

December 8, 2020
9:30am

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

ADDITIONS, DELETIONS, & SUBSTITUTIONS

DECEMBER 8, 2020

<u>PAGE</u>	<u>ITEM</u>	
26	4B	DELETED
32	Dist. 7	ADD-ON: Request for off-site Proclamation declaring December 1, 2020 as World AIDS Day 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**

DECEMBER 8, 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 5-25)**
- 4. SPECIAL PRESENTATIONS (Page 26)**
- 5. REGULAR AGENDA (Pages 27-29)**
- 6. BOARD APPOINTMENTS (Page 30)**
- 7. STAFF COMMENTS (Page 31)**
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MATTERS BY THE PUBLIC – 2:00 P.M. (Page 33)

ADJOURNMENT (Page 34)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. Staff recommends motion to approve: four precinct boundary changes, submitted by Wendy Sartory Link, Supervisor of Elections, as required by Section 101.001(1), Florida Statutes. **SUMMARY:** Four precinct boundary changes are recommended by Wendy Sartory Link, Supervisor of Elections (SOE), a municipal annexation in Belle Glade and a municipal annexation in Greenacres. Districts 2 & 6 (AH)
2. Staff recommends motion to approve: the appointment of the following individual to the South Florida Regional Transportation Authority (SFRTA) to complete an unexpired term beginning December 8, 2020 and ending July 31, 2023:

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Hal Valeche	4	Palm Beach County Resident with Business or Civic Interest	Mayor Kerner Comm. McKinlay Comm. Weiss Vice-Mayor Weinroth Comm. Marino

SUMMARY: The SFRTA was created pursuant to Section 343.53, Florida Statutes. The SFRTA is comprised of ten voting members: one county commissioner each from Miami-Dade, Broward and Palm Beach counties; one citizen member (business/civic interest) from each of the three counties, the secretary of the Department of Transportation; and three citizens of the three counties selected by the Governor. On November 12, 2020, staff distributed a memo to the Board of County Commissioners requesting support for the appointment of Mr. Valeche or requesting additional nominees for consideration. The Commissioners noted above support the appointment of Mr. Valeche. No other nominations were received. The SFRTA has ten members with a diversity count of nine Caucasian males and one Hispanic male. Mr. Valeche is a Caucasian male. Countywide (MM)

3. Staff recommends motion to approve: Amendment #2 to Interlocal Agreement R2020-0507, as amended by Amendment #1, R2020-1629, with the Health Care District of Palm Beach County (Health Care District) relating to the COVID-19 medical response, adjusting Health Care District authorized expenses to a new not to exceed total amount of \$5,500,000. **SUMMARY:** The Health Care District has been an integral and critical partner in Palm Beach County's COVID-19 response efforts. The Health Care District is currently providing testing services at multiple locations in Palm Beach County including the FITTEAM Ballpark of the Palm Beaches, the South County Civic Center, Lakeside Hospital, three fixed clinic locations, various pop-up community sites, and public schools. They are also working with County staff and the Palm Beach County Health Department in the preparation of a COVID-19 vaccination plan. Under the terms of Agreement R2020-0507 and Amendment #1 (R2020-1629) the Health Care District is being reimbursed for expanding their testing services through the use of mobile health units that target underserved neighborhoods and communities where additional testing and future vaccination services will be needed. This Amendment #2 allows for additional medical response expenses incurred after March 1, 2020, to be reimbursed by the County. **Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding will be used for this purpose.** The expenditures must be completed by December 30, 2020. Countywide (HH)

3. CONSENT AGENDA APPROVAL

B. CLERK & COMPTROLLER

1. **Staff recommends motion to receive and file:** Warrant List – Backup information can be viewed in the Clerk & Comptroller’s Office.
2. **Staff recommends motion to approve:** the following final minutes of the Board of County Commissioners’ meetings:

<u>Meeting Date</u>	<u>Meeting Type</u>
March 4, 2020	Conflict Assessment
June 23, 2020	Workshop
July 2, 2020	Conflict Assessment

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

C. ENGINEERING & PUBLIC WORKS

1. **Staff recommends motion to adopt:** thirteen resolutions to declare the acquisition of properties designated as parcels 109, 111, and 137 as right-of-way easements, parcels 239 and 242 as drainage easements, parcels 240, 241, 243, 244, 245, 246, and 253 as permanent easements, and parcels 305, 311, 341, and 346 as temporary construction easements, as necessary for the construction of roadway improvements on Northlake Boulevard from east of Seminole Pratt Whitney Road to east of Hall Boulevard (Project). **SUMMARY:** Adoption of these resolutions will initiate eminent domain proceedings pursuant to Chapters 73, 74, 127, and Section 337.27, Florida Statutes as amended, against sixteen parcels having a total appraised value of \$387,381. The parcels are necessary for the widening and construction of a four-lane divided roadway section with new drainage, sidewalks, and paved shoulders for the Project. To date, the property owners have not accepted the offers to purchase made by Palm Beach County and attempts to negotiate the purchases have been unsuccessful. Eminent domain proceedings are necessary to acquire the parcels at this time in order to expedite construction of the Project. **This Project is included in the Five Year Road Program.** District 6 (BB)

2. **Staff recommends motion to:**

A) accept a quit claim deed from Lake Worth Drainage District (LWDD) for Belvedere Road right-of-way east of Caroline Avenue at the E-3 Canal; and

B) approve a Palm Beach County (County) deed to LWDD to convey all County interest in a parcel of land adjacent to the LWDD right-of-way for the L-3 Canal.

SUMMARY: The quit claim deed from LWDD will give the County any interest LWDD may have in the right-of-way within Belvedere Road at the E-3 Canal. The County deed to LWDD will give LWDD any interest the County may have in the L-3 Canal right-of-way. This conveyance to LWDD, at no cost, is pursuant to Section 125.38, Florida Statutes. Although the County normally reserves its interest in phosphates, minerals, metals and petroleum rights per Section 270.11, Florida Statutes, LWDD has requested the release of this reservation because LWDD requires the property to be free and clear without encumbrances. Acceptance and approval of these deeds will correct the ownership interests of the two parcels. **In accordance with Palm Beach County ordinance (2019-038), a supermajority vote (5 votes) is required by the BCC for all transfers of fee simple real property that requires BCC approval.** District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

3. Staff recommends motion to approve: a Work Task Order (WTO) to the Annual Intersection Improvements Professional Services Contract (R2020-0541) dated June 2, 2020 (Contract) with HSQ Group, Inc. (HSQ) in the amount of \$128,069.52 for the Linton Boulevard and Old Dixie Highway Intersection Improvements (Project). **SUMMARY:** Approval of this WTO will provide the services necessary for the Project. The Project will reconfigure the west approach to provide an exclusive eastbound left turn lane, two eastbound through lanes and one eastbound right turn lane. The Affirmative Procurement Initiative selected for this Contract on May 1, 2019 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. HSQ committed to 75% SBE participation for the Contract. HSQ agreed to 100% SBE participation for this WTO. Their cumulative SBE participation to date including this WTO is 100%. HSQ is a Palm Beach County based company and a certified SBE company. Districts 4 & 7 (YBH)

4. Staff recommends motion to approve: a Work Task Order (WTO) to the Annual Civil Engineering Professional Services Contract (R2019-0717) dated June 4, 2019 (Contract) with Mock, Roos & Associates, Inc. (MRA) in the amount of \$172,151.37 for Australian Avenue from north of the I-95 bridge to Okeechobee Boulevard (Project). **SUMMARY:** Approval of this WTO will provide the professional services necessary for an additional southbound through lane on Australian Avenue from north of the I-95 bridge to Okeechobee Boulevard. The Affirmative Procurement Initiative selected for this Contract on November 6, 2019 by the Goal Setting Committee is a 20% minimum mandatory Small Business Enterprise (SBE) participation. MRA agreed to 20% SBE participation for the Contract. They agreed to 24% SBE participation for this WTO. Their cumulative SBE participation to date including this WTO is 34.38%. MRA is a Palm Beach County based company. **This Project is included in the Five-Year Road Program.** District 7 (YBH)

5. Staff recommends motion to approve:
 - A)** the first amendment to an Interlocal Agreement (R2019-0580) with the City of West Palm Beach (City) in the amount of \$148,117.59 for the design and construction of certain modifications to the widening of Roebuck Road from Jog Road to Haverhill Road (Project); and

 - B)** a budget amendment of \$2,003 in the Road Impact Fee Fund – Zone 2 to recognize design reimbursement funding from the City and appropriate it to the Project.**SUMMARY:** Approval of the first amendment will allow the City to reimburse Palm Beach County \$148,117.59 for the Project's design and construction modifications necessary to accommodate the City's future fire station. This budget amendment is necessary to recognize the funding from the City for the design modifications requested by the City. A prior budget amendment of \$146,114.91 recognized funding from the City for the construction modifications. Districts 2 and 7 (YBH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. **Staff recommends motion to approve:** Amendment No. 5 to the Construction Manager (CM) at Risk Contract with The Morganti Group, Inc. for Airport Improvements for the Department of Airports (Department), exercising the first one year renewal option for the continuation of services. **SUMMARY:** The contract with The Morganti Group, Inc. for CM at Risk Services for Airport Improvements for the Department was approved by the Board on January 15, 2019 (R2019-0042). The contract is for two years with three one year renewal options and is a task/work order based contract for CM at Risk Services for the Department. The Morganti Group, Inc. is a Danbury, Connecticut, based firm; however, the work will be directly managed by their southeast regional office in Palm Beach County. The contract value to date is \$5,807,070.42. Approval of Amendment No. 5 will allow the County, at its sole discretion, to exercise the first one year renewal option for the continuation of services provided under the CM at Risk Contract. The Disadvantaged Business Enterprise (DBE) goal for this contract is 12%. The total to date participation for this contract is 30%. Countywide (AH)

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. **Staff recommends motion to receive and file:** the Financial Statements for the Florida Development Finance Corporation for the fiscal year ending June 30, 2020. **SUMMARY:** The Florida Development Finance Corporation has submitted their Financial Statements for fiscal year ending June 30, 2020 as per Section 288.9610, Florida Statutes. Countywide (DB)
2. **Staff recommends motion to receive and file:** the Florida Forest Service Annual Report for the 2019-2020 fiscal year. **SUMMARY:** The Florida Department of Agriculture and Consumer Services has submitted their Florida Service Annual Report for the 2019-2020 fiscal year. Countywide (DB)
3. **Staff recommends motion to approve:** a negotiated settlement offer in the amount of \$30,000 for the full satisfaction of a code enforcement lien that was entered against Matthew C. Murphy & Britni C. Murphy on June 6, 2018. **SUMMARY:** The Code Enforcement Special Magistrate (CESM) entered an order on October 6, 2017, for the property owned by Matthew C. Murphy & Britni C. Murphy providing them until April 2, 2018, to bring their property located at 9025 159th Ct N. Jupiter, FL into full compliance. The property had been cited for parking more than seven vehicles on a residential lot; stored equipment or materials outside of the dwelling including driveways; erecting/installing Chickee Hut without first obtaining required building permits and erecting/installing shed without first obtaining required building permit. Compliance with the CESM's Order was not achieved by the ordered compliance date and a fine in the amount of \$250 per day was imposed. The CESM then entered a claim of lien against Matthew C. Murphy & Britni C. Murphy on June 6, 2018. The Code Enforcement Division issued an Affidavit of Compliance for the property on July 9, 2020, stating that the cited code violations had been fully corrected as of August 27, 2018. The total accrued lien amount through July 30, 2020, the date on which settlement discussions began, totaled \$46,973.04, of which Mr. & Mrs. Murphy have agreed to pay Palm Beach County \$30,000, (64%) for full settlement of their outstanding Code Enforcement lien. District 1 (SF)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to:

A) receive and file an emergency agreement with Jupiter Stadium, Ltd. (JSL) for purchases and improvements to the Roger Dean Chevrolet Stadium (Stadium) for COVID-19 (Agreement) in a not to exceed amount of \$615,670 through December 30, 2020; and

B) ratify the signature of the County Administrator for the above emergency Agreement related to COVID-19.

SUMMARY: The Governor of the State of Florida issued a Public Health Emergency on Sunday, March 1, 2020, and a State of Emergency on Monday, March 9, 2020 due to the COVID-19 pandemic. Palm Beach County also issued a local state of emergency on Friday, March 13, 2020. The County owns the Stadium in Jupiter which is operated, managed and used by JSL, a partnership between two MLB teams, the St. Louis Cardinals and the Miami Marlins. Staff has worked with JSL to identify purchases and improvements to the Stadium necessary due to COVID-19 that were not budgeted for which will further a safe environment at the Stadium for visitors. The Agreement provides a not to exceed amount of \$615,670 for purchases and improvements due to COVID-19 through December 30, 2020. Due to the Declaration of Emergency issued by Palm Beach County, the County Administrator has the ability to enter into the Agreement. Pursuant to Section 2-80.22 of the Equal Business Opportunity (EBO) Ordinance and the County PPM CW-O-043, this contract is exempt from the EBO requirements. The funding source for this agreement is the Coronavirus Aid, Relief, and Economic Security Act Relief Fund. (FDO Admin) Countywide (MWJ)

2. Staff recommends motion to approve: an Interlocal Agreement (Agreement) with the Village of Tequesta, (Municipality) allowing for interoperable communications through the countywide common talk groups of the County's Public Safety Radio System (System) for a period of five years to commence retroactively on October 1, 2020 through September 30, 2025. **SUMMARY:** Municipality previously had a direct access agreement with County to use County's 800 MHz Public Safety Radio System, but terminated the direct access agreement when it migrated its dispatch services to another system (R2020-1349). This Agreement provides the terms and conditions under which the Municipality can program into its radios and utilize the countywide common talk groups for certain types of inter-agency communications. The County's System will not be utilized for routine operational communications by the Municipality. The terms of the Agreement are standard and have been offered to all municipalities and local branches of state and federal agencies with 800 MHz trunked radio capabilities. There are no charges associated with this Agreement. The Municipality is required to pay all costs associated with the Participant's subscriber units and to comply with the established operating procedures for the County's System. The agreement provides for an initial term of five years with two renewal options, each for a period of five years. This Agreement may be terminated by either party, with or without cause, upon ten days prior written notice to the other party. (ESS) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: Amendment No. 1 to the contract with Leo A. Daly Company (R2015-1459) to extend the term of the contract retroactively from October 20, 2020 until the completion of all project phases not to exceed five years and to update the County's standard contract terms. **SUMMARY:** On October 20, 2015, the Board of County Commissioners (Board) approved the design contract with Leo A. Daly Company for the Detention Facilities project (Project). The Project included a five year capital improvement program for the renewal/replacement of major building systems at the County's detention facilities including the Main Detention Center (MDC), the Western Detention Center (WDC) and the Central Detention Center (CDC). The capital program includes the renewal/replacement of the following major building systems at these detention facilities: mechanical including heating ventilation and air conditioning (HVAC); fire protection; plumbing and boilers; electrical; low voltage including electronic security systems and fire alarm, security doors and hardware; roofing; weatherproofing and other similar improvements. The County was unable to complete the capital program design within the contract's five-year term. The final phase of the project for the WDC has yet to begin; therefore, the Facilities Development and Operations Department is requesting authorization to extend the contract with Leo A. Daly Company retroactively from October 20, 2020 until the final phase of the Project is complete, not to exceed five years. Amendment No. 1 extends the contract term and adds or updates standard County terms on audit, compliance with the public records law, compliance with laws and regulations e-verify, among others. The existing contract was awarded under the prior Small Business Enterprise (SBE) Ordinance, and the SBE participation goal is 15%. Leo A. Daly Company is not a SBE, but is a local business. The Office of Equal Business Opportunity has reviewed the existing SBE participation and approved this extension request under the existing contract terms. To date, the Small/Minority/ Women Owned Business Enterprise (S/M/WBE) participation for consultant services authorizations issued under this design contract is 24.85%. The funding source is from the Public Improvement fund. (Capital Improvements Division) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

4. Staff recommends motion to approve: an increase in the maximum dollar value of the annual electrical contracts by \$2,000,000 to provide repair, improvement or renovation services to County properties on an as-needed basis through November 18, 2024.

<u>Contractor</u>	<u>Resolution #</u>	<u>Status</u>
A) Albert Electric, Inc.	R2019-1752	Local/SBE
B) Ampro, Inc.	R2020-1030	Non-Local/Non-SBE
C) Clear Blue Energy Corp.	R2020-1351	Non-Local/Non-SBE
D) Davco Electrical Contractors Corp.	R2019-1753	Local/Non-SBE
E) Greenview Construction LLC	R2019-1754	Local/SBE
F) Grid-One Electrical Construction, Inc.	R2019-1755	Local/Glades/SBE
G) Protect Video, Inc.	R2019-1756	Local/SBE
H) Imperial Electrical Incorporated	R2020-0831	Non-Local/Non-SBE
I) Langer Electric Company	R2020-0080	Non-Local/Non-SBE
J) M. Gay Constructors, Inc.	R2020-1350	Non-Local/Non-SBE
K) Sullivan Electric & Pump, Inc.	R2019-1757	Local/SBE
L) Universal Electric of Florida, Inc.	R2019-1758	Non- Local/Non-SBE

SUMMARY: On November 19, 2019, the Board of County Commissioners initially approved the annual electric contract for a five year term. During the initial year of the contract, the County awarded \$857,070.24 in work orders. Staff is requesting the cumulative limit be increased by \$2,000,000 for a total cumulative value of \$3,000,000 in order to accommodate additional anticipated new projects required to be accomplished before the term of this contract expires on November 18, 2024. 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 before the term ends. Projects \$100,000 and over are advertised on the vendor self-service website while projects \$200,000 and over are also advertised in the newspaper. Projects under \$100,000 are bid among the pool of pre-qualified contractors (currently 12 have pre-qualified) and for projects over \$100,000, the bidding pool is expanded to include any additional bidders responding to the specific project advertisement that submit a qualification application at least ten days before the bid due date. The electrical annual contract was last presented to the Goal Setting Committee on March 4, 2020 and the Committee established Affirmative Procurement Initiatives of sheltered market for projects under \$100,000 (when three or more small businesses are qualified under the annual contract) or a Small Business Enterprise contractor will be given a price preference if its bid is within 10% of the lowest non-small business bid. Current cumulative Small/Minority/Women owned Business Enterprise participation for all work orders to-date under the electrical annual contract is 67.39%. (Capital Improvements) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. Staff recommends motion to approve: Change Order No. 023 to the contract with Hedrick Brothers Construction Company, Inc. (R2017-0164) increasing the Guaranteed Maximum Price (GMP) in the amount of \$385,049 and increasing the project duration by 70 days for the Main County Courthouse Electronics & Security Systems Renewal & Replacement Project. **SUMMARY:** On December 18, 2018, the Board of County Commissioners approved Amendment No. 1 (R2018-2058) to the contract with Hedrick Brothers Construction Company, Inc. in the amount of \$13,580,467 for the renewal/replacement of electronics and security systems within the Main County Courthouse, Central Energy Plant, and State Attorney/Public Defender's building. The project also included the expansion of the Palm Beach Sheriff Office Command Center. This change order authorizes the installation of heating ventilation and air conditioning equipment to 26 information security system communication closets located throughout the Main County Courthouse, and an increase to the project duration by 70 calendar days. When combined with all approved time extensions, the revised substantial completion date is February 26, 2021. The contract and subsequent amendment, was executed according to the Small Business Enterprise (SBE) Ordinance in place at the time. The SBE goal established for this contract is 25%, with a SBE construction manager (CM) partner goal of 15%. The CM is not a SBE but has partnered with Cooper Construction Management & Consulting, Inc. a Small/Minority Business Enterprise. SBE participation for this change order is 3.55%. To date, the CM has achieved 31.92% SBE participation. Hedrick Brothers Construction Co., Inc. is a Palm Beach County Business. **This project is funded by the Infrastructure Sales Tax fund and the Public Building Improvement (Ad Valorem) fund.** (Capital Improvements Division) Countywide/District 7 (LDC)

6. Staff recommends motion to approve: Amendment No. 1 to the construction management contract with Kaufman Lynn Construction, Inc. (R2019-0849) in the amount of \$10,793,121.02 for the Canyon District Park project – Phase 1 establishing a Guaranteed Maximum Price (GMP) for Construction Management Services for a period of 365 days from notice to proceed or until project is complete. **SUMMARY:** On June 18, 2019, the Board of County Commissioners approved the construction management contract with Kaufman Lynn Construction, Inc. for construction management services for the Canyon District Park project located at 8802 Boynton Beach Boulevard, Boynton Beach. The surge of ongoing residential developments in the western Boynton Beach area prompted the need for additional recreational facilities. Amendment No. includes, but is not limited to, 3 soccer/multipurpose fields, a restroom/concessions facility, 2 retention/recreational lakes, a 12 station fitness trail, and parking spaces. As part of Amendment No. 1 the construction manager (CM) will also clear, grub, level and seed the remainder of the property in order to complete and ensure effectiveness of the drainage for Phase 1 and the entire property. The solicitation for the CM was advertised on January 28, 2018, according to the Small Business Enterprise (SBE) Ordinance in place at the time, but this GMP, having been initiated after January 1, 2019, is subject to the requirements of the Equal Business Opportunity (EBO) Ordinance. The CM is not a certified Small/Minority/Women Owned Business (S/M/WBE), but has partnered with M.C.O. Construction and Services, Inc., an MBE CM. On October 16, 2019, prior to subcontractor advertisement and bidding, the Goal Setting Committee applied an Affirmative Procurement Initiative to the construction subcontracts of 25% SBE participation, of which 3% must be a Minority Business Enterprise (MBE), African American or Hispanic. SBE participation for Amendment No. 1 is 26.45% of which 3.04% is MBE (2.05% African American and 0.99% Hispanic) participation. To date, the Construction Manager has achieved 21.9% SBE subcontracting participation overall. The CM is a Palm Beach County Business. **Phase 1 of this project will be fully funded from the Infrastructure Sales Tax Fund.** Phase 2 recreational features of this project, which include additional soccer/multipurpose fields, baseball/softball fields, running track, restrooms, playground, picnic pavilions, a maintenance facility, asphalt parking and access roads, will be dependent on additional funding being allocated. (Capital Improvements Division) Countywide/District 5 (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

7. Staff recommends motion to:

A) determine that an extension to the term of the continuing contracts for environmental assessment services is beneficial to the interest, health, safety and welfare of the County and its citizens; and

B) approve Amendment No. 5 to the contracts for environmental assessment services with the following consultants on a continuing contract basis extending the contracts from December 22, 2020 to March 31, 2021:

1) AECOM Technical Services, Inc. (R2015-1253), Non-SBE/Local, 11.06% SBE participation to date;

2) Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC) (R2015-1255), Non-SBE/Local, 53.28% SBE participation to date; and

3) Terracon Consultants, Inc. (R2015-1254), Non-SBE/Local, 18.01% SBE participation to date.

SUMMARY: The Board of County Commissioners (Board) approved the continuing contracts on September 22, 2015, which provided for an initial two year term with three renewal options each for a period of one year. Amendment No. 4 (R2020-1339 thru 2020-1341) extended the term of the continuing environmental assessment contracts beyond the initial expiration date of September 21, 2020 for three additional months to December 21, 2020, to allow for advertising and the selection of the firms for the new continuing contract. The department advertised for the new continuing environmental assessment services contracts, but will have to re-advertise, which delays the approval of the new continuing contracts before the current contracts expire on December 21, 2020. Amendment No. 5 will extend services through to March 31, 2021, while the new firms are being selected. These contracts provide for environmental conditions assessments, identification of remedial activities and related consulting and remediation observation services. The existing contracts were awarded under the prior Small Business Enterprise (SBE) Ordinance, and the SBE participation goal was 15%. AECOM Technical Services, Inc. committed to an SBE participation goal of 19%; Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc. (fka Eco Advisors, LLC) 93%; and Terracon Consultants, Inc. 15%, respectively. Eco Advisors, LLC was the only consultant that was an SBE. However, on July 23, 2019, the Board approved an Assignment, Assumption & Consent Agreement from Eco Advisors, LLC to Partner Assessment Corporation d/b/a Partner Engineering and Science, Inc., a non-SBE firm. The Office of Equal Business Opportunity has reviewed the existing SBE participation and approved this extension request under the existing contract terms. (Capital Improvements Division) Countywide (LDC)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

8. Staff recommends motion to approve: Change Order No. 1 to the contract with Advanced Painting Contractors, Inc. (R2018-0393) decreasing the project value for the Governmental Center (GCC) Building and GCC Parking Garage Weatherproofing project in the amount of \$8,160 and increasing the project duration by 91 calendar days. **SUMMARY:** On November 20, 2018, the Board of County Commissioners (Board) approved the contract with Advanced Painting Contractors, Inc. in the amount of \$666,500 for pressure washing, sealing and painting the GCC building and the GCC parking garage. The project was to be completed within 180 days from notice to proceed. The contractor was issued the notice to proceed on January 7, 2019, with a substantial completion date of July 8, 2019. The project was delayed after a series of events including the processing of permits, adverse weather conditions and limited access to the facility. The delays that precede extend the project by 91 days for an adjusted substantial completion date of October 7, 2019. Nevertheless, the contractor did not meet the adjusted contract substantial completion date; substantial completion was achieved 102 days later. This deductive change order is being submitted in accordance with Department Policy and Procedure Manual (PPM) FDO-C-001 for the assessment and deduction of liquidated damages from the project value in the amount of \$8,160, and County-wide PPM CW-F-50 to increase the project duration to account for the unavoidable delay of 91 calendar days. The solicitation for the contract was advertised according to the Small Business Enterprise (SBE) Ordinance in place at the time, with a 15% SBE goal. Advanced Painting Contractors, Inc. is not a certified SBE and this contract has 0% SBE participation. Advanced Painting Contractors, Inc. is a Palm Beach County Business. This project is funded by Public Building Improvement funds. All savings will be returned to the Public Building Improvement fund. (Capital Improvements Division) Countywide/District 7 (LDC)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve:

A) the appointment of two members; and

B) the reappointment of three members to the Construction Industry Licensing Board (Board)

<u>A) Appoint</u>	<u>Seat #</u>	<u>Requirement</u>	<u>Term</u>	<u>Nominated by</u>
Ben Preston	4	Roofing Contractor	12/8/20-9/30/23	Commissioner Kerner Commissioner Weinroth Commissioner Bernard Commissioner McKinlay Commissioner Weiss Commissioner Marino
James McKay	12	Architect	12/8/20-9/30/23	Commissioner Kerner Commissioner Weinroth Commissioner Bernard Commissioner McKinlay Commissioner Weiss Commissioner Marino
<u>B) Reappoint</u>				
Gerry Kelly	5	General Contractor	12/8/20-9/30/23	Commissioner Kerner Commissioner Weinroth Commissioner Bernard Commissioner McKinlay Commissioner Weiss Commissioner Marino
Peter Ringle	7	Building Official	12/8/20-9/30/23	Commissioner Kerner Commissioner Weinroth Commissioner Bernard Commissioner McKinlay Commissioner Weiss Commissioner Marino
Haydee Ullfig	10	Swimming Pool Contractor	12/8/20-9/30/23	Commissioner Kerner Commissioner Weinroth Commissioner Bernard Commissioner McKinlay Commissioner Weiss Commissioner Marino

SUMMARY: The Board was established by Special Act, Laws of Florida, Chapter 67-1876, as amended. The Special Act and, subsequently, Section 489.131, Florida Statutes sets forth the membership of the Board, which consists of 15 members. This Board shall be comprised of 15 members as follows: two general contractors, one building contractor, one residential contractor; one electrical contractor; one plumbing contractor; one HARV contractor; one roofing contractor; one swimming pool contractor; one architect; one engineer and one full-time building official employed by a local government within Palm Beach County, who meets the requirements of the Building Officials Association of FL; and three consumer representatives. The Board establishes qualifications and competency of contractors that work within the County. The Board also provides for the testing and licensing of these contractors, and is empowered to revoke licenses, and hear citation appeals. A memorandum was sent to the Board of County Commissioners (BCC) on September 28, 2020, to advise of the term expirations and reappointment requests. No other nominations were received. The Board has 8 out of 15 seats currently filled and a diversity count of Caucasian: 5 (61%), African-American: 1 (13%), Hispanic: 1 (13%) and Native-American: 1 (13%) making the Board 39% diverse. The gender ratio (female: male) is 2:6. Staff is addressing the need to increase diversity within our boards and will continue to encourage this in an effort to expand the Board's diversity. As required by Section 2-443 of the Code of Ethics, this agenda item summary will serve as disclosure for Mr. Gerald Kelly. Mr. Gerald Kelly is an employee of Wharton-Smith, Inc., which contracts with Palm Beach County to provide construction services for the County through sealed bids. The Board provides no regulation, oversight, management, or policy-setting recommendations regarding contracts with the county. Countywide (SF)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. **Staff recommends motion to approve:** Consultant Services Authorization (CSA) No. 19 to the Consulting/Professional Services Utility Distribution & Collection System Engineering Services Contract (Contract) with Chen Moore and Associates, Inc. (Consultant) for Septic to Sewer Project at Okeeheelee Park, Lake Ida Park and Caloosa Park (Project) for a total amount of \$113,594.74. **SUMMARY:** On June 20, 2017, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2017-0816) with the Consultant. CSA No. 19 provides for engineering services related to design and permitting services for the connection into the PBCWUD sewer system of restroom facilities at Okeeheelee Park, Lake Ida Park and Caloosa Park. As part of this Project, a new gravity sanitary sewer service connection will be made from the restrooms to an existing sanitary manhole or to a new lift station and a new sanitary force main connection to the existing PBCWUD wastewater collection system. This project will also include permitting for disconnection and abandonment of the septic system. 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. 19 includes 100% SBE participation. The cumulative SBE participation including CSA No. 19 is 99.64%. Consultant is a Palm Beach County based Company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-045) **This project is funded through the infrastructure sales tax. Districts 2 & 4** (MJ)

2. **Staff recommends motion to approve:** Work Authorization (WA) No. 7 to the 2019 Pipeline Continuing Construction Contract (Contract) with Johnson-Davis Incorporated (Johnson-Davis) for the Century Village Water System Valve Program Year 3 (Project) in the amount of \$513,220.80. **SUMMARY:** On February 11, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-0160) with Johnson-Davis. WA No. 7 provides for the installation of approximately 45 gate valves ranging in size from 2-inch to 8-inch, associated appurtenances, and site restoration throughout the existing water distribution system in the neighborhoods of Dorchester, Oxford, Wellington, Andover, Coventry, and Waltham within Century Village located in West Palm Beach. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. On April 3, 2019, the Goal Setting Committee applied an Affirmative Procurement Initiative of a mandatory 20% Small Business Enterprise (SBE) subcontracting participation. The Contract provides for 20.07% SBE participation. WA No. 7 includes 18.77% SBE participation. The cumulative SBE participation including WA No. 7 is 22.65%. Johnson-Davis is a Palm Beach County based Company. The Project is included in the PBCWUD FY21 Budget. (PBCWUD Project No. 20-072) **District 2** (MJ)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to:

A) receive and file State Financial Assistance Recipient Agreement No. 27303 (Agreement) and the Annual Certified Budget For Arthropod Control (Form 13617) with the Florida Department of Agriculture and Consumer Services (FDACS) for mosquito control activities performed during contract period upon execution through September 30, 2021, for an amount not to exceed \$50,688.33;

B) approve a budget amendment of \$3,379 in the State Mosquito Fund to align the budget with the additional grant award amount.

SUMMARY: On June 16, 2020 (R2020-0682) the Board of County Commissioners approved the County Administrator or designee to sign the State Financial Assistance Recipient Agreement and Annual Certified Budget for Arthropod Control. The Agreement provides arthropod control state aid of up to \$50,688.33 in quarterly installments to support mosquito control activities including source reduction measures, public education, personnel training and certification, mosquito population surveillance, larvacides, adulticides, equipment and alerts as approved by FDACS. A 25% County match (\$16,895) is required. Countywide (SS)

2. Staff recommends motion to:

A) approve a contract for Consulting/Professional Services (Contract) with the Florida Fish and Wildlife Conservation Commission (FWC), to provide fisheries monitoring in the Lake Worth Lagoon (LWL) in an amount not to exceed \$179,549, commencing upon execution and expiring on July 31, 2024; and

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

SUMMARY: The Contract authorizes FWC to provide continued fisheries monitoring in the LWL as part of the LWL Management Plan. FWC will compare fisheries presence, utilization and recruitment between the central LWL restoration project and seagrass habitats in the northern Lagoon. Monitoring under the current contract (R2018-1875) ends on December 30, 2020. The new Contract provides for three years of monitoring for both natural communities and restoration sites beginning on January 1, 2021. Funding is provided by the Pollution Recovery Trust Fund and LWL Monitoring Fund. Districts 1, 2, 3 & 7 (SS)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION

1. Staff recommends motion to receive and file: the following eight executed Independent Contractor Agreements:

A) Caroline Ann Karolinko, US Synchronized Swimming Coach at Aqua Crest Pool, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$32,000;

B) East Coast Aquatic Club, LLC, USA Swimming Coach at Aqua Crest Pool, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$64,000;

C) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach at Aqua Crest Pool, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$45,000;

D) Gordon Andrews, USA Swimming Coach at Lake Lytal Pool, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$104,000;

E) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach at Lake Lytal Pool, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$35,000;

F) Derek Jones, US Diving Coach at North County Aquatic Complex, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$75,000;

G) Kiril Zahariev, USA Swimming Coach at North County Aquatic Complex, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$190,000; and

H) LB2 Enterprises, Inc., d/b/a Palm Beach Masters, US Masters Swimming Coach at North County Aquatic Complex, for the period of October 1, 2020 through September 30, 2021 in an amount not to exceed \$92,000.

SUMMARY: These Independent Contractor Agreements have been fully executed on behalf of the Board of County Commissioners (BCC) by the County Administrator in accordance with Resolution 94-422, amended by Resolutions 2002-2103, 2007-0409, 2012-0168 and 2017-0822. The Department is now submitting these agreements in accordance with County PPM CW-O-051, which requires all delegated agreements to be submitted by the initiating Department to the BCC as a receive and file agenda item. Districts 1, 2, & 7 (AH)

3. CONSENT AGENDA APPROVAL

M. PARKS & RECREATION (Cont'd)

2. Staff recommends motion to:

A) ratify the signature of the Mayor on a Florida Recreation Development Assistance Program (FRDAP) grant application submitted to the State of Florida Department of Environmental Protection (FDEP) on October 14, 2020, requesting \$200,000 to fund the project elements associated with the development of Paulette Burdick Park;

B) authorize the County Administrator or designee to execute the grant Project Agreement, as well as time extensions, task assignments, certifications, standard forms, or amendments to the Agreement that do not change the terms and conditions of the Agreement if the grant is approved; and

C) authorize the Director of the Parks and Recreation Department to serve as the designee and Liaison Agent with FDEP for this project.

SUMMARY: This grant application requests \$200,000 from FRDAP for the development of Paulette Burdick Park, located on a portion of Water Utilities Plant #8 located east of Jog Road, south of Okeechobee Boulevard and will serve residents of the Cam Estates and Meadowbrook Mobile Home Park neighborhoods. Project elements include two basketball courts, playgrounds for ages 2-5 and 5-12 year olds, fitness equipment, open play area, paved exercise trail, picnic facilities and support facilities including landscaping, fencing, site furnishings and associated infrastructure. **If the FRDAP grant is awarded, the County will provide matching funds using Infrastructure Sales Tax (IST) funding.** If the grant is awarded, and once the project is completed, the Project Agreement requires a Notice of Limitation of Use to be recorded in public records limiting the project site to outdoor recreation in perpetuity. District 2 (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

1. Staff recommends motion to:

A) approve the contract with the Florida Department of State, Division of Library and Information Services, for a Library Services and Technology Act (LSTA) Grant in the amount of \$64,913 for FY 2021;

B) approve a budget transfer of \$92,613 from the Library Operating Fund, Contingency Reserves, as matching funds for the Assistive Listening Devices LSTA grant award;

C) approve a budget amendment to establish a budget of \$157,526 in the County Library Services and Technology Grant Fund for the \$64,913 grant award and \$92,613 matching funds; and

D) authorize the County Administrator or designee to execute any other necessary agreements, amendments, forms and certifications associated with the LSTA Grant agreement.

SUMMARY: The Palm Beach County Library System was awarded LSTA grant funds to purchase assistive listening devices for library meeting rooms. The grant funds were awarded through a competitive selection process undertaken by the State Library Council of Florida under the guidance of the Florida Department of State, Division of Library and Information Services. Many Palm Beach County Library System locations were outfitted with FM assistive listening systems when buildings were built and/or renovated before 2015. These systems are moving towards end of life. In addition to traditional FM assistive listening systems, Wi-Fi assistive technology allows visitors to use their own mobile devices to access audio performances. An updated assistive listening system will enable the Palm Beach County Library System to better serve the public. Grant funds are released upon completion of required deliverables as laid out in the contract in a series of up to five installments. Matching funds are primarily credited as staff time working on this project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

N. LIBRARY

2. Staff recommends motion to:

A) approve the contract with the Florida Department of State, Division of Library and Information Services, for a Library Services and Technology Act (LSTA) Grant in the amount of \$103,864 for FY 2021;

B) approve a budget transfer of \$45,105 from the Library Operating Fund, Contingency Reserves as matching funds for the Digital Display Signage LSTA grant award;

C) approve a budget amendment to establish a budget of \$148,969 in the County Library Services and Technology Grant Fund for the \$103,864 grant award and \$45,105 matching funds; and

D) authorize the County Administrator or designee to execute any other necessary agreements, amendments, forms and certifications associated with the LSTA Grant agreement.

SUMMARY: The Palm Beach County Library System was awarded LSTA grant funds to purchase and install digital signage for all branch locations. The grant funds were awarded through a competitive selection process undertaken by the State Library Council of Florida under the guidance of the Florida Department of State, Division of Library and Information Services. The digital displays would replace most posters and flyers, allowing for saving in print costs. Digital signage would be controlled centrally to allow easy updates and quick communication of time-sensitive messages. The grant funds would cover screens, media devices, software, and installation. Grant funds are released upon completion of required deliverables as laid out in the contract in a series of up to five installments. Matching funds are primarily credited as staff time working on this project. Countywide (AH)

3. CONSENT AGENDA APPROVAL

S. FIRE RESCUE

1. Staff recommends motion to approve:

A) Emergency Triage, Treat and Transport Model (ET3) Participation Agreement for participation in the ET3 pilot program with the Center for Medicare & Medicaid Services (CMS) for a term beginning upon execution by CMS through December 31, 2027; and

B) delegation of authority to the County Administrator or designee to execute and submit supporting and supplemental documents necessary to participate in the ET3 pilot program, including certification of the accuracy, completeness and truthfulness of data and information relating to implementation of the Model and ET3 Model Interventions, and compliance with applicable Model requirements relating to ET3 Interventions.

SUMMARY: CMS is the agency within the U.S. Department of Health and Human Services (HHS) that is charged with administering the Medicare and Medicaid programs. The Participant is an entity that is enrolled in Medicare as an ambulance service supplier or ambulance provider. CMS is implementing the Emergency Triage, Treat, and Transport Model (ET3 Model or Model) under Section 1115A of the Social Security Act (Act), which authorizes CMS, through its Center for Medicare and Medicaid Innovation, to test innovation payment and service delivery models that have the potential to reduce Medicare, Medicaid or Children's Health Insurance Program (CHIP) expenditures while maintaining or improving the quality of care for Medicare, Medicaid, or CHIP beneficiaries. The purpose of the ET3 Model is to test whether paying for: 1) Transport to an Alternative Destination and 2) Treatment in Place, each furnished to low-acuity Medicare fee for service (FFS) beneficiaries following a 9-1-1 call, will reduce avoidable transports to the hospital; of Medicare FFS beneficiaries to emergency departments and/or utilization of other Covered Services. This Agreement provides for the participation in the ET3 program for the performance period January 1, 2021 thru December 31, 2025. Countywide (SB)

3. CONSENT AGENDA APPROVAL

U. INFORMATION SYSTEMS SERVICES

1. Staff recommends motion to:

A) rescind Interlocal Agreement R2019-0347;

B) approve the replacement Interlocal Agreement providing updated contract terms, upgrading bandwidth at three locations, and the addition of basic telephone services with the City of Greenacres;

C) approve a budget amendment of \$19,143 in the General Fund to allocate funds and recognize revenue related to one-time installation costs; and

D) 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 City of Greenacres has an existing Interlocal Agreement with Palm Beach County (R2019-0347) for network services and has requested the upgrade of increased bandwidth at three building locations and the addition of basic telephone 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 which includes updated contract terms to provide network and basic telephone services to the City of Greenacres, will generate an increase in annual income of \$15,720 to the County from \$5,400 to \$21,120 and will fully reimburse the County for one-time installation costs to provide upgraded cabling required for the new telephone service estimated at \$19,143. The Florida LambdaRail, LLC has approved connection of the City of Greenacres to the Florida LambdaRail network. District 2 (DB)

2. Staff recommends motion to approve: an Interlocal Agreement with the City of Lake Worth Beach providing a formal process for usage of Lake Worth Beach power poles for attachment of antennas. **SUMMARY:** Palm Beach County and the City of Lake Worth Beach have identified the need to implement a pole attachment program to provide for distance learning. This Interlocal Agreement provides a formal process for usage of the City of Lake Worth Beach power poles for antenna placement. District 3 (DB)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

A) receive and file executed Amendment 3 for subcontract 18SAS26 with the Florida Council Against Sexual Violence (FCASV) to provide sexual assault services in the amount of \$106,338 for the period of August 1, 2020 through July 31, 2021 for a total of \$309,127 for the period of August 1, 2018 through July 31, 2021; and

B) approve a budget amendment in the amount of \$89,729 in the Public Safety Grants Fund to adjust the budget to the actual grant award.

SUMMARY: This is year three of a Sexual Assault Services Program (SASP) Formula Grant (CFDA#16.017) that was awarded to the Palm Beach County Division of Victim Services (DVS). The funds are used to support and provide sexual assault services to primary and secondary victims. Amendment 3 to contract #18SAS26 (R2018-1038) revises the total contract amount to \$309,127 which is inclusive of the \$99,654 allocation received in Grant Year (GY) 18, \$103,135 allocation in GY19, and \$106,338 allocation in GY20. Amendment 3 provides continued funding to the County for one full time Victim Advocate position to increase intervention, advocacy, accompaniment and support services to adult, youth, and child victims of sexual assault and those collaterally impacted by the victimization with emphasis on the Lesbian Gay Bisexual and Transgender community. If grant funding ceases, the position associated with this grant will be deleted from the DVS complement. R 2018-1038 authorizes the County Administrator or designee to execute FCASV grant contracts and amendments on behalf of the County. No County matching funds are required. Countywide (JW)

BB. YOUTH SERVICES

1. Staff recommends motion to receive and file: Afterschool Arts Outreach 2020/2022 Agreement with Norton Museum of Art, Inc. (Agreement) for the period beginning October 1, 2020 through September 30, 2022, to continue providing afterschool arts community education to economically and academically challenged youth attending the Highridge Family Center (Highridge) at no additional cost to the County. **SUMMARY:** The Highridge Family Center has been selected again by the Norton Museum of Art, Inc. (Norton) to participate in Norton's Afterschool Arts Outreach Program (Program). The Program provides significant year-round exposure to art with free weekly art classes to youth by a local professional artist. There are no additional costs associated with this Agreement. On March 12, 2013, Agenda Item No. 3X-1 authorized the County Administrator or designee to execute future agreements/amendments with Norton for the educational art classes/programs at Highridge on behalf of the Board of County Commissioners, after approval of legal sufficiency by the County Attorney's Office. Pursuant to PPM# CW-F-049, the Board is notified that while indemnification and insurance are included in this agreement, they are not the standard articles. Both have been reviewed by Risk Management and the County Attorney's Office and were deemed acceptable. J. Rachel Gustafson an employee of Norton Museum of Arts, Inc. is a member of the Public Art Committee. This board provides no regulation, oversight, management or policy-setting recommendations regarding the Agreement. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. OFFICE OF EQUAL OPPORTUNITY

1. Staff recommends motion to approve: contracts for the Handicap Accessibility and Awareness Grant Program with the non-profit agencies listed below, as of the date of approval of the contract by Palm Beach County Board of County Commissioners through September 30, 2021, in the amount not to exceed \$30,000:

A) a contract with Palm Beach Habilitation Center, Inc. to replace automatic handicap door openers at three of Palm Beach Habilitation Center's buildings located on their main campus. These buildings are used to serve seniors with disabilities, individuals with significant disabilities, and individuals who need support to continue living independently in the community, in an amount not to exceed \$6,000;

B) a contract with Lake Worth Towers, Inc. to determine the scope of work needed to update elevators so that they are in compliance with current Americans with Disabilities Act guidelines and regulations. Additionally, Lake Worth Towers plans to update the generator to provide access to power for elderly individuals with disabilities during a natural disaster such as a hurricane or other times when electrical power is interrupted, in an amount not to exceed \$10,000; and

C) a contract with NAMI of Palm Beach County, Inc. to provide funding for unique, one-time access to services or resources for individuals living in Palm Beach County. Working with other community mental health providers, the funds fill one-time needs and gaps that reduce access to behavioral health services for individuals who do not have the financial means to access those services or resources, in an amount not to exceed \$10,000.

SUMMARY: On July 2, 2019, the Board of County Commissioners adopted Ordinance 2019-027 which included a provision for the Fair Housing Board to review proposals and make recommendations on the award of the program's budgeted grant funds. Through a competitive application process, the Fair Housing Board reviewed responsive proposals submitted by non-profit agencies in conformance with the Ordinance and established program guidelines to support the recommendation to fund the agencies listed above. Funding for the program was approved in the FY 2021 budget. Countywide (DO)

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DECEMBER 8, 2020

4. SPECIAL PRESENTATIONS – 9:30 A.M.

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

~~B) United Way Presentation~~

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5. REGULAR AGENDA

A. OFFICE OF EQUAL OPPORTUNITY

1. [Staff recommends motion to approve on preliminary reading and permission to advertise for public hearing on January 12, 2021 at 9:30 a.m.:](#) an ordinance of the Board of County Commissioners of Palm Beach County, Florida, amending Palm Beach County Code, Chapter 2, Article VI, codifying Ordinance 2017-013, the Palm Beach County Equal Employment Ordinance; providing for amending the definition of employer; providing for repeal of laws in conflict; providing for savings clause; providing for severability; providing for inclusion in the Code of Laws and Ordinances; providing for an effective date. **SUMMARY:** After several amendments, over the past two decades, the Palm Beach County Equal Employment Ordinance (Ordinance) was repealed and replaced in 2017 to bring it into substantial compliance with Federal and State Laws governing equal employment and the County's policy concerning Advisory Boards such as the Equal Employment Board. Notwithstanding, the current definition of "Employer" protects employees and prospective employees, only where a person that is regularly engaged in an industry affecting commerce has 15 or more employees. Furthermore, the Ordinance "Employer" definition is inconsistent with Miami-Dade County, Broward County and the City of West Palm Beach's "Employer" definition, which includes any person who in the regular course of business has five or more employees. Amending the definition will expand the protection against discrimination afforded to job applicants and employees in Palm Beach County. The League of Cities has no opposition to the proposed amendment to the Ordinance on the condition that the County conduct outreach regarding the proposed amendment to the small business community. County staff has coordinated with the Office of Equal Business Opportunity to conduct outreach to the small business community regarding the proposed revision. The Equal Employment Board supports the Ordinance in its proposed form. Countywide (DRO)

B. FACILITIES DEVELOPMENT AND OPERATIONS

1. [Staff recommends motion to:](#)
 - A) **adopt** a resolution authorizing the conveyance of two properties that escheated to the County to the City of Boca Raton (City) pursuant to Section 197.592(3), Florida Statutes, without charge and with reservation of mineral and petroleum rights without rights of entry and exploration; and
 - B) **approve** a County Deed in favor of the City.

SUMMARY: The County acquired two properties located within the municipal boundaries of the City by Tax Deed measuring approximately 0.1718 acres and a combined value of \$52. These unbuildable properties serve no present or future County purpose. Pursuant to Section 197.592(3), Florida Statutes, properties that escheated to the County for delinquent ad valorem taxes which have not been previously sold, acquired for infill housing or dedicated by the Board of County Commissioners and which have not been conveyed to the former record fee simple owner, shall be conveyed to the municipality in which the property is located. Conveyance will relieve the County of potential liability and maintenance costs on the property. In accordance with Section 270.11, Florida Statutes, the County will retain mineral and petroleum rights without rights of entry and exploration. **This conveyance must be approved by a Supermajority Vote (5 Commissioners). (Property & Real Estate Management) District 4** (HJF)

5. REGULAR AGENDA

B. FACILITIES DEVELOPMENT AND OPERATIONS (Cont'd)

2. Staff recommends motion to:

A) adopt a resolution authorizing the conveyance of the County's interest in a 0.17-acre property to Patricia Antoniou at no charge and without reservation of mineral and petroleum rights; and

B) approve a Quit Claim Deed in favor of Patricia Antoniou.

SUMMARY: Ms. Patricia Antoniou owns a 0.17 improved residential property located at 1715 SW 21st Street in Boynton Beach. Unbeknownst to the County, on June 8, 2020, Ms. Antoniou recorded a warranty deed, reserving a life estate for herself and conveying one-quarter remainder interest to Palm Beach County Animal Care and Control in the event her heir predeceases her. Staff recommends that the County re-convey the property to Ms. Antoniou without competitive bidding under the alternative disposition procedures established by Ordinance 2019-038. The ordinance requires a finding by the Board that Ms. Antoniou is the only person capable of utilizing the parcel for its highest and best use. Re-conveyance to Ms. Antoniou is justified as the County did not request such conveyance nor did the Board accept the deed. Since Ms. Antoniou recorded the warranty deed, it could cause potential title and liability issues in the future. Therefore, staff recommends approval of the Quit Claim Deed in favor of Ms. Antoniou releasing any purported future County interest. Animal Care & Control Division has no objection to this conveyance. **This conveyance must be approved by a Supermajority Vote (5 Commissioners)** (Property & Real Estate Management) District 3 (HJF)

C. PLANNING, ZONING & BUILDING

1. Staff recommends a motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing Palm Beach County, Florida, to commence the negotiation process for an Interlocal Service Boundary Agreement between Palm Beach County and the City of Greenacres, pursuant to Chapter 171, Part II, Florida Statutes; and providing an effective date. **SUMMARY:** On November 2, 2020, the City of Greenacres adopted an Initiating Resolution No. 2020-45 pursuant to Chapter 171, Part II, Florida Statutes, as a first step in the process of completing an Interlocal Service Boundary Agreement (ISBA) for a designated area outside of the boundaries of the City. Pursuant to Chapter 171, Part II, Florida Statutes, the County shall adopt a Responding Resolution within 60 days after the receipt of an Initiating Resolution. Exhibit "A" of the resolution identifies the unincorporated area for discussion, and is located within the City's future annexation area. The resolution provides options that may be negotiated during the process, including service providers and boundary adjustments. The ISBA was established to encourage local governments to coordinate service delivery and plan for boundary adjustments. By adopting the Responding Resolution, the negotiations can begin; however, the County is not obligated to enter into an interlocal agreement. Additionally, the resolution does not annex any property at this time. Planning staff will work closely with other County departments and City staff following the adoption of the Responding Resolution to develop an interlocal agreement, which will be presented to the Board at a later date. District 2 (RB)

5. REGULAR AGENDA

D. OFFICE OF RESILIENCE

1. Staff recommends motion to approve: an Interlocal Agreement with Broward, Miami-Dade, and Monroe counties for the cost-share support of services for the Southeast Florida Regional Climate Change Compact effective January 1, 2021 and ending on January 1, 2024. **SUMMARY:** This Interlocal Agreement (ILA) replaces the ILA approved in resolution R2018-0201, which expires on February 28, 2021. This ILA authorizes Broward County to serve as the fiscal agent overseeing a contract with the non-profit Institute for Sustainable Communities for the continuation of staffing coordination, project management, and facilitation services for the Southeast Florida Regional Climate Change Compact (Compact) to 2024. Pursuant to the terms of the Interlocal Agreement, each of the four counties will contribute \$100,000 per fiscal year for this purpose. This completes a stepwise increase in the amount from the original 2009 agreement of \$50,000 due to changes in grant funding. Approval of this item advances and reaffirms Palm Beach County's commitment to climate resilience planning and regional coordination. Countywide (RPB)

2. Staff recommends motion to approve: Indemnification agreement between Enhanced PACE Finance, LLC, as an Administrator of Florida Resiliency and Energy District, and Palm Beach County, Florida. **SUMMARY:** The Board of County Commissioners (BCC) has authorized a Property Assessed Clean Energy (PACE) program for third parties to provide funding for energy efficiency, renewable energy, and wind resistant improvements for residential and commercial properties by levying non-ad valorem assessments on property owners' tax bills. The County enters into Interlocal Agreements (ILAs) with multiple PACE agencies/authorities/districts (Districts) for them to provide the financing for qualifying improvements. Districts are then required to promptly obtain indemnification agreements from all third party administrators. In the ILA between Palm Beach County and the Florida Resiliency and Energy (FRED) PACE district (R2017-1098), the BCC authorized the County Administrator or designee to execute such indemnification agreements with subsequent administrators of FRED. The BCC then rescinded such delegated authority on September 10, 2019. The Office of Resilience is bringing forth this item because FRED seeks to add Enhanced PACE Finance, LLC (Enhanced) as a PACE administrator for commercial projects, thus requiring an indemnification agreement. This indemnification agreement acknowledges that Enhanced is a third-party administrator for FRED and that Enhanced agrees to indemnify and hold the County harmless as Enhanced assists FRED. Countywide (RPB)

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6. BOARD APPOINTMENTS

A. ADMINISTRATION

1. Staff recommends motion to approve: two appointments to the Commission on Ethics (COE) Review Committee, effective December 8, 2020:

<u>Appointment</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
David H. Baker	Appointed by BCC	COE Commissioner Marino
 <u>AND/OR</u>		
Andrea McMillan	Appointed by BCC	COE Commissioner McKinlay Commissioner Sachs Commissioner Marino Vice-Mayor Weinroth
 <u>AND/OR</u>		
Chauncey Graham	Appointed by BCC	COE Commissioner McKinlay Commissioner Sachs Vice-Mayor Weinroth

SUMMARY: The Executive Director of the COE, in agreement with the Ethics Commission and the League of Cities is requesting the COE Review Committee review the following ethics ordinances and make recommendations of proposed amendments to the Board of County Commissioners:

- A) Commission on Ethics Ordinance;
- B) Code of Ethics Ordinance; and
- C) Lobbyist Registration Ordinance.

Although the Board of County Commissioners has authority to appoint individuals without input from the COE, the Ethics Commission is offering three candidates for consideration that they believe will provide the expertise and diversity needed to represent the citizens of Palm Beach County. The COE nominees are David H. Baker, Esquire; Andrea McMillan, Esquire; and Chauncey Graham.

2. Staff recommends motion to approve: Board of County Commissioners appointments to the Treasure Coast Regional Planning Council for a one year term beginning January 1, 2021 to December 31, 2021. Proposed appointments are shown below:

<u>Regular Seats</u>	<u>Seat No.</u>	<u>Requirement</u>
Commissioner Maria G. Marino	1	Palm Beach County Official
Commissioner Mack Bernard	2	Palm Beach County Official
Commissioner Gregg K. Weiss	3	Palm Beach County Official
 <u>Alternate Seats:</u>		
Commissioner Melissa McKinlay	1A	Palm Beach County Official
Commissioner Robert S. Weinroth	2A	Palm Beach County Official
Commissioner Dave Kerner	3A	Palm Beach County Official

SUMMARY: In accordance with the Treasure Coast Regional Planning Council (TCRPC) Rules of Order, the Board of County Commissioners (BCC) is requested to appoint their members and alternates for the coming year before the Council's Annual meeting on December 11, 2020. The BCC will also need to ratify the Palm Beach County League of Cities members under a separate board appointment item. Countywide (RPB)

B. COMMISSION DISTRICT APPOINTMENTS

7. STAFF COMMENTS

A. ADMINISTRATION COMMENTS

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

B. COUNTY ATTORNEY

DECEMBER 8, 2020

8. COMMISSIONER COMMENTS

District 1 – COMMISSIONER MARIA G. MARINO

District 2 – COMMISSIONER GREGG K. WEISS

Request for off-site Proclamation declaring December 1, 2020 as World AIDS Day in Palm Beach County

District 3 – COMMISSIONER DAVE KERNER

District 4 – COMMISSIONER ROBERT S. WEINROTH

District 5 - COMMISSIONER MARIA SACHS

District 6 - COMMISSIONER MELISSA MCKINLAY

Request for off-site Proclamation recognizing the 60th Anniversary of Florida Crystals

District 7 – COMMISSIONER MACK BERNARD

DECEMBER 8, 2020

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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DECEMBER 8, 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."