redevelopment Agency has submitted their Annual Report for fiscal year ending September 30, 2019. Countywide (DB)
2. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$50,505 for the full satisfaction of a code enforcement lien that was entered against Michael T. Reimer & Tracey K. Reimer on August 8, 2012. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an order on February 1, 2012, for the property owned by Michael T. Reimer & Tracey K. Reimer providing them until May 31, 2012 to bring their property located at 4672 Bucida Rd, Boynton Beach into full compliance. The property had been cited for erecting/installing patio/roof structure in the rear yard without obtaining required building permits. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$50 per day was imposed. The CESM then entered a claim of lien against Michael T. Reimer & Tracey K. Reimer on August 8, 2012. The Code Enforcement Division issued an Affidavit of Compliance for the property stating that the cited code violations had been fully corrected as of July 8, 2020. The total accrued lien amount through July 20, 2020, the date on which settlement discussions began, totaled \$202,017.35. Michael T. Reimer & Tracey K. Reimer has agreed to pay Palm Beach County \$50,505, (25%) for full settlement of their outstanding Code Enforcement lien. District 4 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. **Staff recommends motion to receive and file:** an agreement with J Cobb Group, to host Ribbit the Exhibition at Mounts Botanical Garden for a period of January 11, 2020 through May 31, 2020. **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. Pursuant to PPM CW-F-072, Acquisition of Artwork, the agreement, after review and approval by the County Attorney’s office, has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The agreement was for a temporary art exhibit entitled “Ribbit the Exhibit” at Mounts Botanical Garden, which was approved by the Palm Beach County’s Art in Public Places Program. The donation for the agreement was provided by the Friends of the Mounts Botanical Garden, Inc., and approved by the BCC on December 3, 2019 (R2019-1857). This document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)
  
2. **Staff recommends motion to receive and file:** a Standard Equipment Use Agreement with the South Florida Fair and Palm Beach County Expositions, Inc, for a period of July 27, 2020 through July 27, 2021, for the use of one generator to be used as backup power for the South Florida Fairgrounds medical building. **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 standard agreement has been fully executed on behalf of the Board of County Commissioners (Board) by the County Administrator or designee. The Equipment Use Agreement was approved by the Board on October 1, 2013, Agenda 3H-2. This document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (LDC)
  
3. **Staff recommends motion to approve:** the one-time purchase, delivery and installation of construction-related furniture totaling \$405,714.12 to furnish the new Palm Tran South Expansion Facility as follows:

<u>LOT</u>	<u>DESCRIPTION</u>	<u>VENDOR</u>	<u>AMOUNT</u>
1	Lateral Files & Supply Cabinets	BERWIN, INC.	\$40,041.96
2	High Density File Unit	DESIGNERS WEST INTERIORS, INC.	\$48,522.00
3	Dry Erase Boards & Bulletin Boards	CI SOUTH FLORIDA, LLC	\$15,532.90
4	Lobby Furniture	BERWIN, INC.	\$12,672.00
5	Conference Room Furniture	KRUEGER INTERNATIONAL, INC.	\$13,335.65
6	Office Casegoods Furniture	BERWIN, INC.	\$56,333.00
7	Systems Furniture	BERWIN, INC.	\$73,000.00
8	Executive Furniture	BERWIN, INC.	\$6,146.20
9	Training & Other Tables	BERWIN, INC.	\$26,376.00
10	Seating	BERWIN, INC.	\$89,670.00
11	Miscellaneous	DESIGNERS WEST INTERIORS, INC.	\$4,800.00
12	Fitness Equipment	BSN SPORTS, LLC	\$16,587.41
13	Quiet Room Seating	DESIGNERS WEST INTERIORS, INC.	\$2,697.00
		<b>TOTAL</b>	<b>\$405,714.12</b>

**SUMMARY:** In January 2021, Palm Tran is projected to occupy the Palm Tran South Expansion Facility (Facility) that is currently under construction. This purchase of furniture to furnish the facility is pursuant to a competitive invitation for bid process (IFB #13202-FFE). Approval of this item will authorize purchase orders for new furniture items in the total amount of \$405,714.12 solely for this new facility and includes office desks and workstations, training and conference furniture, public forum furniture, staff fitness equipment, and seating. Funding for this purchase is from federal funds and is exempt from the Equal Business Opportunity Ordinance. (FDO Admin) District 7/Countywide (MJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to receive and file: Change Order No. 10 to the contract with James B. Pirtle Construction Company, Inc. d/b/a Pirtle Construction Company (R2015-0852) in the amount of \$49,700 for the Palm Beach Sheriff Office (PBSO) Forensic Sciences & Technology Facility project. **SUMMARY:** On December 18, 2018, the Board approved Amendment No. 1 (R2018-2062) to the contract with Pirtle Construction Company in the amount of \$26,305,228 establishing a Guaranteed Maximum Price (GMP) for construction of an approximately 87,000 sq. ft. secure lab/office warehouse facility with an 800 to 1000 vehicle impound lot. Change Order No.10 authorized the construction manager to furnish all labor and materials required to add structural steel anchoring at the base of the structural concrete tilt-up wall panels. In accordance with PPM CW-F-050, when the cumulative value of changes or additional work exceeds the greater of 5% or \$250,000 of the original contract value (Threshold Amount), an agenda item notifying the Board of County Commissioners of the item that puts the cumulative value in the excess category must be presented as a receive and file. This agenda item is being submitted to notify the Board of County Commissioners that Change Order No. 10 puts the cumulative value of changes or additional work in excess of the Threshold Amount established by PPM CW-F-050. The Construction Manager was selected pursuant to the Small Business Enterprise (SBE) ordinance in place at the time. There is no SBE participation for this change order. To date, the overall SBE participation is 21.61%. **This project is funded from the Infrastructure Sales Tax fund.** (Capital Improvements Division) Countywide/District 2 (LDC)
5. Staff recommends motion to approve: Work Order No. 20-041 to the annual minor construction contract with All-Site Construction Inc. (R2020-0142) in the amount of \$670,223.85 for the John Prince Park – Boat Ramp Replacement project for a period of 365 calendar days from permit issuance or until the project is complete. **SUMMARY:** The boat ramps at John Prince Park are in disrepair due to heavy usage and are in need of replacement. Furthermore, the boathouse has been abandoned for a number of years and has sustained structural damage. The work includes, but is not limited to: replacing the north boat ramp and creating a single wider ramp, replacing the north and south fixed piers with floating dock piers, demolition of the Palm Beach Sheriff Office boathouse, replacing the wood deck that connects the north and south pier and developing a gangway between the floating piers and fixed fishing docks. This project was competitively advertised and new contractors were invited to bid on the project by submitting prequalification documents prior to the submission of the bid response. The annual minor construction contract was most recently presented to the Goal Setting Committee on August 21, 2019, and the Committee applied the following three Affirmative Procurement Initiatives (API): 1) sheltered market for projects under \$100,000; or 2) a Small Business Enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project over \$100,000; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project over \$100,000. Since this is a multi-trade project over \$100,000, the mandatory 25% SBE participation was applied. The contractor is a Small/Minority Business Enterprise and will be providing 100% SBE participation on this work order. To date, the overall SBE participation on the annual minor construction contract is 84.16%. All-Site Construction, Inc. is a local business. **Funding for this project is from the Infrastructure Sales Tax fund and the Florida Boating Improvement Program Fund.** (Capital Improvements Division) District 3 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

6. Staff recommends motion to approve: Amendment No. 5 to the continuing contract with The Weitz Company, LLC (R2016-0763) establishing a Guaranteed Maximum Price (GMP) in the amount of \$1,396,965 for construction management (CM) services for the Main County Courthouse (MCCH) 4<sup>th</sup> Floor Magistrate Hearing Room project for a period of 163 calendar days from notice to proceed or until the project is complete. **SUMMARY:** On June 21, 2016, the Board of County Commissioners (BCC) approved the continuing CM contract with The Weitz Company, LLC for construction management services for capital projects under \$2,000,000 (effective July 1, 2020, \$4,000,000 due to changes in the Florida Statutes). Amendment No. 5 authorizes construction of two magistrate hearing rooms that consist of the judge’s bench, witness stand, painting, flooring, lighting, millwork, electrical and low voltage systems. The 4<sup>th</sup> floor of the Juvenile Courts of the Main Courthouse was previously a storage area for the clerk’s files. The continuing CM contract was awarded pursuant to the Small Business Enterprise (SBE) ordinance but this GMP, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity ordinance. The Construction Manager is not a SBE. The continuing CM contract was presented to the Goal Setting Committee on February 20, 2019, and an Affirmative Procurement Initiative of 20% SBE participation was applied to the contract. SBE participation for this amendment is 25.50%. To date, the overall SBE participation is 25.73%. The Weitz Company, LLC is a Palm Beach County business and it is anticipated that 83.77% of the work will be performed by Palm Beach County businesses. This amendment will be funded from the Public Building Improvement fund. (Capital Improvements Division) District 7 (LDC)
7. Staff recommends motion to approve: an annual contract with the following contractor for general minor construction services on an as-needed basis through February 10, 2025.

<u>Contractor</u>	<u>Status</u>	<u>SBE or Non-SBE</u>
Ralph Della-Pietra Inc.	Local	SBE

**SUMMARY:** On February 11, 2020, the Board approved the annual minor construction contract. The work consists of construction services associated with repairs, improvements and renovations to County properties. The contractor now joins the list of 18 already prequalified contractors for a total of 19 with a contract expiration date of February 10, 2025. 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. 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 19 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. This annual contract was presented to the Goal Setting Committee on August 21, 2019. The Committee applied the following three Affirmative Procurement Initiatives including: 1) sheltered market for projects under \$100,000; or 2) a small business enterprise (SBE) contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid on a single trade project over \$100,000; or 3) a mandatory 25% SBE subcontracting goal for a multi-trade project over \$100,000. 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 minor annual contract is 85.79%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve:

**A)** a contract with D. Stephenson Construction, Inc. to provide Construction Management at Risk Services for the Homeless Resource Center 2 (HRC2) project located at 3680 Lake Worth Road, Lake Worth; and

**B)** Task Order No. 1 with D. Stephenson Construction, Inc. for preconstruction services in the amount of \$57,800.00.

**SUMMARY:** The project includes the construction of a new facility to include 60 new emergency shelter (interim housing) beds, 14 transitional beds, a welcome center, a temperature controlled cleansing room, office areas, outdoor facilities, specialized storage, a Palm Beach Sheriff's Substation, a healthcare facility and support facilities (kitchen, laundry, pantry, community room, shower/restrooms). Pre-construction services include validating constructability, cost estimating, and procurement services. Once the construction documents are completed, the Construction Manager at Risk (CM) will bid the construction subcontracts and provide a guaranteed maximum price. The construction of the facility will be authorized through an amendment to the contract, which will be submitted to the Board for approval. The CM was selected through a competitive solicitation in accordance with the federal requirements provided by the Department of Housing and Economic Sustainability. Under the federal requirements, this project has a 22.4% minority and 6.9% female Equal Employment Opportunity participation goal. The minority participation for this Task Order is 23% including 7% female participation. D. Stephenson Construction, Inc. is a Palm Beach County business. The total project cost is estimated at \$8.3 million and is funded through a combination of funding sources including the infrastructure surtax fund, Community Development Block Grant and Ad Valorem fund. **Preconstruction services is funded from the Infrastructure Sales Tax fund.** (Capital Improvements Division) Countywide/District 3 (LDC)

9. Staff recommends motion to approve: Amendment No. 5 to the continuing contract with Lebolo Construction Management, Inc. (R2018-1161) in the amount of \$295,178 for Phase 2 of the John Prince Park Therapeutic Recreation Center project establishing a Guaranteed Maximum Price for construction management (CM) services for a period of 90 calendar days or until project is complete. **SUMMARY:** On August 14, 2018, the Board of County Commissioners approved the continuing CM contract with Lebolo Construction Management, Inc., for construction management services for federally funded capital projects under \$2,000,000 (effective July 1, 2020, this limit increased to \$4,000,000 due to changes in the Florida Statutes). Amendment No. 5 consists of, but is not limited to: the relocation of pool deck utilities and chain link fencing, an extension of the pool deck, a concrete footing for a lift chair, pool deck coating and pool resurfacing, installation of a water cannon, as well as, a pool platform and pool lift chair. The work was competitively solicited by Lebolo Construction Management, Inc. utilizing the Federal Requirements provided by the Department of Housing and Economic Sustainability. Under the federal requirements, this project has a 22.4% minority and 6.9% female participation goal established. After good faith efforts, Lebolo Construction Management, Inc. is not able to provide minority and female participation for this amendment. Under the Federal requirements the goals are not mandatory, provided the contractor executed good faith efforts. Lebolo Construction Management, Inc. is a Palm Beach County business with its main office located in Boynton Beach. **The funding sources for Amendment No. 5 is the Housing and Urban Development Community Development Block Grant, Parks Improvement fund and the Infrastructure Sales Tax fund.** (Capital Improvements Division) District 3 (LDC)



3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

10. **Staff recommends motion to approve:** amendment three to Interlocal Agreement with the Town of Lake Park (Town) which provides an additional one year extension of the timeframes for receiving proposals under a public private partnership process (PPP) for redevelopment of the Lake Park Marina. **SUMMARY:** In 2010, the County provided the Town \$2.4 Million for acquisition of .8 acres of land adjacent to the Town's Marina. Since that time, the Town has been attempting to facilitate redevelopment of the area surrounding the Marina. The Town is currently pursuing a PPP for the redevelopment as authorized by amendment two to Interlocal Agreement approved on June 18, 2019 (R2019-0892). The Town recently selected a consultant, Strategic Development Initiatives, to assist the Town in navigating through the PPP process. Approval of this third amendment will extend all timeframes for performance under the Interlocal Agreement for one year after approval hereof (October 20, 2021). (Property & Real Estate Management) District 1 (HJF)
  
11. **Staff recommends motion to approve:** a Utility Easement in favor of the Town of Jupiter for a water utility line and meter. **SUMMARY:** The Roger Dean Stadium Sports Complex (Complex) is located within the Abacoa planned residential development north of Donald Ross Road on University Boulevard. The Complex is a 90 acre site owned by Palm Beach County and operated by Jupiter Stadium, Ltd. Pursuant to a Sports Facility Use Agreement (R96-877), as amended. Under this agreement, Jupiter Stadium, Ltd. recently constructed a covered batting tunnel centrally located to the numerous ballfields located throughout the Complex. The covered batting tunnel requires water service to be provided by the Town of Jupiter and a meter. The easement is 10' wide, runs west from the Central Boulevard right of way and turns south between the ballfields where the easement terminates in a 37.61' x 20' area. The easement covers an area of 6,577.5 square feet (.15 acre) and will run approximately 620.14'. This easement will be recorded to provide notice of its existence and location. (PREM) District 1 (HJF)
  
12. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 42 to the continuing design contract with Johnson, Levinson, Ragan, Davila, Inc. (Consultant) (R2015-0779) in the amount of \$129,977 to provide professional engineering services for the Sports Field Lighting Replacement -Phase 2 project which includes various sports fields courts at the following eight Palm Beach County Parks:
  1. Caloosa Park, Boynton Beach
  2. Carlin Park, West Palm Beach
  3. Dyer Park, West Palm Beach
  4. Haverhill Park, Haverhill
  5. Lake Lytal Park, West Palm Beach
  6. Seminole Palms Park, Royal Palm Beach
  7. South County Regional Park, Boca Raton
  8. Veterans Memorial Park, Boca Raton.

**SUMMARY:** On June 23, 2015, the Board of County Commissioners approved a continuing contract with the Consultant for engineering services for capital projects under \$2,000,000 (effective July 1, 2020, this limit increased to \$4,000,000 due to changes in the Florida Statutes). CSA No. 42 includes design services for the development of drawings, technical specifications, permitting and construction administration services to replace the lighting at multiple sports fields throughout Palm Beach County. The continuing professional services contract was advertised according to the County's prior Small Business Enterprise (SBE) program where a 15% subcontracting goal was applied. The consultant committed to a contract goal of 95%. SBE participation on this CSA is 100%. To date the overall SBE participation on this continuing contract is 98.04%. The prime consultant is a certified SBE and a Palm Beach County Business. **The funding source for this project is from the Infrastructure Sales Tax Fund.** (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to:

**A) approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$358,649 to HTG Island View, LLC for the Island View project;

**B) authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

**C) approve** a budget transfer of \$322,190 in Impact Fee Assistance Program – Roads Zone 1 to appropriate funds for Island View;

**D) approve** a budget transfer of \$18,814 in Impact Fee Assistance Program – Park Zone 1 to appropriate funds for Island View; and

**E) approve** a budget transfer of \$17,645 in Impact Fee Assistance Program – Public Building to appropriate funds for Island View.

**SUMMARY:** On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County’s Fiscal Year 2019 funding cycle. HTG Island View, LLC, submitted an application in response to the NOFA. Staff recommends that up to \$358,649 be provided as a credit for impact fees associated with the Island View project (Project). HTG Island View, LLC, will be given credits for Roads Zone 1 Impact Fees (\$322,190), Park Zone 1 (\$18,814), and Public Building Impact Fees (\$17,645) for the construction of the Project. The Impact Fees will serve as the required match to the State Apartment Incentive Loan Program. HTG Island View, LLC, will pay impact fees above the allocated \$358,649. The Project entails construction of a 110 unit multifamily housing development located at 2525 Broadway in Riviera Beach. According to IFAHAP requirements, all units will be rented to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 20 years. **These funds are from interest earned by the Impact Fee Fund. District 7** (HJF)

3. CONSENT AGENDA APPROVAL

I. HOUSING AND ECONOMIC SUSTAINABILITY (Cont'd)

2. Staff recommends motion to:

**A) approve** an Impact Fee Affordable Housing Assistance Program (IFAHAP) funding award in the amount of \$177,944 to HTG River Trail, LLC, for the River Trail Apartment project;

**B) authorize** the Mayor to execute a Certificate of Award to be released to the recipient pursuant to IFAHAP Guidelines;

**C) approve** a budget transfer of \$158,307 in Impact Fee Assistance Program - Roads Zone 2 to appropriate funds for River Trail; and

**D) approve** a budget transfer of \$19,637 in Impact Fee Assistance Program - Public Building to appropriate funds for River Trail.

**SUMMARY:** On July 27, 2020, the Department of Housing and Economic Sustainability issued a Notice of Funding Availability (NOFA) making \$2,172,279 in IFAHAP funding available from Palm Beach County's Fiscal Year 2019 funding cycle. HTG River Trail, LLC, submitted an application in response to the NOFA. Staff recommends that up to \$177,944 be provided as a credit for impact fees associated with the River Trail project (Project). HTG River Trail, LLC, will be given credits for Roads Zone 2 Impact Fees (\$158,307) and Public Building Impact Fees (\$19,637) for the construction of the Project. The Impact Fees will serve as the required match to the State Apartment Incentive Loan Program. HTG River Trail, LLC, will pay impact fees above the allocated \$177,944. The Project entails construction of a 120-unit multifamily housing development located at South Military Trail and Canal 10 Road in unincorporated Palm Beach County. According to IFAHAP requirements, all units will be for rent to persons with incomes no greater than 140% of Area Median Income. The assisted units will be restricted to remain affordable for 20 years. **These funds are from interest earned by the Impact Fee Fund.** District 2 (HJF)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: reappointment of two members to the Building Code Advisory Board (BCAB).

<u>Reappoint</u>	<u>Seat</u>	<u>Requirement</u>	<u>Nominated By</u>	<u>Term</u>
Joseph Byrne	9	Roofing Contractor	Palm Beach County Roofing & Sheet Metal Contractors' Association	10/20/20 – 10/19/23
Donald Sharkey	13	Electrical Contractor	Independent Electrical Contractors, Inc.	10/20/20 – 10/19/23

**SUMMARY:** The BCAB was established by a Special Act of the Florida Legislature in 1974, and amended in 2017. The term of office for Board members is three years with no limit to the number of terms a member may serve. The Board is comprised of 16 members: one registered architect appointed from nominees submitted by the Palm Beach Chapter of the American Institute of Architects; one professional engineer appointed from nominees submitted by the Palm Beach Chapter of the Florida Engineering Society; seven members appointed from nominees submitted by any recognized regional industry trade association; and seven Building Officials, one from each commission district, appointed from nominees submitted by the Building Officials Association of Palm Beach County. The Palm Beach County Roofing & Sheet Metal Contractors' Association has nominated Joseph Byrne to be reappointed as Roofing for Seat 9. The Independent Electrical Contractors, Inc. has nominated Donald Sharkey to be reappointed as Electrical for Seat 13. This Advisory Board has 16 seats, 15 currently filled and 1 vacancy, and a diversity count of Caucasian: 13 (80%), African-American: 1 (10%) and Asian-American: 1 (10%) male. The gender ratio (male: female) is 14:1. The nominees are two Caucasian males. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Boards diversity. Countywide (CK)

K. WATER UTILITIES

1. Staff recommends motion to receive and file: the executed Standard Potable Water and Wastewater Development Agreement with Lake Worth Road Villas, LLC, SDA #02-01160-000 (District 6), Recorded in OR BK 31546 PG 0143. **SUMMARY:** In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants/procurement items must be submitted by the initiating Department as a receive and file agenda item unless the documents have been recorded in the Public Records of Palm Beach County. The documents have been fully executed on behalf of the Board of County Commissioners (BCC) by the Director of the Palm Beach County Water Utilities Department accordance with Resolutions R93-1619, R96-0228, and R2003-0539 and are now being submitted to the BCC to receive and file. District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. **Staff recommends motion to approve:** a Partial Release of Standard Potable Water and Wastewater Development Agreement (Partial Release) in favor of Lake Worth Road Villas, LLC (Property Owner). **SUMMARY:** On January 30, 2003, the County entered into a Standard Potable Water and Wastewater Development Agreement (Prior SDA) with Ronald Mastroianni and David Moscarelli (Original Property Owners), for the provision of potable water and wastewater service to certain property owned by the Original Property Owners, as recorded in Official Records Book 14738 Page 626, of the Public Records of Palm Beach County, Florida. On February 8, 2009, the Board of County Commissioners approved the Unilateral Termination and Partial Release of the Standard Potable Water and Wastewater Development Agreement (Termination Agreement) and recorded in Official Records Book 22434 Page 914, of the Public Records of Palm Beach County, Florida, with certain rights, duties and obligations surviving the Termination Agreement. The Property Owner is the successor/owner of a portion of the property that was subject to the terms of the Prior SDA and the continuing obligations under the Termination Agreement. The Property Owner, as the current owner has entered into a new Standard Potable Water And Wastewater Development Agreement with the County dated June 19, 2020, and recorded in Official Records Book 31546 Page 0143, of the Public Records of Palm Beach County, Florida (New SDA), which governs potable water and wastewater service to the Released Property, and has requested that the County partially release the Prior SDA and the continuing obligations under the Termination Agreement as it relates to the Released Property. The Partial Release exempts the Released Property from the Prior SDA, and terminates any and all continuing obligations under the Termination Agreement, solely as it relates to the Released Property. District 6 (MJ)
  
3. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 10 to the Consulting/Professional Services Surveying and Mapping Annual Services Contract (Contract) with Dennis J. Leavy & Associates, Inc. (Consultant) for the Lift Station Rehabilitation Easement Records and Title Search (Project) for a fixed price of \$187,457.14. **SUMMARY:** On June 6, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0732) with Consultant. CSA No. 10 provides for professional surveying and mapping services relating to the surveying and title search services for this Project. The Project includes a public records search of 200 lift stations, an Owner and Encumbrance Report, and a table of findings for the 200 lift stations to verify easements at these lift stations that are planned to be rehabilitated. 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 goal established under the 2002 Ordinance was 15% overall participation. The Contract provides for 100% SBE participation. CSA No. 10 includes 100% SBE participation. The cumulative SBE participation including CSA No. 10 is 100%. Consultant is a Palm Beach County Company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-046) Districts 1, 2, 3, 5 & 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

4. Staff recommends motion to approve:

**A)** contract with Florida Design Drilling Corporation (FDD) for the Wellfield Improvements Phase 1 (Project) in the amount of \$10,344,000; and

**B)** Consultant Services Authorization (CSA) No. 2 to the Consulting/Professional Services System-Wide Wellfield Improvements Hydrogeologic, Engineering Design and Construction Services Contract with JLA Geosciences, Inc. (Consultant) for a not to exceed amount of \$1,761,713.50.

**SUMMARY:** On June 3, 2020, the Palm Beach County Water Utilities Department (PBCWUD) received one bid for the Project. The Project includes construction of one new production well and rehabilitation of five production wells located in Boca Raton and replacement of three production wells and rehabilitation of two production wells located in Delray Beach. The Project also includes civil/mechanical improvements for three production wells and electrical and instrumentation upgrades at ten production wells located in Boca Raton and Delray Beach. FDD was the lowest responsive and responsible bidder in the amount of \$10,344,000. This contract with FDD was procured under the requirements of the Equal Business Opportunity (EBO) Ordinance. The Project was presented to the Goal Setting Committee on April 15, 2020, and a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting participation of which 5% shall be among certified African American and/or Hispanic American owned firms was the Affirmative Procurement Initiative applied to this Project. FDD has met the established API for this Project. The contract with FDD provides for 24.09% SBE participation which includes 5.07% MBE (B) and MBE (H) participation. FDD is a Palm Beach County Company. On April 2, 2019, the Board of County Commissioners approved the PBCWUD Contract (R2019-0439) with Consultant. CSA No. 2 provides for construction phase services for the Project. The contract with Consultant was procured under the requirements of the 2002 SBE Ordinance (R2002-0064) prior to the adoption of the new EBO Ordinance on October 16, 2018. The SBE participation goal under the 2002 Ordinance was 15% overall participation. The contract with Consultant provides for 59% SBE participation, which includes 22% M/WBE participation, 1% MBE (B), 20% MBE (H) and 1% WBE. CSA No. 2 includes 93.47% SBE participation which includes 1.35% MBE (B) and 21.07% MBE (H). The cumulative SBE participation including CSA No. 2 is 80.82% SBE, which includes 1.32% MBE (B), 21.92% MBE (H), 22.35% MBE (A) and 1.30% WBE. Consultant is a Palm Beach County based Company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 19-022) District 5 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

5. **Staff recommends motion to approve:** the reappointment of an at-large member to the Water Utilities Department Advisory Board (WUDAB) for a three year term effective October 20, 2020 through September 30, 2023.

Nominee:	Requirements:	Seat No.	Nominated By:
William Nuss	Current Water Utilities Customer Resides in Village of Royal Palm Beach	11	Mayor Kerner Commissioner McKinlay Commissioner Valeche Vice Mayor Weinroth Commissioner Bernard

**SUMMARY:** Resolution No. R2014-0457 provides for an 11-member WUDAB. The membership consists of seven District members, two County-wide At-Large members, one Lake Region member and one Royal Palm Beach member. William Nuss' term as member of the WUDAB expired on September 30, 2020. Mr. Nuss has served on the WUDAB since December 21, 2017, completing a previous Board Member's term and has indicated a desire to continue as a WUDAB member. The WUDAB and Department staff recommend the reappointment of William Nuss to remain on the Board another term. The Board has 11 seats, 9 seats currently filled and a diversity count of 7 Caucasian (78%), 1 Hispanic-American (11%), 1 African-American (11%). Mr. Nuss is a Caucasian male and the gender ratio (female:male) is 4:5. Countywide (MJ)

6. **Staff recommends motion to approve:** a Corrective Action Agreement (Agreement) between Palm Beach Park of Commerce Association, Inc. (Association) and Palm Beach County. **SUMMARY:** The Association constructed approximately 3,500 linear feet of 12-inch water main to provide a second source of potable water to landowners within the Palm Beach Park of Commerce. Approximately 50 feet of this water main does not meet Palm Beach County Minimum Design Standards and is referred to as the "Nonconforming Portion". The Association has requested that Palm Beach County Water Utilities Department accept the entire water main based upon certain commitments made by the Association, as outlined in the Agreement. The Agreement states that the Association will replace the Nonconforming Portion of the water main within three years from the date of the Agreement and also indemnifies, defends and holds the County harmless for any damages related to the Nonconforming Portion. The Nonconforming Portion of the water main is functional. District 1 (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to receive and file: Task Assignment Change Order No. 1, to the State of Florida, Department of Environmental Protection (FDEP) Amended and Restated Contract No. GC896 (R2016-0787), Task Assignment No. GC896-05 (R2020-1083), provides a decrease of state funding for variable bonus payments of petroleum cleanup in the amount of \$22,900. **SUMMARY:** Under Amended and Restated Contract No. GC896 (Contract), the County will continue to perform contamination cleanup activities on behalf of FDEP and administer the Petroleum Restoration Program through the Department of Environmental Resources Management for a five-year period beginning July 1, 2016 to June 30, 2021. On an annual basis, FDEP will issue task assignments to the County for specific job tasks necessary to carry out cleanup services at the local level. The Contract does not include an early termination provision without cause for the County. The current Task Assignment No. GC896-5 is for the period July 1, 2020 to June 30, 2021. The original total budget amount for Task Assignment No. GC896-5 is \$501,900, which provides for bonus incentives that cannot exceed \$23,900. Task Assignment Change Order No. 1, upon the request of FDEP, is for a reduction of \$22,900 from the total incentive payment to address projected budget shortfalls because of the current economic situation. Task Assignment No. GC896-5 projected incentive payments will not exceed the total payment of \$1,000 already invoiced. Delegated authority to the County Administrator, or designee, to sign all future time extensions, task assignments, certifications, and other forms associated with the Agreement was approved by the Board of County Commissioners on June 21, 2016. In accordance with County PPM CW-O-051, all delegated contracts/agreements/grants must be submitted by the initiating Department as a receive and file agenda item. There is no cost to the County. Countywide (SS)

2. Staff recommends motion to:

**A) approve** a Lease Agreement (Agreement) with the Florida Inland Navigation District (FIND) for the occupancy and use of Material Storage Area 617-C as a construction staging site and for storage of materials beginning upon execution and expiring on May 31, 2022; and

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

**SUMMARY:** This Agreement provides 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 and Juno/Jupiter Beach Nourishment. The 15-acre parcel located along the Intracoastal Waterway west of Ellison Wilson Road will be utilized by County contractors to receive, stage and load materials such as rock, shell and sand for transport to the Tarpon Cove project site. Work will occur weekdays from 8:00 am to 5:00 pm only. The lease provides that if the County defaults in the performance of any of the lease terms, refuses to give up possession at the termination of the lease, or is the unsuccessful party in any litigation arising between the parties under the lease, the County will be liable to pay FIND's attorney's fees and enforcement costs incurred during mediation, arbitration, trial, appeal, post-judgment proceedings, and bankruptcy and administrative proceedings. There is no cost to the County. District 1 (SS)



3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

**A) approve** submittal of an application to the Florida Department of State, Division of Library and Information Services, for State Aid to Libraries in an estimated amount of \$754,643 for FY 2021;

**B) approve** the associated State Aid to Libraries Grant Agreement with The State of Florida, Department of State; and

**C) authorize** the County Administrator or designee to execute any other necessary agreements, amendments, forms and certifications associated with the State Aid to Libraries Grant Agreement.

**SUMMARY:** The State provides an annual operating grant to eligible libraries based upon their annual operating expenditures from local funds. Estimated State Aid revenue has been included in the County Library's FY 2021 budget. The time frame for the agreement to determine the award begins with the start of the Grantee's second preceding fiscal year (October 1, 2018) and concludes with the end of the State of Florida's current fiscal year (June 30, 2021). There is no match requirement for this grant. Countywide (AH)

3. CONSENT AGENDA APPROVAL

Q. CRIMINAL JUSTICE COMMISSION

1. Staff recommends motion to:

**A) ratify** the Mayor's signatures on a grant application and a Chief Executive Officer standard assurances and certifications document for the U.S. Department of Justice (DOJ) Edward Byrne Memorial Justice Assistance Formula Federal FY20 (County FY21) Direct Grant in the amount of \$127,393 beginning October 1, 2020 through September 30, 2024, with \$123,571 to the Palm Beach County Reentry Program and \$3,822 to the Palm Beach County Sheriff's Office (PBSO) to become NIBRS (National Incident-Based Reporting System) compliant pursuant to a special condition of this grant;

**B) receive and file** Grant Adjustment Notice (GAN) 5 for Grant 2020-JAGC-PALM-2-Y5-030; and

**C) authorize** the County Administrator or designee to execute the grant award, amendments, documents, and electronic grant reporting forms, related to this grant, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office, and within budget allocations.

**SUMMARY:** Palm Beach County was allocated \$127,393 in Federal FY20 (County FY21) funds as part of the JAG Direct Program (CFDA#16.738) for expenditure during the period October 1, 2020 through September 30, 2022. The Criminal Justice Commission (CJC) approved recommendations made by the CJC's Finance Committee to allocate these funds to the existing Palm Beach County Reentry Program. This award will provide \$123,571 continuation funding to the Reentry Program. The program provides transitional services to juveniles and adults reentering society from jail and prison. Pursuant to a special condition of this grant, \$3,822 will be transferred to PBSO to become NIBRS compliant. In 2016, the FBI formally announced its intention to sunset the Uniform Crime Reporting (UCR) Program's traditional Summary Reporting System and replace it with the UCR Program's NIBRS by January 1, 2021. The FBI intends for NIBRS to be the law enforcement crime data reporting standard for the nation. Currently all municipalities and PBSO report crime under the FBI's UCR Program to the Florida Department of Law Enforcement (FDLE) which is designated by the FBI as Florida's Statistical Analysis Center. FDLE is currently working on NIBRS compliance requirements to be promulgated to municipal police departments and sheriff's offices in Florida. The emergency procedure, pursuant to Palm Beach County Administrative Code, Section 309, was used because of the limited time for submission of the grant application following the funding announcement. The U.S. DOJ Edward Byrne Memorial Justice Assistance Formula Federal FY20 (County FY21) Direct Grant requires the Chief Executive officer support the application for funding by review of the solicitation, application and completion of the Chief Executive Certification, not less than 30 days before the date of the certification. GAN 5 for FDLE award 2020-JAGC-PALM-2-Y5-030, was approved by FDLE on August 8, 2020, to extend the project period from June 30, 2020 through September 30, 2021. No local match is required for this grant. Countywide (JW)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve: a second amendment to Interlocal Agreement for Fire Vehicle Maintenance with the City of West Palm Beach to retroactively extend the term of the Agreement from September 9, 2020 through September 8, 2021. **SUMMARY:** This Agreement (R2008-1567) provides for the maintenance and emergency repair of the City of West Palm Beach's Fire-Rescue emergency response apparatus by Palm Beach County Fire Rescue Support Services personnel. This Agreement, as amended, is cost neutral with no supplemental funding from the Fire Rescue MSTU as the City is billed for all time, materials, and services performed to maintain and repair the City's fire vehicles. During this extension period, the County shall provide for maintenance and repair services for the following emergency response apparatus: Aerials/Platforms and Ladders. Countywide (SB)

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to receive and file: a fully executed Supplemental Service Order Request FLR-PBCo 2020828-01 to the Affiliate Connection Agreement R2014-0851, as extended by R2020-0491, with Florida LambdaRail, LLC. (FLR) to increase the County's capacity on the FLR Network. **SUMMARY:** The County is currently approaching its capacity limit on the FLR Network. Supplemental Service Order Request FLR-PBCo 2020828-01 to the Affiliate Connection Agreement R2014-0851, as extended by R2020-0491, with FLR increases the County's capacity by 2x10G for an annual cost increase of \$16,831. The equipment and installation required for the increased capacity will be a one-time cost of \$2,256. This will provide the County with increased broadband services for faster internet access and connectivity to the Northwest Regional Data Center disaster recovery site, as well as allowing the County to provide increased internet speeds to external customers. The Chief Information Officer approved this Supplemental Service Order Request by delegated authority with R2014-0851, Motion B. Countywide (DB)
2. Staff recommends motion to:
  - A) **rescind** Interlocal Agreement R2013-0308.3;
  - B) **approve** the replacement Interlocal Agreement providing updated contract terms for network services with the Town of Jupiter; and
  - C) **authorize** the County Administrator or designee to approve and execute task orders for additional IT services, up to a maximum dollar value of \$50,000 per task order.

**SUMMARY:** The Town of Jupiter has an existing Interlocal Agreement with Palm Beach County (R2013-0308.3) for network services. Staff 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 Town of Jupiter. The Florida LambdaRail, LLC has approved connection of the Town of Jupiter to the Florida LambdaRail network. District 1 (DB)
3. Staff recommends motion to receive and file: fully executed Task Order #1 to Agreement R2019-1928 with My Community Cares, Inc. in the amount of \$250 for ISS application programming services for a modification to the RENEW Reentry application. **SUMMARY:** Palm Beach County ISS provides application hosting services to My Community Cares, Inc. for use of the RENEW Reentry application. Task Order #1 requests ISS application programming services for a modification to the system. The Chief Information Officer approved this task order by delegated authority with R2019-1928, Motion C. Countywide (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) receive and file** executed Amendment 7 for subcontract #16TFGR26 with the Florida Council Against Sexual Violence (FCASV) in the amount of \$157,192 to define tasks and deliverables for the period of July 1, 2020 through June 30, 2021, to provide sexual assault recovery services for a total of \$776,510 for the period of July 1, 2016 through June 30, 2021;

**B) receive and file** Subcontract #20OAG26 with FCASV for the period July 1, 2020 through June 30, 2021, to receive grant funding in the amount of \$19,756 to provide sexual assault recovery services; and

**C) approve** budget amendment of \$133,760 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 7 to subcontract #16TFGR26 (R2016-1195, CSFA 64.061 and CSFA 64.069), revises the contract amount to \$776,510 which is inclusive of the \$619,318 allocation received in the previous four grant periods and adds \$157,192 for this grant period. Amendment 7 also 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, sexual assault services community needs assessment and documentation thereof. A Victim Advocate, Victim Services Project Coordinator and Sexual Assault Outreach Coordinator are funded through Amendment 7. Subcontract #20OAG26 (R2016-1197, CSFA No. 41.010) will fund a portion of the salary and benefits for the Victim Services Project Coordinator who will specialize in follow up care to victims of sexual assault, such as medical and social service appointments and will also coordinate the Sexual Assault Response Team and various subcommittees. 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 (JW)

2. Staff recommends motion to receive and file: first amendment to the contract for consulting/professional services with Drug Abuse Foundation of Palm Beach County, Inc. (R2018-1817) for a total not-to exceed amount of \$582,396 to provide drug abuse and psychiatric treatment for Adult Drug Court for the period retroactive to March 1, 2020 through September 30, 2021. **SUMMARY:** This amendment updates services to include individual counseling telehealth sessions in 30 minute increments with a cost of \$35 per session and group counseling telehealth session for a one-hour session at a cost of \$70 per session to drug court participants in place of or in addition to in-person individual and group counseling sessions during the COVID-19 pandemic. It was determined that these type of services will continue and the contract needed to be amended, to provide for these services. In July 2018, the Justice Services Division solicited proposals to provide drug treatment services to individuals referred by the Drug Courts. This contract will provide substance abuse treatment to the participants in the Adult Drug Court. On November 20, 2018, the Board of County Commissioners authorized the County Administrator or designee to execute minor amendments and administrative documents associated with the above contracts, on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney Office and within budget allocations. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

**A) receive and file** a State-funded Grant Agreement (A0111) for FY2020-21 in the amount of \$105,806 for the Emergency Management Preparedness and Assistance (EMPA) Grant with the State of Florida, Division of Emergency Management (FDEM) to receive grant funding for the period July 1, 2020 through June 30, 2021, to improve and enhance emergency management plans and programs and provide operational support to maintain state required programs; and

**B) approve** a budget amendment of \$76,854 in the Emergency Management Preparedness and Assistance Fund to adjust the budget to the actual award of \$105,806.

**SUMMARY:** The EMPA grant (CSFA #31.063) is a state funded grant that recurs annually. This grant will be used to further enhance emergency planning, response, mitigation, and recovery in the County. R2012-1731 dated November 20, 2012, gave authority to the County Administrator or designee to execute this agreement on behalf of the Board of County Commissioners. The EMPA grant requires a match at the lesser of the Division of Emergency Management's general revenue funding average for the last three fiscal years or the level of funding for the last fiscal year. Countywide (LDC)

4. Staff recommends motion to approve: five “At Large” appointments to the Emergency Medical Services Advisory Council (EMS Council) for the term October 20, 2020 through September 30, 2023.

<u>Nominee</u>	<u>Seat</u>	<u>Designation</u>	<u>Nominated by</u>
Dr. Belma Andric	4	PBC Health District	Health Care District of PBC
Brian Fuller	5	EMS Providers	Palm Beach County EMS Providers Association
Dr. Richard Paley	7	ER Physician	PBC Emergency Medical Forum
Pam Tahan	18	PBC Independent Hospital CEO	Self-Nominated
Gina Melby	19	PBC HCA Hospital CEO	HCA Healthcare

**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, 2020, the five seat terms above expire. Letters were sent to each affiliation requesting a new nominee. The EMS Council currently has 19 seats filled. The EMS Council diversity count is as follows: Caucasian 18 (95%) and African American: 1 (5%). The gender ratio (male: female) is 11:8. Countywide (SF)

3. CONSENT AGENDA APPROVAL

AA. PALM TRAN

1. **Staff recommends motion to approve:** the first amendment to agreement for the provision of transportation services between the Board of County Commissioners of Palm Beach County and Cen-West Communities, Inc. which includes a two month extension of the agreement between the Board of County Commissioners of Palm Beach County, Florida and Cen-West Communities, Inc. (Cen-West), for the provision of Palm Tran's Fixed Route service to the residents of Cen-West in Boca Raton. The total amount of the amendment is \$43,647. **SUMMARY:** This is a two-month extension to the agreement to provide services to residents of Cen-West approved September 18, 2018 (R2018-1427). The monthly payment is in lieu of residents paying individual fares to ride Palm Tran. This agreement provides residents with unlimited and fare-free access to all of Palm Tran's Fixed Route services. This amendment extends the termination date of the current agreement from October 31, 2020 to December 31, 2020. The amount of the contract is \$21,823.50 per month for a total amount of \$43,647. Due to current COVID-19 and economic conditions, Cen-West has chosen not to renew their contract and has requested to discontinue the service. This amendment will allow sufficient time for Cen-West to make alternate arrangements for their residents and for Palm Tran to make necessary modifications to their routes. The reduction in revenue from this contract is expected to be offset by increased fare revenues from Cen-West residents. District 5 (DR)
2. **Staff recommends motion to approve:** an agreement with Governmentjobs.com, Inc. (dba NEOGOV) for a web-based software-as-a-service subscription to provide online access to Palm Tran for Human Resources for onboarding recruitment, and new personnel for a one year period beginning October 20, 2020, for a not-to-exceed amount of \$12,540. **SUMMARY:** Palm Tran Human Resources section is seeking to acquire services through Governmentjobs.com, Inc. (dba NEOGOV), utilizing the recruitment and onboarding web-based platforms, in efforts to enhance a seamless delivery of efficient and effective services to both internal and external customers. The purchase of access to a software-as-a-service application is a subscription service which is exempt from Palm Beach County's Purchasing Code. Countywide (DR)

CC. SHERIFF

1. **Staff recommends motion to:**
  - A) accept** on behalf of the Palm Beach County Sheriff's Office, an agreement between Palm Beach County's Office of Community Revitalization and the Palm Beach County Sheriff's Office in the amount of \$19,500, for the period of August 25, 2020 through August 24 2021, for a multipurpose trailer project (\$9,500) and a community equipment project (\$10,000) previously approved by the Board of County Commissioners on August 25, 2020;
  - B) approve** a budget transfer in the amount of \$19,500 from CCRT Special Projects & Initiatives Fund to the Sheriff's Grants Fund; and
  - C) approve** a budget amendment in the amount of \$19,500 in the Sheriff's Grant Fund to recognize the transfer and appropriate it to the project/program.

**SUMMARY:** On August 25, 2020, the Board of County Commissioners approved an agreement with the Palm Beach County Sheriff's Office for a Neighborhood Engagement and Transformation (NEAT) grant in the amount of \$19,500 for the period of August 25, 2020 through August 24, 2021 (R2020-0948). The NEAT grant will fund the purchase of a trailer to be used for multi-purpose events throughout Community Policing sites and personal and community safety equipment for community events, community clean-ups and emergency preparedness throughout CCRT neighborhoods. There is no cash match associated with this award. Countywide (LDC)

3. CONSENT AGENDA APPROVAL

CC. SHERIFF (Cont'd)

2. **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, 2020 through December 31, 2020. **SUMMARY:** The Board of County Commissioners accepted this grant for \$300,000 on March 12, 2019 (R2019-0366). This agenda item will extend the grant period from August 31, 2020 through December 31, 2020. Countywide (LDC)
  
3. **Staff recommends motion to receive and file:** Grant Adjustment 1 to the grant agreement between the National Institute of Justice, Bullet Proof Vest Program and the Palm Beach County Sheriff's Office which extends the grant period from August 31, 2020 through November 30, 2020. **SUMMARY:** In 2018, the Palm Beach County Sheriff's Office received a grant award from the Bureau of Justice Assistance for the purchase of Bulletproof Vests for law enforcement personnel. The Board of County of Commissioners accepted this grant award on August 25, 2020 (R2020-1175). Grant Adjustment 1 extends the grant period from August 31, 2020 through November 30, 2020. Countywide (LDC)
  
4. **Staff recommends motion to receive and file:** a Grant Adjustment Notice from the U.S. Department of Justice extending the 2019 Justice Assistance Grant from September 30, 2020 through December 31, 2020. **SUMMARY:** The Board of County Commissioners accepted this grant for \$13,583 on September 15, 2020 (3CC-2). This agenda item will extend the grant period from September 30, 2020 through December 31, 2020. Countywide (LDC)

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY

1. **Staff recommends motion to approve:** one appointment to the Westgate CRA Board, effective June 8, 2020:

<u>Seat No.</u>	<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>	<u>Term Ending</u>
6	Ronald Daniels	Business Owner	Mayor Dave Kerner Vice Mayor. Robert S. Weinroth Comm. Hal R. Valeche Comm. Gregg K. Weiss Comm. Mack Bernard	05/31/24

**SUMMARY:** The Westgate/Belvedere Homes Community Redevelopment Agency (Westgate CRA) Board consists of seven At-Large members from the general public and local businesses within the CRA boundaries. Ordinance No. 89-6 requires that the Palm Beach County Board of County Commissioners appoint the Westgate CRA Board Members. After duly advertising, the Westgate CRA held its meeting on June 8, 2020 to nominate candidates to fill seat 6. Mr. Ronald Daniels, a business owner, has expressed a willingness to remain on the CRA Board in Seat 6. The Commissioners were notified of the vacancy by the Westgate CRA on September 11, 2020. District 7 (RB)

3. CONSENT AGENDA APPROVAL

DD. WESTGATE/BELVEDERE HOMES COMMUNITY REDEVELOPMENT AGENCY (Cont'd)

- 2. Staff recommends motion to approve: the following Westgate/Belvedere Homes Community Redevelopment Agency (CRA) Board Officers for a 12-month term commencing June 8, 2020 and expiring May 10, 2021.

<u>Board Member</u>	<u>Office</u>
Ronald Daniels	Chair
Joanne Ruffy	Vice-Chair

**SUMMARY:** The Westgate/Belvedere Homes CRA Board consists of seven At-Large members from residents and local businesses within the CRA boundaries. At the June 8, 2020 meeting, the CRA Commissioners elected the Chair and Vice-Chair from amongst its Board. The term shall be 12 months, beginning with the date of election. Districts 2 & 7 (RB)

EE. OFFICE OF EQUAL OPPORTUNITY

- 1. Staff recommends motion to:

**A) ratify** the Mayor’s signature on Cooperative Agreement No. FF204K204023 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 of July 1, 2019 through June 30, 2020 in the total amount of \$288,800;

**B) approve** a budget amendment in the General Fund (Fund 0001) in the amount of \$31,200 to recognize the increased award amount from \$257,600 to \$288,800; and

**C) approve** a budget amendment in the General Fund (Fund 0001) in the amount of \$34,943 to move the budget for the HUD-CARES Act award from Fund 1160 to match the allocation of the HUD Assistance Award/Amendment.

**SUMMARY:** In order for OEO to receive revenue from HUD for processing and resolving housing discrimination complaints, execution of Cooperative Agreement No. FF204K204023 was required prior to October 20, 2020, to meet HUD’s FY 2020 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 \$288,800 represents a \$31,200 increase over the budgeted \$257,600, and includes \$207,400 for case processing; \$26,400 for training funds; and \$55,000 for administrative costs. The previous HUD awards totaling \$34,943 includes \$17,500 for education and outreach activities and \$17,443 for the acquisition of technology assets for staff engaged in fair housing activities remotely because of the COVID-19 emergency. Board ratification of the Mayor’s signature will ensure the receipt of revenue under this agreement. Countywide (DRO)

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

A. PALM TRAN

1. Staff recommends motion to approve: changes to Palm Tran Connection Efficiencies Project (CEP) which modifies the Eligibility and Reservation Process. **SUMMARY:** Palm Tran has undertaken a comprehensive evaluation and analysis of the Palm Tran Connection Paratransit Service. Palm Tran Connection is growing at an unsustainable rate when compared to its peers, accounting for one-third of Palm Tran’s current annual operations budget. Palm Tran management has endeavored in the Palm Tran Connection Efficiencies Project (CEP) over the last year to evaluate some of the key components of Palm Tran Connections service affecting cost and operational performance; capacity, eligibility and on-time performance. The evaluation analyzed key metrics in these areas and utilized service data to make recommendations to modify the eligibility process, the utilization of non-dedicated transportation providers such as taxis or Transportation Network Companies during high-peak demand and alternative service options for non-ADA trips. The proposal will provide options to better serve Palm Beach County's disabled, senior and transportation disadvantaged communities. At the November 26, 2019, Board of County Commissioners Workshop, staff presented the CEP and provided information that compared Palm Tran Connection service to its peers and federal ADA minimum guidelines for paratransit service. The need for public input is a Federal Transit Administration requirement.

The following are recommended for approval:

1. Develop Enhanced Eligibility Assessment process.
2. Modify the reservation window to reduce cancellations.
3. Study an “Overflow” Service Option (Uber/Lyft/Taxi) to allow paratransit customers to have alternative transit options.
4. Develop Non-ADA Service Delivery Options for trips that do not fall within the ADA service area.

The Board directive at the November 26, 2019 BCC Workshop was to move forward with the Enhanced Eligibility Assessment process, modify the reservation window to reduce cancellations from 7 days to 3 days, further assess the “Overflow” Service option and develop Non-ADA Service Delivery Options for potential future implementation. As a result of COVID-19, staff is recommending pivoting from implementing in-person eligibility interviews as presented at the November 26, 2019 BCC Workshop, to phone interviews to minimize person to person contact during the pandemic. Additionally, Palm Tran staff will develop the “Overflow” Service option and Non-ADA Service Delivery Options and bring these items back to the Board for consideration in Spring 2021. Countywide (DR)

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OCTOBER 20, 2020

5. **SPECIAL PRESENTATIONS – 9:30 A.M.**

A) COVID-19 Update by Dr. Alonso and County Staff

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6. REGULAR AGENDA

A. PARKS & RECREATION

1. **Staff recommends motion to approve:** one permanent Park Ranger Supervisor, two permanent Park Rangers, one non-permanent Park Ranger Supervisor and two non-permanent Park Ranger positions to provide after-hour patrol of County parks. **SUMMARY:** Currently, Park Rangers provide oversight, monitoring and enforcement of park rules to 84 park properties within the park system from 7:00AM – 11:00PM seven days a week. However, we have seen an increase in vandalism, property damage and ordinance violations within the parks after hours that have required a response from the Palm Beach Sheriff's Office (PBSO). To ensure we have a 24-hour presence within the park system to deter unwelcome and prohibited conduct or activity, and to allow PBSO Deputies to remain on their scheduled road patrol assignments, we propose adding a small team of Park Ranger personnel to work from 11:00PM – 7:00AM within parks countywide seven days a week. The Park Rangers will be mobile and assigned to work various parks that have experienced higher levels of Parks' Ordinance violations. The cost for staff salaries to fund this initiative is approximately \$251,000 and will be absorbed within the Parks and Recreation FY 21 budget. Staff reviewed several operating scenarios including the use of permit deputies and contractual security services, and determined that the use of Park Rangers was more cost effective and allowed for greater programmatic control. Countywide (AH)

B. AIRPORTS

1. **Staff recommends motion to approve:** Amendment No. 2 to the General Consulting Agreement with RS&H, Inc. for Consulting/Professional Services in the amount of \$3,196,990.03 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 (R2019-0612) with RS&H, Inc. for general airport planning and design was approved on May 7, 2019, in the amount of \$2,004,570.58 in order to carry out the approved Capital Improvement Programs for the County's Airports. Amendment No. 1 was approved on May 5, 2020 (R2020-0414) increasing the total amount of the agreement by \$2,304,608.30. Amendment No. 2 will provide an additional \$3,196,990.03 to complete the following tasks: Task I Services – Palm Beach International Airport (PBI) Switchgear Normal Power Distribution System Replacement; PBI Concourse B Expansion Conceptual and Schematic Design; PBI Terminal Public Address System Construction Engineering Inspection Services – Phase 2; PBI Pre-Conditioned Air and Ground Power Unit Point of Use; PBI Federal Inspection Service Facility and Building 846 Storm Resiliency Modifications Package 3 Construction Documents & Bidding and Award; PBI Terminal Elevator Assessment Report; 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. RS&H, Inc. is a Jacksonville, Florida based firm; however, the majority of the work will be managed through their Fort Lauderdale, Florida office in conjunction with several Palm Beach County-based and South Florida-based sub-consultants and firms. A Disadvantaged Business Enterprise (DBE) goal of 18% was set for this agreement. RS&H, Inc. has committed to 23% DBE participation for this agreement. The anticipated DBE participation based upon the currently approved tasks and those contained within this amendment is approximately 35%. The current paid to date DBE participation is approximately 20%. The DBE participation for this Amendment is approximately 51.21%. Pursuant to changes to Chapter 332, Florida Statutes, effective October 1, 2020, a governing body of a commercial service airport may not approve purchases of contractual services in excess of the Category Five threshold amount of \$325,000 provided in Section 287.017, Florida Statutes, on a consent agenda. This amendment exceeds the threshold amount and must be approved on the regular agenda. Countywide (AH)

6. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

**A) approve** an Interlocal Agreement with the City of Boca Raton (City) pursuant to which the County will develop and maintain a 400' self-supported public safety radio communications tower and associated improvements, on land owned by City;

**B) approve** a Temporary Construction Easement (TCE) for the County to construct the tower;

**C) approve** an Access and Management Easement (Easement) for County to operate, maintain and repair the tower; and

**D) authorize** the Director of Facilities, Development & Operations (FDO) to execute standard use agreements (Use Agreements) providing the standard terms and conditions for all authorized tower users and setting forth the terms for payment of use, maintenance and renewal/ replacement fees.

**SUMMARY:** The Interlocal Agreement provides for the County to fund, design, construct, manage and maintain a 400' self-supported public safety radio tower and associated improvements, on land owned by City. The approval of the construction contract will be presented to the BCC for consideration pursuant to a separate board item. Upon substantial completion of the tower construction, the City shall be the owner of the tower and shall be responsible for insuring the tower for loss or casualty. Both the City and the County (as well as any other tower user) will be individually responsible for the costs associated with licensing, procurement, installation and on-going maintenance and renewal/replacement of its own radio system equipment. The term of the Interlocal Agreement is for 45 years and may be renewed for 3 additional terms of 10 years each by agreement of both City and County. The Interlocal Agreement also provides that the County will manage the tower on behalf of the City, and at no cost to the County, pursuant to a standard tower user agreement that is attached to the Interlocal Agreement. Management responsibilities include all aspects of tower management including collection of tower maintenance and renewal/ replacement fees from tower users pursuant to the terms of the standard use agreement, which is materially identical to the terms pursuant to which the County allows municipalities to use County-owned towers. The City has the ability to terminate the County's tower management responsibilities and then the City shall perform the same pursuant to the terms of the Interlocal Agreement (which also includes minimum maintenance standards) and the standard tower use agreement. The Interlocal Agreement delegates signature authority to the FDO Director to execute the tower use agreements on behalf of the County. The tower use agreements have a term of 15 years with 2 additional renewal periods of 15 years each. The TCE provides a temporary easement across City land to allow the County to develop and construct the tower and associated improvements. The Access and Management Easement Agreement provides County access to the City's land in order for the County to operate, maintain and repair the tower for the duration of the Interlocal Agreement. The City cannot terminate the Interlocal Agreement for convenience nor without cause. If a default occurs under the Interlocal Agreement terms, the non-defaulting party shall have the right to grant the defaulting party additional time to cure the default, seek dispute resolution pursuant to the procedure set forth in the Interlocal Agreement, or bring an action for specific performance. If the City does terminate the Interlocal Agreement for cause, it does not have the right to terminate the County's tower use agreement. The County's tower use agreement may only be terminated pursuant to the terms of the tower use agreement. While this structure of this Interlocal Agreement is atypical in terms of the City ownership of a County funded tower; the remaining terms of the agreement leave the County with the same rights and liabilities, financial and management responsibilities as if the tower were to be County-owned. For these reasons and the difficulty in finding sites that met the County's siting criteria, Staff is recommending approval. All costs associated with this agreement will be funded from Fund 3801: 800 MHz/Public Safety Tower System Fund. (FDO Admin) District 5/Countywide (LDC)

6. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to:

**A) adopt** a resolution authorizing the conveyance of certain real property to Habitat for Humanity of South Palm Beach County, Inc., a Florida not-for-profit corporation (Habitat), pursuant to Section 125.38, Florida Statutes, without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and providing for an effective date; and

**B) approve** three County Deeds in favor of Habitat conveying three properties located on Highview Road, Peak Road and West Ocean Avenue in Palm Beach County for three affordable units to be developed.

**SUMMARY:** Pursuant to Section 125.38, Florida Statutes, the County is conveying three vacant properties to Habitat as follows: 1) Highview Road (.0919 acres) in unincorporated Palm Beach County which escheated to the County in August 2012, and has a current appraised value of \$42,000; 2) Peak Road (.0918 acres) in unincorporated Palm Beach County which escheated to the County in March 2016, and has a current appraised value of \$42,000; and 3) West Ocean Avenue (.2106 acres) in Boynton Beach which escheated to the County in October 2015, and has a current appraised value of \$69,000. Under the Palm Beach County Code Section 22-103(a), since all three properties being conveyed exceeded the \$25,000 threshold, appraisals were required and obtained in August 2020. The Property Review Committee was not required to review the conveyance in accordance with PPM CW-L-023 since the appraised value of each is less than \$250,000. Habitat has successfully implemented single-family housing projects and has an established track record in the affordable housing arena in Palm Beach County. Habitat is proposing to develop three affordable single-family homes each with three bedrooms, two bathrooms and a one car garage. The homes will be sold to families earning no more than 120% of Area Median Income and the anticipated sales price for buyers will not exceed \$331,888. **The Board should be cognizant that as a result of the County's affordability restrictions on the property, the units cannot be used to meet a Workforce Housing Program obligation.** Mineral and petroleum rights on the property will be retained by the County in accordance with Section 270.11, Florida Statutes, without rights of entry and exploration. Approval of this item will convey County-owned property to Habitat and result in an increase in the County's affordable housing stock. **This conveyance must be approved by a supermajority vote of five (5 Commissioners).** (PREM) Districts 3 & 7 (HJF)

6. REGULAR AGENDA

C. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

3. Staff recommends motion to approve:

**A)** a purchase agreement with John D. and Catherine T. MacArthur Foundation, an Illinois Not-For-Profit corporation (Foundation) (Agreement No. 1) to acquire 31.206 acres of land (Parcel 1) for \$118,600;

**B)** a purchase agreement with John D. and Catherine T. MacArthur Foundation, an Illinois Not-For-Profit corporation (Agreement No. 2) to acquire 10.788 acres of land (Parcel 2) for \$41,000; and

**C)** delegation of authority to the County Administrator to execute Agreement No. 1 and Agreement No. 2 as Final Agency Acceptance, pursuant to Section 119.0711, Florida Statutes.

**SUMMARY:** In 2017, the Board of County Commissioners (Board) and the Florida Department of Transportation (FDOT) entered into a Joint Participation Agreement (JPA) (R2017-1952) which provided for the Board to acquire on behalf of FDOT portions of the Old State Road 7 right of way north of PGA Boulevard and east of the Beeline Highway. Agreement No. 1 is for acquisition of the property required by the JPA (Parcel 1). The Board will advance the \$118,600 purchase price of Parcel 1 and will be reimbursed by FDOT. Agreement No. 2 is for acquisition of gap parcels lying between the Old State Road 7 right of way and the Board's Loxahatchee Slough Natural Area. The Board will fund the acquisition of Parcel No. 2. Both parcels are being acquired at their appraised fair market value. **Pursuant to the Property & Real Estate Management Ordinance, all purchases must be approved by a supermajority vote (5 Commissioners).** (Property & Real Estate Management) District 1 (HJF)

D. COUNTY ATTORNEY

1. Staff recommends motion to commence: a private attorney-client session in the case of In re: National Prescription Opiate Litigation, Case Number: MDL 2804 (N.D. Ohio), and Palm Beach County v. Purdue Pharma, et al., Case Number: 1:18-op-46121-DAP (N.D. Ohio), during the Board of County Commission Meeting on October 20, 2020 at 12:00 p.m., in the Thomas McEaddy Conference Room, 301 North Olive Avenue, 12th Floor, West Palm Beach, Florida. The following persons will attend the meeting with the members of the Board of County Commissioners who are present at that time: Verdenia Baker, County Administrator; Denise Coffman, Deputy County Attorney; David Ottey, Chief Assistant County Attorney; James L. Ferraro, outside counsel; James L. Ferraro Jr., outside counsel; Hunter Shkolnik, outside counsel; and Janpaul Portal, outside counsel. Pursuant to Section 286.011(8), Florida Statute, the entire attorney-client session shall be recorded by a certified court reporter who shall record the discussion and proceedings, the names of all persons present at any time, and the names of all persons speaking. No portion of the session shall be off the record. The court reporter's notes shall be fully transcribed and filed with the clerk and shall be made part of the public record upon conclusion of the pending litigation. **SUMMARY:** The Board will discuss settlement negotiations. Countywide (DO)

6. REGULAR AGENDA

E. HOUSING AND ECONOMIC SUSTAINABILITY

1. Staff recommends motion to execute: a “Certification of Consistency with the Consolidated Plan” for the Pahokee Housing Authority, Inc., in connection with their grant application to the U.S. Department of Housing and Urban Development. **SUMMARY:** The Pahokee Housing Authority, Inc. (PHA), is applying for a Resident Opportunity and Self-Sufficiency (ROSS) grant from the U.S. Department of Housing and Urban Development (HUD). HUD requires that the County confirm that the application is consistent with the goals and objectives of the County’s Consolidated Plan. PHA will use the ROSS grant to hire and maintain a Service Coordinator to assess the needs of PHA residents and coordinate supportive services and other activities designed to help such residents attain economic and housing self-sufficiency. The primary goal of a ROSS-Family Service Coordinator is to assist families in increasing earned income and moving towards economic and housing self-sufficiency. The Department of Housing & Economic Sustainability has reviewed PHA’s proposed ROSS activity and determined that it is consistent with the Palm Beach County Consolidated Plan for Fiscal Year 2020 - 2024. Specifically, the ROSS activity will serve a priority need of the Consolidated Plan by providing assistance to very-low income renter households. Countywide (HJF)

F. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to adopt: a resolution repealing and replacing Resolution R2011-0860, replacing and designating certain parcels of land owned by Palm Beach County (County) as road right-of-way for State Road 7 from Okeechobee Boulevard to 60<sup>th</sup> Street North (Project). **SUMMARY:** On June 21, 2011, Resolution R2011-0860 designated certain parcels of land owned by the County as road right-of-way for the Project. A County owned parcel controlled by the County’s Environmental Resources Management Department, known as the Pond Cypress Natural Area, was inadvertently included among these parcels designated as right-of-way. The proposed new resolution will repeal and replace Resolution R2011-0860 with a resolution containing appropriate legal descriptions to correct the road right-of-way designations. The corrected road right-of-way designations cover an area of approximately 175 acres. District 6 (YBH)

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OCTOBER 20, 2020

7. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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OCTOBER 20, 2020

**8. STAFF COMMENTS**

**A. ADMINISTRATION COMMENTS**

**B. COUNTY ATTORNEY**

**9. COMMISSIONER COMMENTS**

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

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

**District 3 – COMMISSIONER DAVE KERNER**

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

Request for off-site Proclamation declaring October 2020 as Palm Beach County Disability Employment Awareness Month in Palm Beach County

**District 5 - COMMISSIONER MARY LOU BERGER**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

Request for off-site Proclamation declaring November 2020 as Diabetes Awareness Month in Palm Beach County

Request for off-site Proclamation declaring November 18-25, 2020 as Farm-City Week in Palm Beach County

Request for off-site Proclamation declaring November 2020 as Prematurity Awareness Month in Palm Beach County

**District 7 – COMMISSIONER MACK BERNARD**

**OCTOBER 20, 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."