

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

**ADDITIONS, DELETIONS, & SUBSTITUTIONS**

**OCTOBER 5, 2021**

<u>PAGE</u>	<u>ITEM</u>	
10	3C-4	<b>MOVED TO REGULAR (NOW 5G-1)</b> (Eng)
43	5F-1	<b>ADD-ON: Staff recommends motion to adopt:</b> a resolution approving the nonbinding Memorandum of Understanding (Florida Plan) sought by Florida's Attorney General in furtherance of a settlement of the action against three opioid drug distributors (AmerisourceBergen, Cardinal Health, and McKesson) and one drug manufacturer (Johnson & Johnson) (collectively, Defendants) in the National Multidistrict Opioid Litigation (MDL); and authorizing the Mayor to execute a subsequent formal agreement that is substantially the same terms as the Florida Plan. <b>SUMMARY:</b> On August 31, 2021, the Board of County Commissioners (BCC) granted the County Attorney's request to schedule a private meeting for an attorney-client session between the BCC, the County Administrator, the County Attorney, the Deputy County Attorney, the Chief Assistant County and outside counsel, pursuant to Section 286.011(8), Florida Statutes, to discuss settlement negotiations of pending litigation in which Palm Beach County is presently a party: <u>In re: National Prescription Opiate Litigation</u> , Case Number: MDL 2804 (N.D. Ohio); and <u>Palm Beach County v. Purdue Pharma; et al.</u> , Case Number: 1:18-op-46121-DAP (N.D. Ohio). On September 14, 2021, the private meeting for the attorney-client session was held. Based on the private attorney-client session, staff recommends the BCC adopt a resolution approving the nonbinding Memorandum of Understanding (Florida Plan). <u>Countywide</u> (DO) (Attorney)

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

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

**OCTOBER 5, 2021**

**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
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**MATTERS BY THE PUBLIC – 2:00 P.M.** (Page 48)

**ADJOURNMENT** (Page 49)

3. CONSENT AGENDA APPROVAL

A. ADMINISTRATION

1. **Staff recommends motion to approve:** an Agreement with the Cultural Council for Palm Beach County, Inc., (Cultural Council) in the amount of \$250,000 authorizing the Cultural Council to award and administer grants to community-based, non-profit cultural organizations for Category C – Level 1 projects, and authorizing reimbursement of the Cultural Council for the costs of administering and monitoring the grants for the period beginning on October 1, 2021 and continuing through September 30, 2022. **SUMMARY:** The County shall provide a total of \$250,000 to the Cultural Council including \$212,500 to fund Category C-Level I (Small and Emerging Organizations, Children’s and Multicultural) projects of non-profit organizations pursuant to a grant process approved by County and \$37,500 to be utilized for Cultural Council administration expenses. Countywide (LDC)

B. CLERK OF THE CIRCUIT COURT & 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 5, 2021	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 August 2021. Countywide



3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to approve: Work Order 2018051-169 in the amount of \$513,000 to mill and resurface Lake Ida Road from Congress Avenue to Swinton Avenue 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 \$42 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. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.6% for all the work orders issued under the Contract. **This project is included in the infrastructure sales tax.** Districts 4 & 7 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

2. Staff recommends motion to approve: Work Order 2018051-166 in the amount of \$650,000 to mill and resurface Woolbright Road from Congress Avenue to Federal Highway 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 \$42 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. Work orders approved on this meeting date will result in a cumulative SBE participation of 8.6% for all the work orders issued under the Contract. **This project is included in the infrastructure sales tax. Districts 3, 4 & 7 (YBH)**
  
3. Staff recommends motion to approve: a contract with Rosso Site Development, Inc. (RSD) in the amount of \$1,359,441.22 for the construction of Belvedere Heights Phase 1, Sidewalks and Pedestrian Lights (Project). **SUMMARY:** Approval of this contract will authorize the construction services necessary to install sidewalks and pedestrian lighting for the Project. Because this Project is funded by a federal grant through the Florida Department of Transportation's (FDOT) Local Agency Program, the Equal Business Opportunity Ordinance is not applicable. The Westgate Belvedere Homes Community Redevelopment Agency will be responsible for all costs above the grant amount and maintenance of the improvements after construction is complete. The Code of Federal Domestic Assistance number for this agreement is 20.205 Highway Planning and Construction. RSD was the lowest responsive bidder of four. The contract time for the Project is 210 calendar days. RSD is a Palm Beach County based company and a certified SBE company. District 2 (YBH)

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

4. ~~MOVED TO REGULAR (NOW 5G-1) Staff recommends motion to:~~

~~**A) adopt** a resolution approving a right of way acquisition memorandum of agreement (Agreement) with the Florida Department of Transportation (FDOT) concerning the I-95 and Central Boulevard interchange project (Project); and~~

~~**B) approve** a right of way acquisition Agreement with the FDOT for the construction of the Project.~~

~~**SUMMARY:** Adoption of this resolution approving the Agreement will allow FDOT to acquire necessary right of way along Central Boulevard to construct the Project. The Agreement is required to allow transfer of the acquired right of way to Palm Beach County (County) after completion of the Project. Central Boulevard is a County roadway. Construction will be entirely funded by FDOT at an estimated cost of \$60,000,000. District 1 (YBH)~~

3. CONSENT AGENDA APPROVAL

C. ENGINEERING & PUBLIC WORKS (Cont'd)

5. Staff recommends motion to:

**A) approve** a contract with Ranger Construction Industries, Inc. (Ranger) in the amount of \$11,074,000 for construction of 6th Avenue South over Lake Osborne Drive (Project);

**B) receive and file** a joint participation interlocal agreement with the City of Lake Worth Beach (City) for construction of utility adjustments in the amount of \$149,956.76 for the Project; and

**C) approve** a budget amendment of \$149,957 in the Transportation Improvement Fund to recognize reimbursement funding from the City and appropriate it to the Project.

**SUMMARY:** Approval of this contract and budget amendment will authorize the construction services necessary for the bridge replacement over Lake Osborne Drive. The Affirmative Procurement Initiative selected for this contract on January 20, 2021 by the Goal Setting Committee is a 10% minimum mandatory Small Business Enterprise (SBE) participation. Ranger agreed to 11.04% SBE participation. Approval of the budget amendment will recognize the reimbursement funding from the City for utility work they requested. The City shall be responsible for operation and maintenance of the utility work upon completion of the Project. The joint participation interlocal agreement with the City was approved by the County Engineer by way of delegated authority in accordance with the Palm Beach County Administrative Code Section 404.00. Ranger was the lowest responsive bidder of three. The contract time for the Project is 500 calendar days. Ranger is a Palm Beach County based company. **This Project is included in the Five-Year Road Program and the infrastructure sales tax. District 3 (YBH)**

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES

1. Staff recommends motion to approve:

**A)** a Use of Facility Agreement for Government Entities with the City of Riviera Beach (Meal Site), at no cost to the County, for the five year period October 5, 2021 through October 4, 2026, to provide a congregate meal site for seniors at the Lindsey Davis Community Center; and

**B)** a Use of Facility Agreement for Non-Government Entities with SPT WAH Windsor Park, LLC (Meal Site), at no cost to the County, for the five year period October 5, 2021 through October 4, 2026, to provide a congregate meal site for seniors at Windsor Park Apartments.

**SUMMARY:** The Division of Senior and Veteran Services (DSVS) receives federal funds from the Older American Act (OAA) to provide congregate meal sites. These agreements enable DSVS to operate congregate meal sites for seniors at no cost to the County for space and/or energy usage. The Meal Sites recruit volunteers to operate the sites. DSVS will provide training for the volunteers. Meals and necessary food related services and supplies are furnished by the County through its designated food service vendor, subject to the availability of funds. The meal sites were closed for grant year (GY) 2020 and currently remain closed due to COVID-19. The OAA grant requires that the Use of Facility Agreements be in place prior to reopening. Seniors receiving home delivered meals prior and during the COVID-19 pandemic are continuing to do so without interruption in services. Lindsey Davis served 6,780 meals to seniors in GY 2019. Windsor Park served 6,036 meals to seniors in GY 2019. The estimated total cost of the meals is \$49,704 and is funded under OAA in the amount of \$44,734 (90%) and \$4,970 (10%) in County match. Sufficient funding is included in the current budget to meet County obligations. DSVS is responsible for providing services north of Hypoluxo Road. The areas of service exclude portions of Districts 3, 4, 5, and 7 south of Hypoluxo Road. The Mae Volen Senior Center, Inc. is responsible for providing services in the excluded areas. **No additional County funds are required.** (DSVS) Countywide except for portions of Districts 3, 4, 5, & 7 south of Hypoluxo Road. (HH)

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. Staff recommends motion to approve: the agreements for Provision of Financial Assistance with the below listed agencies, for the period October 1, 2021 through September 30, 2022, in an amount totaling \$1,526,675:

**A)** Adopt-A-Family of the Palm Beaches, Inc. (AAF), in an amount not-to-exceed \$15,000, for the provision of transportation services to homeless individuals returning home to their support system;

**B)** Gulfstream Goodwill Industries, Inc. (GGI), in an amount not-to-exceed \$25,000, for the provision of transportation services to homeless individuals returning home to their support system;

**C)** Legal Aid Society of Palm Beach County, Inc. (Legal Aid), in an amount not-to-exceed \$92,245 for the provision of guardian advocacy and legal case management services to adults with special needs and intellectual disabilities;

**D)** The Mae Volen Senior Center, Inc. (Mae Volen), in an amount not-to-exceed \$1,194,135, for the provision of in-home and transportation services for seniors;

**E)** Palm Beach County Food Bank, Inc. (PBCFB), in an amount not-to-exceed \$155,295, for the provision of food distribution to soup kitchens, homeless shelters and food pantries, and Supplemental Nutrition Assistance Program (SNAP) outreach services; and

**F)** United Way of Palm Beach County, Inc. (United Way), in an amount not-to-exceed \$45,000, to support the Hunger Relief Plan and implement hunger relief task force outreach and public information efforts.

3. CONSENT AGENDA APPROVAL

E. COMMUNITY SERVICES (Cont'd)

2. **(Cont'd) SUMMARY:** On August 17, 2021, the Board of County Commissioners (BCC) approved funding allocations for the Financially Assisted Agencies (FAA) Program. The agreements recommended in this item reflect dollar amounts included in the FY 2022 budget. These agreements represent \$1,526,675 of the total FAA funding allocation of \$13,365,991 in FY 2022. In FY 2020, AAF served 35 clients with transportation services, and will serve up to 80 clients under this new agreement. In FY 2020, GGI served 28 clients with transportation services, and will serve up to 100 clients under this new agreement. In FY 2020, Legal Aid served 20 special needs clients with guardian advocacy and legal case management services, and will serve 20 clients under this new agreement. In FY 2020, Mae Volen served 1,364 clients with transportation services and delivered 50,000 meals to homebound seniors, and will serve approximately 1,364 seniors under this new agreement. In FY 2020, PBCFB distributed 17.4 million pounds of food (equivalent to 14.5 million meals) and assisted 6,155 clients in applying for SNAP benefits, and will serve approximately 6,200 clients under this new agreement. In FY 2020, United Way served 91,266 clients with hunger relief outreach services, and will serve approximately 91,000 clients under this new agreement. Joshua Butler, an employee of GGI is a member of the Homeless Advisory Board (HAB). Kimberly Rommel Enright and Kristina Rowe, employees of Legal Aid, are members of the Palm Beach County HIV CARE Council (HIV CARE Council). Both HAB and the HIV CARE Council provide no regulation, oversight, management, or policy-setting recommendations regarding the subject agreements or transaction. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Section 2-443, of the Palm Beach County Code of Ethics. (Financially Assisted Agencies) Countywide (HH)

3. CONSENT AGENDA APPROVAL

F. AIRPORTS

1. Staff recommends motion to receive and file: Palm Beach International Airport Off-Airport Parking Lot Operator Ground Transportation Permit (Permit) with AD1 PB Airport Hotels, LLC (AD1), commencing August 26, 2021, and terminating September 30, 2021, and automatically renewing on an annual basis each October 1<sup>st</sup> to September 30<sup>th</sup> until canceled, providing for operation of AD1's shuttle in connection with its off-airport parking operation, for payment of a permit fee in the amount of 10% of gross revenues associated with the off-airport parking operation. **SUMMARY:** The City of West Palm Beach has approved AD1 for 22 off-airport parking spaces. This Permit authorizes AD1 to operate its shuttle vehicles at the Palm Beach International Airport. Delegation of authority for execution of the standard form Permit was approved by the Board pursuant to R2014-1142. Countywide (AH)

2. Staff recommends motion to:

**A) receive and file** Federal Aviation Administration (FAA) Grant Agreement Number 3-12-0085-068-2021 in the amount of \$1,125,162 for Modify Airfield Service Road; Install Runway Incursion Lighting; Install Airfield Guidance Signs at Palm Beach International Airport (PBI). Delegation of authority for execution of this grant was approved by the BCC on August 25, 2020 (R2020-1017). This grant is effective as of September 1, 2021 with an expiration date of August 31, 2025; and

**B) approve** a budget amendment of \$1,125,162 in the Airport's Improvement and Development Fund to recognize the receipt of grant funding from the FAA; including a transfer to Reserves in the amount of \$1,125,162.

**SUMMARY:** The FAA has issued a Grant Offer (Assistance Listings Number 20.106) reflecting their commitment of funding in the amount of \$1,125,162 for Modify Airfield Service Road; Install Runway Incursion Lighting; Install Airfield Guidance Signs at PBI. Acceptance of this grant provides the Department of Airports with funding for the relocation of the airfield service road outside of the Runway Safety Area and Runway Object Free Area at the east end of Runway 10L-28R, and the implementation of airfield lighting and signage improvements on Taxiway Romeo at Runway 10R at PBI. This grant began on September 1, 2021 and expires on August 31, 2025. This grant does not require a local match. Countywide (AH)



3. CONSENT AGENDA APPROVAL

G. OFFICE OF FINANCIAL MANAGEMENT & BUDGET

1. Staff recommends motion to receive and file: approved CRA Budget and Resolution for Fiscal Year 2021-2022 from the Town of Lake Park CRA. **SUMMARY:** The Town of Lake Park CRA has submitted its approved CRA Budget and Resolution for Fiscal year 2021-2022 as per Section 163.356(3)(d), Florida Statutes. Countywide (DB)

H. FACILITIES DEVELOPMENT & OPERATIONS

1. Staff recommends motion to receive and file: a notice of exercise of the final one-year renewal option by Guardians Credit Union for use of County-owned properties for the operation of Automatic Teller Machines (ATM) for the period of June 1, 2021 through May 31, 2022. **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 request to extend has been received on behalf of the Board of County Commissioners (Board) by the Facilities Development & Operations Department in accordance to the delegation of authority approved by the Board on June 5, 2012. The request to exercise the last one-year option is now being submitted to the Board as a receive and file. (FDO Admin) Countywide (LDC)
2. Staff recommends motion to receive and file: Standard Equipment Use Agreement with the Palm Beach County Sports Commission for 17 radios for a period from June 28, 2021 through July 2, 2021. **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 executed document is now being submitted to the Board to receive and file. (FDO Admin) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

3. Staff recommends motion to approve: a first amendment to Interlocal Agreement (R2016-1487) with the City of Delray Beach (City) to extend the term of the agreement through October 16, 2026. **SUMMARY:** The Interlocal Agreement with the City provides the terms and conditions under which the City can use the County's microwave system to transport radio signals from the City's tower to the County's Master Site. Under the terms of the Interlocal Agreement, the City pays a pro rata share of the operational and maintenance costs associated with the microwave system. The costs for each fiscal year are provided by the County by March 1<sup>st</sup> annually. The costs for fiscal year 2021 were \$13,062. The existing agreement expires on October 17, 2021 and the City has approved the first renewal option extending the term through October 16, 2026. The Interlocal Agreement provides for four renewal options, each for a period of five years. The Interlocal Agreement may be terminated by either party, with or without cause, upon one year's notice. The first amendment renews the term, and adds standard County nondiscrimination, insurance, applicable law, public records and E-Verify employment provisions. Other than the changes set forth herein, all other terms remain the same. (ESS) Countywide (MWJ)
  
4. Staff recommends motion to approve: an Interlocal Agreement with Town of Ocean Ridge (Town) for radio maintenance services for a period of five years. **SUMMARY:** The agreement provides for the provision of radio equipment maintenance services to the Town, by FDO/Electronic Services & Security Division. The services are to be charged on an hourly basis at a cost of \$65/hr/person and \$97.50/hr/person for overtime work. In the event that the County must out-source the labor, a separate labor rate is provided. The rates may be adjusted annually with notification by June 1 (effective that following October 1) at the County's sole discretion, but in no event shall the Town's fee schedule exceed the fee schedule applied to County departments. The Agreement commences on November 1, 2021, at the expiration of the current Agreement (R2017-1313), for a term of five years. There are two renewal options for a period of five years each. The agreement may be terminated by either party, with or without cause with a minimum of three months' notice. (ESS) Countywide (MWJ)

3. CONSENT AGENDA APPROVAL

H. FACILITIES DEVELOPMENT & OPERATIONS (Cont'd)

5. **Staff recommends motion to receive and file:** a notice of exercise of the one year renewal extension to the License Agreement with John C. Bills, as successor trustee at the McCloskey-Bills Industrial Park Land Trust (Bills) commencing on December 1, 2021 through November 30, 2022 for the County's Information System Services Department continued use of an 18,000 sf warehouse for \$185,400/year. **SUMMARY:** On December 1, 2020, the County Administrator executed a License Agreement with Bills for 18,000 sf of warehouse space located at 950 W 13<sup>th</sup> Street Bay #2 in Riviera Beach for the County's Information System Services Department (ISS) Student Broadband Project. On March 5, 2021, the agreement was amended to add E-Verify and other federal requirements to qualify for FEMA and other state and federal reimbursements. The County Administrator signed the agreement and amendment (collectively, Agreement) under the emergency alternate source selection authority provided in PPM# CW-L-023. On April 6, 2021, the Board of County Commissioners (Board) ratified the agreement (R2021-0399). The Agreement provided for a one year renewal extension which was exercised on August 16, 2021 by the Purchasing Director effectively extending the term through November 30, 2022. On December 1, 2021, the rent will increase from \$180,000/year to \$185,400/year pursuant to the terms of the Agreement. ISS will continue to have administrative responsibility for this Agreement. (PREM) District 7/Countywide (HJF)
  
6. **Staff recommends motion to approve:** Change Order No. 1 to Work Order No. 14 of the continuing construction manager (CM) at risk services contract with Lebolo Construction Management, Inc. (R2018-1161) for the Phillip Lewis Center Phase 2 – Elevator Renovations project increasing the project duration by 326 calendar days. **SUMMARY:** On April 29, 2020, the Contract Review Committee approved Work Order No. 14 to the continuing contract with Lebolo Construction Management, Inc. (Lebolo) in the amount of \$197,330 with a construction completion schedule of 90 days. The work consists of construction management services to refurbish the interior of the existing elevator cab, elevator hydraulic modernization, new electrical upgrades, and the installation of a new heating ventilation and air conditioning system. The existing elevator is original to the building, which is more than 20 years old. The refurbishment of the elevator will modernize the interior of the cab and improve the existing operational components of the elevator. This change order authorizes an increase in the project duration by 326 calendar days to accommodate Lebolo's procurement of the elevator manufacturer contract, long lead-time materials, and the completion of the work. The delays were compounded as a result of industry staffing shortages, delays in manufacturing, and material availability resulting from the ongoing COVID-19 pandemic. (Capital Improvements Division) District 7 (LDC)

3. CONSENT AGENDA APPROVAL

J. PLANNING, ZONING & BUILDING

1. Staff recommends motion to approve: reappointment of two members to the Historic Resources Review Board (HRRB).

<u>Appointment</u>	<u>Seat</u>	<u>Requirement</u>	<u>Recommended By</u>	<u>Term</u>
Helen Vogt Greene	2	Interested in History	Mayor Kerner Commissioner McKinlay Commissioner Marino Commissioner Weiss Commissioner Bernard Commissioner Sachs	10/5/21 – 10/7/24
Jeffrey Weeks	8	Interested in History	Mayor Kerner Vice-Mayor Weinroth Commissioner McKinlay Commissioner Marino Commissioner Weiss Commissioner Sachs	10/5/21 – 10/7/24

**SUMMARY:** The Unified Land Development Code (ULDC) Article 2.G.3.H provides for the membership of the HRRB. The term of office of each member is for three years. HRRB seats are at-large positions appointed by the Board of County Commissioners (BCC). The Planning Division forwarded a memo (dated July 21, 2021) and forms to the BCC notifying the Board of the vacancies, and requesting nominations. The advisory board (HRRB) has 9 seats, 8 currently filled, and 1 vacancy, and a diversity count of Caucasian: 8 (100%). The gender ratio (male: female) is 2:6. The nominees are Helen Vogt Greene, who is a Caucasian female, and Jeffrey Weeks, who is a Caucasian male. Staff has addressed the need to increase diversity within our boards and will continue to encourage this in an effort to expand this Board's diversity. Unincorporated (RPB)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES

1. Staff recommends motion to approve: Consultant Services Authorization (CSA) No. 5 to the Consulting/Professional Services General Utility, Architectural and Value Engineering Services Contract (Contract) with Chen Moore and Associates, Inc. (Consultant) for the Torry Island Force Main Improvements (Project) for a not to exceed amount of \$326,842.72. **SUMMARY:** On December 15, 2020, the Board of County Commissioners approved the Palm Beach County Water Utilities Department (PBCWUD) Contract (R2020-1891) with Consultant. CSA No. 5 provides for professional consulting services relating to design and permitting of the Project. These services include: surveying, subsurface utility exploration, geotechnical exploration, construction plans, technical specifications, permitting, and bid support services for improvements to the force main that conveys wastewater from the Torry Island Campground to the Western Region Wastewater Treatment Facility. This Contract was procured under the requirements of the Equal Business Opportunity Ordinance. The Contract was presented to the Goal Setting Committee on October 2, 2019, and a minimum mandatory 20% Small Business Enterprise (SBE) subcontracting goal and an evaluation preference for up to 15 points based upon the relative level of dollar participation by certified SBE firms were the Affirmative Procurement Initiatives applied. The Contract provides for 27% SBE participation, which includes 17% M/WBE participation, 17% MBE (B). CSA No. 5 includes 19.61% SBE participation, which includes 19.61% M/WBE participation, 19.61% MBE (B). The cumulative SBE participation including CSA No. 5 is 10.21% SBE, which includes 10.21% MBE, 10.21% MBE (B). Consultant is headquartered in Fort Lauderdale, Florida, but maintains an office in Palm Beach County from which the majority of the work will be undertaken. The Project is included in the PBCWUD FY22 budget. (PBCWUD Project No. 21-063) District 6 (MJ)

3. CONSENT AGENDA APPROVAL

K. WATER UTILITIES (Cont'd)

2. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, amending Resolution No. R2020-1185 pertaining to the Special Assessment process for the Mahogany Lane Water Main Extension (Project), reducing the individual assessment from \$19,122.75 to \$18,491.15 per acreage. **SUMMARY:** On August 25, 2020, the BCC adopted Resolution No. R2020-1185 authorizing the Project. Pursuant to Section 9 of Ordinance No. 2001-0010, property owners are entitled to a reduction in their individual assessment if the final cost of the project falls below the original estimate. The assessment adopted by the BCC was based upon an estimated assessable cost of \$118,752.28 before construction. The actual assessable cost is \$114,830.04 after completion of construction. This Project is based on an assessment of two residential properties and a total length of 600 linear feet of potable water main. The individual cost to the property owners decreased from \$19,122.75 to \$18,491.15 per acreage using the total acreage method. (PBCWUD Project No. 19-043) District 2 (MJ)

L. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Staff recommends motion to approve: reappointment of one At-Large member to the Natural Areas Management Advisory Committee (NAMAC). Seat No. 5 is for a term of three years beginning October 5, 2021 through September 30, 2024.

<u>Seat No.</u>	<u>Reappointment</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated By</u>
5	Jennifer Cirillo	Palm Beach County Parks & Recreation Natural Areas	09/30/24	Mayor Kerner Vice-Mayor Weinroth Comm. Marino Comm. Weiss Comm. Sachs Comm. McKinlay Comm. Bernard

**SUMMARY:** Resolution No. R2013-1328 provides for a seven-member NAMAC. Membership consists of one member with experience in the management of natural areas, one biological scientist, one professional educator with knowledge of South Florida ecosystems, one representative of a local municipal government parks and recreation program, one-member of the Palm Beach County Parks and Recreation Department staff, and two citizens having an interest in preservation and conservation of natural areas. With this reappointment, six NAMAC seats will be filled with a diversity count of Caucasian: 5 (83%) and African American: 1 (17%). The gender ratio (female:male) is 4:2. Seat No. 5 nominee is a Caucasian female. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board's diversity. Countywide (SS)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

2. Staff recommends motion to:

**A) approve** State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 22PB6 (Agreement) for an amount not to exceed \$35,000 providing for monitoring of the Coral Cove Dune Restoration Project (Project) beginning July 1, 2021 and expiring December 31, 2024;

**B) approve** a budget amendment of \$35,000 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

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

**SUMMARY:** The agreement reimburses the County up to \$35,000 for biological and physical monitoring costs. The County provides a 50% match for the Project, up to \$35,000, using available funds in the Beach Improvement Fund. The agreement contains an indemnification and termination provision that differs from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviations, taking into consideration the County's need to conduct design, permitting, construction, and monitoring work for the Project, the amount of the grant award, County's current performance of such work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. **The County cost share is \$35,000.** District 1 (SS)

3. Staff recommends motion to receive and file: Amendment 1 to the State of Florida, Department of Environmental Protection (FDEP) Agreement No. 19PB1 (Agreement), which provides an amount not to exceed \$ 7,300,000 of funding assistance for the Jupiter Carlin Shore Protection Project (Project), in order to extend the Agreement termination from March 30, 2021 to December 30, 2022. **SUMMARY:** On October 8, 2019, the Board of County Commissioners approved the Agreement (R2019-1541) and authorized the County Administrator or designee to sign all future time extensions and minor amendments associated with the Agreement. Amendment No. 1 extends the Agreement for a 21-month period to begin March 31, 2021, and remain in effect until December 30, 2022. 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.** District 1 (SS)



3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

4. Staff recommends motion to approve: an appointment to the Groundwater and Natural Resources Protection Board (GNRPB) for Seat No. 2 to complete a three-year term due to a resignation beginning October 5, 2021 through March 11, 2022.

<u>Seat No.</u>	<u>Appoint</u>	<u>Seat Requirement</u>	<u>Term Ending</u>	<u>Nominated by</u>
2	Thomas Mullin	Attorney	03/11/22	Palm Beach County Bar Association

**SUMMARY:** The GNRPB is comprised of seven members as specified in Article 2.G.3.F.3 of the Unified Land Development Code (ULDC). The membership consists of one professional engineer, one attorney, one hydrologist or hydrogeologist, one citizen possessing expertise and experience in managing a business, one biologist or chemist, one concerned citizen, and one member of an environmental organization. Ordinance 92-20 and Article 2.G.3.F.3 of the ULDC requires that Seat No. 2 be filled by an attorney. The GNRPB has 6 seats currently filled and diversity count of Caucasian: 3 (50%), African-American: 2 (33.33%), and Hispanic-American: 1 (16.67%). The gender ratio (female:male) is 3:3. Seat No. 2 nominee is a Caucasian male. Staff continues to address the need for increased diversity within our boards and will encourage expansion of this Board's diversity. Countywide (SS)

5. Staff recommends motion to receive and file: Amendment Number 1 to Lease Agreement (Amendment), with the Florida Inland Navigation District (FIND), for the occupancy and use of the FIND premises as a construction staging site for storage of materials for the restoration of Sawfish Island and to extend the term of the lease from May 31, 2022 to December 31, 2022. **SUMMARY:** On October 20, 2020, the Board of County Commissioners (BCC) approved a Lease Agreement with FIND (R2020-1588) to use the Material Storage Area (MSA) 617-C available to the County for the handling and temporary storage of rock, shell and sand material needed by the Project, which includes Juno/Jupiter Beach and Tarpon Cove Projects. This Amendment adds Sawfish Island to the Project and extends the lease term. At that time, the BCC authorized the County Administrator or designee to sign all future time extensions and minor amendments associated with the Agreement. In accordance with the 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.** District 1 (SS)



3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

6. Staff recommends motion to approve:

**A)** first amendment to Annual Coastal and Marine Engineering Contract No. R2019-1542 with Aptim Environmental & Infrastructure, LLC (APTIM) to extend the contract for one year from October 7, 2021 to October 7, 2022. All other provisions remain in full force and effect;

**B)** first amendment to Annual Coastal and Marine Engineering Contract No. R2019-1543 with Olsen Associates, Inc. (OLSEN) to extend the contract for one year from October 7, 2021 to October 7, 2022. All other provisions remain in full force and effect;

**C)** first amendment to Annual Coastal and Marine Engineering Contract No. R2019-1778 with W.F. Baird & Associates Ltd. Incorporated (BAIRD) to extend the contract for one year from November 18, 2021 to November 18, 2022. All other provisions remain in full force and effect; and

**D)** first amendment to Annual Coastal and Marine Engineering Contract No. R2019-1779 with Cummins Cederberg, Inc. (CCI) to extend the contract for one year from November 18, 2021 to November 18, 2022. All other provisions remain in full force and effect.

**SUMMARY:** APTIM, a Palm Beach County company, and OLSEN, a Jacksonville, Florida company, were awarded contracts on October 8, 2019. The County is exercising the one-year renewal option to extend these contracts from October 7, 2021 to October 7, 2022. BAIRD, a Palm Beach County company, and CCI, a Palm Beach County company, were awarded contracts on November 19, 2019. The County is exercising the one-year renewal option to extend these contracts from November 18, 2021 to November 18, 2022. APTIM, OLSEN, BAIRD and CCI provide professional coastal and marine engineering services on a task order basis for various projects within the Department of Environmental Resources Management and other County departments. Office of Equal Business Opportunity's Goal Setting Committee set a 20% minimum mandatory Small Business Enterprise (SBE) subcontracting goal as the Affirmative Procurement Initiative for the contracts. APTIM has agreed to 25% SBE participation; it has achieved 64.3% participation. OLSEN has agreed to 24% SBE participation; it has achieved 44.6% participation. BAIRD has agreed to 25% SBE participation; it has achieved 11.3% participation. CCI has agreed to 24% SBE participation; it has achieved 59.5% participation. **There is no cost to the County.** Countywide (YBH)

3. CONSENT AGENDA APPROVAL

L. ENVIRONMENTAL RESOURCES MANAGEMENT (Cont'd)

7. Staff recommends motion to:

**A) approve** State of Florida Department of Environmental Protection (FDEP) Standard Grant Agreement No. 22PB4 (Agreement) for an amount not to exceed \$839,803.97 providing for construction and monitoring of the Singer Island Dune Nourishment Project (Project), beginning January 1, 2018, and expiring December 31, 2024;

**B) approve** a budget amendment of \$839,804 in the Beach Improvement Fund to recognize the revenue award from FDEP; and

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

**SUMMARY:** The Agreement reimburses the County up to \$839,803.97 for construction and monitoring costs. The County provides a 64.14% match of up to \$1,502,092 using available funds in the Beach Improvement Fund. The Agreement contains an indemnification and termination provision that differs from that adopted for use by the County under PPM CW-F-049. In accordance with PPM CW-F-049, the Risk Management Department and the County Attorney's Office have reviewed the terms and agreed to the deviations, taking into consideration the County's need to conduct design, permitting, construction, and monitoring work for the Project, the amount of the grant award, County's current performance of such monitoring work and liability for its acts, and the non-waiver of sovereign immunity beyond the statutory caps of Section 768.28, Florida Statutes. **The County Cost share is \$1,502,092.** District 1 (SS)

OCTOBER 5, 2021

3. CONSENT AGENDA APPROVAL

P. COOPERATIVE EXTENSION SERVICE

1. Staff recommends motion to:

**A) accept** the donation of \$95,000 from Friends of the Mounts Botanical Garden, Inc. (FMBG) to fund costs associated with retaining consultant services toward necessary design work for the Windows on the Floating World (Windows) located at Mounts Botanical Garden of Palm Beach County (MBG); and

**B) approve** a budget amendment in the Capital Outlay Fund (Fund 3900) in the amount of \$95,000.

**SUMMARY:** The donation will provide for retaining consultant services to assess existing conditions and design and engineering solution to address current erosion and operational water level issues. The design consultant will prepare construction drawings and specifications that once implemented, will provide for operation of Windows in a manner consistent with programmatic expectations. District 7 (AH)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY

1. Staff recommends motion to:

**A) receive and file** executed grant award S18-21-05-12 with the State of Florida E911 Board and Division of Management Services to purchase and install 911 Call Handling Equipment for the Florida Highway Patrol (FHP) Lake Worth Regional Communications Center (LWRCC) in the amount of \$583,675 for the period of May 24, 2021 through May 24, 2023;

**B) receive and file** the Interlocal Agreement with the FHP for the period August 13, 2021 through August 12, 2026 to provide for the installation and maintenance of 911 call and text answering equipment; and

**C) approve** a budget amendment of \$583,675, in the E-911 Grant Fund to recognize the grant award.

**SUMMARY:** Palm Beach County Public Safety Department's Division of 911 Program Services was awarded a grant from the State of Florida E911 Board and Division of Management Services under the 911 State Grant Program as authorized under Section 365.173, Florida Statutes in the amount of \$583,675 for the period May 24, 2021 through May 24, 2023, to create a secondary Public Safety Answering Point (PSAP) to the PBC 911 system at LWRCC. The equipment being purchased will allow FHP to receive voice, text, and critical location information from 911 callers who travel I-95, the Florida Turnpike and all areas covered by FHP in Palm Beach County; which will improve response times during emergencies. Providing the 911 Call Taking Equipment at FHP will allow 911 emergency calls to be presented on a priority basis allowing for a quicker, coordinated response to emergencies. This grant was executed in accordance with Agenda Item 3X-1 dated July 13, 2021 which authorized the County Administrator or designee to execute the grant award and any associated amendments, execute the interlocal agreement and any associated amendments utilizing funds from the State of Florida E911 Board grant award, and submit electronic reports on behalf of the County after approval of legal sufficiency by the County Attorney's Office and within budget allocations. **No County matching funds are required.** Countywide (JW)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

2. Staff recommends motion to:

**A) accept** Urban Area Security Initiative (UASI) GY 2020 – Award Letter;

**B) receive and file** Memorandum of Agreement (MOA) UASI FY 2020 agreement number R0232 with the City of Miami to receive \$465,726 in reimbursable grant funding for the period July 30, 2021 through June 30, 2022; and

**C) approve** budget amendment of \$421,697 in the (UASI) Grant Fund to adjust the budget to the actual grant award.

**SUMMARY:** This MOA (CFDA # 97.067) provides a means of funding various domestic security activities within the County using Federal UASI funds through the City of Miami as the UASI's fiscal agent. UASI awarded \$465,726 to the County's Public Safety Department Division of Emergency Management for a patient tracking exercise and equipment, a cybersecurity response plan and exercise, a risk and vulnerability assessment for elections security, a domestic security plan and exercise, and regional Citizen Corps/CERT training, exercise and equipment. R2013-0622 gave the authority to the County Administrator or designee to execute these agreements on behalf of the Board of County Commissioners. **No County matching funds are required.** Countywide (LDC)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

3. Staff recommends motion to:

**A) approve** a contract for consulting/professional services with Drug Abuse Treatment Association, Inc. (DATA) in the amount of \$135,780 to provide substance use disorder (SUD) treatment for the Delinquency Drug Court for the period retroactive to October 1, 2021 through September 30, 2024;

**B) approve** a contract for consulting/professional services with Phamatech Inc. in the amount of \$856,908 to provide drug testing for individuals referred by the Adult, Delinquency and Family Drug Courts for the period retroactive to October 1, 2021 through September 30, 2024; and

**C) authorize** the County Administrator or designee to execute 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's Office and within budgeted allocations.

**SUMMARY:** Palm Beach County's Department of Public Safety, Division of Justice Services, contracts with providers to coordinate SUD treatment and drug testing services to those in the Fifteenth Judicial Circuit's Drug Court programs. These contracts will provide drug treatment to participants in the Delinquency Drug Court and drug testing services to all individuals referred by the Adult, Delinquency, and Family Drug Courts. SUD treatment services are customized to each participant's unique needs and include individual and group counseling, psychiatric evaluations, medication management, and outpatient treatment options. Contracts are awarded through a competitive process and ensure that the County meets the needs for participants referred by the Drug Court programs. These contracts are funded through the Drug Abuse Trust Fund, Crime Prevention Trust Fund, user fees, and ad valorem funds. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

4. Staff recommends motion to approve: executed contract for Professional Legal Services with Legal Aid Society of Palm Beach County, Inc. (LASPBC) to provide civil legal services to the indigent citizens of Palm Beach County in the amount not to exceed \$1,154,474.90 for the period October 1, 2021 through September 30, 2022. **SUMMARY:** This contract between the County and LASPBC ensures the seamless continuation of legal services for indigent citizens of Palm Beach County. The contract funds the State mandate for general civil legal services (\$888,290), the Public Guardianship Program (\$152,541.60), and the Domestic Violence Representation Program (\$113,643.30). The State mandated funding for LASPBC is a local requirement, mandated by Article V of the Constitution of the State of Florida. Section 939.185, Florida Statutes allows the Board of County Commissioners to assess additional court costs, not to exceed \$65. The \$65 additional court cost generates \$275,000 in revenue, which partially offsets the costs of these programs. Two staff members of the Legal Aid Society of Palm Beach County, Inc. serve on a County Advisory Board. Kristina Rowe and Kimberly Rommel-Enright serve on the HIV Care Council. This Board provides no regulation, oversight, management, or policy-setting recommendations regarding the Legal Aid Society of Palm Beach County, Inc. contract. Disclosure of the contractual relationship at a duly noticed public meeting is being provided in accordance with the provision of Section 2-443 of the Palm Beach County Code of Ethics. Countywide (SF)

3. CONSENT AGENDA APPROVAL

X. PUBLIC SAFETY (Cont'd)

5. Staff recommends motion to:

**A) receive and file** Purchase order (B96980) for \$500,000 for contractual adult reentry services from the Florida Department of Corrections (FDC) for the service period of July 1, 2021 through June 30, 2022; and

**B) approve** a budget amendment of \$500,000 in the Justice Service Grant Fund to adjust the budget to the actual grant award.

**SUMMARY:** Palm Beach County's Regional and State Transitional Offender Reentry (RESTORE) Initiative is funded by local, state, and federal sources. The State of Florida FY21-FY22 General Appropriations Act provided \$500,000 (CSFA#70.011) in non-recurring general revenue funds to the Palm Beach County Board of County Commissioners for Adult Reentry Services. The funding allocation increased from \$470,000 in FY21 to \$500,000 for FY22. The Department of Public Safety Division of Justice Services solicited community providers through a competitive procurement process to provide adult reentry services such as pre-release/post-release case management and client support services. The Lords Place, Inc., the City of Riviera Beach Reentry Center, and Gulfstream Goodwill Industries, Inc. were chosen as the contract providers for July 1, 2021 through June 30, 2022. These contracts will provide re-entry services to support the residents who are released from FDC facilities returning to Palm Beach County. **No County matching funds are required for this grant.** Countywide (SF)

Z. RISK MANAGEMENT

1. Staff recommends motion to approve: the purchase of airport liability insurance, for the period October 10, 2021 through October 10, 2022; to be purchased through the County's contracted broker, Arthur J. Gallagher Risk Management Services, Inc. for a total cost of \$132,000. **SUMMARY:** The renewal premium of \$132,000 for airport liability through Starr Indemnity and Liability Co. represents a \$500 decrease over the expiring premium. All terms and limits will remain the same as the expiring policy, which provides a \$200,000,000 limit of liability with a \$0 per claim deductible. Countywide (HH)



3. CONSENT AGENDA APPROVAL

BB. YOUTH SERVICES

1. Staff recommends motion to approve: a Community Based Agency Contract with The Arc of Palm Beach County, Inc. (Arc), for the period October 1, 2021, through September 30, 2024, in an amount not to exceed \$82,000 annually, totaling \$246,000 over the three year period, for the Stand Up & Youth Employment Programming Program. **SUMMARY:** On March 15, 2021, the Youth Services Department issued a Notice of Funding Opportunity (NOFO) for Community Based Agency (CBA) funding for three years, beginning in FY2022, for three action areas identified as a priority in the Youth Master Plan: Economic Access, Educational Supports, and Parenting & Role Models. On June 15, 2021, the Board of County Commissioners conceptually approved the recommended funding allocations to a total of 14 agencies. On September 14, 2021, the Board approved contracts with 12 of those agencies. Both Arc and Seagull Industries for the Disabled, Inc. (Seagull), submitted proposals in response to the FY2022 NOFO and were recommended for funding. YSD was subsequently informed by Seagull that their programs and services would be merged with Arc, so this Contract was delayed until the merger was completed. The Stand Up & Youth Employment Programming provides a platform for high-performing teens to connect and collaborate to build social and emotional strength that will affect change within their communities, among their peers, and in their personal lives. The programming provides youth with a safe environment to develop leadership skills through peer-to-peer mentoring, advocacy and inclusion. The program aims to serve 20 Parents/Caregivers, and 105 Youth (20 Youth Mentors and 85 Youth with Intellectual and Developmental Disabilities). This contract includes a logic model and reporting measurements specific to the Arc. After completion of each contract year, a report will be generated detailing the Arc's progress in meeting their performance measurements. Countywide (HH)

3. CONSENT AGENDA APPROVAL

CC. OFFICE OF EQUAL BUSINESS OPPORTUNITY

1. [Staff recommends motion to approve:](#) reappointment of the following individuals to the Equal Business Opportunity Advisory Committee (EBOAC) for the seats and terms indicated below.

<u>REAPPOINTMENT</u>	<u>SEAT #</u>	<u>DESIGNATION</u>	<u>TERM</u>	<u>NOMINATED BY</u>
Doris Pastl	3	Certified Woman Business Owner	10/16/21 - 10/15/24	Mayor Kerner Vice-Mayor Weinroth Commissioner Marino Commissioner Weiss Commissioner Bernard
Robert Waite	4	Certified White Business Owner	10/16/21 – 10/15/24	Mayor Kerner Vice-Mayor Weinroth Commissioner Marino Commissioner Weiss Commissioner Bernard
Amy Angelo	5	Business Owner Domiciled in PBC	10/16/21 – 10/15/24	Mayor Kerner Vice-Mayor Weinroth Commissioner Marino Commissioner Weiss Commissioner Bernard
Denise Albritton	9	Certified Women’s Business Organization	10/16/21 – 10/15/24	Mayor Kerner Commissioner Marino Commissioner Weiss Commissioner McKinlay
Carole Hart	12	Small Business Development Center	10/16/21 – 10/15/24	Mayor Kerner Vice-Mayor Weinroth Commissioner Marino Commissioner Weiss Commissioner Bernard
Courtney Newell	14	Certified Black Chamber of Commerce	10/16/21 – 10/15/24	Mayor Kerner Vice-Mayor Weinroth Commissioner Marino Commissioner Weiss Commissioner Bernard

3. CONSENT AGENDA APPROVAL

CC. OFFICE OF EQUAL BUSINESS OPPORTUNITY (Cont'd)

1. **(Cont'd) SUMMARY:** The EBOAC is established pursuant to Section 2-80.28(f) of the Palm Beach County Code. The Committee consists of 15 members representing one African American business owner certified as a small business by the County; one Hispanic business owner certified as a small business by the County; one woman business owner certified as a small business by the County; one white male business owner certified as a small business by the County; one business owner domiciled in Palm Beach County; one representative of a business incubator program; one representative of the Hispanic business organization; one representative of the National Association of Women in Construction; one representative of a Women's Business Organization; one certified minority contractor; one representative of the Associated General Contractors of America; one representative of the Small Business Development Center; one representative of a financial institution that assists small businesses; one representative of the Black Chamber of Commerce; and one representative of a professional services organization. On August 9, 2021 and August 30, 2021, a memo was sent to the Board of County Commissioners requesting approval of the nominations. No other nominations were received. The Committee seat terms are for three years, and the Committee reviews and evaluates the effectiveness of equal business opportunity programs within County Government. Of the 15 members, the current diversity count is African American: 7 (46%), Caucasian: 6 (40%), and Hispanic: 2 (14%). The gender ratio (female:male) is: 8:7. The nominees for reappointment are Ms. Doris Pastl, Caucasian female; Mr. Robert Waite, Caucasian male; Ms. Amy Angelo, Caucasian female; Ms. Denise Albritton, African-American female; Ms. Carole Hart, Caucasian female; and Ms. Courtney Newell, African-American female. Countywide (DB)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF COMMUNITY REVITALIZATION

1. Staff recommends motion to approve:

**A)** expenditure of \$210,000 for the installation and 20 years maintenance of 38 Light Emitting Diode (LED) streetlights and the conversion of 11 existing streetlights to LED streetlights in the Seminole Manor Countywide Community Revitalization Team (CCRT) area;

**B)** a budget transfer of \$210,000 in the Capital Outlay Fund to establish a transfer of \$150,000 for the Seminole Manor Street Lighting project to fund the installation of this project including necessary tree trimming and conversion of 11 existing streetlights and a transfer of \$60,000 to the OCR Special Projects and Initiatives Fund for project maintenance; and

**C)** a budget amendment of \$60,000 in the OCR Special Projects and Initiatives Fund to recognize the transfer and appropriate it to the Seminole Manor Street Lighting project maintenance.

**SUMMARY:** In January of 2018, the Seminole Manor Street Lighting Project was initiated by members of the Seminole Manor community to help reduce criminal activity and provide better pedestrian and vehicle safety. The project entails the installation and 20 years maintenance of 38 LED streetlights and the conversion of 11 existing streetlights which were installed through Engineering's Street Lighting Program to LED streetlights. Converting the existing 11 cobra headlights to LED lights will result in an estimated cost savings of \$13,200 over a 20-year period. The requested transfer of \$210,000 is needed to cover the cost for the installation and 20 years maintenance of 38 LED streetlights and the conversion of the existing 11 lights to LED lights. Funding is available in the CCRT Recouped Funding account in the Capital Outlay Fund. District 3 (HH)

3. CONSENT AGENDA APPROVAL

DD. OFFICE OF COMMUNITY REVITALIZATION (Cont'd)

2. Staff recommends motion to approve:

**A)** expenditure of \$42,000 for the installation of 10 speed humps in the Cannongate-Southwoods Countywide Community Revitalization Team (CCRT) area;

**B)** expenditure of \$4,200 for the installation of 1 speed hump in the San Castle CCRT area;

**C)** expenditure of \$4,200 for the installation of 1 speed hump in the Plantation Area CCRT area; and

**D)** a budget transfer of \$50,400 to the Capital Outlay Fund from the CCRT Recoup Funding Account for \$42,000 for the Cannongate-Southwoods Speed Humps Installation Project; \$4,200 for the San Castle Speed Humps Installation Project; and \$4,200 for the Plantation Area Speed Humps Installation Project.

**SUMMARY:** The installation of speed humps was requested by neighborhood residents from the San Castle and the Plantation Area CCRT areas and by the Home Owners Association (HOA) and neighborhood residents from the Cannongate-Southwoods CCRT area to address the need to slow down vehicular traffic and improve safety along non-thoroughfare County roadways. Approval of the requested funds and the associated budget transfer will fund the construction of a total of 12 speed humps. County policy requires that 60% of affected property owners for each street sign a petition in support of the project. If the requesting community is represented by a HOA, the HOA may submit a signed resolution on behalf of the owners of each relevant fronting property representing support for speed hump installation. The supporting petitions for the San Castle and Plantation projects, as well as a completed and signed HOA resolution on behalf of the Cannongate-Southwoods project have been received, reviewed, and approved by Traffic Engineering. Staff is recommending approval of the projects. Districts 2, 6 & 7 (HH)

3. CONSENT AGENDA APPROVAL

EE. TOURIST DEVELOPMENT COUNCIL

1. Staff recommends motion to receive and file: three fully executed Palm Beach County FY2021 Grant Agreements managed by the Palm Beach County Sports Commission, Inc on behalf of the Palm Beach County Tourist Development Council (TDC) with:

**A)** Prospect Select Baseball, Inc., for the promotion of the Prospect Select The Wave Invitational, held from July 17 - 21, 2021, for the term April 17, 2021 – December 21, 2021. This grantee was approved by the TDC on February 11, 2021, in the amount of \$6,000;

**B)** Perfect Game Youth Florida, Inc., for the promotion of the Perfect Game Youth Florida Endless Summer Classic, held from July 8 – 12, 2021, for the term February 8, 2021 – October 12, 2021. This grantee was approved by the TDC on February 11, 2021, in the amount of \$4,000; and

**C)** Palm Beach Gardens Youth Athletic Association, Inc., for the promotion of the Cal Ripkin Baseball 10U/12U World Series, held from August 6 - 14, 2021, for the term August 6, 2020 – November 24, 2021. This grantee was approved by the TDC on December 12, 2019, in the amount of \$25,000.

**SUMMARY:** 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. On June 7, 1994, the Board of County Commissioners adopted resolution (R94-702) authorizing the Executive Director of the Tourist Development Council to enter into grant agreements with Category G (Sports) grantees after they have been approved by the Tourist Development Council. Combined, these agreements generated a total of 4,191 room nights, and also funded events which promoted sports tourism in Palm Beach County. Countywide (AH)

\* \* \* \* \*

OCTOBER 5, 2021

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

- A) Presentation to Denise Marie Nieman by the Florida Association of Counties
- B) Proclamation declaring October 5, 2021 as Lomax Harrelle Appreciation Day in Palm Beach County (District 6)
- C) [COVID-19 Update by Dr. Alonso and County Staff](#)

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5. REGULAR AGENDA

A. CLERK OF THE CIRCUIT COURT & COMPTROLLER

1. Staff recommends motion to receive and file: Presentation of the Palm Beach County Clerk of the Circuit Court & Comptroller Operations Update for fiscal year ending September 30, 2021.

B. FACILITIES DEVELOPMENT AND OPERATIONS

1. Staff recommends motion to:

**A) adopt** a resolution authorizing the conveyance of one property that escheated to the County to the Town of Mangonia Park pursuant to Section 197.592(3), Florida Statutes without charge and with reservation of mineral and petroleum rights, but without rights of entry and exploration; and

**B) approve** a County Deed in favor of the Town of Mangonia Park.

**SUMMARY:** The County acquired a property located within the municipal boundaries of the Town of Mangonia Park (Town) by Tax Deed. This property serves 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 associated with 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 7 (HJF)



5. REGULAR AGENDA

C. YOUTH SERVICES

1. Staff recommends motion to approve:

**A)** a contract for Enhanced Mentoring Engagement with Children’s Services Council of Palm Beach County (CSC) and United Way of Palm Beach County, Inc. (United Way), to fund the Enhanced Mentoring Engagement Program, for the period October 5, 2021, through September 30, 2024, in an amount not to exceed \$621,000 in FY22 and \$670,000 annually thereafter, totaling \$1,961,000 over the three year period;

**B)** a budget amendment of \$342,792 in the General Fund to recognize the anticipated revenue from CSC and establish the appropriation (Unit 2066) to fund a portion of the cost of this contract; and

**C)** a budget transfer of \$278,208 in the General Fund from the Head Start Match reallocation (Unit 1451) for evidence-based/promising programming to fund the remaining cost associated with this contract.

**SUMMARY:** The Mentor Center’s most important component is that children need to grow into healthy adults with a strong relationship with a nonparent adult. This new Enhanced Mentoring Engagement program (Program) will focus on supporting youth directly involved with or at-risk of entering the juvenile justice and/or dependency system in low-income communities in priority geographic locations. This Program aims to service 200 youth; 180 parents/guardians/mentors; and 80 service organizations staff. The United Way will provide oversight, training, technical assistance and resources to youth directly or indirectly involved in the juvenile justice and dependency systems, as well as expand capacity and willingness of more providers through Mentor Center Hubs within communities to serve this unique population and remove the stigma associated with them. The CSC will contribute no more than \$370,000 annually and the County will provide no more than \$300,000 annually from net ad valorem funding beginning October 5, 2021. This contract includes a logic model and reporting measurements specific to United Way. After completion of each contract year, a report will be generated detailing United Way’s progress in meeting their performance measurements. Countywide (HH)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

1. Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida: approving the issuance of the Palm Beach County Health Facilities Authority Revenue Bonds for Toby & Leon Cooperman Sinai Residences of Boca Raton, Series 2022, in one or more series, in an aggregate principal amount not to exceed \$140,000,000. **SUMMARY:** The Palm Beach County Health Facilities Authority has previously issued Revenue Bonds for Sinai Residences of Boca Raton Project (the Series 2014 Bonds), in the original aggregate principal amount of \$213,785,000, of which \$121,355,000 is currently outstanding, to finance the first phase of a continuing care retirement facility which is owned by Federation CCRC Operations Corp., a Florida non-profit corporation (the Borrower). The Authority adopted on September 13, 2021, a resolution expressing its intent to approve the issuance of Revenue Refunding Bonds for Toby & Leon Cooperman Sinai Residences of Boca Raton, Series 2022, in one or more series, in an aggregate principal amount not to exceed \$140,000,000 (the Bonds) to: (i) refund all or a portion of the outstanding Series 2014 Bonds; (ii) fund a debt service reserve fund; and (iii) pay certain expenses incurred in connection with the issuance of the Bonds and the refunding of the Series 2014 Bonds. The Bonds will be payable solely from revenues derived from the Borrower and/or other collateral provided by or on behalf of the Borrower. Following notice by publication in *The Palm Beach Post* at least seven days prior to the public hearing, on September 17, 2021, the Authority's hearing officer held a public hearing in the noticed principal amount not to exceed, \$140,000,000 as required by Section 147 (f) of the Internal Revenue Code of 1986, as amended (the Code). Approval by an elected body is required by the Internal Revenue Code; however, adoption of this resolution does not in any way obligate the County. **Neither the taxing power nor the faith and credit of the County nor any County funds are pledged to pay the principal, redemption premium, if any, or interest on the Bonds.** District 5 (DB)

5. REGULAR AGENDA

D. HOUSING AND ECONOMIC DEVELOPMENT

2. Staff recommends motion to:

**A) approve** a request for an amendment to the Bond Trust Indenture dated November 1, 2018 by and between the County and UMB Bank, as successor trustee related to the restructure for the County's outstanding tax-exempt and/or taxable Revenue Bonds, Series 2018 (the Bonds); for the Tuscan Gardens of Delray Beach project; and

**B) adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, authorizing the amendment to the Bond Trust Indenture providing for the optional redemption of the Bonds to permit the restructure of the Bonds.

**SUMMARY:** The funds provided through the sale of the Bonds in 2018 were loaned to Tuscan Gardens of Delray Beach Properties, LLC to finance, refinance, or reimburse all or a portion of the costs of: (I) developing approximately 7.57 acres of land in unincorporated Palm Beach County, Florida near Delray Beach, Florida to serve as an assisted living and memory care rental community for seniors known as Tuscan Gardens of Delray, consisting of approximately 130 total units of senior housing, including 80 assisted living units and 50 memory support units (the Project); (II) funding capitalized interest on the Bonds; (III) funding certain pre-development costs of the Project; (IV) funding debt service reserve; (V) refunding the County's taxable revenue bonds (Tuscan Gardens of Delray Beach Project) Series 2017; and (VI) funding the cost of issuance for the Bonds. The Borrower seeks to restructure the Bonds but an amendment is necessary to permit the optional redemption of the Bonds at this time. The County will be asked to consider the issuance of one or more series of bonds to refund the Bonds at a future date. **Neither the taxing power nor the faith and credit of the County, nor any County funds, are pledged to pay the principal, premium, if any, or interest on the Bonds.** District 5 (DB)

5. REGULAR AGENDA

E. ADMINISTRATION

1. Staff recommends motion to approve: Interlocal Agreement Palm Beach Workforce Development Consortium, which replaces Interlocal Agreement R2007-1220; First Amendment to the Interlocal Agreement R2007-1446; Amendment No. 2 to the Interlocal Agreement R2008-1268; and Third Amendment to the Interlocal Agreement R2014-1650. **SUMMARY:** The City of Delray Beach, the City of Palm Beach Gardens, the City of South Bay and the City of West Palm Beach have an existing Interlocal Agreement with Palm Beach County (R2007-1220) creating the Palm Beach Workforce Development Consortium (Consortium), as amended by the First Amendment to the Interlocal Agreement R2007-1446, Amendment No. 2 to the Interlocal Agreement R2008-1268, and Third Amendment to the Interlocal Agreement R2014-1650; for the purpose of establishing an Independent Special District and to implement Federal and State workforce development programs and related activities in Palm Beach County, Florida under the provisions of the Workforce Innovation and Opportunity Act, the Temporary Assistance to Needy Families Act, the Wagner-Peyser Act and the Florida Workforce Innovation Act of 2000 (Workforce Programs). This Interlocal Agreement Palm Beach Workforce Development Consortium consolidates and streamlines the Agreement and its three amendments into one document, reaffirms, restates and establishes the Consortium members' intent to continue the operation of the multi-jurisdictional Consortium for the express purpose of collectively carrying out the individual responsibilities of each party to the Agreement under the Workforce Programs, other applicable statutes and such other funding sources as may be available to support workforce activities. The City of Delray Beach, the City of Palm Beach Gardens, the City of South Bay and the City of West Palm Beach have approved and executed the Interlocal Agreement Palm Beach Workforce Development Consortium. Staff recommends approval of the revised Interlocal Agreement. No County funding is required. Countywide (HH)

F. COUNTY ATTORNEY

1. Staff recommends motion to adopt: a resolution approving the nonbinding Memorandum of Understanding (Florida Plan) sought by Florida's Attorney General in furtherance of a settlement of the action against three opioid drug distributors (AmerisourceBergen, Cardinal Health, and McKesson) and one drug manufacturer (Johnson & Johnson) (collectively, Defendants) in the National Multidistrict Opioid Litigation (MDL); and authorizing the Mayor to execute a subsequent formal agreement that is substantially the same terms as the Florida Plan. **SUMMARY:** On August 31, 2021, the Board of County Commissioners (BCC) granted the County Attorney's request to schedule a private meeting for an attorney-client session between the BCC, the County Administrator, the County Attorney, the Deputy County Attorney, the Chief Assistant County and outside counsel, pursuant to Section 286.011(8), Florida Statutes, to discuss settlement negotiations of pending litigation in which Palm Beach County is presently a party: 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). On September 14, 2021, the private meeting for the attorney-client session was held. Based on the private attorney-client session, staff recommends the BCC adopt a resolution approving the nonbinding Memorandum of Understanding (Florida Plan). Countywide (DO)

G. ENGINEERING & PUBLIC WORKS

1. Staff recommends motion to: **A) adopt** a resolution approving a right of way acquisition memorandum of agreement (Agreement) with the Florida Department of Transportation (FDOT) concerning the I-95 and Central Boulevard interchange project (Project); and **B) approve** a right of way acquisition Agreement with the FDOT for the construction of the Project. **SUMMARY:** Adoption of this resolution approving the Agreement will allow FDOT to acquire necessary right of way along Central Boulevard to construct the Project. The Agreement is required to allow transfer of the acquired right of way to Palm Beach County (County) after completion of the Project. Central Boulevard is a County roadway. Construction will be entirely funded by FDOT at an estimated cost of \$60,000,000. District 1 (YBH)

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OCTOBER 5, 2021

6. BOARD APPOINTMENTS

A. COMMISSION DISTRICT APPOINTMENTS

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OCTOBER 5, 2021

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

OCTOBER 5, 2021

**8. COMMISSIONER COMMENTS**

**District 1 – COMMISSIONER MARIA G. MARINO**

Request for off-site Proclamation recognizing the 100th Anniversary of the Jupiter Inlet District

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

**District 3 – COMMISSIONER DAVE KERNER**

Request for off-site Proclamation declaring October 15, 2021 as TV Azteca Day in Palm Beach County

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

**District 5 - COMMISSIONER MARIA SACHS**

**OCTOBER 5, 2021**

**8. COMMISSIONER COMMENTS CONTINUED**

**District 6 - COMMISSIONER MELISSA MCKINLAY**

**District 7 – COMMISSIONER MACK BERNARD**

Request for off-site Proclamation declaring October 2021 as Palm Beach County Archive Month in Palm Beach County

Request for off-site Proclamation declaring October 10, 2021 as the 110<sup>th</sup> National Day of the Republic of China (Taiwan)



OCTOBER 5, 2021

9. MATTERS BY THE PUBLIC – 2:00 P.M.

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**OCTOBER 5, 2021**

**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."